

14180

No. \_\_\_\_\_

# Supreme Court of Illinois

Musselman et al

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vs.

Oakes.

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SUPREME COURT OF ILLINOIS.

FIRST GRAND DIVISION.

NOVEMBER TERM, A. D. 1857.

ABSTRACT.

Record Page.

Daniel Musselman et al., Pliffs, in Error

vs.

Reville H. Oakes, Adm'r of the estate of Winslow Fletcher dec'd.

} Assumpsit.—Error to Massac.

1 to 4. This was an action of assumpsit instituted at the September term of the Massac Circuit Court by the defendant in error against the plaintiffs in error. The instrument sued on, and filed with the declaration, was in the words and figures following:

“Nine months after date we or either of us promise to pay Olive Fletcher or R. H. Oakes, administrators of the estate of Winslow Fletcher, deceased, the sum of two hundred and forty-two dollars, for value received of them this the 10th of October, 1856.

Daniel Musselman.  
J. Musselman.

4 to 6. Demurrer to plaintiff's declaration; which demurrer was by the Court overruled; and judgment rendered in favor of the plaintiff below, for the sum of \$209,46 and cost of suit. From which judgment defendants appealed.

ERRORS ASSIGNED.

1st. The Court erred in overruling the demurrer to the declaration, filed by the defendants below.

2nd. The Court erred in giving judgment against defendants below.

W. H. GREEN, Atty.,  
For Plaintiffs in Error.

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*Story on Prom. Notes. P. 40.*

*& cases there cited*

*2<sup>d</sup> B. & A. - 571 -*

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D. Masselmann et al

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R. H. Cook et al

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Abstract

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<sup>3<sup>2</sup></sup>  
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Filed 24. Nov. 1857.

N. Johnston Clk

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For Plaintiffs in Error.

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Abstract

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Filed Nov. 24. 1857.

Mr. J. Austin Clerk  
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