

No. 8588

Supreme Court of Illinois

Wm. Cool

vs.

W. C. Vanblarcium

State of Illinois,
Madison County

Pleas of Record in the
circuit court of Madison County State of Illinois

Be it remembered that heretofore to wit, on
the 15th day of June A.D. 1857, was filed in the
clerk's office of said circuit court a Process and
Bond for costs in words and figures following to wit:

Madison Circuit Court October Term 1857.

William C Vanblaricum

vs

William Cool and Frederick
R. Cool.

Action of Debt.

Clerk please issue a sum-
mons, returnable according to practice, to answer
Deft, "of a plea that they tender unto him fifty
"four Dollars and fifty five cents which they justly
"owe to, and unlawfully detain from him, to his
"Damages of Two Hundred Dollars" &c.

I oblige Yours &c

D. S. Ruthenford.

Atty for Deft.

Copy Bond for costs.

William C Vanblaricum

vs

William Cool and Frederick
R. Cool.

Madison Circuit
Court October
Term 1857.

I do hereby enter myself security
for costs in this cause, and acknowledge myself

bound to pay or cause to be paid all costs which
may accrue in in the action either to the opposite
party, or to any of the officers of this court, in pur-
= suance of the laws of this state.

Dated Alton June 10th 1857.

Friend S. Rutherford,

Whereupon on the same day to wit June 15th 1857. was
issued out of and under the seal of said circuit court
a summons directed to the Sheriff of Madison County
Illinois to execute, but which summons was never
returned by the Sheriff.

And afterwards to wit: on the 17th day of September
A.D. 1857. the Plaintiff by Attorney filed in the
Clerks office of said circuit court a declaration in
debt in words and figures following to wit:

State of Illinois ff. In Madison County circuit
Madison County ff. of October Term of A.D. 1857.

2

William C Vanblaricum Plaintiff in this
suit by S. Rutherford his Attorney complains of
William and Frederick B Cool, defendants in this
suit, that they render unto him Fifty four Dol-
= lars and Fifty five cents, which they justly owe
to and unlawfully detain from him. For that
the said Plaintiff by the name of Wm C Van-
= blaricum on the second day of August A.D. 1839.
at the County of Marion State of Indiana before John
S. Ketcham Esq one of the Justices of the Peace with-
= in and for the County of Marion aforesaid by the

consideration of said Justice recovered judgment
the said William Cool and Frederick R Cool by
the name of W^m Cool and Frederick R Cool for
the sum of fifty four Dollars and fifty five cents. with
interest, and costs of suit, which said costs amount
to one Dollar and twenty eight cents, as by the
Record thereof remaining more fully appears a copy
of which said Record duly authenticated said
Plaintiff brings here into court, which said judg-
ment is in full force, and not reversed, annulled,
or satisfied (and the said plaintiff avers that the
Justice aforesaid was authorized by the laws of
the State of Indiana to have Cognizance of the
said suit, and to render judgment therein, the
same being less, at the time of the rendition thereof
than the sum of one Hundred Dollars) whereby a
action hath accrued to the said plaintiff To
have and recover of the said Defendants the said
several sums of fifty four Dollars and fifty five
cents, and of one Dollar and twenty Eight cents, a-
mounting in the whole to fifty five Dollars and
Eighty three cents. Yet the said Defendants though
requested have never paid the same, but wholly
refuse so to do, to the damage of the said plaintiff
of Two hundred Dollars, and therefore he brings
his suit,

D. S. Rutherford, Atty
for Plaintiff.

And afterwards to wit: on the 20th day of October
A.D. 1857. at the October Term 1857 of said
circuit court an order was made and

entered of Record by said Court in said cause
in words and figures following to wit:

William C Vanblancum

vs

William Cool and Frederick
R Cool.

} Debt.

And now at this
day come the said parties by their Attorneys, —
whereupon leave is given Defendant to withdraw
his plea filed herein. And it is ordered by the
Court that an alias Summons issue herein, and
this cause is continued ✓

And afterwards to wit: on the 21st day of Decem-
ber A.D. 1857. was issued out of and under
the seal of said circuit court, an alias sum-
mons in words and figures following to wit. —

State of Illinois } The People of the State of Illinois
Madison County } To the Sheriff of Madison
County Greeting: We Command you as once before
Commanded That you Summons William Cool
and Frederick R Cool. To appear before the cir-
cuit court of Madison County on the first day
of the next Term, to be holden at the Court
House in Edwardsville on the second Monday
in the month of May A.D. 1858. to answer unto
William C Vanblancum of a plea that they render
unto him Fifty four Dollars and Fifty five cents
which they justly owe to, and unlawfully detain

Page 5

from him to his Damages Two Hundred Dollars
as he says. And have you then and there this
writ.



Witness Tho. O. Springer clerk of
our said circuit court and the
seal thereof at Edwardsville this
21st day of December in the year of
our Lord one Thousand Eight hundred
and fifty seven.

Tho. O. Springer, Clerk

Upon the back of which the sheriff endorsed his
return in words and figures to wit:

Executed the within writ by reading the same
to the within named William Cool this 18th day of
March 1858.

(H)

J. D. Job. Sheriff
By G. J. Pickett.

dep.


A True copy of the Transcript of judgment rendered
at Marion County Indiana, and offered as
evidence on part of Plaintiff.

Copy of Summons and endorsement on the back
State of Indiana
Marion County

marked (G)

To any constable of Center
Township greeting: You are hereby commanded
to summon ~~Wm.~~ Frederick Cool to appear be-
fore me John E. Ketcham, a Justice of the Peace
of said Township at my office therein on the 2^d
day of August at 2 o'clock P.M. on said day.

To answer Wm C Vanblaricum of a plea of *assumpsit*
Demerge not exceeding one Hundred Dollars, and
of this summons make due service and return
Given under my and seal this 31st day of July
1839.

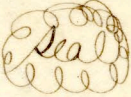
N. 353. W. C. Vanblaricum vs Jno. S. Kitcham J. P. 

Wm & Fred Cool. Claims \$52.50
Justice — .25
Served by copy July 31st 1839, .50
Jas P. Davall const. Milgo 12 1/2
16
78.

Copy of Execution, N. 353.

State of Indiana Marion County scty.

To any constable of Center Township
Greeting: Whereas Wm C Vanblaricum obtained
judgment against Wm & Frederick Cool before
me Jno S Kitcham a Justice of the Peace for
said Township for 52 Dollars 50 cents with
interest thereon at the rate of six per cent per
annum, from the 2 day of August 1839, you are
therefore commanded that of the Goods and chattels
of said Wm & Frederick Cool in your County you
cause to be made the said debt, interest and
costs with accruing costs, by distress and sale
thereof, returning the overplus if any, to the said
Wm & Frederick Cool, and of this writ make
legal service and due return to me at my
office in said Township within thirty days
from this date, Given under my hand and seal
this 3rd day of August 1839.


Enclosed) J. S. Ketcham J.P. 

A. 353, W. C. Vanblancum vs

vs
Wm & Freds Cool \$54.55
Justice .62 1/2
Came to hands Aug. 3^d Swall .78
Sept 2^d No property of defendants found whereon
to Levy. D. G. Yates, const

Copy of 2^d Execution.
State of Indiana Marion County, SS.

To any
constable of Center Township Greeting: Whereas Wm
C. Vanblancum obtained judgment against Wm &
Fredericks Cool before me Jno S Ketcham a Justice
of the Peace, of said Township, for \$54.55 with in-
terest thereon from the 2^d day of Aug 1839, together
with costs taxed at \$1.28, on said day, You are
therefore commanded that of the Goods and Chattels
of said Defendants in your County, you cause to be
made the said Debt, interest and costs, with
accruing costs by distress and sale thereof, re-
turning the overplus, if any, to said Defendants,
and of this writ, make legal service and due re-
turn within thirty days. Given under my hand
and seal this 1 day of July 1840.

John S Ketcham 

A. 353.

W. C. Vanblancum vs W. Blue, \$52.55
vs
Wm & Frederick Cool, Justice .88
Swall .78
Mates .51
25
10
39
Rec^d July 3 1840, August 3^d
Served, and no property of the
defendants found whereon to Levy S. R. C. Allison, const

State of Indiana)
Manion County) S
I John Saltmarsh a
Justice of the Peace in and for said County —
do hereby certify that the above and foregoing
are full, true and correct copies of the summons
and the two Executions and Constables returns
on each of said writs, and endorsements on
the back of said Executions and summons, as
appears by the papers in the above entitled —
cause, now on file in my office, which was
deposited with the docket and papers, of John
S. Ketcham late Justice of the Peace, which
was passed over to me, as success of James
McBreedy Esq, and now legally in my pos-
-session, Given under my hand and seal this
27th day of May 1855.

John Saltmarsh J.P. Seal

Transcript No.

Wm C. Vanblaricum) Demanded in asst
v) B \$54.55 on acct
Wm Cool, Frederick R. Cool) July 31, 1839 sum-
mons to Duwall, Ret^d served, by copy 21st Trial
2^d August /39 2 P.M. at which time come
the plaintiff, but the defendant came not, all
things heard. It is considered that the plaintiff
recover of the Defendant Fifty four Dollars and
fifty five cents with interest and costs, justice
50 Duwall 78. To To Yates by order of plain-
-tiff 3^d July /39.

John S. Ketcham, J.P. Seal

Ret^d Sept 3^d, No Property, 51 cts, Yates,

For value rec^d of assign to Unah Blue, twenty
two Dollars & 50 of the above judgt. this
22 June, 1840. W^m C. Vanblaricum,
Stand till 1st July by order of Plaintiff July 1st
/40. Fi Fa to Allison, Ret^d August 5/40, No
Property &c, 39 cents Allison, For value received
& assign to W^m C. Vanblaricum, twenty two
Dollars & 50 cents, Sept. 9th 1843, it being all
my claim in said case. Unah Blue,
Transcript to Vanblaricum, June 3, 1847, fee paid,
Transcript & certificat^o to Plaintiff May 5th 1853
fee paid.

State of Indiana,
Madison County. I John Saltmarsh a Justice
of the Peace, in and for said County do hereby
certify that the above is a full, true, and com-
plete Transcript of the Proceedings had in said
cause, as appears by the Docket of John S
Ketchum late Justice, which is now legally
in my possession; Given under my hand
and seal this 30th day of July 1855,
Justice Saltmarsh fee, 50 cents.

John Saltmarsh (seal)
a Justice of the Peace,

Certificate of Official Character
State of Indiana Greentide Department Court
I Joseph A Knight Governor of said State
do hereby certify that John Saltmarsh whose
signature appears to the certificate of attestation
last aforesaid was, at the time of so signing
the same Court, on the 30th day of July 1855,
and yet continues to be an acting Justice
of the Peace, within and for the County of

Marion and State of Indiana. that his signature
I believe to be genuine, and his said attestation
is in due form of law, and that full faith
and credit are due to the same,

In witness whereof I have hereunto
set my hand, and caused to be
affixed the seal of the State at
the City of Indianapolis the 28th
day of May in the year of our Lord
one thousand eight hundred and
fifty six, the 48th year of the State
and of the Independence of the
United States the 80th

By the Governor

Erasmus J Collins Secretary of State,
Joseph H. Knight

State of Indiana Marion County ss; I

William Stewart Clerk of the Circuit Court —
within and for the County of Marion aforesaid
do hereby certify that John S. Ketchum was
on the date and at the time of rendering said
Judgment Court; the 2^d day of August 1839. —
an acting Justice of the Peace, within and for
said County of Marion, duly elected, commissioned
and qualified, and that full faith and credit
ought to be given to his official acts,

In witness of which I hereunto affix
the seal of said Court and sub-
scribe my name at Indianapolis
the 10th day of April A. D. 1856.



\$5000 in clerk fees paid \$700
by plaintiffs May. } Stewart, Clerk
By Geo. C. ...

State of Indiana I Stephen Major, judge of
the fifth judicial circuit of which Marion
County is a part certify that the above named
W^m Stewart, at the time of making the foregoing
attestation was the clerk of the Marion circuit
court within and for Marion County in said
State, and authorized to make said certificate
and that said attestation is in due form. Dated
12, April 1856
J^{es} S. S. S. Stephen Major

State of Indiana, Marion County, SS. I William
Stewart clerk of the circuit court within
and for the County of Marion aforesaid, do
herely certify that John Saltmarsh whose
certificate appears to the foregoing instrument
of writing to which this is attached was, on
the date, and at the time of making said cer-
-tificate to wit: the 30th day of July 1855, and
the 27th day of May 1855. An acting Justice
of the Peace, within and for said County of
Marion duly Elected, Commissioned and quali-
-fied, and that full faith and credit ought
to be given to his official acts.

In witness of which I herunto
affix the seal of said Court and
subscribe my name at Indian-
apolis this 30th day of July A
D, 1855.

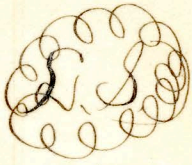
W^m Stewart Clerk



State of Indiana. I Stephen Major Judge
of the fifth judicial circuit, of which Marion
County is a part, certify that the above —
named William Stewart at the time of making
the foregoing attestation was the clerk of the
Marion circuit court, within and for Marion
County in said State, and authorized to make
said certificate, and that said attestation
is in due form. Dated 8. August A. D. 1855.
Stephen Major.

Certificate of Official Character,
State of Indiana. In said Department ^{now} Town of
I Joseph Wright Governor of said
State do hereby certify that William Stewart
whose signature appears to the certificate of
attestation aforesaid was at the time of so —
signing the same Town of on the 10th day of April
1856, and on the 30th day of July 1855, and yet
continues to be the acting clerk of the Marion
circuit court Marion County and State of
Indiana, that his signature I believe to be
genuine, and his said attestation is in due
form of law, and that full faith and credit
are due to the same.

In Witness whereof I have hereunto
set my hand and caused to be af-
-fixed the seal of the State at the
City of Indianapolis the 28th day
of May in the year of our Lord one
Thousand Eight Hundred
and fifty six, the 40th year



of the State, and of the Independence of the United States the 80th

By the Governor

Joseph A. Knight
Erasmus B. Collins Secretary of State,

And afterwards to wit on the 13th day of May A.D. 1858. at the May Term 1858 of said Court an order and judgment was made and entered of Record by said Court in said cause in words and figures following to wit:

William C Vanblaricum S
vs Debt,

William Cool impleaded with Frederick R Cool. And now at this day comes the plaintiff by F. S. Rutherford Esq his Attorney, and it appearing to the court that the Defendant William Cool has been duly served with process herein, and having failed to enter his appearance and plead according to the rules and practice of this court, on motion it is ordered that his default be entered, and that the plaintiff have judgment for his Debt and Damages. It is further ordered that the clerk compute the debt due, and assess the damages for the detention thereof, whereupon the clerk reported said Debt to be the sum of Fifty four Dollars and Fifty five cents, and that he had assessed the Damages to the

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(8)

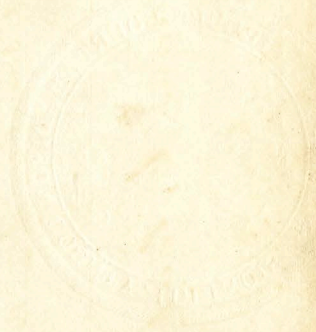
sum of Sixty one Dollars and Forty four cents
which being approved by the court. It is con-
sidered by the court that the Plaintiff have
judgment for and recover of and from the
Defendant William Cool the sum of Fifty four
Dollars, and fifty five cents his said debt, and
also the sum of Sixty one Dollars, and Forty
four cents his said Damages, together with his
proper costs to be taxed, and have Execution
therefor &c ✓

And afterwards Court on the 8th day of June
A.D. 1858. was issued out of and under the
seal of said circuit court an Execution
on the above judgment, which Execution
has not been returned by the Sheriff ✓

State of Illinois
Madison County. I Thos. O. Springer clerk
of the circuit court within and for the County
and State aforesaid certify that the fore-
going is full true and complete copy of
all the Papers, process, and pleadings (Except
Execution, ^{& summons} as above) in the above entitled
cause, as truly, fully and completely as the
same is now of Record and on file in said
Court.

In Testimony whereof I have
hereunto signed my name
and affixed the seal of

said County at Edwardsville
this 22^d day of September
A. D. 1858
Hon^{ble} C. Springer Clerk



Handwritten text, possibly a date and location: "1858" and "New York".

#4,75

Main body of the document containing faint, illegible handwritten text, possibly bleed-through from the reverse side.

State of Illinois } } May Term 1858
Madison County } } Circuit Court

William C. Faublaricum }
vs } Action of Debt
William Cool and }
Frederick Cool } }

The Appellant William Cool by A. W. [unclear]
his Attorney comes and assigns the following
Errors.

- 1st The Court Erred in issuing an alias
Summons before the return of the original
- 2^d The Court Erred in allowing a default against William
Cool when there was no return on the writ as to Frederick
- 3^d The Court Erred in rendering Judgment against William Cool
when there was no return on the writ as to Frederick
- 4th The Court Erred in referring it, to the Clerk for Computation
- 5th The Court Erred in rendering Judgment on the
Evidence before them, it not being sufficient in
law to entitle them to a Judgment
- 6th The Judgment of the Court was Contrary to
the law, and the Evidence

State of Missouri: On inspecting the fore-
 going record and the errors aforesaid
 thereon I do allow the same, and
 direct that the writ of error be made a
 supersedeas on plaintiff in error
 requiring a bond in the penalty
 of two hundred dollars with A. W.
 Mitealf, Wm. T. Brown, Orin Reuben
 & Erastus Wheeler or any two of
 them his security conditioned accord-
 ing to Law - Given under my
 hand this 6th day of October
 1858
 Sidney Preese
 Judge of Sup. Court

19th to 1858

William Coal
 Plaintiff in error
 vs
 William C. Vandercum
 Defendant in error

Ernest M. Mason

Filed 22^d November 1858
 A. Robertson Clk
 Paid by State of \$5.00

Edwardsville Nov 15th 1838

W^o Sir

I was aware that a rule of Court required a deposit of 3¢ but have been in the habit of considering it in, and then paying the Clerk in Springfield where I ordinarily go, in closed find the amount inform me when Court sits, at which this case will be heard

Oblige A. W. Nuttall

State of Illinois,
SUPREME COURT,
First Grand Division.

} SS

The People of the State of Illinois,

To the Clerk of the Circuit Court for the County of Madison 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 Madison county, before the Judge thereof between

William C. Baublancum

plaintiff and

William Cool - implorant with Francis Cool

defendants it is said manifest error hath intervened to the injury of the aforesaid William Cool

as we are informed by his complaint, and we being willing that error, if any there be, should be corrected 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 our 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 first Monday after 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. John D. Catron Chief Justice of the Supreme Court and the seal thereof, at MOUNT VERNON, this twenty second day of November in the year of our Lord one thousand eight hundred and fifty eight.

Book, Johnston

Clerk of the Supreme Court.

19-15

SUPREME COURT.
First Grand Division.

William Cool

Plaintiff in Error,

W. C. Vaucl

VS.

W. C. Vauclerium

Defendant in Error.

WRIT OF ERROR.

Issued & FILED Nov. 22, 1858.

N. Schuster *clerk*



State of Illinois
SUPREME COURT
First Grand Division

In the Court of the Circuit Court for the County of
The People of the State of Illinois
Greeting:

"This writ of error is granted in accordance with the provisions of the act in that behalf made, and the same is to be taken according to law."
N. Schuster *clerk*

State of Illinois, Madison Co, ss
Supreme Court, First Grand Division.

November Term, A. D. 1859.

Writ of Error to Reverse Judgment.

William Cool,

vs.

William C. Vanblaricum,

} Defendant in Error.

IT appearing by affidavit on file in the Clerk's office of the Supreme Court of the first Grand Division aforesaid, in the above entitled cause, that the said defendant in error, William C. Vanblaricum, is a non-resident of the State of Illinois, and without the reach of the ordinary process of this Court, and that his place of residence is not known to the affiant, and the said plaintiff herein having filed a duly certified copy of the record of the judgment of the Circuit Court of Madison county sought to be reversed, and the summons to said defendant having been issued by this Court to the Sheriff of Madison county, by him returned not served—Now you, the said defendant, whose non-residence appears as above, are hereby notified to be and appear before our said Supreme Court, to be holden at the Court House in the town of Mount Vernon, on the second Mouday, in the month of November, A. D. 1859, and show cause, if any you have, or can, why said judgment should not be reversed. Dated January 22d, 1859.

NOAH JOHNSTON,

Clerk of said Court.

Jan. 27, 1859.

I, the undersigned, publisher of the **Madison Advertiser**, a public
Newspaper, printed in the county of Madison, and State of Illinois, do
hereby certify that a Notice, of which the annexed is a true copy, has been
re ~~published~~ published in said paper 11 weeks in succession, commencing
on 27th day of January, A. D., 1859, and ending on
the 1st day of March, 1859.

Given under my hand this 11th day of March, A. D. 1859.

Printer's fee, \$ 5.

Jos. L. Cox

Filed Nov. 15, 1859

N. Johnston CM

IN THE SUPREME COURT OF ILLINOIS.

First Grand Division.

William Cool, plaintiff in error

vs,

William C. Vanblarican, defendant in error.

ERROR TO MADISON.

NOTICE is hereby given to the said defendant in error, that the record of the above entitled cause, with an affidavit, showing that he is not a resident of this State, has been filed in the office of the clerk of said Supreme Court—upon which a writ of error and of Scirefacias have issued and are made returnable to the next term of said court, to be commenced and holden at Mount Vernon, on Tuesday, the 15th day of November next, at which time and place he, the said defendant in error, is required to appear and join in the errors assigned; and on failure to do so, his default will be entered.

Witness, Noah Johnston clerk of the said Supreme Court at Mount Vernon, this 23d day of May, A. D. 1859.

NOAH JOHNSTON, Ck.

We, the undersigned publishers of the Mt. Vernon Star, a weekly newspaper, published in Mt. Vernon, Jefferson County in State of Illinois, do hereby certify that the attached notice has been published in the aforesaid paper for five consecutive weeks commencing on the 24th day of May 1859 and ending on the 24th day of June 1859.

Pointers per \$8.00
Lentis Lane - pub.

No 19

Book
by
Van Blaricum

Notes and
Certificates

Filed July 28. 1859.
N. Schuster Clerk

Printers fee \$3.00
Paddy Clerk

State of Illinois, et, Supreme Court, 1st division

William Cool } Plaintiff in Error

William C. Paulkiewicz } Defendant in Error

A. W. Mitealf attorney for Plaintiff
Being duly sworn says that upon diligent
inquiry ^{made by him} the residence or post office of the
defendant in Error could not be found
that for the purpose of ascertaining the residence
of the post office of defendant he applied
to defendant's attorney, F. S. Rutherford
who is advised of this proceeding. who in-
formed him that he did not know
either of the above facts, that the claim
upon which Judgment was rendered
was sent to him by a St. Louis Lawyer
who received it as he thought from a
Chicago Lawyer to whom it had been sent
for collection this is all the infor-
mation obtained

Sworn to & subscribed
before me this 14th day of November
A. D. 1859. N. Johnston Clk

A. W. Mitealf

19

William Cool

vs

William C. Taublaricum

Affidavit

Filed Nov. 15. 1859.

A. Johnston Clk

Edwardsville Nov 9th 1858

Dear Sir

A few days since I sent you a record
in a can of level to Paul Blainum, in error
the Judge ordered a Supersedeas, which I
wish you would send immediately. If you
have not already done so to our Sheriff
and also be so kind as to inform me
when the can will regularly come on
to be heard & oblige

Yours &

A. W. Metcalf

19 ~~45~~

A. W. Mitchell

13 Apr 58

Filed Apr. 22, 1858

A. Johnston *AM*

William Cool

vs

William C Paulblanc

This is a writ of Error brought to reverse a Judgment rendered in a Case - Commenced at the October Term of the Madison Circuit Court by defendant in Error against William Cool and Frederick R. Cool by filing a praecipe and bonds for costs in usual form upon which a summons issued, after which a declaration was filed in debt. at the term of said Court an order was made allowing an alias summons without any return of original - (order found on Page 3 of said record) upon which alias summons a return was made by the Sheriff served by reading on William Cool and no return by Frederick R. Cool (Page 5 of said record marked 4) upon which return a default was taken against William Cool, and the defendant in Error introduced in evidence a transcript of a Judgment from a Justice of the Peace of Marion County Indiana upon the summons in which suit was the following return "Served by copy July 31st 1839" Jas P Huswall Court. - marked (7) on Page (6) of said record) after which the ~~Court~~^{Justice} rendered Judgment against defendant and issued 3 executions, against Wm + Frederick R. Cool returned unsatisfied, which Judgment is attested, on which evidence above the Court rendered Judgment against William Cool for the sum of fifty four dollars and five cents debt and sixty one dollars and forty four cents damages and costs, without a Jury upon which an execution issued which is not returned, when writ was sued out,

19

William Cook

n

Præ C Tubularium

Abstract of case

19

Wm Cook

n

Tubularium

Filed Nov. 14. 1859-

Asah Schmitt cM

Filed

Edwardsville July 10/59

Dear Sir

Enclosed find the
Affidavit of non return
which you will please
file. I will have
the notice published
and you a paper
and bring a certified
copy. I thank you
for your kindness

Yours
A. W. Hately

State of Illinois } of the November Term
Madison County } 50 A.D. 1859 Supreme Court

William Cool } Plaintiff in Error
vs }
Debts. }

William C. Paulharicum } Defendant in Error
A. W. Metcalf Attorney of William
Cool being first duly sworn deponent
and saith that he is informed and
truly believes that William C. Paulharicum,
the above named Defendant is a non
resident of the State of Illinois, he
further states that his place of
residence is unknown to him
and further deponent saith not
Sworn to & subscribed } A. W. Metcalf

Before me this 11th day }
of January A.D. 1859 }
Thos. O. Springer Clerk.

William Coell
vs

William H. Paulsen

Affidavit of non-residence

Filed January 14, 1859.

A. Johnston C.M.

Knows all Men by these presents that
we William Cool A. M. Metcalf and
are held and firmly bound unto
William C. Traublaricum in the Personal Sum
of two hundred dollars to be levied of our
respective goods and chattels lands and
tenements and for the payment of which
we hereby bind ourselves our heirs Executors
administrators and assigns Signed with
hands and Sealed with our seals this
30th day of October A.D. 1858.

The condition of the above obligation
is such that whereas at the May Term
A.D. 1858 of the Circuit Court of Madison
County and State of Illinois, the said Will-
iam C. Traublaricum recovered a Jud-
gement against the said William Cool
in a Case wherein William C. Trau-
blaricum was Plaintiff and the
said William Cool and Frederick
R. Cool were defendants, for the
sum of fifty four dollars ^{and fifty five cents} debt and, also the
sum of sixty one dollars and forty four
cents as his damages besides costs, from
which said Judgement the said William
Cool has Provenued his writ of Error
to the Supreme court

Now if the said William Cool

Shall execute his said writ of Ennon
and ^{without delay} with effect, on in case of the affirm-
ance of said Judgement by said
Supreme Court shall pay said
Judgement, and all costs interest
and damages accruing in or about
the same. Then this obligation
to be void otherwise to be and
remain in full force and effect

In testimony whereof we have
hereunto set our hands and seals
this 3rd day of October A^o 1838

Approved by me } William L. Cool Seal
A. W. Metcalf Seal
I attested the signature } Charles Wheeler Seal

or mark of William Cool,
Edward Friday

19 75

William Love

at

William C. Faulstich

Board

Filed Nov. 22, 1858

A. Johnston M

day of May, A. D. 1859.

NOAH JOHNSTON, Clk.

IN THE SUPREME COURT OF ILLINOIS.

First Grand Division.

William Cool, plaintiff in error

vs,

William C. Vanblarican, defendant in error.

ERROR TO MADISON.

NOTICE is hereby given to the said defendant in error, that the record of the above entitled cause, with an affidavit, showing that he is not a resident of this State, has been filed in the office of the clerk of said Supreme Court-- upon which a writ of error and of Scirefacias have issued and are made returnable to the next term of said court, to be commenced and holden at Mount Vernon, on Tuesday, the 15th day of Neyerber next, at which time and place he, the said defendant in error, is required to appear and join in the errors assigned; and on failure to do so, his default will be entered.

Witness, Noah Johnston clerk of the said Supreme Court at Mount Vernon, this 23d day of May, A. D. 1859.

NOAH JOHNSTON, Clk.

MOUNT VERNON WEEKLY STAR.

S. B. CURTIS & J. S. LANE, PROPRIETORS.

"NON CÆSARIS GLORIA SED ROMÆ SALUS."

TERMS—\$1 50 PER ANNUM, IN ADVANCE.

VOLUME 1.

MOUNT VERNON, JEFFERSON COUNTY, ILLINOIS, JUNE 3, 1859.

NUMBER 44.

every drawing, in the Savannah Daily News.

State of Illinois, Madison Co., ss
Supreme Court, First Grand Division,
November Term, A. D. 1859.

Writ of Error to Reverse Judgment.

William Cool,

vs.

} Defendant in Error.

William C. Vanblaricum,

IT appearing by affidavit on file in the Clerk's office of the Supreme Court of the first Grand Division aforesaid, in the above entitled cause, that the said defendant in error, William C. Vanblaricum, is a non-resident of the State of Illinois, and without the reach of the ordinary process of this Court, and that his place of residence is not known to the affiant, and the said plaintiff herein having filed a duly certified copy of the record of the judgment of the Circuit Court of Madison county sought to be reversed, and the summons to said defendant having been issued by this Court to the Sheriff of Madison county, by him returned not served—Now you, the said defendant, whose non-residence appears as above, are hereby notified to be and appear before our said Supreme Court, to be holden at the Court House in the town of Mount Vernon, on the second Mouday, in the month of November, A. D. 1859, and show cause, if any you have, or can, why said judgment should not be reversed. Dated January 22d, 1859.

Jan. 27, 1859.

NOAH JOHNSTON,
Clerk of said Court.

Notice.

every person

Madison Weekly Advertiser.

JOSEPH L. CRAFT.

EDWARDSVILLE, THURSDAY, FEB. 17, 1859.

VOL. 6.--NO. 34.

MADISON ADVERTISER

locks of raven hair had fallen away from a broad white forehead: his closed eyelids

who then became conscious of the singularity of her conduct.

THE GAMBLER.

BY ANNETTA BLASHEARD.

WHY DON'T THE MAN PROPOSE.

[take hold of some ponderous law book, he

No 19

1859.

Wm Coal

47

N. C. Van Staricum

Ernest Madam

8588

Revised for nonjoinder
in Ernest Madam -

See Reviser Book "B" - Page
66 for final order

Corshill on Page - 367 -