

No. 13357

Supreme Court of Illinois

Barnard

vs.

Parmalee et al

71641  7

UNITED STATES OF AMERICA,
STATE OF ILLINOIS, COUNTY OF COOK, SS.

Pleas, before the Honorable, the Judges of the Superior Court of Chicago, within and for the County of Cook and State of Illinois, at a regular Term of said Superior Court of Chicago, begun and holden at the Court House, in the City of Chicago, in said County and State, on the first Monday, being the Fourth day of July in the year of our Lord One Thousand Eight Hundred and ~~Forty~~ Fifty nine and of the Independence of the United States of America the Eighth month

Present, The Honorable John M Wilson Chief Justice of the }
Superior Court of Chicago. }

Van N Higgins
Grant Goodrich } Judges.

Calas Haven Prosecuting Attorney.

John Gray Sheriff of Cook County.

Attest, Walter Kimball Clerk.

So it is remembered that heretofore to wit on the ~~Seventh~~ day of July in the year of our Lord one Thousand eight hundred and Fifty nine said day being one of the days of ^{the} said Term of said Court The following among other proceedings was had and entered of record

Henry P Barnard

1-5

Appeal

Frank Parmelee vs Liberty Biegelow

This day comes
said plaintiff by Maish & King his Attorney and the
said defendants by Jones & Davis their Attorneys -
also come and submit their motion to suppress
deposition taken herein by said Plaintiff which motion
is overruled and defendants enter their exceptions
and issues being joined herein it is ordered that
a jury come wherefore comes the jury of good and
lawful men to wit Joseph D Meeker, S C Hamblert
Joseph D Create S E Chapin Wm Thomas Joseph D
Mitchell H B Bowley P Crosby J S McKee
F W Bryan G P Hanson and Wm Johnson - who
being duly elected tried and sworn to try the issues
joined aforesaid after hearing the allegations and
proof arguments of Counsel and instructions of the
Court retire to consider of their verdict and afterwards
come into Court and say on the jury find issues for said
plaintiff and assess the damages herein to the sum of
ninety nine dollars and fifty cents Therefor it is
considered said plaintiff do have and recover of the
said defendants his damages of ninety nine dollars
and fifty cents in form aforesaid by the jury here
found and assessed and also his costs and charges
in this behalf expended and have execution

And afterwards to wit on the thirteenth day of July in the year aforesaid said day being one of the days of the July Term of said Court the following among other proceedings was had and entered of record to wit

Henry A. Barnard

vs

Appeal

Frank Barnard & Liberty Byles

And now comes said defendants by Jones & Davis their Attorneys and submit their motion herein for a new trial in this cause and the Court being fully advised overrules defendants said motion Whereupon defendants enter their exceptions to ruling of the Court in overruling the motion for a new trial and pray an appeal herein to the Supreme Court, which is allowed upon filing appeal bond in sum of Two hundred and fifty dollars with David W. Yager as security within in ten days with bill of exceptions.

And afterwards to wit on the Twenty second day of July in the year aforesaid Frank Parmalee and Liberty Bigelow Filed their appeal bond in the Office of the Clerk of said Court in words and figures following

Know all men by these presents that we Frank Parmalee Liberty Bigelow and David A Gage are held and firmly bound unto Henry P Barnard his heirs and Executors in the penal sum of Two hundred and fifty dollars lawful money of the United States for the payment of which well and truly to be made we bind ourselves our heirs ~~executors~~ & administrators jointly severally and firmly by these presents. Witness our hands and seals this 22 day of July AD 1859

The condition of the above obligation is such that whereas in the Superior Court of Chicago the above named Henry P Barnard did on the 13th day of July 1859 recover a judgment against the above bounden Frank Parmalee & Liberty Bigelow for the sum of ninety nine dollars and fifty cents besides costs from which judgment the said Parmalee & Bigelow have taken an appeal to the Supreme Court. Now therefore if the said Parmalee & Bigelow shall duly & diligently prosecute their said appeal and

shall pay the judgment interest costs and
damages in case said judgment is affirmed by
the said Supreme Court then the above obligation
to be void otherwise to remain in full force and
virtue

Frank Carmalec Seal
Liberty Siglow Seal
L. A. Gage Seal

State of Illinois }
Cook County } I Walter Whitall Clerk of the
Superior Court of Chicago in and for said

County, do hereby Certify that the foregoing is
a ^{full} true and complete transcript of the order of
judgment the order allowing appeal entered of
record in said Court together with a copy of the
Appeal bond on file in my Office in a certain
Suit wherein Henry P Barnard is Plaintiff and
Frank Parmelee & Liberty Bigelow are defendants

In testimony whereof I hereunto
subscribe my name and affix
the seal of said Court at Chicago
in said County this 16th day of
April A.D. 1861

Walter Kimball Clerk



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Henry P Barnard
vs

Frank Pomeroy & Liberty Bingle

321

1861

Filed April 23 1861
L. Leland
clerk

1335

paid \$99.50
\$10
99.50

Fees

\$1.50

paid

10 per cent

W. Kimball Clerk