

No. 13477

Supreme Court of Illinois

Parker.

vs.

Fitch.

71641  7

United States of America
State of Illinois
County of Cook

S. S.

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Pleas before the Honorable John W. Nelson Judge of the Cook County Court of Common Pleas at a regular term of said Cook County Court of Common Pleas within and for the County of Cook and State of Illinois, begun and holden at the Court House in the City of Chicago in said County and State on the Second Monday being the tenth day of September in the Year of Our Lord One thousand eight hundred & fifty-five and of the Independence of the United States the Eightieth

Present, the Honorable John W. Nelson Judge
David Mc Droy, Prosecuting Attorney
James Anderson Sheriff
Attest. Walter Kimball, Clerk

It is Remembered, that heretofore to wit, on the third day of November, in the Year of Our Lord Eighteen hundred & fifty-five, said day being one of the days of the September term of the Cook County Court of Common Pleas in the Year aforesaid, the following proceedings were had in said Court, and

entered of Record; to wit,

Asa Pritch }
John Parker } App^{rs}

And now again come the said parties by their said attorneys, and after argument of counsel heard on said defendant's motion for a new trial in this cause, the Court being now fully advised in the premises overrules said motion, to which ruling and decision of the Court said defendant excepts.

Therefore it is considered that the said plaintiff do have and recover of the said defendant his damages of One thousand and sixty nine dollars and twenty six Cents in form aforesaid by the Jury here aforesaid, and also his costs and charges by him about his suit in this behalf expended and have execution therefor.

And therefore said defendant enters his exceptions herein, and prays an appeal to the Supreme Court of the State of Illinois, which is allowed by the Court, on his filing his appeal bond with Robert Terges as security within twenty days from this day, in the sum of Fifteen thousand dollars. And twenty days time is given said defendant to prepare and file his bill of exceptions herein.

\$1069.26

And afterwards, to wit, on the twenty third day of November in the year last aforesaid the said defendant John Parker filed in the office of the Clerk of said Court his appeal Bond, in said cause, which said appeal Bond is in words & figures as follows to wit,

Know all men by these presents, that we John Parker and Robert Burgess of the County of Cook and State of Illinois are held and firmly bound unto Asa Hitch of the same County and State in the penal sum of Two Thousand and One Hundred and thirty nine dollars, which payment we and truly to be made and performed we do hereby bind ourselves our heirs, Executors and Administrators jointly and jointly by these presents. Witness our Hands and Seals this Ninth day of November A D 1855.

The Condition of the above obligation is such, that whereas at the September Term of the Cook County Court of Common Pleas A D 1855 a Judgment was by said Court rendered in favor of said Asa Hitch against the above bounden John Parker in the sum of One thousand and sixty nine dollars and twenty six cents, and whereas the said Parker has taken an appeal from said Judgment of said Court to the Supreme Court of the State of Illinois.

Now then, if the said Parker his heirs executors
or administrators, shall well and truly pay or
cause to be paid such judgment cost, interest
and damages in case said judgment shall
be affirmed by said Supreme Court, and shall
also duly prosecute his said appeal, then this
obligation to be null and void, otherwise to
remain in full force and virtue

Signed Sealed and
delivered in presence of
S. D. S. Dixon

John Parker Seal
Robert Burgess Seal

State of Illinois
County of Cook S. D. S.

I Walter Kimball Clerk of the Cook
County Court of Common Pleas within for the County
aforesaid do hereby Certify that the fore-
going transcript contains a true copy of the
Judgment and Order allowing an appeal
entered of Record, and also of the appeal
Bond filed in the case of John Fitch
Plaintiff, and John Parker Defendant
as the same appear now on file in my
office, and further Certify that said John
Parker has not taken from my office a
Transcript of said Cause for the purpose

affiling the same in the Supreme Court
of the State of Illinois,

In testimony whereof I have
hereunto set my hand & the
Seal of said Court at Chicago in
said County this 24th day of June
A.D. 1886

Walter Kimball
Clerk

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John Parker
vs
Asa Fitch

Filed June 29 1856
L. Leland
Clerk

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Ches — \$1.25
paid by Plaintiff
W. H. C. C.