

No. 13798

Supreme Court of Illinois

Herrick, Imp.

vs.

LeMoyne

State of Illinois
Lee County 1859.

I, Isaac S. Boardman Clerk of the Circuit Court in and for the County of Lee, do hereby certify that heretofore, to-wit: on the 29th day of December A. D. 1859; the same being one of the regular days of the November Term, A. D. 1859 of the Lee County Circuit Court, in and for the State of Illinois, John V. de Moyne as Plaintiff recovered a judgment in said Circuit Court, in an action of assumpsit against George S. Henick, impeaded with Henry Webb and Samuel W. Alton (the death of said Alton having been suggested pending the suit) defendant for the sum of Two Hundred and Sixty Eight ⁶⁵/₁₀₀ Dollars damages, together with his costs and charges without behalf expended: that thereupon, to-wit: at the time of the recovery of said judgment as aforesaid the said defendant Henick prayed an appeal from the judgment of the said Lee County Circuit Court to the Supreme Court of the State of Illinois; which prayer of said defendant Henick for said appeal was granted by said Circuit Court of Lee County, and leave given to said defendant Henick to file an appeal bond in the penalty of Five Hundred ——— Dollars with James Benjamin for security; that afterwards to-wit: on the 28th day of January A. D. 1860, the said defendant Henick filed his appeal bond in the Clerk's office of said Court in the penalty of \$ 500 ⁰⁰/₁₀₀ conditioned in the manner prescribed by law; with the said James Benjamin as security; and that thereby the judgment of the said Circuit Court of Lee County became and was, and yet continues to be suspended, all of which appears to me of record in my office.

~~318~~

313

George S. Herriett imp with
Henry W. W. and James W. Alburton
(Counselors) Appellant

vs
John D. Le Moyne
Appellee

Appeal from Dec

Certificate &c

Filed Apr. 20. 1860

L. Deland

Clk.

268,651

051

\$1343 051 dgs

13798

Edsall

\$5.00 Clk.

Supreme Court of Illinois

April Term 1862

George L. Arnick impleaded,
with Henry Webb & Samuel
W. Atherton (now deceased)

Appellant

John V. Le Moyne

Appellee

Appeal from
Lee

Motion to Dismiss

And now comes the said
Appellee, John V. Le Moyne
by Jas. K. Edsall his attorney
and enters his motion that
the Appeal in this case
be dismissed upon the
ground that the Appellant
has not filed an authenticated
copy of the Record of the Judge-
ment appealed from in the
Clerk's ^{Office} of this Court as required
by Statute: which said Mo-
tion is based upon the Certif-
icate of the Clerk of the Court
below this day filed.

Jas. K. Edsall
Atty for Appellee

313

George L. Amick

Respondent

Appellant

^{vs}
John V. Le Moyne
Appellee

Motion to Dis-
miss Appeal

Le
V