

No. 14507

Supreme Court of Illinois

Matteson

vs.

Frye

71641  7

STATE OF ILLINOIS,
SUPREME COURT,
Third Grand Division

No. 203

Matteson

75

Frye

1863

14507

Nancy Frye executrix etc
vs
F. Smith Frye dec^d appellant
Charles Matteson appellee

Supreme Court of Minn.
3^d Grand Division
April Term 1863

To said appellant

Take notice ~~that as soon~~
that on the 30th day of April ^{instant} or as soon
thereafter as counsel can be heard &
shall move said Court to dismiss said
appeal for want of prosecution
Dated April 25th 1863

Ab. Merriman
atty for Appellee

Native

Filed May 6. 1863
Holland
Ok.

I have duly served this
~~notice~~ notice on the within named
 Nancy Frye by delivering to
 her a true copy of the same
 April 25th 1863.

Lee H. Murray
 Sheriff

STATE OF ILLINOIS, SS.

IN THE SUPREME COURT AT OTTAWA,
Of the April Term, A. D. 1863

Charles S. Matteson

v.

Smith Frye

APPEAL FROM PEORIA.

Judgment below for Appellee for \$ 618.60 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 March Term, A. D. 18 60 of the said Circuit Court,

Charles S. Matteson

recovered by the consideration thereof, a judgment against

Smith Frye

for the sum of Six Hundred and eighteen Dollars and Sixty cents, and costs of suit taxed at the further sum of Five Dollars and Eighty cents; and that thereupon, to wit, on the twenty sixth day of March A. D. 18 60 the said

Smith Frye

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 Twelve hundred Dollars, with Alexander Allison a surety,

within thirty days next after the date last aforesaid. And I do hereby further certify that within the time so limited, to wit, on the Sixth day of April

A. D. 18 60 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.
Except that Peter Swab signed said bond instead of said Allison

Witness my hand and the seal of said Court, at Peoria, this twenty sixth day of March A. D. 18 63

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 ha 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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Katissin

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Copy of Judgment for
Sup Court

Filed Apr 23. 1863
J. L. Leland. CM

Dec. 1. 10