

No. 8720

Supreme Court of Illinois

Elijah Piper

vs.

D. B. Goodrich

71641  7

October Term Jefferson Circuit
Court A 10 1858

2nd Tuesday October 26th 1858

Elijah Piper }
vs

Downing Goodrich } Replevin
Constable P

Came this day the parties herein, by their Attornies respectively, and this cause being ready for trial, therefore let a Jury come, whereupon came the Jurors of the Jury, to-wit: Henry Champ, Henry Green, Savenor V Bruce, William Woodward, Charles M Sailay, Solon Downer, Joseph O Estes, Alfred Swift, Joseph Guthrie, Solon Gibson, William C Garrison and Daniel Russell, who being duly elected, tried and sworn, well and truly to try the issue joined between the parties, and having heard the proofs and evidence and also the arguments of counsel, retire to consider of their verdict,

Same }
vs }
Same }

Replevin.

Again this day came the parties by their Attys. and the jury empanelled in this cause upon their oaths return into open

Court the following verdict, to wit: "We
the jury find the horse or property in ques-
tion, to belong to Peter Dean" and there-
upon the Plff: by his counsel, enters his
motion for a new trial, and in arrest
of Judgment. -

2nd Thursday October 28-1858

Elijah Pipes }
vs }
Downing Goodrich Peplerin,
Constable &c }

Came again this day the
parties, by their Attornies, and the Court,
having fully considered, the motion for
a new trial, and in arrest of Judgment,
overrules the same. - And thereupon pro-
ceeding to Judgment, It is ordered, that
the Deft recover of and from the said Plff
his costs in this behalf expended, to be
taxed &c. and that a writ of return
habendo be awarded and that said
property be delivered to the said Defend-
ant. To which Judgment and finding of
the Court the Plff. by his counsel excepts,

2nd Saturday Oct 30th 1858.

Elijah Piper vs Downing Goodrich
3 Replein.

This day came again the parties by their Attornies, and the Plff by his counsel prays an appeal to the Supreme Court, which is granted, on his entering into a bond, in the sum of two hundred dollars, with Colm R Allen, Wiley Piper and James Piper or either of them as security, within thirty days from this date conditioned according to Law, - and on motion. It is further ordered, by the Court, that the said Plff have leave to file his bill of exceptions, by the first day of the next Term of this court.

Know all men by these presents, that we
Elijah Piper, principals, and Wiley Piper
security are held and firmly bound to
Rowning Goodrich in the penal sum of
two hundred dollars for the payment
whereof well and truly to be made, we
bind ourselves, our heirs, executors, admin-
istrators and assigns firmly by these
presents.

Witness our hands and seals this 9th
November 1858.

The condition of the fore-
going Bond is such that whereas the
above named Rowning Goodrich did
at the October term A.D. 1858 of the Jef-
ferson Circuit Court, in a certain
action of Deplein, wherein the above
bounden Elijah Piper was Plff and
sd Goodrich Defendant recovered a
Judgment against said Elijah Piper
for costs of suit, and a return of the
property Deplein'd - from which Judg-
ment of the said Circuit Court the said
Elijah Piper has prayed an appeal to
the Supreme Court of this state.

Now if the above bounden Elijah
Piper shall well and truly pay such
Judgment, costs interest and damages
as may be recovered against him, in

case said Judgment shall be affirmed
and shall well and truly prosecute
his said appeal with effect & without delay
then the foregoing Bond shall be void
otherwise, shall be and remain in full
force and virtue, at law.

Elijah Pipes Seal

Wiley Pipes Seal
mark

Approved by me at Office in Mt. Vernon
this 13th day of November A.D. 1858.

John S. Pogan, clerk C.C.

'Endorsed' Filed November 13th 1858.
J. S. Pogan, clerk

State of Illinois
Jefferson County J. S. Pogan
clerk of the Circuit Court, within and
for said County do hereby certify that
the foregoing is a full and complete copy
of the Judgment in said cause, together
with the appeal bond, as appears of
record in my Office.

Witness my hand and seal of Office
at Mount Vernon this the 18th day
of November A.D. 1859.

John S. Pogan Clerk

Elijah Piper

vs

Downing Good
rich Constable &c

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rec'd - no damage -  
- See Page 80 of  
rec "13" -

Filed Nov. 18. 1859

A. Johnston Clerk

No 71

1859

Elijah Piper

by

D. B. Goodrich - Clerk  
do.

Appeal from Jefferson

Dismissed -

8720

See Record B<sup>d</sup> Page 80 -  
for final order -

Court bill on Page 375 -