

No. 3102

Supreme Court of Illinois

Nathaniel Heckard

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vs.

Edward Sayre

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Thus at the Court House in Lewistown before  
the Hon John S. Bailey Judge of the fifth Ju-  
dicial Circuit of the State of Illinois

At a Circuit Court of the County of Ful-  
ton begun and held at the Court House in Lewistown  
County of Fulton and State of Illinois on Monday  
the 2<sup>nd</sup> day of February A. D. 1860

Present Hon John S. Bailey Judge

L. H. Watey State Attorney

David J. Waggons Sheriff

Edward Sayre Clerk

The following proceeding was had on the first day of  
March in the year aforesaid, the same being the fourth  
day of said term of the Court

Edward Sayre

vs

Nathaniel Neckard

Debt & Judgment

Be it remembered that on the  
day this cause coming on for trial and the Clerk of this  
Court being a party to this suit, Traville Barrere was  
appointed Clerk pro tem by the Court, and the parties  
appearing herein by their Attorneys and joining issue  
they put themselves upon the Country for trial, then came  
the Jurors of a Jury to wit John Gentle, James Lindsey,  
Joel Peissol, Henry Haughtell, Abram Mills, D. A.  
Cramblit, Isaac Fortu, A. Goodridge, C. S. Proffman  
J. Kirkendall, L. Argo and Owen Vandewer, who were  
duly sworn to well and truly try this issue joined, and

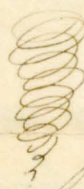
who after the evidence and argument of Counsel upon their Oaths say, "We the Jury find the defendant guilty of unlawfully withholding the possession of the premises described in the declaration as charged therein, And that the plaintiff is seized of an Estate in fee simple and assess the plaintiffs damages at One Cent, Joel Peisor's foreman." Then came the defendant by his Attorney and moved the Court for a new trial herein,

And afterwards to wit on the Seventh day of March in the year aforesaid the same being the Ninth day of said Term of the Court the following proceeding was had, to wit

Edward Sayre

vs

Nathaniel Heckard



This day this cause coming on for ~~a hearing~~ on the defendants motion for a new trial herein It is considered by the Court that the motion be overruled And it is considered by the Court that the plaintiff is seized in fee of the premises described in plaintiffs declaration, And that he have and recover of and from the said defendant the possession thereof to wit fifty Acres the North End of the East half of the South West quarter of Section twenty six, in township five north of the base line in Range three East of the fourth principal Meridian And that the plaintiff have writ of possession thereof; And it is further ordered by the Court that the <sup>said</sup> plaintiff

have and receive of and from the said defendant the sum of One Cent for his damages with his costs in this behalf paid laid out and expensed, And that he may have Execution thereon, Then came the defendant by his Attorney and prayed an appeal herein to the Supreme Court, which motion is allowed and an appeal granted, And the said defendant to enter into bond in the sum of two hundred dollars with Lewis Crabtree as security in thirty days, and leave is given the said defendant to file his bill of exceptions in twenty days from the adjournment of this Court

And afterwards to wit on the 9<sup>th</sup> day of March <sup>1860</sup> the defendant filed his appeal herein in Open Court with Lewis Crabtree <sup>in the sum of Five Hundred dollars</sup> as security, the said 9<sup>th</sup> day of March being the Eleventh day of said term of the Court

And afterwards to wit on the 14<sup>th</sup> day of March in the year aforesaid the same being the fifteenth day of said term of the Court it was "Ordered by the Court, that Court adjourn to Court in course"

State of Illinois

Fulton County

I Edward Sargis Clerk of the Circuit Court within and for the County aforesaid do hereby certify that the foregoing is a true and correct copy of the concurring order of the Court at the term therein named, And of the trial and

under the actings of the same in respect to an appeal  
and judgment of the Court in the case wherein Ed-  
ward Sayre is plaintiff and Nathaniel Heckard  
is defendant, in an action in Ejectment, and of the  
time of filing by the defendant of his appeal bond therein  
and of the time of the adjournment of the said term  
of the Court as the same appears upon the Records and  
files in my office,

In Testimony whereof I have hereunto  
subscribed my name and affixed my  
seal of office at Lutes town this  
day of December A.D. 1860  
Edward Sayre Clerk

230  
Nathaniel Heckard  
vs  
Edward Sayre  
Appeal from Fulton  
County  
Certificate

~~310~~  
310

Filed Jan 30-61  
Wm. H. Smith