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No. _____

Supreme Court of Illinois

Gage

vs.

Scho^o~~x~~field

UNITED STATES OF AMERICA,

STATE OF ILLINOIS, COUNTY OF COOK, SS.

Pleas, before the Honorable George Manierre Judge of the Seventh Judicial Circuit of the State of Illinois, and Sole Presiding Judge of the Circuit Court of Cook County, in the State aforesaid, and at a term thereof begun and held at the Court House in the City of Chicago, in said County, on the Third Monday, (being the Eighteenth day) of June in the year of our Lord one thousand eight hundred and Sixty and of the Independence of the said United States the Eighty-fourth

Present, Honorable George Manierre Judge of the 7th Judicial Circuit of the State of Illinois.

Charles Haven States Attorney.

John Gray Sheriff of Cook County.

Attest, Wm L. Church Clerk.

Be it Remembered, that, heretofore, to wit: on the twenty first day of June in the year aforesaid, - the same being one of the days of the June Term of said Court for the year aforesaid - the following proceedings, among others in said Court, were had and entered, to wit:

19,532 2861 } Henry O. Schoofield
George H. Sage vs Asa Vail } Appraisit

This day comes the said Plaintiff by S. H. Low his Attorney, and the said Defendant George H. Sage, impleaded with Asa Vail, by John V. LeMoine his Attorney also comes, and by oral consent of said parties now here given in open Court, and on motion, It is Ordered that the demurrer of the Defendant Sage to the

Plaintiff's declaration filed in said cause, be, and the same hereby is overruled: Whereupon on motion of plaintiff's Counsel, it is Ordered that the defendant Gage, impleaded as aforesaid, be, and he hereby is ruled to plead over to the plaintiff's said declaration instantly, and no answer being interposed and the said defendant being now three times solemnly called in open Court, say nothing further in bar or preclusion of the said action of said Plaintiff against him; whereby the said defendant Gage remains therein wholly undefended against the said Plaintiff; wherefore said Plaintiff ought to have and recover of the said defendant George W. Gage, impleaded as aforesaid, his damages herein sustained by occasion of the premises, and the Court, after hearing the allegations and proofs submitted by said plaintiff, and being fully advised in the premises, doth assess the plaintiff's damages herein to the sum of Four Thousand and forty seven dollars and twenty one cents,

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Therefore it is considered that said Plaintiff do have and recover of the said defendant George W. Gage, impleaded as aforesaid, his damages of Four Thousand Forty Seven dollars and Twenty one cents in form as aforesaid assessed, together with his costs and charges by him about his suit in this behalf expended and have execution therefor,

Whereupon the said defendant Gage by his Counsel excepts and prays and appeal to the Supreme Court of the State of Illinois, which

is granted by the Court upon condition that the said Defendant Gage shall within ten days from this date execute and file with the Clerk of this Court his appeal bond herein in the penal sum of Eight Thousand Dollars conditioned according to law with David A. Gage and John V. LeMoigne as sureties thereto,

And afterwards, to wit: on the 27th day of June in the year last aforesaid said Defendant, impleaded &c. filed in the Office of the Clerk of said Court his appeal bond in said cause in the words and figures following, to wit:

Know all men by these presents that we George W. Gage and David A. Gage and John V. LeMoigne of the City of Chicago County of Cook and State of Illinois are held and firmly bound unto Henry O Schoofield of the City of Richmond and State of Virginia in the penal sum of Eight Thousand Dollars lawful money of the United States for the payment of which well and truly to be made we bind ourselves our heirs Executors administrators jointly severally firmly by these presents.

Witness our hands and seals this 27th day of June in the Year of Our Lord One Thousand Eight hundred and Sixty (AD 1860)

The condition of the above obligation is

such that whereas the said Henry O Schoolfield,
did on the Twenty first day of June AD 1860 in the
Cook County Circuit Court recover a judgment
against the above bounden George W. Gage implea-
ded with Asa Vail, for the sum of Four Thousand
and forty seven dollars and Twenty one cents (\$4047²¹/₁₀₀)
from which Judgment the said George W. Gage has
taken an appeal to the Supreme Court of the State of
Illinois. Now if the said George W. Gage shall
prosecute his appeal with effect and shall pay
whatever Judgment may be rendered by the said
Court upon the dismissal or trial of said appeal
then the above obligation to be void otherwise to
remain in full force and effect

George W. Gage (Seal)
(Signed) D. C. Gage (Seal)
John V. LeMoyn (Seal)

I, WILLIAM L. CHURCH, Clerk of the Circuit Court of Cook County, in the State aforesaid, do hereby certify the above and foregoing, to be a true, perfect and complete copy of the final judgment order granting an appeal & the appeal bond in a certain cause pending in said Court on the Common Law side thereof, wherein Murray O. Schofield was Plaintiff and George W. Gayl impleaded & was Defendant.

In Witness Whereof, I have hereunto set my hand, and affixed the Seal of said Court at Chicago, this 18th day of April A. D. 1861.

Wm L. Church Clerk.

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Geo W Gage,
comptroller

Henry O Schofield

Filed April 22, 1861
L. Leland
Clerk

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