

8711

No. _____

Supreme Court of Illinois

Buckman & Walker

vs.

W. W. Stewart

71641  7

State of Illinois
Clinton County *vs.* Pleas begun and held at
Carlyle at the March Term of
the Clinton Circuit Court 1859, viz:
Thursday March 17th 1859.

Warren W. Stewart *vs.* In assumpsit
Buckman & Walker

At this day came the
Plaintiff by Gray and Underwood their
attorneys and the defendants by Raynie and
Bond their attorneys and the issues being
made up herein then came a jury to try
said issues to wit: Joseph McQuinn, S. W.
Parker, David Eagle, Franklin Crocker
W. F. Raney, W. P. Casey, Moses W. Blackwell
Augustus Houseman, Thomas Sadler, G.
W. Craig, Reubin Jackson & H. Kneepman
who after hearing the evidence and arguments
of counsel upon their oaths do say we
the jury find the issues for the plaintiff
and assess the damages at the sum of
seven hundred and seven dollars. At
which time came the plaintiff and entered
his motion to remit the sum of \$140⁰⁰
on the damages assessed by the jury.
It is therefore considered by the Court
that the sum of \$140⁰⁰ be deducted

from the sum of \$711⁰⁰ as found by the
Jury aforesaid and that judgment be
herein rendered for the sum of five hundred
and seventy one dollars. It is further
considered by the Court that the plaintiff
recover of and from the said defendants
the said sum of \$571⁰⁰ aforesaid as well
as his costs and charges by him about
his suit in this behalf expended and that
he have execution therefor in due form

Same }
vs. } Assumpsit
Same }

At this time came the defendant
by his attorney and enters his motion
for a new trial, which motion is overruled
by the Court. Whereupon the defendant
by his attorney excepts to the judgment
of the Court and prays an appeal to the
Supreme Court of the State of Illinois
which prayer is granted by the Court by
the defendant entering into bond in
30 days with Rebecca Kutherford & Marion Smith
in the penalty of \$1200
and the bill of exceptions to be agreed upon
by Counsel of parties and if so the same

may be presented for signature at the
March Term of the Circuit Court of Monroe
County 1859.

State of Illinois 3

Clinton County 3

I, John B Roper Clerk of
the Circuit Court of Clinton County do certify
that the above and foregoing orders are
true copies from the records as it appears on
the Record book of Circuit Court orders on
Pages 532 & 533 of said book, Given under
my hand and seal of office at Castyle
this 12th day of November A.D. 1859.

John B Roper
Clerk

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Buckman &
Walker

vs.

Warren W. Stewart

Appeal from
Clinton

Filed Nov. 18th 1859 -
St. Johnston Ct
Paid by payee \$4.00

Procedendo Argument issued
to proper Officers. Dec. 9-1859 -

Burkman
Walker
vs.
Stewart

Appeal from Chitau
County.

The Clerk of the Supreme
Court will please issue an execution
in this case for the damages & costs.
Also send to the Clerk below a
certified copy of the judgment
in this court.

W. W. Underwood
Atty for appellee.

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Buckman &
Walker

Stewart

Order for Ex-
ecution of

Filed Nov. 18 1859

A. Schmitt M

No 64

1859-

Buckman & Walker

^{vs}
W. W. Stewart

Appl. from Clinton

8711

Dismissed with 5 percent
damages for delay.

See Record "B" Page 78. for
final order -

Costs on Page 356 -

Pro. & Ex. vol 9. Ser 59 -