

No. 13313

Supreme Court of Illinois

Swift

vs.

O'Brien

United States of America

STATE OF ILLINOIS, COUNTY OF COOK, S. S.

Pleas, before the Honorable George Manierre

Judge of the Seventh Judicial Circuit of the State of Illinois, and Sole Presiding Judge of the Circuit Court of Cook County, in the State aforesaid, and at a term thereof begun and held at the Court House in the City of Chicago, in said County, on the first Monday, (being the first day) of

March in the year of our Lord one thousand eight hundred and fifty eight and of the Independence of the said United States the eighty second

Present, Honorable George Manierre Judge of the 7th Judicial Circuit of the State of Illinois.

Carlos Maren States Attorney.

John S. Wilson Sheriff of Cook County.

Attest:

Wm L Church

Clerk.

Be it remmbered that heretofore, to wit: at the March Term of said court, to wit: on the fourth day of March A D 1858 the following proceedings, among others, were had and entered of record therein, to wit:
Ellen O'Brien

12255

Richard K. Draft
vs
James S. Johnston

Appeal

This day comes the said plaintiff, and the said defendants having been three times severally solemnly called in open court, come not, nor does any person for them, but herein they fail to prosecute their appeal in this behalf. Therefore it is ordered that the appeal herein be dismissed for want of prosecution, and that a proceeds issue to the court below.

Therefore it is considered that said plaintiff do have and recover of said defendants his costs and charges by him in this behalf expended, and have execution therefor.

And afterwards, to wit: at the term last aforesaid, to wit: on the twenty seventh day of March A D 1858 the following proceedings, among others, were had and entered of record in said cause, to wit:

Ellen O'Brien
12235
Richard K Swift
and James S Johnston
Impleaded &c

Appeal

This day come the said defendants by their attorneys and pray an appeal to the Supreme Court of the State of Illinois, which is granted, on condition that said defendants enter into and execute their appeal Bond herein in the penal sum of of three Hundred dollars, conditioned according to law, with Tom H Higgins as surety thereon.

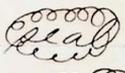
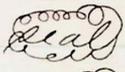
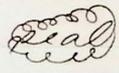
And thereupon afterwards, to wit: on the twenty seventh day of March in the year last aforesaid, said defendants filed their appeal Bond, in said cause, in the words and figures, following, to wit:

Know all men by these presents, that Richard K Swift, James S Johnston and Tom H Higgins are held and firmly bound unto Ellen O'Brien in the penal sum of Three Hundred dollars for payment of which well and truly to be made to said Ellen O'Brien her heirs or assigns

we bind ourselves jointly and severally,
our heirs, executors and administrators,
firmly by these presents, Sealed with our
seals, and dated this fifth day of March
1858,

The condition of this obligation is such,
that whereas, in a certain suit, in the circuit
-it court of Cook county State of Illinois
wherein said Ellen O'Brien was plaintiff
and said Richard W Swift, James S
Johnston and Symon P Swift were
defendants the said plaintiff on the fourth
day of March 1858 recovered a judgment
against the said defendants Richard W
Swift & Jas S Johnston dismissing their
appeal taken to said circuit court from
a judgment in said suit against them
for the sum of one hundred dollars
damages, besides costs of suit, rendered
by Harmon B Rugar Esq a Justice of
the Peace of said County from which
said judgment dismissing said appeal
said last named defendants have prayed
an appeal to the Supreme court of the
State of Illinois which has been granted
upon said defendants giving this bond
Now if the said above bounden defen-
-dants shall well and truly pay the
judgment, costs, interests and damages

in case the said judgment dismissing
said appeal shall be affirmed by said
Supreme Court, and shall duly prosecute
their said appeal to said Supreme Court,
then the above obligation to be void, other-
wise of force.

R K Swift 
J S Johnston 
Wm H Higgins 

State of Illinois, }
COUNTY OF COOK. } s. s.

I, WILLIAM L. CHURCH, Clerk of the Circuit
Court of Cook County, in the State aforesaid, do hereby
certify the above and foregoing, to be a true, perfect and complete
copy of the ~~Indorsement~~ ^{appeal bond} ~~order granting an appeal~~
in a certain cause lately pending in said Court on the
Common Law side thereof, wherein Oliver P. Price
was Plaintiff _____ and
Richard K. Swift and _____ were defendants.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the seal of our
said Court at Chicago, this 23^d day of April A. D. 1859

Y 1 35

Wm L Church
Clerk.

6 326
Richard K. Swift

vs
Richard O'Brien

Transcript

Filed April 26, 1889

L. Seland
Clerk

Just. \$100.00
Exp. \$5.00

13813

clerk's costs \$1.25 paid by Galby