

No. 13328

Supreme Court of Illinois

Perkin

vs.

Desoter

Proceedings of the County Court Ponia County State of Illinois
began and held at the Court House in the City of Ponia in said County on Monday
February 1st 1858. for Judicial ^{and other} business. Present Hon Wellington Lovetts
Judge. Charles Kittle Clerk and Francis W. Smith Sheriff.
Thursday February 4th 1858.

Record

John Parkin

vs.
John Decker

Appeal from J. P. Trial of right of Property

This day came the said P. by Grove and McLaughlin Attys and
the said D. by W. Pitt Kellogg and J. J. Lunday his Attys and it is ordered by
the Court that a Jury be empanelled to try said cause. Whereupon came a list
of Twelve good and lawful men to wit. A. O. Barnett, John McNeill, John Milahan,
Isaac Moore, Michael Fash, Ephraim Morrison, J. M. Johnson, Jacob Farrell,
David Maxwell, John H. Floyd, Josiah Fisher and James F. Murden, who
were duly chosen, tried and sworn well and truly to try said cause and to render
verdict according to the Evidence given. The Jury having heard the Evidence in the
case and the arguments of counsel retired to consider of their verdict.

Friday February 5th 1858.

Record

John Parkin

vs.
John Decker

Appeal from J. P. Trial of right of Property

This day came again the parties in this suit - also the Jury
empanelled in this cause and returned into the Court the following verdict "We the
Jury find for the Plaintiff the Claimant". Therefor the said Defendant by his Atty
and entered his motion for a new Trial of this cause. The Court being fully advised
in the premises doth overrule the said motion. Therefore it is ordered by the Court that
the said John Decker or his agent or the Officer making the levy make due return to the
said John Parkin of the goods so detained by him and further considered by the Court
that the said John Parkin do have and recover of and from the said John Decker his costs
and charges by him in this suit in his behalf expended in this Court and the Court below
and that he have Execution therefor.

Thereupon the said Defendant pray an
appeal of this cause to the Supreme Court of this State. which was ordered to
be allowed on his Entering into Bonds in the penal sum of Three hundred dollars
within Ten days conditional according to law - with Richard Gregg as security

And afterwards To wit on the 1st day of February A.D. 1858.
there was filed in the Clerk's office of said Court in the suit John Patton vs John
Dexter an appeal Bond which in words and figures is as follows To wit.

Appeal
Bond.

Know all Men by the Presents, That we John Dexter and Richard Gregg both of Peoria County Illinois are held and firmly bound unto John Parkin in the penal sum of Three Hundred dollars. The payment of which we do bind ourselves our heirs Executors and Administrators firmly by these presents. Witness our hands and seals this fifteenth day of February A.D. 1858.

The Condition of this obligation is such that whereas the said Bound John Dexter has prayed for an appeal in a certain cause in the County Court of Peoria County Illinois, wherein John Parkin is Plaintiff and John Dexter defendant to the Supreme Court of the said State, which trial is the right of property - now in case the said John Dexter shall pay all judgment for costs which may be awarded against him by reason of the said appeal and shall pay all costs which may be awarded against him in said County Court in said cause and shall ^{keep} the said John Parkin harmless from any costs or damages, which by law the said Dexter should pay them this obligation shall be void Else to remain in full force and virtue.

John Dexter Seal
his Attorney in fact R. Gregg Seal

Certificate

State of Illinois
Peoria County

Seal
I Charles Kettle Clerk of the County Court in and for the said County do hereby certify that the foregoing is a true Transcript from the Records in the suit wherein John Parkin is Plaintiff and John Dexter is defendant and also a True copy of the Appeal Bond filed in said cause.

Witness my hand and official Seal at Peoria this 24th day of April A.D. 1858.

Charles Kettle Clerk
per Geo. W. Kettle Sply Clerk

John Parkin
vs
John Dexter.

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13828

Transcript for Supreme Court

Filed April 26, 1858.
L. Keland
Clk.

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\$1.15 Fee paid by R. Emse.

