

14240

No. _____

Supreme Court of Illinois

Campbell

vs.

Giblin

SUPREME COURT OF ILLINOIS.
FIRST GRAND DIVISION.
NOVEMBER TERM, A. D. 1857.

Wallace A. Campbell, Plaintiff in Error }
 vs. } Error to Hamilton.
 Thomas F. Giblin, Defendant in Error.

ABSTRACT OF PLAINTIFF'S CASE.

Record Page.

3. A judgment was rendered before a Justice of the Peace in favor of the defendant in error, against the plaintiff in error, for \$16,78 upon which judgment plaintiff in error appealed to the Circuit Court of Hamilton County.
4. The suit was commenced by the defendant in error, who was a plasterer by trade, for work and labor done; and the cause tried at the May term 1856 of said Circuit Court before the Honorable Edwin Beecher, by consent without a jury. The defendant in court below plead set off, a failure to perform, on the part of plaintiff in court below, and damage to defendant below by reason of non performance.
5. A motion was made by the plaintiff in error in the Circuit Court at the appearance term for a rule on the defendant in error to give security for costs, for the reasons stated in affidavit contained in bill exceptions, but the main ground of the motion was that since the judgment was rendered before the justice, the defendant in error ran off or absconded from this State. The Court overruled the motion. And on this point principally the plaintiff in error brought the case into this court by writ of error.
6. The plaintiff in error also relies upon the other grounds of defense, but especially non-performance of the contract, by plaintiff in the court below. The evidence in the court below is set out at length in the bill of exceptions, and the plaintiff in error upon the two foregoing grounds seeks to reverse the judgement of the Hamilton Circuit Court, which affirmed the judgement of the Justice.
- 7.

NELSON & JOHNSON Attys.
 For Plaintiff in Error.

No 9

Wallace A. Campbell

by

Thomas H. Gillies

Exam to Students

~~1856~~

Abstract

Nov. 26

14240

Filed Nov. 20. 1857

St. John's Coll

LIBRARY OF THE
FIRST GUARD DIVISION
NO. 1000

THE UNIVERSITY OF CHICAGO
LIBRARY
1857