

13289

No. _____

Supreme Court of Illinois

Swift

vs.

Barnsfather et al

71641  7

United States of America

STATE OF ILLINOIS, COUNTY OF COOK, S. S.

Pleas, before the Honorable George Manierre

Judge of the Seventh Judicial Circuit of the State of Illinois, and Sol^e Presiding
Judge of the Circuit Court of Cook County, in the State aforesaid, and at a term thereof
begun and held at the Court House in the City of Chicago, in said County, on the
first Monday, (being the first day) of
March in the year of our Lord one thousand eight hundred and
fifty eight and of the Independence of the said United States the
eighty second

Present, Honorable

George Manierre

Judge of the 7th Judicial
Circuit of the State of Illinois.

Charles Haven

States Attorney.

John C. Wilson

Sheriff of Cook County.

Attest,

Wm. L. Church

Clerk.

Be it remembered that heretofore, to
wit: at the March Term of said court
to wit: on the fourth day of March A
D 1858, the following proceedings, among others
were had and entered of record therein
to wit:

George & Barnsfather
and Mary Barnsfather
12237 v
Richard K Swift &
James S Johnston

Appeal

This day come the
said plaintiffs, and the said defendants
having been three times severally solemn-
ly called in open court, come not, nor
does any person for them, but herein
they fail to prosecute their appeal in
this behalf. Therefore on motion, ordered
that the appeal herein be dismissed for
want of prosecution, and that a proceden-
do issue to the court below.

Therefore it is considered that said
plaintiffs do have and recover of said
defendants, their costs and charges by
them in this behalf expended and have
execution therefor.

And afterwards, to wit: at the term
last aforesaid, to wit: on the twenty seventh

day of March in the year last aforesaid
the following proceedings, among others, were
had and entered of record in said cause to wit:
George Barnesfather
and Mary Barnesfather

12237

v

Appeal

Richard K Swift
James S Johnston
Impleaded &c

This day come the
said defendants and pray an appeal to
the Supreme Court of the State of Illinois
which is granted, on condition, that said
defendants enter into and file their appeal
Bond herein, in the penal sum of Three
hundred dollars conditioned according
to law, with Wm H Higgins as surety
thereon.

And thereupon afterwards, to wit: on the
same day and year last aforesaid the said
defendants filed their appeal Bond in
said cause in the words and figures
following, to wit:

Know all men by these presents, that
Richard K Swift James S Johnston and
Sydney A Swift Wm H Higgins are held
and firmly bound unto George and
of Three hundred dollars for payment

and firmly bound unto George and Mary Barnfather in the ^{presence} of three hundred dollars for payment of which well and truly to be made to said George and Mary Barnfather their heirs or assigns, we bind ourselves jointly and severally, our heirs, executors and administrators, firmly by these presents, Sealed with our seals, and dated this fifth day of March 1858.

The condition of this obligations is such, that whereas, in a certain suit in the circuit court of Cook county State of Illinois wherein said George and Mary Barnfather were plaintiffs and said Richard K Swift & James S Johnston & Lyman P Swift defendants, the said plaintiff on the fourth day of March 1858 recovered a judgment against the said defendants R K Swift & Jas S Johnston dismissing their appeal taken to said circuit court, from a judgment in said suit against them for the sum of fifty dollars damages, besides costs of suit, rendered by Harmon B Rugar Esq a Justice of the Peace of said county from which said judgment dismissing said appeal, said last named defendant have prayed an appeal to the Supreme Court of the State of Illinois, which appeal has been granted upon said defendants

giving this Bond.

Now if the said above bounden defendants shall well and truly pay the judgment, costs, interest and damages in case the said judgment describing said appeal shall be affirmed by said Supreme Court, and shall duly prosecute their said appeal to said Supreme Court, then the above obligation to be void, otherwise of force.

R. H. Swift	Seal
J. S. Johnston	Seal
Wm. H. Higgins	Seal

State of Illinois, }
COUNTY OF COOK. } S. S.

I, WILLIAM L. CHURCH, Clerk of the Circuit
Court of Cook County, in the State aforesaid, do hereby
certify the above and foregoing, to be a true, perfect and complete
copy of the judgment, order granting and appeal and
appeal bonds in a certain cause lately pending in said Court on the
Common law side thereof, wherein George
Barnes father Etal were plaintiff and
Richard H. Swift Etal were defendants

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the seal of our
said Court at Chicago, this 23rd day of April A. D. 1859

Wm L Church

Wm L Church

Clerk.

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Richard K. Swift
W

George Barnfather

Manuscript

Filed April 26, 1859
L. Leland
Clerk

\$50.00
Dys \$5.00

13289

CRs casts \$135 Pa by B. B. B.

United States of America

STATE OF ILLINOIS, COUNTY OF COOK, S. S. }

Pleas, before the Honorable George Mairone

Judge of the Seventh Judicial Circuit of the State of Illinois, and Sole Presiding Judge of the Circuit Court of Cook County, in the State aforesaid, and at a term thereof begun and held at the Court House in the City of Chicago, in said County, on the

Tenth Monday, (being the Tenth day) of March in the year of our Lord one thousand eight hundred and fifty eight and of the Independence of the said United States the Eighty Second

Present, Honorable

George Mairone Judge of the 7th Judicial }
Circuit of the State of Illinois. }

Carlos Haven States Attorney.

John L. Wilson Sheriff of Cook County.

Attest:

W. L. Church Clerk.

Be it remmembered that heretofore, to
wit: at the March Term of said court
to wit: on the fourth day of March A.D.
1858. the following proceedings, among oth-
ers, were had and entered of record there-
in. To wit:

George Barnsfather

And Mary Barnsfather

12229

v

Richard K. Swift
Symon P. Swift And
James S. Johnston

Appeal

This day come the
said plaintiffs, and the said defendants
being three times severally solemnly called
in open court, come not, nor does any person
for them, but herein they fail to prosecute
their appeal in this behalf. Which on motion
is ordered to be dismissed for want of prosec-
ution, and that a procedendo issue issue to
the Court below.

Therefore it is considered that said
plaintiffs, do have and recover of said
defendants, their costs and charges by
them in this behalf expended, and have
execution therefor.

And afterwards, to wit: at the term
last aforesaid, to wit: on the twenty seventh

day of March in the year last aforesaid,
the following proceedings, among others,
were had and entered of record in said
cause. To wit:

George Barnsfather
and Mary Barnsfather

12229

Richard K Swift
impleaded with Symon
P Swift & James S Johnston

Appeal

This day come the
said defendant by his attorney, and pray
an appeal to the Supreme Court of the
State of Illinois, which is granted, on
condition that the said defendant enter
into, and execute his appeal Bond in the
penal sum of Three Hundred Dollars,
conditioned according to law, with Van H
Higgins as surety thereon.

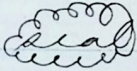
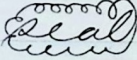
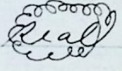
And thereupon afterwards, to wit on the
same day, and year last aforesaid, the
said defendants filed their appeal Bond
herein, in the words and figures following
to wit:

Know all men by these presents,
that Richard K Swift, James S Johnston
and Van H Higgins are held and firmly

and have to pay you
found unto George and Mary Barnes father
in the penal sum of Three hundred dollars,
for payment of which well and truly to
be made, to said George and Mary Barnes
father their heirs, or assigns, we bind our-
selves jointly and severally, our heirs,
executors, and administrators, firmly by
these presents. Sealed with our seals, and
dated this Fifth day of March 1858.

The condition of this obligation is such,
that whereas, in a certain suit in the circuit
court of Cook county State of Illinois where
in said George and Mary Barnes father
was plaintiff, and said Richard K Swift
James S Johnston & Symon P Swift def-
endants the said plaintiff on the fourth
day of March 1858, recovered a judgment
against the said defendants Richard K
Swift & James S Johnston dismissing their
appeal taken to said circuit court from
a judgment in said suit against them for
the sum of ninety five dollars damages,
besides costs of suit, rendered by Harmon
P Rugar Esq a Justice of the Peace of said
county, from which said judgment dismiss-
ing said appeal said last named defend-
ants have prayed an appeal to the Supreme
Court of the State of Illinois which appeal
has been granted upon said defendants

giving this Bond.
Now if the said above bounden defend-
ants shall well and truly pay the jud-
gment, costs, interests and damages, in
case the said judgment dismissing said
appeal shall be affirmed by said Supreme
Court, and shall duly prosecute their
said appeal, to said Supreme Court, then
the above obligation to be void, otherwise
of force.

R K Swift 
J. S. Johnston 
Wm H Higgins 

State of Illinois, }
COUNTY OF COOK. } S. S.

I, WILLIAM L. CHURCH, Clerk of the Circuit
Court of Cook County, in the State aforesaid, do hereby
certify the above and foregoing, to be a true, perfect and complete
copy of the Judgement now granting an appeal & the
Appeal Bond
in a certain cause lately pending in said Court on the
Common Law side thereof, wherein Seaver
Barnes & Co were Plaintiffs and
Richard K. Swift defendant

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the seal of our
said Court at Chicago, this 23^d day of April A. D. 1859

Y 135

W L Church
Clerk.

5 324

Richard K. Swift
et al vs

George Barns father

Transcript

Filed April 26. 1839
Leland
Clerk

Indt. # 28 00
to
By \$2,50

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cl Ro cart \$1.35 Pd by B. & L. by