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Crystal Lake Ice Co. cal.

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Buckingham

~~Revd~~

Filed Apr. 21, 1863.

L. Seland

Clk.

UNITED STATES OF AMERICA,

STATE OF ILLINOIS, COUNTY OF COOK, SS.

Writ, 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 13th day of March in the year of our Lord One Thousand Eight Hundred and fifty three and of the Independence of the said United States the eighth

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

Joseph King States Attorney.

David S. Hammond Sheriff of Cook County.

Attest, William S. Church Clerk.

Be it remembered that heretofore, to-wit: on the first day of July in the year of our Lord One Thousand Eight Hundred and fifty seven there was filed in said Court a certain Bill of Complaint which is in the words and figures following, to-wit:

In the Circuit Court of Cook County. In Chancery. To the Honorable George Manierre Judge of the Circuit Court of Cook County in Chancery sitting.

Humble Complaining sheweth unto your Honor William Packes of Chicago in the County of Cook and State

of Illinois. That on or about the fifteenth day of December in the year of our Lord one thousand eight hundred and fifty five Amos Page of Janesville Wisconsin Charles E Thompson now of Philadelphia Pennsylvania then of Chicago John H Higgins then of Chicago and now of Wisconsin George P Clark then of Boston Massachusetts and now residing in the State of Michigan together with Daniel L Wells then of Chicago and now of Wisconsin associated themselves and purposed to form a Corporation for the Manufacturing Cutting working Pounding and dealing in Ice under the name of the Crystal Lake Ice Company.

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And your Orator would further shew unto your Honor that for that purpose, the said Amos Page Charles E Thompson Daniel L Wells George P Clark and John H Higgins did cause to be filed in the Office of the Clerk of the County of Cook in the State of Illinois a Certificate of Incorporation a Copy of which said Certificate is herewith annexed marked Exhibit A. and made a part of this your Orators Bill of Complaint in and by which said Certificate it is stated that said Corporation was formed under and in pursuance of a law of the State of Illinois entitled an act to authorize the formation of Corporations

for Manufacturing Agricultural Mining
or Mechanical purposes. Approved ^{at} ~~the~~
the tenth A.D. 1849. in and by which said
Certificate it was also further made to
appear that the Capital Stock of said
Company was the sum of Fifty Thousand
Dollars divided into five hundred shares of
One hundred Dollars each and in and by
which said Certificate of incorporation it
was further made to appear that the Number
of Trustees of said Company should be five
and that all of said Corporators were to
be trustees for the space of one year and
that the place of business of said Company
should be the town of Algonquin in the
County of Mc Henry in the State of Illinois
and in the City of Chicago aforesaid.

And your Orator further States and shows
unto your Honor that he has been informed
and believes the same to be true that at the
time of the formation of said Crystal Lake
Ice Company the said five hundred shares
of Stock of said Company was taken and
held by the following named persons in
the following proportions to wit: William
Baker of Mc Henry County possessed and
owned five shares of the Stock of said Com-
pany George & Clark then of Boston Massa-
chusetts owned thirty four shares of the

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Stock of said Company of J. Tyler of Janesville
Wisconsin owned five shares of the stock
of said ^{said} Company. Amos Page of Janesville
Wisconsin and Jacob Eastman of Boston
Massachusetts under the name of Eastman
& Page owned one hundred shares of said
stock. A. A. Robert of Chicago owned ten
shares of said stock. Samuel E. Johnson of
Chicago owned fifty shares of said stock. J. C.
Johnson of McHenry County owned sixty
shares of said stock. Carl Lipe owned
ten shares of said stock. Charles E. Thout-
son then of Chicago and now of Philadelphia
Pennsylvania owned thirty three shares of
said stock. Samuel W. Perry of Wisconsin
owned fifty shares of said stock. John W.
Maggis then of Chicago and now of Wisconsin
owned thirty three shares of the stock of
said Company. John S. West of McHenry
County owned ten shares of said stock. Dan-
iel L. Mills then of Chicago and now of
Wisconsin owned fifty shares of said stock.
Emos Taylor owned ten shares of said
stock and G. W. Cator owned and still
owns twenty five shares of said stock. Com-
ing in all to four hundred and eighty five
shares of said stock of said Company. Leaving
fifteen shares undisposed of and remaining

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unsold. upon which said four hundred and
eighty five shares of Stock of said Company
Assessments to the Amount of Sixty Dollars
per share have been levied amounting in
all to the sum of Twenty nine thousand and
one hundred Dollars. upon which said assess-
ments your orator is informed and believes
the same to be true, that there has been
paid only the sum of Twenty three thousand
and fifty five Dollars and Seventy three Cents.
And your orator would further show unto
your Honor that the names of the several
present holders of said Stock and from whom
the same was obtained whether by original
purchase or otherwise. And the Amounts due
on said several shares of Stock to said
Company is fully obtained and set forth
in a Schedule herunto annexed Marked
Exhibit C and which your orator prays
may be taken as a part of this his Bill of
Complaint - And your orator further
states and shows unto your Honor that he
has been informed and believes the same to
be true that each and all of the present holders
of Stock of said Company are in default
on the payment of the assessments levied on
their Stock and that the last assessments levied
on the Stock of said Company which is now
just due is remaining unpaid by such

Stockholders and that each of the Share
holders in said Company have neglected
and failed to pay the said last assessment.
And your orator would further state
and show unto your Honor that he has been
informed and believes the same to be true
that since the formation of said Company
such further proceedings have been had with
regard to the stock of said Company that the
said Joel Johnson has disposed of forty five
shares of the stock of said Company standing
in his name in the manner following that
is to say to Isaac G. Wilson of Kane County ten
6 shares to Abel W. Fuller of Mr. Henry County
ten shares to George W. Tyler of said last named
County fifteen shares to J. H. Edwards of Boston
Massachusetts five shares and to Seth Nickerson
Mr. Henry County five shares, all of which said
several respective sales and transfers were
made on or about the thirteenth day of March
A. D. 1857. and all of which said last men-
tioned stock is now held by the last named
persons except the said George Tyler by
whom ten shares have been transferred to
Abner Judd of Mr. Henry County aforesaid the
precise date of said last mentioned transfer
your orator is not able to state and show
unto your Honor, that in and during the

month of March A.D. 1856 said Charles E. Thompson transferred the said thirty three shares standing in his name to said John H. Wiggins then of Chicago and now of Wisconsin and that in the same month the said Wiggins transferred fifty shares of said stock standing in his name to said Eastman & Page & at the same time did also transfer to one William P. Benson of Wisconsin sixteen shares of said stock which said sixteen shares of said stock were subsequently on or about the first day of June A.D. 1856 assigned by said Benson to one Lewis Mulford of Wisconsin by whom they were subsequently transferred to said Benson, the precise date of said last mentioned transfer your orator is unable to state and show unto your Honor, and said sixteen shares of said stock were subsequently at some time during the month of October A.D. 1856 assigned and transferred by said Benson to said John H. Wiggins by whom they are now held, that Simon Taylor did on or about the 15th day of December A.D. 1856 assign and transfer to said Samuel W. Perry ten shares of said stock standing in his name by whom they are now held, and that said A.A. Robert did at some time during the same

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or fall last past assign and transfer to
one Benjamin W. Hobbs Jr. of Boston Massachusetts
five shares of the stock of said Company
by whom they are now held and that
said Eastman & Page did on or about the
twelfth day of June 1857 transfer five shares
of the stock of said Company standing in
their name to one Jesse W. Stone of
Minnesota Territory and did subsequently
on or about the twentyfourth day of June
AD 1857 transfer to one James S. Parsons of
Wis. Mass. Co. fifteen shares of said stock
by whom the same is now held, and that
the said Daniel L. Wells did during the present
month transfer to one William D. Benson of
Minnesota fifty shares of said stock standing
in his name all of which said several transfers
above set forth were made without the know-
ledge or consent of your Oration and that he
has but just been made acquainted with
the same.

And your Oration further shows and
states unto your Honor that he has
been informed and believes the same to be
true that soon after the filing of said Certi-
ficate of incorporation as has been herein
before stated and shown to your Honor
the said Trustees named in said Certificate

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That is to say said Amos Page John H. Wiggins Charles E. Thompson Daniel L. Wells and George S. Clark met and purported to organize said Company by the Appointment of Amos Page as president and George S. Clark as Secretary and Treasurer of said Company, that subsequently on or about the Twenty eighth day of March A.D. 1856 the said George S. Clark resigned his office of Secretary & Treasurer of said Company, but still retained his office of Trustee and at the same time returned to his place of residence Boston in the State of Massachusetts, that at the same time the said Charles E. Thompson resigned his office of Trustee and Samuel M. Perry was appointed Trustee of said Company in place of said Thompson and was also at the same time appointed Secretary and Treasurer in place of said George S. Clark, that subsequently on the fourth day of April A.D. 1856 the said Wiggins resigned his office of Trustee of said Company and William A. Benson of Wisconsin was appointed to fill such vacancy leaving Samuel M. Perry the only Trustee of said Company who was a Citizen of the State of Illinois said Wells having prior to that time removed to the State of Wisconsin and said Page having all the time resided in said State of Wisconsin and your Oration would here

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further show and state unto your Honor
that said Benson continued to act as Trustee
of said Company until the 29th day of Novem-
ber A.D. 1856. Although during most of
said time he was not the holder of a
single share of Stock in said Company
his said Benson Stock having been trans-
ferred to Lewis Mulford of Wisconsin as
your orator is informed and believes true
and your orator would further show unto
your Honor that he has been informed
and believes the same to be true that the
said Benson on said 29th day of November
A.D. 1856 resigned his office of Trustee of
said Company and that John Wiggins
then of Chicago Illinois was appointed to
fill such vacancy, and that subsequently
on the 30th day of March A.D. 1857 the said
Perry resigned his office of Treasurer and
Secretary of said Company and that Alexander
C. Forestry who has not and is not a stock
holder in said Company was appointed to fill
such vacancy, and that on or about the said
last mentioned day the said Samuel W. Perry
and John Wiggins removed from the State
of Illinois to the State of Wisconsin by reason
of which said last removals the said Company
had no Trustee who was a Citizen of the State

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of Illinois, Contrary to the Statute of this State
under which they purported to have been
organised.

11
And your orator would further show
unto your Honor that by the Byes Laws of
said Company the Annual Meeting of the
Stockholders of said Company was to be
held at its office in the City of Chicago,
on the first Monday of November in each
year, and that the Trustees of said Company
were to be elected annually at such
meeting, and your orator further states
and shows unto your Honor that no annual
meeting was held at the office of said Company
or at any other place on said first Monday
of November A. D. 1856 and that the annual
meeting of the stockholders of said Company
has not been held since that time, that
the Secretary of said Company did not give
thirty days notice of a meeting of the said
Company as he is required by Law to do
but that the Trustees of said Company pretended
to hold over in their offices without any
election or right as your orator is informed
and believes true. And your orator would
further show unto your Honor that subsequently
and at a meeting of the stockholders
of said Crystal Lake Ice Company held at their
office in the City of Chicago on or about the

fifteenth day of June A.D. 1857 the said
Wiggins Clark Perry and Wells were re-
moved from their ^{said} offices and said Amos Page
resigned his office, and at the same time
said Amos Page of Wisconsin and Samuel
Johnson and William Parker of Illinois were
Elected Trustees to fill the vacancy.

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And your orator further shows and
states unto your Honor that he has been
informed and believes the same to be true
that the said Company have never complied
with the requirements of the Statute of the
State of Illinois entitled an act to authorize
the formation of Corporations for Manufacturing
Agricultural Mining or Mechanical Pur-
poses under which act the said Corporation
purports to have been formed, in this that
they have never kept a book in their
office alphabetically arranged containing
the names of the Stockholders of said
Company with their place of Residence
and number of shares held by each
and the amount of Stock paid in, that
they never have published in any News-
paper a report showing the amount
of Capital, the proportion paid in and
amount of existing debts, and for the fur-
ther reason that one half of the Capital

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Stock of said Company was not paid in within one year of its organization and has never yet been paid in, and for the further reason that the said Company has never engaged in any Manufacturing, Agricultural, Mining or Mechanical business but on the contrary thereof have been engaged in the business of Cutting and Grinding ice and said last mentioned business is all the business the said Company was formed or purported to be engaged in, and that there is no such business known as the Manufacturing of ice.

And your Oration further shows unto your Honor that said Company has never legally organized as a Corporation and never has existed as a Corporation but that as a matter of fact the same has been since its organization a general Partnership, and that the property of said Company is now held as general partnership property and he would further show unto your Honor that if said Company were ever legally organized and ever existed as a Corporation that it ceased to exist as such on the nineteenth day of December AD 1855 for and by reason of the fact that one half of the Capital Stock of said Company had not been paid in on that day as is required by

The Statute in such case made and provided
and that since that time if it ever existed
as a Corporation, which your Oration denies
that it has ceased to exist as such for the
reason above stated and the property is
now held a partnership property and the
members of said Company are severally
liable for the debts of said Company as
Co-partners as aforesaid.

And your Oration further shows
unto your Honor that soon after the formation
of said Company as has been heretofore
stated and more fully set forth, that
the said Company commenced the cutting
of ice and the erection of ice houses at
Crystal Lake in the town of Algonquin
in the County of McHenry for the purpose
of storing said ice. and did also at the
same time purchase some small tracts
of land of moderate extent for the purpose
of erecting said ice houses on the same
and did also at the same time purchase
the land and right of way for the laying
of a Railroad track from their said ice
house to the Chicago, St Paul and Grand
Lac Railroad the title to all of said grounds
and tracts of land so purchased as aforesaid
said being taken in the name of said Comrs

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Page and by him held as Trustee for the
Company. a full description of all of which
said lands so purchased as aforesaid is
contained in a Schedule herewith annexed
marked "Exhibit B" and which your Orator
prays may be taken as a part of this his
Bill of Complaint, and at the same time
or shortly after the said Company commenced
the laying and grading of a Railroad track
on said grounds so purchased as aforesaid
from their said Ice houses to said Chicago,
St. Paul and Grand Lake Railroad Company
a distance of one mile and seven eighths of
a mile in length all of which said works were
erected and finished at a great & unnecessary
Expense and without regard to the true
interests of the Stockholders of said Com-
pany as your Orator is informed and
believes the same to be true.

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And your Orator would further
show unto your Honor that the said Com-
pany did continue in their said business
of dealing in ice and in the transport-
ing of the same from Crystal Lake to
Chicago during said season of A.D. 1856
and that they did transport the same to Chicago
and then sell the same and that their said
business was conducted as your Orator is
informed and believes true during said year

1855 at a loss to said Company of more than
Six thousand Dollars.

16
And your orator would further show
and state unto your Honor that said Company
during the winter last past continued in
their said business of getting and storing ice
that the same owing to the severity of the
weather and as your orator is informed
and believes true in fact to mismanage-
ment was conducted at a great expense
to said Company, and that said Company
for the purpose of conducting their said business
was necessitated during the past spring to
make heavy purchases of Horses Wagons
Harness and other articles to assist in the
delivery of ice in the City of Chicago and to
proceed to the erection of houses and fences
in the City of Chicago which are nearly
completed for the stabling of said Horses and
the storing of said Wagons all of which has
been done at great expense and that said
Company is now continuing in its said
business and conducting the same in the
City of Chicago aforesaid at a very great
expense and at a daily loss to said Company
and your orator would show unto your
Honor that he has been informed and believes
the same to be true that the business of said

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Company is now conducted at a loss to said Company of more than Five Hundred Dollars per month.

17
And your Orator would further show unto your Honor that he is informed and believes the same to be true that the said Company is at the present time greatly in debt and embarrassed for want of means that it is now more Seven Thousand Dollars in debt, that the several holders of the stock or Shares in said Company have each and all of them failed and neglected although requested so to do, to help the said Company or to contribute to or to advance the means to relieve said Company from its embarrassments, or to help meet the demands against said Company.

And your Orator would further show unto your Honor that he is advised and believes the same to be true that during the month of April last past a judgment was obtained against said Company in Cook County Court of Common Pleas in favor of Wilcox Lyon & Co for the sum of four hundred and twelve $\frac{25}{100}$ Dollars besides Seven $\frac{50}{100}$ Dollars costs upon which said judgment Execution has been issued out of said Court and is now in the hands of the Sheriff of Cook County, and said Company is liable at any moment to

have the personal property of said Company sold to satisfy said judgment so obtained as aforesaid.

And your Orator would further show unto your Honor that all of the Creditors of said Company have now for a long time been delayed in the payment of their demands and are now daily threatening to commence proceedings against said Company to enforce the payment of their demands.

18 And your Orator would further show unto your Honor that he is advised and believes the same to be true that the notes and acceptances of said Company are fast maturing and coming due, and that no provision has been made for the payment of the same and that the same when they fall due cannot be met for the reasons above stated.

And your Orator would further show and state unto your Honor, that the said Company from the nature of its business is compelled to employ a large number of laborers and other servants and that he is informed and believes the same to be true that the said Clerks Laborers and Servants of said Company have been for a long time now fast delayed and kept out of their wages.

and that a party of said Laborers and Servants of said Company are now on a strike and refuse longer to work for said Company or to permit others to work for the same for the reason that their wages have not been paid to them and that said Company is greatly in debt to them and your Oration would further show unto your Honor that said Company has no means to meet the demands of their said Servants or Employees and that in the opinion of your Oration it is impossible for said Company longer to carry on its said business for the reasons above stated

14
 And your Oration would further show unto your Honor that all the property of said Company excepting its real Estate which is of little value and of a perishable nature and cannot be kept except at great expense and deterioration in value and that if said property of said Company were sold at a Sheriff Sale or at a forced Sale it would not as your Oration is informed and believes true realize sufficient to pay the demands against said Company and could only be disposed of at a very great sacrifice on its true value. That the business property of said Company is of a perishable nature and one which would at the present time as your Oration is informed and believes true at a fair

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Sale perhaps more than sufficient to satisfy all
demands against said Company and would
most fully protect the interest of the Stockholders
of said Company but that the same if held
till the warm season has passed could only
be so held at a very expense and loss to the
Creditors and Stock holders of said Company
and at a very great depreciation on the amount
and value of property of the same at the end
of said season or latter in said season could
not be sold at as large a price as can now
be obtained for the same, and your orator
would further state and show unto your
Honor that he is informed and believes
the same to be true that a large proportion
of the property of said Company consists of Sea
Ice of about Four or Five thousand Tons of Ice, which ice if it were
carried over or well the warm weather must
greatly deteriorate in value and lessen in
amount that the Wagons of said Company
are wagons that are built expressly for the
ice business and of comparatively little value for
any other business and that if held until the
fall would not sell until the next Spring or
Summer, that the said Company is now the
holder of a large number of horses, which are
kept at a daily expense to said Company and
the same is true of all other the property of

11.
Said Company—

And your orator would further show that he is advised and believes the same to be true that said Company is hopelessly insolvent and that if the property of said Company is not sold by a Receiver to pay the debts of said Company that then & in that case the same will be sold at a Sheriff Sale to satisfy the judgments & claims against said Company and will be disposed of at a very great sacrifice.

21
And your orator would further show unto your Honor that the real estate held by said Company and standing in the name of Amos Page is of very little value as your orator is informed and believes true except for said Ice business and from its situation and position as well as nature that it is greatly for the interest of all parties concerned that it should be sold with the other the personal property of said Company—

And your orator would further show and state unto your Honor that of the said four hundred & eighty five Shares of said Stock of said Company three hundred & twelve Shares represented by eleven different holders is held by persons residing in the States of Wisconsin Michigan and Massachusetts and in the Territory of Minnesota.

who are all now-residents of the State of Illinois, and that the remaining One Hundred & Seventy two shares represented by twelve different holders excepting your orator is held & owned by parties residing in the State of Illinois & but two of the holders of said Stock, besides your orator reside in the County of Cook, said Poeller who does business in Chicago, where the principal business of said Company is transacted. — And your orator further shows unto your Honor that he is advised & believes the same to be true that all of the share-holders in said Company have been fully advised of the present condition of said Company and have been urged to assist said Company to meet its liabilities but that they have all neglected and failed so to do.

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And your orator would further state and show unto your Honor that he is advised and believes the same to be true that the affairs of said Company are daily becoming more involved and embarrassed and that said Company can not continue in its said business for the reasons hereinbefore stated and shown unto your Honor and that it is absolutely necessary for the protection of the rights and interests of the creditors as well as of the stock holders of

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Said Company that a Receiver should be im-
-mediately appointed for said Company who
should have the power to take and receive
into his possession all and singular the property
of said Company both real and personal, and
should have full power and authority to
make a present sale of the effects and
property of said Company both real & personal
on the best terms that can be obtained
for the same and that the proceeds of said
sale should be applied first toward
the payment of the debts of said Company.

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And your Oration would further shew
unto your Honor, that owing to the great
number of shareholders in said Company &
also for the reason that so great a majority
of the shares of said Company are held by
persons residing out of the State of Illinois
as has been hereinbefore stated and shown
unto your Honor it is impossible to close
the said Company without the interposition
and aid of this Court.

And your Oration would further
show unto your Honor that at a Meeting
of the Stockholders or Shareholders of said
Company held at their office in the City of
Chicago on the fifteenth day of June A.D.
1837. the holders of three Hundred & fourteen
shares of the stock of said Company being

present or represented at such meeting and voting. The following resolution was unanimously passed.

That the trustees or a majority of them have full power and authority if in their discretion it is advisable so to do, to sell all the Lands Houses Horses Wagons Buses and Carts, Sec. fixtures and all other the property of this Company on such terms and conditions as may to them seem best for the interest of the Company provided that such sale shall be for a sum not less than ten thousand Dollars.

24 And your Orestor would further show unto your Honor that subsequently on said last mentioned day at a meeting of the Trustees of said Company held at their office in the City of Chicago, an assessment was levied on the Stock of said Company payable within ten days and the Secretary of said Company was directed forthwith to notify each shareholder of said Company of said resolution passed at such meeting of the shareholders hereinbefore stated and shown unto your honor and to notify them at the same time of the resolution assessing said ten per cent on the Stock of said Company, and to further inform them of

103.
the same time that if said assessment was not promptly responded to within said ten days by the holders of two-thirds of the stock of said Company that the same & all its property both real and personal would be sold by said Trustees under & by virtue of the power conferred by said Per-
-tution.

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And your Oration would further show unto your honor that he has been informed and believes the same to be true that the Secretary of said Company did forthwith notify said shareholders or part-
-ners in said Company of of all of said per-
-tutions as he was directed to do by said Trustees and that said call has not been responded to by said shareholders nor by the holders of two-thirds of the stock of the same and as your orator is further in-
-formed and believes true by none of said shareholders -

And your Oration would further state and show under your Honor that he has been informed and believes the same to be true, that a Majority of the Trustees of said Company are now absent from the City of Chicago and from the State of Illinois and that he has no means of knowing when a majority of the Trustees of said Company

will return to said City, and that he is further advised that the said Company cannot well and safely be closed up by said Trustees and the property of said Company safely sold under and by virtue of said Resolutions herein before referred to.

26
And your Orator would further shew unto your Honor that he is a person of small means and that he is daily in danger of being Compelled to meet and satisfy the demands Existing against said Company by reason of his being a general partner in the same as is herein before stated and shew unto your Honor, and for the further reason that the holders of Stock in said Company residing in the County of Cook are also persons of small means who are not able to meet and satisfy the demands Existing against said Company - And your Orator would further shew unto your Honor that this bill is filed and brought into Court by him as well as to protect his own interests and the interest of of all the Creditors of said Company and the several members of the same -

In tender Consideration whereof I am inasmuch as your Orator is remediless in the premises at and by the strict rules of the

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Common Law and is only relivable in a
Court of Equity where matters of this nature
are properly Cognizable & relivable to the
end therefore that the said Amos Page Jacob
Chaetman John H. Higgins George J. Clark
Isaac J. Wilson Benjamin W. Hobart Jr. and
Hobert William Baker E. J. Cuyler Samuel D.
Johnson Joel H. Johnson Clerk Lipe Samuel
McBry John S. Wheat William P. Benson Abel
McGuller J. W. Edwards Jesse W. Stone George
Tyler Alvin W. Fudd Caleb Rich James Thurston
Daniel L. Wells Emans Taylor Charles E.
Thompson Lewis J. Mulford and their Confed-
erates may respectively full true direct
and perfect answer make upon their several
respective Corporal oaths according to the
best of their respective Knowledge information
and belief to all and singular the matters
and Charges aforesaid and that as fully and
particularly in every respect as if the
same were here again repeated and they
thereunto particularly interrogated.

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Now Oator therefore prays that
said Crystal Lake Ice Company may be declared
by a decree of this Court to be a general
Copartnership - That a Receiver may be
forthwith appointed by a decretal order
of this Court who shall be empowered by this
Court to forthwith take and receive all and

Singular the property of said Company both Real and Personal into his possession and that he may be further directed to forthwith proceed to dispose of the same at such time and on such terms as may be most for ^{the} advantageous for the interest of the Creditors and Stockholders if they should be declared to be stock holders or partners if they shall be declared to be partners of said Company.

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And that said Amos Page may be directed and Compelled to convey to such purchaser or purchasers at such sale so made by such Receiver all and Singular the Real Estate of said Company, held by him or standing in his name which of right belongs to said Company.

And may it please Your Honor to decree that if said Crystal Lake Ice Company should be declared to be a Corporation to direct and order that the same may be closed up and dissolved according to law and the practice of this Honorable Court -

That said Receiver when so appointed shall have liberty to apply to this Court for further directions, and that he be directed to proceed to pay and satisfy all judgments existing against said Company out of the proceeds

of said Sale so to be made by him when so made as aforesaid.

And may it further please your Honor to order that the proceeds of said Sale shall be applied first to the payment of the Costs and Expenses of this proceedings and the Charges of said Receiver when so appointed as aforesaid. And that if any surplus arises from said Sale after paying the debts against said Company and the expenses of this proceeding that the same be brought into Court to abide the future order of this Court.

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And that the said William Butler George T. Clark E. S. Tyler Amos Page Jacob H. Hartman, Wm Robert Benjamin M. Robert Jr. Samuel E. Johnson - Joel W. Johnson. Chase L. Pike Samuel W. Perry John S. Wheat John H. Higgins Daniel L. Wells Charles E. Thompson John S. Wheat William B. Benson Abel W. Tuttle J. W. Edwards, Isaac H. Wilson, Jesse W. Stone George Tyler Albin W. Judd Caleb Rich, James E. Pierson Emory Taylor Lewis M. Peck as Shareholders or as Trustees of said Company, their Counsellors Attorneys Solicitors Officers or Agents may be restrained by an injunction issuing out of this Court from proceeding further with said Crystal Lake Ice Company's Commission's then

and each of them their Attorneys Solicitors
and Agents absolutely to desist and refrain
from proceeding further with said Company
or with interfering with said Company
or its property and also to desist and
refrain from disposing of the property goods
or effects of said Crystal Lake Ice Com-
pany.

And that your Oration may have
such further relief or such other relief as
the as the nature of this case may require
and as shall be agreeable to Equity.

30
May it please your Honor that
a writ of Injunction may proceed out of
and under the seal of this Honorable
Court directed to the said William Parker
Amos Page George Clerk E. Tyler Jacob
O. Eastman A. Robert Benjamin M. Wilson
Jr. Samuel E. Johnson Joel H. Johnson Clark
Lyle Samuel W. Perry John L. Wheat John
H. Higgins William B. Benson Abel W. Fuller
J. Woodwards Isaac G. Wilson Jesse W. Stone
George Tyler Abner W. Judd Caleb Dick James
J. Persin Amos Taylor Charles G. Thompson
Lewis J. Mulford and Daniel L. Wells as
Shareholders or as Trustees of said Com-
pany their Councillors Attorneys Solicitors
Officers or Agents. Commanding them Each

of them their Attorneys Solicitors and Agents
 absolutely to desist and refrain from proceeding
 further with said Crystal Lake Ice Company
 or with interfering with the said Company
 or its property and also to desist & refrain
 from disposing of the property goods or
 effects of said Crystal Lake Ice Company
 and that a Summons may issue out
 and under the Seal of this Honorable Court
 to be directed to the said William Parker
 George B. Clark J. Cyler Amos Page Jacob
 P. Eastman W. A. Robert Benjamin M. Hobbs
 J. Samuel F. Johnson Joel H. Johnson Brook
 Lipe Charles C. Thompson John S. Wheel
 John H. Higgins Daniel L. Wells William B.
 Benson Lewis Mulford Abel W. Fuller J. H.
 Edwards Isaac G. Wilson Jesse M. Stone
 George Tyler Caleb Rich James S. Purson
 Alben W. Judd Emos Taylor, Commanding
 them and each of them by a certain day
 and under a certain penalty therein to be
 inserted to be and appear before this Honorable
 Court in Chancery sitting, and there
 and there to answer the premises and further
 to stand to and abide such order and decree
 as shall and good Conscience -

316

And your Obedt. will ever pray &c.
 William Packard

William Woodbridge, Solicitor for Comptroller

State of Illinois }
Cook County } S.S.

William Backus of said
County being first duly sworn deposes and
says that he has read the foregoing Bill
by him subscribed that he knows the
contents thereof and that the same and the
matters and things therein stated are true
to knowledge of this deponent except as
to those matters therein stated on information
and belief and as to those matters he believes
the same to be true

Subscribed & sworn to } Wm. Backus
before me this 30th day }
of June A.D. 1857 }
Levin Wolf
Justice of the Peace

Exhibit "A" referred to in the within Bill
Incorporation of the Crystal Lake Ice
Company

To all to whom these presents may
come, Greeting:

This is to certify that we whose
names are hereunto subscribed have
on the thirteenth day of December in the year
of our Lord one thousand eight hundred and
fifty five associated ourselves together and

17.
formed a Company under the provisions of
the Act entitled "An Act to authorize the for-
mation of Corporations for Manufacturing Agri-
cultural Mining or Mechanical purposes"
Approved July 10th 1849. that the Corporate
name of said Company shall be the Crystal
Lake Ice Company, that the object for which
said Company is formed is the Cutting Working
Manufacturing blending and dealing in ice
that the business of said Company shall be
carried on in the Town of Algonquin in the County
of Mc Henry and in the City of Chicago, both in
the State of Illinois that the said Company shall
have succession and a Corporate Existence
for the term of Twenty five years from and after
this date above mentioned, that the Capital
Stock of said Company shall be fifty thousand
Dollars divided into five hundred shares
of One Hundred Dollars each that the
number of Trustees of said Company shall
be five and the following named persons
a majority of whom are Citizens of this
State and Stockholders in this Company shall
be Trustees for the first year Viz Amos Page
Charles C Thompson John A Wiggins Geo S Clark
and Daniel L Wells

33
17
Signed Amos Page
Charles C Thompson
John A Wiggins

George J. Clark
Daniel L. Wells.

State of Illinois }
Cook County } S.S.

34 I L H Hall a Notary
Public for the City of Chicago, and in the County
and State aforesaid Certify that Messrs Sage
Charles Thompson John H Wiggins Geo J Clark
and Daniel L. Wells who are personally
known to me to be the same persons whose
names are subscribed to the above written
articles to form the Incorporation appeared
before me this day and personally acknow-
ledged that they had signed and delivered
the said Instrument of Writing as their free
act and for the uses and purposes therein
Expressed.

Given under my hand and Notarial
Seal the Fifteenth day of December A.D:
1855.

Seal

L H Hall
Notary Public

Let the writ of Injunction issue
in Conformity with the prayer of the foregoing
Bill of Complaint - The Complainant filing
a Bond in the penal sum of five thousand
Dollars to be executed by C. Smith Williams
and Stanley H. Fleetwood.

George Manure
Judge of 7th Judicial Cir
Ill.

To the Clerk of the
Circuit Court, Cook County

Schedule "D" referred to in within Bill

	No. of Shares	Am't due	Am't Paid
William Batten of Chicago	5	\$ 150.00	150.00
George H. Hunt of Michigan	34	1,062.62	977.39
E. J. Tyler of Wisconsin	5	50.00	250.00
Jacob P. Eastman of Massachusetts			
Amos Page of Wisconsin	3132	1,320.00	6400.00
Art. Hoberk	5	50.00	250.00
Benjamin W. Hoberk of Boston	5	50.00	250.00
Samuel E. Johnson of Chicago	50	500.00	2,500.00
Joel B. Johnson of Woodstock	15	150.00	750.00
Clark Lyle of Chicago	10	110.00	440.00
Sam W. Perry of Wisconsin	40	250.00	3,350.00
John S. Wheat of Woodstock	10	100.00	500.00
John A. Higgins of Wisconsin	10	520.00	440.00
William B. Johnson of "	50	500.00	2,500.00
Abel W. Fuller of Woodstock	10	100.00	300.00
J. H. Edwards of Massachusetts	5	50.00	250.00
Isaac G. Wilson of Sand L	10	300.00	300.00
Jesse W. Stone of Minnesota, Ter	5	50.00	250.00
George Tyler of Woodstock	5	50.00	250.00
Abner W. Judd of "	10	150.00	450.00
Leah R. Rich of "	5	75.00	225.00
James H. Pearson of Lytle Lake	13	130.00	520.00
William Pachus of Chicago	25	250.00	1,350.00

35
78

And afterwards, to wit: on the
said 11th day of July in the Year last
aforesaid said complainant filed in said
Court a certain process which is in
the words and figures following to wit:

In Circuit Court of Cook County
In Chancery

William Packus

vs

William Parker Amos Page
Jacob Hartman John H. Higgins
George Clark Isaac G. Wilson
Benjamin H. Hobbs Jr. A. H. Hobbs
William P. Parsons G. J. Bayler
Samuel Johnson Joel Johnson
Charles Lipp Samuel M. Berry
John L. Meach Abel M. Fuller
J. H. Edwards Jesse W. Stone
George Taylor Alonzo M. Fudd
Caleb Cook James H. Pinson
Daniel L. Mills Amos Taylor
Charles E. Thompson & Lewis J. Mulford

The Clerk will please
issue summons in the above entitled cause
directed to Sheriffs of Cook County Kane County
& McHenry County & publication notice in accordance
with affidavit herewith filed.

Williams & Woodbridge
Chicago July 1st 1857 Sol^r. for Coupl^r.

And thereupon to wit, on the
said 1st day of July there was issued
out of and under the seal of said Court,
three separate Writs of Summons directed
respectively to the Sheriffs of Mc Henry
Rand and Cook Counties, which are
in the words and figures following to
wit:

37

Summons to Mc Henry County

State of Illinois }
County of Cook } S.S.

The people of the State of Illinois
to the Sheriff of Mc Henry County. Greeting:

W^{ch} Command you that you summon William
Baker Amos Page Jacob Chestman John H. Higgins
George Clark Isaac G. Wilson Benjamin W.
Reber Jr. A. A. Reber William C. Pearson
J. Taylor Samuel Johnson Joel H. Johnson
Clark Luke Samuel M. Perry John S. Reber
Abel W. Fuller J. W. Edwards Jesse W. Stone Saml
Tyler Abim W. Judd Caleb Beck James H. Clinson
Danil S. Wells James Taylor Charles C. Thompson
and Lewis Mulford if they shall be found
in your County personally to be and appear
before the Circuit Court of Cook County, on the
first day of the next Term thereof to be holden

at the Court House in Chicago, in said
County of Cook on the Second Monday
of October next to answer unto William
Backus in his certain Bill for Injunction
filed in the said Court on the Chancery
side thereof - And have you then and there
this writ with an endorsement thereon
in what manner you shall have executed
the same -

Witness William L Church clerk of our said
Court and the Seal thereof at Chicago
said this First day of July A.D. 1857.

Seal

Wm L Church Clerk

Summons to Kane County

38
State of Illinois }
County of Cook } ss.

The people of the State of
Illinois, to the Sheriff of Kane County, Greeting.

We Command you that you summon
William Baker Amos Page Jacob Eastman
John H Wiggins George Clark Isaac Wilson
Benjamin M Weber Jr. A A Herbert M W Benson
J H Boyler Samuel Johnson Joel H Johnson
Clark Libe Samuel M Perry John M West,
Abel W Fuller J H Edwards Jesse M Howe George
Tyler Hovis W Judd Caleb Rich James F Pinson
Daniel L Mills James Taylor Charles S Thompson

and Lewis J Mulford if they shall be found in your County, personally to be and appear before the Circuit Court of Cook County, on the first day of the next term there of to be holden at the Court House in Chicago in said County of Cook on the second Monday of October next to answer unto William Packus in his Certain Bill for Injunction filed in said Court, on the Chancery side thereof.

And have you then and there this writ, with an endorsement thereon in what manner you shall have executed the same,

39

Recd

Witness William L Church Clerk of our said Court, and the Seal thereof at Chicago aforesaid this first day of July A D 1837

Wm L Church, Clerk

Summons to Cook County.

State of Illinois }
County of Cook } ss.

The People of the State of Illinois to the Sheriff of said County Greeting

We Command you that you summon William Potter Amos Page Jacob Eastman John Higgins George Clark Isaac Wilson, Benjamin W Herbert Jr A A Herbert William P Benson of Cuyler, Samuel Johnson Joel Johnson Clark

Like Samuel M. Perry John S. Wheat Abel
W. Fuller J. H. Edwards Jesse M. Stone George
Tyler Abner M. Judd Caleb Rich James
T. Peirson Daniel L. Wells James Taylor
Charles C. Thompson & Lewis J. Malford if
they shall be found in your County person-
ally to be and appear before the Circuit Court
of Cook County, on the first day of the
next term thereof to be holden at the Court
House in Chicago in said County of Cook
on the second Monday of October next
to answer unto William Packus in his
Certain Bill for Injunction filed in the said
Court, on the Chancery side thereof.

49
And have you then and there this
writ, with an endorsement thereon, in
what manner you shall have executed
the same.

Witness William L. Church Clerk of
our said Court and the Seal thereof
at Chicago aforesaid this first day
of July A.D. 1857.

Wm L. Church Clerk

And afterwards, to-wit: On the said
first day of July A.D. 1857, said Complain-
ant filed in said Court his Certain In-
junction Bond which is in the words

and figures following, to wit:

Know all men by these presents
 That we William Packus of Chicago in
 the County of Cook and State of Illinois, and
 Stanley A. Electwood and Grastus Williams
 of the same place are held and firmly
 bound unto William Baker Amos Page
 Jacob Eastman John H. Wiggins George
 Clark Isaac Wilson Benjamin W. Robert Jr.
 A. A. Robert, William Baker, G. J. Cyler
 Samuel F. Johnson Joel H. Johnson Clark Sipe
 Samuel W. Perry John S. Wheat William Robinson
 Abel W. Fuller J. H. Edwards Jesse W. Stone George
 Tyler Alvin W. Judd Caleb Rich James H. Pimison
 Daniel S. Wells Amos Taylor Charles E. Thompson
 and Lewis J. Mulford in the penal sum of
 Five Thousand Dollars, Lawful Money of
 the United States of America to be paid to
 the said William Baker Amos Page Jacob
 Eastman John H. Wiggins George Clark
 Isaac Wilson Benjamin W. Robert Jr.
 A. A. Robert William Baker G. J. Cyler Samuel F.
 Johnson Joel H. Johnson Clark Sipe Samuel
 W. Perry John S. Wheat William Robinson
 Abel W. Fuller J. H. Edwards Jesse W. Stone George
 Tyler Alvin W. Judd Caleb Rich James H.
 Pimison Daniel S. Wells Amos Taylor Charles E.
 Thompson and Lewis J. Mulford their Executors
 administrators or assigns. For which payment

well and truly to be made we bind ourselves
jointly and severally and our respective
heirs Executors and administrators firmly
by these presents Sealed with our Seals and
dated the first day of July in the year of
our Lord One thousand Eight hundred and
fifty Seven -

Whereas the said William Packus
has this day filed his bill of Complaint
in the Circuit Court of Cook County in Sa
Chancery. praying amongst other things
that the said William Packus Amos Page
Jacob Postman George H. Clark of Cayler
W. M. Robert Benjamin W. Robert Jr. Samuel Johnson
Joel W. Johnson Clark Lipe Samuel W. Perry
John L. Wheat John W. Higgins Daniel L. Wells
Charles E. Thompson William B. Benson Abel
W. Fuller J. W. Edwards Isaac H. Wilson Jesse
W. Stone George Tyler Alvin W. Judd Calhoun
James S. Pinson Amos Taylor Lewis Mulford
their Agents Solicitors Attorneys and Servants
may be restrained and that an injunction
may issue out of said Court Commanding
you each of you to restrain and desist
desist from proceeding with or intermeddling
with the property effects goods or Chattels
of the Company known as the Crystal Lake
Ice Company. and also to desist and refrain

42

from disposing of the property goods or effects
of said Crystal Lake Ice Company.

Now therefore the Condition of this
obligation is such that if said William
Backus Stanley M Fleetwood and Erastus
Williams shall well and truly pay or cause
to be paid all damadges that may be aw-
arded against them for or on account of
the issuing of said injunction then this
obligation to be void otherwise to be and
remain in full force and virtue

Sealed & delivered W. Backus Seal
In presence of S. M. Fleetwood Seal
Erastus Williams Seal

I approve of the foregoing bond both
as to its form and manner of execution
July 1st 1857.

And thereupon to wit on the said
1st day of July in the year last aforesaid
there was issued out of and under the
Seal of the said Court the peoples writ
of Injunction directed to the said defen-
dants in the words and figures follow-
ing. to wit:

State of Illinois }
Cook County } S.S.

The People of the State

of Illinois — To William Parker Amos
Page Jacob Ostman John H. Higgins George
H. Clark Isaac H. Wilson Benjamin W. Robert
J. A. Robert William Parker E. J. Keyler Samuel
Johnson Joel H. Johnson Charles Lipo Samuel W.
Perry John S. Wheat William P. Benson Abel W.
Fuller J. M. Edwards Jesse W. Stone George Tyler
Abner W. Judd Caleb Rich James S. Perison Paul
L. Mills Amos Taylor Charles E. Thompson and
Lewis Mulford their and each of their Attor-
neys Solicitors Agents and Servants and
each and every of them, Greeting:

44
Whereas it has been represented to the
Honorable George Maniere Judge of the Southern
Judicial Circuit and President Judge of the
Circuit Court of the County of Cook in said
Circuit and State of Illinois by William Parker
Complainant in his certain Bill of Complaint
Exhibited before said Judge and filed in said
Court amongst other things that you the
said William Parker Amos Page Jacob Ostman
John H. Higgins George H. Clark Isaac H. Wilson
Benjamin W. Robert J. A. Robert William Parker
E. J. Keyler Samuel H. Johnson Joel H. Johnson
Charles Lipo Samuel W. Perry John S. Wheat
William P. Benson Abel W. Fuller J. M. Edwards
Jesse W. Stone George Tyler Abner W. Judd,
Caleb Rich James S. Perison Daniel Mills

Emous Taylor Charles B Thompson and Lewis Mulford are doing business under the name of the Crystal Lake Ice Company and that said Crystal Lake Ice Company is in insolvent condition and that it is for the interest of the Creditors and Stock holders of said Company that said Company should be stopped, that said Company is daily losing money by reason of its said business and daily becoming more involved and that it is impossible for said Company to continue to do business -

45

All of which is contrary to Equity and good Conscience and the said Judge having under his hand endorsed upon said Bill an order that a writ of Injunction issue out of said Court according to the prayer of the said Bill -

Now therefore we do hereby strictly enjoin and Command you the said William Butler Amos Page Jacob Eastman John H Wiggins George H Clark Isaac G Wilson Benjamin W Robert A W Robert William Parker E F Angler Samuel E Johnson Joel H Johnson Clark Lipe Samuel W May John Wheat William C Benson Abel W Fuller J W Edwards Jesse M Stone George Tyler Abner Judd Caleb Rich James E Pearson Daniel L Wells Emous Taylor Charles B Thompson and Lewis Mulford

Your Attorneys Solicitors Agents and Servants
and each and every of you that you do
absolutely and entirely desist and refrain
from in any manner proceeding with said
Crystal Lake Ice Company and that you and
each of you and your Agents Attorneys &
Officers do desist and refrain from inter-
fering with said Crystal Lake Ice Company
and also that you and each of you and
your Agents and Officers do refrain from
disposing of the property goods or effects of
said Crystal Lake Ice Company.

46
Until this Honorable Court in Law-
Cory sitting shall make other order to the
contrary. Hereof fail not under the penalty
of what the Law directs.

Witness William L. Church Clerk of
said Circuit Court and the Seal State of
Chicago in said County, this first day of
July 1857.

Seal

Wm. L. Church, Clerk.

And afterwards to wit. on the
said 1st day of July in the year last afore-
said there was filed in said Court a certain
affidavit which is in the words and
figures following. to wit:

In Circuit Court of Cook County
In Chancery.

William Packus
vs.
William Baker
Amos Page et al.
State of Illinois }
Cook County } ss.

47

Alexander G. Coventry of said County being first duly sworn deposes and says that he this deponent is Treasurer and Secretary of the Crystal Lake Ice Company doing business in the City of Chicago and as such Secretary and Treasurer he has knowledge of the affairs of said Company.

That he has read the Bill of Complaint of William Packus Complainant filed in this Cause and knows the contents of the same that the same is true and the matters and facts therein stated are true to the knowledge of this deponent.

And said deponent further says that said Company is now continuing in its said business at a very great expense and at a daily loss to said Company, that said Company is very much embarrassed and greatly in debt, and is in the opinion of this deponent in an insolvent condition.

And said deponent further

Saith that the Stock and Property of said Com-
pany can not be Carried over and through
the present Summer except at a very great
Loss and Expence and can now be disposed
of at terms which would be advantageous
for the interest of the Creditors and Stock
Holders of said Company which could not
be done in the opinion of this deponent
later in the Season

Sworn & Subscribed to *A. C. Country.*
before me this 30th day
of June AD 1837
Wm. Church, Clerk.

48

And afterwards, to wit: on the said
14th day of July in the Year last afores-
said there was filed in said Court a
Certain affidavit which is in the words
and figures following, to wit:

In Circuit Court of Cook County
In Chancery.

William Packus

v.

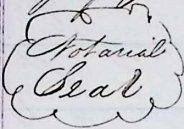
William Parker & al.
State of Illinois }
Cook County } S.S.

Richard M. Kaydon of said

County being duly sworn deponent and says that he is book keeper for the Crystal Lake Ice Company and as such book keeper he has charge of the books of account of said Crystal Lake Ice Company that said Company is to the knowledge of this deponent greatly in debt and embarrassed for want of means, that the Creditors of said Company are daily pressing their claims against said Company and that said Company have no available means to meet such claims and demands.

49 And this deponent further says that in his opinion derived from his knowledge as book keeper as aforesaid the said Company is now continuing in its business at a daily loss to said Company and the receipts of said Company during the present season have not paid the expenses of said Company.

And this deponent further says that he did mail to the several stock holders in said Crystal Lake Ice Company copies of the resolutions passed at the meeting of the Shareholders of the said Company & of the resolutions of the Trustees of the said Company passed at their meeting on the fifteenth day of June A.D. 1857. and set forth in the Bill of Complaint filed in this cause and the said call of said Trustees therein set forth has not been responded to by the Shareholders

in said Company
Subscribed & Sworn } Richard N. Hayden
before me this 30th }
day of June A.D. 1857 }
 John Forsyth
Notary Public

And afterwards, to-wit: on the
1st day of July in the year last afore-
said, the same being one of the days
of the June Special Term of said Court
the following proceeding among others
were had and entered of Record, to-wit:

58

William Packus }
vs }
William Parker Amos Sage } Chancery.
Jacob Postman et al. }

And now this day came
the said Complainant William Packus into
Court by S. Smith Williams his Counsel and
files his bill of Complaint in the above en-
titled Cause and the Court having duly con-
sidered said Bill of Complaint and having
been advised of the matters and things there-
in contained and having also duly consid-
ered the affidavits of Alexander C. Cooney
and Richard N. Hayden here this day filed

in said Cause and being fully advised of the
Contents of said affidavits doth order and
decree and this Court by Virtue of the power
therein vested hath ordered and decreed that
Alexander S. Coontz of Chicago, be appointed
Receiver of all the property and effects both
Real and personal of the Crystal Lake Ice
Company and that said Receiver have full
power to take and receive forthwith into his
possession all the real Estate and personal
property books of accounts accounts notes
records and all other the property and Effects
both Real and personal of the Crystal Lake
Ice Company, and that said Receiver have
full power and authority when he has so
received the said property both Real and personal
into his Custody to proceed to sell and dispose
of the same at either public or private sale
as to him may seem most advantageous
for the interests and for the protection of
the rights of the Creditors, and Shareholders
or Partners of and in said Crystal Lake
Ice Company, said Sale to be made by
such Receiver on such terms and Conditions
as may to him seem best and most ad-
vantageous for the interest of all parties con-
cerned and out of the proceeds of such Sale
when so made that he shall proceed to pay
the debts of said Company according to the

prayer of the bill filed in this Cause and
that he report his proceedings as such Receiver
into this Court and that said Receiver have
full power to proceed with, and complete
the buildings of said Company now in the
process of erection in the City of Chicago,
if he shall deem necessary so to do.

And that said Receiver file his bond
in this Court in the penal sum of ~~Twenty~~
dollars faithfully to execute and perform
his duties as such Receiver with Andrew
J. Brown and James P. Vaughan as
sureties, and that said bond be made
to William L. Church Clerk of this Court,

52

And afterwards, to wit: on the 3rd
day of July in the year last aforesaid
said Receiver filed in said Court a
Certain Bond which is in the words
and figures following, to wit:

Know all men by these presents that
whereas William Backus of Chicago Illinois
has filed his Bill of Complaint in the Circuit
Court of Cook County in Chancery against William
Baker Amos Page Jacob Hartman John H. Higgins
George T. Clark Isaac H. Wilson Benjamin W.
Robert J. A. Robert William Baker E. Cuyler

Samuel F Johnson Joel H Johnson Clark Lipe
 Samuel W Perry John S Wheat William B
 Benson Abel W Fuller J Mc Edwards Jesse
 W Stone George Tyler Alvin W Judd Clark
 Rich James F Pierson Daniel L Wells Emory
 Taylor Charles E Thompson and Lewis J
 Mulford doing business under the name
 and style of the Crystal Lake Ice Company
 praying amongst other things that a Receiver
 be appointed by said Court over said Crystal
 Lake Ice Company.

5-3
 And whereas an order & decree
 has been entered in said Court in said Cause
 by the Hon. George Manneire Judge of the
 said Court in Chancery setting appointing
 Alexander C Coventry of Chicago Illinois a
 Receiver in and over and for said Company
 according to the prayer of the Bill of Complaint
 filed in said Cause herein before referred
 to, and ordering said Coventry to file his
 bond in this Court conditioned in the penal
 sum of Ten thousand Dollars with Andrew
 J Brown and James B Vaughan as his sure-
 ties and that said bond be made to William
 L Church Clerk of said Circuit Court.

Now know all men by these presents
 that we Alexander C Coventry of Chicago in
 the County of Cook and State of Illinois and
 Andrew J Brown and James B Vaughan of

The same place are held and firmly bound
unto William L Church Esq Clerk of the Circuit
Court of Cook County in the penal sum of
Ten Thousand Dollars Lawful money of the
United States of America to be paid to the
said William L Church his Executors admin-
istrators or assigns for which payment well
and truly to be made we bind ourselves
our heirs Executors & administrators firmly
by these presents Sealed with our Seals and
dated this first day of July in the year of
our Lord One thousand Eight hundred and
fifty seven.

577
The Condition of this obligation is
such that if the said Alexander Coonty
shall well and truly do and perform all his
duties as Receiver in said Cause of William
Backus Complainant against William Peter
Amos Page and others defendants in the
Circuit Court of Cook County in Chancery,
as he is directed and empowered to do
by the order and decree heretofore on this
day entered in said Cause in said Court
then this obligation shall be void otherwise
to remain in full force virtue and effect.

Alexander Coonty Seal

J B Vaughan Seal

Andrew J Brown Seal

And afterwards, to wit: on the fourth day of July in the Year last aforesaid the Sheriff of Cook County returned into said Court the writ of injunction heretofore issued endorsed as follows, to wit:

Served by reading to the within named Defendants and delivering a copy thereof to them Alvin M. Judd, William Parker - Amos Page Samuel Johnson Cook Lipie Elliott W. Farbell this 4th day of July 1857. The other defendants not found in any County -

for Services 3.00

for Copies 3.00

for Miles . 30

1 Return . 10 \$ 6.40

John L. Wilson Sheriff
By George Anderson Deputy

And afterwards, to wit: on the 4th day of July in the Year aforesaid said Receiver filed in said Court his Certain Report which is in the words and figures following to wit:

William Parker

vs.

William Parker et al.

In Circuit Court of Cook County
In Chancery

To the Honorable George Manire
Judge of the Circuit Court for Cook County
In Chancery Sitting.

56
Respectfully sheweth
unto your Honor your Receiver heretofore
appointed in said Cause above entitled,
that after taking upon himself the duties of
Receiver in said Cause he proceeded to ex-
amine the property both real and personal
of the Crystal Lake Ice Company and after
having so examined the same he proceeded
to offer the same for sale at private sale
after being fully advised and satisfied that
the same could not be sold at public
sale, and for that purpose he received offers
from various individuals and offered the
same for sale to others who refused to make
an offer for the same

And your Receiver further shews
unto your Honor that the highest and best
bid that he could obtain for said property
both real and personal of said Crystal Lake
Ice Company was an offer of the sum of
Ten thousand Dollars from Hiram Fox and
Augustus Sprick of Chicago in the County
Cook and State of Illinois payable as follows
to wit, the sum of One thousand Dollars on
the first day of August A.D. 1851. the sum of

One thousand Dollars on the first day of September A.D. 1857. the sum of One thousand Dollars on the first day of October A.D. 1857 the sum of One thousand Dollars on the first day of November A.D. 1857. the sum of One thousand Dollars on the first day of December A.D. 1857. the sum twenty five hundred Dollars on the first day of July A.D. 1858 & the sum of two thousand five hundred Dollars on the first day of January A.D. 1859. which said offer your Receiver deemed it most advantageous for the interest of all concerned should be accepted.

57

Your Receiver therefore prays that an order may be entered in this Court confirming the sale so made by him as such Receiver to said Abram Joly and Augustus Epicher for the price and for the sums aforesaid.

And your Receiver would further show unto your Honor that to make such sale he had to promise and agree to complete the Barn & fence of said Crystal Lake Ice Company now in process of erection in the City of Chicago, and that said Barn & fence can be completed for less than the sum of Two Hundred Dollars as he is advised and believes true and he would therefore ask of this Court that an order may be entered

in this Court Empowering him to proceed &
furnish said Barn and fence & that the
same may be paid for out of the first
receipts of said purchase money
Subscribed and sworn to A C Coventry,
before me this 7th day
of July A D 1857.

I am of opinion that the foregoing Report
and the Sale therein recited should be con-
-firmed
J C Speer Master &c.

58
And afterwards to wit: on the
said 7th day of July in the year last
aforesaid there was filed in said
Court a certain affidavit which
is in the words and figures following
to wit:

In Circuit Court of Cook
County. In Chancery.

William Backus
vs
William Backer
Anno Page et al.
State of Illinois
Cook County &c.

Elliott Parkell of the County

of Mr. Henry in the State aforesaid being first
 duly sworn deposes and says that he
 this deponent has for the last eighteen
 months now past been employed as Super-
 intendant of the Crystal Lake Ice Company
 that as such Superintendent he has full
 knowledge of all and singular the property
 of said Crystal Lake Ice Company both Real
 and personal and of the value of the same,
 And this deponent further says that from
 his knowledge of said property and from the
 condition of the same that a sale of said
 property for the sum of Ten thousand Dollars
 on the terms and conditions on which the
 same was made to Hiram Joy & Augustus
 Frisbie as the same are set out in the
 petition or report of Alexander H. Coontey
 Receiver of said Company here this day
 filed in this Court and here shown to
 me is in my opinion a good and desirable
 sale of all and singular the property both
 Real and personal of said Crystal Lake
 Ice Company, and I am further of the
 opinion that said sale was the most
 advantageous sale that could be made
 of said property at the present time and
 that from the nature of said property an
 early sale of the same was advisable, and
 in every way advantageous for the interest

of all parties concerned —

Subscribed & sworn to } Elliott A. Tarbell
before me this seventh }
day of July A.D. 1857 }

Notarially
Seal.

Geo. W. Magill
Not. Pub.

And afterwards to wit: on the
said 7th day of July in the year last
aforesaid there was filed in said Court
a certain Affidavit which is in the
words and figures following to wit:

In Circuit Court of Cook County
In Chancery.

60
William Packus

vs.

William Packer et al

State of Illinois

Cook County Ill.

Frederic Mchering of said
County being first duly sworn deponent and
says that he this deponent is engaged in the
Ice business in said City of Chicago that
he knows the property of the Crystal Lake
Ice Company both Real and personal situated
in the City of Chicago and in the County of
McHenry and this deponent further saith

that in his opinion and from his knowledge
 of said business that the sum of Ten thousand
 Dollars payable \$1000 on the first day of Augt.
 \$1000 on the first day of September \$1000 on
 the first day of October the sum of \$1000 on the
 first day of November, the sum of \$1000 on
 the first day of December all in the year
 A.D. 1857 the sum of \$2500 on the first
 day of July A.D. 1858 & the sum of Twenty
 five Hundred Dollars on the first day of
 January A.D. 1859 is a good & fair price
 for all of said property and is the most
 advantageous sale that could be made
 of the same in the opinion of this deponent.
 Subscribed & Sworn
 to before me this 7th
 day of July A.D. 1857
 Michael Grant
 Justice of the Peace

And afterwards, to wit: on the 8th
 day of July in the year last aforesaid
 the same being one of the days of the same
 Special Term of said Court, the following
 proceedings, amongst others were
 had and entered of record, to wit:
 William Backus }
 vs. } Chancery
 William Baker et al. }

62

And now at this day Comes Alexander McCreary of Chicago Receiver heretofore appointed in this Court in said Cause above entitled and files his Report in said Cause above entitled showing and stating amongst other things, that after taking upon himself the duties of such Receiver and filing his Bond as such Receiver he did proceed to take charge of and Sell the property of the Crystal Lake Ice Company in accordance with the order heretofore entered in said Cause and that he had sold all & singular the property of said Crystal Lake Ice Company both real and personal to Miriam Joy & Augustus Frisbie for the sum of Ten thousand Dollars payable in the manner set forth in said Report and asking that said Report be confirmed and that said Sale be approved of by the Court and the said Complainant Mrs Backus by his Counsel E. S. Williams also Comes and the Court having duly considered the said Report and affidavits of Elliott & Fiske, Frederic McHenry and John D. Howe here this day also filed in this Cause and being fully advised of the contents of the same doth order and decree and this Court by Virtue of the power therein vested hath ordered and decreed that the said Report be in all things Confirmed.

and that the said Sale by said receiver of said property both real and personal of the Crystal Lake Ice Company to said Miramjoy and Augustus Grubie for the sum of Ten Thousand Dollars payable in the manner set forth in said report of said receiver be confirmed, and that said receiver do make deed and Bill of Sale as such receiver of said property both real and personal to said purchasers Miramjoy and Augustus Grubie and that he receive and take from said purchasers a Mortgage as to him may seem sufficient to secure the purchase money to full due

63

And that said receiver have full power to proceed to complete the erection of the Barns and fence now in process of erection in the City of Chicago aforesaid as asked for in his report and have power to pay for the said Erections so made by him out of the proceeds of said Sale, when is made and completed as aforesaid. And that said Receiver after making such payments as aforesaid do proceed to pay the debts of Crystal Lake Ice Company as far as the proceeds of said Sale will go toward the making of such payments as aforesaid, and that he have leave to further apply to this Court for such further directions as he may require

And afterwards to wit;

on the 10th day of August in the year
last aforesaid there was filed in said
Court in said Cause a certain affidavit
of non residence which is in the words
and figures following, to wit:

In Circuit Court of Cook County
In Chancery
William Packus

vs.

64
William Baker Amos Page -
Jacob Eastman John A. Higgins
George S. Clark Isaac J. Wilson
Benjamin M. Roberts Arthur A. Roberts
E. Hayler Samuel J. Johnson -
Joe A. Johnson Zach. Lipe
Samuel W. Perry John S. Wheel
William P. Pearson Abel W. Fuller
J. Edwards Isaac M. Stone -
George Tyler Abner W. Fiddell -
Capt. Rich. Jones H. Pinson -
Daniel L. Wells Emory Taylor -
Charles S. Thompson Lewis Matford

State of Illinois }
Cook County } S.S.

William Packus of Chancery
in the County of Cook and State aforesaid being
first duly sworn deposes and says that he

is the Complainant in the above entitled Cause
that the said defendants -

Amos Page Jacob Eastman John
M Wiggins, George F Clark Benjamin W Robert
Jr. E J Gayler Samuel M Perry William B
Benson J M Edwards Jesse M Stone Daniel
L Wells Emous Taylor Charles E Thompson,
and Lewis J Mulford -

Defendants in the above entitled
Cause are now residents of the State of Illinois
and that process cannot be served on
them or either of them and further this de-
ponent saith not -

Sworn & Subscribed to Wm. Packard.

before me this tenth day
of August A D 1857

Wm. L. Church
Clerk

And afterwards, to wit: on the
20th day of August in the Year last afore-
said. The Writ of Summons heretofore
issued to the Sheriff of Mc Henry County
was returned into said Court by said
Sheriff endorsed as follows, to wit:

Served this writ on the within
named J H Johnson Abe W Fuller Abram M
Judd & Caleb Rich by delivering a Copy
thereof to them the 15 day of July 1857.

Fees - Service 4 2.00
 Copy 4 . 50
 Mile 4^m . 25
 Return 10 \$ 2.80

John Eddy, Sheriff
 Served the within by sending to James J
 Pearson and leaving Copy of the same
 with him this 6th day of August A.D. 1857

John Eddy Sheriff
 Fees for Copy & Mileage By C. J. Smith, Deputy.
 Miles 8 40

1.00
 2.80 Total fees \$ 3.80

66

And afterwards, to wit: on the
 22nd day of September in the Year last
 aforesaid, the writ of Summons heretofore
 issued to the Sheriff of Kane County,
 was returned into said Court by said
 Sheriff endorsed as follows, to wit:

Served this Writ on the
 within named Isaac G. Wilson by delivering
 a Copy thereof to him the 24th day of July
 1857

Fees - Service . 50
 Copy . 50
 Mile 1 . 5

Return 10 \$ 1.15
 George Clowin Sheriff of Kane County
 By C. E. Allen Deputy

And afterwards to wit: on the 14th day of October in the year last aforesaid the writ of Summons heretofore issued to the Sheriff of Cook County was returned into said Court by said Sheriff endorsed as follows. to wit:

Served this writ on the within named above to-wit: William Barber Amos Page Samuel E. Johnson Clark Sipe, Elliott A. Farbell as by delivering a copy thereof to them the other Defendants not found in my County the 4th day of July 1857

67

Fees & Services	3.00	
6 Copy	3.00	
6 Mile	.30	
1 Return	.10	\$ 6.40

John Wilson Sheriff
By George Anderson Depy

And afterwards to-wit, on the 10th day of Sept. in the year of our Lord Eighteen hundred and fifty seven there was filed in said Court a certain certificate of Publication, which is in the figures and words following to-wit;

Chancery Notice.

State of Illinois } Cook County Circuit Court
County of Cook } ss October Term. A. D. 1857.
William Backus.

vs

69

William Baker, Amos Page, Jacob P. Eastman,
John H. Wiggins, George T. Clark, Isaac G.
Wilson, Benjamin A. Hobert, Jr. A. A. Hobert,
E. J. Cuyler, Samuel F. Johnson, Joel H. Johnson,
Clark Life, Samuel M. Perry, John J. Wheat, William
B. Benson, Abel M. Fuller, J. H. Edwards,
Jesse M. Stone, George Tyler, Aloniz M. Fidd,
Caleb Rich, James F. Piersow, Daniel L. Wells,
Emmons Taylor, Charles E. Thompson,
Lewis J. Mulford

Affidavit of the non-residence of Amos Page,
Jacob P. Eastman, John H. Wiggins, George T. Clark
Benjamin M. Hobert, Jr. E. J. Cuyler, Samuel
M. Perry, William B. Benson, J. H. Edwards,
Jesse M. Stone, Daniel L. Wells, Emmons Taylor,
Charles E. Thompson, and Lewis J. Mulford
defendants above named, having

been filed in the office of the clerk of said
Cook County Circuit Court. Notice is hereby
given ^{to} them, that William Backus, complainant,
filed ^{to} his bill of complaint, in said court
~~on the~~ Chancery side thereof on the first
day of July A. D. 1857, and that a summons
thereupon issued out of said court,
against said defendants returnable on
the second Monday of October next, 1857,
as is by Law required.

Now unless you, the said Amos Page,
Jacob P. Eastman, John H. Wiggins, George
T. Clark, Benjamin W. Hobart Jr. E. J. Cuyler,
Samuel W. Perry, William B. Benson, E. H. Edwards,
70 Jesse M. Stone, Daniel L. Wells, Emms Taylor,
Charles C. Thompson and Lewis E. Moulford,
shall personally ^{or by} appear before said Circuit
Court of Cook County, on the first day
of the next term thereof, to be holden at
Chicago in said county, on the second
Monday of October A. D. 1857, and plead
answer or demur, to the said complainant's
said bill of complaint, the same and
the matters and things therein charged
and stated, will be taken as confessed
and a decree entered against you, accord-
ing to the prayer of said bill.

William & Woodbridge
Sol^{rs} for Compl^{ts}

Wm L. Church, Clerk.

This is to certify, That the annexed notice was published, in the Chicago Journal, a Daily Newspaper, printed in the City of Chicago - County of Cook, and State of Illinois thirty times to-wit, for four successive weeks as follows:

The first insertion on the 12th day of August 1857. in Vol. 16. No. _____ of said paper.

Dated at Chicago September 10th 1857.

L. L. Wilson & Co.

Publisher Chicago Daily Journal.

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And afterwards to-wit, on the fourteenth day of October in the year last aforesaid J. F. Pierson filed in said court, his appearance in said cause which is in the words and figures following to-wit.

In the Circuit Court
of Cook County

In Chancery

William Backus

v B

William Baker

Amos Page &

James F. Pierson

Etc,

Oct. Term
1857.

I do hereby enter my appearance in
the above entitled cause and acknowl-
edge myself to have been duly served
with summons in said cause in
the month of August A. D. 1857.

J. F. Pierson.
Chicago Oct. 13th 1857.

And afterwards to-wit. on the fifteenth Day
of October in the year last aforesaid the
same being one of the days of the October
term of said court the following pro-
ceedings among others were had and
entered of record to-wit.

72

October 15th
1857.

William Backus

vs.

292

William Baker, Amos Page,
Jacob P. Eastman, John
H. Wiggins, George P. Clark,
Isaac S. Wilson, Benjamin W.
Hotert, J. A. A. Hotert,
W. P. Pierson, S. J. Cuyler,
Samuel P. Johnson, Joel H.
Johnson, Clark Libe
Samuel W. Perry, John S. Wheat,
Abel W. Fuller, J. H. Edwards, J. M. Stone,
George Tyler, Aloniz W. Judd, Caleb Rich, James S. Pierson
Daniel S. Wells, Edmund Taylor, Charles Thompson & Lewis J. Mulford.

Pell for Relief & Injns.

On reading and filing due proof
 of personal service of process of summonses
 issued in this cause upon the said defendants
 William Baker, Amos Page, Isaac G. Wilson, Samuel P. Johnson
 Jos. H. Johnson, Robert Libe, Abel W. Fuller, Elouie W. Judd,
 Robert Rich, and James F. Piersen, and due proof of
 publication of notice of the pendency of the said
 complainants bill as the said defendants Jacob
 P. Eastman, John H. Higgins, George P. Clark,
 Benjamin W. Hobert Jr., A. A. Hobert, Wm. B. Benson
 S. J. Keyser, Samuel W. Perry, John S. Wheat, J. H.
 Edwards, J. M. Stone, Geo. Tyler, Daniel S. Wells,
 Emms Jayer, Charles Thompson, and Lewis J. Mulford
 and no motion of Meffers, William & Woodbridge
 solicitors for complaint, it is ordered that
 said defendants plead answer or demur
 to said complainants bill, within, and
 no answer being interposed, and the said
 defendants being three times personally and
 solemnly demanded in open court, come not,
 but make default, it is therefore on motion
 ordered that the complainants bill be
 and the same is taken as confessed
 by the said defendants and referred to
 L. C. Paine Four Esq. Master in Chancery
 of Cook County to take proof thereon and report the
 same to this court with all convenient
 speed.

And afterwards to-wit. on the Twenty
ninth day of October in the year last
aforesaid A. C. Corstrey filed in said
cause his certain petition which is
in the words & figures following to-wit.
In Circuit Court of Cook County
In Chancery

William Backus

vs.

William Baker
Ann Page
Jacob P. Eastman

74 Etal And now this day
comes Alexander C. Corstrey Receiver
heretofore appointed in said cause
above entitled and filed his petition in
said cause setting forth amongst
other things that he is not and never
has been a share holder or partner in
said Crystal Lake Ice Company
mentioned in the bill of Complaint
heretofore filed in said cause above
entitled: and ^{further} setting forth that at
the time of his appointment as Receiver
in said cause above entitled said
Crystal Lake Ice Company was
justly indebted to him in the full
sum of three thousand five hundred

and seventy Dollars and fifty nine cents and praying that his said account may be referred to the master in Chancery to take proof as to the nature and amount of his said claim, and that an order may be entered in said cause above entitled allowing him said Corventry to retain the amount of his said claim from the proceeds of the sale of the property & effects of said Crystal Lake Ice Company.

75
 And the said Complainant by Williams Woodbridge his Solicitor also come and consent thereto, and this Court having been duly advised of the contents of said petition and having duly considered the same and the matters and things therein contained & set forth hath ordered and decreed & doth hereby order & decree that the said petition and all and singular the matter and things therein contained be referred to the Hon. J. C. Paine Four Master in Chancery to report to this Court in Chancery setting out the value & amount of said claim of said Corventry according to the prayer of said petition heretofore filed

in said cause above entitled.

And afterwards to-wit, on the Twenty
ninth day of October in the year last
aforesaid A. C. Corntrey filed in said
cause his certain other petition
which is in the words & figures
following to-wit;

In Circuit Court of Cook County
In Chancery.

William Backus

v. B.

William Baker

Amos Page, Jacob

P. Eastman etc

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To the Honorable
George Manwierre Judge of the
Circuit Court of Cook County In
Chancery sitting

Respectfully
sheweth unto your Honor your petitioner
Alexander C. Corntrey of Chicago
in the County of Cook, and State
of Illinois that heretofore to-wit, on
the second day of July A.D. 1857, he
this petitioner was appointed by this
Honorable Court in Chancery sitting

50

by a decretal order on that day entered
in said cause above entitled Receiver
of all and singular the property and
effects of the Crystal Lake Ice Company,
mentioned in the bill of Complaint
heretofore filed in said cause above
entitled, and your petitioner further
shows unto your Honor that up to
and at the date of his said appoint-
ment as such Receiver ~~that~~ he had
not been and that he has not since
been a share holder or partner in
said Crystal Lake Ice Company
and your petitioner further shows
77 ^{unto} your Honor that at the time of
his said appointment of Receiver
in said cause above entitled
said Crystal Lake Ice Company
was justly indebted to him your
petitioner in the full sum
of Thirty six hundred and seventy
Dollars and fifty nine cents
(3670. ⁵⁹/₁₀₀ \$) for monies lent, paid, laid
out & expended for said Company
and for services rendered said
Company, and that said Company
is now still indebted to your
petitioner in said sum

and which sum has now been long
since due -

Your petitioner prays that a
decretal order may be entered by
this Honourable Court in Chancery
sitting referring said claim of your
petitioner to the Master of Chancery
for this Honourable Court to take proof as
to the ~~value~~^{value} & amount due from
said Crystal Lake Ice Company
to your petitioner and that said Master
in Chancery may be requested to report
to this Honourable Court in Chancery
sitting the full amount due to your
petitioner at the time of his said
appointment as Receiver as aforesaid
and that a final order may be
entered in said cause empowering
and directing your petitioner to
retain the amounts found due
to him as aforesaid from the
proceeds of the sale heretofore
made of the property and
effects of said Crystal Lake
Ice Company.

A. C. Country

78
Subscribed and sworn before me
this 29th October 1884. W. L. Church
clerk.

at the
 And afterwards to-wit., October term
 of said Court, to-wit. on the Twenty ninth
 day of October, in the year last aforesaid
 the following proceedings, among others,
 were had and entered of record to-wit.,
 William Backus

vs. Bill for Relief

292 William Baker, Amos Page, Jacob P. Eastman,
 John H. Wiggins, Isaac G. Wilson, Benjamin
 H. Hobert Jr. A. A. Hobert, William B. Benson,
 S. J. Cuyler, Samuel P. Johnson, Joel A. Johnson,
 Clark Libe, Samuel H. Perry, John S.
 79 Wheat, Abel W. Fuller, J. H. Edwards
 & M. Stone, Geo. Tyler, Alvin W. Gidd,
 Caleb Rich, James F. Pearson, Daniel
 L. Wells, Edmund Taylor, Charles
 Thompson, & Lewis J. Mansford

On reading and
 filing the petition Alexander C. Corcoran
 for relief &c. and on motions, no opposition
 being made thereto, it is ordered that his said
 petition be and the same hereby is referred
 L. C. Paine Esq. Master in Chancery
 of Cook County, to take proofs as to the
 nature and amount of his claim in
 this cause, and report the same, to this
 Court with all convenient speed.

And afterwards to wit. on the fifth day of
November in the year ^{last} aforesaid. Isaac
G. Wilson filed in said Court his
certain Stipulation and Answer, which
is in the words and figures following, to wit,
State of Illinois

Cook Co. Circuit Court.

William Backus

9721 vs.

William Baker, Anna

Page, Jacob P. Cochrane,

et al.

Bill.

80 It is hereby stipulated by
and between the said Complainant and
the defendant Isaac G. Wilson that the
default heretofore entered in this cause
and the order of reference to the master
be vacated and set aside as to said
Wilson & he be allowed to answer

Nov. 5. 1857.

E. S. Williams

Sol. for Compl't.

Isaac G. Wilson in person.

And now comes the said Defendant Isaac
G. Wilson in his now proper person and for
answer to the said complainant's Bill of
Complaint the said defendant answering
says; that he has no interest in the
subject matter of the complainant's Bill of
complaint and he hereby disclaims any and

all interest in the same and to the subject matter of litigation in this cause, and he prays that said bill be dismissed as to him.

Isaac G. Wilson

Nov. 15th 1857 }

And afterwards to-wit, November Term of said Court, to-wit, on the Nineteenth day of November, in the year last aforesaid the following proceedings among others were had and entered of record to-wit,

81
292

William Packus

vs.

- William Baker, Anna Page, Jacob P. Eastman,
- John H. Wiggins, George P. Clark,
- Isaac G. Wilson, Benjamin W. Horst Jr.
- A. A. Horst, William B. Pruen, S. J.
- Coyler, Samuel P. Johnson, Joel
- H. Johnson, Clark Lipe, Samuel
- W. Perry, John S. Wheat, Abel W.
- Fuller, J. H. Edwards, J. M. Stone,
- Geo. Taylor, Alvin W. Judd
- Robert Rich et al.

Bill.

And now at this day comes the said Complainant by E. S. Williams his Solicitor and the said defendant, Isaac G. Wilson in person and by agreement of the

parties on file herein it is ordered that the default and order referring the Case to the master be recalled and set aside as to the said defendant Isaac G. Wilson, and that the said Wilson be allowed to answer herein, and thereupon the said Wilson having filed his answer disclaiming any and all interest in the subject matter of the said Complainants Bill of Complaint and asking that said Bill as to him be dismissed, it is therefore ordered, adjudged and decreed by agreement of said parties, and the court, doth order adjudge and decree that said Bill as to the said defendant Isaac G. Wilson be and the same is hereby dismissed.

82

And afterwards to-wit. November Term of said Court. to-wit. on the Eleventh Day of December, in the year last aforesaid, the following proceedings among others were had and entered of record to-wit;

Thursday December 17th 1857.

William Packus

vs.

William Baker, Amos Page

Bill for Inj. & Relief

292

Jacob P. Eastman, John H. Higgins,
 George P. Clark, Isaac H. Wilson, Benjamin
 H. Horst Jr. A. A. Horst, William B.
 Bruns, E. J. Bayler, Samuel P.
 Johnson, Joel H. Johnson, Clark
 Libe, Samuel W. Perry, John S.
 Wheat, Abel W. Fuller, J. H. Edwards,
 J. M. Stone, George Tyler, Alvin W.
 Judd, Walter Dick, James F. Piersan
 Daniel L. Wells, Emma Taylor
 Charles E. Thompson, and Lewis J.
 Moulford

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And now this day comes the
 said Complainant William Packes by E. Smith Williams
 his Counsel and files the report of L. G. Paine Trust
 Master in Chancery in the case entitled cause
 to whom the said cause stood referred, which
 said report is as follows.

State of Illinois. Masters Report
 Cook County. Cook Co. Circuit Court In Chancery
 Chicago Oct. 23, 1857

William Packes
 vs.
 Jacob P. Eastman } Reference, upon default.
 Amos Sage & others }

To the Honorable George
 Manierre Presiding Judge of the Court

County Circuit Court in Chancery sitting. In pursuance of a decretal order of the said court, by which it was referred to me to take proof of the material facts and allegations set forth in the bill of complaint on file in this cause, and report thereon, J. L. C. Paine Trust, Master in Chancery of Cook County, in the State of Illinois do hereby certify and report that on the 23rd day of October 1857 at my office in the city of Chicago, appeared the said Complainant by his Solicitor at which time and place I proceeded to a hearing and examination of the matters embraced in said reference, Interrogatories propounded to Alexander C. Corvinty a witness produced and sworn on the part of said Complainant.

84F
1st Interrogatory

What is your name, place of residence, & are you acquainted with the parties to this cause?

Ans. My name is Alexander C. Corvinty I reside in the City of Chicago, and I am personally acquainted with the Complainant and nearly all the defendants.

2nd Int.

Have you ever had any connection with the Crystal Lake Ice Co. if so what, when did you first become acquainted with said Company

and when did your connection with said Company cease.

Ans. I have been legal adviser for the company since its organization in March last. I was temporarily elected Treasurer and Secretary of said Company to fill a vacancy. About the 1st of July last I was appointed Receiver of the Company in the course of regular proceedings in this suit. My connection as Receiver still continues.

3rd

85

Do you or do you not know who formed said Crystal Lake Ice Company at its formation and who at its dissolution. if you state fully.

Ans. I do. William Baker, George J. Clark, E. S. Cuyler, Eastman and Page, A. A. Hobart, S. F. Johnson, Joel H. Johnson, Clarke Lipe, Charles E. Thompson, Samuel W. Berry, John H. Triggins, John S. Wheat, Daniel Le Well, Emmons Taylor, & William Beckus. The Complainant formed said Company at its organization, and they with the other defendants named in the bill of Complaint with the exception of Mr Charles E. Thompson who had withdrawn, formed said Company at its dissolution.

4th -

Have you any knowledge, if so, what, in regard to the formation of said Company, if you, state your means of knowledge, give a statement of the proceedings of said Company from its formation to its dissolution.

Ans - I have knowledge on that subject my means of knowledge are, that I was legal adviser of said Company, was at one time its Secretary, having possession of the Records of said Company. The Company was formed on the 15th day of December 1855 by Amos Page, Charles F Thompson John H Triggins, George F Clark, & Daniel K Wells. The Company at the first organized as an incorporation under the act of Legislature of the State of Illinois, entitled an act to authorize the formation of corporations for manufacturing agricultural mining or mechanical purposes, approved February 10th 1849. It was formed by filing a Certificate of incorporation with the County Clerk of Cook County. I have been informed and believe that no copy of the articles of incorporation was filed in the office of the Secretary of State as by said law required. By the certificate of incorporation the Capital Stock was stated to be \$50,000, divided into

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500 shares of \$100 each. The number of Trustees were five. Trustees were, Amos Page of Jaucerville Wisconsin, Charles E. Thompson of Chicago, John H. Triggins temporarily residing in Chicago, George T. Clark then of Massachusetts, and now of Michigan, and Daniel S. Wells then of Ohio, and now of Wisconsin. Amos Page was chosen President and Daniel S. Wells Secretary & Treasurer. Page continued to be President till the dissolution. On March 28th 1856 Wells resigned his office of Treasurer & Samuel W. Perry was elected, and on or about the same time Charles E. Thompson resigned his Trusteeship and Samuel W. Perry was elected to fill the vacancy. In April 4th 1856 John H. Triggins resigned his office as Trustee and William B. Benson was elected in his place. November 27th 1856 Benson resigned as Trustee and Triggins was elected to fill his place. No meeting of the shareholders in said Company was ever held until January 15th 1857 or called to be held when Page & Wells resigned their Trusteeships and Triggins Clark & Perry were removed, at that meeting Amos Page, Samuel S. Johnson & William Baker were elected Trustees. Amos Page was

subsequently re-elected President and I was
at that time elected Treasurer pro-tem. On
March 30th 1857 Perry resigned his office
of Treasurer & Secretary and I was at that
time elected to the same office. This is a
history of its official doings.

5th

Have you any knowledge in regard to the
pecuniary condition of said company if
so, what was its condition in the Spring
of 1857 and in the summer of that year.
State your means of knowledge.

88
Ans. In March of 1857 I was elected
Treasurer of the concern and have a full
knowledge of its pecuniary condition in
the Spring & Summer of that year. In
March on examining the Books I found
them indebted as shown by the Books
& various persons between three and four
thousand dollars then due. Their expenses
were at that time between \$400 & \$500 per
month, their receipts from their business
between \$30. or \$40. per month. Their
assets on hand available were a note
from William Backus for \$200. and an
order on the Chicago & Paul & Fond du Lac
Rail Road for \$250. They had their ice
houses rail road tracks & grounds at

Crystal Lake in McHenry County and a stock of ice, and there was a balance due them on an assessment upon the shares before that time made. The precise amount I am not now able to give. They then commenced the purchase of horses & wagons & purchased them to the amount of about \$3500. They continued in business till the 15th of June 1857, their receipts having in the mean time very materially increased and their expenses having in the mean time been greatly enhanced by the employment of a large number of men & horses. At that time their expenses averaged \$1000. per month more than their receipts. At that time June 15 1857 an assessment of ten dollars per share was levied on all the shares payable in ten days, but at the same time it was resolved by the shareholders present that if the Trustees in their discretion deemed it advisable so to do, they should have full power to sell all the lands fixtures & personal property of the company upon such terms and conditions as to them might seem best for the interest of the company at a price not less than Ten thousand Dollars. At the same time the Trustees directed the Secretary that if the call for the assessment, then levied was

not responded to within the ten days by the holders of two thirds of the shares of the company they should proceed to sell the same under the resolution of the share holders. Not a cent was paid in under that assessment. On the 1st July 1857 the company had no monies on hand, their account with their Treasurers was overdrawn between \$2600. & \$2700. for monies lent them, there was some seven or eight hundred dollars due their workmen or labours besides monies due officers & clerks the workmen on that day at Crystal Lake struck and refused longer to work or allow others to work till their wages were paid and a majority of the drivers in the city refused to drive longer or allow others to drive their teams, and the Company entirely ceased all work on the 3rd July 1857 for the reason that they were unable to get ice to deliver or men to deliver it. And on the succeeding day the Writ of Injunction was served on said company in this cause.

6th Int

90
Have you any knowledge and if so what, as to the amount paid in by the various members of said Company. State your means of knowledge
Ans. I have such knowledge, there was paid in by the various members in the aggregate

Twenty Thousand Seven hundred & Ninety Seven
 00 Dollars \$20 797. 00 as shown by the
 books of the company. There was paid in
 prior to March 1st 1857, as shown by the
 books \$15 704. 18 the one half of the capital
 stock being \$250 000. none was paid in. All
 of that \$15 704. 18 was not paid in money.
 It was paid in land, services, horses & other
 traps. My means of knowledge is from the
 books and my connection with the Company
 as heretofore stated. The statements of amounts
 given by me is from the Books, which I believe
 to be correct."

7th Int

State if you can the residence of the Trustees
 of said Company & their names, when all
 your knowledge in regard to said Trustees

Ans. I have answered this question fully
 in my answer to the 3rd Interrogatory -

8th Int

Had said Company any Real Estate, if so,
 what, by whom, was the same held, how was
 the same paid for, and in whose names
 does the same now stand.

Ans. The company held Real Estate in the
 Town of Algonquin, County of McHenry
 being the real estate fully set forth and
 described in the schedule hereto annexed

said Schedule made part of this deposition and submitted with this report as Exhibit No. 1. The same was originally purchased under the direction of the Trustees & the title was taken in the name of Joel H. Johnson for the company. Those deeds were given back to the grantors and new deeds were given by them to Amos Page of Janesville Wisconsin. I would not be certain that the first deeds were ever delivered to the hands of Mr Johnson personally, or that the last ones were ever delivered to Mr Page. They are now in the possession of Gay & Grisbie. The land was paid for by an arrangement between the Trustees & Mr Page by which Mr Page was to be credited with the assessments and all the assessments to be made upon \$2000. worth of the stock or Twenty shares and the same was paid for by Mr Page by the transfer by him of thirteen of said Twenty shares to James F. Pearson of Algonquin aforesaid. he having procured for the company the title to the various tracts of land described in said Schedule. These are the lands upon which the ice house and rail road track of the Crystal Lake Ice Company formerly stood. the legal title is still in the said Amos Page. Since the

execution of the bill of sale and deed from me as Receiver to said Jay & Friebe as by my report to the Court Mr Page has claimed that he was entitled to Four hundred dollars from the said Ice Company for erecting a depot on the grounds of the Company at Crystal Lake and that he would make a conveyance when I paid him the Four hundred dollars at the same time he admitted that he had no claim to the ground and was never authorized by the Trustees to erect the depot I did not pay him.

93 Sworn to and Subscribed
before me this 24th day of
October 1857

L. C. P. Greer Master &c A. C. County

Evidence introduced on the part of the Receiver to show & prove the amount due to him from said Company at the time of his appointment as said Receiver. The several amounts disbursed by him as Receiver and the amount of his reasonable charges and commissions as such Receiver. R. D. Hayden a witness, ^{produced} & sworn to the interrogatories following doth depose and say as follows -

1st That

What is your name, age, occupation & place
of residence and what was your business
during the Spring Summer & Fall of 1857
Ans — My name is R. St. Hayden, I
am 21 years of age - I am and was
during the Spring Summer & Fall of 1857
a book keeper during the Spring & Summer
for the Crystal Lake Ice Company & during
the Fall for the Receiver of said Company
2nd

94 Do you know of any indebtedness of the
said Crystal Lake Ice Company to the
said Receiver, contracted prior to the
filing of the Bill in this cause, if so,
state the nature of said indebtedness
the item and amount of the same and
all you know about it.

Ans — I do know of an indebtedness
of said Company to said Receiver contracted
prior to the 2^d of July 1857 which is
about the time I understood said Bill
to have been filed. The said Company were
owing up to that date to said Receiver the
sum of \$2670⁰⁰ for an excess of
payments over and above receipts.
Mr Country was & had been Treasurer
of the Company and received its funds
and made its disbursements, these

disbursements commenced April 7 1857 and continued down to the 2^d day of July.. I have examined the Books receipts and vouchers, in fact I kept them myself and know that the above amount is correct. They were also indebted to Mr Country in the sum of one thousand dollars for services as Treasurer, the said sum including interest on advances and general services.. I know the services rendered by Mr Country and think the charge a fair and reasonable one..

95
3rd Int

Do you know what amount of monies the said Receiver has realized out of the assets of said company and what assets he has yet in his hands -

Ans — I suppose I do pretty near.. up to this date he has received on the sale of the property of said company and on bills due the company Four thousand six hundred and five dollars and forty one cents, and he has on hand notes of Jay & Frisbie yet mature amounting in the aggregate to six thousand dollars. One of the same for \$1000. maturing December 1st 1857. One for \$2500. maturing July 1st 1858 and

one for the like sum maturing July 1st 1859
4% Int

Do you know and can you state what disbursements have been made by the said Receiver or such, if yea, can you produce the vouchers of the same and to whom such sums were paid and the amounts paid to each person -

96
Ans - I can state and do know what disbursements have been made by said Receiver or such. The schedule which I now here produce entitled in this cause and marked by Master in Chancery contains a true list of the names of all the persons & parties to whom the Receiver made and disbursements and the amounts paid to each, and the schedule entitled in this cause marked by the Master in Chancery No 2 is a complete file of the vouchers or receipts for all such payments said receipts numbered from No 1 to No 91 inclusive. The aggregate amount of such disbursements is \$4598.94. I wish to state here in explanation that I now recollect that there is five dollars of said disbursements for which there are no vouchers. The disbursements were for cleaning office and dog rent

in Post Office -

known to and subscribed before me
this 9th day of Nov 1857

L. C. P. Greer Master &c P. Nelson Haydon

97
The said Complainant as evidence of title to the land set forth & described in the Bill of Complaint in the defendant Amos Page, produced & offered a warranty deed executed by Elias Pearson & wife running to the defendant Amos Page dated June 15 1857 the execution of which is proven by the certificate of acknowledgement thereto attached and in and by which deed said grantor conveyed a parcel of land in McHenry County State of Illinois described as follows to wit; part of the S W 1/4 of Sec 32 T 44 R 8 east of 8 P. M. beginning at a point in the centre line of the Crystal Lake Branch Rail Road said point being in the division line between said land and land owned by Josiah Walker and twenty five - from said centre line at right angles, thence South 45° west 1489 feet to a point in the division line between said land and land owned by J. H. Purson. thence East 78 feet in said line crossing the centre line of said

Rail Road and 25 feet from said centre line at right angles, thence north 45° west 1341 feet to a point in the division line between said lands and lands owned by Josiah Walker aforesaid, said point being 25 feet from said centre line at right angles and thence north 74 feet recrossing the centre line of said Rail Road to the point of beginning containing 1 $\frac{1}{2}$ acres more or less. Said deed also containing a condition that the grantor shall keep both sides of said Rail Road fenced on said land and said Page to put in cattle guards across said Road &c. said deed herewith made ~~an~~ exhibit marked No 3 and submitted with this report. Said Complainant as further evidence of title as aforesaid produced and offered the warranty deed from James S. Pearson & wife to said defendant Page dated June 15 1857 and conveying another parcel of land in said McHenry Co being in the N. W. corner of Sec 5 and north east corner of Sec 6 in T 43. & R 8 & 3 P. M. beginning at a point in the centre line of the Crystal Lake Branch Rail Road said point being in the division line between said land and land owned

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by Elias Pearson and 35 feet from said
 Centre line at right angles thence south
 45° west 4368 feet, thence on a three
 degree curve to the left 187 feet to a point
 in the division line between lands owned
 by S. Beardsley said point being 33 feet
 from the centre line of said Rail Road
 at right angles thence east 78 feet in
 said division line re-crossing said
 centre line of said Rail Road to a point
 33 feet from said centre line at right
 angles, thence on a three degree curve to
 the right 191 feet, thence north 45° east
 4405 feet to a point in the division line
 between said land and land owned
 by Elias Pearson thence west to the place
 of beginning, containing $6\frac{8}{100}$ acres
 more or less. The said deed containing a
 recital that said Page is to put in a switch
 and maintain a depot on said Road at
 Crystal Lake. Deed herewith made an
 exhibit marked D's 4 and submitted
 with this report.

The said Complainant
 as evidence of title, as aforesaid pro-
 duced & offered also the deed from
 James T. Pearson & wife to said
 defendant Page dated February 25.

1856 and conveying another parcel
of land in said McHenry County
described as follows to-wit.

110.
Commencing at a point on the
shore of Crystal Lake, near the
water's edge, at the line of lands
purchased of Porruan Brandell, by the party
of the first part running easterly along said
line $17\frac{1}{2}$ rods, thence or right angles with
said line nine rods, thence westerly par-
allel with the line of said lands, bought
of Porruan Brandell to the shore of Crystal
Lake, thence along the shore of said
Lake, to the place of beginning, containing
one acre of land more or less, said
deed recorded in the Office ^{of the Recorder of} said Mc-
Henry County, Book 15, of Deeds, pp 54 & 55
and the same herewith made an Exhibit
marked A. 15 & submitted with this Report.
The said Complainant as further evidence
of title, and interest as aforesaid, a written
Instrument under seal, executed by
Lewis Chittenden to & with the said defen-
dant Page, the same dated January 12,
1856, & reciting that the party, of the first
part in consideration of one dollar
to him paid by said Page - and in

consideration that the said Page, shall build a Rail Road from a point on the Chicago St. Paul & Fox Du Lac Rail Road to Crystal Lake in the County of McHenry on the line that is now surveyed & staked out or as near said line as is practicable not to vary ten rods therefrom and to erect and maintain a good post and Rail fence upon both sides of said Rail Road. and where the same passes through or over the lands of said Page, as granted bargained & conveyed unto said Page, his heirs and assigns, for the purpose of laying, constructing and using said Rail Road, said road or right of way not exceed four rods in width and extend across the South East corner of the lands of said grantor, in or near a north East & South West direction. said deed herewith made an Exhibit marked No. 6. & submitted with this report.

Facts proven by the foregoing Evidence.
 1 That on the 15th day of December 1855. William Baker, George J. Clark, C. S. Cuyler, Estman & Page, A. A. Hobart.

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Samuel F. Johnson, Joel H. Johnson, Clarke
Lise, Charles E. Thompson, Genl. W. Perry, John
H. Higgins, John S. Wheat, Daniel S. Wells,
Emm^o Taylor & William Backus -
the latter of whom is the Complainant.
in this suit, organized as an Incorporated
Company by the name & style of the
"Crystal Lake Ice Co." under the act of
the Legislature of the State of Illinois ap-
proved February 10, 1849, entitled an act
to authorize the formation of corporations
for manufacturing, agricultural and mining
purposes. said corporation formed by filing
a certificate of Incorporation in the Office
of the County Clerk of Cook County -
copy of articles of incorporation in the
office of the Secretary of State as the
witness Country was informed. By the
terms of said organization there were
five Trustees of said corporation and the
following named persons were elected
as such Trustees viz. Amos Page of Jonesville
Wisconsin. Charles E. Thompson of Chicago.
John H. Higgins temporarily residing in Chic-
go. George T. Clark then of Massachusetts
now of Michigan & Daniel S. Wells then
of Ohio & now of Wisconsin.

The said Ann Page was chosen President and Daniel L. Wells Secretary & Treasurer. That said Page continued such President until the Bill of Complaint was filed in this cause. That on the 28th day of March 1856 said Wells assigned his office of Treasurer and Samuel W. Perry was elected in his place. That at the same time Chas. E. Thompson resigned his Trusteeship & said Sam^l. W. Perry was elected to fill the vacancy. That on the 4th day of April 1856, said John H. Wiggins ^{resigned} his Trusteeship & William B. Benson was elected in his place. That on the 27 day of Apr. 1856, said Benson assigned his Trusteeship & said John H. Wiggins above named was elected to fill the vacancy.

2^d. That the Capital Stock of said Company was fixed at \$50,000, divided into 500 shares of \$100. each.

3^d. That after said corporation was organized no meeting of the stock holders was ever held until June 15, 1857 and that no meeting was called of such stock holders when the said Page & Wells resigned their Trusteeship. And the said Wiggins, Clark and Perry were removed. That Alexander C. Corwin the Receiver

was appointed Treasurer pro. tem. of said
Co. & on the 30th day of March 1857 said
Berry resigned his office of Treasurer and
Secretary and the said Alexander C. Country
was elected to those offices in his place -
4th. That in the month of March 1857 -
the said Company were indebted to various
persons in the sum of Three or Four Thou-
sand Dollars as shown by their Books, that
their expenses were at that time between
four & five hundred dollars per month
Their Receipts but \$30. or \$40 per month -
Their Assets on hand available, a note
against Complainant for \$200. An order on
the Chicago St. Paul & Du Lac Rail Road
for \$250. Their ice houses, Rail Road track
and grounds at Crystal Lake McHenry
County and a stock of ice, a balance
due them on an assessment upon the
stock before that time made. That they
at this time commenced the purchase of
horses and wagons and so purchased to
the amount of \$300. That they continued
in business until June 15th 1857, in the mean
time increasing their expenses by the
employment of a large number of men
and horses. That at the date last above-

Their expenses were \$1000 per month more than their receipts. That on the 15th day of June 1857 an assessment of ten dollars per share was levied on all of said stock payable in ten days and a resolution adopted by the share holders then present that the Trustees might at their discretion sell all the lands fideiuses and personal property of the Company upon such terms and conditions as to them seemed best at a price not less than \$10,000.

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That at the same time the Trustees directed the Secretary that if the assessment aforesaid was not paid within ten days by the holders of two thirds of the Shares to so report, & the Trustees resolved to sell in case of such default under the resolution of the share holders. That not any part of said assessment was paid. That on the 1st July 1857 the Company had no money that their account with the Treasurer was overdrawn. \$2600 or \$2700 for money lent. That there was \$700 or \$800 due the workmen for the Company besides unies due Officers and Clerks. That the workmen then refused to work for the Company or to allow others to work till their wages were paid and that a

majority of the drivers for distribution of ice in the city refused longer to drive and that the Company ceased all operations on the 3rd July 1854. That they were unable to get ice to deliver to the customers of the Company and that on the 4th day of July 1854 the writ of Injunction issued in this cause was served.

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5. That there was paid in by the various members of said Company in the aggregate \$20797.68 as shown by the Books of which sum there was paid in prior to March 1st 1837 \$15704.18. That the one half of the capital stock was never paid in by said shareholders. That a part of said \$14550 was paid in land service and other traps.

6 That the said Company purchased four parcels of Real Estate full descriptions of which are about set forth and also contained in exhibits numbered 3, 4, 5 & 6 herewith submitted. Said Real Estate situated in the Town of Algonquin McHenry County. That said lands were purchased under the direction of the Trustees and the deeds executed to the said Amos Page of Janesville Wisconsin

107 That said land was paid for by an arrangement between the Trustees and said Page by which said Page was to be credited with all the assessments made & to be made upon twenty shares of stock. That said Page paid for said lands by the transfer of thirteen of said twenty shares to James F. Pearson of said Algonquin, who procured for the company the title to said lands that the lands in question on the lands upon which the ice houses & Rail Road tracks of the "Crystal Lake Ice Co" formerly ^{stood} that the legal title is still in said Amos Page.

7. That said company was indebted to said Receiver contracted prior to July 2nd 1857 the sum of \$2670,59 for an excess of payments by him over and above receipts, also indebted to the said Receiver at that date in the sum of \$1000 for services as Treasurer including interest on advances & general services (Total \$3670,59).

8. That the said Receiver has received from all sources from the assets of said Company which have come to his hands the sum of \$4605,41-

9. That said Receiver has still in his hands of said assets promissory notes of Jay & Friebe of this city in the sum of \$6000. One of said notes for \$1000 maturing Dec 1, 1857. one note for \$25.00 maturing July 1, 1858, and one note for \$25.00 maturing July 1, 1859
10-

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That said Receiver has disbursed since his said appointment as such Receiver in the payment of the debts of said company the sum of \$45,98.94 as fully set forth & specified in the file of vouchers herewith returned numbered from No 1 to No 91 inclusive the same being submitted with the Report-

From the evidence & opinion that the said "Crystal Lake Ice Co" now complied with the requirements of the statute of the State of Illinois entitled an act to authorize the formation of corporations for manufacturing agricultural mining or mechanical purposes. Approved Feb 10 1849, and that the same should by the decree of said Court be declared to be and to

have been a general copartnerships and
 the property of said company co-
 partnerships property - and at the time
 of the filing of said Bill of Complaint
 the said company was insolvent. I am
 further of opinion that, the said
 defendant Amos Page should by the order
 and decree of said court be directed within
 some short day to make conveyance to
 Hiram Joy & Augustus Friebe of all and
 singular the said several parcels of
 Real Estate, so as aforesaid by him held
 as the Trustee of said company. That
 an order should be entered declaring
 the said copartnerships dissolved, and
 that said Receiver should be directed
 to pay and satisfy all just debts against
 said company out of the proceeds of
 the sale of the property of said Company
 by him heretofore reported after first
 paying the costs & expenses of the
 proceeding - and the charges of said
 Receiver for his reasonable commission
 and disbursements that an order should
 be entered confirming & allowing the
 acts of said Receiver in the settlement
 and adjustment of the debts & liabilities
 of said company as shown by the vouchers

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accompanying this Report, and that said Receiver should be directed to close the said business and collect the remaining monies secured by the promissory notes in his hands as above specified, when the same shall mature, with all reasonable dispatch, and that the said Receiver should by the order of this Court be allowed to retain out the first monies that shall come to his hands, the said sum of \$3070,50 as aforesaid due to him - All which is respectfully submitted.

L. C. P. Greer ?

Master in Chancery Cook Co &c

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And now this day again comes the said Complainant William Backus into court by C. Smith Williams his counsel and here moves the court that the said report of L. C. Paine Greer Master in Chancery in said cause above entitled heretofore filed in this cause be confirmed and in all things approved and that a final decree be entered in this cause according to and in pursuance of the prayer of the bill of Complaint heretofore filed in this cause and in pursuance of the finding of said report of said Master

in Chancery, and the court being advised of the
 matters and things in said bill of Complaint, set
 forth and of all and singular the matters and
 things contained and set forth in said report of
 said Master and counsel having been heard
 and the court having duly considered the
 said Motion hath ordered and decreed, and by
 virtue of the power therein vested, the court does
 order and decree that the said report as to
 the matters and things therein contained and
 set forth, be in all things confirmed and ap-
 proved. And it further appearing to this
 Court from the said report that the said De-
 fendant and the said Complainant although
 doing business as a Corporation created under
 and in pursuance of an act of the Legislature
 of the State of Illinois approved Feb. 10th 1849,
 entitled "an act to authorize the formation
 of corporations for manufacturing, agricultural
 mining and mechanical purposes" under
 the name of the Crystal Lake Ice Company
 were never legally organized as such cor-
 poration in pursuance of said act, and never
 complied with the requirements of said act,
 but that the said defendants and said Complain-
 ant were doing business as a general part-
 nership under the name and style of the
 Crystal Lake Ice Company. This Court has

ordered and decreed and by virtue of the power
and authority therein vested, doth order and
decree that said Crystal Lake Ice Company be
and it is hereby declared to have been a general
Copartnership, composed of the said Defendants
and said Complainant, and it further ap-
pearing to this Court, from the said Report
of the said Master that at the time of the
filing of the bill of Complaint in this Cause
that is to say, on the first day of July A.D. 1857,
the said Copartnership doing business under
the name of the Crystal Lake Ice Company
was insolvent, and unable to pay its debts,
and was daily losing money and that the
managing members of said Copartnership
neglected the business of said firm and failed
to attend to the same, and that a majority of
the members of said Copartnership are non-
residents of the State of Illinois.

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It is ordered and decreed and this Court by
virtue of the power therein vested doth order
and decree that the said Copartnership doing
business under the name style and firm
of the Crystal Lake Ice Company be and
the said Copartnership is hereby dissolved
and that the injunction heretofore issued
in the cause be and that the same is hereby
made perpetual and that the said defendant

shall forever desist and refrain from proceeding
 with or intermeddling with said Crystal Lake
 Ice Company, its property, effects, goods, chattels,
 accounts, vouchers, books of accounts, and
 all and singular the property both real and per-
 sonal of said Crystal Lake Ice Company.
 And it is further ordered and decreed and
 this Court by virtue of the power therein vested
 doth order and decree that the order hereto-
 fore entered in this cause appointing A. C.
 Country Receiver of all and singular the
 goods, property, effects, accounts and books
 of account of said Crystal Lake Ice Company,
 be and the same is hereby confirmed and
 made perpetual, and that said Receiver do
 proceed to continue to pay the debts of said
 Crystal Lake Ice Company according to
 prayer of ^{the} said Bill of Complaint, and of said
 Report of said Master in Chancery.

And it further appearing to this Court that
 the said Receiver since his said appointment
 as such has made a sale of all and singu-
 lar the property both real and personal of
 said Crystal Lake Ice Company to Hiram
 Joy and Augustus Frisbie on the terms and
 for the sum set forth in said report, and
 that as such Receiver he had received
 on the Ninth day of November A.D. 1854

the sum of Four Thousand Six hundred and five dollars and forty one cents and that he had paid out as such Receiver in the payment of the debts of said Copartnership the sum of Four Thousand five hundred and Ninety eight dollars and ninety four cents as appears from the said report of said Master in Chancery and the vouchers here this day filed in Court. it is hereby ordered and decreed and this Court by virtue of the power therein vested doth hereby order and decree that the said several acts of said Receiver in the making of such the said sale and in the payment of said indebtedness be and that the same and all and singular the said acts of said Receiver as such Receiver be and the same is hereby ratified confirmed and approved by this Court. And it further appearing to this Court that the said Crystal Lake Ice Company was at the time of the appointment of said Comstock as such Receiver justly indebted unto him the said A. C. Comstock in the sum of Thirty Six hundred and Seventy dollars and fifty nine cents for monies lent and services rendered for said Company prior to his appointment as such Receiver of said Company, and that ~~the~~ said sum still remains due and owing and unpaid to him said

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 County, it is ordered and decreed and this Court by virtue of the power therein vested doth ~~grant~~ order and decree that the said Receiver be at liberty to repay to himself said sum of Thirty Six hundred and Seventy dollars and fifty nine cents out of and from the first moneys coming into his hands as such Receiver as aforesaid and that such payment to himself said Receiver when so made as aforesaid be confirmed and approved by this Court, and it is further ordered and decreed that said Receiver after making such repayment as aforesaid do first pay all costs and charges of this proceeding and report the same to this Court and it is further ordered and decreed that said Receiver be at liberty to apply to this Court for further directions as to his proceedings as such Receiver from time to time as the nature of the case may require. And it further appearing to this Court that Anna Page one of the said defendants above named holds all those certain pieces and parcels of real estate situate in the Town of Algonquin in the County of McHenry in the State of Illinois, described as follows to-wit: Part of the S. W. 1/4 of Sec. 32 T. 44 N. R. 8 East of 3 P. M. beginning at a point in the center line of Crystal Lake Branch Rail Road said point being in the division line

between said land and land owned by Josiah Walker
and party first - from said Outer line at right
angles, thence South 45° west 1489 feet to a point in
the division line between said land and land owned
by J. F. Pearson. thence East 78 feet in said line
crossing the center line of said Rail Road and 25 feet
from said center line at right angles. thence North
 45° west 1341 feet to a point in the division line
between said lands and lands owned by Josiah
Walker of said said point being 25 feet from
said center line at right angles and thence North
74 feet or crossing the center line of said Rail
Road to the point of beginning containing $1\frac{62}{100}$
acres more or less, said deed also containing
a condition that the grantor shall keep both
sides of said Rail Road fenced on said land
and said Page to put in Cattle guards across
said ~~Foot~~ Road, and also that certain other piece
of land described as follows to wit: In McHenry
County in the N. W. corner of Sec. 5 and North
East corner of Sec. 6. in T 43. N. R. 8 E. 3 P. M.
beginning at a point in the center line of
the Crystal Lake Branch Rail Road said
point being in the division line between said
land and land owned by Elias Pearson
and 33 feet from said center line at right
angles, thence South 45° west 4368 feet.

thence on a three degree curve to the left 184 feet
 to a point in the division line between lands owned
 by S. Beardslay, said point being 33 feet from
 the center line of said Rail Road at right angles
 thence East 78 feet in said division line crossing
 said center line of said Rail Road to a point
 33 feet from said Center line at right angles
 thence on a three degree curve to the right 141 feet, thence
 North 45° East 4405 feet to a point in the division
 line between said land and land owned by
 Elias Pearson, thence west to the place of beginning
 containing $6\frac{86}{100}$ acres more or less. the said deed
 containing a recital that said Page is to put in a
 switch and maintain a depot on said Road at
 Crystal Lake. And also that certain other piece
 of land described as follows to wit: In the County
 of McHenry commencing at a point on the
 shore of Crystal Lake near the waters edge at the
 line of lands purchased of Bernau Craudell from
 James T Pearson and thence running easterly along said
 line $1\frac{1}{2}$ rods thence at right angles with said line
 nine rods thence westerly parallel with the line
 of said lands bought of Bernau Craudell to
 the shore of Crystal Lake thence along the shore
 of said Lake to the place of beginning containing
 one acre of land more or less. And also that certain
 other piece or parcel of land situate in the County
 of McHenry in the State of Illinois known

and described as that certain piece of land
in the Town of Algonquin in said County now
occupied by the Rail Road track leading from
the track of the Chicago St. Paul and Fond Du Lac
Rail Road to the Crystal Lake in said Town of
Algonquin across the farm of one Lewis Chittenden
now occupied by the track of said Rail Road.

All of which said real estate above described
of right belongs to said Crystal Lake Ice Company
and that the title to the same was taken by the
said Page in in his own name while acting
as President of said Company for greater con-
venience and was held by him said Page as
118 Trustee for said Crystal Lake Ice Company,
and that said Crystal Lake Ice Company in fact
paid for all of said Real Estate. And it further
appearing to this Court that since the appointment
of a Receiver in this cause and since the sale
made by such Receiver to said Hiram Joy and
Augustus Trisbie of all and singular the
property both real and personal of said Crystal
Lake Ice Company the said Page though re-
quested by said Receiver so to do has failed
and refused to convey the title to said real
estate so standing in his name and held by
him as Trustee as aforesaid to said Hiram
Joy & Augustus Trisbie as he of right ought

to do, and it further appearing to this Court from
 the papers filed in this cause that said Amos
 Page is now a resident of the State of Wisconsin
 and is a resident of the State of Illinois, it is
 hereby ordered and decreed and this Court
 by virtue of the power therein vested does hereby
 order and decree that said the said convey-
 ance heretofore made by said Bevier to said
 Hiram Joy and Augustus Frisbie of all and
 singular the said real estate herein before
 described do vest in said Joy and Frisbie all
 the right, title and interest of said Crystal
 Lake Ice Company in and to the same, and
 it is further ordered and decreed and this
 court by virtue of the power therein vested doth
 hereby order and decree that the said Amos
 Page do and that he shall forthwith after
 the entering of this decree make, execute and
 deliver to said Hiram Joy and Augustus Frisbie
 a deed of conveyance with all and proper words
 of conveyance and quit claim duly acknowl-
 edged conveying to the said Hiram Joy and
 Augustus Frisbie all his said Amos Page's right
 title and interest and all the right title and
 interest of his said Page heirs, executors
 or administrators in and to said Real Estate
 set forth and described in the report of said
 Master in Chancery and heretofore more

particularly described. And in case said
Page shall fail and neglect to comply
with the conditions of this decree and shall fail
or refuse to make execute & deliver to said Hiram
Joy and Augustus Frisbie a deed of conveyance
of all and singular the said Real Estate above
described and hereinbefore in said Report of
said Master in Chancery more particularly
set forth and described duly acknowledged
conveying all and singular the right title
and interest of him the said Amos Page
his heirs, executors or administrators
in and to the same and all of the same
for the space of thirty days hereafter. Then
and in that case the said Hiram Joy and
Augustus Frisbie shall be at liberty to apply
to the Hon. S. L. Paine Four Master in Chancery
who is hereby appointed a Special Com-
missioner for such purpose, and he
the said S. L. Paine Four is hereby au-
thorized and directed and empowered as
such Special Commissioner and as such
Master in Chancery to make execute and
deliver to said Hiram Joy & Augustus Frisbie
a deed of conveyance of all and singular
the right title and interest of him said
Amos Page, his heirs, executors or —

Administrators in and to all and singular
 the said real estate hereinbefore and in said
 report of said Master in Chancery more
 particularly described and set forth and
 which said deed of said Trust as such Special
 Commissioner and Master in Chancery shew
 ed executed and delivered as aforesaid shall
 vest in said Hiram Joy and Augustus Frisbie
 their heirs executors or assigns, all the right
 title and interest of said Amos Page his
 heirs executors or administrators in and to
 all and singular the said real estate hereinbefore
 and in said report of said Master in Chancery
 more particularly set forth and described as
 fully and completely and entirely in every
 manner as if the same had been made by
 said Amos Page himself acting.

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 And it is further ordered and decreed
 that said Receiver as such Receiver have
 execution against the estate of said
 Page for all expenses attending on or
 growing out of the execution of such
 deed by said Special Commissioner in
 case of his said Page's failure to comply with
 the order and decree of this Court hereinbefore
 entered.

And it is further ordered and decreed
 that said Receiver as such Receiver do pay

out of the proceeds of said property of
said Crystal Lake Ice Company all
costs, charges and expenses attending on
or growing out of this cause,

And afterwards to-wit: March Term of said
Court, to-wit: on the third day of April in
the year of our Lord Eighteen Hundred and
fifty eight the following proceedings among
others were had and entered of record to-wit:

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William Packus

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v.B.

William Baker, Amos Page
Jacob V. Eastman, John H. Higgins
George P. Clark, Isaac G. Wilson
Benjamin W. Roberts Jr., A. A. Herbert,
Wm. B. Benson, S. J. Sawyer
Samuel P. Johnson, Joel H. Johnson
Clarke Libe, Samuel M. Perry
John S. West, Abel W. Fuller,
J. H. Edwards, J. M. Stone,
George Tyler, Alvin W. Judel,
and Robert Rich.

Bill for Relief

And now this
day comes the said Receiver heretofore
appointed in the above entitled cause

and files the report of L. C. Peine Freer here this day presented for which said Freer among other things sets forth and shows unto this Honorable Court that in pursuance of the Decree heretofore entered in said cause above entitled he has executed a deed to Hiram Jay and Augustus Frisbie as described by said decree and which said deed and said report of said Master is as follows.

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Whereas in a certain cause now or lately pending in the Circuit Court of Cook County In Chancery wherein William Backus was party Complainant and Anna Pagic William Baker, George J. Clark, E. J. Cuyler, Jacob J. Eastman, A. A. Hobart, Benjamin W. Hobart Jr., Clark Lipe, Samuel F. Johnson, Job H. Johnson, Samuel N. Perry, John S. West, John H. Wiggins, Daniel L. Wells, Charles E. Thompson, William B. Benson, Abel M. Fuller, J. H. Edwards, Jessa M. Stone, George Tyler, Alvin M. Judd, Celeb Rich, James F. Purson, Emmus Taylor, and Lewis J. Walford were parties defendants a final decree was entered on the eighteenth day of December in the year of our Lord one thousand Eight hundred

and fifty seven in which among other things it was ordered and decreed that the said Amos Page and the said defendants should forthwith make execute and deliver to Hiram Jay and Augustus Frisbie a deed of conveyance with all apt and proper words of conveyance and quit claim duly acknowledged of all his said Amos Page's right, title and interest of his said Page's heirs & executor & administrators in and to the following real estate to wit: Part of the S. W. 1/4 of Sec. 23 T. 44 N. R. 8 East of 3 P. M. beginning at a point in the center line of the Crystal Lake Branch Rail Road said point being in the division line between said land and land owned by Josiah Walker and twenty five (25) from said center line at right angles. thence South 45° West 1489 feet to a point in the division line between said land and land owned by J. T. Pearson thence East 78 feet in said line crossing the center line of said Rail Road and 25 feet from said center line at right angles. thence North 45° West 1341 feet to a point in the division line between said lands and lands owned by

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said Walker aforesaid, said point being
 25 feet from said center line at right
 angle and thence North 74 feet recrossing
 the center line of said Rail Road to
 the point of beginning containing $1\frac{6}{10}$
 acres more or less, said Deed also
 containing a condition that the Grantor
 shall keep both sides of said Rail Road
 fenced on said land, and said Page
 to put in a cattle guard across
 said road and also that certain
 other piece of land described as
 follows to wit: In McHenry County
 in the N. W. corner of Sec. 5 and N. E. corner
 of Sec. 6 in T 43 N. R. 8 E. 3 P. M. beginning
 at a point in the center and of Crystal
 Lake Branch Rail Road said point being
 in the division line between said
 lands and land owned by Elias
 Pearson and 33 feet from said center
 line at right angles thence South 45°
 West 4368 feet, thence on a three degree
 curve to the left 187 feet to a point in the
 division line between lands owned by
 S. Beardsley said point being 33 feet from
 the center line of said Rail Road at right
 angles, thence East 78 feet in said
 division line recrossing said center

line of said Rail Road to a point 33 feet
from said center line at right angles thence
on a three degree curve to the right 14 feet
thence North 45° East 4405 feet to a point
in the division line between said land
and land owned by Elias Pearson
thence West to the place of beginning
containing $6\frac{1}{2}$ acres more or less, the
said deed containing a recital that
said Page is to put in a switch and
maintain a Depot on said Road at
Crystal Lake. And also that certain
other piece of land described as follows
to wit: In the County of McHenry com-
mencing at a point on the shore of the
Crystal Lake near the Lake Shore at
the line of lands Bernard Craudell from
James T. Pearson and wife running easterly
along said line $1\frac{1}{2}$ rods thence at right
angles with said line nine rods
thence westerly parallel with the line of
said lands bought of Bernard Craudell to
the Shore of Crystal Lake thence along the
Shore of said Lake to the place of beginning
containing one acre of land more or less.

And also that certain other piece or parcel
of land situate in the County of McHenry
in the State of Illinois known and described

as that certain piece of land in the town of
 Algonquin in said county now occupied
 by the Rail Road track of the Chicago St. Paul
 & Fox & Lac. Rail Road to the Crystal Lake in
 said Town of Algonquin across the farm of one
 Lewis Schittended now occupied by the track of
 said Rail Road and in and by said Decree
 it was further ordered and decreed that in
 case he the said Amos Page should fail or
 refuse to make execute and deliver to
 said Hiram Joy and Augustus Fribbie a deed
 of conveyance of all and singular the
 real estate above described and hereinbefore
 set forth duly acknowledged covering all and
 singular the right title of him said Page
 his heirs executor or administrators
 in and to the same and all of the same
 for the space of thirty days thereafter then
 and in that case the said Hiram Joy
 and Augustus Fribbie should be at liberty
 to apply to L. G. Peine Trust Master in Chancery
 who was thereby appointed Special Commissioner
 for such purposes and the said L. G. Peine Trust
 was authorized directed and empowered as
 such special Commissioner and Master
 in Chancery as aforesaid to make execute
 and deliver to said Hiram Joy and
 Augustus Fribbie a deed of conveyance

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of all and singular the right title and
interest of them the said Amos Page his heirs
executors or administrators in and to all and
singular the said Real estate hereinbefore
described and set forth which deed of such
Special Commissioner when so executed and
delivered as aforesaid should vest in said
Hiram Joy and Augustus Frisbie their
heirs executors or administrators all the
right title and interest of said Amos Page
his heirs executors or administrators in
and to all and singular the real estate
hereinbefore described as fully and completely
as if the said Amos Page were here present
and acting. And whereas application
has been made to me by said Hiram
Joy and Augustus Frisbie that I should
make such deed of conveyance in pursuance
of said decree. and said Joy has made
oath before me the said L. C. Poine Freeer
that said Page above named has in no
wise complied with the order of said Circuit
Court of Cook County, I in Chancery
sitting as set forth and contained in
said decree hereinbefore referred to and
that no one on the part of said Page has
offered to make said deed to said
Joy and Frisbie. Now therefore Know

all men by these presents, that I L. C. Poine
 Lawer of Chicago in the County of Cook and
 State of Illinois Master in Chancery and
 is such Special Commissioner in said
 cause herebefore before referred to duly
 appointed in consideration of the premises
 and in pursuance of said decree herein
 before referred to and in further consid-
 eration of the sum of one dollar & no
 in hand paid by Hiram Jay and Augustus
 Frisbie of Chicago aforesaid the receipt
 whereof is hereby acknowledged here
 granted sold, transferred conveyed, set
 over and quit claimed and by these
 presents do transfer convey set over
 and quit claim unto the said Hiram
 Jay and Augustus Frisbie their heirs, ex-
 ecutors administrators and assigns all the right
 title and interest of said Amos Page his
 heirs executors administrators and
 assigns all the right title and interest
 of the said Amos Page his heirs executors
 or administrators in and to the following
 described Real Estate with its appurtenances
 situate lying and being in the County of
 McHenry and State of Illinois and to wit: Part of the
 South West quarter of Sec. 82 Township

forty four (44) North Range Eight East of the third
P.M. beginning at a point in the center
line of the Crystal Lake Branch Rail Road
said point being in the division line between
said land owned by Josiah Walker and
twenty five (25) from said center line at
right angles. thence South forty five degrees
West one thousand four hundred and
eighty nine (1489) feet to a point in the
division line between said land and
land owned by J. T. Pearson thence East
Seventy Eight (78) feet in said line crossing
the center line of said Rail Road twenty
five feet (25) from said center line at
right angles. thence North forty five degrees
(45) West one thousand three hundred and
fourty one feet (1341) to a point in the
division line between said land and
land owned by Josiah Walker of said
said point being twenty five (25) feet
from said center line at right angles
and thence North Seventy four (74) feet
crossing the center line of said Rail
Road to the point of beginning containing
one acre and Sixty two one hundredths
of an acre (1⁶²/₁₀₀) more or less said deed
also containing a condition that the
grantor shall keep both sides of the Rail

Road fenced on said land and said
 Page to put in cattle guards across said
 Road and also that certain other piece of
 land described as follows to-wit: In Twp^o
 Henry County in the North West corner
 of section five (5) and North East corner
 of Sec. (6) line in Township forty three
 (43) North Range Eight (8) East the P.M.O.
 beginning at a point in the center line of
 Crystal Lake Branch Rail Road said point
 being in the division line between said
 land and land owned by Elias Peterson
 and thirty three feet (33) from said center
 line at right angles thence South forty
 five (45) degrees west four thousand three
 hundred and sixty eight (4368) thence
 on a three degree curve to the left one
 hundred and eighty seven (187) feet
 to a point in the division line between
 lands owned by S. Beardsley said
 point being thirty three (33) feet from
 the center line of said Rail Road at right
 angles thence East Seventy Eight (78) feet
 in said division line recrossing said
 center line of said Rail Road to a
 point thirty three feet (33) from said
 center line at right angles thence on
 a three degree curve to the right

one hundred and forty one (141) feet thence
North forty five degrees (45) East four
thousand four hundred and five feet (4405)
to a point in the division line between said
land and land owned by Elias Pearson
thence West to the place of beginning con-
taining Six acres and eighty six one
hundredths of an acre (6 $\frac{86}{100}$) more or
less. the deed containing a recital that said
Page is to put in a switch and maintain a
Depot on said Road at Crystal Lake. And also
that certain other piece of land described
as follows to-wit: In the county of McHenry
at a point on the shore of the Crystal near
the Lake Shore at the line of lands pur-
chased by Bernard Crandall from James J. Pearson
and wife running westerly along said line
Seventeen and a half (17 $\frac{1}{2}$) rods thence at right
angles with said line nine (9) rods thence
westerly parallel with the line of said
lands bought of Bernard Crandall to the
Shore of Crystal Lake thence along the shore
of said Lake to the place of beginning
containing one acre of land more or less

And also that certain other piece or parcel
of land situate in the County of McHenry
in the State of Illinois known and described
as that certain piece of land in the Town of

Algonquin in said county now occupied by the Rail Road track of the said Chicago St. Paul and Tom Du Lac Rail Road to the Crystal Lake of said Town of Algonquin across the farm of one Lewis Chittenden and occupying the track of said Rail Road. To have and to hold the same to them the said Joy and Frisbie their heirs, executors, administrators and assigns forever: Intending and meaning to convey hereby to said Joy and Frisbie all the right title and interest of said Amos Page in & to said above described either in Law or in Equity in as full and complete a manner as I am authorized and directed to do in and by said decree of said Circuit Court of Cook County in Chancery sitting hereinbefore referred to.

In witness whereof J. L. C. Payne Trustee
 Master in Chancery and special Com-
 missioner as aforesaid hereunto set
 my hand and seal this nineteenth day
 of March in the year of our Lord one
 thousand eight hundred and fifty eight
 A. D. 1858,

To the Hon. George Manierre Presiding
 Judge the undersigned would

respectively report that in pursuance
of the decretal order recited foregoing
he executed and delivered to Brian Jay
and A. Frisbie a deed in conformity with
the terms of said order of which the
foregoing is a true copy all which
is respectively submitted

Masters fee \$25.00. Paid by Receiver

L. G. P. Freer

Master in Chancery Court Co.

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And the court having considered
the said report and having examined
said deed and having been made
acquainted with the contents of the same
has ordered and decreed and by virtue
of the power therein vested doth hereby
order and decree that the report of
the said Master and the said
deed by him made and delivered
by said Jay and Frisbie be and that
the same is hereby confirmed and
approved of

And afterwards, to-wit on the 30th day of June in the
year last aforesaid. The Chicago, St Paul and
Andudae Rail Road Company filed in said Court
their certain Petition in the above entitled Cause
which is in the words and figures following To-wit-

"In Circuit Court of Cook County

In Chancery

Wm Backus

Amos Page Et als

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To the Honorable George
Warren Judge of the Circuit Court of Cook County
In Chancery sitting. Respectfully sheweth unto
your Honor your petitioner the Chicago, St Paul and
Andudae Rail Road Company, that the largest
Lake & Co. mentioned in the Bill of Complaint
in said Cause above entitled is first indebted
unto your petitioner in the sum of Twelve hundred
and fifty-seven ⁰⁷/₁₀₀ dollars, and that the Receiver
heretofore appointed in said Cause above entitled
holds in his hands as this petitioner is informed
and believes true assets over and above amount
paid out by him as such Receiver sufficient to
fully satisfy said Claims of your petitioner as
aforesaid. Your petitioner therefore
asks that an order may be entered by this Honorable
Court in said Cause referring the Claim of your
petitioner to the master in Chancery of this Court

+ to report on the same, and that at the same
time the said Receiver shall be required by said
order to account for all assets by him received
and all monies by him paid out as such
Receiver and he shall further be required
to show unto said Master a full list of all
Claims filed with him as such Receiver of
said Crystal Lake Ice Company remaining
unpaid, and that said Receiver shall be directed
by the order of this Honorable Court to divide
up amongst the Claims filed with him the
assets of said Ice Company as such Claims
shall be found to be due from said Company
by said Master in Chancery. A. W. Wheeler

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ful for. Petitioner
Book Circuit Court in Chancery
Buckner vs Page

To Messrs Williams & Woodbridge fol
for Compel. To A. C. Coventry Esq Receiver in said
Cause. Ments. You will please take notice that
in the coming in of Court in the morning of Tuesday the
30th day of June presents. I shall move the Court
in the above petition for the order thereon
prayed for Yours or A. W. Wheeler ful for
The Chicago & Paul & Fendler RR Co
I hereby admit service of a copy of the within petition notice
Chicago June 29th 1878. A. C. Coventry

Williams & Woodbridge

And afterwards to-wit: on the Thirtieth day of July in the year last aforesaid, John S. Wheat filed in said cause his certain petition which is in the words and figures following to-wit:

To the Honorable George Manierre
Judge of the Circuit Court of Cook
County In Chancery sitting:

State of Illinois ³
County of Cook ³ ss.

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Your Petitioner John
S. Wheat of
in the State of Wisconsin respectfully
sheweth unto your Honor that on or
about the first day of July in the
year One Thousand eight hundred
and fifty seven William Parker
Complainant filed in this court on
the Chancery side through a Bill of
Complaint against your petitioner
then and since and now a citizen
and resident of the State of Wisconsin
and William Parker, Annis Page, George
T. Clark, E. J. Cuyler, Jacob P. Eastman
A. A. Hobart, Benjamin H. Hobart, Samuel
T. Johnson, Joel H. Johnson, Clark Life

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Samuel W. Perry, John B. Higgins, William
B. Benson, Abel W. Fuller, J. H. Edwards,
Isaac G. Wilson, Jesse W. Stone, George
Sybr, Alvin H. Judd, Cleb Rich, James
F. Purson, Emmons Taylor, Charles E
Thompson, Lewis T. Walford and
Daniel G. Wells. Defendants, therein
setting forth and charging among
other things that said Complainant
and Defendants were partners in business
under the firm name of the Crystal
Lake Ice Company & praying among
other things for a dissolution of such
partnership and an account thereof
as by the Bill of Complaint now on
file in this court reference being
thereto had will more fully and at
large appear.

That on the 1st day of July
A. D. 1857. there was issued upon
said Bill a summons against the
said Defendants including your
Petitioner which was afterwards re-
turned without having been served
upon your petitioner as by said
summons and the return of the
officer thereto reference being thereunto
had will more fully appear

That on the said first day of July 1857. there was filed in said Office an Affidavit in said cause showing the non-residence of your Petitioner and those of said Defendants and that process could not be served on them or either of them as by reference to said Affidavit will more fully appear.

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That afterwards and on the day of _____ the Clerk of this Court issued a notice of the pendency of said Suit which was published for four successive weeks in the Chicago Journal a Newspaper published in the City of Chicago in said County. notifying your Petitioner and other Defendants in said suit of the pendency thereof in this Court and to appear and answer to the said Bill of Complaint by the Second Monday of October A. D. 1857 or that the same would be taken as confessed against them as by said notice and the certificate of publication attached reference being thereto had will more fully and at large appear.

That afterwards such proceedings were had in said cause that

without further or other notice to your
Petitioner than that given by the publica-
tion of said notice of the pendency of
said suit as aforesaid the said Bill
was taken as confessed against your
Petitioner and the said Court proceeded
to and did on the 18th Day of December
A. D. 1857. render a final decree in said
cause touching the matters complained
of in said Bill as by reference to the
same will more at large appear.

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Your Petitioner therefore according
to the form of the Statute in such case
made and provided appears now here
in Court by himself and by his Solic-
itor W. J. Burgess and prays this Court
that the said default and decree may
be vacated and set aside the same
as though no such proceedings had
been had and he be let in to plead
demur or answer to the said Bill and
that thereupon such other or further pro-
ceedings may be had as to justice and
right shall appertain or for such other
or further relief in the premises as
your petitioner under the Statute may
be entitled to

And he will ever pray &c.

W. J. Burgeffo
Sol^r

John S. Wheel

State of Illinois }
County of Cook } William J. Burgeffo.
of said County being duly sworn
says that the facts set forth in
the above petition are true in sub-
stance and fact according to the
best of his knowledge, information
and belief

W. J. Burgeffo.

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Subscribed and sworn to
before me this 24 March
1859 Mrs L. Church
Clerk.

And afterwards to wit: The June term of
said Court on the fourteenth day of July
in the year last aforesaid the following
proceedings among others were had and
entered of record to wit:

Wednesday July 14th A.D. 1858.

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William Backus }
vs }
William Parker & Mrs Page Et al }
Chancery

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On reading and filing petition of the Chicago St. Paul & Au de Lac Rail Company and admissions of due service of the same upon the Solicitor for Complainant and upon the Receiver and on motion of J. H. Wheeler Solicitor for Petitioner. It is hereby Ordered that the claim of the Petitioner against the Crystal Lake Ice Company of Twelve Hundred and Sixty Seven and 7/100 dollars be and is hereby referred to a Master in Chancery of this Court to examine and report upon the same, and that the Receiver in this cause account for all assets received and all monies paid out as such Receiver and that he send to such Master a full list of all claims filed with him as such Receiver of said Crystal Lake Ice Company remaining unpaid and that said Receiver shall divide up amongst the claims filed with him the assets of the said Ice Company as such claims shall be found to be due from said Company by said Master in Chancery.

And afterwards to-wit: On the Twenty first day of March in the year of our Lord One Thousand Eight Hundred and fifty nine John S. Wheat filed in said court his certain demurrer which was in the words and figures as follows to-wit:

In the Court Circuit Court.

In Chancery
 William Backus }
 vs } Bell.
 William Baker }
 et al }

The Demurrer of John S. Wheat one of the Defendants to the Bill of Complaint in this cause.

This Defendant by protestation not confessing or acknowledging all or any of the matters therein alleged to be true in such sort manner & form as the same are therein and thereby alleged, saith that the said Complainant hath not in and by his said bill made or stated such a case as doth or ought to entitle him to any discovery from this defendant or any relief in equity against him wherefore he doth demur thereto & prays to be

hence dismissed with his reasonable costs &
W. J. Burgess.

And afterwards to-wit: The March term of said
Court, to-wit: on the Twenty first day of March
in the year last aforesaid. ^{The following} ~~the~~ ~~full~~ ~~average~~
other proceedings were had and entered of
record to-wit:

190 William Backus
9721 vs
John S. Wheat Impleaded
With William Backus Et al. } Bill for Relief

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This day comes the said
Defendant John S. Wheat by W^{ro} J. Burgess his
Solicitor and moves the Court to set aside the
decree as to the said Defendant John S. Wheat
heretofore Entered in said cause, and the Court
after hearing affidavits and proofs in support
of said motion and being fully advised of
and concerning the premises, now sustains
said motion and orders that the Decree
of this Court as to the said Defendant John
S. Wheat, heretofore taken and entered of record
in said cause To-wit: on the 17th day of
December A. D. 1857 be set aside vacated
and held for nought and the same estro

the said Defendant John S. Wheat is hereby set aside and vacated accordingly.

And afterwards to-wit: On the nineteenth day of October in the year of our Lord One Thousand Eight Hundred and sixty one the said Defendants filed in said court their certain Petition which is in the words & figures following to-wit:

In the Circuit Court of Cook County
In Chancery

William Buckus

vs

William Baker, George T. Clark
E. J. Snyder, Jacob T. Eastman
Anna Page Et al.

The Petition of the Defendants to the decree entered in this cause on the 14th day of December 1857 respectfully shows

That on the 13 day of July A.D. 1857 John S. Wheat one of the said Defendants filed his Petition in this cause as a non-resident not served with notice personally to set aside the said decree - as by reference thereto will more fully appear that thereupon such proceedings were had

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That on the 21st day of March 1859 an order
was made opening said decree & setting the
same aside as to him. That afterwards on
the same day said Wheat filed his demurrer
to the bill of Complaint for the reasons that
the complainant had not made or stated
such a case as did or ought to entitle
him to any relief in a Court of Equity
As by said Demurrer now on file appears
That Demurrer to said bill is still pen-
ding. And your petitioners further show
that the case made in and by said bill
if any is a joint one against all of the
Defendants thereto. & the said decree is a
joint one against all of the defendants
thereto. & that upon the face of the
record that Court hath erred in the
rendition of said decree there being a
total want of equity in the said bill.

They therefore
pray this Court to review & reverse the said
decree & set the same aside & dismiss
the bill of Complaint.

M. T. Burdette.

Sol. for Def^{ts}.

And afterwards to-wit: On the Twenty third day of January in the year of our Lord One Thousand Eight Hundred and sixty two.

James P. Root Administrator of William Backus Dec^d in writing makes his appearance in said Court in the words and figures following to-wit:

In the Court Circuit Court

	James P. Root	} In Chancery
	Ad ^{mor} of William Backus	
	vs	
145	William Backus Et al	

I do hereby enter my appearance as such administrator in this cause

James P. Root
Ad^{mor} of W^m Backus
Dec^d

And afterwards to-wit: The January Term of said Court on the 23rd day of January in the year last aforesaid the following amongst other proceedings were had and entered of record to-wit:

78 William Backus

9421

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Bill

William Baker Etal

This day comes Messrs.

Williams and Woodbridge and now here suggest to the Court that since the filing of the Bill of Complaint in the cause William Baker the Complainant therein has departed this life Whereupon motion it is ordered that James P. Root Administrator of the Estate of the said William Baker deceased be and he hereby is made a party Complainant in said cause

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And afterwards to-wit: The January Term of said Court to-wit: on the first day of February in the year last aforesaid the following among other proceedings were had and entered of record to-wit:

James P. Root Administrator of the Estate of William Baker deceased.

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Bill for Relief &c.

William Baker, Ann Page, Jacob P. Eastman, John H. Wiggins, George P. Clark, Isaac C. Wilson, Benjamin N. Hobart Jr., A. C. Hobart, William B. Benson, S. J. Bayler, Samuel F. Johnson, Joel H. Johnson, Clark Lipe, Samuel H. Perry, John S. Wheat, Abel N. Fuller, J. H. Edwards, Jesse M. Stone, George Tyler, Abner N. Giddis, Isaac Rich

James F. Pearson, Daniel L. Wells,
 James Taylor, Charles E. Thompson,
 and Lewis J. Mulford.

This cause coming on this day to be heard upon the demurrer of the Defendant John S. Wheat, to the Complainant's Bill of Complaint filed therein and Counsel having been heard as well in support of said (with) demurrer as in opposition thereto and the Court being now fully advised in the premises doth order and adjudge that said demurrer be and the same hereby sustained. Whereupon the Complainant moves the Court for leave to make the Crystal Lake Ice Company a party Defendant to said Bill of Complaint whereupon the said Defendants enter their cross motions to set aside and vacate all subsequent proceedings of this Court had and entered of record in said cause including the decree entered therein, and to dismiss said Bill of Complaint as to all the Defendants and the Court not being sufficiently advised of and concerning the premises takes said motions under advisement.

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And afterwards to-wit: at the January Term of said Court. to-wit: on the first day of February in the Year of Our Lord Eighteen hundred and fifty-two. by an order of this Court. hereinafter set forth, a certain cause therein pending, wherein Alexander L. Scrivener was Complainant and William Baker William Baker. George Melick. E. Leiper. Anso Page. Jacob Eastman. H. H. Hobart. Benjamin M. Hobart for Samuel F. Johnson. Joel H. Johnson. Black Dipe. Charles E. Thompson. John B. Wheat. John W. Higgins. Daniel S. Mills. William B. Benson. Lewis J. Hurlford. Abel W. Fuller. J. M. Edwards. Isaac H. W. W. Stone. George Tyler. Caleb Rich. James F. Pevins. Arvin W. Judd. Emma Taylor and the Crystal Lake Ice Company were defendants, was consolidated with this cause. to be treated and considered as a petition filed therein, a copy reference to said order will more fully appear. the pleadings, papers and proceedings of which are in the words and figures following to-wit-

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Bill

Circuit Court of Cook County
In Chancery

State of Illinois
Cook County

To the Honorable George Marniere
Judge of the Circuit Court of Cook County, In Chan-
cery sitting,

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Humbly complaining sheweth unto your
Honor your orator Alexander C Coventry, of Cook
County aforesaid that on the first day of July
A D 1857 one William Backus filed in this Honorable
Court his bill of complaint against William Baker,
George T. Clark, E. S. Bayler, Amos Page, Jacob P
Eastman A. A. Robert, Benjamin M. Robert Jr, Samuel
F. Johnson, Gad W. Johnson, Clark Life, Charles E.
Thompson, John S. Wheat, John W. Miggins, Daniel
L. Wells, William B. Benson, Lewis S. Mulford, Abel
W. Fuller, J. W. Edwards, Isaac S. Wilson, Jesse
W. Stone, George Tyler, Cabot Rich, James F. Pier-
son, Alvin W. Judd, Emmons Taylor in which a-
mongst other things he set forth and stated unto
your Honor that the said William Baker, George
T. Clark, E. S. Bayler, Amos Page Jacob P Eastman
A. A. Robert, Benjamin M. Robert Jr, Samuel F.
Johnson, Gad W. Johnson, Clark Life, Charles E.
Thompson, John S. Wheat, John W. Miggins, Daniel
L. Wells, William B. Benson, Lewis S. Mulford Abel W.
Fuller, J. W. Edwards, Isaac S. Wilson, Jesse W. Stone

1
George Tyler, Leabel Rich, James F. Peirson, Abram W. Spudd
E. mms Taylor were doing business with him said Backus
under the name of the Crystal Lake Ice Company, and on
which said bill of Complaint it was stated and set
forth that said Crystal Lake Ice Company was inso-
lent, that the same had never been legally formed that
the property was in danger of being lost, and pray-
ing amongst other things for the appointment of a
Receiver and that an injunction should issue out of
this Honorable Court restraining the defendants there-
in named from interfering with said Crystal Lake
Ice Company its property or effects, that on the
filing of said bill of Complaint as aforesaid
an order was entered by this Honorable Court
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" setting in Equity as follows.

In Circuit Court of Cook County
In Chancery

William Backus
vs
William Baker
Amos Page, Jacob
P Eastman Etal

And now this day comes the
said Complainant William Backus into Court by
E. Smith Williams his counsel and files his bill of
Complaint in the above entitled cause and the Court
having duly considered the said bill of Com-
plaint and having been advised of the matters

and things therein contained and having also duly considered the affidavits of Alexander C Coronty and Richard N Waydon here this day filed in said cause and being fully advised of the contents of said affidavits doth order and decree and this Court by virtue of the power therein vested hath ordered and decreed that Alexander C Coronty of Chicago be appointed receiver of all the property and effects both real and personal of the Crystal Lake Ice Company and that said receiver have full power to take and secure forthwith into his possession all the Real Estate and personal property, books of accounts, accounts notes Records, and all other the property and effects of the Crystal Lake Ice Company and that said Receiver have full power and authority when he has so received the said property both real and personal into his custody to proceed to sell and dispose of the same at either public or private sale as to him may seem most advantageous for the interests and for the protection of the rights of the creditors and share holder or partners of and in said Crystal Lake Ice Company said sale to be made by said Receiver on such terms and conditions as may to him seem best and most advantageous for the interests of all parties concerned, And out of the proceeds of such sale when so made that he shall proceed to pay the debts of said

Company according to the prayer of the bill filed in this cause and that he report his proceedings as such Receiver into the Court. And that said Receiver have full power to proceed with and complete the buildings of said Company now in the process of erection in the City of Chicago if he shall deem it necessary so to do, And that said Receiver file his bond in this Court in the penal sum of ten thousand dollars faithfully to execute and perform his duties as such Receiver with Andrew J Brom and James B Vaughn as sureties and that said bond be made to William De Church Clerk of this Court." As by the records of this Court will more fully and at large appear reference thereto being had and that on the entering of said order your orator did file his bond on said first day of July A D 1857 with James B Vaughn and Andrew J Brom as his sureties with W De Church Clerk of this Court in compliance with said order appointing him Receiver as aforesaid which said bond was at the same time approved of by the Honorable Court sitting in Equity and your orator did then take upon himself the duties of said Receivership in pursuance of your ^{said} order and in fulfilling of the trust reposed in him by the Honorable Court and did in pursuance of such order and in full compliance with the same on said first day of July

At 1857 take to himself as such Receiver and as
 such Receiver did enter into possession of all and
 singular the property real and personal of said
 Crystal Lake Ice Company and did take to himself
 the accounts, books of account, notes and records
 and all other property belonging to said Company to
 the knowledge of your orator and did continue to
 hold the said Real and personal property until
 the same was disposed of in pursuance of the
 orders and decrees of this Honorable Court as
 by the records of this Court in said cause herein
 before first referred to will more fully and at
 large appear and to which your orator crosses
 leave to refer. And your orator further shews
 unto your Honor that the said William Baker,
 George T. Clark, E. D. Bayler, Amos Page, Jacob
 P. Eastman, A. A. Robert, Benjamin M. Robert, Jr.
 Samuel T. Johnson, Joel W. Johnson, Clark Lipe,
 Charles C. Thompson, John S. Wheat, John W.
 Miggins, Daniel L. Wells, William B. Benson,
 Lemis J. Mulford, Abel M. Fuller, J. W. Edwards,
 Isaac J. Wilson, Jesse W. Stone, George Tyler,
 Caleb Rich, James T. Peirson, Abram M. Judd,
 Emons Taylor claiming that said order was
 not binding on them did on the day of Au-
 gust A 1858 commence an action of Trespass
 against your orator impleaded with Miriam
 Joy, Stanley W. Felton, Erastus J. Williams

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& William Backus in the name of said Crystal Lake
 Ice Company in the Book County Court of Common
 Pleas in which they charge that your orator was
 guilty of a trespass on the premises of said Crystal
 Lake Ice Company with the other defendants named
 in said suit on the first day of July A 1858 as
 by the declaration filed in said cause a copy
 whereof is hereunto annexed will more fully and
 at large appear and to which your orator craves
 leave to refer and make part of this his bill of
 complaint. And your orator further shews unto
 your Honor that he has been served with a sum-
 mon in said cause so commenced as aforesaid
 and has filed a plea in said cause, and that the
 same is now pending in said Book County Court
 of Common Pleas and is at issue in said Court.
 And your orator further shews unto your Honor
 that the only and all the trespasses which it is
 alleged have been committed by this defendant
 and for which the said suit against your
 orator with others has been brought in the Book
 County Court of Common Pleas was the en-
 tering unto and taking possession of the
 property of said Company in pursuance of
 the order of this Court herein before referred to
 and hereinbefore set forth and shews unto
 your Honor. And your orator further shews
 unto your Honor that it is not pretended or

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alleged that your orator was guilty of any trespass against the property or on the property of said Crystal Lake Ice Company except the entering into possession of the same on said first day of July A D 1857 in pursuance of the order of this Court and at the time of such entry the same was not made forcibly or with any force but that the same was made peaceably and without opposition and was made and done in pursuance of the order of the Court appointing him Receiver as aforesaid and that your orator as such Receiver has at no time and on no occasion gone beyond or exceeded the order of this Honorable Court appointing him Receiver as aforesaid and at no time has interfered with or intermeddled with any property of said Defendants in said bill of Complaint of said Backus herein before referred to or of said Crystal Lake Ice Company except such as he was ordered to take and receive into his possession by the said order appointing him Receiver but has at all times sought to and has at all times kept himself within such order and has but carried out such order in pursuance of the Decrees of this Honorable Court as a servant of this Court as of right he ought to do and as he was compelled to do And your orator further shews unto your Honor that no order has been entered in said cause

of Backus against Baker and others heretofore
 set forth and shown unto your Honor by which
 said defendants in said Bill of said Backus or said
 Crystal Lake Ice Company have or can claim to
 have any right permission or authority from this
 Honorable Court to commence said suit in said
 Cook County Court of Common Pleas against your ora-
 tor as has been heretofore stated and shown unto
 your Honor. And your orator would further shew
 unto your Honor that he has at several times and
 on several occasions applied to some of said
 defendants in said suit of Backus against
 Baker and others heretofore referred to that a
 majority of said defendants are non residents of
 the State of Illinois & he has not been able to see
 them, to apply to this Honorable Court for leave
 to commence said suit against your orator
 in the Cook County Court of Common Pleas that
 the matter might be passed on by this Court and
 your orator well hoped that the members of said
 Crystal Lake Ice Company would have complied
 therewith as in equity and in good conscience
 they ought to have done. But now so may it
 please your Honor said William Baker, George
 A. Clark, E. C. Bayler, Amos Page, Jacob P. East-
 man, H. A. Waker, Benjamin M. Robert, Samuel F.
 Johnson, Joel W. Johnson, Clarke Lipe, Charles
 E. Thompson, John S. Wheat, John W. Higgins

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Daniel L. Kelly, William B. Benson, Lewis J. Hunt-
ford, Abel M. Fuller, J. M. Edwards, Isaac B. Mich-
elson, Jesse W. Stone, George Tyler, Caleb Rich, James H.
Pierson, Abram M. Judd, Emons Taylor and said crys-
tal Lake Ice Company combining and confederating
together to and with divers other persons, as yet to your
orator unknown but whose names when discovered
your orator prays may be inserted herein as defend-
ants and they made parties hereto with proper and
apt words to charge them, how to injure and
oppress your orator; the said confederates suspect-
edly do now absolutely refuse to apply to this
Court for such leave to commence said suit
against your orator in said Cook County Court of
Common Pleas or to respect the order and decree
of this Honorable Court appointing your orator
Receiver and commanding your orator to take
into his possession said property as has been
heretofore shown unto your Honor, but do
insist and pretend that they have the right to
harass delay injure your orator in the prosecu-
tion of his said duties as Receiver as aforesaid
and so seek to interfere with obstruct and
molest the orders and decrees of this Honorable
Court and to set the same aside and as of
nought; Whereas your orator expressly charges
that said William Baker, George T. Clark
E. D. Bayles, Amos Page, Jacob P. Eastman, A. A.

Woke Benjamin M Woke for Samuel F Johnson
 Joel W Johnson, Clark Lipe, Charles E Thompson
 son John S Wheat, John W Miggins, Daniel
 L Mills, William B Benson, Lewis S Hulford
 Abel M Fuller, J W Edwards, Isaac S Wilson
 Jesse W Stone, George Tyler, Caleb Rich, James
 F Pearson, Abim M Judd, Emory Taylor and said
 Crystal Lake Ice Company have no right or
 authority and can not interfere with or obstruct
 your orator as such Receiver as aforesaid as long
 as he shall continue to comply with and follow
 out the order and decrees of this Honorable Court
 in said cause of Backus against Baker, Page
 and others appointing him receiver as aforesaid
 and that he is not liable to said William Baker
 George T Black, E S Bayler, Amos Page, Jacob P
 Eastman A A Woke Benjamin M Woke for
 Samuel F Johnson, Joel W Johnson Clark Lipe
 Charles E Thompson, John S Wheat John W Mig-
 gins, Daniel L Mills William B Benson
 Lewis S Hulford, Abel M Fuller, J W Edwards
 Isaac S Wilson, Jesse W Stone, George Tyler
 Caleb Rich, James F Pearson, Abim M Judd Emory
 Taylor or to said Crystal Lake Ice Company
 in damages or otherwise for any act done by
 him as Receiver so long as the same was done
 in compliance with the order of this Honorable
 Court and in pursuance of his duties as an

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offices of this Court obeying and respecting the Com-
mands and directions of this Court on him as such
officer as aforesaid, All of which acting and
doings of the said Confederates are contrary to
equity and good conscience and tend to the
manifest wrong and injury of your orator;

In tender consideration whereof and inasmuch as
your orator is remediless at and by the strict rules
of the Common Law and is only relievable in
a Court of equity where matters of this nature
are properly cognizable, To the end therefore
that the said William Baker, George T Clark,
E. P. Bayler, Amos Page, Jacob P Eastman, A. J.
Robert, Benjamin W Robert Jr., Samuel F
Johnson, Joel W Johnson, Clark Life, Charles
E Thompson, John D Wheat, John W Wiggins,
Daniel G Mills, William B Benson, Lewis J Woolford
Ed W Fuller, D. W. Edwards, Isaac J, Wilson
Jesse W Stone, George Tyler, Caleb Rich, James
P Person, Alvin W Judd, Emons Taylor and
said Crystal Lake Ice Company and their con-
federates may full true direct and perfect
answers make upon their respective corporal
oaths according to the best of their respective
knowledge information and belief to all and
singular the matters aforesaid and that as
fully and particularly in every respect as if
the same were here again repeated and

they particularly interrogated thereto and they to each
 and every part of the same and that the said William
 Baker, George T. Clark, E. S. Hazler, Amos Page
 Jacob P. Eastman, A. J. Wickett, Benjamin M. Wickett
 for Samuel F. Johnson, Joel W. Johnson, Clark Lipe
 Charles E. Thompson, John S. Wheat, John W. Higgins
 Daniel L. Mills, William B. Benson, Lewis J. Mel-
 ford, Abel M. Fuller & Co. Edwards, Isaac B.
 Wilson, Jesse W. Stone, George Tyler, Caleb Rich
 James F. Pierson, Alvin M. Fudd Emmons Taylor
 and said Crystal Lake Ice Company their con-
 federates solicitors attorneys agents and servants
 may be restrained by an Injunction issuing
 out of this Honorable Court from and directed
 and commanded to desist from further proceed-
 ing with or pursuing said suit of the Crystal
 Lake Ice Company against your orator now
 pending in the Cook County Court of Common
 Pleas an action of Trespass now at issue
 therein and that said defendants may be fur-
 ther ordered and commanded to desist from
 instituting or proceeding in any new or other
 action at Law against your orator on
 account of any thing done by him as Receiver
 in said cause of William Backus against
 William Baker, Amos Page, Jacob P. East-
 man Et al and that said Injunction may be
 made perpetual and that your orator may have

such other and further relief in the premises as to equity
 and good conscience may pertain. May it please
 your Honor to grant unto your orator the people
 mit of Injunction issuing out of and under the seal
 of this Honorable Court directed to the said William
 Baker, George T Clark, Ed Bayles, Amos Page, Jacob
 P Eastman, J A Kohler, Benjamin M Robert for
 Samuel F Johnson, Job W Johnson, Clarke Lipe,
 Charles E Thompson, John D Wheat, John W Wiggins,
 Daniel J Mills, William B Benson Lewis J Mulford
 Abel M Fuller, W Edward Isaac J Wilson
 Jesse W Stone, George Tyler, Caleb Rich, James F Peir-
 son, Abner M Judd, Emory Taylor William Backus
 and said Crystal Lake Ice Company their coun-
 sellors solicitors and agents commanding them and
 each of them absolutely to desist and refrain from
 prosecuting further against your orator in said
 suit of the Crystal Lake Ice Company against
 your orator impleaded with other in the Cook
 County Court of Common Pleas and now at is-
 sue therein and that said defendants do
 desist from instituting or proceeding in
 any new or other action at Law against your
 orator on account of any thing done by
 him as Receiver in the cause of William Backus
 against William Baker Amos Page Jacob P East-
 man Et als. And may it please your Honor
 that a mit of summons may issue out of and

under the seal of this Honorable Court to be directed to the said William Backus, William Baker George T Clark, Ed Cuyler, Amos Page, Jacob P Eastman, A A Robert, Benjamin M Robert Jr Samuel F Johnson, God W Johnson, Clark Lipe, Charles E Thompson, John S Wheat, John W Miggins, Daniel L Mills, William B Benson, Lewis D Newford, Abel M Fuller, J W Edwards, Isaac G Wilson, Jesse W Stone, George Tyler, Robert Rich, James H Peirson, Abner M Judd, Emons Taylor and said Crystal Lake Ice Company commanding them and each of them by a certain day therein to be inserted to be and appear before this Honorable Court and then and there to answer the premises and further to stand and abide by such order and decree therein as shall be agreeable to equity and good conscience, And your orator will ever pray &c

Alexander C Coventry

Beckwith Merrick & Cassin Sol
 of Beckwith of Counsel
 State of Illinois
 Cook County

Alexander C Coventry of said County being duly sworn deposes and says that he has read the foregoing bill of complaint by him filed aforesaid, that he knows the contents thereof and that the same and that the same

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and the matters therein stated are true to the knowledge of this deponent except as to the matters therein stated on information & belief & as to these matters he believes the same to be true
 Subscribed & Sworn to this 16th County
 18th day of May A D 1859

Charles R Sheldon Notary Public

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Let the writ of Injunction issue in conformity with the prayer in the above and foregoing bill of Complaint, the Complaint filing a bond in the penalty of one thousand dollars with a good and sufficient surety, the undersigned making this order in the absence from the County of the Circuit Judge Presiding.

To the clerk of the L B Paine Trust
 Circuit Court Cook Co Master in Chancery
 Cook Co

And thereupon to-wit on the said 14th day of June in the year last aforesaid said Complaint filed in said Court an Injunction Bond which is in the words and figures following to-wit

" Know all men by these presents that me Alexander C Coventry and Henry Smith all of Chicago in the County of Cook and State of Illinois are held and firmly bound unto

William Baker, George T Clark, E O Cuyler Mrs
 Page, Jacob P Eastman, Arthur A Robert, Benjamin
 M Robert Jr, Samuel F Johnson and W Johnson
 Clark Life, Charles E Thompson, John S Wheat
 John W Miggins Daniel L Mills, William Benson
 Lewis J Mulford Abel M Fuller, J W Edwards
 Isaac G Wilson, Jesse W Stone, George Tyler Caleb
 Rich James H Pierson Abim M Judd Emons Taylor
 & the Crystal Lake Ice Company in the sum of One
 thousand dollars to be paid to the said Baker
 Clark Cuyler Page Eastman Robert Robert John-
 son Johnson, Life Thompson Wheat Miggins
 Mills Benson Mulford Fuller Edwards Wilson
 Stone Tyler Rich Pierson Judd Taylor and the
 Crystal Lake Ice Company the survivor or sur-
 vivors of this then Executors administrators or
 assigns for which payment well and truly to
 be made we bind ourselves jointly and sever-
 ally and our respective heirs executors and
 administrators ^{jointly} ~~jointly~~ by these presents sealed
 with our seals and dated this fourteenth day
 of June A D 1859.

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Whereas the above named Alexander C Lowentry
 has filed his bill of Complaint ^{in the Circuit Court of Cook County} in the Chancery
 side of said Court against the above named
 Baker Clark Cuyler Page Eastman Robert
 Robert Johnson Life Thompson, Wheat Miggins
 Mills Benson, Mulford Fuller Edwards, Wilson

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Tyler Rich Person Judd Taylor & the Crystal
Lake Ice Company praying amongst other things
for an Injunction to restrain the further pros-
ecution of a suit commenced in the Cook
County Court of Common Pleas and now pending
in the Superior Court of Chicago brought by
said Crystal Lake Ice Company against said
County impleaded with Wiram Joy Starly No
Hleetwood Erastus S Williams and William
Backus and now at issue in said Superior
Court of Chicago and not yet brought to
trial and whereas L C Paine Free Master in
Chancery for Cook County has allowed an In-
junction for that purpose according to the
prayer of said bill upon the said Alexander C
Conentry giving security in the sum of One
thousand dollars

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Now therefore the condition of the above ob-
ligation is such that if the above bound-
den Alexander C Conentry and Henry Smith
his executors or administrators or any
of them shall & do well and truly pay or
cause to be paid to the said Crystal Lake
Ice Company or to the said Baker Clark
Duyler Page Eastman Robert Robert Johnson
Johnson Life Thompson Wheat Miggins Wells
Person Bulford Fuller Edwards Milson
Stone Tyler Rich Person Judd Taylor or either

of them their successors or assigns their execu-
 -tors or administrators or the executors or admin-
 -istrators of either of them all monies which
 may be received by the said Crystal Lake Ice
 Company or by said Baker Clark Leyles
 Page Eastman Robert Robert Johnson, John-
 son Life Thompson Wheat Wiggins Wells
 Benson Mulford Fuller Edwards Wilson
 Stone Tyler Rich Person Judd Taylor or
 either of them the collection of which may be
 stayed by such Injunction in the said dis-
 -tinction at law for debt or damages and costs
 therein & shall also pay such costs as may
 be awarded to the said Crystal Lake Ice Com-
 -pany and the other defendants in said bill
 of Complaint above referred in the bill filed
 by said Comentry then this obligation to be void
 otherwise to remain in full force and virtue

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Witness

At C Comentry Seal
 Henry Smith Seal

Approved

Lo b Paine Freer
 Master in Chancery look lo

And thereupon to-wit on the said 14th day of
 June in the year last aforesaid there was is-
 -sued out of and under the seal of said Court
 the peoples writ of Injunction directed to the

said defendants in the words and figures following to-wit

State of Illinois
County of Cook

The People of the State of Illinois to
William Baker, George T Clark, E J Bayles, James
Page Jacob P Eastman & Robert Benjamin
W Robert for Samuel F Johnson Joel W Johnson
Clark, Life, Charles E Thompson, John S Wheat
John W Miggins, Daniel L Kelly, William B
Penson Lewis S Mayford Abel M Fuller & W.
Edwards, Isaac J Wilson, Jesse W Stone
George Tyler Caleb Rich James T Pierson
John M Fudd Emmons Taylor William Backus

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& The Crystal Lake Ice Company defendants
and to your Attorneys Solicitors Agents and
Servants and to each and every of them greet-
-ing Whereas it hath been represented to the
Honorable George W Canine judge of the Sev-
-enth Judicial Circuit of the State of Illinois
and sole presiding judge of the Circuit
Court of Cook County in said Circuit and
State aforesaid on the part of A B Conventry
Complainant in his certain bill of Complaint
exhibited before S B P Freer Master in Chan-
-cery and filed in said Court against you the
said Defendants to be relieved touching the
matter therein complained of. In which said
bill it is stated among other things that you

are combining and confederating with others to in=
 jure the complainant touching the matter set forth
 in the said bill and that your actings in the prem=
 ises are contrary to equity and good conscience,
 And the said Master in the absence of said Judge
 having under his hand endorsed upon said
 bill the order that a Writ of Injunction issue
 out of said Court according to the prayer of
 said bill. We, therefore, in consideration thereof
 and of the particular matter in said bill set
 forth Do Strictly Command you the said Wil=
 =liam Baker George T Clark, E G Cayler, Amos
 Page Jacob P Eastman A A Wobert, Benjamin
 W Wobert, Samuel F Johnson, Joel W Johnson,
 Clark Lipe Charles E Thompson John S Wheat
 John W Miggins Daniel L Wells William B
 Benson Lewis S Keyford, Abel M Fuller & Co.
 Edwards Pease & Wilson, Jesse W Stone
 George Tyler, Walter Rich James T Pierson Abim
 W Judd, Emmons Taylor William Backus
 and the Crystal Lake Ice Company and
 the persons before mentioned and each and
 every of you, that you do absolutely desist and
 refrain from proceeding further against said
 complainant in a suit of the Crystal Lake
 Ice Company lately instituted against said
 complainant impleaded with others in the Cook
 County Court of Common Pleas (Now the

Superior Court of the City of Chicago) and now
 at issue therein and that you the said defendants
 do desist from instituting or proceeding in any
 new or other action at law against said com-
 plaintant on account of anything done by him
 as receiver in the case of William Backus against
 William Baker Amos Page Jacob P Eastman
 and others, until this Honorable Court in Cham-
 -ber sitting shall make other order to the
 contrary. Hereof fail not under the penalty of
 what the law directs, To the sheriff of said
 County to execute and and return in due form
 of law. Witness William L Church clerk
 of said Circuit Court, and the seal thereof
 at Chicago in said County this 14th day of
 June 1859

Wm L Church clerk

(Seal)

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And thereupon to-wit on the said 14th day of
 June in the year last aforesaid there was is-
 sued out of and under the seal of said Court
 the peoples writ of summons directed to the
 Sheriff of Cook County to execute in the words
 and figures following to-wit

State of Illinois)
 County of Cook) The people of the State of Illinois
 to the Sheriff of said County - Greeting. We
 command you that you summon William

Baker, George T Clark, E. G. Bayler, Amos Page
 Jacob P Eastman, A. A. Robert, Benjamin M Robert
 Jr, Samuel T Johnson, Joel W Johnson Clark
 Life, Charles E Thompson, John S Wheat John
 W Miggins Daniel L Wells William B Benson
 Lewis J Mulford Abel M Fuller J W Edwards
 Isaac J Wilson Jerey W Stone George Tyler
 Galit Rich James T Person Abm M Judd
 Emmory Taylor William Backus & Crystal
 Lake Ice Company, if they shall be found
 in your county personally to be and appear be-
 fore the Circuit Court of Cook County on
 the first day of the next term thereof to be hold-
 en at the Court House in Chicago in said
 County of Cook on the second Monday of July
 next to answer unto J B Conroy in his cer-
 tain bill of Complaint filed in the said Court
 on the Chancery side thereof, And have you
 thin and there this writ with an endorsement
 thereon in what manner you shall have exe-
 cuted the same. Witness William L Church
 Clerk of our said Court and the seal thereof
 at Chicago aforesaid this 14th day of June
 A 1859 Seal Wm L Church Clerk

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And afterwards to-wit on the 28th day of July
 in the year last aforesaid the said complain-
 ant by his said solicitors filed in said

Court his preceipe for alias summons which
is in the words and figures following to-wit
Circuit Court of Cook County = Chanery
Alexander & Coxentry

vs
William Baker Et al } The Clerk will please
issue alias summons in above entitled cause
directed to Sheriffs of Cook and McHenry
Counties returnable next term
Beekwith Merrick & Casim Sol
Chicago July 28th 1859

171
And thereupon to-wit; on the said 28th day of July
in the year last aforesaid there was issued out
of and under the seal of said Court the
peoples writ of alias summons directed to
the Sheriff of McHenry County to execute
in the words and figures following to-wit:
State of Illinois }
County of Cook } The People of the State of Illinois
to the Sheriff of McHenry County =
Greeting: We command you, as we have before
that you summon William Backus, William
Baker, George T Clark, E D Cuyler Amos Page
Jacob P Eastman A A Robert - Benjamin
W Robert Jr, Samuel F Johnson, Joel W John-
son, Clark Life Charles E Thompson John
S Wheat, John W Wiggins, Daniel S Wells

William B Benson, Lewis J Newford and W Fuller
 of W Edwards, Isaac B Wilson, Jesse W Stone,
 George Tyler, Capt Rich James T Pierson Abim M. Gidd
 Emmous Taylor and the Crystal Lake Ice Co if they
 shall be found in your County personally to be
 and appear before the Circuit Court of Cook
 County on the first day of the next term thereof
 to be holden at the Court House in Chicago
 in said County of Cook on the second Mon-
 day of October next to answer unto Alexander
 C Coventry in his certain bill of Complaint filed
 in the said Court on the Chancery side thereof
 And have you then and there this writ with an
 endorsement thereon in what manner you
 shall have executed the same, Witness William
 L Church Clerk of our said Court and the seal
 thereof at Chicago aforesaid this twenty eighth
 day of July A D 1859

Seal

Wm L Church Clerk

And afterwards to wit on the said 28th day
 of July in the year last aforesaid the said
 Complainant by his said solicitors filed in
 said Court his certain affidavit which is
 in words and figure following to-wit:
 Circuit Court of Cook County: In Chancery
 Alexander C Coventry }
 vs. }
 William Backus Etl }

State of Illinois }
 Cook County } Alexander C Coxentry of said
 County in the State of aforesaid Complainant in
 said Cause above entitled being first duly
 sworn deposes and says that George T Clark
 E J Cuyler, Amos Page, Jacob P Eastman
 Benjamin M Weohert Jr Samuel H Johnson
 Charles E Thompson, John W Higgins Daniel
 L Wells, Lewis O Guilford & W Edwards, Jesse
 W Stone, Emmons Taylor & William Backus
 defendants in said Cause above entitled are
 all non residents of the State of Illinois & that
 process cannot be served upon them

A C Coxentry

Subscribed and Sworn to
 Before me this 28th day of July
 A D 1859 Charles R Sheldon Notary Public

And afterwards to-wit, On the sixth day of Sept-
 ember, in the year last aforesaid by the Sheriff
 the Sheriff of the Henry County returned into
 said Court the writ of summons heretofore
 issued to him. endorsed as follows to-wit,
 Served this writ on the within named Joel W
 Johnson, John S Wheat, George Tyler, James
 T Person, Abel M Fuller & A Weohert by de-
 livering a copy thereof to each the 6th

day of August 1859

Fees, Service	6	3,00
Copy	6	3,00
Mile	17	85
Return	11	

48
 695
 Edm^d E Thomas Sheriff

The other defendants named in the writs named
 Sums not residents, not found in my County
 E E Thomas Sheriff

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And afterwards to wit - On the 4th day of Sep-
 tember in the year last aforesaid the Sheriff of
 Cook County returned into said Court the
 writ of summons heretofore issued to him
 endorsed as follows to wit, Served by leaving
 a copy with A A Robert & to William Baker
 by leaving a copy at his usual place of abode
 with Elizabeth Baker she being a white per-
 son over threety years of age this 23^d day
 of June 1859

2 Copies	1,00	
2 Services	1,20	
4 Miles	20	Pd by Plf Atty
1 Return	10	
	<u>\$ 2,30</u>	

John Gray, Sheriff
 By A C Messing Deputy

And afterwards to wit on the 14th day of September in the year last aforesaid the writ of Injunction heretofore issued was returned by the Sheriff of said County endorsed as follows to-wit:

Injunction: Writ, By direction of the Plaintiff I have served this writ on William T Burgess Attorney for the within named defendants by giving a true copy thereof to him this 22nd day of June 1859

Fees & Services 50

1 Copy 50

175
 Message 10 Pd by Plfs Atty

Return

10
 \$120

John Gray Sheriff
 By A O Messing Deputy

And afterwards to wit, at the January Term of said Court to-wit On the first day of February in the year of our Lord One thousand eight hundred and sixty two the following proceedings among others were had and entered of record to-wit:

Alexander & Country

vs

William Backus, William Baker, George T. Clark, E J Cruyer, Amos Page Jacob P. Eastman A A Robert, Benjamin W No-
bert Jr, Samuel F Johnson, Paul W Johnson
Mark Life, Charles E Thompson John
J Wheat, John W Higgins, Daniel L
Mell, William B Linson Lewis J Mel-
ford Abel W Fuller, J W Edwards, Isaac
J Wilson, Jesse W Stone, George Tyler
Calib Rich, James F Pearson Edwin W
Judd Emons Taylor and the Crystal Lake
Co. Company

Bill for
Injunction
&c

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On motion of Mr Burgess of Counsel for said
Defendants and by and with the consent
of the said Complainant it is ordered that this
cause be consolidated with No 9421 and that
the Bill in this cause be treated as a petition
in that suit

And afterwards, to-wit: on the Eighteenth day of February
in the year last aforesaid, the same being one of the days of
the February Term of said Court, the following proceedings,
among others, were had and entered of record, to-wit:

James R. Root - administrator of the
Estate of William Baker, deceased

William Baker, Amos Page, Jacob P
Eastman, John W. Miggins, George P.
Clark, Deane H. Wilson, Benjamin W
Robertson, M. Hobart, William B. Benson
of Counsel for Samuel H. Johnson, Joel W.
Johnson, Clark Lipe, Samuel M. Perry,
John S. Wheat, Abel M. Fuller, J. H. Edwards,
Jesse M. Stone, George Tyler, Etal

= Bill for Relief

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= This day again came

the said parties by their respective solicitors, and on motion of
said Complainant's solicitor, no objection being made thereto
it is ordered that said Complainant have leave to file a
Supplemental Bill of Complaint in said Cause in the
nature of a Bill of Revivor or Review on or before Saturday
morning next; And the Court being now sufficiently
advised of and concerning the motion of the defendant
heretofore entered to set aside all proceedings of this
Court had and entered of record in said Cause,
doth order that said motion be and the same
verb, is overruled

And afterwards to-wit: On the Fifteenth day of February in the year last aforesaid said Defendants filed in said Court their certain motion for Dissolution which is in the words and figures following to-wit:

In the Court Circuit Court
 In Chancery
 Root Adm^{ts} of Backus }
 vs }
 William Butler et al. }

179 The Defendants move
 a dissolution of the injunction granted
 upon the Petition of A. C. Country filed in
 this cause. For leave to sue him at
 Law by the Crystal Lake Ice Company
 for damages &c.
 W. T. Burgess

And afterwards to-wit: On the Twenty fourth day of February in the year last aforesaid Francis W. Buckingham Administrator &c. filed in said Court his certain Supplemental Bill which is in the words and figures following to-wit:

Circuit Court of Cook County.

In Chancery

To the Honorable George Maniere Judge of
said Court:

180 Humbly complaining sheweth unto your
honor your orator Francis R. Buckingham
Administrator of the estate of William Backus
deceased, who brings into Court here letters
of administration granted by the County
Court of Cook County that on or about the
1st day of July 1857 the said William Backus
exhibited his bill of complaint in this Court
against William Baker, George R. Clark, P. C. Caylor
Amos Page, Jacob R. Eastman, A. B. Hobart, Benjamin
H. Hobart for Samuel F. Johnson, Joel W. Johnson
Clarke Lipe, Charles C. Thompson, John S. Wheel
John W. Wiggins, Daniel S. Wells William B. Benson
Lewis J. Mulford, Abel W. Fuller, J. W. Edwards
Leane P. Wilson, Jesse M. Stone, George Tyler,
Caleb Rich, James F. Person, A. W. Judd, and
Emmorse Taylor as owners & holders along with
said Backus of the Capital Stock of what
was called the Crystal Lake Ice Company
in and by which said bill of complaint,

if true and is stated and alleged in substance as follows-

That on or about the 15th day of December 1855 Amos Page Charles L. Thompson, John H. Higgins, George P. Clark together with Daniel L. Wells associated themselves together and purported to form a corporation for the manufacturing cutting working rendering and dealing in ice under the name of the Crystal Lake Ice Company, that for that purpose the said Amos Page Charles L. Thompson Daniel L. Wells George P. Clark & John H. Higgins did cause to be filed in the office of the Clerk of the County of Cook and State of Illinois a certificate of incorporation a copy of which is annexed to said original bill, marked exhibit A and made a part thereof in and by which certificate it is stated that said Corporation was formed under and in pursuance of a law of the State of Illinois entitled an Act to authorize the formation of corporations for manufacturing agricultural mining & mechanical purposes - Approved February 10th 1849 and in and by which certificate it was also further made to appear that the capital stock of said company was

the sum of fifty thousand dollars divided into five hundred shares of one hundred dollars each, and whereby it was further made to appear that the number of Trustees of said company should be five, and that all of said Corporation were to be Trustees for the space of one year, and that the place of business of said company should be the town of Algonquin in the County of McHenry in the State of Illinois, and in the City of Chicago in the County of Cook aforesaid.

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That at the time of the formation of the Crystal Lake Ice Company the said 500 shares of stock of said Company was taken and held in the following proportions to wit. William Baker owned and possessed 5 shares thereof - George P. Clark 34 shares - E. J. Cuyler 5 shares - Amos Page & Jacob P. Eastman under the name of Eastman & Page 100 shares - A. A. Hobart 10 shares - Samuel F. Johnson 50 shares - Joel H. Johnson 60 shares - Clark Lipe 10 shares - Charles E. Thompson 33 shares - Samuel W. Perry 30 shares - John W. Triggins 33 shares - John S. Wheat 10 shares - Daniel C. Mills

50 shares - Emmore Taylor 10 shares - and the said Complainant William Backus 23 shares of the said stock, leaving 13 shares then undisposed of - upon which 485 shares of stock, assessments to the amount of sixty dollars per share have been levied, amounting in all to \$29,100.⁰⁰ upon which said assessments there was only paid the sum of \$28,033.⁷⁵

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That the names of said stockholders and the amounts due on said several shares of stock of said Company, are fully set forth in schedule B. annexed to said original bill and made a part thereof - that each and all the holders & owners of the stock of said Company are in default on the payment of the amounts levied on their stocks and that the last assessment levied on the stock of said Company, which is now fast due, is remaining unpaid by said stockholders, and that each of said stockholders have failed and neglected to pay the said last assessment.

That since the formation of said Company such further proceedings have been had with regard to the stock

of said company that said J. W. Johnson has disposed of 45 shares ^{the} they standing in his name in the manner following: to Isaac G Wilson of Kane County 10 shares - to Abel W Fuller 10 shares - to George Tyler 15 shares & J. W. Edwards 5 shares and to Caleb Rich 5 shares - all of which sales & transfers were made about the 13th day of March 1857 and all of which is now held by them, except as to said Tyler, by whom 10 shares have been transferred to A. Gudd, that in & during the month of March 1856 Charles E. Thompson transferred his said 33 shares to said John W. Triggins, and that in the same month said Triggins transferred 30 shares of his said stock to said Eastman & Page and at the same time also, transferred to W. B. Benson 16 shares of his said stock which said 16 shares were by said Benson subsequently assigned to L. J. Mulford, by whom they were subsequently transferred to said Benson and the same finally became transferred to said Triggins. And that divers other transfers of stock were made in manner and form set forth in said bill, and that the said several transfers were made without the knowledge or consent of said Backus, and that he had but then

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been acquainted therewith - that soon after the
 filing of said certificate of incorporation the
 said Trustees named therein viz. Amos Page
 John W. Triggins, Charles E. Thompson, Daniel C. Wells
 and George P. Clark met and pretended to organize
 said company by the appointment of Amos Page
 as Pres^t - and George P. Clark as Secretary and
 Treasurer of said Company - that on or about
 the 28th day of March 1856 said Clark resigned
 said offices of Secretary & Treasurer, but still
 retained his office of Trustee and at the same
 time resided in Boston Massachusetts; that
 at the same time the said Charles E. Thompson
 resigned his office of Trustee and Samuel W. Perry
 was appointed in his place as Trustee and was
 also then appointed Sec & Treasurer in place
 of said Clark: that subsequently on the
 4th day of April, 1856 the said Triggins
 resigned his office of Trustee of said Company
 and William B. Benson of Wisconsin was
 appointed to his place as Trustee, leaving
 Samuel W. Perry the only Trustee of said Company
 who was a citizen of Illinois - that said Benson
 continued to act as Trustee of said Company
 until the 29th day of November 1856, although
 for most of the time, not a holder or owner of
 any of the stock of said Company -

that said Benson on the 29th day of November

1856 resigned his office of Trustee of said Company and that said Triggins was appointed Trustee in his place - that on the 30th day of March 1857 said Perry resigned his office of Treasurer and Secretary of said Company, and that Alexander C. Corntrey who was not and is not a stockholder in said Company was appointed to fill such vacancy - that about the day last aforesaid said Perry and Triggins removed from the State of Illinois to the State of Wisconsin, by reason of which said Company had no Trustee who was then a citizen of the State of Illinois contrary to the statute under which said Company pretended to organize -

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That by the by-laws of said Company the annual meeting of the stock holders of said Company was to be holden at its office in the city of Chicago on the first Monday of November in each year. and that the Trustees of said Company were to be elected annually at such meeting, and that no annual meeting was held at the office of said Company or at any other place on said first Monday of November A. D. 1856 and that the annual meetings of the stock holders of said Company has not been held since that time - that the Secretary of said Company did not give thirty days notice of a meeting of said Company as he is required

by law to do, but that the Trustees of said Company pretended to hold over in their offices without any election or right.

187 That subsequently and at a meeting of the stockholders of said Crystal Lake Ice Company held at their office in the city of Chicago on or about the 15th day of June A. D. 1857, the said Triggins, Clark, Perry & Wells were removed from their said offices and said Amos Page resigned his office, and at the same time said Amos Page of Wisconsin and Samuel F. Johnson and William Baker of Illinois were elected Trustees to fill the vacancy - that the said Company has never complied with the requirements of the statute of the State of Illinois "entitled an act to authorize the formation of corporations for manufacturing agricultural mining & mechanical purposes, under which act said Corporation purports to have been formed, in this that they have never kept a book in their office, alphabetically arranged containing the names of the stockholders of said Company, with the place of residence and number of shares, held as such, and the amount of stock paid in - that they never have published in any newspaper a report, showing the amount of capital, the proportion paid in and amount of existing debts, and for the further reason that one half of the capital stock of said

Company was not paid in within one year of its
said organization, and has never yet been paid
in, and for the further reason, that the said
company has never engaged in any manufacturing
agricultural, mining or mechanical business
But on the contrary thereof has been engaged
in the business of cutting and rounding ice, and
said last mentioned business is all the business
the said company was formed or purported to be
engaged in, and that there is no such business
known as the manufacturing of ice - that said
company has never been legally organized as
a corporation and never has existed as a corporation
but that as a matter of fact the same has been since
its organization a general co-partnership - and, that
the property of said company is now held as
general partnership property - and that, if
said company was ever legally organized and
ever existed as a corporation, that it ceased to
exist as such, on the 13th day of December A.D. 1856
for and by reason of the fact that one half of the
capital stock of said company had not been
paid in on that day as is required by the statutes
in such case made and provided - and that, since
that time, if it ever existed as a corporation which
said Complainant denies that it has ceased
to exist as such for the reason above stated and
the property is now held as partnership property

and the members of said company are severally liable for the debts of said company as co-partners as aforesaid -

That soon after the formation of said company as has been herein before stated and more fully set forth, that the said company commenced the cutting of ice and the erection of ice houses at Crystal Lake in the Town of Algonquin in the County of McHenry, for the purpose of storing said ice, and did also at the same time purchase some small tracts of land of moderate extent for the purpose of erecting said ice houses on the same, and did also at the same time purchase the land and right of way, for the laying of a Rail Road track from their said ice houses to the Chicago St Paul & Fond du Lac Rail Road. the title to all of said grounds and tracts of land so purchased as aforesaid being taken in the name of said Amos Page and by him held as Trustee for the company a full description of all of which said lands so purchased as aforesaid, is contained in a schedule annexed to said original bill marked Exhibit "C" and which is made and taken as a part of said bill of complaint, and at the same time or shortly after the said Company commenced the laying & grading of a Rail Road track in said grounds from

their said ice houses to said Chicago St Paul
and Fond-du-Lac Railroad Company, a distance
of one mile and seven eighths of a mile in
lengths all of which said works were erected
and furnished at a great and improvident
expense and without regard to the true interest
of the stockholders of said company -

That the said Company did continue in the
said business of dealing in ice and in the
transporting of the same from Crystal Lake
to Chicago during said season of A. D. 1856
and that they did transport the same to Chicago
and there sell the same and that their said
business was conducted as during said year
1856, at a loss to said company of more than
190 six thousand dollars -

That said company during the winter of
1856 continued in their said business of
cutting and housing ice, that the same owing
to the severity of the weather and in part to
mismanagement was conducted at a great expense
to said company - and that said company for
the purpose of conducting their said business
was necessitated during the spring of 1857 to
make heavy purchases of horses, wagons,
harness and other articles to assist in the
delivering of ice in the city of Chicago - and to
proceed to the erection of houses and fences

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 in the city of Chicago, which were nearly completed for the stabling of said horses and the storing of said wagons, all of which has been done at great expense, and that said company was then continuing its said business and conducting the same in the city of Chicago aforesaid at a very great expense and at a daily loss to said company and said complainant - that the business of said company was at the time said bill was filed conducted at a loss to said company of more than five hundred dollars per month - that the said company was at the time said bill was filed, greatly in debt and embarrassed for want of means - that it was more than seven thousand dollars in debt - that the several holders of the stock or shares in said company had each and all of them failed and neglected although requested so to do, to help the said company or to contribute to or to advance the means to relieve said company from its embarrassments or to help meet the demands against said company -

That during the month of April 1857, a judgment was obtained against said company in Cook County Court of Common Pleas in favor of Wilcox Lyon & Co for the sum of four hundred and twelve $\frac{25}{100}$ dollars, beside

seven ⁶⁵/₁₀₀ dollars costs, upon which said judgement execution has been issued out of said Court and was then in the hands of the Sheriff of Cook County, and said company was liable at any moment to have the personal property of said Company sold to satisfy said judgement as obtained as aforesaid.

That all the creditors of said company had then for a long time been delayed in the payment of their demands and were daily threatening to commence proceedings against said company to enforce the payment of their demands -

192 That the notes and acceptances of said company were fast maturing and coming due and that no provision had been made for the payment of the same, and that the same when they should fall due, could not be met for the reasons above stated -

That the said company from the nature of its business was compelled to employ a large number of laborers and other servants and that said Clerks laborers & servants of said company had been for a long time past delayed and kept out of their wages, and that a party of said laborers & servants of said Company were then on a strike and refused longer to work for said company or to permit others to work for the same, for

the reason that their wages have not been paid to them and that said company was greatly in debt to them and that said company had no means to meet the demands of their said servants or employees, and that in opinion of said complainant, it was impossible for said company longer to carry on its business for the reason above stated -

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That all the property of said company excepting its real estate which was of little value and of a perishable nature and could not be kept except at great expense and deterioration in value, and that if said property of said company were sold at a sheriff's sale or a forced sale, it could not realize sufficient to pay the demands against said company - and could not be disposed of except at a very great sacrifice on its true value - that the business and property of said company was of a peculiar nature and one which would at the that time, at a fair sale, realize more than sufficient to satisfy all demands against said company - and would most fully protect the interest of the stockholders of said company, but that the same, if held till the warm season has passed

could only be so held at a heavy expense and loss to the creditors and stockholders of said company and at a very great depreciation on the amount and value. It, at the end of said season or later in said season, could not be sold at as large a price as can then be obtained for the same.

1944 That a large proportion of the property of said company consisted of three thousand tons of ice which if it were carried over with the warm weather must greatly deteriorate in value and lessen in amount. - That the wagons of said company are wagons that are built expressly for the ice business, and of comparatively little value for any other business, and that if held until the fall would not sell until the next spring or summer. - That the said company was then the holder of a large number of horses which were kept at a daily expense to said company and the same is true of all other the property of said company.

That said company was then hopelessly insolvent and that if the property of said company was not sold by a Receiver to pay the debts of said company, that then and in that case, the same would be sold at a Sheriff's sale to satisfy the

judgements existing against said company and would be disposed of at a very great sacrifice -

That the real estate held by said company and standing in the name of Amos Page, was of very little value except for said ice business, and from its situation and position as well as nature that it was greatly for the interest of all parties concerned that it should be sold with the other personal property of said company -

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That the said four hundred and eighty five shares of said stock of said company, three hundred and twelve shares represented by eleven different holders was held by persons residing in the States of Wisconsin, Michigan and Massachusetts and in the Territory of Minnesota, who were all residents of the State of Illinois and that the remaining one hundred and seventy two shares, represented by twelve different holders, was held and owned by parties residing in the State of Illinois and but two of the holders of said stock besides said Baker, who did business in Chicago, resided in the County of Cook, where the principal business

of, said company was then transacted.

That all of the shareholders in said company had been fully advised of the present condition of said company and had been urged to assist said company to meet its liabilities, but that they had all neglected and failed so to do.

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That said complaint was, that the affairs of said company were daily becoming more involved and embarrassed, and that said company could not continue in its said business for the reasons herein before stated and shown and that it was absolutely necessary for the protection of the rights and interests of the creditors as well as of the stockholders of said company that a Receiver should be immediately appointed for said company, who should have the power to take and receive into his possession all and singular the property of said company both real and personal, and should have full power and authority to make an immediate sale of the effects and property of said company both real and personal on the best terms that could be obtained for the same, and that the proceeds of said sale should be applied first towards the payment of the debts of said company.

That owing to the great number of the shareholders in said company, and also for the reason that

as great a majority of the shares of said Company were held by persons residing out of the State of Illinois as has been herein before stated and shown, it was impossible to close the said Company without the interposition and aid of this Court.

That at a meeting of the stockholders or shareholders of said company held at their office in the city of Chicago on the 15th day of June A.D. 1857, the holders of the three hundred and fourteen shares of the stock of said company being present or represented at such meeting and voting the following resolution was unanimously passed -

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That the Trustees or a majority of them have full power and authority if in their discretion it is advisable so to do, to sell all the lands, horses, houses, wagons, harness, tools, ice fixtures and all the other property of this company, on such terms and conditions as may to them seem best for the interest of the company provided that such sale shall be for a sum not less than ten thousand dollars -

That subsequently on said last mentioned day at a meeting of the Trustees of said Company held at their office in the city of Chicago, an assessment was levied on the stock of said company

payable within two days and the Secretary of said company was directed forthwith to notify each shareholder of said company of said resolution passed at such meeting of the stock holders, herein before stated and shown, and to notify them at the same time of the resolution assessing said two per cent on the stock of said company and to further inform them at the same time that if said assessment was not promptly responded to within said two days by the holders of two thirds of the stock of said company, that the same and all its property both real and personal would be sold by said Trustee, under and by virtue of the power conferred by said resolution -

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That the Secretary of said Company did forthwith notify said shareholders or partners in said company of all of said resolutions as he was instructed to do by said Trustee, and that said call was not responded to by said shareholders nor by the holders of two thirds of the stock of the same - that a majority of the Trustees of said company were then absent from the city of Chicago and from the State of Illinois and that the complainant had no means of knowing when a majority of the Trustees of said company

would return to said City, and that, the said company could well and safely be closed up by said Trustees, and the property of said company safely sold under and by virtue of said resolution herein before referred to -

199 That said complainant was a person of small means and that he was daily in danger of being compelled to meet and satisfy the demands existing against said company, by reason of his being a general partner in the same as is therein before stated and shown - and for the further reason, that the holders of stock in said company residing in the County of Cook were also persons of small means and not able to meet and satisfy the demands existing against said Company -

That said bill was filed and brought into Court by said complainant as well to protect his own interests as the interests of all the creditors of said company and the several members of the same -

And, the said complainant in and by his said bill of complaint after making the allegations and statements therein herein before set forth, therein amongst other things, prayed that said Crystal