

8501

No. _____

Supreme Court of Illinois

Phineas Oaks et al

vs.

Tiffany Ward & Co.

71641  7

(1)

State of Illinois
Gallatin County 3

Pleas before the
Honorable Wesley Sloan Judge of
the 19th Judicial Circuit in the
State of Illinois and presiding in
the County of Gallatin at the
Court house in Shammeton on
the 30th day of May A.D. 1857.

State of Illinois
Massac County set

The people of
the State of Illinois to the Sheriff
of said County Greeting We -
Command you that you summon
Phineas Oaks and Cyrus Thayer
if they shall be found in your
County that they be and appear
before the Circuit Court for -
said County on the first day
of the next term thereof to be
holden at the Court house
in Metropolis City Ill. on
the first Monday in June -
next, (1852) then and there to
answer Benjamin C Ward, George
Yiffang Henry Yiffang and Henry
G. Rice Jr, Partners under the

name and description of
 Tiffany Ward Ho of a plea of
 debt of judgment of \$906.93 etc
 to their damages of \$14.00 as they
 saith And have you then and
 then this writ with an endorse-
 ment thereon as to the manner
 you execute the same

80

Witness John B. Hiers Clerk
 of the ~~Circuit~~ ^{Justice} Court And
 the Judicial Seal thereof
 this 13th January 1832.
 Jan. 13. 14 Hiers Clerk

And afterwards the following
 endorsement was made, As
 I am Commanded I served by
 reading the within to Phineas
 Oaks on the 21th of Feb 2^d 1832
 Cyrus Thayer not found in M. C

Servise 3-0

Miles 3 at 3^{cts} 13-

Returning $\frac{10}{75}$

W. P. Bruner

State of Illinois
 Massac County } of the June term
 of the Massac Circuit Court

A. D. 1832

Benjamin C Ward, George Yiffang
 Henry Yiffang, and Henry S Rice
 Jr. Partners under the name and
 description of Yiffang Ward &
 Ly Wingate their attorney Compl^{ains}
 on of Phineas Bates and Cyrus
 Thayer of a plea that they ~~and~~
 tender unto them the sum
 of Nine hundred and six dollars
 and ninety three cents debt which
 they owe & are justly detained
 from them

For that whereas the
 said plaintiffs herebefore to wit:-
 at the Supreme court & began and
 holden at Portsmouth within & for
 the County of Scioto and State of
 Ohio, to wit:- (at the County of
 Massac & State of Illinois aforesaid,
 on the twenty ninth day of March
 A D 1845. by the consideration of
 the Justices of the Supreme Court.
~~Reversed~~ Recovered Judgment ~~ag-~~
 =ainst- the said defendants for the
 sum of Eight hundred, and Twenty
 Seven Dollars & twenty five cents

damages and the further sum of
 Seventy Nine Dollars and Sixty Eight
 Cents for costs of suit; as by the
 Decree thereof in the same
 Court remaining ~~unpaid~~ ^{admitted}
 which said judgment remains
 in full force, unreversed and
 unsatisfied; whereby an action
 has accrued to the said plaintiffs,
 to demand & have of and from
 the said defendants the sum
 aforesaid amounting to the sum
 of ^{hundred & exp} ~~Nine~~ ^{hundred & exp} Dollars and ninety
 three cents, Yet said defendants
 have not paid the same nor
 any part thereof (altho often required
 so to do) Yet the said defendants
 nor either of them nor any
 other person for them nor either
 of them, have not paid the
 same nor any part thereof

To the damages of the
 said plaintiffs of four
 hundred Dollars and
 therefore they sue &c

R F Wriggley
 atty for plaintiffs,

5

Filed 13 January 1852

Geo. B. Nichols clk

Phineas Oaks
impleaded with
Cyrus Thayer
at

Benjamin Ward
George Giffany
Henry Giffany
and Henry S
Rice trading
under the style
of Giffany Ward & Co

Debt

And this defen-
dant Phineas Oaks by Nelson
and Sangster his attorneys
comes and defends the wrong and
injury done &c and prays judg-
ment of the said writ and
Declaration, because says that
before the issuance of the said
writ against him the said defen-
dant, and the said Cyrus Thayer
his Co defendant therein he the
said Cyrus Thayer departed this
life in the State of New York
that is to say some time in the
year 1848, and this to the said

6
Defendant is ready to verify
wherein in as much as the
saide Cyrus Thayer is named
in the 1st writ and declaration
together with the saide defendant
in the 2nd defendant prays -
Judgment of this writ and
declaration and that the
same may be quashed,

Nelson & Daugherty
Jest Phineas Oakes

Wingate & Parish
for Plffs.

This, Affiant Phineas Oakes being
duly sworn according to law deposes
and says that the foregoing plea is
true in substance and in fact,

Subscribed and sworn to }
before me this 14th day of } Phineas Oakes
October 1852 }

Geo B Hiers clk }
Filed this the 14th day of Oct-
1852 } Geo B Hiers clk

Saturday May 30th 1857.
Benjamin C Wane }
George Giffney }

7
Henry Gifford &
Henry G Rice Jr. Debt
Against-
Phineas Oaks &
Cyrus Hayer

The defendant -
Phineas Oaks having filed his
plea in abatement in this cause
and the plaintiffs having filed
their replication to said plea and
issue being joined thereon,

Now on this day came the parties
by their Attorneys and this cause
coming on to be tried upon that
issue, a jury is waived, and both
parties consent that the questions
of law and of fact may be tried
by the Court, and the Court
being ~~her~~ having heard the evidence
offered on said trial and the
arguments of Counsel finds the
issue for the plaintiffs.

Whereupon the defendant - Phineas
Oaks by his Attorney moves the Court
for a new trial which motion
was by the Court over ruled,
Wherefore it is considered by the

8

Court that the plaintiff recover of the defendant Phineas Bates the sum of \$906 $\frac{93}{100}$ nine hundred and six dollars and ninety three cents, their debt - As also their damages sustained by reason of the detention of the said debt and as those damages are uncertain the Clerk is ordered to compute the same and report the amount to the Court - And the Clerk reports that he finds the damages to be six hundred and sixty two - dollars and six cents,

It is therefore ordered and adjudged by the Court that the said plaintiff recover of and from the said defendants Phineas Bates the sum of nine hundred and six dollars ninety three cents their debt aforesaid and the sum of six hundred and sixty two dollars and six cents their damages aforesaid making in the aggregate of debt and damages the sum of fifteen hundred and sixty eight dollars,

(9)

and ninety nine cents, as also
their costs in this behalf expended
and that they have execution
therefor &c,

Tiffany Ward &c

vs

Phineas Oaks in Debt
pleaded with
Cyrus Thayer

In the Circuit Court
of Gallatin County Idaho May
term A.D. 1887.

Be it remembered that
on the trial of the above styled
Cause the Debt Oaks to maintain
the issue on his part - introduce
the depositions of Maria Ingalls
and John Dutiel which deposition
are in the words & figures following to wit,

The said John Dutiel being first
duly sworn in answer to the following
-ing interrogatories testified as
follows

Interrogatory 1st Are you acquainted
with the parties plaintiffs and
defendants in the cause in

the Caption of these interrogatories mentioned and of so how long have you known them respectively Answer, I am not acquainted with the plaintiffs I am acquainted with Phineas Oaks and was acquainted with Cyrus Thayer in his lifetime. I was acquainted Cyrus Thayer about six years before his death which occurred about the year 1844 as I believe I was acquainted with Phineas Oaks about fifteen years before the year 1844, since which time I have not seen him nor do I know much about him.

Interrogatory 2nd Whether or no is the said Cyrus Thayer dead or alive & if dead please state ~~how~~ when and where he died to the best of your knowledge and belief Answer I believe him to be dead About the year 1844, he left - Scioto County Ohio, to go to the State of Maine on a visit to his parents and his wife received information by letter from New York City that he was there

91 Sick not expected to live, since
which time, I have heard nothing
from him, he did not come
back to his family with whom
I have been acquainted ever
since John Satiel

Maria Ingersoll being by me
first duly sworn in answer to
the following ~~interrogatory~~,
Interrogatory testified as follows
to wit,

Interrogatory 1.st Are you acquaint-
ed with the parties plaintiffs
and defendants in the Cause in
the Cause in the Caption of these
interrogatories mentioned and if
so, how long have you known
them respectively?

Answer I am not acquainted
with the plaintiffs, I am acqu-
ainted with Phineas Oakley and
was acquainted with Cyrus Thayer
in his lifetime. - I was acquainted
with Cyrus Thayer about six years
before his death which occurred
about the year 1844.

As I believe, I was acquainted with
Phineas Oakes for a bout-fifteen years
up to about the year 1844 since
I had no knowledge of him.

Interrogatory 2nd Whether or no
is the said Cyrus Thayer dead or
alive and if dead please state
when and where he died to the
best of ~~A~~ Your knowledge and
belief?

Answer I believe the said Cyrus
Thayer is dead about the year
about the year 1844 he left the
County of Scioto in the State of
Ohio, to visit his ~~relations~~ parents
in the State of Maine and on
his return he was taken dangerous
by Sickness at the City of New York
As I was informed by letter to
me from his Brothers daughter
there, since which time, I have
heard nothing from him as he
never returned nor did I ever
get any further information
of him -

Maria Ingersoll

and the Court having considered
 the said deposition which was
 all the evidence in the cause
 adduced by either party found
 the issue for the Platts wherein
 the deft Bates by his Counsel -
 Moved the Court for a new
 trial 1st because the finding &
 Judgment of the Court is against
 evidence Law 2^d because it is
 against evidence and 3^d because
 it is ~~wrong~~ against Law & evidence
 but the Court overruled the
 Motion for a new trial &
~~Quandem~~ rendered judgment
 for the platts debt & damages
 & Costs of suit to which finding &
 Judgment of the Court and over
 ruling 2^d Motion for a new trial
 the deft Bates by his Counsel
 excepts & prays this his bill
 of exceptions to be signed sealed
 & made a party to of the record
 which is done accordingly

Filed 1st June 1857. } Wesley Sloan }
 } Judge of the 19th
 } James Sampson }
 } Clerk }
 } Judicial }
 } Can Court - Ill }

State of Illinois } 20
 Gallatin County } J. James Davenport
 Clerk of the Court - Court in
 and for said County do hereby
 Certify that the foregoing -
 Record of 14 pages, is a true
 and correct transcript of
 the Suit therein, as perfect
 full and complete, so far as
 the same purports to be as
 it the same remains of
 record in my office.

In testimony whereof
 I have hereunto set my
 hand and affixed the
 Judicial Seal of said Court
 at Hannuettan this the
 14th day of July A.D. 1837.

James Davenport - Clerk

By Eli Green D.C.

Postage

fee To Clerk, Making this Record \$3.00

James Davenport Clerk

Phineas Oakes pleff in error

vs $\frac{1}{2}$ error to Gallatin

Jeffery Ward & Co defendants in error

Came this day the pleff in error by ~~his~~ his attorney & says that ~~the~~ ~~in~~ ~~the~~ in the Judgment of the Circuit Court of Gallatin County aforesaid and in record & process aforesaid there is manifest error in this that the Judgment of the said Court was rendered by a Circuit Court in favor of ~~Defendant~~ whereas ~~in fact~~ the Judgment aforesaid should have been rendered in favor of ~~Plffs~~

and in assigning special errors upon the record the pleff saith the Judgment & finding of the Gallatin Circuit Court is contrary to Law in the first place and secondly the Judgment of said Court is contrary to Law and evidence

Thirdly that the said Circuit Court erred in not granting the pleff in error a new trial and Fourthly the Court has been wronged in rendering a Judgment for ^{more than} the debt and damages in declara

No 28

Phineas Cates Esq

Benjamin Ward Esq

Green & Freeman
for debts in error

Julia Sept. 1st 1857

Arch. Johnston Esq

Repaid by R. S. Nelson Esq

\$5.00

Refused

Mentioned & claimed instead of quashing
the writ and declaration. Wherefore
these & other errors apparent in the
record the paper says the Judgment
aforesaid may be reversed

R. S. Nelson & H. Johnson

for pliffs
in error

Joinder in Error

STATE OF ILLINOIS
SUPREME COURT,

{ SS.

WRIT OF ERROR.

THE PEOPLE OF THE STATE OF ILLINOIS;

To the Clerk of the Circuit Court for the county of

Gallatin

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 *Gallatin* county, before the Judge thereof, between

Benjamin C. Ward, George Tiffany, Henry Tiffany & Henry G. Rice Jr. Partners under the name and description of Tiffany, Ward & Co
plaintiffs, and *Phineas Oaks implementer with Cyrus Thayer*

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

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 *10th Tuesday after the 2^d 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

first day of *September*
in the year of Our Lord One Thousand Eight Hundred and Fifty- *Seven*

Wm. Johnston
Clerk Supreme Court.

Phineas Catts
 implored with
 Cyrus Thayer
 as { mt of error

Benjamin C. Wark,
 George Tiffany, Henry
 Tiffany & Henry G. Rice Jr.,
 Partners under the name
 and assumption of
 Tiffany, Wark & Co

Issued Feb 1st Sept. 1857
N. Johnston Ck

Phineas Oakes, impleaded with Cyrus Thayer, Plaintiff in Error,

AGAINST

Benjamin C. Ward, George Tiffany, Henry Tiffany, and Henry G. Rice, Jr., Partners under the name and description of Tiffany, Ward & Co., Defendants in error.

Error

to

Gallatin.

IN THE SUPREME COURT OF ILLINOIS, FOR THE 1ST GRAND DIVISION—November Term, A. D., 1857.—Notice is hereby given to the above named defendants, that a writ of error has been sued out in the above styled cause, returnable to the next term of the Supreme Court of Illinois, for the 1st Grand Division, to be holden at the court house in Mt. Vernon, on the first Tuesday after the second Monday of November, A. D., 1857.

NOAH JOHNSTON, Clerk Supreme Court,
1st Grand Division, State of Illinois.

NELSON & JOHNSON,

Attorneys for plaintiff in Error.

September 4th, 1857—n45-4w.*

We, the undersigned, publishers of the "Southern Illinoisian," a weekly newspaper, printed in the town of Shannectown, County of Gallatin, and State of Illinois, hereby certify that the foregoing notice of "Error to Gallatin" was published in the paper aforesaid four consecutive weeks—the first ~~publication~~ publication of which was made on the 4th of September, 1857, and the last on the 9th of October, 1857.

Given under our hands and seals,
this, 20th day of October, 1857.

Edwards & Son.

Oakes

is

Tiffany Ward & Co

Certificate
of Publication.

Fees \$3.00-

Paid by

Nelson Johnson

Julian 23^d October 1857

N. Johnson clk

Abstract of Pleas Case

In the Supreme Court of the
State Illinois November
term AD 1857

1st Grand Division at St. Louis

Phineas Baker, plaintiff in error

(impleaded with Cyrus Thayer)

vs

By error to Gallatin

Page

1

Tiffany Ward & Co. defendants in error

The defendants in error
sued the plaintiff & our Cyrus Thayer
in an action debt upon a Judgment
obtained in the State of Ohio.

2 Plaintiff only was served with process
5 and pleaded in abatement of
the suit that Thayer died in
the State of New York before the
commencement of the suit, which
plea defendants traversed & issue
6 was joined upon the plea.

7 The Cause was submitted
to the Court for trial at the May
term 1857 of the Gallatin
District Court when Judgment
was rendered in favor of the
8 defendants for \$1568 & 79 Cents.

The only evidence in the
Cause is as follows

9 John Dutiel states that he is acquainted
with the plaintiff and was acquainted

10 with Thayer in his life time
knew Thayer about six years
before his death which occurred
in the year 1844 as he believes,
is not acquainted with Defendant,
was acquainted with Phineas Oakes,
before the year 1844 about 15 years,
since which he has not seen him
or knows much about him. &
believes Cyrus Thayer to be dead.
About the year 1844 he left
Scioto County Ohio, to go to the
State of Maine on a visit to his
parents and his wife received
information by letter from New
York City that he was there sick
and not expected to live since
which time I have heard nothing
from him he did not come back
to his family with whom I have
been acquainted ever since.

11 Maria Inselsoll another witness
states that she is not acquainted
with Pless in the Court below
but she is acquainted with
Phineas Oakes and was acquainted
with Cyrus Thayer in his life
time. She was acquainted with

+ Upon the Court omitted the dependents place in all matters
and rendered a judgment in favor of the plaintiff in Court below
dependents in error, as aforesaid -

12 Cyrus Thayer about Six years
before his death which occurred
about the year 1844 as she
believes. She was acquainted with
Phineas Thayer for about 15 years
& she believes the said Cyrus
Thayer is dead. About the
year 1844 he left the County of
Seiote in the State of Ohio to
visit his parents in the State
of Maine, and on his return he
was taken dangerously sick
at the City of New York as she
has informed by letter to her, from
his brother's daughter there - since
which time I have heard nothing
from him as he never returned
nor did ~~she~~ ever get any further
information of him - which was
all the Evidence in the Cause

13 + The plea excepted to the opinion
of the Court at the time
and moved for a new trial which
was awarded by the Court and
opinion of Court overruling Motion
was also excepted to at the time
first because the Judgment of
the Court was contrary to Law

Second because it has been
 true to fact and Evidence
 and thirdly because the
 Judgment was rendered for
 debts in error quod recuperat
^{a greater amount}
 for ~~debt~~ of debt and damages
 than is claimed in declaration of defendant in error
 and should have been for
 plea in error Cassation breve.

15 and for these and other errors
 assigned upon the writ in this
 Cause seeks to reverse the
 Judgment of the Court below
 R S Nelson for
 plea in error

Abstract of plea Case
 The near value of plea in error
 or ~~error~~ error to follow
 Tiffney and Co
 debts in error

Filed Nov. 16. 1857.
 J. S. Schuyler clerk

SUPREME COURT OF ILLINOIS.

FIRST GRAND DIVISION.

NOVEMBER TERM, A. D. 1857.

ABSTRACT.

Record Page.

1. Phineas Oakes (impleaded with Cyrus Thayer,) Plff in Error, }

vs.

Tiffany Ward, & Company defendants in Error. } Error to Gallatin.
The Defendants in error sued the plaintiff and one Cyrus Thayer in an action of debt upon a judgment obtained in the State of Ohio.
2. Plaintiff only was served with process and pleaded in abatement of the suit that Thayer
5. died in the State of New York, before the commencement of the suit, which plea defend-
6. ants traversed and issue has joined upon the plea.
7. The cause was submitted to the Court for trial at the May term, 1857 of the
8. Gallatin Circuit Court, when judgement was rendered in favor of the defendants for \$1,568,99.
The only evidence in the case is as follows:
9. John Dutiel states that he is acquainted with plaintiff, and was acquainted with Thayer
10. in his life time—knew Thayer about six years before his death, which occurred in the year 1844 as he believes, is not acquainted with defendants—was acquainted with Phineas Oakes before the year 1844, about 15 years since which he has not seen him or knows much about him. And believes Cyrus Thayer to be dead. About the year 1844 he left Scioto County Ohio, to go to the State of Maine on a visit to his parents, and his wife received information by letter from New York city that he was there sick and not expected to live; since which time I have heard nothing from him, he did not come back to his family with whom I have been acquainted ever since.
4. Maria Ingersoll another witness states, that she is not acquainted with the plaintiff in the court below, but she is acquainted with Phineas Oakes, and was acquainted with Cyrus Thayer in his life time. She was acquainted with Cyrus Thayer about six years before his death which occurred about the year 1844, as she beleives. She was acquainted with Phineas Oakes for about 15 years, and she beleives the said Cyrus Thayer is dead.—About the year 1844, he left the county of Scioto in the State of Ohio to visit his parents in the State of Maine, and on his return he was taken dangerously sick at the city of New York, as she was informed by letter to her from his brother's daughter there.—Since which time I have heard nothing from him as he never returned, nor did she ever get any further information of him—which was all the evidence in the cause.
Whereupon the court overruled the defendant's ple in abatement, and rendered a judgment in favor of the plaintiffs in court below defendants in error, as aforesaid.
13. The plaintiff, excepted to the opinion of the court at the time, and moved for a new trial which was overruled by the court, and opinion of court overruling motion was excepted to at the time, first because the judgment of the court was contrary to law, second because it was contrary to law and evidence, and thirdly, because the judgment was rendered defendants in error 'quod recuperet,' for a greater amount of debt and damages, than is claimed in declaration of defendant in error, and should have been for plaintiff in error
15. 'cassetur breve.' And for these and other errors assigned upon the record in this cause, seeks to reverse the judgment of the court below.

NELSON, & JOHNSON Attys.,
For Plaintiff in Error.

Shiners Cakes
 impounded with
 byms Thuyon

Wff in error
 as } Thuyon

B. C. Ward et al

Depts in error

Filed Sept. 12th 1857
 at Salem Ct

6/10/57

Phineas or a person implicated
with Cyrus Hager

Benjamin Ward

Oliver Tiffany

Henry Tiffany

error to
Gallatin

& Henry Rice Tenth

Trading & doing business

under the name & style of

Tiffany, Ward & Co

There appears Richard S. Nelson
being first duly sworn according to Law
deposes and says ^{that} the defendants in
the above styled Cause reside in
the State of Pennsylvania and are State
residents of their state ^{why believe} & further that
deponent says that
subscribed & sworn to
before me this 1st

Richard S. Nelson

September 1854

Attest, John W. McK

SUPREME COURT OF ILLINOIS.

FIRST GRAND DIVISION.

NOVEMBER TERM, A. D. 1857.

ABSTRACT.

Record Page.

1. Phineas Oakes (impleaded with Cyrus Thayer,) Plaintiff in Error, } Error to Gallatin.
vs.
Tiffany Ward, & Company defendants in Error.
The Defendants in error sued the plaintiff and one Cyrus Thayer in an action of debt upon a judgment obtained in the State of Ohio.
2. Plaintiff only was served with process and pleaded in abatement of the suit that Thayer, died in the State of New York, before the commencement of the suit, which plea defendants traversed and issue has joined upon the plea.
3. The cause was submitted to the Court for trial at the May term, 1857 of the Gallatin Circuit Court, when judgement was rendered in favor of the defendants for \$1,568.99.
4. The only evidence in the case is as follows:
5. John Duriel states that he is acquainted with plaintiff, and was acquainted with Thayer in his life time—knew Thayer about six years before his death, which occurred in the year 1844 as he believes, is not acquainted with defendants—was acquainted with Phineas Oakes before the year 1844, about 15 years since which he has not seen him or knows much about him. And believes Cyrus Thayer to be dead. About the year 1844 he left Scioto County Ohio, to go to the State of Maine on a visit to his parents, and his wife received information by letter from New York city that he was there sick and not expected to live; since which time I have heard nothing from him, he did not come back to the family with whom I have been acquainted ever since.
6. Maria Ingersoll another witness states, that she is not acquainted with the plaintiff in the court below, but she is acquainted with Phineas Oakes, and was acquainted with Cyrus Thayer in his life time. She was acquainted with Cyrus Thayer about six years before his death which occurred about the year 1844, as she believes. She was acquainted with Phineas Oakes for about 15 years, and she believes the said Cyrus Thayer is dead.—About the year 1844, he left the county of Scioto in the State of Ohio to visit his parents in the State of Maine, and on his return he was taken dangerously sick at the city of New York, as she was informed by letter to her from his brother's daughter there.—Since which time I have heard nothing from him as he never returned, nor did she ever get any further information of him—which was all the evidence in the cause.
7. Whereupon the court overruled the defendant's plea in abatement, and rendered a judgment in favor of the plaintiffs in court below defendants in error, as aforesaid.
8. The plaintiff excepted to the opinion of the court at the time, and moved for a new trial which was overruled by the court, and opinion of court overruling motion was excepted to at the time, first because the judgment of the court was contrary to law, second because it was contrary to law and evidence, and thirdly, because the judgment was rendered defendants in error 'quod recuperet,' for a greater amount of debt and damages, than is claimed in declaration of defendant in error, and should have been for plaintiff in error 'cassetur breve.' And for these and other errors assigned upon the record in this cause, seeks to reverse the judgment of the court below.

NELSON, & JOHNSON Attys.,

For Plaintiff in Error.

Proof of death - Indors.

2. Stakin 364 - 4 note 10 Pick.

Heard and

Bill of exceptions not taken in time -

No 28

Phurra, Oaks &c.

by

Jeffery, Moore & Co

Emm to Gallatin

Abstract

2.

Revised -

John H. Wood, 21. 1837

McDonaldson C.M.

8501

No 28

Nov. 1857

Phinias Oaks. Impl. with
Cyrus Thayer

24

Tiffany, Ward & Co

8501

Even to Gallatin

Reveries and
Reminders