


No. 13990

Supreme Court of Illinois

People ex rel.

vs.

Wren

71641  7

State of Illinois
County of Adams

Andrew Redman of the
County and State aforesaid, being duly sworn
according to Law, doth depose and say,
that, at the General Election of this State on
Monday the 7th day of August A.D. 1843 - he
was a Candidate in and for the Columbus
district, for a Justice of the Peace; which
said district was a regular and legally
constituted district for the election of Justices
of the Peace and Constables, made and created
according to the Laws of the said State of Illinois
in the said County of Adams - And that
at the said election he was duly and
legally elected a Justice of the Peace in
said district, having received a majority
of the legal votes, given at said election
for that office, the returns of which election
was, ^{duly} made to Nicholas Green, who was then
and still is Clerk of the County Court of
County of Adams according
to the Laws of the said State, - and he further
says, that after the returns were made as
aforesaid and after seven days had elapsed
from the said day of election, and before
the expiration of twenty days therefrom, he
delivered to the said Nicholas Green a
Bond, ^{with good & sufficient sureties} conditioned for the performance of

of his duties as said Justice of the Peace; which
Bond was approved and received by the said
Michaelas Wren; and which said Bond was
made and executed according to the laws
of the said State of Illinois. And he
further upon his oath says, that on the 28th day
of November a. d. 1843. he called upon
the said Michaelas Wren at his office in
the City of Quincy, and demanded a Certificate
of election to the said office of Justice of the
Peace as aforesaid, and was then and there
informed by the said Wren, that the poll
Books from the said Columbus District had
not been opened or the votes thereof counted
and he then and there refused to ~~make~~
out and deliver to him, his said Certificate
of election as aforesaid.

Andrew Redman.

Sworn to and subscribed before
me this first day of December
A. D. 1843

W. M. Crane J. P. Quincy
Admin. Co. Ill.

Mr. Nicholas Wren

Sir You will please take notice that I shall apply, by my Attorney Archibald Williams Esq. to the Supreme Court of the State of Illinois, at their next term to be holden in Springfield on the Second Monday in December A. D. 1843, for a Writ of Mandamus to be directed to you, directing and requiring you to open the poll books returned to you from the Columbus District in your County, of the August Election 1843 - make out an Abstract therefrom according to Law, and transmit the same to the Secretary of State as required by Law to do; and also to make out (upon finding by the said poll books, that I am elected a Justice of the Peace in said District) a Certificate of Election, and to deliver the same to me upon my application for that purpose at your Office

Andrew Nelson

copy delivered Nov-29-1843

The people of the state
of Illinois on the petition
of Andrew Bedman
vs
Nicholas Wren

~~11006~~

Filed: 13th Dec 1843

D
Wick
clerk.

The people of the state of Illinois on the relation of
Andrew Redman vs Nicholas Wren

It is agreed by and between the parties herein that the
return was stated and the return thereof made as stated
in his (said returner's) affidavit filed herein that the said
Columbus district is situated in the county of Marquette
that said county has never been organized It is not in-
tended to admit the legal existence of said county of Mar-
quette but the effect of the act of the legislature for
the creation of that county is left open for the decision
of the court If upon consideration of the above facts
the court should be of opinion that the jurisdiction
of the county of Adams for purposes of county gov-
-ernment extend over the territory of Marquette ^{at the time of said August election in 1843}
~~but as organized~~ then a peremptory Mandamus
shall be awarded to the said Wren commanding him
to open the poll book from the said district of Columbus
and make out a correct vote of the voters therein & de-
-liver the same to him and forward an abstract thereof
of to the Secretary of State It is further
agreed that if this agreement should be considered imper-
-fect in its statement of facts the same shall be amended
so as to present for the decision of the court the ques-
-tion whether it was the duty of the said clerk to renew
the said poll book

Springfield 20 Dec, 1843,

Archibald Williams

atly for Pltff

Geo: C. Deane

atly for Nichl. Wren

The people ex or
Andrew Newman
vs
Nicholas Morn

agreement

Filed 20th Dec 1843

Peck
Clerk

13990