

No. 13333

Supreme Court of Illinois

Pomeroy et al

vs.

Martin

State of Illinois }
County of Cook S.S.

Pleas before the Honorable John W. Wilson, Judge of the Cook County Court of Common Pleas, in and for the County of Cook and State of Illinois, at a regular term of said Cook County Court of Common Pleas, begun and holden at the Court House in the City of Chicago in said County and State, on the second Monday being the Fourteenth day of September in the year of our Lord one thousand Eight hundred and fifty seven and of the Independence of the United States 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 heretofore, to wit, on the Twentyfirst day of September, A.D. One thousand Eight hundred and fifty seven, being one of the days of the September Term of the Cook County Court of Common Pleas, the following, among other proceedings were had in said Court and entered of Record, to wit,

Samuel B. Pomroy
& Eleazer L. Pomroy } Asst.
vs
Augustus Martin }

This day come the said plaintiff
by Hiram Miller & Lewis their Attorneys, and the said
defendant by Hervey his attorney also comes, and upon
issue being joined, ordered that a jury come, whereupon
come the jurors of a jury of good and lawful men,
to wit, V. H. Euchs, J. Taylor, E. Colby, J. P. Calburn,
C. C. Ricker, R. W. Ficks, Wm Johnson, A. G. Clark,
J. H. Moulton, Am. Chase, Wm Cooper, & Wm Moulton,
whs being well and truly elected tried and sworn, to well
and truly try the issue joined as aforesaid, after hearing
the evidence, argument of counsel and instructions
of the Court, retire to consider of their verdict, and
afterwards, come into Court and say, We the jury
find the issues for the plaintiffs and assess their
damages herein to the sum of Twenty four hund-
red Dollars. And thereupon the said defendant
by his attorney as aforesaid, submits his motion for
a new trial herein.

And afterwards, to wit on the Thirtieth day of October
in the year last aforesaid, being also one of the days of
said September Term aforesaid Court, the following
among other proceedings were had in said
Court and entered of Record, to wit,

Samuel B. Pomroy &
Eliaser L. Pomroy }
vs
Augustus Martin } Apt

And now at this day again
come the parties to this case, by their attorneys afore-
said, and after arguments heard on defendant's motion
heretofore submitted for a new trial herein, the Court
being fully advised, now overrules said motion,

Therefore it is considered that said plaintiffs
do have and recover of said defendant their damages
\$2400.00 of twenty four hundred dollars, in form aforesaid
by the jury aforesaid assessed, and also their costs
and charges in this behalf expended and have execu-
tion therefor. And thereupon the said defendant
by his Counsel enters his exceptions to the ruling and
decision on his motion submitted for a new trial
herein, and prays an appeal to the Supreme
Court of the State of Illinois, which is allowed
on his filing Bond in three thousand Dollars
to be approved by the Judge of this Court, Bond
and bill of exceptions to be filed in ten days from
this day.

And afterwards to wit on the 14th day of November in the year last aforesaid the said Defendant Augustus Martin filed in the office of the clerk of said Court his Appeal Bond in words and figures as follows to wit.

State of Illinois
Cook County S.S.

Know all men by these Presents that we Augustus Martin and William Siem both of the City of Chicago County of Cook and State of Illinois are held and firmly bound and by the presents do bind ourselves our heirs executors and assigns unto Samuel B Pomeroy and Eleazer L Pomeroy in the sum of Three Thousand Dollars lawful money of the United States of America well and truly to be paid by us our heirs executors and administrators.

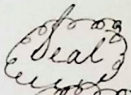
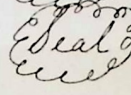
The condition of this obligation is such that whereas heretofore to wit at the September Term of the Cook County Court of Common Pleas the said Samuel B Pomeroy and Eleazer L Pomeroy recovered a judgment against the above bounden Augustus Martin for the amount of Two Thousand four hundred Dollars and costs; and whereas the said Augustus Martin has taken an appeal from said judgment of said court to the Supreme Court of the State of Illinois.

Now therefore if the said Augustus Martin shall prosecute his said Appeal with effect or shall well and truly pay or cause to be paid all such costs and damages as the said Samuel B Pomeroy and Eleazer L Pomeroy may sustain by reason of his the said Augustus Martin's Appeal

and all such judgments as may be affirmed by said Supreme Court of the State of Illinois then this obligation to be null and void otherwise to remain in full force and virtue. -

In witness whereof we have hereunto set our hands and seals this fourteenth day of November A D 1857.

Approved
John M Wilson
Judge of the Cook County Court
of Common Pleas. —

Augustus Martin 
William Siem 

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 and of the
Order allowing the appeal entered of Record in said

Court, and also of the Appeal Bond filed in my
office on the 14th day of November A.D. 1857
in the case in which Samuel B. Pomeroy & Eliza
S. Pomeroy are plaintiffs and Augustus Martin
defendant.



In Testimony Whereof I hereunto
subscribe my name and affix
the Seal of said Court at Chicago
in said County the 5th day of
May A.D. 1858.
Walter Kimball Clerk

Booklet of Penitence
334

Pomroy et al
by

Martin

332+

13832

Best copy of Penitence

Filed May 6, 1888

Deland
CR

~~\$5.00 per Bell~~

Net \$2400.00

\$91 120.00

Fee \$1.50