

No. 12878

Supreme Court of Illinois

Brown, et al

vs.

Lane

71641  7

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Newville

May 28th 1835

Dear Sir

Will you
please send receipt
of the enclosed
Bill issue to Sheriff
of your County
for ~~the~~ Levi
Malloe & Matthias
Malloe to sign to come
in at your term

Yours truly
J. H. Craig
Levi Malloe

State of Illinois
Knox County

I Hiram & Mary Clerk of
the Circuit Court within & for the said County
of Knox in the State aforesaid. Do hereby certify
that the within and foregoing Copy of Bill of Exceptions
and papers filed and remaining of Record in
said Court in the Case of ^{Samuel H. B. Leland & Co for the use} Mathias Wallack
and Levi Wallack. Against Parmenius
Lane and Lorenzo Lane is a true and
correct Copy of the same

Witness Hiram & Mary Clerk
of said Court at Knoxville
this 28th day of May A.D. 1853
Hiram & Mary Clerk

Sustained upon the Bond then judgment is to be entered for the plaintiffs for fifty dollars & costs otherwise for Defendant & either party reserves the right to take an appeal or writ of error to the ~~proper~~ Supreme Court

Signed ³ Knightly & Craig
Attorney for Defts
³ Manning & Douglass for Plaintiffs

And thereupon the Court rendered judgment against the defendants which is all the evidence or papers relating to the record herein

And forasmuch as there facts do not appear of record in this cause the defendants pray that this Bill of Exceptions be signed and sealed and made a copy of the Record in this Case which is accordingly done

Signed) H. M. Mead ~~Ed~~

I H M Mead Judge of the 10th Judicial Circuit in and for the State of Illinois do certify that the above Bill of Exceptions was taken & allowed in the case of Samuel W Brown & Co for use of Matthews & Levi Bralich against Parmineus Lane & Loungs Lane & that the words Levi B Lane & al who are named as defendants were inserted by mistake. Done at Peoria this 19th day of May A D 1853-

Signed) H M Mead

And that this suit was commenced & judgment rendered therein before the Justice below on the following instrument in writing to wit:

State of Illinois 3
Knox County 3 11. I Hiram T. Morey Clerk
of the Circuit Court within and for the said
County of Knox in the State of Illinois, do certify
that after having made diligent search for the
said Replevin Bonds, am unable to find the same.
And that said Bond was among the papers when
the appeal was taken and is now lost or mis-
said I further certify that said Bond was
such an one as is usually given in cases of Replevin.
But was without seals or an unsealed instru-
- ment

Witness Hiram T. Morey Clerk
and the seal of said Court
at Knoxville this 28th day of
May A D 1855
Hiram T. Morey Clerk

And be it further remembered that on the trial
of this cause in Circuit Court, the following
agreement was made and filed to wit:

State of Illinois 3
Knox County 3 Off Knox Circuit Court
April Term A. D. 1855, Appeal
Samuel W. Brown Late Sheriff of Knox County Illinois
for the use of Mathias Wallick & Levi Wallick
vs

Lorenzo Lane & Parmenius Lane
In this cause it is agreed that if
the Circuit Court shall be of opinion that the action

In Justice Court

Before Mr. McGowan J.P.

Action on Bond, Demand \$100, 00
February 19th 1853, Summons issued to Martin Constable
also for Isaac Hague & P. Burnett, returnable
on the 3rd March next at 10 o'clock A.M. and
returned in due time by P. Burnett. Const. served
March 3rd 1853. This day the trial of this Cause coming
on to be heard and the parties and witnesses attended
thereupon Defendants demanded a Jury of six men
and having deposited the fees. venire issued to
Martin Constable and returned with the following
named Jury to wit Washington Hague James
Epperson David Cobbs Robert Blaine R. C. Price &
Thomas Sweeney & the said Jury having been empan-
nelled and sworn the said Defendants filed a Plea
in Bar. The motion being overruled the parties went
into trial and the evidence being heard the Jury stood
to consider upon their verdict & returned into Court
with the following verdict to wit: We the Jury
agree to award to Levi & Matthias Wallace Fifty
Dollars as the value of said skins. It is therefore
ordered that the said Plaintiff have judgment against
said Defendants, for Fifty Dollars and also costs
Justice's fees \$2.18
P. Burnett, 1.53-
Jury fees 1.50
Justice's fees on appeal 1.00

Witness
W. I. Mary 50
Isaac Hague 50
E. A. Atfield

State of Illinois

Knox County

I William M. Gowen Justice of the
Peace in and for said County, do hereby certify, that
the foregoing is a true copy from my Docket
of the proceedings and Judgment in the above case
Given under my hand and seal this 5th day of March 1853
Wm. M. Gowen J.P.

State of Illinois County of Knox ss
Samuel Brown late Sheriff
of Knox County State of Illinois
for the use of Matthias Wallich
and Levi Wallich vs
Circuit Court
April Term A.D. 1855
Bill of Exceptions
Lovi G Lane and al

Be it Remembered that on the Commencement
of this suit before the Justice of the Peace the following
Summons was issued and returned which reads
as follows. To wit:

State of Illinois ss
Knox County ss The People of the State of Illinois
to any Constable of said County. Greeting: You are
herely commanded to Summon Parmenius Lane &
Lorenzo Lane to appear before me at my office in
Knoxville on the 5th day of March 1855, at 10 o'clock
A.M. to answer the Complaint of Samuel W Brown
Late Sheriff of Knox County Illinois for the use of Matthias
Wallich & Levi Wallich for a failure to pay them
a certain demand not exceeding \$100 and hereof
make due return as the Law directs. Given under
my hand and seal this 19th day of February A.D. 1855

Wm. M. Goran J.P. *Edw. J. P.*

And that the following Transcript was made and
returned by the Justice of the Peace who tried this cause
above of his proceedings to the Circuit Court on this
Cause &c &c has coming into this Court by appeal
To wit:

Samuel W Brown late Sheriff of Knox County Illinois
for the use of Matthias Wallach & Levi Wallach
vs

Parmenius Lane & Lorenzo Lane

3 6 25
Samuel W Brown
Late Sheriff & Co for
Wallack & Wallack
ats.

Sane & Sane
— — —

Filed June 4. 1855.
L. Seland Clk.