

No. 13788

Supreme Court of Illinois

Durham

vs.

NG
Wegler

71641  7

STATE OF ILLINOIS, SS.

IN THE SUPREME COURT AT OTTAWA,
Of the April Term, A. D. 1860

John Durham

Elias Wenger

APPEAL FROM PEORIA.

Judgment below for Appellee for \$ 247.⁰⁰ and costs.

Certificate of Judgment and Appeal.

STATE OF ILLINOIS, } SS.
PEORIA COUNTY, }

I, ENOCH P. SLOAN, Clerk of the Circuit Court within and for said county, do hereby certify that at the November Term, A. D. 1859 of the said Circuit Court,

Elias Wenger

recovered by the consideration thereof, a judgment against

John Durham

for the sum of Two hundred & forty Seven Dollars and _____ cents, and costs of suit taxed at the further sum of _____ Dollars and _____ cents; and that thereupon, to wit, on the 7th day of January A. D. 1860 the said

John Durham

prayed an appeal from said judgment to the Supreme Court of said State, which was allowed by said Court on filing bond, pursuant to the statute in such case made and provided, in the penal sum of five hundred Dollars, with Edward A. Durham as a surety,

within Twenty days next after the date last aforesaid. And I do hereby further certify that within the time so limited, to wit, on the 4th day of February A. D. 1860 the said appellant filed in my office an appeal bond, in all things according to the order of said court and the statute aforesaid therefor, thereby perfecting said appeal.

Witness my hand and the seal of said Court, at Peoria, this Nineteenth day of April A. D. 1860

Enoch P. Sloan
Circuit Clerk, Peoria County.

MOTION TO DISMISS APPEAL, &C.

Upon the filing of the foregoing certificate of the judgment of the said Circuit Court in the above entitled cause, and of the perfecting of an appeal therefrom by the said appellants, the appellees aforesaid move the said Supreme Court here to dismiss said appeal for that the said appellant has not lodged in the office of the Clerk of said Supreme Court an authenticated copy of the record of the judgment aforesaid appealed from, as the law requires, &c. And the said appellees pray damages pursuant to the statute in consequence of the delay occasioned by such appeal, &c.

Counsel for Appellees.

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John Durham

v

Elias Wenger

\$247.

13788

Certificate &
Motion

To dismiss appeal -

Filed April 25, 1860

L. Leland

\$247.00

Clerk

\$1235.00

Charles C. Bowney
for appellee -