


No. 14290

Supreme Court of Illinois

Kenner.

vs.

Conkling et al

71641  7

State of Illinois
White County

I Solomon T. TOLIE Clerk of the
Circuit Court in and for said County and
State do hereby Certify that at the April term
term of the White Circuit Court in the year
AD 1855, among others the following entitled
Cause was set for trial "viz"

Frederick A. Conkling &

Charles A. Sheppard

vs

Alvin R. & Byron W. Kenner

Assumpsit

At which said term
the following order was had in said Cause
"viz" "Ordered that this Cause be continued to

And again at the August term 1855
of said Court to wit on Tuesday the second
day of the term and 21st day of the month
the following order was had in said Cause
"viz"

Frederick A. Conkling &

Charles A. Sheppard

vs

Alvin R. & Byron W. Kenner

Assumpsit

"At this day comes
the said Plaintiffs by their attorney and
the said Defendants, at the three times se-
verally solemnly called came not but make

"default It is therefore Considered and
"adjudged by the Court that the said Plain-
"tiffs Recover of the said Defendants, their
"damages Sustained by the nonperformance
"of the said Defendants premises, and that
"the Clerk forthwith assess and report their
"damages to the Court and the Clerk having
"reported that he had assessed their dama-
"ges at, \$ 789,00. It is therefore further Consid-
"ered and adjudged by the Court that the
"said Plaintiffs recover of the said Defend-
"ants Seven hundred and eighty nine Dol-
"lars, his damages by the Clerk aforesaid
"reported together with their Costs by them
"about their Suit in this behalf expended
"and that execution issue therefor &c

And again on Saturday the 6th day
of said last mentioned term and 25th day
of said month the following additional
order was had in said Cause "viz"

Frederick A Combsling }
Charles A Sheppard }
" }
Alvin B & Byron H Kemmer }
} Assumpsit

"At this day comes the
"said Defendants by their attorney and prays
"an appeal herein to the Supreme Court of
"this State which said prayer is granted
"on condition that they enter into bond with
"Samuel H. Martin James Stephenson, Lewis
"B Bates and George Weed as their secur-

"return within thirty days from this date
"in the sum of one thousand Dollars to be
"filed with the clerk of this Court &c

And I further Certify that afterwards
-transit on the 19th day of September 1855 ~~for~~
the said Defendants, Oliver R & B W Kemmer
Kemmer Complied with the order last above
named and that I on that day made out
under the seal of my office a complete
and accurate Transcript of the original
papers and proceedings had in said
Cause, duly Certified as the Law directs
and placed the same in the hands of
said Defendants, Oliver R & B W Kemmer
~~and the same being duly approved by me~~
at my hand and affixed the seal of
the said Circuit Court at Carmi this
the 16th day of November A D 1855

Stinson Vories clerk

No 62

Alvin R. & Byron W.
Kerner

Appellants

vs

Frederick A. Conkling &
Charles A. Shippard

Appel from White

Filed 21. Nov. 1855

N. Johnston Clerk

Appeal Dismissed Notice
thereof sent down to the
Circuit Court on the return
sent 26 Nov. 1855.

1411
Carrington & Shephard
115 3rd ~~floor~~ ^{floor} to White -
A B & B W Fenner

When the above case is
dismissed - Major Johnson will
please send me a copy of the order
demanding the case, and give an
Execution for the damages & costs
awarded in favor of C & S - in this Court,
directed to Supt of White County - Very Truly
Yours
J S Robinson

Filed Nov. 1855

W. Schuyler Colver

Mem^o for Major Johnson

W. S. Robinson

alvin & Byrew, W. Kerner appellants

vs

appeal from
White Circuit
Court

Frederick, A. Concklin }
& Charles, A. Sheppard } appellees

Waiver to dismiss appeal
R. S. Nelson for
appellees

appeal dismissed with 5 per cent damages
& proceeds to White Circuit Court
& Execution for Damages & Costs

The Clerk will please attend to this
Case instantly or as soon as Circum-
stances will permit

R. S. Nelson for appellees

No 62

Alvin Rd Pyren M
Kemper

Appellants

Frederick A Conkling M
Charles A Shipman

Respondents

Filed 21. Nov. 1855

A Johnston Clerk
"

Notice sent to Circuit
Court, Nov. 21. 1855 -

No 62

Ald B W Kemmer
vs
Francis A Crickling &
Charles A Sheppard

Appeal from White.

Dismissed at cost of Ald
B W Kemmer, with 8 per cent
for delay - amt. of damages \$39.25.
Costs of 4.95. For per executed
issued to Shff White lev.
Dec 4. 1858.

14200