

No. 8630

Supreme Court of Illinois

James P. Byrne

vs.

Charles Guard

71641  7

Evansville Oct 23 '1857

Mr S Johnston

Dear Sir your
letter has been received yesterday
requesting me to send you Five
Dollars Costs on the Suit pending
between myself & the Guard You
will find enclosed Five Dollars
which you will please receipt for
and also if you can inform
me what has been done to this
Suit at the Supreme Court of
your State let me know and
you will oblige me by so
doing yours respectfully
J P Byrne

Byrne

my
Gunn

No. Oct. 1857

Shamoutown Illinois
Oct 11th 1858

Noah Johnston

Clerk Supreme Court:

Dear Sir:

A writ was issued by you & directed to the Sheriff of Gallatin County in the case of James P. Byrne vs Chalou ~~Chalou~~ ^{Gardner} which was endorsed by the Sheriff (& handed to Olney) ~~and~~ ^{found} not found, & which has been mislaid by Olney so that we cannot find it just now - Will you issue a summons in the case directed to Galvin Co & send it to the Sheriff & when Olney comes up, which will be in a few days, he will bring you the old writ -

Respectfully

Olney & Rowland

Washington, D.C.
Oct 11th 1858

Wm. Oct. 13. 1858.

Wm. Johnston Clerk

James P. Hays

in } Carbondale

Chatham Guard

Filed 17th October

1857

N. Johnston CLK

State of Illinois,
In Supreme Court.

James P. Byrne }
vs. } Error to Gallatin
Abraham Guard }

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 this action
either to the opposite party or to any of
the officers of this court, in pursuance
of the laws of this State. Dated this 16th
October 1857

Jno. Olney.

Shawneetown October 14th 1857

Hon N. Johnson

My Dear Sir,

Herewith I send you record in the case of James P. Byrne vs. Chalon Guard, also a cost bond in same case. I wish you to file the bond and record and issue immediately - enclose to me. There is yet time to get service for the next term, but no time to waste.

The abstract I have prepared and will have printed here.

Please write to the plaintiff James P. Byrne Evansville Indiana informing him of the fee to be paid and request him to send it to you - I will write to him to pay the amount you state to him.

If Mr. Byrne should fail (which he will not) to send you the money I will pay you at Court.

Your immediate attention to this will much oblige

Yours
J. H. Olney,

James P. Byrne

my } Prussia

Chatham Island

Filed 17. October 1887

St. John's Clerk

Mr clerk I think the Law
Requires the fees sent with the paper where
they are sent out of your county
and so here it goes

tell them to fork over
and send her down }
Wm Rowlett Shiff S. Co. Ill

STATE OF ILLINOIS, }
SUPREME COURT. } ss.

1st Grand Division

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Saline* 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 *Gallatin* County, before the judge thereof, between *James P. Byrne*

Plaintiff - and *Chalton Guard*

defendant, it is said that manifest error hath intervened to the injury of said *James P. Byrne*

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 *Chalton Guard*

that *he* 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 *first Sunday after the* Second Monday in November next, to hear the records and proceedings aforesaid, and the errors assigned, if *he* 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 *Chalton Guard* notice, together with this writ.

John D. Caton

Witness, the Hon. ~~Samuel H. Taylor~~, Chief Justice of our said Court, and the seal thereof, at Mount Vernon, this *thirtieth* day of *October* in the year of our Lord, one thousand eight hundred and fifty-*eight*

Noah Johnston
Clerk of Supreme Court.

Executed this summons by reading
and delivering copy to the within-
Chalon Guard this 26th day of October
1878
J. P. Byrne Sheriff Saline County
Olinville

James P. Byrne
vs { al. sic fa

Chalon Guard

Shiffs Fees
Seri sic fa 50
10 Copy 50
10 Travel 50
Postage & return 13

\$1.63

J. P. Byrne Sheriff Sal. Co.
Olinville



[Faint, mostly illegible handwritten text and markings on the reverse side of the document, including a large circular stamp.]

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 *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

James P. Byrne

plaintiff, and

Chalon Gunn

defendant it is said manifest error hath intervened, to the injury of the aforesaid *James P. Byrne*

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 *1st Tuesday after the 2^d Murray 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:

John D. Caton
Witness, the Hon. ~~WALTER SCOTT~~ Chief Justice
of our said court, and the seal thereof, at Mount Vernon this

Seventeenth day of *October*

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

Avah Johnston
Clerk Supreme Court.



James P. Byrne

us } Mitglied

Lehramt

Issued & filed 17th October

1857

N. Johnston Clerk

STATE OF ILLINOIS, }
SUPREME COURT. } ss.

Just Grant Division

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Gallatin* 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 *Gallatin* County, before the judge thereof, between *James P. Byrne*

Plaintiff, and *Chalons Grant*

defendant, it is said that manifest error hath intervened to the injury of said *James P. Byrne*

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 *Chalons Grant* —

that *he* 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 ^{*first Sunday after the*} Second Monday in November next, to hear the records and proceedings aforesaid, and the errors assigned, if *he* 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 *Chalons Grant* — notice, together with this writ.

John D. Catton

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

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

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

one thousand eight hundred and fifty-*eight* —

Noah Johnston
Clerk of Supreme Court.

April 24th
I presented the within by reading to Chalou Guard
in the presence of John Doe and Richard Roe
two good and lawful Myn of my Bailwick

April 24th 1858

John T. Walters Sheriff
John J. Robinson Deput.

3
James P. Byrne
in } Ad. Sei fu

Chalou Guard

Servey	50
Mise	60
Return	10
	<hr/>
	120

3

James P. Byrne

Atty in Em

in

Charles Gunn

Deft in Em

Em to Gallatin

Dismissed Nov. 1858. By

request of Plaintiff in Em-

penda withdrawn by

Severy Comr

8630