

13998

No. _____

Supreme Court of Illinois

Kimball

vs.

Mathews

Proceedings of the Cass Circuit Court of
of the May Term A.D. 1857 begun and held
at the Court House in the City of Bardston
on Monday the fifth Day of May A.D. 1857 in
the case wherein Eleazer Kimball is Plaintiff
and Perry Matthews and William J. Moore
Defendants - The Hon William A. Marshall
presiding -

Eleazer Kimball

vs

Debt

Perry Matthews & W^m J. Moore

Thursday May 8th 1857

And now this day came the Defendants Matthews
and Moore and filed their pleas. Numbered one, two & three, and
the Plaintiff joins issue on the first and second plea, and files
his Demurrer to the third plea of Defendants, to which Demurrer
the Defendants Matthews & Moore file their joinder in Demurrer;
and the Court having heard the arguments of Counsel and being suf-
ficiently advised in the premises sustains the Plaintiff's Demurrer
to the third plea of the Defendants, and thereupon the issues
joined upon the first and second plea of Defendants came on
to be tried, when the said parties waived a jury and agreed
to try said issues by the Court, and the Court having heard
the testimony find for the plaintiff the sum of one hundred
and ninety eight Dollars and sixty six cents the debt in
the declaration mentioned, and assess the damages at one
Dollar and ninety eight cents, - Whereupon It is ~~ordered~~ con-
demned and adjudged by the Court that the Plaintiff recover
of the said Defendants Matthews & Moore the said debt in the
declaration mentioned also his damages assessed as aforesaid
and his costs herein expended

And thereupon came the Defendants and prayed
an appeal, which is allowed upon the Defendants filing a bond
in the penal sum of Two Hundred Dollars with Jesse Newman
or Richard Beacham as security, within sixty days, conditioned
as the law directs

Know all men by these presents that we Perry
Matthews and Jesse T Newman of Morgan County and
State of Illinois are held and firmly bound unto Chasr
Kimball in the penal sum of two Hundred Dollars
for the payment of which, well and truly to be made
we bind ourselves our heirs executors, administrators
and assigns, severally, and jointly by these presents

The Condition of the above obligation is such
that whereas on the the eighth day of May A D 1857
Chasr Kimball recovered a judgement against Perry
Matthews and William Moore in the Circuit Court
within and for the County of Cass and State of Illinois
for the sum of two Hundred ~~and ten~~ Dollars and
~~thirty~~ four cents and costs of suit - from which judge-
ment the said Perry Matthews and William Moore has
prayed for and obtained an appeal to the Supreme Court
of said State - Now if the said Perry Matthews and
William Moore shall duly prosecute said appeal with
effect and shall moreover pay the amount of the judgement
costs, interests and damages, rendered and to be rendered
against them in case the said judgement shall be affirmed
in said Supreme Court, then the above obligation to be null
and void, otherwise to remain in full force and virtue

Received and filed by me
this 26th day of June A D
1857

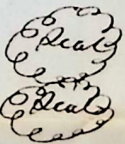
J. C. Commons Clk

Perry Matthews

J. T. Newman

for Perry Matthews agent for

Jesse T. Newman



State of Illinois³
Cass County ³

I S. Emmons Clerk of the Circuit Court within and for said County do hereby certify that the foregoing is a true copy of the order Court of the said Circuit Court in the case wherein Charles Kimball is Plaintiff and Perry Matthews and William S. Moore are Defendants as full as the same appears of record in my office and that the foregoing also contains a true copy of the appeal Bond filed by the said Defendants in my said office

In Testimony whereof I have hereunto set my hand and affixed the official seal of the said Court this Eighth day of December A.D. 1857

S. Emmons
Clerk

Eleazar Kimball
n 3 Appeal Cases
Serry Matthews

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