

No. 13111 $\frac{1}{2}$

Supreme Court of Illinois

Rowley

vs.

Hoover

71641  7

Proceedings in the circuit court, at a term thereof began and held at the court house in the city of Peoria, in and for the County of Peoria and State of Illinois, on the Second Monday of May, in the year of our Lord, one thousand eight hundred and fifty-seven, it being the eleventh day of said month. Present - the Honorable Elisha N. Powell, judge of the 16th judicial circuit in said state; Francis W. Smith, Sheriff and Enoch P. Sloan, Clerk, to-wit:

Tuesday, May 26th AD 1857.

Reuben Rowley

vs. Appeal

Jacob Hoover

William N. Hoover

This day came the plaintiff by Grove and McCoy his attorneys, and the defendants by Mead & Manning their attorneys, and it is ordered by the court that a jury be empannelled to try the issues in this cause, whereupon came a jury of twelve good and lawful men to-wit: Gideon B. Cutter, Peter C. Bartlett, Peter Britton, Anson Adams, Jacob Darst, E. L. Norton, William G. Arledge, David D. Snyder, Charles Greenleaf, Matthew Brown, Henry P. Brown & Henry Morrell, who were duly chosen, tried and sworn to well and truly try the issues joined in this cause and a true verdict give according to the evidence, and the jury aforesaid having heard the evidence, retired to consider of their verdict.

Wednesday May 27th AD 1857.

Reuben Rowley

vs. appeal

Jacob Hoover

William N. Hoover

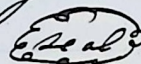
This day came the jury empannelled in this cause, and likewise came the parties

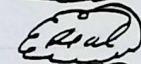
by their respective attorneys, and the jury aforesaid, upon their oaths, do say, "We the jury find the defendants guilty of detaining the premises as charged in the complaint." Therefore it is considered that the plaintiff have restitution of the said premises and that a writ of restitution in his behalf issue against the defendant therefor - that he have and recover of the defendants his costs and charges by him about his suit in this behalf expended, as well in this court as in the court below and that he have execution therefor. The defendants by their attorney moved the court for a new trial in this cause, and upon consideration the court overruled said motion. The defendants by their attorney then prayed an appeal to the Supreme court of this state, which was allowed, on consideration that the said defendants will make their bond in the penal sum of five hundred dollars in twenty days and conditioned according to law, with security to be approved by the clerk.

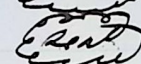
And afterwards to wit: - On the 2^d day of June AD 1857, there was filed in the clerk's office of said court an Appeal Bond in words and figures following - to wit: -

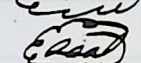
"Know all men by these presents that we Jacob Hoover & William N. Hoover as principles & Stewart Neill & J. S. McManamy as sureties are held and firmly bound unto Reuben Rowley in the penal sum of five hundred dollars for the payment of which well and truly to be made we bind ourselves and our heirs jointly & severally, firmly by these presents. The condition of the above obligation is such that whereas the circuit court in and for the county of Peoria in the state of Illi-

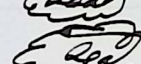
nois at the present May term thereof did render a judgment against the said Hoover in favor of said Rowley in an action of forcible entry & detainer therein pending for the recovery of the possession of the south east quarter of section number eleven in township No eleven north of range seven east in Peoria County in the state of Illinois & also for the costs of prosecution therein, from which said judgment the said Hoovers have taken an appeal to the Supreme court of the state of Illinois next to be held at Ottawa in said state. Now if the said Hoovers defendants aforesaid shall prosecute their said appeal promptly and shall pay whatever judgment may be rendered against them including damages interest and cost in said cause provided said appeal shall be affirmed and also all rent of said premises for which they may be legally liable, then this obligation to be void - otherwise of full force and virtue. Witness, our hands and seals this 29th day of May A.D. 1857.

Jacob Hoover 

William H. Hoover 

J. S. McManamy 

A. J. Neill 

William Groom 

N. N. Mead

State of Illinois

Peoria County

I, Enoch H. Sloan, Clerk of the circuit court in and for said county and state, do certify that the foregoing transcripts are full and true copies of the judgment of said court and the appeal bond, in the case of Reuben Rowley vs Jacob Hoover and William H. Hoover as the

Same appears of record and on file in
my office

Given under my hand and
the seal of said court at
Peru this 24th day of April
AD 1858

Josh. D. Sloan, Clerk

Cowley 278

Hoover & Co

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Transcript of
Judgment & appeal and

Peru Co. Circuit Court

Filed April 26. 1858.

R. H. Sloan
Clerk

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