


No. 13946

Supreme Court of Illinois

Wheeler

vs.

Smith

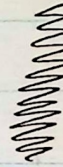
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Schedule "A"

Nathan G Smith

vs

Andrew F Wheeler



Jurors v. et cetera

Now at this day came the parties by their respective attorneys and the court having heard the argument of counsel and being fully advised in the premises overrules the defendant's motion for a new trial. It is thereupon considered by the court that the plaintiff do have and recover of the defendant his damage aforesaid to the sum of two hundred and fifty dollars, together with the costs and charges by him about his suit in this behalf expended and that he ^{do} have execution therefor.

To which ruling of the court the defendant then and there excepted and pray an appeal of this cause to the Supreme Court of the State of Illinois.

And the court ^{also} having heard the argument therein grants the motion and allows the appeal aforesaid upon condition of defendant, filing an appeal bond in the sum of six hundred dollars within thirty days with Pray

I swear as surety, and the same time to
file his bill of exceptions herein

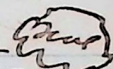
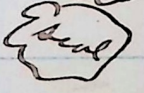
Schedule "B"

Know all men by these presents
that we Andrew P. Wheeler and Perry
Jewett of the County of Rockdale and
State of Illinois are held and firmly
bound unto Nathan G. Smith of said
County in the sum of six hundred
and dollars lawful Money of the
United States for the payment of which
well and truly to be made we bind Ourselves
our heirs executors & administrators
jointly severally and firmly by these
presents; witness our hands and seals this
26th day of December A.D. 1866

The condition of this ^{above} obligation
is such that whereas the said Nathan
G. Smith did on the 24th day of December
A.D. 1866 in the Circuit Court of the County
of Rockdale in said State of Illinois
at the December Term A.D. 1866 thereof
recover a judgment against the above
bounden Andrew P. Wheeler in a
suit in trespass for the sum of two
hundred and fifty Dollars and costs

of suit from which judgment the said
Andrew P Wheeler has taken an appeal
to the supreme court of the State of Illinois

Now if the above bounden Andrew
P Wheeler shall duly prosecute his
appeal and shall pay said judgment
costs interest and ~~charges~~ ^{damages} in case the
said judgment shall be affirmed then
the above obligation to be void otherwise
to remain in full force and effect

Andrew P Wheeler 
Perry Jewett 

Filed Dec 26 - 1866
J. B. Welch clerk

State of Illinois
Kankakee County ^{County} & John B Welch
clerk of the Circuit court of said
County do hereby certify, that the fol-
lowing schedule marked "A" is a full
true and perfect transcript of the jud-
gment rendered in said Court, on the
Common Law side thereof, at the
December Term A.D. 1866, and on the 24th
day of said December, in a certain
case in which, Nathan S Smith was
plaintiff and Andrew P Wheeler was
defendant, which said transcript is taken
from the records of said Court in my
office. And I further certify that

The foregoing Schedule marked "13" is
a full true and perfect copy of
an appeal bond filed in said cause
in my office that is to say in the
office of the Clerk of said Court, on
the 26th day of December A.D. 1866
and that no other appeal bond has
been filed in said cause in said office

In witness whereof I have
hereunto set my hand and the seal of said
Court at Office in the City of
Newark in said County this
Second day of April A.D. 1867
John B. Welch
Clerk

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Andrew P. Wheeler
vs
appellant

Nathan S. Smith
appellee

Transcript of
Judgment
&
Appeal Bond

Filed Apr. 5. 1867
L. Leland clk

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