

8561

No. _____

Supreme Court of Illinois

Frederick Hinckle

vs.

Wm. Minkhart et al

Pleadings in the Monroe Circuit Court
State of Illinois

William Minthart &
Sophia Minthart his wife } Plaintiff
vs

Frederick Knuckler

Be it remembered that on day of A.D.
the following Declaration was filed in word & figures
as follows to wit:

State of Illinois vs Of the September Term of the
Monroe County Circuit Court of Monroe County,
A.D. 1851

William Minthart and Sophia Minthart his wife
plaintiffs in this suit by David B. Kaemer their
attorneys complain of Frederick Knuckler defendant
being in custody & of a plea of Trespass in Eject-
ment. Now that the said plaintiffs on the 1st day
of July A.D. 1851 were possessed of a certain
messuage or lot of land with the appurtenances
situated in the town of Columbia and being known
and designated on the original plat of said
town as Lot numbered (17) Seventeen which said
premises the said plaintiffs claim in fee and
they the said plffs being so possessed thereof the
said Frederick Knuckler afterwards to wit on
the third day of July A.D. 1851 entered into the said
premises and ejected the said plffs therefrom

and unjustly and unlawfully withholds from the said plaintiffs the possession thereof to the damages of the said plaintiffs of One thousand dollars and therefore they sue

And for that also the said plaintiff on the first day of July A D 1851 was possessed of a certain messuage or lot of land with the appurtenances situated in the town of Columbia in the County of Monroe and State of Illinois and being known and designated on the original plat of said town as Lot Number (17) which said premises are claimed in fee by the said Sophia Minkhart and ^{Said} William Minkhart in right of the said Sophia and they the said plaintiffs being so possessed thereof the said Frederick afterwards to wit on the 3 day of July A D 1851 entered into the said premises and ejected the said plaintiffs therefrom and unjustly and unlawfully withholds from the said plaintiffs the possession thereof to the damages of the said plaintiffs of One thousand dollars and therefore they sue

J. J. & C. Warner
attys. for plffts

To Mr. Frederick Henckler

~~xxxx~~

Sir you are hereby notified that the declaration with a copy whereof you are herewith served and to which copy this Notice is subjoined, will be filed on the 24th day of September next in the Court of said County of Monroe it

being the third day of the September Term aforesaid
Court, and that upon filing the same a rule will be
entered requiring you to plead to the said declara-
tion within twenty days after the entry of such rule
and that if you neglect so to appear and plead a
Judgment by default will be entered against you
and the plaintiffs will recover the prosecution of the
processes specified in the foregoing declaration.
September 22^d AD 1850 - Geo B Warner attys
for plffs -

And afterwards to wit on the 3 day of May 1850 the
following plea was filed in said case to wit:
Frederick Henckler

advs	}	Trespass in
W ^m Minkhart &		Ejectment
Sophia Minkhart his wife	}	And the said Frederick
Henckler by Amelancey his attys comes and defends		

the force and injury whereof and says that he is
not guilty of the said several supposed trespasses
and Ejectments in the said several Counts of the
said plffs declaration above laid to his charge or of
any part thereof in manner and form as the said
plffs hath above thereof complain against him
and of this he the said Frederick Henckler puts
himself upon the Country &c -

ES H O Melancey
for Deft -

And at the September Term A D 1851 of the said Circuit Court on the 21 day of September the following order was entered of Record in said case to wit:

William Minkthart &
Sophia his wife

v

Frederick B. Henckler

Exponent

And now this day comes the said plffs

by Erick Thier atty

and file their declaration herein against the said defendant to plead & which motion is allowed

And it is thereupon ordered by the Court that the said defendant do file his plea to the declaration of the said plffs filed herein against him, within twenty days from this day And it is thereupon ordered that this cause stand continued until the next term of this Court -

And at the April Term A D 1852 of the said Circuit Court on the 3^d day of the Term (April 21) the following order was entered of Record in said case to wit:

William Minkthart &
Sophia his wife

v

Frederick B. Henckler

Exponent

And now comes the said

plaintiffs by Erick &

Koerner their attys and the said defts also comes

by Meloney his atty and the said plaintiffs

~~and~~ the both plff & deft agree to submit this their cause to the Court for trial without the

intervention of a Jury. And the Court having heard the testimony and being satisfied does find the defendant guilty of unlawfully withholding the said premises in the declaration of the said plffs mentioned and decreed to wit: Let it be in the Town of Columbia in the County of Monroe and State of Illinois from the said plaintiffs and that the said plaintiffs are entitled to the same. It is thereupon considered by the Court that the said plaintiffs do recover of the said defendant the possession of the premises aforesaid. And it is ~~thereupon~~ further considered that the said plaintiffs do recover from the said deft their costs and charges herein &c whereupon comes the said deft by Amelency his attys aforesaid and moves the Court to set aside the said Judgment and to grant a new trial which motion is allowed upon the payment of the costs herein within one year from this day &c

State of Illinois } I the undersigned Clerk, of the
County of Monroe } Circuit Court within & for said
County, hereby certify the foregoing to be a true and
correct copy of the proceedings on Record and papers on
file in the above entitled case as the same remain in
my office. In Testimony whereof I have hereunto set
my hand and affixed the Seal of said
Court at office in Waterloo this 7 day
of Nov A D 1856

William Erd CR

Apr 27

William Wentworth
& wife.

vs
Frederick H. Henshaw

copy of Record.

Filed June 28. 1852.

Loach & Ingraham Clk

Prepared & f. by Judge
Hullerwood.

Two \$ 2.00 paid
clerk fees. by Sept.

William Monkheart } Ejectment in the
Sophia Monkheart } Monroe Circuit Court
vs } to recover Lot No 17
Frederick Fleuchler } in the town of Columbia

162 pages

Declaration ~~in~~ usual form
2 counts - alike except 2^d count avers that
plffs claim in right of Sophia wife of William
and neither count describes the premises as
lying in Monroe County or any other County
nor in the State of Illinois ~

Page 3

Plea general issue in usual form

4 -

Rule to plead entered

445

April Term 1852 - Cause tried by Court by consent
who found deft. guilty, but did not find
the estate of the plaintiffs, and rendered
judgment for plaintiffs, but entered
no writ of possession

The plaintiff in error assigns for
error

1st Because that the Court below did not
find the estate of the plaintiffs in the pre-
mises nor on both counts & issues

2^d That the declaration was insufficient
to give the Court jurisdiction, in failing to
show that the premises were situated in Monroe
County

That it does not appear that any declaration
was filed before the judgment was rendered
Wherefore the plaintiff in error prays
that said judgment may be reversed &c.

Wm G B Underwood

Atty for plff in error

And the said defendants in error
say that there is no error in the
verdict & proceedings in the
above case

Richard G. Smith

1427
Frederick Benedict

vs.

William Soliscent
& wife his wife

Error from Ab-
erdeen County.

The Clerk of the
S supreme Court will
show issue process
to Abberdeen County
in this case & file

This record
from
Wm G B Underwood
Atty for plff
Richard G. Smith

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 *Monroe* 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 *Monroe* county, before the Judge thereof, between

William Minthart and Sophia Minthart his wife
plaintiffs, and *Fredrick Huchler*

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

as we are informed by *him*

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

28th day of *June*

in the year of Our Lord One Thousand Eight Hundred
and Fifty- *Six*.

A. J. Spurgeon

Clerk Supreme Court.

No 27



Frederick K. Kuchler

My 3 Writ of Error

Wm. M. Kuchler &

Suppl. M. Kuchler

Grand Jurors 28th
June 1882

St. Lawrence Clerk

8561

June 25, 1856.

Dear Sir: -

Dear Sir: -

You will find the abstract & assignment of errors on the Record I sent you from Randolph. On the back of the record is the Precept. This I think is a substantial compliance with the ^{late} rule of the Supreme Court which I had before me when I made out the abstract & Precept. I give the writ to these heirs in blank according to the record below. The Sheriff will serve it on the proper parties & I will have the proper amendment made next term.

Enclose you two records from Monroe county \$10. Please issue process to the Sheriff of that county.

I understand Koerner & Bissell
go for Freemont & Co. We
will have a warm time
in this county. I think howe-
ver the state & national
democratic ^{tickets} are safe.
But we must be up
and doing. I spoke at
Hanover yesterday in
favor of the demo-
cratic state & national
ticket & will do so on
all favorable occasions
till after the election.

Yours truly

Wm W. Underwood

Capt N. Johnson

[Signature]

76 1/2 400
1888

July 24, 1856.

To the Clerk of the Supreme Court, Illinois

Please file the enclosed affidavit
in the proper case & give notice by
publication & issue process, as
therein requested.

Honke & Underwood

Attys., for plaintiff in error.

Mayer N. Johnson

Filed 28. July 1856.

N. Johnson Ck

Belleville, Dec 1, 1856,

Dear Sir:-

Please file the enclosed papers in the proper case & issue a writ to the Sheriff of Monroe county against the Conservator. The Sheriff says this is the only writ he ever received from you except the other one returned.

In the case of Holliday vs. Gumble, reversed. Please issue Execution to the Sheriff of Perry county for costs.

In Masteron et al vs.

Wiswell & wife - reversed

Morris Holm vs. Baldwin reversed, Please issue executions to the Sheriff of Monroe county for costs.

In Greenup vs. Sewell - Reversed. Issue execution to

Sheriff of Washington county.
for costs,

Yours Truly,

Wm L. B. Underwood

Filed Dec. 6. 1856.

N. S. Hunter Clk.

In the Supreme Court, First Grand Division, State of Illinois, November Term A.D. 1856.

Frederick Henckler

vs

William Minkert &
Sophia, his wife.

Error to Monroe.

NOTICE is hereby given to the above named William Minkert, that a writ of *scire facias*, to hear errors, has been issued in the above styled cause, against him, the said William Minkert and Sophia his wife, and against Henry Schumacher, Conservator of the said Sophia, from the Supreme Court, for the first Grand Division for the State of Illinois, returnable on the first day of the next term of the said Supreme Court, to be commenced and holden at Mount Vernon in the county of Jefferson, and State aforesaid, on the second Monday in November next. And that unless the said William Minkert do appear and demur or join in the errors assigned upon the record in the above styled cause, by the plaintiff in error, the judgement of the Circuit Court of Monroe County, therein rendered in favor of the said William Minkert and Sophia his wife, will be reversed.

Witness, the Hon. Walter B. Scates, Chief Justice of our said Supreme Court, and the seal thereof, at Mount Vernon, this twenty eighth day of July in the year of our Lord, one thousand eight hundred and fifty-six.

Noah Johnston Clerk Supreme Court, 1st. Grand Division of the State of Illinois.

Henckler, Fouke & Underwood

Atty's for plffs.

August 8th, 1856

(557-11)

I certify that the annexed notice was published for ~~ex~~ successive weeks in the Waterloo Patriot, a paper published weekly in Waterloo, Monroe County Illinois, the date of the first publication being August 8th, 1856 and that of the last October 3rd, 1856

H. C. Tallitt

Publisher Waterloo Patriot

Printer's fee \$5

Recd. payt.

H. C. Tallitt

In the Supreme Court, First Grand Division, State of Illinois, November Term A.D. 1856.

Frederick Henckler

vs

William Minkert &
Sophia, his wife.

Error to Monroe.

NOTICE is hereby given to the above named William Minkert, that a writ of *scire facias*, to hear errors, has been issued in the above styled cause, against him, the said William Minkert and Sophia his wife, and against Henry Schumacher, Conservator of the said Sophia, from the Supreme Court, for the first Grand Division for the State of Illinois, returnable on the first day of the next term of the said Supreme Court, to be commenced and holden at Mount Vernon in the county of Jefferson, and State aforesaid, on the second Monday in November next. And that unless the said William Minkert do appear and demur or join in the errors assigned upon the record in the above styled cause, by the plaintiff in error, the judgement of the Circuit Court of Monroe County, therein rendered in favor of the said William Minkert and Sophia his wife, will be reversed.

Witness, the Hon. Walter B. Scates, Chief Justice of our said Supreme Court, and the seal thereof, at Mount Vernon, this twenty eighth day of July in the year of our Lord, one thousand eight hundred and fifty-six.

Noah Johnston Clerk Supreme Court, 1st. Grand Division of the State of Illinois.

Henckler, Fouke & Underwood

Atty's for plffs.

I certify that the annexed notice was published for nine successive weeks in the Waterloo Patriot, a paper published weekly in Waterloo, Monroe County Illinois, the date of the first publication being August 8th, 1856 and that of the last October 31st, 1856

H. C. Tallitt

Publisher Waterloo Patriot

Printer fee \$5

Recd. pagt.

(557-12)

Bees of the disease, destroys the germ, by purifying
the honey, and he destroys out all the diseased fluids

27

H. E. E. E.
M. H. H. H.

John H. E. E. E.

John H. E. E. E.
John H. E. E. E.

August 27th 1856

John H. E. E. E.

John H. E. E. E.

John H. E. E. E.
John H. E. E. E.

STATE OF ILLINOIS, }
SUPREME COURT. } ss.

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Monroe* 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 *Monroe* County, before the judge thereof, between *William Munkhart* and *Sophia Munkhart* his wife Plaintiffs, and *Fredrick E. Shackles*

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

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 *William Munkhart*

and *Sophia Munkhart* —

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.

Matthias B. Scaturro
Witness, the Hon. ~~Samuel H. Tamm~~, Chief Justice of our said Court, and the seal thereof, at Mount Vernon, this *28th* day of *June* — in the year of our Lord, one thousand eight hundred and fifty. *Six*.

Noah Schuster
Clerk of Supreme Court.

Friedrich Henrichsen

as } for

William Munkhardt &

Sophia Munkhardt

William Munkhardt

Sophia Munkhardt - not
found within my
covering.

Nov: 24th A.D., 1856.

Charles Smith - Sheriff Mason County
Iowa

fees

return 10

postage 9

19.

Filed to Dec. 1856

C. A. Huntington Clerk

State of Illinois ss I the undersigned Clerk of
Macon County do hereby certify, that upon a
careful examination of all the Records, belonging to
said office, it appears, that there is a certain suit
which was decided, between William Minkert &
Sophia his wife against Frederick Henckler, in
Ejectment for lot No 17 in the town Columbia, County
& State aforesaid; commenced at the September term
A D 1851. of said Circuit Court, on Wednesday, the
24th of said month of Sept. & from that term con-
tinued till next term (April term) of said Court
A D 1852. and on Wednesday April 21st A D 1852
of said Court William Minkert & Sophia his wife
recovered from the said Frederick Henckler lot No
17. in the town of Columbia County & State aforesaid
upon which recovery a New trial was granted within
one year from the 21st day of April A D 1852 and
that at the April term A D 1853 on Thursday April
28 A D 1853 the said William Minkert & Sophia his
wife recovered in said continued suit the said lot
from the said Frederick Henckler; and that one
other suit in Ejectment was commenced in said Court
prior to the before mentioned suit, by said William
Minkert & Sophia his wife against said Frederick Henckler
which was decided at the cost of the said Minkert & wife
and that there is no other suit or recovery in Ejectment
instituted or recovered by the said Minkert & wife against
the said Frederick Henckler.

Witness William Erb Clerk of said Court and
the Seal thereof here affixed at office in
Waterloo on the 22 day of November A D
1856

William Erb CR

Wm. H. H. H.

or

Markest & wife

Certificate of
Birth

Filed 6th Dec. 1856.

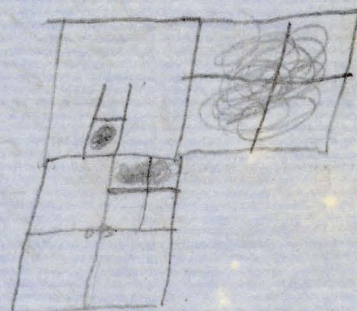
Wm. H. H. H. clerk

Black paper 75 cts.

^{no} Frederick Minkler } November Term
 vs. } of Supreme Court
^{no} William Minkert } A. D. 1856.
 Sophia his wife } Error from Monroe Co.

^{no} Frederick Minkler plff. in error being
 duly sworn says that the said William
 Minkert is not a resident of this
 state ^{that his place of residence is unknown} as he verily believes. Deponent
 further says that the said Sophia
 Minkert has since the trial of this
 case in the court below become in-
 sane & is now in the asylum at
 Jacksonville in this state and
 that Henry Schumacher a res-
 ident of Monroe county in said
 state has been duly appointed
 her Conservator by the County
 Court of said county.

Signed & sworn to before J. F. Herckler
 on this 24th day of July 1856
 Wm S Thomas Clerk S.C. C. C.



And now comes the said ptff in error
and asks for an order of publication
of notice of this ^{suit} ~~against~~ ~~Henry~~ Minkert non-resident
dept. & That William Schumacher con-
servator of the said Sophia Minkert
may be made dept to this suit &
that process may issue against him
to the Sheriff of Monroe County, Illinois
& also process may issue to the Sheriff
of Morgan county, Illinois, against the
said Sophia Minkert.

Honke & Underwoods,

Attys. for ptff. in Error.

Fredrick Minkert

vs.

William Minkert &
Sophia his wife.

Affidavit

Filed 28th July 1886.

A. Robertson Clerk

STATE OF ILLINOIS, } ss.
SUPREME COURT. }

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Morgan* 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 *Monroe* County, before the judge thereof, between *William Minkert* and *Sophia his wife* plaintiffs, and *Frederick Schumacher* —

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

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 *William Minkert* and *Sophia Minkert his wife*, and also to *William Schumacher*, *per Conservator* —

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 *defendants* notice, together with this writ.

Walter B. Scates

Witness, the Hon. ~~Samuel H. Telfer~~, Chief Justice of our said

Court, and the seal thereof, at Mount Vernon, this *28th* day of *July* in the year of our Lord, one thousand eight hundred and fifty-*six*

Noah Schumacher
Clerk of Supreme Court.

Executed this writ by delivering a true & perfect copy
of the same to the within named Sophia Munkart
other defendants not found in my County
August 5th 1856

C. Mathews Sheriff
m.c. 500

Serving _____ 50
Copy _____ 50
Return & Postage 13
\$1.13

No 27

Produce of the

as 3 Serifa

William Munkart

Sophia his wife.

Not.
This is sent for Service
on the wife - Sophia
Munkart, said to be
in the County of
St. Jacksonville.

Noted 24. Oct. 1856.

A. Johnston Clerk

STATE OF ILLINOIS

STATE OF ILLINOIS, SUPREME COURT,
To November Term, 1856.

WILLIAM MINKHART, SOPHIA MINKHART, } Ejectment in the Munroe Circuit
VS } Court to recover Lot No. 17
FREDERIC HENCKLER. } in the town of Columbia.

Declaration in usual form, two counts—alike except 2d count avers that plaintiffs claim, in right of Sophia, the wife of William and neither count describes the premises as lying in Monroe County or any other county, nor in the State of Illinois.

Plea—general issue, in usual form.

Rule to plead entered.

April Term 1852—Cause tried by court by consent, who found defendant guilty, but did not find the estate of the plaintiffs, and rendered judgement for plaintiffs, but ordered no writ of possession.

The plaintiff in error assigns for error.

1st. That the Court below did not find the estate of the plaintiffs in the premises.

2d. That the declarations was insufficient to give the County jurisdiction, in failing to show that the premises were situated in Monroe County.

That it does not appear that any declaration was filed before the judgement was rendered: Wherefore the plaintiff in error pray that said judgement may be reversed &c.

W. H. & J. B. UNDERWOOD'S,
Attorneys for Plaintiffs in Error.

200 40
7
280

763-
87
21
871

No 27.

FREDERICK HENCKLER

vs

WILLIAM MINKHART & SOPHIA
HIS WIFE.

ERROR FROM MONROE COUNTY

UNDERWOOD'S,

Attorneys for Plaintiffs in Error.

Appended

1894

STATE OF MISSOURI SUPREME COURT

STATE OF ILLINOIS, } ss.
SUPREME COURT. }

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Monroe* 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 *Monroe* County, before the judge thereof, between *William Minkert* and *Sophia his wife, plaintiffs,* and *Frederick Hinckley*

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

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 *William Minkert* and *Sophia Minkert his wife,* and also to *William Schumacher* her conservator

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 *defendants* notice, together with this writ.

Walter B. Scott,
Witness, the Hon. ~~Samuel H. Taylor~~, Chief Justice of our said Court, and the seal thereof, at Mount Vernon, this *28th* day *7 July* — in the year of our Lord, one thousand eight hundred and fifty-*Six*.

Noah Johnston
Clerk of Supreme Court.

1027

Friedrich Hinckley

0 } Leifur

William Munkert

Sophia his wife

The within named defendants from
in May County between the 21st 1856
Charles Smith Sheriff of Monroe County

Shiff paid salary 10
Parage 10
~~100~~
~~\$100~~

July 24th 1856

A. Schmittm. clk

STATE OF ILLINOIS

~~Wm~~ William Munkert & Sophia ^{his wife} Thursday April 28th
 vs. Frederick Henckler Esquire. Now this
 day comes the said parties
 Plaintiff and defendant & their attorneys. And now
 by consent of parties plaintiff & defendant this cause
 is submitted for trial by the Court without the
 intervention of a jury. And the Court having
 heard the testimony and being satisfied do find
 the defendant guilty of unlawfully withholding
 the possession of the said premises in the plaintiffs
 declaration mentioned to wit, Lot numbered
 seventeen in the original Town of Columbia in the
 County of Monroe and State of Illinois and
 the said plaintiffs are seized of an estate in
 fee of the said described premises and
 entitled to the same. It is thereupon considered by the
 Court that the said plaintiffs recover of and from
 the said defendant the possession of the
 premises aforesaid, and that they have a writ of possession
 therefor &c with Costs to be taxed.

It is agreed by the parties to the case of
 Henckler vs Munkert & wife that now pending
 in the Supreme Court of Illinois it is directed
 that the above is a correct copy of the order
 made in the case ^{in the Monroe Circuit Court} above entitled, and
 that it shall be considered as an amended
 record, properly made out & certified by
 Clerk of Monroe Circuit Court.
 Underwood Atty. for Henckler.
 Quick & Roemer for Munkerts.

Men Roster wife

Benckler

Copy of record of
second trial

Filed 25. Nov. 1857.

N. L. L. L. L. L. old

STATE OF ILLINOIS, }
SUPREME COURT. } ss.

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Monroe* 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 *Monroe* County, before the judge thereof, between *William Minckut*

and Sophia his wife, plaintiffs,

and Frederick Hunkeler

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

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 *William Minckut*

and Sophia Minckut his wife; and

also to Henry Schumacher

his conservator

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 *William Minckut and wife Henry Schumacher*

notice, together with this writ.

Walter B. Scott

Witness, the Hon. ~~Samuel H. Taylor~~, Chief Justice of our said

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

day of *December* in the year of our Lord,

one thousand eight hundred and fifty-

Six

Josh. Shuster
Clerk of Supreme Court.

Wm. W. B. B. B. B.

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William W. B. B. B.

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STATE OF ILLINOIS

IN SENATE

January 1, 1857

REPORT

OF THE

STATE OF ILLINOIS

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