


No. 14073

Supreme Court of Illinois

Francis Parkhurst

vs.

Stephen D. Dale

71641  7

This had at a Circuit Court begun and held at the Court House in the Town of Lehigh in and for the County of Cook State of Illinois on Monday the 7th day of October A.D. 1861. before the Hon. Charles H. Constable. sole Judge thereof -

Be it remembered that on the 7th day of said Term - in a certain case then and there pending an order of said Court was then and there made and entered of Record in words and figures following to wit -

" Parkhurst - J Francis

"

Assumpsit

Stephen D. Dole
Joseph C. Dole &
Charles M. Dole

vs Now come the

parties by their Attorneys
And issue being joined, waiven the intervention
of a jury, and submit this cause for trial to the
Court - and after the evidence being heard &c -

It is considered by the Court that said Plaintiff
recover of said defendants his damages in his
said declaration mentioned; And it appearing
to the Court - that this suit is brought upon an
instrument in writing for the payment of money
only, and because the Court is not advised what
those damages are. It is ordered that the Clerk
compute and Report the same, and the Clerk

having reported said damages to be Seven Hundred
and Ninety Three dollars and fifty eight cents.

Whereupon the said defendants Move the
Court in arrest of Judgment which Motion
is overruled - & It is ordered and adjudged
by the Court that said Plaintiff recover of said
defendants, the said sum of \$1093.58. his
damages of or said together with his costs and
charges by him about his suit herein expended
and thereof have Execution &c. when the said
defendants file their motion for a new Trial
which is also overruled by the Court. Whereupon
the said defendants pray for an Appeal to
the Supreme Court. which is allowed upon
their entering into bond within thirty days
from this date Conditioned according to Law
in the sum of Twenty Two hundred dollars
with Elisha Sinder as their security &c. ^{sd}

The following is a copy of Bond -
Know all men by these presents that we Stephen
D. Dole, Charles M. Dole, Joseph C. Dole and
Elisha Sinder, are held and firmly bound
unto Parkhurst P. Francis in the penal
sum of Twenty Two Hundred Dollars
Lawful money of the United States for the
payment of which well and truly to be
made we bind ourselves our heirs executors

1093.58
 .55

546790

and administrators severally, jointly and
firmly by these presents. Witness our hands
and seals this 12th day of November A.D. 1861.

The condition of the above obligation
is such that whereas the above named Park-
hurst P. Francis, did at the October Term
of the Cooks County Circuit Court recover
a judgment against the above bounded Stephen
D. Dole, Charles M. Dole and Joseph L. Dole
for the sum of Ten thousand Nine hundred and
thirty three ⁵⁸/₁₀₀ Dollars. from which judgment the said
Doles have prayed an appeal to the Supreme
Court of the State of Illinois.

Now if the said Stephen D. Dole, Charles
M. Dole & Joseph L. Dole shall prosecute said
appeal with effect and without delay, and
shall pay whatever judgment may be rendered
against them upon the trial or dismissal of
said appeal together with all such costs as
shall be ascertained against them, then the above
obligation to be null & void.

S. D. Dole

(Seal)

C. M. Dole

(Seal)

J. L. Dole

(Seal)

Eliza Linder

(Seal)

Endorse -

Filed Nov. 12 - 1861

Geo W. Jewell CLK 20

State of Illinois
Coles County } S.S.

I, Geo W Seal, Clerk of the
Circuit Court in and for said County, do hereby
certify that the foregoing is a true copy of the
Judgment rendered in the above entitled cause
as also of the Appeal Bond filed by the said
Defendants in same case -

Witness my hand and the seal of said
Court hereto affixed at Charleston this
January 14th 1862 -

Geo W Seal Clerk
per. W.A. Hutchinson Sdy -

Franklin J. Francis

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Stephen D. Dole

Charles M. Dole

Joseph C. Dole

Manuscript -

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Filed Jan 20, 1862
W. A. Hutchinson
Clerk

copy for \$1.00