

13734

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

# Supreme Court of Illinois

D  
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vs.

R  
~~H~~ouse

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Proceedings at a term of the Circuit Court begun and held at the Court House in the City of Peoria, in and for the County of Peoria in the State of Illinois on the first Monday of March in the year of our Lord one thousand eight hundred and fifty five it being the fifth day of said month. Present the Honorable Cuslow Peters, Judge of the sixteenth Judicial Circuit, in the State of Illinois to wit:

Wednesday March 21<sup>st</sup> A. D. 1855

Rudolphus Rouse  
vs  
Simeon D. W. Drown } Ejectment

This day came the plaintiff, by Elisha N. Powell his attorney and waived a trial by jury and agreed that all matters both of law and fact arising in this cause shall be tried by the Court, and the Court having heard the evidence of the parties respectively & not being sufficiently advised in the premises took time to consider

Saturday March 31<sup>st</sup> A. D. 1855

The Court being now sufficiently advised in the premises do find that the defendant is guilty of unlawfully withholding from the plaintiff the possession of the premises, claimed by the plaintiff as alleged in his declaration that the plaintiff has a title thereto in fee simple, and do assess the plaintiffs damages at one cent. Therefore it is considered that the said Rudolphus Rouse have and recover of the said Simeon D. W. Drown the possession of the following described real estate, to wit: A part of fractional lot No five in block No thirty five in the town of Peoria and bounded as follows to wit, Beginning at a point on the line of said lot five on Adams Street (60) feet from the corner of Hudson and Adams streets, thence on the line of said lot five on Adams street towards Harrison street (16) feet, thence at right angles & parallel with Hudson or Perry Street to the line between the N. E. & S. E. quarters of section No 9, township No 8 north Range No 8 east of the fourth principal meridian, thence west on the line between said quarter sections to the corner of lot No 6 in Bigelow & Underhills addition to Peoria, where the line of said

lot (6) in Bigelow & Underhills addition strikes the line between the said quarter sections. And from thence on a line being a continuation of the line of said lot No (6) to the place of beginning. And that a writ of possession issue therefor; and it is further considered that the plaintiff have and recover of the defendant the sum of one cent his damages aforesaid and also his costs and charges by him about his suit in this behalf expended and that execution issue therefor.

The Defendant prayed an appeal from this judgment to the Supreme Court of this State, which is allowed on his filing in the office of the clerk of this Court in thirty days an appeal bond in the penal sum of One hundred dollars, conditioned according to law with surety to be approved of by the said clerk. Ordered that the Bill of Exceptions in this cause may be settled and signed in vacation.

State of Illinois  
Peoria County

I, Jacob Gale, clerk of the Circuit Court of said County, hereby certify, that the foregoing is a true transcript from the records of the said Court, of the trial and final judgment of said Court and order allowing appeal to the Supreme Court of this State in a certain cause of Rudolphus Rouse plaintiff against Lincoln D. W. Drown defendant. I further certify that the said defendant perfected his appeal by filing bond according to the final order of said Circuit Court allowing said appeal.

Witness Jacob Gale, clerk of said Circuit Court and the seal thereof at Peoria this sixteenth day of June in the year of our Lord one thousand eight hundred and fifty five.

Jacob Gale, clerk.

clerk's fees: certified copy of judgment \$0.80 paid by plff -  
Jacob Gale, clerk.

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Simca J. W. Brown

Rudolphus Rouse  
Transcript

Certs taken

Filed June 26. 1855.  
Deland Ch.

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