

12092

No. _____

Supreme Court of Illinois

Burnap.

vs.

Marsh, et al.

71641  7

STATE OF ILLINOIS, }
Supreme Court.

The People of the State of Illinois,

To the Sheriff of the County of *Winnebago* - Greeting:

BECAUSE in the record and proceedings, and also in the rendition of the judgment of a plea which was in the circuit court of *Ogle* county, before the Judge thereof, between *Francis Burnap* plaintiff - and *Jason Claish & James cl. Night*

defendant, it is said that manifest error hath intervened, to the injury of the said *plaintiff* as we are informed by *his* complaint, the record and proceedings of which said judgment we have caused to be brought into our Supreme Court of the state of Illinois, at Ottawa, before the justices thereof, to correct the errors in the same, in due form and manner, according to law; therefore we command you, that by good and lawful men of your county, you give notice to the said *Jason Claish and James cl. Night*

that *they* be and appear before the justices of our said supreme court, at the next term of said court, to be holden at Ottawa, in said state, on the *2nd* Monday in *June* - next, to hear the records and proceedings aforesaid, and the errors assigned, if *they* - shall see fit; and further to do and receive what said court shall order in this behalf; and have you then there the names of those by whom you shall give the said *Claish & Night* notice, together with this writ.

Witness, the Hon. SAMUEL H. TREAT, Chief Justice of our said Court, and the seal thereof, at Ottawa, this *30th* day of *May* in the year of our Lord one thousand eight hundred and fifty *three*.

L. Keland - Clerk of the Supreme Court.

Francis Burnap

and
Jason Clark et al.

Sci. Fa. -

To June Term 1853.

Filed June 11. 1853.

L. Viland Clerk.

State of Illinois, set.

WRIT OF ERROR—FREE TRADER PRINT.

The People of the State of Illinois,
To the Clerk of the Circuit Court for the County of *Ogle* GREETING :
BECAUSE in the record and proceedings, as also in the rendition of the judgment of a plea which
was in the Circuit Court of *Ogle* county, before the Judge thereof, between

Francis Burnap

plaintiff and

Jason Clark
James M. Wright

defendants, it is said manifest error hath intervened, to the injury of the aforesaid *plaintiff*

as we are informed by *his* complaint, and we being willing that error, if any there be, should be
corrected in due form and manner, and that justice be done to the parties aforesaid, command you that
if judgment thereof be given, you distinctly and openly, without delay, send to our Justices of the
Supreme Court the record and proceedings of the plea aforesaid, with all things touching the same,
under your seal, so that we may have the same before our justices aforesaid at Ottawa, in the county
of La Salle, on the *2^d Monday in June* next, that the record and proceedings,
being inspected, we may cause to be done therein, to correct the error, what of right ought to be done
according to law.

WITNESS, the Hon. SAMUEL H. TREAT, Chief Justice of our said
Court, and the seal thereof, at Ottawa, this *thirtieth*
day of *May* in the year of our Lord one thousand eight
hundred and fifty *three* . -

L. Leland Clerk of the Supreme Court.

Francis Burnap
 &
 Jason Clark et al,
vs
 Mt of Ena

To June Term 1858.

hundred and fifty dollars: —
 day of Sept — in the year of our Lord one thousand eight
 hundred and fifty eight at Ottawa, this 1st day of Sept 1858
 WITNESSES, the Hon. Samuel H. Tauxe, Chief Justice of our said

Chief of the Supreme Court.

was in the Circuit Court of
 the County of St. Lawrence in the year and proceedings, as also in the rendition of the judgment of a plea which
 To the Clerk of the Circuit Court for the County of St. Lawrence —
 the People of the State of Illinois, do hereby certify: —
 GREETING:

In the Supreme Court.

Attorney
General, ss }
County, ss }

It writ of error directed to the clerk of the Circuit Court
for the county of Ogle, commanding him to certify a
correct transcript of the record and proceedings in a cer-
tain cause lately depending in the said Circuit Court,
wherein Francis Burnap was plaintiff and Jason
Marsh and James M. Wright were defendants, upon the
complaint of the said Francis Burnap, plaintiff in error.

Francis Burnap,

Plaintiff in error in person.

Also a writ of scire facias to hear errors in the said
cause, to be directed to the sheriff of the county of
Winnebago.

Francis Burnap,

Plff in error in person.

41
Supreme Court.

Francis Burnap
vs,
JASON MARSH and
JAMES M. WRIGHT,

Præise.

Filed May 30th 1853.
L. Seland Clk.

Burnap.

In the Illinois Supreme Court.

Francis Burnap

vs.

Jason Marsh and
James M. Wright.

June Term, 1853.

Error to Winnebago.

The Plaintiff in error in this case comes in person, and moves that he have leave to discontinue his writ of error herein, without prejudice to his right to sue out another writ of error for the same cause.

Francis Burnap,

Plaintiff in error

L. Deland, Esq.

Clerk, &c.

Sir.— I send the above motion to be filed, together with the writs in the above cause, nothing having been done upon them. I would rather however that the order should not be entered until I come.

Yrs. &c.

F. Burnap.

9 June 1853.

41
Supreme Court.

Burnap
vs,
Marsh and another.

Motion.

Filed June 11. 1853
L. Leland Clerk.

Burnap.

41

Francis Burnap
↗
Jason Marshall et al.

41

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