

No. 14768

Supreme Court of Illinois

Bedbury

vs.

United Express Co.

UNITED STATES OF AMERICA,

STATE OF ILLINOIS, COUNTY OF COOK, SS.

Plas, before the Honorable, the Judges of the Superior Court of Chicago, within and for the County of Cook and State of Illinois, at a regular Term of said Superior Court of Chicago, begun and holden at the Court House, in the City of Chicago, in said County and State, on the first Monday, being the Eleventh day of November in the year of our Lord One Thousand Eight Hundred and Sixty Three and of the Independence of the United States of America the Eighty Eighth

Present, The Honorable John M. Wilson Chief Justice of the }
Superior Court of Chicago. }

Van H. Higgins,
Grant Gordon } Judges.

Joseph Knott Prosecuting Attorney.

David P. Hammond Sheriff of Cook County.

Attest, Thomas B. Carter Clerk.

I do remember that hereinafter to set on the twentieth day of November in the year of our Lord one Thousand Eight Hundred and Sixty Three, said day being one of the days of the November Term of said Court. the following proceedings were had in the case of Joseph St. Bedbury vs United States Express Company Garnishment of Henry St. Knight, and amongst other entries of record in said Court. to wit:
Joseph St. Bedbury

^{vs} Garnishment
United States Express Company
Garnishment of Henry St. Knight
And now comes said plaintiff by Sheriff and

Rich. his attorneys, and due personal service
of garnish writ of sequefacias issued into the
Conditional Fragment, in said cause having
been had, on the said United States Express
Company, as garnish of the said Defendant,
Henry H. Knight by delivering a copy of said
writ to Harry P. Colvin Superintendent of said
Company, and the said Garnish, and the
said Harry P. Colvin Superintendent, being
three times solemnly called in open court.

Come not, nor does any person for them, or
the said garnish but herein make de-
fault, and it is ordered that the default of
the said Garnish be and the same is
hereby taken and entered, herein of record.

Where upon on motion of said Plaintiff it is
ordered that the Conditional Fragment, entered
in this cause, against the said United States
Express Company, as garnish of said de-
fendant on the seventh day of October last
past of the October Term 1863 of this Court
for the sum of one hundred & fifty Dollars
and twenty one cents damages and costs
of suit, taxed at.

Be and the
same is hereby made final against the said
United States Express Company, Garnish
as aforesaid of Henry H. Knight and
that said Plaintiff have execution against
said Garnish on said Fragment, and

for costs of Garnishue process,

And after reads, to wit on the Twenty Eighth day of the month and year aforesaid, and being one of the said Norman Term of said Court: the following proceedings were had in said cause, and amongst other entries of record of in said Court to wit

Joseph A Bradley
vs. ^{vs.} Garnishment,
United States Express Company
Garnishue of Henry A Knight

And now upon this day comes said United States Express Company by Daley & Dinslee their attorneys, and upon reading the affidavit, filed herein and upon motion of the said attorneys, for said Garnishue, it is ordered, that the judgment heretofore entered against the said United States Express Company as Garnishue of Henry A Knight upon the 14th day of November, A.D. 1863, being at the present term of the Court, be set aside and vacated upon payment by said Garnishue of all the costs of the Garnishue proceeding in the said ^{in Garnishue} Joseph A Bradley now cause, to the contrary by the first Wednesday of the next December

Term of this Court the same being the ninth day of December, next; provided that a copy of this order be served upon the said plaintiff or his attorney, at least four days, before that day; and it is further ordered that execution herein be meantime stayed, or until the further order of this Court.

And afterwards to wit on the ninth day of December, in the year aforesaid, said day being one of the days of the December Term of said Court, the following proceedings were had in said cause, and amongst others, entered of record in said Court, to wit:

Joseph H. Burton

vs. Motion
The United States Express Company
Shamshoe of Henry D. Wright

And now comes the said plaintiff by M. B. Rich his attorney and shows cause against the order since entered herein on the 28th day of November, 1863, and files his affidavit and reasons and moves to set aside said order, and also that the further proceedings stand for hearing.

And afterwards to wit: on the Eleventh day of
December in the year of our said and being
yet of the December Term of said Court the
following proceedings were had, in said
Cause, and amongst others entered of record
in said Court to wit:
Joseph H. Bedbury

United States Express Company
Garnishment,
Garnishee of Henry H. Wright

And now comes said Plaintiff by Rich and
Shepard his attorneys, having filed affidavits
in support of his motion to set aside the
order heretofore entered herein of the Twenty
Eighth day of November last past, requiring
him to show cause why the Judgment against
said Garnishee should not be set aside on
payment of costs; and it appearing to the
Court that said Plaintiff has shown suf-
ficient cause to the Court, why said
Garnishee Judgment should not be set aside
on payment of costs; and execution stayed
therein, it is ordered by the Court, that
the order of the Twenty Eighth day of Novem-
ber last past setting aside said Garnishee
Judgment on payment of costs be and the same
is hereby set aside and discharged speed on
cause shown, by Plaintiff attorneys The

Defendant. being present by Bates & Insole
his attorneys.

And afterwards to wit on the twenty sixth day
of the Month and year aforesaid and being
yet of the said December Term of said
Court. the following proceedings were had
in said cause, and amongst others entered
of record in said Court to wit;

Joseph Stedman
vs. ^{vs.} Garnishment,
United States Express Company
Garnisher of Money & Freight

Now comes said United States Express
Company. Garnisher herein and prays
an appeal herein, which is allowed on
filing bond, in the penalty of Three
thousand and five Dollars, which bond
is thereupon filed and approved.

And afterwards to wit on the day and year
aforesaid, the said United States Express
Company, Garnisher as aforesaid, by Bates
& Insole its attorneys, filed in the office
of the Clerk of said Court its Return

appeal Bond which is in the name and
signature following to wit:

I know all men by these presents that,
The United States Express Company,
Harry P. Colvin and James C. Fargo
of the County of Cook, and State of Illinois
are held, and firmly bound unto Joseph H.
Bedbury, in the penal sum of Three hun-
dred and fifty Dollars, lawful money of the
United States, for the payment of which
Well and truly to be made, we and our
heirs, our heirs executors, and administrators
jointly severally, and firmly by these presents
Put in our hands, and seals this 31st day
of December. A.D. 1863

(The Condition of
the above obligation, is such, that Whereas
Henry H. Wright for the use of said Joseph
H. Bedbury, lately in the Superior Court of
Chicago in and for the County of Cook, and
State of said Illinois, a judgment against
the United States Express Company for the
sum of one hundred and fifty Dollars, and
County, one cent. besides costs of suit, from
which said judgment of the said Superior &
Court of Chicago the said United States
Express Company, has prayed for, and
obtained an appeal to the Supreme Court

of said ~~Express~~ State

And therefore if the said United States
Express Company, shall duly prosecute, do
said appeal with effect, and moreover pay
the amount of the Judgment: cost, interest
and damages, rendered, and to be rendered
against, or in case the said Judgment shall
be affirmed, in said Supreme Court, then the
above obligations to be void otherwise to remain
in full force and virtue.

United States Ex. Co. *Read*
By H. P. Colver agent *Read*
H. P. Colver *Read*
J. C. Hargo *Read*

Approved Dec 26,
1863.

Joseph C. Gary.
Judge of Superior
Court of Chicago

State of Illinois
County of Cook } ss.

I Thomas B. Carter Clerk
of the Supreme Court of Chicago within and
for the County and State aforesaid, do
hereby certify, the above and foregoing
are true and complete copies of the order
of Judgment made and entered of record on
the fourteenth day of November A.D. 1863, of the
order vacating and setting aside the said
order of Judgment made and entered of
record on the 26th day of said month, of the
order made and entered of record on the ^{twenty}
~~twenty~~ ^{vacating and setting aside of record said last mentioned order} day of December in said year, and of
the order made and entered of record on the
twenty sixth day of said last month, allowing
an appeal to the Supreme Court, and of
the appeal Bond filed in a certain Cause
wherein Joseph St. Beaubien was plaintiff,
and The United States Express Company
Garnisher of Henry St. Douglass was defend-
ant lately pending in said Court.

In Witness whereof I have hereunto set
my hand, and affixed the seal of said
Court this Twenty sixth day of April
A.D. 1864.

Thomas B. Carter
Clerk



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Supreme Court.
Third Grand Division.

Joseph W. Redburn
Att.
The United States
Express Co. Gamblers
of Henry W. Knight

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Filed May 10. 1864.
L. Selander
Clerk.
14768

1865

Fees \$2.75

pd by atty of
Redburn

W. H. Smith