

8546

No. _____

Supreme Court of Illinois

Illinois Central R.R.Co.

vs.

Samuel McClelland

71641  7

State of Illinois
Jefferson County 1st Grand Division

The Illinois Central rail road
Company Plaintiffs in Error

vs
Samuel M. Clelland
Defendant in Error

To N. Johnston Clerk Sup. Court,
Jas. Vernon Ills

Sir Please issue a writ of Error
~~and Scire facias~~, Amove to the clerk of the Circuit
Court of Madison County Ills requiring him to send
up to the Sup Court of 1st Grand Division duly certified
a copy of the record of proceedings had in a certain
Cause tried and determined before the Circuit Court
of said County at its August term 1857. Within the
said McClelland vs. plaintiffs and said railroad
Company were parties in which cause the
said plaintiffs prosecuted judgment against said
Defendant, who now prosecute their writ of Error, Also
issue Scire facias, Amove to the Sheriff of said
County Amoving him to summon said Samuel
McClelland to appear on the first day of the
next term of the Sup Court of this Grand Division
to her Error &c

Dec 21st 57

J. H. Henry

The Illinois Central Rail
Road Company Staffs
in error.

res } Receipts

Samuel McClelland
depts in error

Filed October 21. 1857

A. Johnston Clerk

STATE OF ILLINOIS, }
SUPREME COURT. } ss.

1st Grand Division.

THE PEOPLE OF THE STATE OF ILLINOIS,

To the Sheriff of *Marion* 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 *Marion* County, before the judge thereof; between *Samuel McCallan*, Plaintiff, and *The Illinois Central Rail Road Company*

defendant, it is said that manifest error hath intervened to the injury of said *Illinois Central Rail Road Company* as we are informed by *this* 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 *Samuel McCallan*

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 Tuesday 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 notice, together with this writ.

John D. Catron

Witness, the Hon. ~~Samuel H. Tamm~~, Chief Justice of our said Court, and the seal thereof, at Mount Vernon, this *21st* day of *October* in the year of our Lord, one thousand eight hundred and fifty-*seven*.

Noah Johnston

Clerk of Supreme Court.

Illinois Central
Railroad Company
vs. } Sci fa
Samuel McClelland

Not sent out - but returned
him by order of
Judge Haynie
N. Johnston CM



STATE OF ILLINOIS
RECEIVED
JAN 1 1880

THE DEPARTMENT OF THE ATTORNEY GENERAL

Witness my hand and seal of office at Springfield, Illinois, this 1st day of January, 1880.

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Johnson's Central
Rail Road Company

Samuel McCelland

8546

Dismissed

Card Bell partly made
out and on Page 242 -