

14332


No. _____

Supreme Court of Illinois

Lind et al

vs.

Wilde et al

71641  7

STATE OF ILLINOIS,
SUPREME COURT,
Third Grand Division.

14334

No. 21.

Lund
vs
Wilde

1862

Superior Court of Chicago

Sylvester Lind & Samuel
S. Slater executors of the
last will & testament of
Jabez Barber dec'd

vs

Joseph Wilde & Ann Wilde
his wife Mary Ann Barber
Lucy Barber Harriet Barber
Charles J. Bell & Eliza his wife

It is hereby
stipulated & agreed between the solicitors
for the respective parties in this cause that
a writ of error or appeal may be brought
on the decree entered in this case at the
April term of the Supreme Court 1860 by
either party & returnable to said April Term
1860 notwithstanding thirty days will not
intercome between said appeal and the
sitting of the said Supreme Court and that the
records may be lodged with the clerk of the
Supreme Court as required by the laws at
any time within thirty days of the commence-
ment of the term and an order of
the court to that effect may be
taken by either party and the giving
of Bond on such appeal or writ

of error by either party is waived
Dated April 13. 1860.

Gordon Larned Gordon

Alf J. Mills & wife

W. N. Burroughs son

Sally for Chas. Y. Bell & wife

Mathew Tapp & King

Sally for E. J. King

Farber

~~244~~ 58 21

Superior Court of
Chicago

In Chancery

Sylvester Lind et al.

vs

Joseph Wilder et al.

Stipulations

20 days

Filed April 19, 1860
L. Leland
Clerk

Sylvester Laid & Saml. S. Slater } Supreme
Executors of Barker's Will } Court
Joseph Wilde & Ann Wilde
& others

La Salle County Is.

H. F. Mather being duly sworn
says that he is attorney for Mrs Laid &
Slater in the above cause

That the case arises on a bill filed to
construct a Will & give directions as to
the execution of said Will & decide between
two conflicting classes of heirs who
claimed portions of the estate of Simeon
Barker

The defendants Wilde reside in Chicago
the other defendants reside in Canada
and England

The estate was valued by Testator
at about a quarter of a million of dollars
being real & personal estate & but
in consequence of a change of times
& commercial revulsions it has been
much diminished in available value
and if the decision of this Court should
pass over to another year it would
be as defendant believes very much to
the embarrassment & injury of the parties

to the the Executors & Trustees of the estate
as well as legatees heirs & devisees

That nearly all the estate was left
in the hands of Executors or Trustees to
carry on & continue decedent's Sundry
ing business which was very large
in amount. Thus the Executors have
done ever since Testator's Decese
in 1856

Since then or with him died
his wife & one child by Ship wreck
Over a year ago the only surviving
child died

& the property goes to collateral
relatives

The Wilds claiming as next
of kin to Mrs. Barber & her surviving
daughter since deceased

& The other dependants claim-
ing as next of kin to Testator In-
cluding Barber

In the present state of things the
Trust is conceded to be valid
Except to finish up unsettled business
which is very large

But the respective Attorneys
for parties who are numerous &
have to consult agents Consuls

and others resident in other States
of the U.S. in Canada have not
had time yet to get the record
properly prepared & book in due time
the 3 first days of term and they
cannot well do a short of some
ten to 20 days more.

And deponent thinks that the
interests of parties litigant and
the business of the execution would
be exposed to much embarrass-
ment & additional perplexity,
unless it can be finally disposed of
at this term of April 1869.

The Decree was entered in the cause
but recently and was not respected until
a short time before the present term
not allowing sufficient time to the
parties to get in the record seasonably
under the circumstances of the case.

Subscribed & sworn to
April 18. 1869
before me

Spent the South not
J. F. Mather

L. Leland Ch.

The circuit in the above applicants &
form in the application for further
time also merged General and special
\$15 fee. Def

~~244~~ 58 21

Land & Water

"

J. M. W. L.

Affidavit

Filed April 19. 1860
L. Leland
Clerk