

No. 11976

Supreme Court of Illinois

McDougl^Aes, et al.

vs.

Brebner.

71641  7

John Mc Donagall & Co, } Appl. from Peria.
Alexander Brecher - }
Apples cots -

Apper. 25, leave to file transcripts. 25, fil. same 15, Dh. cause 10.	.75
ms. to dip. appl. 25, ent. dist. 25, Ord. disp. 25, Ord. for Proceeds. 25,	1.00
Proceeds seal 50, Ord. to app. dys. 25, Ord. app. 25, judt. for dys 25	1.25
Judt. for cots 25, Ord. for ext. 25, Dh. judt. 25, ent. judt. 2 fol. 20,	.95
Bill of cots 25, copy 25, Dh. for 125, transcripts, ex. 75, satis. 25,	2.75
	6.70

Proceedings at a Circuit Court begun and held at the Court House in the City of Peoria in and for the County of Peoria in the State of Illinois on the second Monday of November in the year of our Lord one thousand eight hundred and fifty one, at being the tenth day of said month. Present the Honorable William Kellogg, Judge of the Tenth Judicial Circuit in the State of Illinois, to wit:

Friday November 2nd A.D. 1851

Alexander Krehner

vs
Assumpser.

John Mc Dougal
Eldrick Smith, Jr

This day came plaintiff by Merriman his attorney and moved to strike the defendants plea from the files, because filed since the time limited in the rule to plead entered on yesterday, whereupon the court ordered the defendants plea to be stricken from the files in this cause. The defendants by Norman H. Purple their attorney entered a motion for leave to plead instant, on consideration whereof the court over-ruled the motion, the rule entered herein for filing pleas having expired. The Defendants having filed to plead to this action according to the rule entered herein on yesterday, but made default, it is considered by the court that the plaintiff ought to recover of the defendants his damages by him sustained by reason of the premises, but because the court know not what damages the plaintiff has sustained and this suit is brought upon an instrument in writing for the payment of money only, the clerk is directed to make an assessment thereof and report the same to the court, which is accordingly done and reported to the court at the sum of Two hundred and fifty seven dollars and twenty eight cents, which is approved by the court. Therefore it is considered

that the said Alexander Brebner have and recover of the said John Mc Dougall and Clarick Smith Jr the sum of two hundred and fifty seven dollars and seventy eight cents his damages in form aforesaid assessed, together with his costs and charges by him about his suit in this behalf expended and that he have execution therefor. The defendants prayed an appeal in this cause to the Supreme Court of this State, which is allowed them upon their filing an appeal bond in the office of the clerk of this court in thirty days, payable to the plaintiff in the penal sum of four hundred dollars with Andrew Mc Hunt or Andrew Gray as surety and conditioned according to law.

State of Illinois
Prona County ss I Jacob Gale, clerk of the Circuit Court in and for said county of Prona do hereby certify that the foregoing is a true copy of a judgment rendered in said court and the order granting an appeal to the Supreme Court of this State thereon in a certain cause in said court in which Alexander Brebner is plaintiff and John Mc Dougall and Clarick Smith Jr are defendants, as the same remain of Record in my office - I further certify that the appeal allowed in said cause was duly perfected by the defendant Mc Dougall filing an appeal bond in my office in conformity in all respects with the said order allowing the appeal and within the time therein limited -

In testimony whereof I the
the said Jacob Gale, have

hereto, set my hand and the seal
of said Court at my office in
Piona. this 28th day of June
A.D. 183-2 -

Jacob Gale,

Peria -

John McDougall &
Eldrick Smith Jr.

^{vs}
Alexander Bretnar

Transcript.

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Filed July 32 1852
L. Leland Clk.

11976

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