

14278

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

# Supreme Court of Illinois


Wadsworth et al

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vs.

Comstock

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71641  7

United States of America  
State of Illinois Cook County J.

I was before the Honorable  
the Judge of the Superior Court of Chicago,  
within term 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 second day of January in the year  
of our Lord eighteen hundred and sixty, and  
of the United States of America the Eighty  
fourth.

Present the Honorable John W. Wilson Chief  
Justice of the Superior Court of Chicago.  
Wm H. Higgins Esq Grant Goodrich Judges  
Charles Brown Presenting Attorney  
John Gray Sheriff of Cook County.

Absent

Walter Kimball Clerk.

It is remembered that afterwards, to wit: on 4th  
day of January A. D. 1860. said day being one  
of the days of the January Term of said Court,  
the following among other proceedings was had  
virtue of Record in said Court, to wit:

Philip Kearsnorth  
Henry A. Huntington & Calvin C. Parks Jr  
21 Assumpsit  
Gardner P. Comstock

This day comes said plaintiffs by Horace Miller & David their attorneys, and said defendant by Rich & Bull his attorneys also come on & issues being joined herein upon agreement of the parties made now here in open Court, this cause is submitted to the Court for trial without intervention of a Jury and the Court now here after hearing the evidence and arguments of Counsel and being fully advised in the premises finds issue for said plaintiffs and assesses their damages herein to the sum of Three hundred and ninety dollars and ninety nine cents.

Therefore it is considered said plaintiffs do have and recover of said defendant their damages of Three hundred and ninety dollars and ninety nine cents in form aforesaid by the Court here found and assessed and also their costs and charges in this behalf expended and have execution therefor.

And afterwards to wit, on the 18<sup>th</sup> day of  
the month & year aforesaid, said day being  
one of the days of the said Term of said  
Court, the following among other proceedings  
now had vented of record in said Court, to wit:

Phillip Parrish  
Henry W. Huntington & Calvin C. Parks Jr  
vs  
Jedediah P. Comstock.

This day comes said  
defendant and prays an appeal herein to the Supreme  
Court, which is allowed on filing bond in seven  
hundred and fifty Dollars with Solomon Willys  
as surety to be filed in ten days.

And afterwards, to wit, on the 19<sup>th</sup> day of the month & year  
aforesaid, said day being one of the days of said Term of said Court,  
the following among other proceedings now had vented of record in said  
Court, to wit:

Phillip Parrish  
Henry W. Huntington & Calvin C. Parks Jr  
vs  
Jedediah P. Comstock.

This day comes said Defen  
dant of his said appeal Bond herein to the Supreme Court, which is  
approved by the Court, and it is ordered that the execution issued  
on the judgment entered in this case be returned by the Sheriff.

And afterwards to wit, on the 19<sup>th</sup> day of  
January A. D. 1860. G. P. Comstock filed in  
the office of the Clerk of the said Superior Court  
of Chicago, his certain appeal Bond in the  
worded & figures following to wit:

Know all Men by these presents that  
we Gardner P. Comstock and Solomon  
Kellogg are held and firmly bound unto

Philip Hadsorck, Henry A. Huntington & Calvin  
C. Parks their heirs, executors, administrators or assigns  
in the penal sum of seven hundred and fifty dollars  
lawful money for the payment of which well and  
truly to be made we bind ourselves, our heirs, executors  
and administrators jointly severally and finally by  
these presents. Witness our hands and seals this  
10<sup>th</sup> day of January A. D. 1860.

The Condition of the above obligation  
is such that whereas the above named obligee  
did on the fourth day of January A. D. 1860. in  
the Superior Court of Chicago recover a judg-  
ment against the above bound in Gardens  
P. Comstock for the sum of three hundred  
and ninety dollars ninety nine cents besides  
costs from which the said Gardner P. Comstock  
has taken an appeal to the Supreme Court of  
the State of Illinois. Now therefore if the said  
Comstock shall duly prosecute his said  
appeal and shall pay the judgments, interest  
damages and costs in case said judgment  
shall be affirmed in and by the said Supreme  
Court then the above obligation to be void  
otherwise to remain in full force & virtue.

Sent & signed in presence of  
John A. Dewett

G. P. Comstock (seal)  
Solomon Kellogg (seal)

State of Illinois  
Cook County Ill.

J. Walter Kimball

Clk of the Superior Court of Chicago.  
within of the County & State aforesaid,  
do hereby certify, the foregoing to be a true  
& correct copy of the Order of Judgment,  
the Order allowing appeal & the appeal bond  
in a certain Cause wherein Philip Mad. worth  
& others are plaintiffs and James P. Constock  
Defendant.



Witness my hand & the seal  
of the said Court at the city  
of Chicago. this 8<sup>th</sup> day  
of May, A. D. 1860.  
J. Walter Kimball Clk

389  
215

*P. W. ...*

*J. D. Comstock*

Sum \$390.99

14278

Filed May 10, 1860  
L. Leland  
Clerk

390.99  
3-  
1954.93



25  
Sum \$150.00