

No. 12002

Supreme Court of Illinois

Rutledge.

vs.

Funk.

71641  7

State of Illinois }
McLean County } D

Thomas O Rutledge } Bill for
vs } Injunction
Jesse Funk Supervisor }

I William H Allin Clerk Circuit Court
of McLean County do certify that the
following proceedings were had in the
above entitled cause which is now pend-
ing in said Court -

- On the ninth day of March in the year
AD 1849 the said Complainant by his
Attorney A Gridley file his Bill for Inju-
-riation. At the April Term AD 1849 ^{of said Court} the
said respondent filed his answer under
oath and by his Attorney J M Scott moved
the Court to dissolve the Injunction

Whereupon the Court made the following
order to wit

Thomas O Rutledge } Bill for Injunction
vs }
Jesse Funk Supervisor }

And now this day comes the complainant
by his Attorney A Gridley and the respondent
by his Attorney Scott and thereupon came
on the motion to be heard heretofore made
in this cause by the respondent to dissolve
the Injunction and the Court being satis-
fied that the answer denies fully the equities
in the Bill, and the Complainant offering
no evidence to sustain the allegations in
the same, sustains the motion and it
is ordered that said Injunction be

dissolved, from which order the said Complainant prays and appeal to the Supreme the Court at Ottawa, which is granted on condition that he file with the Clerk of this Court with security to be approved by the Clerk in five days, an appeal Bond in the penalty of Two hundred Dollars, conditioned as the law directs. It is further ordered that this Cause be continued until the next Term of this Court.

On the 24th day of April AD 1849 the said Complainant filed his Appeal Bond in the above entitled Cause which is as follows To Wit:

Know all men by these presents, That we Thomas O Rutledge and James Allen of the County of McLean and State of Illinois are held and firmly bound unto Jesse Funk Supervisor, in the penal sum of Two hundred Dollars, for the payment of which well and truly to be made we and each of us, bind ourselves, our heirs, Executors and administrators, jointly and severally and firmly by these presents - Sealed with our Seals and dated at Bloomington this 24th day of April Anno Domini one thousand and eight hundred and forty nine.

The condition of the above obligation is such, that whereas the said Jesse Funk Supervisor did on the 21st day of April 1849 - in the Circuit Court within and for the County of McLean and State of Illinois, obtain a judgment against the above bounden Thomas O Rutledge for the sum of — Dollars and — cents and costs of Suit, from — which the the said Thomas O Rutledge has prayed

for and obtained an appeal to the Supreme Court
of said State to be holden at Ottawa at the
next June Term thereof.

Now if the said Thomas O Rutledge
shall duly prosecute said appeal and shall
moreover pay the amount of the judgement-
costs, Interest and Damages rendered and
to be rendered against him the said Thomas
O Rutledge in case the said judgement
shall be affirmed in said Supreme Court
then, the above obligation to be null and
void otherwise to remain in full force
and virtue.

Thomas O. Rutledge *Seal*

James Allin. *Seal*

I William H Allin do further certify that
the above is a true copy of the Record on
file in my office, of the order of the Court
in the Cause of Thomas O Rutledge vs Jesse
Finck Sup^r - that the above is a true copy
of the appeal Bond in said Cause - that
said Bond was filed and the Security there-
on was approved by me on the 24th day
of April 1849 - which was within the time
given by said Court for filing the same
and that I have not delivered any transcrip-
t of the proceedings of in this Cause to
said Complainant or his Attorney

In Testimony whereof I have here-
unto set my hand and affixed
the Seal of said Court - done
at Bloomington this 21th day
of April A.D. 1849 -

Wm H. Allin Clerk

S.S.

Wm. H. Hodge
55
Case Frank Supr.



1849

Filed June 23. 1849
L. Seland Clk.

12002

Supreme Court, 3rd Grand Division - June Term 1849.

Thomas A. Rutledge Appellant

Appeal from Cl^e Sean.

Jeppie Funk Appellee

| | |
|--|---------------------------------------|
| Fil. transcript 20. Leave to file same 25, Dh. cancel 12 $\frac{1}{2}$, apper. of appellee 25, | 82 $\frac{1}{2}$ |
| Ent. distt. of appellant 25, Ord. diffy. appl. 25, Ord. in Proceeds. 25, Proceeds. & seal 1.00, | 1.75 |
| judt. in distt. ^{with} for costs 25, Ord. in execution 25, Ord. diffy. appl. 25, ent. orders & fol. 37$\frac{1}{2}$, | 87$\frac{1}{2}$ |
| Execution 50, bill of costs 37 $\frac{1}{2}$, copy 25, Shffs. return, 12 $\frac{1}{2}$, | 1.25 |
| Fil. & Dh. extn. 18 $\frac{1}{4}$, posty. 20, ent. sat. pr. 25, Dh. fee 1.25, | 1.88 $\frac{3}{4}$ |
| | Amount $\$ 6.88\frac{3}{4}$ |

Supreme Court

Thomas A. Rutledge

vs

Jeppie Funk

Bill of Costs — \$6.58³/₄

See Book page 1.

State of Illinois, ss.

Supreme Court, Third Grand Division, at Ottawa:

The People of the State of Illinois, to the Sheriff of *McLean* County---Greeting:
WE COMMAND YOU, That of the goods and chattels, lands and tenements, and real estate of

Thomas Q. Rutledge

you cause to be made the sum of *six* dollars and

fifty eight & three quarters cents costs in the said Supreme Court, which

Joseph Frank

lately recovered against *him* before the Justices of our said Supreme Court, as appears to us of record, and make return hereof in ninety days.

WITNESS, the Hon. SAMUEL H. TREAT, Chief Justice
of our said Court, and the Seal thereof, at Ottawa,
this *21st* day of *July*
in the year of our Lord one thousand eight hundred
and *forty nine*.

H. Land Clerk of the Supreme Court.

Supreme Court.

Thomas C. Rutledge

vs
Jesse Funk

Execution vs Ruff.

Bill of Costs - \$6.58 1/4

Filed May 24, 1850.
Mel and Elk.

collected due within one
month of the date of this bill
and the balance of the same
to be paid to the Clerk of the
Court within one month of the
date of this bill.



Wm. G. ... Clerk of the Supreme Court.
in the year of our Lord one thousand eight hundred
and fifty ...
of our said Court, and the Seal thereof, at Ottawa,
this 21st day of May 1850.