

No. 8722

Supreme Court of Illinois

W.H.Litheberry

vs.

Wm. Tipton

71641  7

William Tipton

276

vs
William D. Letherburg

William Ford and

Samuel H. Pullen

Of The March Term

of The Marion Circuit

Court A.D. 1859

Assumpsit

Friday April 1st 1859

Came the Defendants
by their attorney and moved the Court for leave to
file plea of the general issue and withdraw plea
on file which motion the Court allows and new
plea of general issue being filed and issues
being joined, and this cause being submitted
to the Court for trial without a jury on the
consent of the parties. And the Court having heard
the evidence finds the issues found for the Plaintiff
and assesses its verdict of Damages for the
Plaintiff at the sum of \$561.90 whereupon the Court
renders judgment for the Plaintiff for said sum of
\$561.90 together with his costs in this behalf expended
which said Plaintiff do have and recover of and
from said Defendant and may have execution &c

and the Defendant moves for new
trial which motion the Court overrules. And the
Defendants takes exception and prays an appeal
which is granted on entering into Bond in thirty
days in \$1000 with John McCall as security

The Bill of Exceptions to be presented and
signed upon approval of correctness by opposite
Counsel

State of Illinois J. H. W. Eagan Clerk of the Circuit
 Marion County ^{3rd} Court of said County do hereby certify
 The foregoing to be a true full and
 complete copy of the order of Court in the above entitled
 Cause. That said order was made on the 1st day of
 April being of the March Term A.D. 1859 of said Court,
 and that an appeal Bond in the sum of \$1000 was
 on the 25th day of April 1859 filed in my office signed
 by William H. Lethbrun, John M. Call & J. A. Scott.
 And further that no Bill of Exceptions has, as
 yet been filed in said Cause.

Given under my hand and
 official Seal at Joliet this
 14th day of November 1859

J. H. W. Eagan Clerk
 J. O. Chace Deft

74

Wm. H. Lethbrun
 Wm. H. Lethbrun

App. for Marion
 dismissed into special

Filed Apr. 18. 1859.
 W. Lethbrun Clerk

Dismissed - Same as 28-09.
 Entered in Reg - 94 -
 Proceedings & Execution
 entered Dec 1 - 1859 -

74

Seatherburyetal

vs

Tipton

} official
damages.

72

Seatherburyetal

vs

Munell

} official
damages

73

Wood

vs

Heurston

} official
damages

[8722-2]

By an mill see first page

No. 74

1859

W. H. Sutherland

vs

William Lepton

Appeal from Motion

Dismissed with 5 per cent
Damages for Delay -

8722

See Record "B" Page 94, for
final order -

Costs on Page 347 -

Pro. Tex. Dec 1 - 1859 -