

8457

No. _____

Supreme Court of Illinois

Illinois Central R.R.Co.

vs.

Daniel R. McElyen

71641  7

to make up their verdict, and after a deliberation Return into Court here the Following Verdict
"We the Jury find the Defendants Guilty, and assess the Plaintiffs Damage at One hundred and Sixty five dollars & 1/5" Whereupon the Said Defendants by their Attorneys enters a Motion for a New trial and in arrest of Judgment, which Motion is by the Court Overruled. The defendants then by their Attorneys prayed an appeal to the Supreme Court, which is Granted and the defendants Required to file Bond within Twenty days from this date with J. N. Haynie as Security in the Penal Sum of Three hundred Dollars.

Which Bond is in Words and Figures as follows.

I Know all men by these presents that We the Illinois Central Rail Road Company and Ashael Haynie are held and firmly Bound unto Daniel R Mc Elpa in the Penal Sum of three hundred Dollars lawful money of the United States for the payment of which well and truly to be made we bind ourselves our heirs executors and administrators jointly severally and firmly by these presents. Witness our hands and Seals this 21st day of December AD 1860.

The Condition of the above obligation is such that Whereas the said Daniel R Mc Elpa did at and during the December Special Term

of the Circuit Court in and for the County of Jackson
and State of Illinois, A.D. 1860, recover a judgment
against the above bounded Illinois Central Rail
road Company for the Sum of One hundred and
Sixty five dollars and Costs of Suit, from which
judgment the said Illinois Central Rail road
Company have taken an appeal to the Supreme
Court of the State of Illinois. Now if the said
Illinois Central Rail Road Company shall duly
prosecute their appeal and with effect and shall
pay the judgment Costs interests and Damages
in case said judgment shall be affirmed then
the above obligation shall be void otherwise to
be and remain in full force and effect

Illinois Central Railroad Company *State*
by J. N. Haynie Atty in fact
J. N. Haynie *Seal*

Filed December 26th 1860
James P. Watson, Clerk.

State of Illinois, }
Jackson County, } I James P. Watson Clerk of the
Circuit Court within and for said
County and State, Do Certify that the above and fore-
going copy of an Order of Court and Bond now on
file in my Office are true and correct Copies, as
appears from the Records in my Office.

Witness my hand and Seal of Office at
Murphysboro this 10th day of November 1862
James P. Watson, Clerk

48

Paul R Mc Elyea

vs

M. C., R., R., Co

Copy of Record

165
5

\$8.25

D McElyea

Filed Nov. 13. 1862.
N. Johnston City
Paid by Dougherty \$5.00

Fee \$1.00



48

M. C. R. R. Co.

Appellant

vs

Daniel R. M'Clure

Appellee

Appeal from Jackson

165

5

Damages

$\frac{165}{5}$
\$8.25

Cost bill on Page 508-

Dismissed
3 per cent Damages

847

Entered on Page 199 - of
Book "B"

Copy of final order Proceedings & Execution on 21 Oct 1862