

No. 14650

Supreme Court of Illinois

Higgins

vs.

Cadwell

71641  7

STATE OF ILLINOIS,
SUPREME COURT,
THIRD GRAND DIVISION.

No. 142

J. W. Middleton & Co., Stationers, 196 Lake St.

1864

*James
C. Smith*

~~142~~ 142

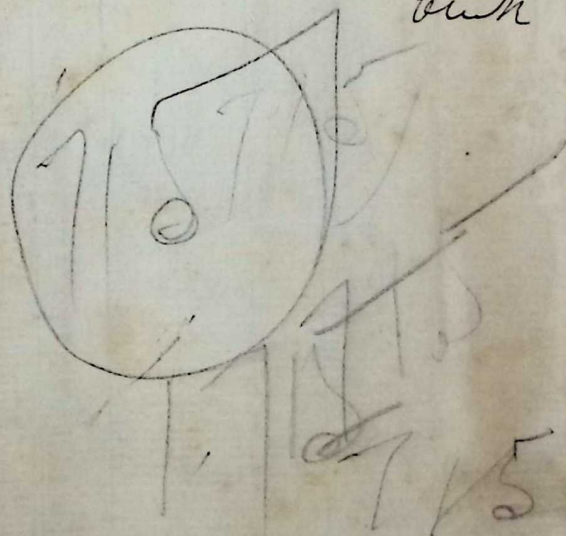
Ebenzer Higgins
& John H. McMillan
as appraisers

Jacob A. Cadwell
appraiser

certificate of appraisal

Filed April 13. 1884

L. Leland
Clerk



State of Illinois }
Safall County }^{ss} Pleas before the Honorable
Madison C. Hollister the
Judge of the Ninth Judicial
District of the State of Illinois, and
the Presiding Judge, of the Safall County
Circuit Court in Said State, at a
Term of Said Court, begun and held
at the Court House in Ottawa
in Said County, and State, on the
Second Monday in the Month of June
the Same being the Ninth day of
June, in the year of Our Lord, One
Thousand, Eight Hundred and
Sixty Two, and of the Independence
of the United States of America the
Eighty Fifth

Present The Honorable
Madison C. Hollister Presiding Judge
Abraham B. Moore Clerk
Eli L. Waterman Sheriff
David P. Jones. State Attorney

Be it remembered that heretofore To-wit:
on Saturday the 28th day of June, the Same
being one of the days, of said Court for
Said Term in said year, the following
proceedings were had, & entered of record
in the words & figures following
Do Prof.

11 Jacob A. Cadwall 3
us 3
Ebenzer Higgins 3
John H. McMullan 3

This day again come
the parties hereto by their attorneys
and after arguments of Counsel, it
is ordered by the Court, that the
Motion for a new trial heretofore
entered in this cause, be overruled,
to which ruling of the Court the de-
fendants by Counsel except.

It is therefore considered by the Court, that the Said Plaintiff have and recover of the Said defendants the Said Sum of Six Hundred and Seven Dollars and Sixty Cents for his damages, also his Costs and Charges by him herein expended and that he have execution therefor.

The Defendants by their
attorneys now pray an appeal
herein to the Supreme Court
which is allowed upon condition
that Said defendants do within
ten days from this date, file a
bond and bill of exceptions herein
Said bond to be made payable to
the Plaintiff in the penal sum of

One Thousand Dollars, with Security
to be approved, by the Clerk. "

Be it remembered that heretofore
Do It: on the 9th day of July 1862
an appeal Bond, was filed by
the Clerk, of Said Court, in the a-
foregoing mentioned Cause, which
Bond is in the words & figures following
Do It:

" Know all men by these
presents that we Eleazer Higgins, John
H. McMillan and Theron G. Brewster of
the County of LaSalle, and State of Illinois
are held and firmly bound, unto Jacob
A. Cadwell, in the penal sum of One
Thousand Dollars, for the Payment
of which well and truly to be made
we bind ourselves, and each of our
heirs, executors & administrators firmly
by these presents. Witness our hands and
seals this - day of July 1862.

The Condition of the above obli-
gation is Such that whereas the above
named Jacob A. Cadwell did at the June
Term, of the LaSalle County Circuit Court
recover a judgment against the above
bounden Eleazer Higgins and John

H. McMillan for the sum of Six
 Hundred and Seven Dollars and
 Sixty cents and costs, of this sum,
 which judgment said Higgins and
 McMillan have prayed and appeal
 to the Supreme Court of the State of
 Illinois, now therefore if said Higgins
 & McMillan shall prosecute their
 said appeal with effect, and shall
 pay whatever judgment may be rendered
 upon a trial or dismissal of said appeal
 against them then this obligation to be void
 otherwise to remain in full force and effect.

Approved July 9, 1863, { Ebenezer Higgins Seal
 A B Moore { John H. McMillan Seal
 Clerk { Theron D. Brewster Seal

State of Illinois }
 LaSalle County } S. Alexander Moore, Clerk of the Circuit
 Court in and for said County do hereby
 Certify that the foregoing is a full
 & perfect copy, of the judgment, & order
 for appeal, as now appears from the records,
 of said Court now in my office
 and also a copy of the appeal bond, now
 on file in my office, in the foregoing
 mentioned cause,



Witness my hand & seal
 of said Court this 13th day of April
 A D 1864 A B Moore
 Clerk