

8456

No. _____

Supreme Court of Illinois

Stilwell et al

vs.

Stilwell et al

State of Illinois } Pleas and proceedings had
St. Clair County } in the Circuit Court in and
for the County of St. Clair and
State of Illinois to wit:

Be it remembered that on the 2nd day of
November A.D. 1857 the following Bill was filed to wit:

State of Illinois } Of the December Special Term
St. Clair County } of the St. Clair Circuit Court. A. D. 1857

To the honorable William H. Snyder Judge of
the circuit Court in and for the County of St. Clair in
Chancery sitting

Humbly complaining sheweth unto
your honor your orator James F. Stillwell that he was
lawfully married to one Martha Culpeper in the
day of Oct. A. D. 1855 in the County and State afore-
said, which place your orator has resided for many
years past. And that your orator has ever acted to-
wards the said Martha as a dutiful husband that
he has provided for every necessary of life suited to her
situation in the best manner his abilities would
permit.

But may it please your honor - The said Martha
forgetful of her marriage Vow, and in violation of every
principle of a dutiful wife, soon after said marriage
became turbulent, and bostrous and from thence ever

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jurors in her manners, and so abused the infant children of your orator that they were not considered safe with her above. The said Martha was also abusive in a great degree unto your orator so much so that life seems tedious - That finally after many continued abuses unto your orator and to his family

the said Martha on the 23^d day of October last past deserted and abandoned your orator's house and home and went away and attempted to involve your orator in many liabilities to his great damage. In consideration of the premises your orator prays that a writ of subpoena may issue directed against the said Martha Stillwell commanding her to be and appear at this honorable Court at the next special term to be holden in the City of Belleville on the first Monday of December. And then and there full true and perfect answers make to all the charges and allegations contained in your orator's bill and upon the final hearing of the said cause, that it may please your honor to order and decree that the bands of matrimony heretofore existing existing between your orator and said Martha may be dissolved and forever held at naught, and for all and other and further relief and redresses to your honor may seem meet in the premises and your orator in duty bound will ever pray

James F. Stillwell

by
B. M. Cox
sol^o.

" I, James M. Sasater Sheriff of Hamilton County authorize Joel McGuire to serve this summons on Martha Stillwell this 13th day of November 1857 James M. Sasater Sff. of Ham.

" The within executed according to Law by reading to the Defendant, this 13th of November 1857. James M. Sasater by Joel McGuire Spt. 11

And on the same day the following summons in chancery was issued to wit:

State of Illinois }
 County of St. Clair } Sect. The people of the State of Illinois
 To the Sheriff of Hamilton County, Greeting:

We command you to summon Martha Stillwell if she can be found in your County, to be and appear in the St. Clair Circuit Court on the first day of the next term thereof to be holden at the Court House in the City of Belleville, in said County, on the first Monday of December next, then and there in said Court in Chancery sitting to answer the Bill of Complaint exhibited against her by James F. Stillwell for Divorce.

And not to fail under the penalty of what the law directs. And this writ you shall have at our said Court with your return endorsed thereon

Witness William S. Thomas, Clerk of said Court, and the seal hereto affixed at Office this 2nd day of November A. D. one thousand eight hundred and fifty-seven

L. J.

Will. S. Thomas Clk
returned

Which summons was endorsed as follows*

And afterwards to wit, at the December special Term A. D. 1857 of said Court the following proceedings were had to wit:

4)

James F. Stillwell }
vs } Bill for Divorce
Martha Stillwell }

On the first Monday comes the complainant by B. M. Cox his solicitor and on his motion the Court enters a rule upon the defendant to answer the said Bill by next Friday morning.

On the first Friday the defendant having failed to answer in compliance with the rule of the Court the said Bill is taken as confessed by her.

On the first Saturday the Bill Court refers the Bill to William W. Roman who is appointed by the Court special Master in Chancery to take testimony in support of of the allegations in the said Bill contained. On the second Tuesday the special Master reports the testimony by him taken which is filed.

And this cause coming on to be heard on the Bill and the testimony as reported as reported by the special Master the Court examines the same and being fully advised of and concerning the premises Orders adjudges and decrees that the bands of matrimony heretofore existing between the said complainant James F. Stillwell and the said defendant Martha Stillwell be dissolved annulled and forever freed for aught, and that the complainant pay the costs of this suit.

And previous to rendering and entering said decree

the following testimony was filed in said cause to wit:

Depositions of Lucinda Knight, Conrad Fleckenstein, George Atchison Jas. H. Knight, George M. Clark and Thomas Stillwell

Taken before the undersigned a special commissioner appointed by the honorable W. H. Snyder at the special term of the circuit Court held at Belleville Dec^r 7th 1857 - in a suit pending in the Chancery side of said Court wherein James F. Stillwell is complainant and Martha Stillwell is defendant

Lucinda Knight being first sworn says she has been acquainted with Martha Stillwell about two years, and Jas F. Stillwell several years longer

Q Did you know them when they were married?

A I had seen her a few times before they were married - they were married about first part October 1855

Q How long did they live together as husband and wife

A Not more than a year, I think.

Q Did Stillwell treat her kindly and affectionately as a wife

A He did as far as I know, and provided for her plentifully as his circumstances allowed

Q What was her treatment towards him and his family

A Very bad I think - she left home when the child

=ren

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were sick and remained away more than a week, ^{together}

Q State if you know if she associated with other Company

A I only know what she stated to me herself, she told me that she rode behind a man, not her husband, and that he kissed her by the way, but she did not want her husband to know it for anything in the world.

Q From your knowledge of the character of the defendant do you consider her a virtuous woman

A I do not -

Q Do you know anything more about the case
I do not

Sworn to and subscribed before me this 12th day of Dec. 1857 Attest. W. W. Roman com. Lucinda ^{his} Knight _{mark}

Jas. H. Knight, having been sworn.

I knew Stillwell several years before he was married to his present wife - they were married about Oct. 1855

Q Do you know how he treated his wife

A Kindly and affectionately so far as I know, - I have been at their house occasionally and they have been frequently at mine.

Q Did you hear ^{her} say anything about his treatment to her.

A She said he had always been kind and good to her

Q Do you know anything about her want of fidelity to her husband

A Personally I know nothing, but common rumor is that she was guilty of infidelity to him

Q Do you believe from all the circumstances that she is guilty of the charge

A I do - firmly

Q Do you know of her leaving home, ^{to} the neglect of him and family.

A I know at one time of her leaving in town when his children were sick with measles and she remained there about a week or over visiting around

Q Do you know of her having left him entirely

A I saw her in town sometime the past fall in Fayetteville with her brother, I suppose, leaving the neighbourhood and she has not since returned that I know of. - She had a bed and other things in the waggon, apparently moving off.

Q What has been her general course of conduct since she was married to Stillwell -

An For the past year past, extremely imprudent. Sworn to and subscribed before me this
12th Dec. 1857

James H Knight

W. W. Roman Com.

Conrad Fleckenstein, previously sworn

Q Do you know that Martha Stillwell has been trying to run her husband in debt since she ~~is~~ left him

A I do - when she left him, he sent me word not to trust her on his account - About an hour afterwards she was at my store trying to get goods on his account, and I refused her, -

she then went away and has been absent ever since

Sworn to and subscribed }
before me this 12th Dec^r 1857 } C. Fleckenstein
W. W. Roman }
Com^l }

Q. George Stehison previously sworn says
What was the reputation generally of Martha Stillwell.

A It seems to be the opinion of lewd men in the neighborhood that she is a lewd woman

Q From your acquaintance with her, all you know and have heard about her, do you believe her to be a lewd woman

A I do

Sworn to and subscribed }
before me this 12th of Dec^r 1857 } George ^{his} Stehison
W. W. Roman Com^l }
mark

George M. Clark, having been first sworn says

Q Have you been acquainted with Martha Stillwell the deft. and how long.

A Since Oct. or Nov. 1855

Q Do you ^{know} of her having left her husband's home when his family was sick, if so, how long was she absent.

A I do, - she left home when the family was all down with measles except himself and remained absent 8 or 9 days and part of the family

were dangerously sick and the past fall she left again and said she was going to leave and never return, that she called on my family to bid them goodby - that she wanted to hurry and pack up her things while Mr Stillwell was absent from home, that she had not told him, her husband, she was going to leave she did leave next morning and has never returned as I suppose, for I believe in about a quarter of a mile of Mr Stillwell, I have not heard or seen of her being there

Q What is the general character of Mrs Stillwell for chastity

A The general impression is that she is base, loved other men very well -

Sworn to and subscribed } George M. Clark
before me this 12th Dec 1857 }

W. W. Roman com.

Thomas Stillwell being sworn says

Q Did you live with Plaintiff when his wife left him.

A I was living at Mr Stillwells at the time his wife left him. I did not know of any cause for her leaving him. She said she had nothing against him.

Q What was her treatment to him while you knew them

A I only knew them since last January and

during the time I was with them she was very abusive to him and his children

Q What did she take away with her -

A She took a bed, her clothes and what else she chose, no person objected to her taking what she pleased. She went away in mi October and has not returned to my knowledge -

Sworn to and signed before me this 12th day of Dec 1857 3
 W. W. Roman
 Thos^{his} + Stillwell
 marks

State of Illinois

St Clair County } I the undersigned Clerk of the Circuit Court in and for said County of St Clair do hereby Certify the foregoing to be a true and correct Copy of the Bill the Summons and endorsements thereon the proceedings and Decree of the Court and the Testimony reported in said cause as the same is of record and on file in my office

Given under my hand and the Seal of of said Court hereto affixed at office this 6th day of November 1858
 Jm S Thomas Clerk

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James F. Stilwell
vs
Martha Stilwell

Copy

Filed Nov. 16. 1858.
N. Johnston Clk
Paid \$5.00

State of Illinois,
SUPREME COURT,
First Grand Division.

} SS

The People of the State of Illinois,
To the Sheriff of Saint Clair 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 Saint Clair county, before the Judge thereof between James F. Stilwell - (now deceased)

plaintiff and Martha Stilwell - (now Martha Jackson - wife of Obadiah Jackson)

defendants it is said that manifests error hath intervened to the injury of said Martha Jackson and Obadiah Jackson her husband as we are informed by their complaint, the record and proceedings of which said judgment, we have caused to be brought into our Supreme Courts of the State of Illinois, at Mount 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 John Griffin - Adm^r of the estate of the said James F. Stilwell deceased - Prorog^y - alias Penissa Stilwell, Jane Stilwell, Martha Stilwell, William Stilwell, John Stilwell, James Stilwell and Mary E. Stilwell - Minor heirs of the said James F. Stilwell deceased

that they be and appear before the justices of our said Supreme Court; at 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 they 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 John Griffin &c. et al notice together with this writ.

WITNESS, the Hon^{ble} John D. Eaton Chief Justice of the Supreme Court and the seal thereof, at MOUNT VERNON, this Thirteenth day of September in the year of our Lord one thousand eight hundred and fifty nine

North Johnston
Clerk of the Supreme Court.

SUPREME COURT.
First Grand Division.

Maria Leckman, formerly
Hillwell & Co. v. Leckman
Leckman her husband

Plaintiff in Error;

VS.

John Griffin, Administrator of the estate
of James M. Hillwell deceased,
Plaintiff in Error; vs.
Leckman Hillwell, Maria Hillwell,
Mrs Hillwell, John Hillwell,
James Hillwell & Henry B.
Hillwell - Minors heirs of
James M. Hillwell deceased,
Defendants in Error.

Served October the 16th by reading to John Griffin Adm^r of
J. B. Hillwell

St. Mary's S. C. C.
J. Outhouse
not Del.

Lawyer's fee 60
25 cents 75
10 10
\$ 1.45
3
1.48
post stamp



Martha Jackson formerly
Stilwell and Obadiah
Jackson her husband

Plffs in error

vs

Essex to St. Clair

John Griffin admr of
the estate of James Stilwell
deceased, Penelope Stilwell, Jane Stilwell,
Martha Stilwell, William
Stilwell, John Stilwell,
James Stilwell, & Mary, E.
Stilwell heirs of
the said James Stilwell
deceased

Defendants in error

In the Supreme Court first Grand
Division November term AD 1859

~~Martha Jackson formerly
Stilwell and Obadiah
Jackson her husband~~

The Clerk of Supreme Court

of 1st Grand Division will please give a Summons to Defendants in
error returnable to next term of Supreme Court and give
notice by Publication in the Pittsburg News paper for 4
weeks in succession 1st insertion to be 60 days before 1st day of
term of Supreme Court - ~~Scipio~~ to be issued to Plffs & St. Clair
& due to Sheriff of Essex Co. for Martha Stilwell
& heirs in error

Parties in Court below. James Stilwell ~~decd~~ now dead

Martha Stilwell now
Martha Jackson wife
of Obadiah Jackson
both residents of St.
Clair Co

Julia Sept. 3, 1859

St. Sebastian Clk

[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]

In the Supreme court of said state.
First Grand Division.

Martha Jackson, formerly Marha Stilwell,
& Odadiah Jackson, her husband, plaintiffs in
error,

vs

Nancy Jane Stilwell, William R Stilwell,
Mary E Stilwell, Bornecy Stilwell, John J.
Stilwell, Martha P Stilwell & James F Stil-
well heirs of James F. Stilwell deceased &
John Griffin administrator of the estate of said
deceased, defendants in error.

Error to Saint Clair.

An affidavit being filed setting forth that the
said Martha P Stilwell and James F Stilwell,
two of the above named defendants in error
are non residents of this state, they, the said
Martha P Stilwell and James F Stilwell are
hereby notified that the Record of the circuit
court in the foregoing cause has been filed in
the clerk's office of this court, and a writ of
error & scirefacias sued out, the scirefacias
directed to the sheriff of Saint Clair county,
commanding him to summons said defendants
to appear before this court, on the first day of
the next term thereof, to be commenced and
holden at Mount Vernon, on the 13th day of
November next, and show cause if any they
have, why the decree and judgment of the cir-
cuit court in this behalf rendered shall not be
reversed, and unless they do so appear, the
cause will proceed as if they had been person-
ally served with process.

Witness Noah Johnston clerk of said court,
this 29th day of August A D 1860.

NOAH JOHNSTON, clerk.

Quick & Nelson attys for
plffs in error.
sept 4.

Handwritten scribbles and initials in the center of the page.

Dr To \$5,00

*for the above advertisement, to
E. V. Satterfield & Bro
pub of the Star*

Oct 5, 1860

The undersigned thankful to the citizens of Jefferson and the adjoining counties, for the liberal patronage bestowed upon him since he has been in the Milling business, begs to say he has put the mill in complete repair, and is now prepared to grind every man his own grain, or exchange, as his customers may wish. He also keeps a supply of Flour on hand, also Bran, Shorts and Meal for sale at the mill, or at the store of J. M.

Pace Mt Vernon.

no 51.

W. H. Smith

MT. VERNON MARKET.

PREPARED BY J. M. PACE.

Price per S. B. 100 H. 000

J. M. Pace
no 51

able to ascertain their place of residence
so as to be able to mail a copy
of 1st newspaper containing said notice
to them

Submitted & sworn
to before me at my
office at W. Fenwick
this 24th Nov^r 1860

Wm. Johnston Clerk

R. Mehon



Lawson & Co

73
Melville's heirs

7 - apt of Mon.
Lawson & Co

Apt of R. S. Johnson

Atty for R. S. Johnson

Friday Nov. 16. 1860

W. Johnston Clerk

James F. Stilwell

vs

Martha Stilwell

Suggest death of James F. Stilwell & make his heirs & legal representatives parties.

John Griffin is the administrator of his estate.

His children are named

Nancy Jane Stilwell, Bornicy Stilwell, Martha Parmelia Stilwell, John Stilwell, William Stilwell, James Stilwell by his first wife & Mary Stilwell by the said Martha making 7 in all. In all 8 defts. Children are all minors.

Assign for error as follows.

And now this day comes the said Plaintiff in Error by J. Quick her ~~Sol~~ and says that in the records and proceedings aforesaid there is manifest error in this to wit:

1st The Court below erred in decreeing a dissolution of the marriage between James F. Stilwell and Martha Stilwell the parties in the Court below when no legal service was had upon the said Martha of the pendency of said cause & her appearance had not been entered by her either in person or by attorney or otherwise.

2nd Because the Bill contained no allegation or charge which would warrant a decree of dissolution of marriage even if sustained by proof.

3rd Because the evidence was hearsay & was not responsive to the allegations in the bill

4th The Court below erred in not dismissing said Bill at the Costs of the Complainant on the trial.

Wherefore, and for various other errors manifest in the records & proceedings aforesaid the said plaintiff in error prays that said decree maybe set aside and held for nought & as in duty bound she will ever pray &c.

T. Quick

Sol^r for Pl^{ff} in Error

James F. Stilwell
vs
Martha Stilwell

Record &
Assignment of
Errors.

Filed Nov. 16. 1858.
N. Johnston CM
Paid by ⁹ M. Underwood
\$5.00

11-15-58

State of Illinois }
 Jefferson County } ^{SS} In the 1st Grand Division
 of the Supreme Court
 of said State.

Martha Jackson formerly
 Martha Stilwell &
 Obadiah Jackson her
 husband

Error to St. Clair

vs
 Nancy Jane Stilwell

William P. Stilwell

Mary E. Stilwell

Bonney Stilwell

John W. Stilwell

Martha P. Stilwell

James F. Stilwell

John Griffin (Adm^r of the Estate of James
 F. Stilwell deceased), Resident of St. Clair
 County, Illinois.

Residents of St. Clair
 County, Ills.

Residents of Jersey
 County, Ills.

Residents of Pike County,
 Missouri

Thomas Quick being duly sworn deposes
 & says that he is informed and
 believes that two of the above named
 defendants in Error viz Martha P. Stilwell
 & James F. Stilwell are residents of the State
 of Missouri, and not of the State of Illinois
 & further deponent saith not.

Adm^r of Estate of James F. Stilwell dec^d

[1852-53]

Sworn to & subscribed before me 18th Apr. 1859
 N. Johnston M

Thomas Quick

17
Martha Jackson &
Obadiah Jackson

vs
Nancy Jane Stowell
&c. ab.

County of St. Clair

Affidavit of
Non-Residence

Filed Nov. 18. 1859.

N. Johnson Clerk

State of Illinois, }
SUPREME COURT, } SS
First Grand Division. }

The People of the State of Illinois,

To the Clerk of the Circuit Court for the County of *Saint Clair* 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 *Saint Clair* county, before the Judge thereof between *James T. Stilwell* (now deceased)

plaintiff and *Martha Stilwell* (now *Martha Jackson* - wife *Obadiah Jackson*)

defendants it is said manifest error hath intervened to the injury of the aforesaid *Martha Jackson & Obadiah Jackson her husband* as we are informed by *their* 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 *1st* 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. *John D. Catton* Chief Justice of the Supreme Court and the seal thereof, at MOUNT VERNON, this *29th* day of *August* in the year of our Lord one thousand eight hundred and *Sixty*.

Noah Whiston
Clerk of the Supreme Court.

State of Illinois,
SUPREME COURT,
First Grand Division.

The People of the State of Illinois:

7
SUPREME COURT,
First Grand Division.

Martha Jackson and
Obadiah Jackson her
husband

Plaintiffs in Error,

vs.

Nancy Jane Stetwell
and others

Defendants in Error.

WRIT OF ERROR.

Issued & FILED 29th August
A. D. 1860 -

A. Johnson *clm*



[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

State of Illinois, ss
In the Supreme court of said state.
First Grand Division.

Martha Jackson, formerly Martha Stilwell,
& Odiah Jackson her husband, plaintiffs in
error,

vs

Nancy Jane Stilwell, William R Stilwell,
Mary E Stilwell, Borncy Stilwell, John J
Stilwell, Martha P Stilwell & James F Stil-
well heirs of James F Stilwell deceased &
John Griffin administrator of the estate of said
deceased, defendants in error.

Error to Saint Clair.

An affidavit being filed setting forth that the
said Martha P Stilwell and James F Stilwell,
two of the above named defendants in error
are non residents of this state, they the said
Martha P Stilwell and James F Stilwell are
hereby notified that the Record of the circuit
court in the foregoing cause has been filed in
the clerk's office of this court, and a writ of
error & scirefacias sued out, the scirefacias
directed to the sheriff of Saint Clair county,
commanding him to summons said defendants
to appear before this court, on the first day of
the next term thereof, to be commenced and
held at Mount Vernon, on the 13th day of
November next, and show cause if any they
have, why the decree and judgment of the cir-
cuit court in this behalf rendered shall not be
reversed, and unless they do so appear, the
cause will proceed as if they had been person-
ally served with process.

Witness Noah Johnston clerk of said court,
this 29th day of August A D 1860

NOAH JOHNSTON, clerk.

Quick & Nelson attys for
plffs in error.
sept 4.

This is to certify that the above
notice has been published in the "Mt. Vernon Star"
a weekly newspaper, published in Mt Vernon,
Jefferson County Illinois. The lawful time of
four weeks in succession, and the first mention
sixty days before the first day of the November
Term A.D. 1860 of the Supreme Court

The Fee of \$4.00 on the above notice is paid

November 15, 1860

E. V. Lattinfield & Bro
publishers of The Star

7

Jackson
my
Stowell

Jackson
Stowell
Critic
of publications

Filed Nov. 15, 1860.
St. John's M^{ch}

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]

Central Grove Ill.
October 16th 1859.

W
✓
Noah Johnson Esq. Dear

Sir. Some time since
I handed R. S. Nelson the
names of the legal represen-
-tatives in the case of "Stilwell
vs Stilwell" now on your docket
I gave him the names and residences
as nearly as I could. I give below
the names and residences as they have
since been furnished me by Mrs Jackson
(formerly Stilwell)

- 1 Nancy Jane Stilwell - Fayetteville, St. Clair Co. Ill.
- 2 William R. Stilwell - " " " " "
- 3 Mary C. Stilwell - " " " " "
- 4 Barney Stilwell - Jerseyville, Jersey Co. Ill.
- 5 John A. Stilwell - " " " " "
- 6 Martha S. Stilwell - Pike County - Missouri
- 7 James F. Stilwell - " " " " "
- 8 John Smith - Adm'r of James S. Stilwell's estate - St. Clair Co. Illinois

Martha Stetwell the plaintiff in
Error has married since the
case was taken up to a man
by the name of Obadiah Jackson
If Mr Nelson has not got the name
and residence right in his
writs & notices please have
matter corrected according to
the above. I am anxious to
get the matter disposed of
next term. Respectfully
Yours,
Thomas Dick

Mattha Jackson formerly
Stillwell and Adiah } wife in error
Jackson her husband }

11 1/2

John Suffin administrator of
the Estate of James Stillwell
deceased, Whereas James
Pursued Stillwell James
Stillwell, Mattha Stillwell
William Stillwell, Edw
Stillwell, James Stillwell
& Mary E Stillwell heirs
of the said James
Stillwell deceased.

deft in error

to the Supreme Court 1st
said division November term 1859

The Clerk of the Supreme
Court ~~of the~~ this official Richard
Wilson being first duly sworn according
to Law deposes and says that
James Stillwell one of the above
named depts is a non resident of
this State & resides in the State of
Virginia to the best of his knowledge
believe

Richard Wilson

before me this

3rd Sept 1859

Wm Johnston clk

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Sworn to and filed
Sept. 3. 1859.
N. Johnston *clerk*

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 McLean 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 _____ county, before the Judge thereof between _____

James J. Stilwell (now deceased) plaintiff and Martha Stilwell - now Martha Jackson - wife of Obadiah Jackson

_____ defendants it is said manifest error hath intervened to the injury of the aforesaid Martha Jackson and Obadiah Jackson her husband as we are informed by their 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 Sunday 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 thirtieth day of September in the year of our Lord one thousand eight hundred and fifty nine.

Noah Johnston

Clerk of the Supreme Court.

No 2

Stelwell et al
vs

Stelwell et al.

error to Stelwin.

Dismissed in 1862

Cost bill on Page 522 -

8456