

14749

No. _____

Supreme Court of Illinois

A
Westfall

vs.

Brent

71641  7

STATE OF ILLINOIS,

SUPREME COURT,

THIRD GRAND DIVISION.

No. 277

J. W. Middleton & Co., Stationers, 196 Lake St.

Westfall
Brent

14749

William P. Brent, appellant - Σ Supreme Court
277 $\hookrightarrow$ of the State of Illinois
Reuben Metfall appellee Σ 3rd Grand Division

The Clerk of the
Supreme Court will issue execution
upon bill for damages & costs. and direct
to Sheriff of Warren County, with proceeden-
ce to Court below

A. G. Kirkpatrick
Atty for appellee

Bunt-

vs

Mitfall

Pleas before the Honorable John
S Thompson Judge of the tenth Judicial Circuit
of the State of Illinois. At a Circuit Court began
and held at the Court House in Mammouth
within and for the County of Warren and State
of Illinois On the third Monday in the month of
September. In the year of our Lord one thousand
eight hundred and fifty seven. It being the 21st
day of said Month

Present Hon John S Thompson Judge
James H Stewart States Atty
Charles M Mills Sheriff
William Safety Club

Reuben Westfall

vs

Assumpsit

William P Breet

And afterwards to wit on the 30th day of September
A.D. 1857 the following order was entered upon the record
of our said Court which is as follows to wit;

Reuben Westfall

vs

Assumpsit

William P Breet

This day came the parties
and their respective Counsel, and issue being
joined for trial, they put themselves upon the
County. Thereupon came a jury to wit;

Wm Mitchell, Samuel Claycomb, Alfred White
Wm L Butler, M B Jones, B Forwood, Andrew
Clayton, J Whitman, J Mc Murphy, John Wallace
Geo W Claycomb & J B Vertrees who being duly
elected tried & sworn well & truly to try the issue
joined herein and after hearing ^{part of} the evidence and
argument of Counsel returned to consider of their
Verdict,

And afterwards on the 1st day of October 1857 the
following order appears of record in said Court

Reuben Westfall
vs } Assumpsit
William P Brent }

This day again this Cause
coming on for a hearing, And the Jury after
hearing all the evidence and argument of Counsel
returned to consider of their verdict. And returned
into Court the following Verdict to wit: That
the Jury find for the Plaintiff and assess the dam-
age at Ninety four dollars and fifteen Cents
Thereupon came the Plaintiff by his Counsel and
enter his motion for a new trial herein,

And afterwards on the 3rd day of October 1857 the
following order appears of record in said Court,

Reuben Westfall
vs } Assumpsit
William P Brent } And now

at this time Came the Plaintiff by his Counsel
and withdraws his motion for a new trial
herein, And now Came the defendant ~~and~~
by his Counsel and enters his motion for a
new trial herein,

And afterwards on the 7th day of October 1857 the
following order appears of record in said Court,

Reuben Westfall
vs
William P Brent } Assumpsit

This day again this Cause
coming on for a hearing on the motion made
herein by the defendants Counsel for a new
trial, which said motion was heard and
allowed on the Condition that the said defen-
dant pay all the Costs within thirty days from
this date. And that this suit be continued
until the next term of this Court,

And Afterwards & That; on the 22^d day of March
AD 1858 being at a regular term of the Circuit
Court of Hancock County Illinois the following order
was entered upon the records of said Court as follows,

Reuben Westfall
vs
William P Brent } Assumpsit

The Costs

not having been paid in this Cause in Conformity with an order made herein at the last term of this Court. Therefore it is ordered by the Court that the motion made herein at the last term of this Court for a new trial be overruled. And that Judgment be rendered on the Verdict of the Jury. Therefore it is Considered by the Court that the Plaintiff have and recover of the said defendant the sum of Sixty four dollars and fifteen Cent the amount so found by the Jury aforesaid at the last term of this Court, together with his Costs by him in this Suit expended and may have Execution therefor.

And afterwards on the first day of April A.D. 1858 the following order was entered of record,

Reuben Westfall
vs } Assumpsit
William P Breet

This day came the defendant by his attorney and prays the Court for an appeal to the Supreme Court of the State of Illinois, which is allowed by the Court upon the defendant entering into Bond in the sum of Two hundred dollars within twenty days to be approved by the Clerk,

Know all men by these presents that we
Wm P Brent, Henry Brent Jr & James R
Brent are held and firmly bound unto Reuben
Westfall in the penal sum of Five hundred
dollars for the payment of which well and
truly to be made we bind ourselves our heirs
Executors and Administrators jointly severally
and firmly by these presents, Witness our
hands and Seals this 2^d day of April Anno
Domini, one thousand eight hundred and fifty
eight. The condition of the above obligation
is such that whereas the said Reuben Westfall
did on the twenty second day of March 1858 in the
Circuit Court within and for the County of Warren
and State of Illinois recover a judgment against
the above bounden Wm P Brent for the sum of
Ninety four dollars and fifteen Cents and Costs
of suit from which judgment of said Circuit
Court the said William P Brent has prayed for
and obtained an appeal to the Supreme Court of
said State. Now if the said William P Brent
shall duly prosecute his said appeal with effect
and shall moreover pay the amount of the judg-
ment, Costs, interest and damages, rendered
and to be rendered against him in case the
said judgment shall be affirmed in the said
Supreme Court then the above obligation to
be null and void, Otherwise to remain

in full force and virtue

William P Brent (Seal)

Remer Brent Jr (Seal)

James R Brent (Seal)

Approved by me this

19th day of April AD 1858

Wm Safety Club

Filed April 19 - 1858

Wm Safety Club

State of Illinois
Harris County

I Wm Safety Club of the Circuit
Court in and for said County do Certify that
the above and foregoing are true Copies of
the order and Appeal bond in the foregoing
Case as the same appears from the records
and files of my said office

In Testimony whereof I have hereunto
set my hand and affixed the Seal of our
said Circuit Court at my office in Mon-
mouth this 22nd day of April AD 1864

Wm Safety Club

Fees \$1.50

Pd by Pltff

Attorney



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Reuben Westfall.
vs 3
Jm D. Brent

Copy of Judgment
+ Appl Bond

Filed April 26, 1864.
J. G. Wood