

No. 13336

# Supreme Court of Illinois

Jackson

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vs.

Kimber

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Proceedings of the County Court of Peoria County and State of Illinois, began and held at the Court House in the City of Peoria and said County, on the 2<sup>d</sup> day of September A.D. 1857. for judicial Business &c. The Hon Thomas Bryant, presiding Judge and Charles Kettells Clerk and Francis W Smith, Sheriff

Saturday September 12<sup>th</sup> 1857.

Robert Kimble.

vs.

appeal from J. P.

Henam Jackson.

This day came the said Defendant by Groo and McCoy, his attorneys and entered his Motion for leave to file Bill of Particulars, showing that the note in Suit was given for lumber and not for money loaned. The Court being fully advised in the premises doth overule the said motion and thereupon came the said Plaintiff by Manning and Merriman his attorneys and both parties by their attorneys waive a trial by jury and agree that all matters both of Law and fact in question in this cause shall be tried by the Court and hereupon the Court having heard the evidence of the parties aforesaid respectively touching the matters aforesaid and the arguments of Counsel thereon doth find for the Plaintiff and do assess the damages which the said Plaintiff hath sustained by reason of the premises at the sum of Two Hundred and Thirty four Dollars. Therefore it is considered by the Court that the said Robert Kimble do have and recover of and from the said Henam Jackson the sum of Two Hundred and Thirty four Dollars his damages in form aforesaid assessed and also his costs and charges by him about his suit in this behalf expended and that he have Execution thereupon.

Thereupon came the said Defendant by his attorneys and 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 Five Hundred dollars conditional to Law with Henry Groo as security within Thirty days.

And afterwards To Wit on the 28<sup>th</sup> day of September A.D.  
1857. There was filed in the office of the Clerk of the County  
Court of said County. an appeal Bond. in words and figures  
following To Wit

" Know all Men by these presents. that we Heriam Jackson  
and Henry Grove are held and firmly bound unto Robert  
Kimble in the penal sum of five hundred dollars law-  
ful money. well and truly to be paid, we bind ourselves  
our heirs executors administrators or assigns, With our  
own hands and seals this twenty eighth day of September  
A.D. 1857. The condition of the above obligation is such,  
whereas the above named Robert Kimble did at the Sep-  
tember Term of the County Court of Revere. A.D. 1857.  
recover a judgment in said Court against the above  
bonded Heriam Jackson Jr.

from which said judgment. the said Jackson has prayed  
an appeal to the Supreme Court of the State of Illinois. Now  
if the said Heriam Jackson shall pay the judgment above  
mentioned, costs, interest and damages that may be  
due said Kimble, in case the said judgment of the  
said County Court. shall be affirmed by the Supreme  
Court. and shall duly prosecute said appeal then  
the above obligation to be void otherwise to remain  
in full force and virtue.

Heriam Jackson  
Henry Grove

(Seal)  
(Seal)

State of Illinois }  
Plover County }  
}

I, Charles Kettelle, Clerk of the County  
Court of said County. Do hereby Certify -  
That the foregoing is a true, full and complete copy  
of the Records in said entitled Cause, and also  
the Appeal Bond, filed in said Cause.

Witness my Hand and Seal  
this 20<sup>th</sup> day of April 1858.

Charles Kettelle, Clerk

Hiram Jackson  
vs 267

Robert Kimball

Respond

267

13836  
267



~~Sumner~~  
~~Sumner~~

Filed April 23 1858  
L. Deland  
Clerk

Ex to be sent to  
~~Sumner~~

Manning & Maynard  
W

~~Sumner~~