

No. 11982

Supreme Court of Illinois

Fruik.

vs.

Darst.

71641  7

Filed July 12th 1852.

By J. H. O. Morrison
Att. for Plaintiff.

11982

John Trisk
Jacob Lush

Exhibit

John J. Sunday Being first
duly sworn doth depose and say. That he
appeared in the Circuit Court of Pinck County
upon the trial of this cause for defendant
and upon the following circumstances
When Mr H. O. Morrison
attorney for plaintiff, had this cause docketed in
the said Circuit Court for hearing. He informed
affiant that it was the wish and desire of
defendant that he affiant should appear
as attorney in said cause for defendant
and further that it was the intention of said
Plaintiff to allow Judgment to go against
him in the Circuit Court for the purpose of
getting the cause in the Supreme Court at
its present Term, and said affiant being
employed as the attorney for defendant in
other cases in said Court, and being requested
by said defendant through Mr Morrison
in this cause to appear as his attorney, did
appear and file a plea - and act as attorney
in said cause. But affiant states that he
was never informed by defendant of any
special agreement or understanding of any
kind between him and plaintiff - as to the
result of said cause - or that defendant

was not to suffer or lose any thing by said
suit, in case said cause should go against -
defendant, in the Supreme Court, or said decision
of the Circuit Court should be reversed -

And further that said defendant did -
renew said affiants appearance in said cause
in said Circuit Court, as his attorney -

John T Lindsay

Subscribed and sworn to before
me this 7th day of July AD 1852
Thomas Bryant J.P.

John Frink

vs

Jacob Darst

Executrix -

Thomas Bryant being first duly sworn
doth depose and say, that he knows nothing
of this cause whatever with the exception of
a remark made by James Laugherty brother
in law of said defendant, which was that -
defendant, Jacob Darst would not suffer much by
the determination of this cause -

Subscribed & sworn to
before me this 7th day
of July AD 1852

Thomas Bryant

John T Lindsay

- N.P. -

STATE OF ILLINOIS, }
LA SALLE COUNTY, } ss.

The People of the State of Illinois,

To *Halsey C. Merriman*

GREETING:

YOU ARE HEREBY COMMANDED personally to be and appear *Supreme* before the ~~Circuit~~ Court of
said ~~county~~ *State*, now in session at the Court House in Ottawa, to testify and the truth to speak in a
certain case now pending and undetermined in said court, *wherein to bring with you any contract or*

*contracts or agreements in writing in your possession or power relative to the above cause here-
in names of the effect of the judgment to be rendered in said cause upon the rights
of the parties - wherein John Frink & Martin C. Walker are*

plaintiffs and

Jacob Durst

defendant ~~on the part of the said~~

Scruzo Island

and this you will in no wise omit.

WITNESS, ~~Reno James~~, Clerk of said Court, and the Seal of
said Court, at Ottawa, this *2^d* day of *July*

A. D. 185 *2*.

S. Keland Clerk.

[1784-22]

Frink & Walker
vs
Jacob Faust

Subpoena

To Supp. of La Salle Co.

Filed July 12th 1852.
L. Leland Clk.
By P. H. Leland