

No. 13720

# Supreme Court of Illinois

Palmer

---

vs.

Spafford Clark & Co.

---



to the writtill named Dft "E. G. Ricker Const. Jan 27/59.  
And now on this day comes this cause for a hearing,  
Pltffs file a prom. note signed by Dft as above set forth  
Dft appears not therein wholly makes default said  
note in evidence the Court considers that pltffs have judg-  
ment against Dft for sixty four  $\frac{12}{100}$  dollars damages and  
 $\frac{84}{100}$  dollars cost & have execution therefor

J. G. Maulove, J. P.

Feby 19/59 And now on this day comes Shff. Milliken  
and serves a Supersedeces from the County Court commanding  
&c whereupon papers herewith sent up to County Court,

J. G. Maulove, J. P.

Justice fees \$1.06

Const. R. ,30

Copy of Note on file in said County Court in the  
above entitled cause;

\$61.05

Rockford Jan'y # 1858

Ninety days after date I promise to pay to the  
Order of B. Mc Kenney Sixty one  $\frac{45}{100}$  Dollars, value  
Received, n

Due

C. H. Palmer

Endorsed on said Note,

B. Mc Kenney. Filed June 9. 1859. Wm Hubbs. Clk.

Winnebago County Court June 9, A. D. 1859

No 51

Spafford, Clark & Co

agt

(Charles H. Palmer)

} Appeal by Palmer from Maulove

And now come the Plaintiffs by Wight & Sawyer  
their Attornies, and the Defendant by Moilles & Hathaway  
his Attorney also comes, and issue being joined herein by  
agreement of the parties this cause is submitted to the  
Court for trial without the intervention of a jury, and the  
Court having heard the evidence and arguments of counsel,  
finds the issue for the Plaintiffs and assesses their damages  
against the said Defendant at the sum of (\$65.35) Sixty  
five dollars and thirty five cents, and it further appearing  
to the Court, that this appeal herein, was taken for delay,  
it is ordered that the said plaintiffs have judgment for  
the further sum of (\$3.82) Three dollars and Eighty two cents,  
it being damages at the rate of six per cent for such delay,  
It is therefore considered and ordered by the Court, that  
the said plaintiffs have and recover of the said Defendant, the  
said sum of \$65.35, and also the said sum of \$3.82 amounting  
in the whole to the sum of \$69.17, damages as also their costs  
and charges as well, in the Court below, as in this Court ex-  
pended, and that they have execution therefor. And thereupon  
the said Defendant prays an appeal to the supreme Court of  
the State of Illinois, which is allowed, provided the said  
Defendant by Saturday morning next, file in this Court  
his appeal Bond in due form of law in the penal sum of  
(\$150.) One Hundred and fifty dollars signed and  
sealed by himself as principal and by Elisha Kirk, as  
security who is hereby accepted and approved as such.

State of Illinois  
Winnebago County } ss.

The people of the State of Illinois to  
the Sheriff of said County Greeting: Whereas, in a certain cause  
lately pending before James G. Moanlove Esquire one of the  
Justices of the Peace within and for said County, wherein Spafford,  
Clark & Co are Plaintiffs and Charles H. Palmer is Defendant,  
Judgment was rendered by said Justice against the said  
Palmer, from which Judgment the said Palmer has  
appealed to the County Court of said County:

We Therefore Command you that you Summon the  
said Spafford, Clark & Co to be and appear before said Court,  
on the first day of the next term thereof, to be held at the Court  
House in Rockford, on the first Monday in March A.D. 1859  
at ten o'clock in the forenoon, and abide by and perform the  
judgment of said Court in the premises.

Witness, William Huliv, Clerk of said Court,  
and the Seal thereof, at his Office in the City of  
Rockford, in said Winnebago County, this Eighteenth  
day of February A.D. 1859.  
William Huliv, Clerk.

Enclosed on said Summons.

State of Illinois, Winnebago County. I duly served this  
writ by reading the same to the within named defendants  
to wit: to Charles H Spafford, Dexter G Clark, and Lorenzo  
Sawyer, this 25<sup>th</sup> day of Feb. A.D. 1859.

King H. McIliken, Sheriff.

State of Illinois  
Winnebago County } ss

I, William Hulin, Clerk of the County Court for said County do Certify, that the foregoing is a full and true Copy of the records and papers in said Court in the above entitled Cause, as required by the preccipe of the Plaintiff's Attorney, as appears by the records and filed of said Court in my office remaining. And <sup>in</sup> Compliance with said preccipe, I further Certify, that on the 18<sup>th</sup> day of June, A.D. 1859, pursuant to the foregoing order, said Defendant Charles A Palmer filed in said Court on the Eighteenth day of June, A.D. 1859. his appeal Bond in form and penal sum and with the security by said order required, which said Bond is now on the files of said Court in my office remaining.

Given under my hand and the seal of said Court, at my Office in Rockford, this twenty sixth day of April A.D. 1860.

William Hulin, Clerk.

Transcript & Certif. #132. W. H.

369

Charles H. Palmer

vs

Charles H. Spafford

---

Cont. of Appeal

13720

Filed May 1st 1860

L. Leland  
Clerk

\$69.17

10

---

\$6,21.09

*[Signature]*