

No. 14182

Supreme Court of Illinois

Snyder.

vs.

McClelland.

71641  7

Imp. No 47



McClelland

12 Motion 370

1 by W. J. 600

2 Ind. 1180

} Costs of first trial below
I should abide the event
where it is for wrong
decision of the Court

1 John case 280

R. S. 128

Motion was made at Mt Vernon
to stay fee bill, because the Clerk
of the Sup Court had issued fee
bill, including in it, all the costs
taxed in the Circuit Court, upon
a reversal of the cause on the
Sup Court.

47

Costs

Snyder
vs
Mrs Clelland

Memo
on motion to
set aside fee bill.

SUPREME COURT OF ILLINOIS.

FIRST GRAND DIVISION.

NOVEMBER TERM A. D., 1857.

ABSTRACT.

Record Page.

James Snyder
vs.
Isaac McClelland.

} Motion to retax Fee bill, &c.

James Snyder, at the Marion Circuit Court, obtained a verdict for some \$300, against Isaac McClelland. Motion for new trial made by McClelland, and overruled, exceptions taken and Judgment entered upon the verdict; appeal granted, cause brought into this Court, and tried at Nov. Term, 1856, and the Judgment of the Circuit Court was reversed and cause remanded, for a new trial.

The Clerk of the Supreme Court, in July, 1857, obtained from the Clerk of the Circuit Court, fee bills of the costs, which had accrued in the Court below, and included them in the fee bill of this court, and taxed the entire costs against Snyder, appel'ee, and issued execution therefor, dated &c.; wherefore, said Snyder moves the Court to quash said process, and order that the Clerk retax the costs, excluding the cost of the Court below.

JAMES SNYDER,

By O'MELVENY, his Attorney.

Das Snyder

v

J. W. Colburn

Abstract

H. K. S. Ornelung

for Nathan

J. M. Haynie

Carroll

1857

14182