

No. 8652

Supreme Court of Illinois

Wm. Newell

vs.

Andrew J. Hogge

71641  7

State of Illinois &
Effingham County Ill. October Term A. D. 1859

Effingham Circuit Court

Andrew J. Hogg, the Plaintiff in the said by J. W. Moulton his
Attorney complains of William Stowell the defendant in the said
who has been Summoned to answer the said Plaintiff in an action
of Assumpsit. For that whereas the said defendant heretofore
to wit on the 7th day of September A. D. 1859 at the County & State
aforesaid was indebted to the said Plaintiff in the sum of Five
Hundred dollars for the price & value of goods and chattels
then and there sold & delivered to the said defendant by the said
Plaintiff at the request of the said defendant

And in the further sum of Five Hundred dollars for money then &
there had and received by said defendant for the use of the
Plaintiff

And in the further sum of Five Hundred dollars for money
found to be due from the said defendant to the said Plaintiff on
an account then & there stated between them

And whereas the defendant afterwards to wit on the day & year
aforesaid at the County aforesaid in consideration of the promises
respectively promised to pay the said several monies respectively
to the plaintiff on request yet he has disregarded his said promise
and has not paid any of the said monies or any part thereof (although
often requested to do so) to the damage of the said plaintiff of Five
Hundred dollars and therefore he brings his said &c.

J. W. Moulton

Atty for P. Hogg

Sept 5, 1859

William Newell

To Amos J. Hogg

For gross of Charles's notes & balances

" 500 Hogs

\$ 500,

" Drury fees & proceeds

\$ 500,

" Drury due on acct. stated

\$ 500,

\$ 500,

October Term A. D. 1859
Effingham Circuit Court
Amos J. Hogg

William Newell
On Account of Drury \$ 500,

The Clerk of said Court will
please give summons in the
above entitled said returnable at
said Term thereof & oblige
S. W. Munton
C. A.

STATE OF ILLINOIS,)

Effingham COUNTY.)

ss.

The People of the State of Illinois,

To the Sheriff of ~~said~~ ^{*Effingham*} County—GREETING:

WE COMMAND YOU that you summon *William Newell*

if he shall be found in your

County, personally to be and appear before the Circuit Court of said

County, on the first day of the next term thereof, to be holden at the Court House in

Evanston in said ~~County~~ ^{*County*}, on the ~~second~~ ^{*second*}

Monday of ~~October~~ ^{*October*} ~~186~~ ^{*1867*}, to answer ~~unto~~ ^{*Amos J. Rogge*}

in a plea of

Ignorance

~~to the damages of said Plaintiff as he say~~ in the sum of *Five*

Dollars.

And you have then and there this Writ, with an indorsement thereon, in what manner you shall have executed the same.

WITNESS,

John S. Kelly
Circuit Court, and the seal thereof, at *Evanston*

Clerk of our ~~said~~

aforsaid, this

^{*10th*} day of *September* A. D. ~~186~~ ^{*1867*}

in the year of our Lord one thousand eight hundred and sixty seven

L. H. Kelly

John S. Kelly

CLERK. *(Circuit Court)*

CIRCUIT COURT SUMMONS.

Docket No. _____ Page _____
Circuit Court.

Andrew J. Huggs
vs.
William Russell

STATE OF ILLINOIS, }
COUNTY. }

I have duly served the within by reading the
me to the within named

I am therein commanded.

SHERIFF.

ES—Service *170*

Mileage *00*

Return *10*

ed in Circuit Court this *6th* day of *Sept.*

of *1887* 1889

John A. King CLERK.
ATTORNEY.

VER, PAGE & TOYNE, Stationers, 128 and 130 Lake Street, Chicago.

*Served to within Court by reading to the within named William Russell
this September 25 1889*

Wm F. Shely
Shy R. C.

William Newell

vs

Answer of Hoggs

Plea Gen. Issue

And the said defendant by Stephenson & Cooper
his atty. comes & defends the wrong & injury, when he says that
he did not understand & promise in manner & form as is alleged
in Plaintiff declaration, and of this he puts himself upon the country
&c

Stephenson & Cooper
for depts

United States of America
Effingham County

At a Regular Term of the Circuit Court of said County of Effingham begun and held in the Court House in Swinton in said County of Effingham on Monday the 9th day of April in the year of our Lord one thousand eight hundred and Sixty, being the second Monday of said Term.

Present, The Hon. Charles Emerson, Judge
John R. Eden, State Attorney
John S. Kelly, Clerk
Samuel Winters, Sheriff

Andrew J. Hogg, Plaintiff

vs
William Newell, Defendant
Assumpsit, damages

Now on this day came the said Plaintiff by Samuel W. Morrison Esq. his attorney came into Court and entered his Motion for leave to open depositions. Motion allowed depositions opened. Whereupon then came the defendant by Stephenson & Cooper his attorney, open being granted. Trial by jury whereupon then came the jury to wit: Mulford Curwin, Samuel R. Hankins, Ulrich C. Webb, Richard T. Hughs, John Brown, Alfred M. Woods, Thomas Patterson, Samuel R. Parks, Albert J. Moore, Joseph T. Clark, George W. Sharp & William Tarrant. Twelve good and lawful men who being first duly chosen, elected, tried & sworn to try the issue joined after hearing the proofs and allegations of the parties retired to consider of their verdict afterwards returned into Court the following verdict. To the jury find for the Plaintiff for the sum of Three hundred Ninety Six dollars and Thirty four cents damages. Whereupon then came

The said defendant, entered his motion for a new trial, Motion
Armed, appeal prayed to Supreme Court, allowed by
defendant entering and bonds in double the amount with security, with
in sixty days, the securities to be approved of by this Court.

State of Illinois
Effingham County

I, John Trapp, Clerk of the Circuit Court of
said County do hereby certify that the above and the annexed
papers contain a full and correct ^{copy} of the Record and papers
pertaining to same as appears in my said office, in said Cause -
Witness my hand and Seal of said Court at Effingham this
first day of April A. D. 1864

John Trapp Clerk
J. C. Prady Seal

29 -
William Powell
Appellant

vs

Andrew Fostoge
Appellee

Appeal from
Effingham

Filed Apr. 6. 1865.

A. Johnston Clk

Paid - \$11.00

Know all men by these presents that we William Newell
Harrison Stauffer & William B. Cooper are hold our family
bond under Andrew J. Hogg, his heirs, executors & administrators
in the penal sum of Eight thousand dollars for the payment of
which well and truly to be made, we bind ourselves, our heirs
executors & administrators jointly, severally & firmly by these presents
Witness our hands & seals this 5th day of May A. D. 1860

The Condition of this bond is such that whereas the said Andrew
J. Hogg did at the April Term A. D. 1860 of the Effingham Circuit
Court receive a judgment against the above named William
Newell for the sum of Three thousand and fifty three ³⁴/₁₀₀ dollars
& costs of said, from which judgment the said William Newell
both prayed an appeal to the Supreme Court of the State of Illinois
Now if the said William Newell shall prosecute his said appeal
with effect & without delay & shall render and pay unto the said
Andrew J. Hogg the amount of said judgment together with interest
costs and damages in case the judgment of said Circuit Court
shall be affirmed on said appeal dismissed, then this bond to
be void. Otherwise of full force and effect

Wm. Newell
William B. Cooper
Harrison Stauffer

Taken & approved by me
this May 7, 1860
John S. Kelly

State of Illinois
Effingham County

2d of John Trapp Clerk of the Circuit Court
within & for said County do Certify that the within is a
True Copy of the Original Bond on file in my said Office
Witness my hand and Seal of said Court at Effingham
this first day of April A.D. 1864

John Trapp Clerk
J. L. Broadway



29

Tom Newell J. of the Peace

100

Andrew J. Rogers Sept in Law

Appraisal Bond

Filed May 9, 1865

John d. Kelly Clerk

Julius Nov. 6. 1865

A. Solomon Clerk

Paid \$11.00

20 25 50

B. W. Henry Esq
25 Dec 65



Root Johnson Esq
Clerk Supreme Court
Mt Vernon
Ohio

7
Vandalia

Oct 28th / 65

Mr Clerk

I sent to you
papers in care of
Hagge left in Ennon with
some fees some time
since with request
to file and defend
I have heard nothing
of what was done
Please inform me
& your will greatly
oblige

B. M. Henry
Atty at
Vandalia
Ills

Wm. A. Sewell
Appellant

vs

A. J. Hogg
Appellee

Appl. from Effingham

Dismissed with Damages -
Costs on Page 629 -

Copy of Order & Proceedings
of Effingham
to Clerk & Execution for
Damages & Costs to Sheriff
Richmond
Effingham Dec. 19. 1865.

~~8652~~
8652