

13347

No. _____

Supreme Court of Illinois

Henderson Sloan

vs.

Kellogg Moss & Co.

January Term A D 1858

Proceedings of the County Court of Peoria County State of Illinois began and held at the Court House in the City of Peoria in said County on Monday January 11th 1858 for judicial and other business Present Hon Wellington Smith Judge Charles Kettlebe Clerk and Francis W Smith Sheriff

Wednesday January 12th 1858
Henderson Sloan

vs.

Assumpsit

William Kellogg,
William J Moss,
Richard Gregg,
Hervey Lightner
Charles J Clark
and James Knox.

This day came the said plaintiff by Nead and Williamson his attorneys and the said defendants by Reuple and Pratt their attorneys and the issues being joined herein, it is ordered by the Court, that a jury be empanelled to try said issues. Whereupon came a jury of twelve good and lawful men to wit: A O Garrett, William Westbrook, E Smith, Jr, G B. Cutler, David Maxweld, John Wetzel, F G Hartshorn, D M. Doug, Thomas L Davis, James Delano, John Armstrong and Joseph Greenek, who were duly chosen, tried and sworn well and truly to try the said cause and a true verdict render according to the evidence given, upon their oaths do say, "We the jury find for Plaintiff and assess the damages at the sum of One Thousand and Eighty Eight Dollars and seventy cents. Thereupon came the said defendants and enter their Motion for a new trial of this cause and arrest of judgment. The Court being fully advised in the premises doth overrule the said Motion. Therefor it is considered by the Court that the said Henderson Sloan do have and recover of and from the said William Kellogg, William J Moss, Richard Gregg, Hervey Lightner, Charles J Clark and James Knox the sum of One Thousand and Eighty Eight Dollars and seventy cents, his damages in form assessed and also his Costs and Charges by him about this Suit in his behalf expended and that he have Execution therefor. Thereupon the said defendants by their attorneys pray

an appeal to the Supreme Court of this State which was allowed on then entering into Bonds in the penal sum of Two Thousand and one Hundred and Seventy seven Dollars and Forty cents with J Underhill as security to be filed in Twenty days.

And afterwards to wit on the 27 of January 1858 there was filed in the Office of the Clerk of the County Court of said county an appeal Bond in words and figures following To wit:

"Know all men by these presents that W^o William Kellogg and
an held and family bound unto Henderson Sloan in the penal sum of Two Thousand and one hundred and Seventy seven Dollars and forty cents 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 the 11th Day of January A.D. 1858

The Condition of the above bond is this whereas on the Sixth Day of January A.D. 1858 in the County Court of Peoria County the above named Plaintiff recovered a judgment against William Kellogg, William J. Moss, Henry Lightner, Richard Greff, Charles J. Clark and James Knox for the sum of one Thousand and Eighty eight Dollars and seventy cents from which judgment the said William Kellogg has prayed an appeal to the Supreme Court which said appeal has been allowed by the said County Court Now if the said William Kellogg shall duly prosecute 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
Isaac Underhill

Seal
Seal

State of Illinois
Peoria County

I Charles Kettle, 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 a True Copy of the Appeal Bond filed, in the suit, Henderson Sloan
vs William Kellogg, William S. Moss, et al. in said Court.

Witness my hand and official Seal at Peoria this 19th
day of April A.D. 1887

Charles Kettle Clerk
per Geo. W. Kettle Spty. CLK.

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Henderson Loan
vs.
Kellogg, Moss & Co

Transcript of
Supreme Court

Filed April 23 1858
L. Leland
CLK
Indt. \$1080.00. Dep. \$54.03
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