

No. 13838

Supreme Court of Illinois

Rogers

vs.

Yard

71641  7

United States of America
State of Illinois }
County of Cook } ss.

Hear before the Honorable
John W. Wilson, Judge of the Cook County Court of
Common Pleas, within and for the County of Cook
and State of Illinois, at a Special Term of said Cook
County Court of Common Pleas, begun and holden
at the Court House in the City of Chicago in said County
in pursuance of an order made by the Judge thereof, and
to public notice given in accordance with the Statute
in such case made and provided on the Second
Monday being the Ninth day of November in the
year of our Lord one thousand eight hundred and
fifty seven and of the Independence of the United
States of America, the Eighty Second.

Present the Honorable John W. Wilson Judge
Charles Haven Prosecuting Attorney
John L. Wilson Sheriff

Attest

Walter Kimball Clerk

Be it Remembered. That on the Twenty fifth day of
November A.D. One thousand Eight Hundred and fifty
Seven. said day being one of the days of the November
Special Term of said Cook County Court of Common Pleas,
the following, among other proceedings, was had in
said Court, and entered of Records, to wit

Patrick L. Rogers
vs
Archibald P. Ward } Assumpsit

And now at this day comes the said plaintiff by Scates, McAllister, Jewett & Mabody his attorneys, and the said defendant by Ferry his attorney also comes, and issue being joined herein, it is Ordered that a jury come. Whereupon come a jury of good and lawful men, to wit, Stephen Spencer, William J. Fouts, E. Lane, George Ruckles, Hugh McMurray, P. A. Barker, Wm Coleman, J. M. Shaffen, Wm Fleming, H. G. Harris, Roswell Scott and G. B. Hyde, who being duly elected, tried and sworn well and truly to try the issue joined as aforesaid, and also true assessment make of the said plaintiffs damages herein sustained, after hearing the testimony adduced and argument of counsel retired to consider of their verdict. and afterwards return into Court and say, we the jury find the issues for the plaintiff, and we assess his damages to the sum of Five Hundred and fifteen Dollars and Eighty five Cents.

Therefore it is considered, that the said plaintiff do have and recover of the said defendant his damages of Five Hundred and fifteen Dollars and Eighty five cents in form aforesaid by the jury here assessed. and also his costs and charges by him about his suit in this behalf expended and have execution therefor.

And afterwards. to wit. on the Eighteenth day of December in the year last aforesaid. the said day being also one of the days of said November Special Term of said Court. the following among other proceedings was had in said Court and entered of Record to wit.

Patrick L. Rogers.
vs
Archibald P. Ward } App.

And now at this day comes the said defendant. by his said attorney. and prays an appeal in this cause to the Supreme Court of this State. which is allowed by the Court on their filing their Appeal Bond in the sum of Eight Hundred Dollars with security to be approved by the Judge of the Court.

And afterwards. to wit on the Twenty Eighth day of December in the year last aforesaid. the said defendant. filed in the office of the Clerk of said Court his Appeal Bond. which is as follows. to wit.

Know all men by these presents. That we Archibald P. Ward. and Samuel A. Gilbert of the County of Lake in the State of Illinois. are held and firmly bound unto Patrick L. Rogers of the County of Cook. State aforesaid

in the penal sum of One Thousand Dollars. lawful money
of the United States, for the payment of which. well and
truly to be made. we bind ourselves, our heirs, executors
and administrators. jointly and firmly. severally
by these presents,

Witness our hands and seals this
28th day of December A.D. 1857

The condition of the above obligation
is such, That whereas. the said Patrick L. Rogers
did at the November Spl. Term of the Cook County
Court of Common Pleas, in the County of Cook, in the
State of Illinois. recover a judgment against the above
bounden Archibald P. Gard. for the sum of Five
Hundred and fifteen ⁸⁵/₁₀₀ Dollars from which judgment the
said Gard has taken an appeal to the Supreme Court
of the State of Illinois.

Now if the said Archibald P. Gard. shall duly prose-
cute said appeal, and shall ^{pay} the said judgment, costs,
interest and damages in case said judgment shall be
affirmed. then the above obligation to be void. Else to re-
main in full force and effect.

In Presence of
D. E. Barnard.

A. P. Gard
Sam. H. Gilbert

Seal B
Seal C

Endorsed

Approved. John M. Wilson
Judge cl.

State of Illinois }
County of Cook } ss.

J. Walter Kimball, Clerk of the
Cook County Court of Common Pleas, within and for
said County, do hereby certify, that the foregoing is a
true copy of the Order of Judgment entered of Record
in said Court on the 25th day of November A.D. 1857
and the Order allowing the appeal, on the 18th day of
December A.D. 1857, and also of the appeal Bond
filed in my office on the 28th day of December
A.D. 1857, in the case in which, Patrick S. Rogers
is plaintiff and Archibald P. Yard Defendant.

In Testimony Whereof I hereunto
subscribe my name and affix
the Seal of said Court at Chicago
in said County this 29th day of
April A.D. 1858.

Walter Kimball Clerk



316
Cook Co. let. of Com Pleas

Patrick S. Rogers

^{vs}
Archibald P. Yard

Judgt. \$575.25
25 Nov/57

316

best copy Order etc

Filed May 3, 1858

J. Leland
\$575.85 - Judgt. CLK
\$25.77 Dps

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