

8788

No. \_\_\_\_\_

# Supreme Court of Illinois

Wm. John Cowling

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vs.

J. S. Jarquis

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71641 7



Pleas held before the Honorable Edwin  
 Beecher Judge of the 12<sup>th</sup> Judicial Circuit  
 Comprising among others the County of  
 Wabash at the Court house in Mt Carmel  
 on the 12<sup>th</sup> day of April 1858 Present the  
 Honorable Edwin Beecher Judge Charles  
 Cuyler Sheriff and Hiram Bee Clerk.  
 And afterwards took during at said  
 April term of said Circuit Court in and  
 for said County of Wabash, took on  
 Thursday the 4<sup>th</sup> day of said term and  
 the 15<sup>th</sup> day of said month of April  
 1858 the following order, <sup>and Judgment</sup> was had in  
 the following entitled Cause to wit

- " Jonathan & Jacques Hiram & Read
  - " Henry & Groatway merchants
  - " trading by step and firm of
  - " A. S. Jacques & Co
  - " vs
  - " William Bowling & John Cowling
- } Assumpsit

At this day came the parties to this  
 action and in defense by their attorneys  
 filed their several pleas, To third plea the  
 Plaintiff demands and it is ordered by the  
 Court that said demand be sustained,

And afterwards took on the 5<sup>th</sup> day  
 of said term and 16<sup>th</sup> day of said month  
 the following further order and Judgment  
 was had in said Cause to wit

- " Jonathan & Jacques Hiram & Read and
  - " Henry & Groatway merchants trading under
  - " name step firm of A. S. Jacques & Co
  - " vs
  - " William Bowling & John Cowling
- } Assumpsit



"At this day again came the parties by their  
attorneys and issue being joined there  
came a Jury to wit John R. Corrie William  
Price Hiram Fox Sidney Scheuster John W.  
Stewart, Robert S. Williams, Ellis Burdette  
Stephen Simons Samuel Mundy's James  
McBee and Alden Hill, twelve good and  
lawful men who being duly elected tried  
and sworn the truth to speak upon the  
issue joined, "upon their oaths say"

That the Jury find for the Plaintiff and  
assess their damages at one hundred  
and twenty seven dollars and fifty six  
cents, whereupon the Defendants by their attor-  
neys moved the Court for a new trial  
and in arrest of Judgment which motion  
after argument of Counsel is overruled  
by the Court, It is therefore considered by  
the Court that the Plaintiff recovers of the  
Defendants the said sum of one hundred  
and twenty seven dollars and fifty six  
cents by the Jury aforesaid assessed for  
their damages together with their costs and  
charges herein expended and thereof have  
Execution &c. Whereupon the Defendants prayed  
an appeal to the Supreme Court, which  
is allowed by the Court by their giving bond  
in thirty days in the sum of three hun-  
-dred dollars with Samuel McMartin So-  
-ciety -



State of Illinois }  
Wabash County } 58

I Hiram Bell Clerk of the  
Circuit Court in and for the County of  
Wabash and State of Illinois do hereby  
Certify that foregoing Judgement and  
order on the opposite page are all the  
proceedings had in the cause mentioned  
in which J. S. Jacques & Co are Plaintiff and  
William & John Cowling were Defendants  
and I further Certify that afterwards to wit  
on the 11<sup>th</sup> day of May A.D. 1858 said William  
& John Cowling in pursuance of such Judge-  
ment and order filed with me a Bond  
in the sum of two hundred Dollars with  
Samuel H. Martin Security Conditioned as  
the law requires which said Bond is still  
<sup>in file</sup> in my office, and I further Certify that  
~~heretofore to wit on the or about the~~  
~~day of~~ A.D. 1858 I as Clerk of the Cir-  
cuit of Wabash County, as aforesaid made  
out a full Transcript of such Judgement  
and appeal as aforesaid and then &  
then deliver such Transcript to

In testimony of all which I have here  
unto set my hands and Seal of said  
Court at Mt Carmel Wabash County  
Illinois on this the 15<sup>th</sup> day of September  
A.D. 1859

Hiram Bell Clerk



J. S. August Co

or

William Cowling

John Cowling

Filed Nov. 17. 1859.

St. Johnston Ct

Paid by Chas. Pucke - \$500



State of Illinois - Supreme Court -  
1st S. to Nov Term 1859

W. of Counciling

} Appellate from Wabash  
D.S. Loggins

The Clerk will please  
issue Execution in due course  
directed to Sheriff of Wabash County

Nov 18 - 1859

Wm Beech  
for Appellee -

Enclines & Orms at Fairfield  
18

Couling  
5  
Agnes

Prescriptions

Ch. Bural



Supreme Court  
Nov Sem 1859

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Appeal from  
Wabash County

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Wm Coulter et al

vs

J. S. Jagneaux

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Prize

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D. S. Tagney, Amherst Mass  
Henry G. Sualbury, Boston  
writing in the style of  
D. S. Tagney & Co

The Club will please  
place the above come on docket,  
and file the papers in the same

W. A. Beecher  
for Appelles

Nov 17-1859



No 62

1859.

Wm & John Cowling

by

J. S. Juggess Esq

Appl from Webster -

8788

Dismissed with 5 percent  
damages for delay.

See Name Book "B" - Page 81 - for  
first entry -

entitled on Page 355 -

Pro. Hen to C. A. Barber  
Dec 7 - 59 -