

No. 13841

Supreme Court of Illinois

Sayre

vs.

Kellogg et al

Proceedings of the County Court of Peoria County began and held at the Court House in the City of Peoria and County of Peoria, State of Illinois on Monday November 2^d 1857 for judicial and other business. Present Hon Thomas Bryant Judge, Charles Kettle Clerk and Francis W. Smith Sheriff

Friday November 6th 1857.

Edward Sayre

vs

Assumpsit

William Kellogg.

William S. Moss.

Richard Gregg.

Charles J. Clark

Henry Lightner

and James Knose

This day comes the said Plaintiff by Wead and Williams on his attorneys and the said Defendants by Puple and Pratt their attorneys and waives a trial by jury and agrees that all matters both of law and fact in question in this cause shall be tried by the Court, and hereupon the Court having heard the evidence of the parties aforesaid respectively touching the matters aforesaid and the arguments of counsel thereon doth find for the Plaintiff and do assess the damages which the said Plaintiff hath sustained by reason of the premises at Four Hundred and Twenty three Dollars and Forty Four cents. Thereupon came the said Defendants William Kellogg, William S. Moss, et al by their attorneys and entered their motion for a new trial of this cause and arrest of judgement in this cause, The Court being fully advised in the premises, doth overule the said motion. Therefore it is considered by the Court that the said Edward Sayre do have and recover of and from the said William Kellogg, William S. Moss, Richard Gregg, Charles J. Clark, Henry Lightner and James Knose the sum of Four Hundred and Twenty Three dollars and Forty Four cents, his damages in form aforesaid assessed and also his costs and charges by him about his suit in his behalf expended and that he have Execution therefor. Thereupon came the said Defendant William Kellogg and prayed an appeal of this cause to the Supreme Court of this State

which was ordered to be allowed on his entering into Bonds
with William J Moss as security in the penal sum of
Eight Hundred Dollars conditional according to Law
within thirty days.

And afterwards To Wit on the 24th day of Nov^r 1857,
there was filed in the Office of the Clerk of the County
Court of said County. An appeal Bonds.
As follows To Wit.

" Know all men by these presents that William Kellogg,
William J Moss are held and firmly bound unto Edward
Sayer in the penal sum of Eight Hundred Dollars for which
payment well and truly to be made and done we bind
ourselves our heirs executors and administrators jointly
and severally by these presents. Witness our hands and
Seals this 24th day of November A.D. 1857.

The Condition of the above bond is this whereas
on the Sixth day of November 1857 in the County Court
of Rowan County the above named Edward Sayer re-
covered a judgment against the said William Kellogg,
William J Moss Kervey Lightner, George Chess,
Charles Clark and James Knox for the sum of four
hundred twenty three ⁰⁰/₁₀₀ Dollars from which said judg-
ment the said William Kellogg has appealed to the Supreme
Court and which appeal has been allowed by said County
Court. Now if the said William Kellogg shall duly pro-
secute his said appeal and shall pay the judgment
costs interest and damages in case the said judgment
of the said County Court shall be affirmed by the
Supreme Court. then this Bond to be void otherwise
in force.

Wm Kellogg Seal
Wm J Moss Seal

State of Illinois
Pernia County SS,

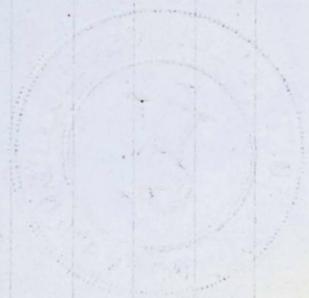
I Charles Kettell Clerk of the County Court in and for said County do hereby certify that the foregoing is a true transcript from the Records of said Court and the appeal Bond filed in said cause wherein Edward Sayre is Plaintiff and William Kellogg, Williams S. Moss & Etal are defendants as the same appears of Record in my Office.

Witness my hand and official Seal at Pernia
this 19th day of April A.D. 1858.

Charles Kettell Clerk
per Geo. W. Kettell spty

E. Gayre 270
M. 269

Mop. Kellogg & Co



270

Transcript for
Superior Court

Filed April 23, 1858
L. Seland

Just #423.44 - Dgt #21.17.
C. K.

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