

McKEE *against* MURPHY.ERROR *from Conway Circuit Court.*LITTLE
ROCK,
Jan'y 1837.
McKEE
vs.
MURPHY

This case was argued, but owing to the reason in the opinion assigned, was not determined upon the assignment of errors.

DICKINSON, *Judge*, delivered the opinion of the Court: This case came on to be heard and was argued by counsel on errors assigned. Upon examination of the papers in this case it appears that the writ issued to the clerk to remove into this Court the record and proceedings in a certain suit wherein *Lawson B. McKee* was plaintiff and *Benjamin Murphy* defendant, returned with said writ of error; and annexed thereto is a transcript of the record and proceedings of a suit in said county, brought in the name of *Lawson B. McKee*, against *Benjamin Murphy*, also a summons to hear errors in the usual form, commanding him to summon *Benjamin Murphy* to appear, &c., to answer a writ of error in a certain suit wherein *Lawson B. McKee* was plaintiff against *Benjamin Murphy*. The parties to the record returned with the writ of error appear to be different from the record and proceedings required to be removed to this Court, and there is no record between the parties named in the writ. The proceedings are therefore irregular, and it is unnecessary to enter into an investigation of the errors assigned. The writ of error must be dismissed.