

8528

No. _____

Supreme Court of Illinois

A. A. Purcell et al

vs.

J. M. Oglesby

71641  7

Abraham A Perrell
William M Finley &
John Draper

vs

John M Oglesby
County Judge et al
for the use of the People
who sue for use of
Samuel bloom

Appeal from
Marion

Mr Clerk please
~~file~~ direct the above enti-
tled cause

Ornelius & Saunders
Attys at Law

39

8528

Filed Nov. 13, 1869 -
St. Johnston Ark

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John M. Oglesby County Judge
etals for the use of the People
who sue for use of Samuel Cloon

vs

Abraham A. Russell, William M.
Fairley and John Draper

Debts

State of Illinois

Marion County

88

J. O. Chaney

clerk of the Circuit

Court of said County hereby certify that the foregoing
entitled cause was tried at the August term A.D. 1863
of the Marion Circuit Court and that the following orders
were in said cause entered of Record To-wit

" And now at
" this day To-wit Thursday August 20th 1863 came the parties
" by their attorneys and the Court hears argument on Demurrer
" to the Declaration and overrules same.

" " Afterwards on Friday August 21st
" 1863 the Court hears argument on Demurrer to the pleas
" re and sustains same to the 2nd plea with leave to amend.
" Amended pleas filed and the Plaintiffs file Demurrer
" to the special pleas 3, 4, 5. The Court hears argument there
" on and sustains Demurrer to the 3rd and 4th pleas, and
" overrules same as to the 5th plea. Thereupon issue is
" joined on the 1st plea of non est factum and the 5th
" plea alleging an offer to return the the property to
" Plaintiff Samuel Cloon or agent

Afterwards on Tuesday

" Augt 25th 1863 Defts file ^{the} plea to which Pliffs demur
" The Court hears arguments thereon and sustains the demurrer
" and Deft Excepts to the ruling of the Court in sustaining same
" Set a jury come Thereupon came the following Jury, Jurors
" Tho^s A Nichols, C. W. Jennings, J. B. Couart, Henry Crain
" Joshua Mitcalp, Jesse Sullens, R. G. Stovall, Calvin Lynch, J. A
" Morgan, Joseph Tucker & M. Gibbs and Samuel Mercer twelve
" good and lawful men who being tried elected and sworn well &
" truly to try the issues joined having heard the evidence
" arguments of Counsel and instructions of the Court retired
" to consider their verdict and afterwards brought into
" Court the following verdict. "We the jury find for the
" pliffs \$1000 - debt to be discharged upon payment of
" \$60 - Damages Whereupon Defts move for a new
" trial which the Court refuses. It is therefore ordered
" and adjudged that said Plaintiffs do have and recover
" of and from said Defts the sum of \$1000 - debt to be discharge
" d on payment of \$60. Together with their costs herein
" and may have Execution &c

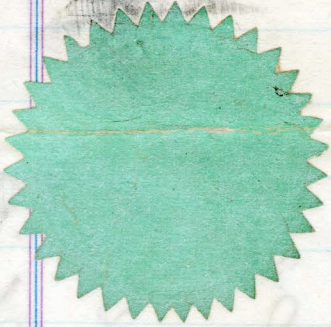
" And Defts pray an appeal
" which is granted on their filing Bond in \$200 within
" thirty days security to be approved by the Clerk."

I further certify that Bond was filed
in compliance with the above order, but that no Bill
of Exceptions has been filed. I also certify that I
have had no order from Defendant or Defendants
to make out a Record in said cause

Given under my hand and official seal
at Salem this 10th day of November A.D.

1863

J. O. Howe



39

J. M. Oglesby vs
use of Saml Cloon

vs

A. A. Purcell vs

60/4
76.00

Filed Nov. 13, 1863.

St. Petersburg Fla

Paid by Ormelovey \$10.

Dec 1 1863

A. A. Purcell et al
Appellants.

vs

J. M. Oglesby - County Judge
for use of Sam. Cloon -
Appellee.

Appl. from Marion

Appl. Dismissed - at Cost
of Appellants - with Damages
for Delay -

Damages ————— 6.00

Costs ————— 10-91

Cost bill on page — 563-

8528