

No. 11932

Supreme Court of Illinois

Murphy

vs.

Baker

71641  7

United States of America

State of Illinois }
McHenry County } Pleas before the Hon^{ble} Justices
I Wilson Judge of the the
tenth Judicial Circuit of the State of Illinois
and presiding Judge of the McHenry Circuit Court
at a Circuit Court begun and held at the Court
house in Woodstock in said County and State aforesaid
and on the fifteenth day of September in the
year of our Lord one thousand eight hundred and
fifty one and of the Independence of the said
United States the twenty fifth

Present the Hon^{ble} Justices I Wilson
Judge

Att^{or} J. H. Johnson
Clerk

J. M. Platt
State Attorney
John Burns
Sherriff

And thereafter to wit on the 26th day of September in
the year of our Lord one thousand eight hundred
and fifty one it being one of the days of the late
September term of the Circuit Court of said McHenry
County the said Court then being in session at Wood
stock aforesaid the following venire other jurors
were had to wit

Paris Baker for the
use of Henry Sherman

William N. Murphy } App^{al} And now came the
plaintiff by Platt his attorney
and the defendant by McClure and thereupon the
Cause is submitted to the Court for trial without the

intervention of a jury by the agreement of the parties
and the Court having heard the parties thereon and
being fully advised by the parties fees for the plain-
tiff and assessor his damages at the sum of twenty
five dollars and thirty cents and it appearing to the
Court that this appeal was prosecuted for the purpose
of delay it is therefore ordered that the plaintiff have
and recover of the defendant the sum of two dollars
and forty cents it being damages at the rate of two
per cent for such delay as well as the sum of twenty
five dollars and thirty cents assessed as aforesaid amount-
ing in the whole to the sum of twenty eight dollars
and seventy cents as also his costs and charges as well
in the Court below as in this Court expended and that
he have Execution therefor.

And thereafter to wit on the 14th day of October in
the year last aforesaid it being one of the days of
the late term of the Circuit Court aforesaid the following
among other proceedings were had to wit

James Baker for the use
of Henry Sherman

William A. Montgomery

} Appeal

And now came the
defendants by McClellan his
attorney and moves the Court for an appeal bond
which is granted on condition that he enter bond
before the Clerk of this Court within thirty days from
this date with William Montgomery as security in
the sum of two hundred dollars

And thereafter to wit on the 21st day of October in the
year last aforesaid the said defendant filed in the
office of the Clerk of the Circuit Court his appeal bond
in the words and figures following that is to say

Know all men by these presents that we William
H. Murphy principal and William Montgomery as
securities of the County of McHenry and State of
Illinois are held and firmly bound unto Henry Shannon
of the same County and State in the penal sum of two
hundred dollars Current money which payment we
and he by us made we and each of us bind our
selves our heirs Executors Administrators and assigns
jointly and severally by these presents. Witness
our hands and seals at Woodstock the 21st day of
October A.D. 1831.

The condition of the above obligation
is such that whereas the above named Paris Pater
for the use of Henry Shannon did at the September term
of the Circuit Court of McHenry County A.D. 1831
on the 26th day of Sept. it being one of the days of
said Term of said Court recover a judgement against
the above bounden William H. Murphy for the sum of
twenty six dollars and thirty cents and costs of suit from
which judgement of the said Circuit Court the said Wm
H. Murphy has taken an appeal to the Supreme
Court of the State of Illinois. Now if the said William
H. Murphy shall prosecute the appeal to effect and
shall pay and satisfy the judgement and interest and
damages in case the said judgement shall be affirmed
in the said Supreme Court then the above obligation
to be void otherwise to remain in full force and virtue
Tanus and returned into before
me this 21. day of Oct. A.D. 1831

Wm H. Murphy
Wm Montgomery

J. H. Johnson

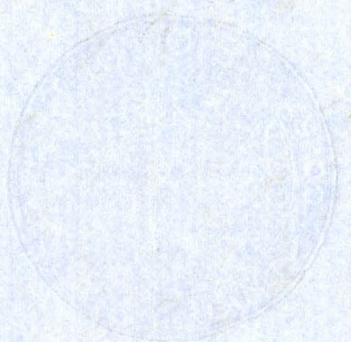
Clary

Quarant. them

Witness Oct 21st 1831

J. H. Johnson

State of Illinois? I My undersigned Quar-
ter Master, County of the Circuit Court in and
State of Illinois as hereby certified that the foregoing
is a true and perfect copy of the record and
book in the above entitled cause in this office
Attest Paul W. Johnson Clerk of
the said Court and the seal
thereof at Normalville the 25th
day of May 1852
Paul W. Johnson
Clerk



allc Henry
Wm H. Murphy
vs
Parris Baker for use &c.
Transcript.
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Filed July 30 1852.
L. Seland Clk.

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