

13956

No. _____

Supreme Court of Illinois

Root

vs.

Bockee

71641  7

STATE OF ILLINOIS,
SUPREME COURT.

} ss. The People of the State of Illinois,

To the Sheriff of Cook County, GREETING:

Because, In the record and proceedings, and also in the rendition of the judgments of a plea which was in the Superior Courts of Chicago in the County, before the Judges thereof, between Spencer B. Root, John P. Rust, Edwin A. Clark, Henry J. Baker, Charles J. Baker, Conrad Baker Jr.

Charles H. Dexter, Alfred T. Dexter, Franklin Bell, Nehemiah Leonard, Samuel Jacs, Samuel N. Leonard, Edward J. Warren,

Augustus T. Thompson, Edward M. Alwater, Christian Johnson, William Johnson, Franklin Mc Gowen, John Wilson, Franklin D Fairbank, B. Frank Beal, Thomas T Buckley, William C. Sheldon, William B. Welling James C. Ayer & Frederick Ayer.

plaintiffs, and Jacob B. Boeker, John P. Phillips, George W.

Stoutenburgh, Sarah Gage, Alson Ward, John J. Jannis, George

Jannis, Nathaniel Gifford, & the President Directors & Company of the

Bank of Poughkeepsie defendants, it is said that manifest error hath intervened, to the injury of the said Defendants Plaintiffs

as we are informed by their

complaint. in the record and proceedings of which said judgments 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 Jacob Boeker, John P. Phillips, George W Stoutenburgh, Sarah Gage, Alson Ward, John J. Jannis, George Jannis, Nathaniel Gifford,

and the President Directors and Company of the Bank of Poughkeepsie

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 first Tuesday after the third Monday in April A. D. 1866, to hear the record 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 Jacob Boeker & other defendants

notice, together with this writ.

Witness, The Hon. Pinkney H. Walker, Chief Justice of our said Court, and the Seal thereof, at Ottawa, this 19th day of March in the year of our Lord One Thousand Eight Hundred and Sixty-Six

L. Leonard
Clerk of the Supreme Court.
J. B. Rice

Wm L. Fisher

vs.

Do. Neal & Ash

211

FACIAS

Subscribed & A. D. 1867

W. M. Taylor Clerk.

3/27
14
Scire

W. F. Hodge ally

~~13965~~

Served March 22

Served this writ on the within named James Gayd
by reading and delivering a copy thereof to him
this 22nd day of March A. D. 1866

Service	50	Also Served George W. Stoutenburg
Copy	50	by reading and delivering A
20 miles	1.00	Copy this 23 rd day of March 1866
1 Return	10	John A. Nelson Sheriff By C. Longley Deputy
Service	50	
Copy	50	
1 mile	.05	
Return	\$1.15	Paid

Expense, no
of record here 2.00
Puff atty
Ret for Puff atty

Supreme Court of Illinois 3^d Fraud Division,
Spencer D. Root vs

vs
David Kay et als.

This cause having been submitted
under an agreement "to which the
event of the suit" of the similar cause
Henry T. Nowral vs Jacob Pocketal
now or lately pending in said court
upon the same facts and said cause
of Nowral vs Pocketal, having been
disposed of ~~upon~~ ^{upon} full argument
by affirming the decree of the court
below dismissing the bill we
feel confident according to said
agreement & understanding to the
same disposition of this suit.

Chicago January 22 1868. Geo. Herbert

H. Stule.

Solicitors for Complainants.

37 Supreme Court. 24

Spencer B. Root

24 77
and Gay. et al.

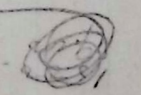
Stipulation

Dated August 10
1868

W. M. Taylor
at

Woodrum Larned and
aldefato Colver.

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State of Illinois
Third Grand Division In the Supreme Court
Sept 7. 1867.

Spencer B. Rockwell, Pff in Error

vs
Jacob Rockwell & als. Defs in Error.

And now this cause is
submitted by the parties, ap-
pearing upon printed arguments
filed in case of Blou et al. vs. Rockwell et al. heretofore
in this Court. Herbert & Co for

Pffs in Error.

Goodwin & Larned attys
for Defs & witnesses

State of Illinois
Third Grand Division In the Supreme Court
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Pffs in Error.

Goodwin & Larned attys
for Gays & Waterbury

¹³⁷ ¹³⁸
Supreme Court.

¹⁴ Spencer B. Root vs

²⁴ ~~vs~~ ^{vs}
Jacob Bockee vs

Sept. 7. 1867.

Stipulation submitted
came on Printed
Arguments filed.

138

Filed Sept. 12.
1867

Wm Taylor
Clerk

13956

In the Supreme Court

April 7. 1866

State of Illinois
Third Grand Division

Shenon B. Root & al

vs
Jacob Fockew & al

And now the
plaintiff moves for further
time to file record till Friday
morning next.

By their attorneys
Herbert & Steele

State of Illinois

The Supreme Court of Illinois
Third Grand Division
of the April T. 1866

Spencer B. Root John P. Rush Edwin A. Clark
Henry J. Baker Charles J. Baker Conrad Prater Jr.
Charles H. Baxter Alfred T. Baxter Franklin Bell
Arhemat Leonard Samuel J. Ivers Samuel A. Leonard
Edward S. Mason Augustus P. Thompson Edward M. Atwater
Christian Johnson William Johnson Franklin M'Gawen
John Wilson Franklin D. Harbark, B. Frank Peal
Thomas J. Buckley William Shelden William R. Melling
James C. Ayer & Frederick Ayer.
Plaintiffs in Error

vs

Jacob Becker John P. Phillips George W. Stoutenburg
David Gay ~~John~~ Alson Ward John J. Innis
George Innis Nathaniel Gifford & the President &
Directors & Company of the Bank of Poughkeepsie
Defendants in Error.

The clerk of said Court will please
issue a writ of error de re facia, in the name
of the several Plaintiffs in Error against the said
Defendants in Error directed to the Sheriff of
Cook County, directing the said Supreme Court
of Chicago to send up the record of a certain
Cause in Chancery wherein the said Plaintiffs
in Error are complainants & the said
Defendants in Error are defendants; the decree
wherein the said Plaintiffs in Error are
contains manifest error to their injury

March 16, 1866.

Heute & Hubert
Sons & Attorney for
Complainants in Error

12 138 75 24
Superior Court of
Illinois
3d Grand Division
Spencer D. Cook &
att.

vs.
Jacob Becker & al.

Receipt for
rent of room & stair
case.

Filed March 19 1866
at St. Louis
Mo.

Steel & Hubert
Attorneys for Plaintiff

[Faint, illegible handwriting, likely bleed-through from the reverse side of the page.]

No. 39

Supreme Court of Illinois -
 Third Grand Session - }
 of the April Term.
 G. D. 1867.

Spencer B. Root, et al. }
 vs. }
 Depts. in error.

Jacob Doehse, et al }
 Depts. in error.

Henry J. White
 his duly sworn, says that he is one of the solicitors
 for the Complainants in the above entitled cases,
 and that the Defendants in error in said cases,
The Merchants' Bank & Company of the Bank of
Poughkeepsie, Nathaniel Gifford and George
Annis, are not residents of the State of Illinois
 but reside, as this affair is informed &
 business in the State of New York. Whereupon
 this applicant, on behalf of the said Complainants
 in said cases, prays for the publication
 of a notice to said non-resident defend-
 ants, to bring them into said cases, in ac-
 cordance with the rules & practice of
 said Court.

Subscribed & sworn to before
 me this 9th day of April 1867.
 L. Leland
 Clerk

H. J. White

37 ³⁹ Spencer B. Root ²¹¹
doth ²⁵ +
Jacob Bockee doth

affidavit of non residence

Filed April 9 1837
L. Leland
clerk

State of Illinois.

Supreme Court of Illinois.
Third Grand Division.

Spencer D. Rock, John T. Rush, Edwin A. Clark,
 Murray J. Baker, Charles J. Baker, Leonard Procter, Jr.
 Charles W. Boyter, Alfred J. Boyter, Franklin Bell,
 Achemias Leonard, Samuel Ivers, Samuel H. Leonard,
 Edward J. Warren, Augustus T. Thompson, Edward M. Atwater,
 Christian Johnson, William Johnson, Franklin Mc Gowin,
 John Wilson, Franklin J. Fairbanks, B. Frank Deal,
 Thomas J. Buckley, ^{William B.} Sheldon, William A. Melling,
 James C. Ayer, and Frederick Ayer

Plaintiffs in Error.

Error to Supreme
Court of Chicago.

vs.

Jacob Doxsee, John V. Phillips, George W. Struthers,
 Jared Gage, Alton Ward, John J. Innis, George Innis,
 Nathaniel Lippard, and the President Directors and Company,
 of the Bank of Doughkeepsie.

Defendants in Error.

County of Cook.

Henry J. Sticks, being duly sworn says that he is one of the counsel for Plaintiffs in Error in the above entitled cause now pending in said Court; that the said defendants Jacob Doxsee, John V. Phillips, Alton Ward, John J. Innis, George Innis, Nathaniel Lippard, and the President Directors and Company, of the Bank of Doughkeepsie are non residents of the State of Illinois, so that process can not be served upon them or any of them in said cause; and prays that a notice may be published calling them in to, ^{the Court in} said cause, pursuant to the Statute in such

made and provided.

Done and subscribed before me.

this 5th day of April A.D. 1856

W. A. Still

Thomas G. Carter Clerk of
Superior Court of Chicago

37 Supreme Court 23
37 Spencer B. Cook et al.
37 " " 17
37 Just Boche et al.
14 Affidavit for Brothers

Filed April 6. 1856.
S. Meland
Clerk.