

13858

No. _____

Supreme Court of Illinois

Mosher^{IE}~~er~~

vs.

Adams et al

71641  7

\$500

Knoxville Feb 3^d 1857

On the 25th Feb 1857 Mr or either of us promise to pay
to the order of Timothy Moshier Five hundred
Dollars, Value Received payable at J. F. Dunn & Co
Banking House

E. F. Adams

Wm. H. Holcomb

State of Illinois } The People of the State of Illinois
County of Knox } ss. To the Marshall of said City or
Any Constable of said County Greeting
We Command You to Summon E. F. Adams. v

William H. Holcomb to appear before me at my office
in the City of Galesburg on the 20th day of June
1857 at 1 O'clock P. M. to answer the complaint of
Timothy Moshier for a failure to pay him a certain
demand not exceeding \$500. and thereof make due
return as the law directs, Given under my hand
and seal this 13th day of June 1857

A. C. Wiley (Seal)

Police Magistrate

Upon which said Summons the following return
was made, in the words and figures following to wit:

"Said Adams accepted by the within named Adams
June 13th and paid to Holcomb June 15th 1857

S. M. Ruzar

The transcript from the Police Magistrate filed in
this cause, reads in the words and figures following
to wit:

Timothy Mosher

or

E. F. Adams &

W. H. Holcomb

}
} Suit on Note
}

Before A. C. Wiley Police Magistrate

19 Summons Issued June 12th 1857. to Reegar

13 Returnable June 27th 1857. 1. P.M. Summons
returned by Court. J. M. Reegar served by

1.00 reading to Defendants June 12th 1857 fees 1⁰⁰,
on day of trial suit called. Defts failed to appear

25 Judgment is therefore rendered by default against
E. F. Adams & W. H. Holcomb for the sum of \$500 & debt

1.56 and \$1⁵⁶, costs

25 State of Illinois

Knox County

} J. A. Wiley a Police Magistrate
} in and for said County do certify

that the foregoing transcript is truly copied from
the files and Books of my office. In Witness whereof
I have hereunto set my hand this 17th Sept 1857

Police Magistrate

And the appeal Bond filed in said cause reads
in the words and figures following, to wit:

"State of Illinois, Knox County - Know all men
by these presents that We E. F. Adams & W. H.
Holcomb & William Anderson are held and
firmly bound unto Timothy Mosher in the
sum of One thousand and five dollars lawful
money of the United States of America for the

payment of which well and truly to be made
we bind ourselves our heirs and administrators
Society and severally and jointly by these presents
Witness our hands and seals this 2^d day of July
1857. The conditions of the above obligation is such
that whereas the said Timothy Moshier did on
the 20th day of June receive a judgment against
the above bond E. F. Adams & W. H. Holcomb for
the sum of Five hundred and three 10/100 Dollars,
from which judgment the said E. F. Adams
& W. H. Holcomb has taken an appeal to the Circuit
Court of the County of Knox and State of Illinois
Now if the said E. F. Adams and W. H. Holcomb
shall prosecute their appeal with effect and shall
pay whatever judgment may be rendered by the
Court upon the dismissal or trial of said appeal
then the above obligation to be void, otherwise to
remain in full force and effect

Approved by me at my office in } E. F. Adams (Seal)
Galesburg this 2^d July 1857 } W. H. Holcomb (Seal)
Alc Niley } Wm Anderson (Seal)

And afterwards, to-wit: on the 30th day of September
A. D. 1857, a summons issued from the Clerk's office
of the Circuit Court to the Appellees in the words
and figures, following to-wit:

State of Illinois } The People of the State of Illinois
Knox County } To the Sheriff of said County Greeting

We Command You to Summon Timothy Mosher
if he be found in Your County to be and appear before
the Judge of the Circuit Court for the County of Knox
on the third Monday of October next to answer
to an appeal obtained by E. F. Adams & William H
Holcomb from a Judgment rendered against the
said Adams & Holcomb in favor of the said Timothy
Mosher before A. L. Wiley Police Magistrate of said County
on the 20th day of June 1857 for the sum of Five
hundred Dollars and _____ cents and costs of
suit and bear You there and there this writ

Witness Cephas Arns Clerk of our said Court
at Knoxville this 30th day of September 1857
the Seal of said Court being hereto affixed
Cephas Arns Clerk

Upon which said Summons the Sheriff made the
following endorsement, to-wit:

"I have served the within Summons by reading
the same to the within named Timothy Mosher
this 1st first day of October AD 1857

G. W. Carter Sheriff
By John S. Rude Deputy

hereof and that said bond be approved by
the Clerk of this court,

And afterwards to-wit: on the 18th day of November
AD 1857, the said defendants filed their appeal
Bond which reads in the words and figures
following to-wit:

"Know all men by these presents that Mr William
A. Holcomb, Edward F. Adams and A. S. Keightley
are held and firmly bound unto Timothy Morley
in the sum of One thousand dollars to be paid to
to the said Timothy Morley his Executors or
administrators, for the payment of which well
and truly to be made, we jointly and severally
bind ourselves our Executors, administrators
by these presents, with our hands and seals
this 18th day of November AD 1857. The condition
of the foregoing obligation is such that whereas on
the 31st day of October 1857 in the Circuit Court
then being held within and for said County of
Knox & State of Illinois Hon John S. Thompson
presiding the said Timothy Morley recovered
Judgment against the said Holcomb & Adams
for the sum of Five hundred dollars and
cents debt or damage together with the costs of
suit from which said Judgment the said
William A. Holcomb & Edward F. Adams has
taken an appeal to the Supreme Court Now

therefore if the said William H. Holcomb
and Edward F. Adams, shall prosecute this
appeal with effect and shall pay whatever
Judgment may be recovered by the Court upon
dismissal or trial of said appeal then the
foregoing obligation to be void otherwise to
remain in full force

Entered into in my office } Wm H Holcomb (Seal)
and approved by me this } E. F. Adams (Seal)
18th day of Oct 1857 } By A S Knightley, attorney in fact.
A S Knightley (Seal)

State of Illinois }
Knox County }
Cephas Arns Clerk of the Circuit

Court within and for said County and State do
hereby certify that the above and foregoing contains
a full true and complete copy of the Record in
said Cause, as appears to me from the files & Record
of said Court

In Testimony whereof I have hereunto set
my hand and affixed the seal of said
Court at the City of Knoxville this 24th
day of November A D 1857

Cephas Arns Clerk



299
J. Timothy Mosher
vs

E. F. Adams et al

Transcript

Filed April 29, 1858
L. Deland
clerk

Indt. \$500.00

Dep. \$25.00

299

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