

No. 13413

Supreme Court of Illinois

Brackett et al

vs.

Boon et al

A Circuit Court begun and held at the Court
House in the City of Rock Island within and for the
County of Rock Island and State of Illinois on the
Second Monday (the Ninth day) of May A.D. 1859

Present Hon J Wilson Gray Judge

" Moses D Merrill Sheriff

Linney W Neil Clerk

To Be it remembered that on the Eleventh day of May
A.D. 1859 in the aforesaid term of said Court the following
order and Judgment was made and entered in said
Court in a certain Cause therein pending wherein
Ellen Boon & Amelia Boon were plaintiffs and James
W Brackett was defendant. to wit:

Ellen Boon and
Amelia Boon

vs

James W Brackett

Assumpsit

This day came the parties
by their attorneys. and defendant filed his demurrer
to plaintiffs declaration, and this cause coming on to
be heard upon the demurrer. Same is overruled by
the Court. thereupon Defendant abides by his Demurrer.
It is therefore ordered by the Court that the plaintiffs have &
recover their Damages of the defendant (for want of a plea
herein) and the damages being unknown to the Court it
is ordered that the Clerk assess the same. Thereupon the

Clerk assessed and reported the damages to the Court at the sum of Five Hundred & fifty two ⁷⁵/₁₀₀ Dollars, which report is accepted. It is therefore ordered by the Court that the plaintiff have and recover of the defendant the said sum of Five Hundred & fifty two ⁷⁵/₁₀₀ Dollars together with his costs and that he have execution therefor ^{to the Supreme Court} whereupon defendant prays an appeal, which is allowed on condition that they file bond in the sum of Twelve Hundred Dollars with Joseph W Brackett as security and file the same in Clerk's office in ten days."

And afterwards and on the Seventh day of June A D 1859 the said defendant caused to be filed in the Clerk's office of said Court his bond on appeal in the above cause which is in the words and figures following to wit

Know all men by these presents that we James W Brackett as principal and Joseph Brackett as security are held and firmly bound unto Ellen Boom and Amelia Boom in the penal sum of Twelve Hundred dollars, for the payment of which sum well and truly to be made we bind ourselves jointly severally and firmly by these presents. witness our hands and seals this 30th day of May A D 1859.

This condition of this obligation is such that whereas at the May Term of the Circuit Court in and for the County of Rock Island in the State of Illinois the said Ellen & Amelia Boom

as I have recovered a Judgment against the said
James W Brackett as Defendant for the sum of
Five Hundred fifty two & 7/10 Dollars damages & costs of
suit and whereas the said James W Brackett
at the time of the rendition of such judgment
prayer an appeal therefrom to the Supreme Court next
to be held at Ottawa in and for the Third Grand division
of the State of Illinois and which appeal so prayed
for was allowed by said Circuit Court. Now the
condition of this obligation is such that if the said
James W Brackett shall pay whatever
judgment the said Supreme Court may render in said
suit together with all cost, interest and damages that
may be adjudged against him in case the said
judgment so appealed from shall be affirmed, and
shall also prosecute his appeal duly and with
effect, ^{then} this obligation to be void otherwise of force

James W Brackett *ES*
Joseph W Brackett *ES*

State of Illinois } ss.

Rock Island County } I Ednard H Bonman Clerk of the Circuit Court
within and for said County do hereby certify that the foregoing is a true
copy of the final judgment, the order allowing an appeal, and the appeal
bond filed in said Court all in the above entitled cause as fully and completely
made as the same appear of record or on file in my said office.
Witness my hand and the seal of said Court at the City of Rock

Island this 13th day of April A D 1861

Ednard H Bonman Clerk

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Supreme Court

James M Brackett

Appellant

3 vs 36

Ellen Boon and

Amelia Boon —

Appellees

Transcript of Record

Filed April 25 1881

L. Leland
Clerk

Judgement

\$ 552,75

05

2763,75

~~1288~~

5 per cent

13413

Fee \$1.50