

8715

No. _____

Supreme Court of Illinois

Emery P. Rogers

vs.

President & Trustees of
Waterloo

71641  7

State of Illinois }
St Clair County } In the Circuit Court in and for the
County of St Clair and State of
Illinois at the March Term thereof A D 1859

Emerg S Rodgers
vs }
The President & Trustees of the } Appeal & Change of
Town of Waterloo } venue from Monroe County

On the third Thursday comes the Plaintiff by W. H. & J. S. Underwood his attys and also come the Defendants by G. Koerner their atty and the parties being now ready for trial the Court orders that a Jury be called and twelve good men to wit are selected and sworn to try the issue and a true verdict to render according to law and evidence. After hearing the evidence and arguments of Counsel the Jury retire to consider upon their verdict. When the Jury return into Court they publish the following verdict to wit: "We the Jury find the issue for the Plaintiff and assess his damages at Three hundred dollars." And now the Plaintiff by his said attys moves the Court for a new trial which motion after arguments heard is by the Court denied to which decision of the Court the Plaintiff excepts. And now it is adjudged and considered by the Court that the Plaintiff recover of the Defendants the said sum of \$ 300⁰⁰ his damages and also his proper costs

to be taxed and that he have execution therefor.
And now the Plaintiff by his said attys prays an
Appeal to the Supreme Court which is allowed upon
the Plaintiff filing within Sixty days from this date
his Appeal bond in the Sum of Two Hundred Dollars
with Cortez Crocker or James M. Robison as
Security.

On the 12th Day of April 1859 the following Bond was filed
to wit:



Know all men by these presents, That we
Emery P. Rogers & James M. Robison are held and
firmly bound to the President and Trustees of the Town
of Waterloo in the penal sum of Two Hundred 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 15th Day of April
A. D. 1859.

The condition of the above obligation is such
that whereas the said Emery P. Rogers did on the 31st
Day of March 1859 before the Circuit Court of
St Clair County Illinois obtain a verdict of the
Jury and Judgment of said Court therein in a certain
appeal case pending in said Court wherein the ^{said} Rogers
claimed damages for the taking of a certain freehold
of him said Rogers for a certain Street in said Town,
which said verdict and Judgment was for the sum of

Three Hundred Dollars & cents, and from which said Judgment and assessment of damages for said Street the said Rogers has prayed for and obtained an Appeal to the Supreme Court of this State.

Now if the said Emery P Rogers shall prosecute his said Appeal with effect and shall more over pay the amount of the Judgment damages & costs that may be rendered against him in case said Judgment shall be affirmed in the Supreme Court, then the above obligation to be void otherwise in force.

Emery P Rogers 
James M. Robison 

State of Illinois } ss
St Clair County } I the undersigned Clerk of the Circuit Court in and for said County of St Clair hereby Certify the foregoing to be a true Copy of the proceedings and Judgment of said Court in said entitled Cause and also of the Appeal bond filed in said case as the same are of record and on file respectively in my office
In Testimony whereof I hereto sign my name and affix the Seal of said Court at office
this 12th day of November A D 1859
Wm S Thomas Clerk

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Emory P. Rogers
vs
Trustees of Town
of
Waterloo
Appeal from
to Clerk

Dismissed

Dismissed - No Damages -
Entered on Page of R. 79 -
Copy of order sent to Clerk
Circuit Court Dec. 13 - 1859 -

Filed Nov. 18. 1859 -
J. Johnston Clk
Paid by Gov. Korman \$ 3.33 3/4

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No 68.

1859-

Erinny P. Rogers

my

Trustee of Town of
Watucoo -

Appl. from St Clair

8715

Dismissed -

See Record "B". Page 79. for
final order -

Booklet on Page 377-

Per. Sent down 13. Dec 59 -