

14053

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

# Supreme Court of Illinois

Theidon

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vs.

Riley & Barnes

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David Theldon } writ of Error from Morgan  
vs }  
Riley & Barnes }

Several errors are assigned for the reversal of this judgment, none of which are considered sufficient, The motion to dismiss the appeal from the decision of the Sheriff Court for the trial of the right of property, was addressed to the description of the court, & therefore can not be assigned for error. The appeal bond executed by an attorney <sup>in fact</sup> ~~is~~ is sufficient, and as nothing to the contrary appears, we must presume that the Court was satisfied that the attorney was properly constituted such, and the attachment was properly received in evidence, for the purpose of shewing the plaintiff right to take the property, and for that purpose, was the only evidence that could be adduced. The finding of the jury was sufficiently formal & explicit, their deciding the goods to belong to Jackson, the debtor in the attachment, negatives the ~~claim~~ <sup>title</sup> to them, set up by the claimant. Judgment affirmed with costs W W

Transcript  
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Kieley & Barnes

Filed Feb  
23<sup>d</sup> 1839  
Jm Duran

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Reads