

13635

No. _____

Supreme Court of Illinois

Cook

vs.

Barton

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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 Third day of June in the year of our Lord One Thousand Eight Hundred and Sixty one and of the Independence of the United States of America the Eighty fifth

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

Wm H. Higgins and
Grant Gustrich } Judges.

Carlos Warren Prosecuting Attorney.

Anthony O'Sering Sheriff of Cook County.

Attest, Walter Kimball Clerk.

It is remembered that heretofore to wit, on the Twenty second day of June in the Year of our Lord One Thousand Eight Hundred and Sixty one said day being in of the term of the June Term of said Court the following proceedings was had and entered of record in said Court. To wit.

Nicholas A. Cook

vs
Edward S. Barton

Replevin

This day again Comes the
Said Plaintiff by Godwin S. Linn & Godwin his Attorneys
and the Said Defendant by McKimley & Nichols his
Attorneys also Comes and the Cause Coming on now
to be heard upon the Motion of the Said Plaintiff
heretofore submitted herein for a new trial in said
Cause. Was argued by Counsel and the Court being
fully advised in the premises overruled the plaintiffs
Said Motion for a new trial. To which ruling and
decision of the Court the said plaintiff excepts and
thereupon enters his exceptions herein to the ruling of the
Court in overruling his said Motion for a new trial.
Wherefore the said defendant ought to have judgment
entered upon the verdict of the jury.

Therefore it is Considered that the said defendant
do have return of the Property Replevied in said Cause
with a writ of Return Habeas Corpus therefor and also
recovery of and from plaintiff his Costs about his defence
in this behalf afforded and thereof have execution.

And thereupon the said plaintiff having entered his
exceptions prays an appeal herein to the Supreme Court
of the State which is allowed to them upon Condition that
the said plaintiff file his appeal bond in the sum of
Two hundred Dollars with security to be approved by a Judge
of this Court and to be filed with his bill of exceptions
during this term of the Court.

And afterwards to wit on the Twenty fourth day
of June in the Year aforesaid, Nicholas H. Cooke the
Plaintiff herein filed in the office of the Clerk of the
Court aforesaid his Return Appeal bond in words and
figures following to wit

Know all men by these presents that we Nicholas H. Cooke
Joseph T. Ryerson & Chas. Randolph of the County of
Coke and State of Illinois are held and firmly bound
unto Edward S. Burton ally of the same County and
State in the penal sum of Three Hundred Dollars lawful
Currency of the United States for the payment of which
and only to be made we bind ourselves in heirs
executors administrators jointly severally and finally
by these presents

Witness our hands and seals this twenty fourth
day of June A D 1861

The Conditions of the above obligation is such
that whereas the said Edward S. Burton did on the
Twenty second day of June A D 1861 in the Superior
Court of Chicago in the County of Coke and State
aforesaid, and of the same Term thereof recover a judg-
ment against the above bounden Nicholas H. Cooke
for the return of one unfinished extensive buggy Com-
prising of wheels and running gear, one pair shafts
box and pole, one dashboard two Cushions, three
Curtains and two side pieces, besides caps of suit;

from which said judgment of the said Court the said
Nicholas H Corke has prayed for and obtained an
Appeal to the Supreme Court of said State

Now therefore if the said Nicholas H Corke
shall duly execute his said appeal with effect, and
moreover make return of the said property and pay the
Costs, interest and damages rendered, and to be rendered
against him in case the said judgment shall be aff-
-irmed in said Supreme Court then the above obligations
to be void otherwise to remain in full force and virtue

Witness my hand and extend into before me at
Chicago the Twenty fourth day of
June A D 1861

N H Corke
J T Ryerson
Cha Randolph

Approved in Open Court June 24 / 61
Grant Goodrich Judge

State of Illinois }
Cook County } S.S.

I, Thomas O'Leary Clerk of the
Superior Court of Chicago, within of the State &
County aforesaid, do hereby certify that the foregoing
is a true transcript of the order of Judgment, the
order allowing Appeal & the Appeal Bond in
a certain suit wherein Nicholas F. Leach is
Plaintiff and Edward S. Burton defendant

In testimony whereof I hereunto
subscribe my name, and affix
the Seal of said Court, at the
City of Chicago, at said County
this 20th day of May A.D. 1862
Thomas O'Leary Clerk



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Nicholas F. Cook

to

Edward S. Barton

Transcript

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Filed May 21, 1862
L. Wilson
clerk.

13435

1862

Fees \$1.50. paid by pc
Nicholas F. Cook