

12062

No.

Supreme Court of Illinois

Andrew Nelson

vs.

Rockwell

71641 7

Warren No 8
Andrew Nelson
vs.
Lovett P. Rockwell

8
Prepared

12062
1853

Know all men by these presents that we Andrew
Nelson and Edwin J. Elliott are held and firmly
bound unto Lovett P. Rockwell in the Penal Sum
of One hundred dollars lawful money of the
United States to which payment well and
truly to be made and done we bind ourselves
our heirs Executors and administrators Jointly &
Severally by these presents. Witness our hands
and seals this Sixth day of July A.D.
1852

The Condition of this obligation is
that whereas the above named Andrew
Nelson lately sued out of the Supreme Court
of the State of Illinois a Writ of Error and
a Scire facias to hear Error ~~to the Circuit~~
Court of the County of Warren in said
State for the purpose of reversing & removing
in said Supreme Court a certain decree in
Chancery pending in said Court wherein
the said Andrew Nelson was complain-
ant and the said Lovett P. Rockwell was
defendant; Now in Case the said Andrew
Nelson shall duly prosecute his said Writ
of Error in said Supreme Court, and shall pay
the said decree, costs interests and damages
in case the said decree shall be affirmed
in the said Supreme Court, then this
Bond shall be void otherwise in force

Andrew Nelson *Edw*
E. J. Elliott *Edw*

I hereby certify that E. J. Elliott is a man of good property
and is responsible for all his acts Adam Jackson Justice
Henderson Knox County Illinois July the 6. 1852

Andrew McElwaine
by
Josiah P. Rockwell
LeBourd

Filed July 9. 1852
V. McElwaine Clerk.

6. Lower end of corner 200 p. 2

State of Illinois,
 Supreme Court, } SS.

The People of the State of Illinois

TO THE SHERIFF OF *Warren* County.

Because in the record and proceedings, and also in the rendition of the judgment, of a plea which was in the circuit court of *Warren* county, before the Judge thereof, between

Andrew Nelson complainant
 and *Lowett P. Rockwell*

defendant it is said that manifest error hath intervened to the injury of the said

Andrew Nelson

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

Lowett P. Rockwell

that *he* 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 *Second* Monday in *June* next, to hear the records and proceedings aforesaid, and the errors assigned, if *he* shall think fit; and further to do and receive what the said Court shall order in this behalf; and have you then there the names of those by whom you shall give the said *Lowett P. Rockwell* notice, together with this writ.

WITNESS, the Hon. *Samuel H. Treat*
 Chief Justice of our said Court, and the seal thereof,
 at Ottawa, this *25th* day of *November*
 in the year of our Lord, one thousand eight hundred
 and ~~forty~~ *fifty one*.

J. Leland Clerk of the Supreme Court.
By P. H. Leland Deputy

^{Wanen}
Andrew Nelson
vs.
Lovett P. Rockwell
Seire Facias.

Shffs. Ser
Returning 10

Filed June 9. 1852.
Leland Clk.

clk. p. d. sets postg.

I testify that Lovett P. Rockwell
cannot be found in Hann County
& has left the State this 5th day June 1852
W. S. Allen Sheriff Hann
County

State of Illinois, ss.

Clerk's Office of the Supreme Court—Third Grand Division:

I HEREBY CERTIFY, That a Writ of Error hath issued from this office, for the reversal of a ^{decree} Judgment obtained by Lovett P. Rockwell against Andrew Nelson in the Circuit Court of Warren county, at the April Term, in the year of our Lord one thousand eight hundred and fiftyone in a certain ^{motion to dismiss an injunction} ~~action of~~ which Writ of Error is to operate as a Supersedeas, and as such is to be obeyed by all concerned.

Given under my hand, and the Seal of the said Supreme Court, at Ottawa, this ninth day of July — A. D. 1852.

S. Leland Clerk of the Supreme Court.
By T. P. Leland Dpy.

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 *Warren* — 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 *Warren* county, before the Judge thereof, between

Andrew Nelson, ^{Complainant,}
_{Plaintiff} and *Lovett P. Rockwell*

defendant it is said manifest error hath intervened, to the injury of the aforesaid. —

Andrew Nelson —
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 plaint 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 *twenty fifth* day of *November* in the year of our Lord one thousand eight hundred and fifty-one.

L. Leland — Clerk of the Supreme Court.
By *P. K. Leland* Deputy.

Andrew Nelson
vs.
Lovett, P. Rockwell.

Writ of error

Filed Nov^r. 25th 1857.
S. Leland Clerk.
By P. H. Leland Esq.

This writ of error is made
a *Supersedeas* & as such, is
to be obeyed accordingly by
all concerned.

S. Leland Clerk
By P. H. Leland Esq.

To the Clerk the Supreme Court at Ottawa
Dear Sir I have just received word from the Clerk
of Circuit Court at Monmouth Informing me
that I must forward you \$5 in order to have the
suit of Nelson against Rockell docketed
therefore I inclose it the first mail
Wenderson Knox Co Ill Nov 20th 37
Andrew Nelson

Wenmouth Nov 13th 1857

Clerk Supreme Court Ottawa

Dr Sir. I am
at some loss to know what to do. Mr Nelson
who takes appeal resides in Laramie Bureau
Co. Ill. His attorney Hon. A. C. Harding
is absent at St Louis! and will not be back
for a week. I have thought best to send up
the Transcript again. Thinking Mr Nelson
will advance the fee as soon as he is app
rised of the necessity. I have but little
hesitation but he will forward your fee if
you write. I regret my negligence
in the omission of the Seal.

Mr Allen Our Sheriff. tells me Mr. Haste
is a "hard case" he is watching for property
and hopes soon to make the money

In haste
R. S. Monroe
Cir clk. Warren co. Ill.

Manuscript No. 128

Blackburn Court House

elk Supreme Court
Attawapit

Andrew Nelson & Puff in Error } in Chancery
vs }
Lovett P Rockwell } left in Error } Error to Manor

State of Illinois }
Peoria County }

A. P. Muple being duly
affirmed says that he has been informed
and believed that Lovett P. Rockwell the
Defendant in this suit is a non-resident
of the State of Illinois, and further saith
not.

Affirmed & Subscribed
before me this 29th June
A. D. 1852

A. P. Muple

L. Leland Clerk.

Audrey Nelson

vs

Scott P. Rockwell

Affidavit of more
Residence of Scott

Filed June 29th 1852.
S. Island Ck.
By J. H. Island Ck.