

13708

No. _____

Supreme Court of Illinois

Smith et al

vs.

Godfrey

State of Illinois
Dee County

I, Isaac S. Boardman, Clerk
of the Circuit Court in and for the County
of Dee, aforesaid, do hereby certify, that here-
tofore, to-wit: on the eighteenth day of February
A. D. 1860, the same being one of the regular days
of the February Term, A. D. 1860 of the Dee
County Circuit Court in and for said
State, William H. Godfrey as plaintiff, recov-
ered ^{in said Circuit Court} a judgment in an action of assumpsit
against Abner Smith, Edwin Cadwell,
and Sherman W. Cadwell, defendants for
the sum of Two Thousand and Fifty
(\$2500*) dollars damages together with his
costs and charges in that behalf expended; that
thereupon, at the time of the recovery of said judgment
as aforesaid, the said defendants, prayed an ap-
peal from said judgment to the Supreme Court
of the State of Illinois; which prayer of said
defendants for such appeal, was granted
by the said Circuit Court and leave given
to said defendants to file an appeal
bond in the penalty of \$500, with security
to be approved by the Clerk of said Circuit
Court, within twenty days from that date
viz from the said 25th day of February A. D. 1860.
That afterwards, to-wit: on the ~~seventh~~ seventh
day of March A. D. 1860, said defendants
filed their appeal bond in the Clerk's office
of said Court, in the penalty of \$500, con-
ditioned in the manner prescribed by law,
with one Sidney P. Stearns, as security.

which said bond and security - was ac-
cordingly approved by the said Circuit
Court; and that thereby the Judgment of the
said Circuit Court, became and was,
and yet continues to be suspended, all
of which appears to me of record in my
office.

In witness whereof I have here-
unto set my hand and affixed
the Seal of said Court, at Wilson
in said County - this 16th day of

N. D. 1860

James S. Bondman Clk
W. Joseph Ball D. C.

Abrah Smith, Edwin C. ~~Drill~~
and Sherman W. ~~Drill~~
Appelle

vs.

William H. Godfrey
Appelle

Appeal from Dec.

Certificate

13708

Filed April 20. 1860

L. Ireland

\$25,000 Ch.

~~\$125,000~~ 2/3

Edsall

State of Illinois, Supreme
Court - of the April Term
1868. First Grand Di-
vision -

Abner Smith	}	Appeal from Clerk
Edwin Cadwell		
Sherman W Cadwell		
Appellants	}	Motion to Dismiss
William H. Godfrey		
Appellee		

And now comes William
H. Godfrey the said Appellee
by James K. Edsall his Attorney
& enters his Motion that the Ap-
peal in this case be dismissed,
upon the ground that the Appel-
lants have not filed an authen-
ticated Copy of the Record of the
Judgement appealed from
in the Clerk's Office of this Court
as required by Statute; which
said Motion is based upon the
Certificate of Clerk of the Court
below. This day filed
James K. Edsall
Atty for Appellee

Abraham Smith

Edwin Cadwell

Sherman W. Cadwell

Appellants

vs

Wm A Godfrey

Appellee

Motion to Dismiss

Appeal