

No. 13770

# Supreme Court of Illinois

People

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vs.

Gardner

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State of Illinois } Warren County Circuit Court  
Warren County } October Term AD 1859.

Be it remembered that on the 25<sup>th</sup> day of October  
AD 1859, at the aforesaid Term of Court then being  
held the following order was entered upon the  
Records of said Court which is in the words  
and figures following to-wit:

30  
The People &c }  
95 } Selling Signot.  
William H. Gardner }

This day came the People  
aforesaid by the State Attorney and the defen-  
dant in proper person who having been duly  
arraigned at the bar of this Court, for plea  
says, that he is not guilty and for trial  
put himself upon the Country thereupon came  
a Jury to-wit: R. M. Holt, G. Bump, Joseph Quait  
S. M. Bowman, Winchester Row, William Billings  
John O. Serpening, R. J. King, Squan Sickman  
J. S. Munson, J. H. Martin and H. J. Sexton who  
being elected tried and sworn well and truly to try  
the issue joined herein after hearing the evidence and  
argument of Counsel upon their oaths do say: "That the  
Jury find the defendant guilty in manner and form

as charged in the 1<sup>st</sup> & 2<sup>d</sup> Counts of the Indictment.  
Therefore it is considered by the Court that the People  
aforesaid recover of the defendant the sum of Twenty  
Dollars the amount of fine imposed by the Court  
together with their costs by them in this suit exp-  
-ended and that the defendant stand committed  
until fine and costs are fully paid

Afterwards to wit: On the 14<sup>th</sup> day of November  
AD 1857 ~~it~~ being at the same term of Court then  
being held, the following order was entered upon  
the Records of said Court which is in the words  
and figures following to wit:

30 The People vs }  
vs } Selling Signor  
William H. Gardner }

This day came the defendant  
by his counsel and pray an Appeal to the Supr-  
-eme Court which is allowed by the Court upon  
the defendant entering into bond in the sum  
of One Hundred and fifty dollars with security  
to be approved by the Clerk by agreement, Bond  
and bill of Exceptions to be filed during the  
present term of this Court.

And also on the 15<sup>th</sup> day of November 1859 the said  
Wm. H. Gardner filed a Bond in said case which is in  
the words and figures following to-wit;

Copy of Bonds

Know all men by these presents that We William  
H. Gardner and Joseph Weaver are held and  
firmly bound unto The People of the State of  
Illinois in the penal sum of One Hundred & fifty  
dollars for the payment of which well and  
truly to be made we bind ourselves our heirs  
executors and administrators jointly, severally  
and firmly by these presents: Witness our hands  
and seals this 16<sup>th</sup> day of November Anno Domini  
one thousand eight hundred and fifty nine  
The Condition of the above obligation is such that  
whereas The People of the State of Illinois did  
on the 14<sup>th</sup> day of November 1859 in the Circuit  
Court within and for the County of Warren and  
State of Illinois render a judgment against the  
above bounden William H. Gardner for the sum  
of Twenty Dollars, and costs of suit from which  
judgment of said Circuit Court the said William  
H. Gardner has prayed for and obtained an appeal  
to the Supreme Court of said State. Now if the said  
William H. Gardner shall duly prosecute his said  
appeal with effect, and shall moreover pay the  
amount of the judgment, costs, interest and  
damages rendered and to be rendered against  
him in case the said judgment shall be affi

=rmed in the said Supreme Court then the above  
obligation to be null and void, otherwise to  
remain in full force and virtue.

Filed Nov 18 1859 {  
Wm N. Gardner (S.S.)  
Wm S. Safety Clerk { Joseph Mann (S.S.)

This Bond is approved by me this 18<sup>th</sup> day of November  
AD 1859. Wm S. Safety Clerk.

State of Illinois  
Warrick County } I Wm S. Safety Clerk of the Circuit  
Court in and for said County and State do hereby  
certify that the foregoing is a true copy of the order  
in the foregoing & also a true copy of the Bond in  
said cause, as the same appears from the files  
and records now in my office

Witness my hand and the Seal of our  
said Circuit Court at my office in Monroe  
on this 29<sup>th</sup> day of March AD 1860  
Wm S. Safety Clerk

~~14~~ }  
14

Wm N. Gardner  
Wm S. Safety Clerk

Filed April 2, 1860  
L. Deland  
Clerk

20  
10  
\$ 2,00

State of Illinois } Warren County Circuit Court  
Warren County } October Term A.D. 1859

Be it remembered that on the 25<sup>th</sup> day of  
October A.D. 1859 at the aforesaid Term of Court  
then being held the following order was entered  
upon the Records of said Court which is in  
the words and figures following to wit:

29 The People vs }  
                  vs } Selling Liquor  
William M. Gardner }

This day came the People  
aforesaid by the States Attorney and the defen-  
dant in ~~proper~~ person who having been duly  
arraigned at the bar of this Court for pleads  
that he is not guilty and for trial put him-  
self upon the Country. Whereupon came a jury  
to wit: John Martin, Isaac S. Pratt, Joshua  
Coats, James Heltz, Thomas Stephens, A. Lawrence  
J. S. Allen, F. W. Meacham, Orin M. Gamble, John  
E. Knauer, John B. Mitchell and Thompson  
Brooks, who being elected, tried and sworn  
will and truly to try the issue joined herein,  
after hearing the evidence and argument of  
Counsel upon their oaths do say, "We the Jury

29 15  
The People vs  
vs  
William M. Gardner

25  
John Martin



with security to be approved by the Clerk by  
agreement of parties. Bond and Bill of Ex-  
-ceptions to be filed during the present term of  
this Court. And also on 18<sup>th</sup> day of Nov<sup>r</sup> 1859 the sd<sup>d</sup> Wm<sup>m</sup>  
Gardner filed a Bond in said case which is in the words and figures  
following to wit: Copy of Bond

Know all men by these presents that We  
William H. Gardner and Joseph Weaver are  
held and firmly bound unto The People  
of the State of Illinois in the penal sum  
of One Hundred & fifty dollars for the paymen-  
-t of which well and truly to be made  
we bind ourselves our heirs executors and  
administrators jointly, severally, and firmly  
by these presents. Witness our hands and  
seals this 16<sup>th</sup> day of November Anno  
Domini One thousand eight hundred and  
fifty nine. The Condition of the above oblig-  
-ation is such: That whereas: The People  
of the State of Illinois did on the 14<sup>th</sup> day  
of November 1857 in the Circuit Court with-  
-in and for the County of Warren and State  
of Illinois, recover a judgment against the  
above bounden William H. Gardner for the  
sum of Twenty Dollars and cost of suit  
from which judgment of said Circuit  
Court the said William H. Gardner has

prayed for and obtained an Appeal to the  
Supreme Court of said State,  
Now if the said William W. Gardner shall  
duly prosecute his said Appeal with effect  
and shall moreover pay the amount  
of the judgment costs interest and damages  
rendered and to be rendered against  
him in case the said judgment costs and  
shall be affirmed in the said Supreme  
Court, then the above obligation to be  
null and void, otherwise to remain in  
full force and virtue,

Filed Nov. 18<sup>th</sup> 1859 } Wm. St. Gardner (S.S.)  
Wm. Laferty Clerk } Joseph Heard (S.S.)

This Bond is approved by me this 18<sup>th</sup> day of November  
A.D. 1859 Wm. Laferty Clerk.

State of Illinois  
Hansen County

I Wm. Laferty Clerk of the Circuit Court  
in and for said County do hereby certify that the foregoing  
is true copy of the Order and Bond in the foregoing  
case as the same appears from the Records and files  
now in my office.

Witness my hand and the seal of our said  
Circuit Court at my office in Moonmouth this  
29<sup>th</sup> day of March A.D. 1860

Wm. Laferty Clerk

State of Illinois } Warren County Circuit Court  
Warren County } October Term AD 1859.

Be it remembered that  
On the 14<sup>th</sup> day of November AD 1859 it being at  
the aforesaid Term of Court then being holden  
the following order was entered upon the Records  
of said Court which is in the words and  
figures following to wit;

The People vs  
William W. Gardner }  
vs } Indictment for selling Liquor.  
William W. Gardner }

This day again came on this  
Cause for hearing on the defendants motions in  
arrest of Judgment and for a new trial herein  
and after hearing the same it is ordered by the Court  
that the motion be overruled. Thereupon it is  
considered by the Court that the Plaintiffs recover  
of the defendant the sum of Twenty Dollars the  
amount of fine imposed by the Court together with  
their costs by them in this suit expended and that  
the said defendant stand committed until fine and  
costs are fully paid. Thereupon came the defendant  
by his Counsel and pray an appeal to the Supreme  
Court which is allowed by the Court upon the  
defendant entering into Bond in the sum of

One Hundred and fifty Dollars with security  
to be approved by the Clerk by agreement.  
Bond and Bill of Exceptions to be filed during  
the present term of this Court,

and also on the 18<sup>th</sup> day of November 1859 the said <sup>Wm. H. Gardner</sup> filed a Bond in said Case which is in the words  
and figures following to wit:

Copy of Bond

Know all men by these presents that We  
William H. Gardner & Joseph Weaver are held  
and firmly bound unto the People of the State  
of Illinois in the penal sum of One Hundred  
& fifty Dollars for the payment of which well  
and truly to be made, we bind ourselves our heirs  
executors and administrators jointly severally  
and firmly by these presents, With our hands  
and seals this 18<sup>th</sup> day of November Anno  
Domini one thousand eight hundred and fifty  
nine. The Condition of the above obligation is  
such, that whereas The People of the State of  
Illinois did on the 14<sup>th</sup> day of November 1859  
in the Circuit Court within and for the County  
of Warren and State of Illinois recover a  
Judgment against the above bounden William  
H. Gardner, for the sum of Twenty Dollars and  
Costs of suit from which Judgment of said  
Circuit Court the said William H. Gardner

has prayed for and obtained an Appeal to  
the Supreme Court of said State.

Now if the said William H. Gardner shall duly  
prosecute his said Appeal with effect and  
shall moreover pay the amount of the  
Judgment Costs interest and damages ~~and~~  
and to be rendered against said William  
H. Gardner in case the said Judgment shall  
be affirmed in the said Supreme Court, then  
the above obligation to be null and void  
otherwise to remain in full force and virtue

Filed Nov 18. 1859 }  
Wm Safety Clerk }

William H. Gardner (S.S.)

Joseph Weaver (S.S.)

This Bond is approved by me this 15th day of November  
AD 1859. Wm Safety Clerk,

State of Illinois }  
Franklin County }

I Wm Safety Clerk of the Circuit  
Court in and for said County do hereby certify  
that the foregoing is a true copy of the order and  
Bond in the foregoing case, as the same appears from  
the files and records now in my office

Witness my hand and the seal of said Court  
at my office in Mornmouth this 29th day of March  
AD 1860 Wm Safety Clerk

<sup>vs 60</sup>  
The People vs  
vs 16  
William N. Gardner  
Judgment for  
Selling Signet

Filed April 2, 1860  
L. Leland  
Clerk

20.00  
20.00  
\$2,000 Dgs

13770

