

No. 13799

Supreme Court of Illinois

Holmes

vs.

Andrews & Co.

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At a term of the Circuit Court begun
& held at the Court House, in Pekin,
within, and for the County of Tazewell
and State of Illinois, on the first
Monday, of September, in the Year
of Our Lord Eighteen hundred &
fifty nine, it being the 5th day of
said month, Present the Hon James
Warriott, Judge of the 21st Judicial
Circuit of the State of Illinois.
Hugh Fullerton, State's attorney
Thomas C. Reeves, Sheriff &
Merrill C. Young Clerk,

Among other things, the
following proceedings were had
to wit: Saturday September 10th 1859

William Holmes }
vs } Appeal
Miles Andrews & Co }

And now on this day
came as well the Plaintiff by his attys
Pettyman Bailey & Mans, as the
defendants by their atty D. Keys;
Whereupon came a jury of twelve
good & lawful men, to wit:
Geth Wilson. B. Montgomery. G. W. Porter.
C. Williamson. Wm Seferver. David Shay.

J. Shellenbarger - J. Larimore, Nathan Dillon,
J. A. Reinagle - David Osborn & Charles Buckley,
duly elected tried & sworn, who having
heard the proof & allegations of the Parties,
and argument of Counsel thereon,
For Verdict say, We the Jury find for
the Plaintiff in the sum of Sixty four
& $\frac{25}{100}$ Dollars ($\$64.\frac{25}{100}$) Damages.

Whereupon the Defendants moved the Court
for a new trial of this Cause, which
said motion, was overruled by the Court.
It is therefore ordered & adjudged by the Court,
that the Plaintiff recovers of said Defendants
the damages aforesaid in manner afore-
said found & likewise the costs & charges
by him about his suit expended, & that
execution issue therefor.

Thereupon the
Defendants pray an appeal, which
is allowed, by the Court, with Bond
to be filed in thirty days, with A.
H. Danforth, Security.

and afterwards, to wit; on the 6th
day of October A.D. 1859, an Appeal Bond
was filed in the words & figures following
to wit:

Know all men by these presents, that

Me Benjamin E. Miles. John A. Andrews
& Wells Andrews - and Asa H. Danforth
of Tazewell County State of Illinois are
held and firmly bound unto William
Holmes, of the same County & State, in
the penal sum of Two hundred Dollars,
to the payment of which well & truly to
be made we do by these presents, jointly and
severally, bind ourselves, our heirs, executors
& Administrators, sealed with our seals and
dated this 5th day of October A.D. 1859.

The condition of is
such, that Whereas, William Holmes did
on the Fifth day of September A.D. 1859,
at the September Term of the Circuit
Court, of said Tazewell County, obtain
a judgment for the sum of sixty four
Dollars and 25 cents against said
said B. E. Miles, J. A. Andrews & Wells
Andrews, under the name & style of
Miles Andrews & Co., ^{known} which judgment
said Miles Andrews & Co. have taken an
appeal to the Supreme Court.

Now if the said B. E. Miles J. A. Andrews
and Wells Andrews, in the name of Miles
Andrews & Co. shall prosecute their appeal
with effect, and pay the said judgment
costs, interest & damages, in case said
judgment shall be affirmed, then

the above obligation to be void, otherwise
to remain in full force & effect.

Benjamin E Miles (Ss)
John A. Andrews (Ss)
Wells Andrews (Ss)
A. W. Danforth (Ss)

State of Illinois } ss
Tazewell County }

I Merrill C. Young,
Clerk of the Circuit Court, in, and
for said County & State do hereby
certify that the foregoing is a true
and complete copy of the judgment
rendered, and of the Bond filed in
the cause therein named, as the
same appears of record in my Office.

In witness whereof I have
herewith set my hand and
affixed the Seal of said Court,
at Pekin, this 28th day of
April A.D. 1860

Merrill C. Young Clerk
Pr Samuel W. Stone Deputy

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Wm Holmes
v
Miles Andrews & Co

Certified Copy of
Judgment

13799

In Decr May 17. 1860
A. Deland
Clerk

64.25
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64.250

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