

I, Richard Harvey, Clerk of the District Court of Gilpin County, in the State aforesaid, do hereby certify the above and foregoing to be a true, perfect ~~and complete copy of~~ *and full transcript of the records and that the copies of the papers filed in a certain cause* pending in said Court, on the Criminal side thereof, wherein The People of the State of Colorado Plaintiffs and Antonid Benedict et al Defendant.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court, at Central City this

11<sup>th</sup> day of July A. D. 1894

Richard Harvey Clerk.

*self-corrected paper from  
11th Court*

STATE OF COLORADO, }  
Gulpin County, } SS.

I do hereby certify that ~~I have duly executed this writ on this~~ *Seventeenth*  
day of *July* A. D. 189*4* *I received the original*  
*of the within foregoing order of the Su-*  
*preme Court of the State of Colorado,*  
*that the same was filed in my office*  
*on the above date and that the same*  
*was served on me at same date. And*  
*that a transcript of the record in said cause has*  
*been filed in said Supreme Court.*  
*Richard H. Hovey*  
Clerk of District Court Gulpin Co  
Colorado

No. *3409*  
SUPREME COURT.  
WRIT OF ERROR.  
*Antonio Bendish*  
Plaintiff in Error.  
VS.  
*the People etc*  
Defendant in Error.  
FILED IN  
SUPREME COURT,  
JUL 19 1894  
*James M. Hovey*

A TRANSCRIPT OF THE RECORD in this cause having been filed in my office with an order endorsed thereon that the  
Writ of Error herein be made a SUPERSSEDEAS according to law, this Writ of Error is therefore made a SUPERSSEDEAS,  
and shall operate accordingly.  
Witness my hand and the Seal of the Supreme Court of Colorado, hereto affixed at my  
office, in the city of DENVER, this *16th* day of *July* A. D. 189*4*  
*James M. Hovey*  
Clerk of Supreme Court.



A true copy of the original hereof,  
and the endorsements thereon.

*James A. Miller*  
Clerk Supreme Court.

State of Colorado, } ss.  
SUPREME COURT,

The People of the State of Colorado } Clerk of the District Court  
of Gunnison County } Greeting

Because in the record and proceedings, as also in the judgment, in a suit which was lately in the  
District Court of Gunnison County, before the Judge thereof, between

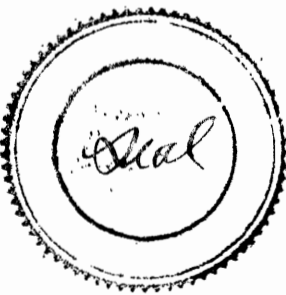
The People of the State of Colorado  
Plaintiff

and  
*Antonio Benedick*  
Defendant

manifest error hath intervened, as it is said, to the great injury of the said  
*Antonio Benedick*

as we are informed; and we being willing that the said  
error, if any there be, should in due manner be corrected, and full and speedy justice done to the parties aforesaid in this  
behalf; DO COMMAND YOU, if final judgment has been rendered, that you send to the Justices of our Supreme Court, at  
DENVER, in said State, with all convenient dispatch, a true copy of all the proceedings therein, together with a complete and  
perfect transcript of the record and proceedings of the suit aforesaid, with all things concerning the same, distinctly and  
openly, under the seal of your Court, together with this writ, so that the said Justices may have them at the place of holding  
the said Supreme Court, in DENVER, on the *2<sup>nd</sup> Monday* of *September* A. D. 189*4*  
that the record and proceedings aforesaid being inspected, they may cause to be done thereupon, for correcting that error  
what, of right, according to law, and the rules of said Court, ought to be done.

WITNESS, the HONORABLE *Charles D. Hays* CHIEF JUSTICE  
of our said Supreme Court, and the seal thereof, affixed at my office, in  
the city of DENVER, this *16<sup>th</sup>*  
day of *July* A. D. 189*4*



*James A. Miller*  
Clerk of Supreme Court

and the endorsements thereon,

STATE OF COLORADO,  
IN THE SUPREME COURT.

*James A. Miller*  
Clerk Supreme Court.

*Antonio Benedict*  
Plaintiff in Error,

No. *3409* us.

The People of the State of Colorado,  
Defendants in Error.

Error to *District* Court  
of *Gilpin* County.

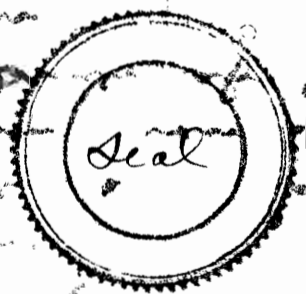
Upon inspection of the record and assignments of error filed herein; and upon consideration thereof, as also of the motion of said plaintiff in error for a SUPERSEDEAS, and for his discharge from custody upon bail pending a review by this Court of the proceedings and judgment of said *District* Court; and being now sufficiently advised in the premises, it is ORDERED

that upon said plaintiff in error entering into a recognizance to the People of the State of Colorado, before the Sheriff of *Gilpin* County, conditioned according to law in such case made and provided, in the penalty of *one thousand* [1000] Dollars, with good and sufficient sureties, approved by said Sheriff, that thereupon the writ of error herein be made and operate as a SUPERSEDEAS, and that said plaintiff in error

*Antonio Benedict* be discharged from custody pending the review of the proceedings of said *District* Court in said cause by this Court; and that the delivery to the said Sheriff of a duly certified copy of this order, and the filing and approval of the bond as aforesaid, shall be sufficient warrant to said Sheriff to discharge said plaintiff in error from custody until the further order of this Court in the premises.

I, JAMES A. MILLER, Clerk of the Supreme Court of the State of Colorado, do hereby certify that the foregoing is a true copy of an original order made by *Judge Hubbard* said Supreme Court, in the above entitled cause, on the *10th* day of *July* A. D. 189*4* and now remaining of record in my office.

Witness my hand and the Seal of said Supreme Court affixed at my office, in the City of Denver, this *10th* day of *July* A. D. 189*4*



*James A. Miller*  
CLERK.

State of ~~Massachusetts~~ for  
Suffolk County, Jan.

The original of the foregoing writ  
copy was received by me & served on me on the 16<sup>th</sup>  
day of July, 1894; and on the 18<sup>th</sup> day of July, 1894  
the defendant, Andrew Benedict, entered into a recogni-  
tance for his appearance, in accordance with law,  
in the sum of one thousand dollars, as required  
by the order of the Honorable the Supreme Court of  
the State of Colorado, which bond was duly af-  
firmed by me, and thereupon I discharged said  
defendant, Andrew Benedict, from my custody,  
from my custody,

Thomas Hoover Sheriff  
Suffolk County Colorado

3409

Tom Benedict  
Jefferson

vs

People of  
Suffolk County

by Order of Discharge  
Returns

FILED IN  
SUPREME COURT,

JUL 19 1894

James A. Miller  
CLERK