No. 8767

Supreme Court of Illinois

James McKee

vs.

Illinois Central R.R.Co.

71641 7

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

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 Jefferson county, before the Judge thereof between

James McKee plaintiff and Morris Ketchum, Samuel D. Lockwood & John Moore, Trustees of the Illinois Central Rail Road Company, And the Illinois Central Rail Road Company defendants it is said that manifest error hath intervened to the injury of said Plaintiff 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 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 Morris Ketchum, Samuel D. Lockwood, John Moore, Trustees of the Illinois Central Rail Road Company, And the Illinois Central Rail Road Company 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 Defendants notice together with this writ.

WITNESS, the Hon. P. H. Walker Chief Justice of the Supreme Court and the seal thereof, at MOUNT VERNON, this thirty first day of October in the year of our Lord one thousand eight hundred and sixty four

Noah Johnston
Clerk of the Supreme Court.

[8767-1]

29 R 2

SUPREME COURT.

First Grand Division.

James McKee

Plaintiff in Error,

VS.

Ill. C. R. R. Co

Defendant in Error.

SCIRE FACIAS.

FILED.

James McKee
vs
Ill. C. R. R. Co
Scire Facias
Filed Oct 29 1859

Service by reading and delivering a copy to James E. Stewart agent of the Ill. Cent. R. R. Co. at Carbondale, Williamson Co. this first day of November 1859

J. R. Carrigan
Sheriff
By Alex McClellan
Dep.

James McKee
vs
Mains Ketchum
et als.

In Supreme
Court 1st Grand
Division Dec
Term 1846

The plaintiff in error having
departed this life in August last,
or thereabouts and left surviving
heirs but of whose names
to me are unknown

I move the Court to continue
this case until how to make the
heirs parties plaintiff in this
cause

J. Dwight Clinton
for J. McKee

2

James McKee
vs

Ills C R R Co
et als

Suggestion of death
of Pltff & —
Motion to —
Continue for
the purpose of
making his heirs
or per parties pltff

1867 8762

Filed Nov. 5. 1866.
N. Johnston clk

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 Jefferson 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* Jefferson *county, before the Judge thereof between*

James McKee *plaintiff and* Morris Ketchum, Samuel D. Lockwood & John Moore, Trustees of the Illinois Central Rail Road Company and the Illinois Central Rail Road Company *defendants it is said manifest error hath intervened to the injury of the aforesaid* Plaintiff

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* 1st *Tuesday after the* 2d *Monday in* 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.* P. H. Walker *Chief Justice of the Supreme Court and the seal thereof, at* MOUNT VERNON, *this* thirty first *day of* October *in the year of our Lord one thousand eight hundred and* Sixty four

Noah Davis
Clerk of the Supreme Court.

[8747-3]

29 B - 2

SUPREME COURT.

First Grand Division.

James McKee

Plaintiff in Error,

vs.

Ill. C. R. R. Co.

Defendants in Error.

WRIT OF ERROR.

8767

Issued & FILED - Oct. 31. 1864 -

N. Johnston Cl