

No. 13455

Supreme Court of Illinois

Robb.

vs.

Myers, et al.

71641  7

Proceedings

At a term of the Circuit Court
begun and held at the Court House in
Jakin within and for the County of
Tazewell and State of Illinois on the
First Monday of the month of September
A.D. 1860. Present Hon James Harriott
Judge of the 21st Judicial Circuit of the
State of Illinois, composed of the Counties
of Mason Tazewell & Hugh Tullerton
Prosecuting Attorney, Thomas C.
Reeves Sheriff and Merrill C. Young
Clerk

7th day

Monday September 10th 1860

Matthew Robb

^{vs}
Johnston H. Myers
Charles W. Samuel
Joseph H. Myers

Assumpsit

Now on this day comes as
well the plaintiff by his attorney Phillips as the
said defendants by their attorneys Puterbaugh
Hobbs, and a jury having been waived by consent
this cause is tried by the Court, and the Court
having heard the allegations and proofs of
parties and argument of counsel thereon, and
being fully advised in the premises, is of opinion
that the plaintiff hath sustained damages by
reason of the breaches of promises in the Declaration
mentioned, but, because those damages are unknown
to the Court, the Clerk is ordered to make a verdict

thereof, and he having assessed those damages to the sum of One hundred thirty four & $\frac{74}{100}$ Dollars (\$134 $\frac{74}{100}$) and made report thereof which is approved by the Court, It is therefore ordered and adjudged by the Court that the Plaintiff have and recover of the said defendants the damages aforesaid, in manner and form aforesaid assessed, likewise the costs and charges by him about his suit expended and that execution issue therefor.

Whereupon the defendants pray ~~at~~ an appeal which is granted by the Court with bond to be filed in 20 days in the sum of Four hundred dollars with Oswald Kilby as Security.

Be it remembered that on the 29th day of September A.D. 1860, an appeal bond was filed in the office of the Clerk of the Circuit Court of said County which said bond is in the words and figures following, to wit:—

Know all men by these presents that we Johnston A. Myers, Joseph H. Myers, Charles W. Samuel and J. Oswald Kilby of the County of Tazewell and State of Illinois are held and firmly bound unto Matthew Robb in the penal sum of Four hundred dollars to be paid unto the said Matthew Robb his heirs, executors, administrators or assigns, to which payment, well and truly to be made we bind ourselves, our heirs, executors and administrators firmly by these presents, sealed

with our seals this 20th day of September A.D. 1860.
The condition of the above obligation is such, that
whereas the said Matthew Robb did on the 10th day
of September A.D. 1860, in the Circuit Court of said
Tazewell County recover a judgment against the
above bounden Johnston A. Myers, Joseph H. Myers,
and Charles W. Samuel for the sum of One hundred
thirty four & $\frac{1}{100}$ Dollars & costs of suit from which
judgment the said Johnston A. Myers, Joseph H. Myers,
& Charles W. Samuel have taken an appeal to the
Supreme Court of the State of Illinois, now if the
above bounden Johnston A. Myers, Joseph H. Myers
& Charles W. Samuel shall pay Matthew Robb the
amount of the above judgment, costs, interest, and damages,
in case such judgment shall be affirmed, and
shall prosecute said appeal with effect, then the above
obligation shall be void, otherwise to remain in
full force and effect

J. A. Myers	Seal
C. W. Samuel	Seal
J. H. Myers	Seal
J. C. Kilby	Seal

State of Illinois }
Tazewell County }
I, George H. Karlow Clerk of the Circuit
Court in and for said County do certify that the foregoing is a
true copy of the judgment rendered in said cause, and the
appeal bond filed in said cause, as fully as the same
appears of record in my office

Witness my hand and the seal of
said Court here affixed at Pekin the
1st day of May A.D. 1861

Geo H Karlow Clerk
per A. P. Griswold deputy

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Matthew Robb
vs

Johnston A. Myers & Co
355

Certified Copy of
Judgment &c

Grants \$134.14
1.75

Filed May 10 1861
L. Leland
clerk

134.14
105
\$6,702.0

861

13455

Feb 100