

No. 12000 $\frac{1}{2}$

Supreme Court of Illinois

Staples.

vs.

Sherman.

71641  7

State of Illinois
County of Cook } ss.

Pleas before the Honorable John M. Wilson
sole Judge of the Cook County Court of Common Pleas
within and for the County and State aforesaid at a
special Term of said Cook County Court of Common
Pleas on the first Tuesday being the fourth day of
January in the year of our Lord one thousand eight
hundred and fifty nine due notice of the time and
place of holding said term of Court, having been
printed and published in the "Daily Democrat" the
Corporation Newspaper of the City of Chicago, said
Notice having been printed and published Twenty days
previous to the holding of said Court in accordance
with the Statute in such case made and provided,
and in pursuance of an Order made by the Judge of
said Court on the thirteenth day of December A. D.
one thousand eight hundred and fifty eight

Present . Hon: John M. Wilson Judge
 Charles Haven Prosecuting Attorney
 John Gray Sheriff Cook County

Attest

Walter Kimball Clerk.

Be it remembered that heretofore to wit on the twenty first day of January A. D. Eighteen hundred and fifty nine, the following among other, proceedings were had and entered of record in said Court to wit,

" Jonathan M. Staples &
Stephen A. Caldwell

vs
Jennoyce S. Sherman & Asst^s
Francis H. Kales

This day came the said parties by their Attorneys, and by their agreement made here in open Court, this cause is submitted to the Court for trial without the intervention of a Jury, and the Court after hearing the allegations and proofs submitted by said parties, arguments of Counsel thereon, and being fully advised in the premises, finds the issue for the plaintiffs and assesses their damages herein to the sum of Two hundred and forty three dollars and nineteen cents.

Therefore it is considered that said plaintiffs do have and recover of said Defendants their damages of Two hundred & 43.19 and forty three dollars and nineteen cents in full as aforesaid assessed, together with their costs and charges by them in this behalf expended and have execution therefor.

Whereupon said Defendants pray an Appeal to the Supreme Court of the State of Illinois, which is granted on condition that said Defendants file their Appeal Bond herein, within ten days in the penal sum of Three hundred

and fifty dollars, with good and sufficient securities thereon,
to be approved by this Court.

And thereupon on the twenty ninth day of January
A. D. Eighteen hundred and fifty nine, the said Defendants
accordingly filed in the Office of the Clerk of said Court
their Appeal Bond, in the words and figures following, to wit,

" Know all Men by these Presents That we Jemoy
S. Sherman, Francis W. Kates and E. Anthony of Chicago
in the County of Cook and State of Illinois are held and
firmly bound unto Jonathan M. Staples and Stephen W.
Cadwell in the City and State of New York in the sum
of Three hundred and fifty dollars lawful money of the
United States to be paid to the said Staples & Cadwell
their executors administrators or assigns for which payment
well and truly to be made, we bind ourselves our heirs
executors and administrators firmly by these Presents.

Sealed with our seals - Dated this 29th day of January
A. D. 1859.

The Condition of the above Obligation is such
that whereas the said Jonathan M. Staples and Stephen
W. Cadwell obtained a Judgment against the said Sherman
& Kates for the sum of Two hundred and forty three
dollars and nineteen cents at the January Special Term of
the Cook County Court of Common Pleas in the year 1859
from which said Judgment so obtained the said Sherman
& Kates have appealed to the Supreme Court of the State

of Illinois Now if the above bounden Sherman & Nales
shall pay the said judgment and costs of suit and interest
and costs of this Appeal in case the said judgment
shall be affirmed by the Supreme Court of the State of
Illinois then this obligation and all herein contained
shall be null and void otherwise shall remain in full
force and effect

(signed) Purser, L. Sherman (Seal)
E. Anthony (Seal)

State of Illinois }
County of Cook } ss.

I Walter Kimball, Clerk of the Superior
Court of Chicago (late Cook County Court of Common
Pleas) within and for the County of Cook and State of
Illinois Do hereby certify the above and foregoing to be
full true and correct Transcript of the Order and
judgment Entered of record in said Court, together with
the Appeal Bond now on file in my office, in a certain
suit in said Court, wherein Jonathan M. Staples and
Stephen A. Cadwell were Plaintiffs and Purser L.
Sherman and Francis Nales were defendants And

the said Walter Kimball do hereby further certify that
the said Defendants have not, nor hath either of them,
I applied for or taken a record of the proceedings in said
cause, or taken any other steps whatever towards prosecuting
their said Appeal to the Supreme Court of the said
State of Illinois, since the filing of their said Appeal
Bond as aforesaid.



In testimony whereof I the said
Walter Kimball have herunto set my
hand and affixed the seal of said
Supreme Court at Chicago in said
County of Cook this thirtieth day of
May A. D. 1859.

Walter Kimball Clk

393 State of Illinois
Cook County.

\$243.19

\$141.95

Jonathan M. Stoddard, et al

vs

Penner, S. Sherman, et al

Certificate of
Nonprosecution of Appeal.

Filed May 31. 1889.
Melrose, Ill.

12000 1/2

§ 2. Paid by Correll & Co. 11/1/89

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