


No. 13524 $\frac{1}{2}$

Supreme Court of Illinois

McPherson.

vs.

Holdridge.

71641  7

STATE OF ILLINOIS, SUPREME COURT,

THIRD GRAND DIVISION,

APRIL TERM, 1860.

HARVEY McPHERSON, *et al.*, }
vs. }
ASA HOLDRIDGE.

POINTS FOR DEFENDANT.

1. No legal notice was ever given to said Holdridge that said Commissioners intended to lay out any road whatever.

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2. No legal notice was ever given him that said Commissioners intended to assess his damages thereon, and no opportunity was ever given him of being heard on the subject.

abs. 5.

8 ver L 389.

16 Barb 392.

3 Ill ch 186.

2 English 390.

25. " 635.

3. After said appeal was taken, and the time and place of the meeting of said Supervisors fixed, and the said Commissioners and three of said petitioners notified thereof, said Supervisors did not meet at such time and place, and did not take any action whatever upon said appeal.

abs - 4

4. Said time of hearing said appeal was not at any time adjourned.

abs - 4

5. When said Supervisors did finally act upon said appeal, they had no jurisdiction over the subject matter, for the following reasons:

1. They gave said appellants no notice whatever of the time and place of meeting.

2. They did not meet in the town where said road was situated.

3. They did not personally examine said road.

4. They did not meet at or near the line of said road.

22 Dec 478.

GLOVER, COOK & CAMPBELL,
Attorneys for said Defendant.

McPherson was

Asa Holmberg

Points for Defect
in Error

13524

Tell Apr 26. 1862
L. Helander
Clerk