

8514

No. _____

Supreme Court of Illinois

D.G.Standard & Co.

vs.

James S. Brown et al

71641  7

At a Circuit Court begun and holden
at the Court House in the Town of
Perryman Johnson County Illinois
on the 9th day of October A.D. 1848
Before William A. Denning asso-
ciate Justice of the Supreme Court
and Presiding Judge of the Third
Judicial Circuit The following
proceedings were had to wit

The County Comptroller
of Johnson County for
use of the People of the
State of Illinois for
the Special Benefit of
Daniel G. Standard and Anne
of the Estate of Nancy
Standard deceased

} Appeal
from the
Judgt of D
N Beards
Justice of the
Peace,

as
James Brown D
G Bridges & B. S.
Smith

State of Illinois }
Johnson County } ss

The People of the

State of Illinois to any constable of the
County greeting: You are hereby com-
manded to summon James Brown D
G Bridges & B. S. Smith to the Court and appear
before me at my office in Perryman
on the 24th of this instant at the hour of

12 A.M. to answer the complaint
of the County Commissioners of Monroe
County for the use of the Property
the Seal of Illinois and for the Special
Benefit of D. G. Standard & Sons of
Nancy Standard & Sons. The Plaintiff in
interest in a plea of Debt for a fail
ure in discharging the duties of Constable
by James Brown one of the
Defendants the said suit on a
constantly official bond dated
25 Sept. 1843 the demand of Plaintiff in
interest not exceeding one hundred
dollars and hereof make and
return to me as the law directs
Given under my hand and seal
the 12 day of July A.D. 1848

J. M. Pease J. J. P.

Indorsed on the back of said writ
as P. M. P. claim - 54 dollars

Offices Return made on said summons
"Executed by reading on the 18th"

Appel Bond to wit -

Know all men by these presents
That we D. G. Standard & Son & John H. Leav
are bound and stand firmly bound in
the penal sum of fifty dollars
lawful money of the United

States to the payment of which we
bind ourselves our heirs, Exrs.
& assigns Witnesses our hands and
Seals this 24th day of July 1848.

The condition of the above obligation
is such that whereas James Brown
& J. Bridges & B. P. Smith did on the
24th day of July 1848 recover a judgment
against the above defendants D. G. Stand
and the Plaintiff in this case for seven
dollars costs from which first
the said D. G. Stand has taken
an appeal to the Circuit Court
Now if the said D. G. Stand shall
pay whatever judgment shall be rendered
upon the trial or dismissal of
said appeal then this obligation
to be void otherwise to remain
in full force and virtue in
law

Signed

D. G. Stand
John M. Lean

Approved before me this 24th day
of July 1848.

Saml. Copland W. R.

State of Missouri

Whitman County

{ P

The People of the

State of Missouri to J. H. Peace Notable

Justice of the Peace Greeting: Whereas

~~James Brown & J. Bridges & B. P. Smith~~

D. G. Stand did on this day take an

an appeal to the Circuit Court of
said County from a debt recovered
against him by James Brown & J. Bridges
& B. Smith before J. N. Brace Esq. on
the 24th day of July 1848 for seven
dollars costs and has filed his bond
in conformity to law Thereupon we
humbly enjoin the said Justice & party and
all others from proceeding further
on said Judgment until the order of
the Circuit Court be had in that
behalf and furthermore we com-
mand the said J. N. Brace Esq. to trans-
mit with the least possible delay
to the Clerk of the Circuit Court of
said County the process and proceedings
had in the premises according
to law W. Tracy Landlopian
Clerk of our said Court and the
Judicial Seal there of at
Penna this 24th day of July
1848 Paul Copland Clerk

State of Illinois }
Whisper County } ss

The People of the
State of Illinois to the Just of said
County Greeting: We command
you to summon James Brown
& J. Bridges & B. Smith to take
appeal before the Circuit Court
for the County of Whisper aforesaid

on the first day of the next term
thruog to the holden at Penma-
m and personal count on the
second Monday in October next
to answer to an appeal taken
by David L. Standard from the
decision of the Justice of the peace
in favor of James Brown D.Y.
Bridges & B. P. Smith the And have
you then & there this writ

Wmup I do plead WR of our said
court and the Judicial Seal
thereof at Penma 24th
day of July 1848

J. Hopland WR

David L. Standard
Jame. of Nancy
Standard and a

} Appeal from
Justice Indt.

as
James Brown D.Y.
Bridges & B. P. Smith

} On this day
came the WR
by Cook his atty.

and the Depts by Daugherty the Attorney
who thereupon moved the court to dis-
miss this cause for the want of bond
for costs & the said motion after
argument of counsel and due and
proper advisement by the court motion
to dismiss is by the court sustained
and the cause ordered dismissed ac-
cordingly and that Dept recover of the WR

his costs in and about this suit in
this behalf expended and that
they have execution on And the
Duff by his counsel excepted to the
opinion of the Court dismissing
the same And now the Plffs
counsel moved to remstate the
cause on the docket and for leave
to file bond here pro tunc which
motion was overruled by the Court.

Copy of Bill of exceptions to act

Be it remembered that at the Acti-
on of the Circuit Court for
Shannon County when this cause
came on for trial and was called
the counsel for the defendant
in ~~defence~~ moved the Court
to dismiss the suit on the ground
that no bond for costs was
filed by Plff. Prior to the
constitution of this Court before
the Justice of the Peace, To which
the Counsel for Plff objected
as being not a sufficient ground
where the Plff as in this suit is
a resident solvent and respon-
sible party and liable to costs
without said bond and who
had already an appealing from

Indice did not filed his bond with
security for payment of costs in
the event of Thompson the matter
referred to the court who being
of opinion the debt ought to
be dismissed did dismiss
the same and the Plaintiff by his
counsel excepted. The Plaintiff
by his counsel then moved
the court to grant leave
to the Plaintiff to file a cost bond
within three months and on that
being done to take off the
dismissal and restate
the cause. To which the
counsel of the Defendants objected.
Whereupon the motion was
referred to the court who
overruled said motion
and the Plaintiff by his counsel
excepted. And prayed that
these his exceptions might
be signed sealed and made
part of the Record in the case
pursuant to the Statute in
such case made and provided
and accordingly it is done.

William A. Denning

State of Illinois the people of the
 Tipton County of Illinois
 Samuel C. Collins

I Samuel Copland
Clerk of the Superior Circuit Court
Do certify that the within and foregoing
is a correct record and proceedings
had in the foregoing and above entitled
Cause

Testimony Whereof I Samuel
Clerk with ~~it~~ and for said County
have hereunto set my name
and affixed the Judicial Seal
at office in Vienna this
15th day of Nov 1848
S. S. Plaudock

Аспладек

[illegible]

1st The Cause agreed in sustaining the Motion made for
the 1st time in the recent Cause
2 The Court tried in refusing the Motion
of the Plaintiff to file a Bond ~~there pro~~
and if that bond was ~~refused~~
~~refused~~ ~~refused~~ ~~refused~~

Assignment of Error by Plffs

- 1st The Court erred in sustaining Def's motion to dismiss this suit for want of cost bond being filed before the Justice of the Peace & in dismissing the same at cost of Plffs. motion having been made for ^{cost} ~~rate~~ time in the Court ~~cost~~ ^{cost}.
- 2^d The Court erred in refusing leave to file Bond none pro tenore, & in not reinstating the cause —
- Simmons & Jack
Plffs attys —

1870
C. G. Thanaard

1873 Record

Thomas Brown
& et al

Filed Jan 16th 1873
F. A. Parson Clerk
by C. B. Brough apptd

Second Reading

Not Proposed

STATE OF ILLINOIS, }
SUPREME COURT. } ss.

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Johnson* 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 *Johnson*

County, before the judge thereof, between

Daniel G Standard
Saunder of Nancy Standard Plaintiff
and James Brown, D G Buayes
and B S Smith

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

Daniel G Standard
Administrator of Nancy Standard dec'd
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 Mt. Vernon, 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

James Brown
D G Buayes and B S Smith

that *they* be and appear before the Justices of our said Supreme Court, on the first day of the next term of said Court, to be holden at Mount Vernon, in said State, on the Second Monday in November next, to hear the records and proceedings aforesaid, and the errors assigned, if *they* 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.

notice, together with this writ.

Witness, the Hon. SAMUEL H. TREAT, Chief Justice of our said

Court, and the seal thereof, at Mount Vernon, this

day

16th
June in the year of our Lord,

one thousand eight hundred and fifty-

Three

A D Foster Clerk of Supreme Court.
by D B anyb anyb

11111
Daniel S. Hayward
account of

James Brown

D. G. Bridges

B. A. Smith

Expenses by Henry
to all the expenses

Stephens

the 2nd 1833

Boobying off

July 30c 150

150

110

Net

\$3.10

Sept 12th

1853 J. D. Parlor

by D. B. Lacey

Jamboro Illinois
June 17th 1853

H. S. Preston Esq.

Put Vernon Ill^{ss}

Dear Sir

Enclosed please find two
Records, one in the case of S. S. Standard
Plff in error vs. James Brown, ^{et al} Defendants
in error, and the other between the same
parties. Please inform court of error
for the docts. directed to the Sheriff of John-
son Co. as soon as convenient

I have not been able to see my
clerk in some days to get the clerk's
fee, but they shall be forth coming and
both parties are good

Respectfully Yours
Levi G. Simons

STATE OF ILLINOIS
SUPREME COURT,

{ SS. THE PEOPLE OF THE STATE OF ILLINOIS;

WRIT OF ERROR.

To the Clerk of the Circuit Court for the county of *Johnson* 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 *Johnson* county, before the Judge thereof, between *The County Commissioners of Johnson County for the use of the people of the State of Illinois, and for the Special use of Daniel S. Standaard, Administrator of the estate of Nancy Standaard deceased* plaintiff; and *James Brown, D. F. Bridges and B. S. Smith*

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

as we are informed by *his*

complaint, and we being willing that error, should be corrected if any there be, 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

Mount Vernon, in the county of jefferson, on the *second Monday of November*

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. WALTER B. SCATES Chief Justice of our said court, and the seal thereof, at Mount Vernon this

17th day of *November*
in the year of Our Lord One Thousand Eight Hundred
and Fifty *five*

Walter B. Scates
Clerk Supreme Court.

J. G. Thurston &

27

L. Moore Esq

Mr. A. W. W.

Handwritten: *Handwritten: 17.0.1898*

A. Schriver cM

STATE OF ILLINOIS, } ss.
SUPREME COURT. }

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Whelan* 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 *Whelan*

County, before the judge thereof; between *The County Commissioners of Whelan County for the use of the people of the State of Illinois, and for the Special use of Daniel G. Standish, Adm^r of the estate of Mary Standish, deceased, Plaintiff, and James Brown, D. G. Bridges and B. J. Smith*

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

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 Mt. Vernon, 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 *James Brown,*

D. G. Bridges and B. J. Smith

that *They* be and appear before the Justices of our said Supreme Court, on the first day of the next term of said Court, to be holden at Mount Vernon, in said State, on the Second Monday in November next, to hear the records and proceedings aforesaid, and the errors assigned, if *They* 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 *James Brown, D. G. Bridges & B. J. Smith* notice, together with this writ.

Walter B. Leaton
Witness, the Hon. ~~SAMUEL H. TAYLOR~~, Chief Justice of our said

Court, and the seal thereof, at Mount Vernon, this *Seventeenth*
day *November* in the year of our Lord;
one thousand eight hundred and fifty- *five*.

Joseph Schuster
Clerk of Supreme Court.



No 1

D. G. Strickland

my friend

Wm. W. Moore

D. G. Strickland

B. S. Smith
I have executed the
Writ of Habeas Corpus
issued by the Court to
Brown & Co. Bragg &
B. S. Smith in the
month of May 1856

Wm. W. Moore

John W. Moore

Amount in 3. 50 & 1/2
250
000
\$4.50
Return

Witness my hand and seal this 1st day of June 1856

Attest my hand and seal this 1st day of June 1856

Do the Clerk of

Clerk

THE PEOPLE OF THE STATE OF ILLINOIS

STATE OF ILLINOIS

The County Commissioners of
Johnson County, for the use of
the people of the State of Illinois
and for the special use and
benefit of Daniel H. Standard
Adminr of the estate of Nancy
Standard decd.

Emm to Johnson

vs.

James Brown - L. J. Bridges
and B. S. Smith

Will the Clerk of the ~~Johnson~~
Supreme Court - Southern Division please issue a
writ in the above styled cause directed to the Clerk
of Johnson County, for service. The Plaintiffs below
are Plaintiffs in error law - and defendants below
are defendants in error law

Jack & Simons

Attorneys for Plffs.

Joseph Cane
November 1855

The County Commrs.
Sherris of Golden County
for the use &c.

22

James Brown and
others

Preis

Feb. 17. Am. 1885
of Education etc

~~Ad~~ No 1.

D G Hancock, et al
vs
James Brown

Ernest Johnson

Certiorari issued 18.
August 1855.

C. L. Standart Adm^r &c.
Plaintiff in error

vs

J. Brown and others
Defendants in error

Case to follow

Continued,

Will the Clerk of the Supreme
Court please issue a certiorari to send up to this
Court a full and complete record in the above
styled case in the possession of the Clerk of
this Court

By J. H. Sprague, Atty.
for ~~Plaintiff~~ in error

Dr. H. Standard School
Plaintiffs in error

vs.

J. Beermann, et al
Defendants in error

Principals

L. H. Levens
Plff. et al.

In Supreme Court
November Term 1853

The County Commission-
ers of Golden County
for the use of the people
of the State of Illinois
for the expense and cost
benefit of David Gilman
and heirs of the estate
of Henry Stoddard et al.

vs.

James Brown, &c. J.
Bridges & B. L. Smith

— — — — —

Amounts for
Motion for Rehearing

paid & received

for plat-

November Term 1856

No 1

Wm Standard & Co

J Brown & Co

8574

Distribution

Cast Ball made
over on Page 231

Nov 27 1856
J. Brown & Co
Entered