

No. 13516

Supreme Court of Illinois

Tindall

vs.

Lyons.

At a Circuit Court begun and held at the
Court House in the City of Rock Island within
and for the County of Rock Island and State
of Illinois on the third Monday (the seventeenth
day) of January AD 1859.

Present the Honorable J. Wilson Drury Judge
Almon D. Merrill Sheriff
Quincy McNeil Clerk.

Be it remembered that on the fourteenth day
of February AD 1859 in the aforesaid term of
said Court the following order and record
was made and entered by said Court in a
certain cause therein pending wherein John
Lyons was plaintiff and John Findall was
defendant - viz.

John Lyons

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Ref Levin

John Findall } This day came the parties
by their attorneys and issue being joined,
there came a jury to wit John Beaman
David Ling W James Sparks Charles Cath-
cart Daniel W Trout James R Johnston.
D. P. Croon, A Luskrey, B. G. Cartleton.
Joseph Eaton. Almon Wells and David Brown
who were each and severally sworn to
well and truly try the issue joined, and
the hour of adjournment having arrived
the jury were instructed by the Court and

permitted to disperse to meet the Court tomorrow morning.

And on the fifteenth day of February aforesaid, in the term and Court aforesaid the following record was made and entered in said cause writ.

"This day came the parties by their attorneys and the jury having heard a part of the evidence, and the hour adjournment having arrived, the Court instructed the jury and permitted them to disperse to meet the Court tomorrow morning."

And on the sixteenth day of February aforesaid, in the term and Court aforesaid the following record was made and entered in the said cause writ.

"This day again came the parties by their attorneys and this cause not being concluded at the hour adjournment the Court again instructed the jury; and permitted them to disperse to meet the Court tomorrow morning."

And on the seventeenth day of February aforesaid in the term and Court aforesaid the following record was made and entered in the said cause writ.

"This day came again the parties

by their attorneys and the hour of adjournment having arrived, before the conclusion of this cause the court permitted the jury to disperse to meet the court tomorrow morning.

And on the eighteenth day of February aforesaid in the term and Court aforesaid, the following order was made and entered in said cause to wit.

" This day came again the parties by their attorneys, and the jury herein before empanelled, and having heard the evidence returned their verdict into Court, which is as follows. viz. 'We the jury find the issues for the plaintiff.' Whereupon the defendant enters his motion for a new trial "

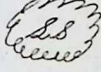
And on the twenty first day of February aforesaid, in the term and Court aforesaid the following record was made and entered in said cause. to wit.

" This day came again the parties by their attorneys, and this cause coming on to be heard upon defendant's motion for a new trial, the court overrules it, It is therefore ordered by the Court that plaintiff have and retain possession of the property replevied, and have and

return of defendant, his costs herein,
and have execution therefor. Whereupon
defendant prays an appeal to the
Supreme Court, which is granted upon
this condition, that defendant enter into
bond in the sum of Thirteen Hundred
Dollars with Edmund Cropper as security,
and that he file the same together
with his bill of exceptions in thirty
days."

And afterwards and on the twenty first day of
March A D 1859 the said defendant caused to be filed in
the Clerk's office of said Court his bond on appeal in the
above cause which is in ^{the} words and figures following to wit—
Know all men by these presents. That we John Tindall
& Edmund Cropper of the County of Rock Island
and State of Illinois are held & firmly bound unto
John Lyons of the County of Henry & State aforesaid
in the penal sum of Thirteen hundred dollars for
the payment of which well & truly to be made we each
of us bind ourselves our heirs executors & administrators
jointly & severally & firmly by these presents. Sealed with
our seals & dated at Rock Island this sixteenth day
of March in the year of our Lord one thousand
eight hundred & fifty nine. The condition of this
obligation is such that whereas in an action of
Replevin wherein the said John Lyons was plaintiff &
the above bounden John Tindall was defendant the

Said Lyons recovered Judgment for Costs against the
Said Tindall from which the said Tindall has
prayed for & obtained an appeal to the Supreme Court
of this State. Now if the said John Tindall shall
duly prosecute said Appeal & shall moreover pay
the amount of Judgment for Costs rendered & to be
rendered against the said John Tindall in case the
said Judgment shall be affirmed in the said Supreme
Court then the above obligation to be null & void otherwise
to remain in full force & virtue.

John Tindall 
Edmond Cropper 

State of Illinois JSS
Rock Island County JSS
Edmond H Bonman Clerk
of the Circuit Court of said County
do hereby certify that the foregoing pages contain a true
and perfect copy of the order of final judgment in
the aforesaid Court and term in the above entitled cause,
and also of the bond on appeal to the Supreme Court
filed in my office in said Cause.

Witness my hand and the seal
of said Court at Rock Island
this 13th day of April a.d. 1861
Edmond H Bonman
Clerk