


No. 13108

Supreme Court of Illinois

People

vs.

Asay et al

71641  7

STATE OF ILLINOIS,
SUPREME COURT,
Third Grand Division.

No. 2.

PEOPLE'S CAUSES.

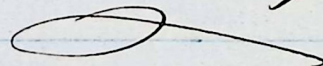
People
vs
Asay

1860

State of Illinois } Supreme Court
Sherof 3rd Grand
Division, April
Term Ad 1838

The People of }
as }
Edward G Asay } Replication

And now come
the said People by W B Whistell
States Atty and for Replication
to said Defendants answer
herin filed. Says that the
facts in said answer
set forth do not amount
to a justification of the
charge set forth in the
Petition filed herin against
the said Defendant; and
that said answer is wholly
insufficient; wherefore the
said People pray judgment
of - W B Whistell
States Atty



Supreme Court

17 April Term

1858

The People

vs

E. J. Army

Replication

Filed June 1 1858

L. Leland
clerk

State of Illinois.

Supreme Court
3rd Grand Division
April Term A.D. 1858.

To the Hon. J. D. Catlin, and his
Associates, Judges of the Supreme
Court of said State, -

And now comes
Wm. Whittell States Attorney, and
respectfully, represents unto you
that he has been informed and
believes, that one Edward G. Assay,
of Chicago, of the County of
Cook, and State of Illinois
on or about the 1st of Septem-
ber last, was arrested, tried and
convicted, before a competent
tribunal, of, and upon the
charge of entering away,
witnesses, who were duly ^{examined} ^{and} ^{cross} ^{examined}
~~to appear before the Recorder's Court~~
~~of the City of Chicago.~~ It certifies
in a case wherein the People
of said State were ^{Provs} and
are, James Brayman Deft., which
said acting and doings, were
exceedingly disreputable, and

And also that he

calculated. It impairs the dignity
of said Court, and brings
disgrace upon the Legal Profession
of this State, he the said Assay
being at the time of such trial
and conviction a Licensed
Attorney in said State. —

Wherefore said W. Bustrell
now moves the Court here
to cause a notice to be issued
to said Edward S. Assay, calling
upon him to be and appear
before the said your Honors
at the next Term of said
Court to be holden in said
District or upon a day in
vacation to be specified by your
Honors, to show cause, why
he the said Assay, should
not be suspended from practicing
as an Atty at Law, and
his name stricken from
the roll, — and thus will
your petitioners ever ask.

~~Subscribed~~

W. Bustrell being first sworn
on oath says, that he has
been informed and believes

That the facts set forth in
the above petition are true
Subscribed and sworn to } W. Bushnell
10.000 27"/day of May }
A.D. 1838 - }
L. Island Clerk

Supreme Court
17
April Term 1858

Motion &
affid. of Bushnell

Filed May 27, 1858
L. Seland Clk.

Instant Court United States
Southern District of Illinois
October Term Ad 1858

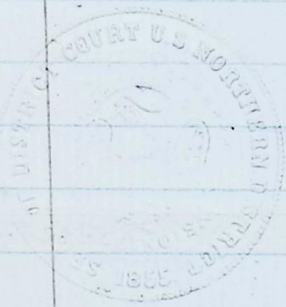
I Miss Bradley Clerk of the Southern
Court of the United States for said
Western District of Illinois, do hereby
certify that Edward G. Usary Esq. an
Attorney & Counsellor of said Court
was indicted by the Grand Jury
of said Court, on the 14th day of
October A.D. 1857, under the Statute
of the United States, entitled, "an
act declaratory of the law concerning
contempts of Court" approved
March 2^d 1831, page 488 of Vol
4. Statutes at large, that he was
tried October 30th 1857 in said Court
upon said indictment, & the jury
empaneled on said trial returned
the following verdict & sent.

That the said defendant
guilty in manner and form as
charged in the indictment, but earnestly
recommended him to the mercy of the
Court, and that on the 1st day
of November A.D. 1857, the
Court of the said Court was pro-
voked on said verdict against
the defendant, that he make
his fine to the United States of Amer-
ica in the sum of Five hundred
dollars, & pay the costs of the prosecution,
and that said fine & costs
have been paid & discharged in

peer of said defendant.

In testimony whereof I have
hereunto set my hand and
affixed the Seal of said Court
at my office in Chicago in
said Northern District this
tenth first day of May.

Wm H. Bradley



[Faint handwritten notes, possibly "No. 1000"]

[Faint handwritten notes, possibly "Exhibit"]

[Faint handwritten notes, possibly "No. 1000"]

The People
vs

Edward G. Asay

Cadd. of Clk. of
U. S. Court



Filed June 1, 1878
L. Leland
Clk

In the Supreme Court of the
State of Illinois Third Judicial Division
April Term 1885

People vs

vs

Emma G. Pugh

Now comes the said Emma G. Pugh
of said Circuit and shews that
while he admits a trial and conviction
in the United States Circuit Court in and
for the Northern District of Illinois for an
alleged Contempt of that Court and that
the contempt charged against him
was the alleged attempting to influence
one H. H. H. man a witness recognized
to appear and testify against one James
B. Braggman then indicted in said Court
to depart the jurisdiction of the Court

The said Defendant further shews
unto the Court that he had been requested
as he supposed in good faith to employ
Mrs. Gardner as an agent for the Cairo and
Fulton Road - that he had been informed
that John Campbell the Superintendent
and one of the directors of said Road
would be in Chicago with said lists
and other valuable papers belonging
to said Company which said agent

was to convey to Fulton City forthwith
under these circumstances, this defendant
went out for Harace who came to his
office and this defendant stated to him
his business - in the course of this in-
terview Harace informed this defendant
that he was a witness in the Brayman
case - This was the first knowledge this
defendant had of that fact - for this
defendant was not in the City of Albany
when Brayman was arrested and had
not read the evidence adduced.
This defendant further shows that the
next day he introduced the said Harace
to the said Campbell -

This defendant further shows
that he pursued this matter after
he learned the fact that he was
such witness not for any necessary
motives for he has always refused
to receive an answer he received
a single letter or check or anything
for anything done in the name
or in the Brayman case and over
paid the fees & costs out of his own
pocket and has never been
indemnified and never will be
but for sympathy for the afflicted

family of Brayman and sympathy
they for his brother who had been his
friend - that the whole thing was
done in a moment of excitement
and without thought as to the real
nature of the transaction, while
therefore the defendant admits
that he erred greatly in continuing
the matter after the information
by himself yet he shews to the end
that it was not the deliberate act
of a wicked motive. The defendant
further shews that this is the first
offense of that or any other kind
he has committed and that he
has already suffered not only in
prosperity but in body mind and
family - and that he is now burdened
of heavy losses sustained lately by
fire defendant upon his profession
for the means of subsistence and
the defendant further shews unto
the court that he will never be good
or deal for the court or members of
his profession any nor even the

last part of complaint of the coroner
published & sent before me
this 1st day of June 1858
E. G. Gray
J. Deland Clk. of sup Court
by J. B. Rice Deputy

¹⁷
The People vs

Edward G. Gray

Attor. of Dept.

Filed June 1, 1858

L. Leland
CLK

Supreme Court of the State of New York
3rd June 1880

The People vs.
E. G. Carey

Now comes said defendant
in open house and motion the court
to discharge the writ in above entitled
cause

E. G. Carey

United States of America }
Northern District of Illinois } Es.

Pleas in the District Court
of the United States of America
for the Northern District of
Illinois, held at the City of
Chicago, in the District afore-
said, before the Honorable
Thomas Drummond, Judge of
the District Court of the United
States, for the Northern District
of Illinois, on Monday the se-
cond day of November, in the
year of our Lord One thousand
eight hundred and fifty-seven,
and of our Independence the
Eighty-second year.

Wm H. Bradley, Clerk.

United States of America

vs.

John Campbell, alias
James Campbell, and
Edward G. Asay.

Indictment
for corrupt
ing witness.

Be it remem-
bered, that heretofore, to wit: on the
fourteenth day of October, in the year
of our Lord One thousand, eight hundred
and fifty-seven, of the October Term
A. D. 1857, of the District Court of the
United States, for the Northern District
of Illinois: The Grand Jury of the
United States, for said District, came

into said Court, and presented an Indictment against John Campbell, alias James Campbell, and Edward G. Asay.

Whereupon, the following proceedings were had in said Court, on the said fourteenth day of October, of the said October Term thereof, A. D. 1857, and entered of Record, to wit:

The Grand Jury this day returned into Court, and presented the following Indictment as a true Bill, to wit;

The United States vs. John Campbell, alias James Campbell. Edward G. Asay.	}	Indictment for corrupting a witness. A. True Bill.
--	---	---

This day personally appeared in open Court the said defendant, John Campbell, alias James Campbell, & Asah Campbell; who severally acknowledged themselves to owe, and be indebted to the United States of America, in the sum of one thousand Dollars, to be levied upon their several & respective goods and chattels, lands & tenements, rights, credits & effects, conditioned that the said John Campbell, alias James Campbell, shall personally be & appear before this Court from day to day during the present term thereof to answer to the United States on this Indictment; and not to depart, without leave of the Court; when this recognizance to be void and of no effect; otherwise, to be & remain in full force and effect.

Which said Indictment is in the words
and figures following, to wit:-

United States of America. }

District Court of the
United States of America,
for the Northern District
of Illinois:-
of the October Term,
thereof, A. D. 1857.

The Grand Jurors of the United
States of America, within and for the
District aforesaid, chosen, selected, and
sworn in the name and by the au-
thority of the United States of America
upon their oaths, present:-

That heretofore,
to wit:- on the tenth day of Septem-
ber, in the year of our Lord one thou-
sand, eight hundred and fifty-seven
at the Northern District of Illinois
aforesaid, a certain Indictment was
found, presented, and returned, in due
course of Law, to the said District
Court of the United States of America,
within & for the said Northern District
of Illinois, at a Term thereof begun
(and) and holden at Chicago, within
and for said District, on the sixth day
of July in the year aforesaid, being one
of the days of said Term by the Grand
Jury of the United States of America
within and for said District, chosen,
selected & sworn in due course & form

of Law, against one James O. Brayman, for feloniously stealing letters from, & out of, the United States Post-office, at Chicago, in said District as aforesaid, some of which letters contained articles of value, namely, two bank-notes for the payment of money, and given for the sum of five Dollars each, and of the value of five Dollars, each.

one of said letters the said James O. Brayman is so indicted for having stolen feloniously as aforesaid, from said United States Post-office, as aforesaid, at Chicago, as aforesaid, in said District as aforesaid contained a draft for the payment of money, of great value, to wit: - of the value of twenty-nine ³⁶/₁₀₀ Dollars, - & that afterwards, such proceedings were had, as that the said James O. Brayman was duly and legally brought into said Court, and being duly and legally arraigned upon said Indictment, pleaded to the same that he was not guilty thereof: - and upon which issue the said Indictment was, & ever since hath been, and still is then & there pending & undetermined.

and the Grand Jurors aforesaid, do further present that on the seventh day of October in the year aforesaid, at the District aforesaid, appeared, and before the said District Court, a certain Dennis D. Darden, and was then & there, as he lawfully might & should be, lawfully recognized in a certain bench, on the Record of said Court,

now appearing conditioned that the said Dennis D. Darden should personally be and appear at the said District Court of the United States for the District aforesaid, then in session, being one of the days of the Term of said Court begun & holden on the fifth day of October, in the year aforesaid, and then & there give evidence on behalf of the United States of America, against the said James O. Brayman, upon the trial of the said Indictment as aforesaid.

and the Grand Jurors aforesaid, do further present, that, afterwards, to wit: on the seventh day of October, in the year aforesaid, at the District aforesaid, and while the said Indictment was so pending & undetermined in said Court as aforesaid, — one John Campbell, alias James Campbell alias A. Campbell, alias J. Campbell and one Edward G. Asay did, not being ignorant of the premises, but well knowing the same, but contriving and unlawfully intending to prevent the due course of Law & justice, and to prevent the said James O. Brayman from being, upon trial, convicted of the charge so preferred in said Indictment against him, as aforesaid, on the day and year aforesaid, at the said District aforesaid, unlawfully, wickedly, and corruptly did endeavor to influence the said Dennis D. Darden, witness as aforesaid, in the discharge of his duty as a witness in said cause.

as aforesaid, wherein the said James O. Brayman, is defendant as aforesaid, by hiring the said Dennis D. Darden and corruptly paying him, the said Dennis D. Darden, a large sum of money, to wit: the sum of Two hundred Dollars, to absent himself from this State and District so as not to be present on the trial of said Indictment, and give his evidence as a witness, as he lawfully should, in obedience to his recognizance as aforesaid.

And so the Jurors as aforesaid upon their oath aforesaid, do say that the said John Campbell, alias James Campbell, alias A. Campbell, alias J. Campbell, and one Edward G. Asay, on the said seventh day of October, in the year aforesaid, at the District aforesaid, in manner and form aforesaid, did endeavor to influence the said Dennis D. Darden, witness, as aforesaid, to absent himself from the said District Court as aforesaid, so as not to be present, and give his testimony as a witness, as he lawfully should, in obedience to his recognizance as aforesaid, on the trial of the said Indictment as aforesaid, in the discharge of his duty as a witness as aforesaid: contrary to the form of the Statute, in such case made & provided, and against the peace & dignity of the people of the United States of America.

And the Jurors aforesaid, on their oaths aforesaid, do further present, that afterwards, to wit, on the tenth day of

September, in the year of our Lord one thousand, eight hundred and fifty-seven, at a Term of the District Court of the United States of America, within and for the Northern District of Illinois, begun and holden at Chicago, within & for said District on the sixth day of July, in the year aforesaid, and on the tenth day of September, in the year aforesaid, being one of the days of said July Term of the District Court as aforesaid; the Grand Jury, then & there, being duly & lawfully impannelled, sworn & charged, according to law in said District Court of the United States as aforesaid; a certain indictment was then & there presented by the ^{said} Grand Jury in open Court, according to law, and duly endorsed & returned, as a true bill, in accordance with law, in said District Court of the United States as aforesaid, against one James O. Brayman, for feloniously stealing letters, from and out of the United States Post-Office at Chicago, in said District of Northern Illinois: the said District as aforesaid.

and the Grand Jurors as aforesaid do further present, that afterwards, to wit, such proceedings were had, as that the said James O. Brayman, so indicted, as aforesaid, was duly and legally brought into said Court, at the said Term thereof, begun & holden as aforesaid; and on the eleventh day of September, in the year aforesaid, being one of the days of the said Term of said Court, he the said James O. Brayman, was ordered by the said Court to enter into a recognizance

which he, the said James O. Brayman did with Mason Brayman, Charles Walker, and Andrew J. Galloway, as his sureties and was then & there bounden in a recognizance in the sum of Six thousand Dollars, conditioned that he, the said James O. Brayman shall be and appear at the October Term, A. D. 1857 of the said United States District Court for the Northern District of Illinois, as aforesaid, then ensuing and answer unto said Indictment, so preferred as aforesaid, against him, the said James O. Brayman, and not depart the Court without leave; which said recognizance, from thence hitherto, hath been in full force & effect, and which said Indictment, ever since hath been & still is pending & undetermined in the said District Court of the United States of America as aforesaid, for the District aforesaid; and the Jurors aforesaid, do further present that, to wit: on the seventh day of October, in the year aforesaid, at the District aforesaid, and before the said District Court as aforesaid, being one of the days of the October Term of the said United States District Court, for the year aforesaid, holden as aforesaid, at Chicago in said District as aforesaid, a certain Dennis D. Darden was then and there bounden in a recognizance in the sum of two hundred Dollars, conditioned amongst other things, that he, the said Dennis D. Darden, should personally be & appear at the said District Court of the United States of America as aforesaid, on the twenty-second day of October in

the year aforesaid, being one of the days of the said October term of the said Court, as aforesaid, and testify to the truth in behalf of the premises, when the said James O. Brayman, should be tried upon said Indictment so pending, & in full force & undetermined against him, as aforesaid, and not depart the Court, without leave.

and the Jurors aforesaid do further present, that the evidence of the said Dennis D. Darden, at the time of the entering into said recognizance by him, the said Dennis D. Darden, as aforesaid, and from thence hitherto, was material to have been given before the said District Court of the United States, for the District aforesaid, upon the trial of the said James O. Brayman, upon the said Indictment, so returned & undetermined against him, the said James O. Brayman, and in said Court so remaining & undetermined against him, the said James O. Brayman, as aforesaid.

and the Grand Jurors, as aforesaid, do further present, that afterwards, to wit: on the eighth day of October, in the year of our Lord aforesaid, at & within the said District, and while the said Indictment against the said James O. Brayman was so pending & undetermined as aforesaid, one Edward G. Asay, and one John Campbell, alias James Campbell, alias A. Campbell, alias J. Campbell, did not being ignorant of the premises, but well knowing the same, but contriving, and unlawfully intending to prevent the

due course of law & justice, and to prevent
the said James O. Brayman from being
convicted upon the trial of the said In-
dictment, as aforesaid, at the said Dis-
trict aforesaid; did unlawfully, wickedly
and corruptly endeavor to obstruct, and
impede the due administration of justice
therein by offering the said Dennis D. Darden
a situation as clerk out of the State, and
by paying him the sum of Two Hundred
Dollars, if he would depart from this State
and District, so as not to be present, as
he lawfully should, in obedience to his
said recognizance in said District Court
as aforesaid, and give evidence in said
cause as aforesaid, as he lawfully should
do.

And so the Jurors as aforesaid,
upon their oath as aforesaid, do
say that the said John Campbell, alias
James Campbell, alias A. Campbell, alias
J. Campbell and one Edward G. Asay,
to wit; on the said eighth day of October
in the year aforesaid, at the District
aforesaid, in manner & form aforesaid,
did attempt & endeavor to obstruct the
due administration of justice in said
District Court as aforesaid, by giving to
the said Dennis D. Darden, as being
such witness as aforesaid the sum of
Two Hundred Dollars, so as not to be present
and give his evidence upon the trial of
the said James O. Brayman, as aforesaid,
as he lawfully might and should do, in
obedience to the command of his said re-
cognizance, as taken as aforesaid, in said
District Court as aforesaid: Contrary to
the form of the Statute in such case made

and provided, and against the peace and dignity of the people of the United States of America.

and the Jurors aforesaid, on their oaths aforesaid, do further present, that afterwards to wit; on the tenth day of September, in the year of our Lord one thousand eight hundred & fifty-seven, at a Term of the District Court of the United States of America, within & for the Northern District of Illinois aforesaid, begun and holden at Chicago, within & for said District, on the sixth day of July, in the year aforesaid, and on the tenth day of September in the year aforesaid, being one of the days of said July Term, of said District Court, the Grand Jury, then & there being duly & lawfully impannelled, sworn & charged according to law in said District Court as as aforesaid: a certain Indictment was then & there found, and presented by the said Grand Jury in open Court, according to law, and duly endorsed & returned as a true Bill, in accordance with law, in said District Court, as aforesaid, at the time aforesaid, against one James O. Brayman, late of said District, for feloniously stealing letters from and out of the United States Post-office, at Chicago, in said Northern District of Illinois.

and the Jurors aforesaid do further present, that afterwards, to wit: such proceedings were had as that the said James O. Brayman, so indicted as aforesaid, was duly & legally brought into said Court, at the said Term thereof.

begun & holden as aforesaid, and on the eleventh day of September in the year aforesaid, being one of the days of the said Term of said Court, he, the said James O. Brayman, was ordered by the said Court to enter into a recognizance which he, the said James O. Brayman did, with Charles Walker, Mason Brayman and Andrew J. Galloway, as his sureties, and was then & there bounden in a recognizance in the sum of Six thousand Dollars, conditioned that he, the said James O. Brayman, shall be and appear at the October Term next ensuing, A.D. 1857, of the said District Court, as as aforesaid, and answer unto said Indictment, as preferred as aforesaid, against him, the said James O. Brayman and not depart the Court without leave, which said recognizance, from thence hitherto, hath been in full force, and which said Indictment, ever since hath been and still is pending & undetermined in said District Court as aforesaid.

and the Jurors aforesaid, do further present, that, to wit: on the seventh day of October, in the year aforesaid, at the District aforesaid, and before the said District Court, as aforesaid, being one of the days of the October Term, of the said District Court as aforesaid, for the year aforesaid, at Chicago, in said District aforesaid, a certain Dennis D. Garden was then & there bounden in a recognizance in the sum of Two hundred Dollars, conditioned, amongst other things,

that he, the said Dennis D. Darden should personally be & appear at the said District Court aforesaid, on the twenty-second day of October, in the year aforesaid, being one of the days of the said October Term of the said Court as aforesaid, & testify to the truth in behalf of the premises, when the said James O. Brayman should be tried upon said Indictment as pending and in full force, and undetermined against him, as aforesaid, and not depart the said Court without leave.

and the Jurors aforesaid do further present that the evidence of the said D. D. Darden, at the time of the entering into said recognizance by him, the said Dennis D. Darden, as aforesaid, and from thence hitherto, was material to have been given before the said District Court of the United States, for the District aforesaid upon the trial of the said James O. Brayman upon the said Indictment, as returned pending & undetermined against him, the said James O. Brayman, as aforesaid.

and the Jurors aforesaid do further present, that afterwards to wit: on the eighth day of October in the year of our Lord aforesaid, at & within the said District aforesaid, and whilst the said Indictment against the said James O. Brayman was so pending & undetermined as aforesaid, one Edward G. Aray and one John Campbell, alias James Campbell, alias A. Campbell, alias J. Campbell, did, not being ignorant of the premises, but well knowing the same, but contriving, & unlawfully intending

to prevent the due course of law & justice, and to prevent the said James O. Brayman from being convicted upon the trial of the said Indictment, as aforesaid, at the said Court, and District aforesaid, did unlawfully, wickedly, & corruptly endeavor to obstruct and impede the due administration of justice, in said District Court, as aforesaid, by corruptly endeavoring to influence the said Dennis D. Darden, then & there being a witness as aforesaid, to absent himself in violation of his, the said Dennis D. Darden's recognizance taken as aforesaid, in said cause, so pending as aforesaid, of the United States of America against the said James O. Brayman, as aforesaid, in the said United States Court, pending, as aforesaid,

Contrary to the form of the Statute, in such case made & provided, and against the peace & dignity of the United States of America.

A True Bill. } A. M. Herrington.
W. J. Phelps. } United States-
Foreman Grand Jury. } Dis. Attorney.

(Endorsed.)

Filed Oct 14th 1857.

Wm. H. Bradley, Clerk.

And afterwards, to wit: on the 15th day of October, in the said October Term, A. D. 1857, of said Court, the following proceedings were had in said Court, in said entitled cause, and entered of Record, to wit:-

The United States.
vs.
John Campbell, alias.
James Campbell, and
Edward G. Asay.

Indictment
for corrupting
a witness.

Now come the
defendants and enter their plea of
"not guilty". And now this day person-
ally appeared in open Court the ^{said} defend-
ant Edward G. Asay and Jacob Harris,
who each acknowledged themselves to owe
and be indebted to the United States of
America in the sum of one thousand ^{two}
hundred and fifty dollars lawful money of the United States
to be levied upon their several goods &
chattels, lands & tenements, rights, credits,
and effects; conditioned that the said de-
fendant Edward G. Asay shall personally
be & appear before this Court at the Uni-
ted States Court Room in the City of
Chicago from day to day during the present
Term to answer unto the United States of
America in this Indictment and not depart
hence without leave of the Court; then this
recognizance to be void, and of no effect
otherwise to be & remain in full force and
effect.

The United States
vs.
John Campbell, alias
James Campbell, and
Edward G. Asay.

Indictment
for corrupting
witness.

And now comes
Benjamin Stratton, who acknowledges him-
self to owe and be indebted to the

United States of America, in the sum of Two hundred Dollars, lawful money of the United States to be levied upon his goods & chattels, lands & tenements, rights, credits and effects, conditioned that the said Benjamin Straffon shall personally be & appear before this Court at the United States Court Room, in the City of Chicago, from day to day, during the present term to testify on behalf of the United States in this Indictment, and not depart hence without leave of the Court; then this recognizance to be void, & of no effect, - otherwise to be and remain in full force and effect.

And afterwards, to wit: on the 16th day of October, in the said October Term, A.D. 1857, of said Court, the following proceedings were had in said Court in said entitled cause, and entered of Record, to wit:

The United States.	} Indictment for corrupting a Witness.
vs.	
John Campbell, alias James Campbell, and Edward G. Asay.	

Now come the Defendants by their counsel, and file their affidavits for a postponement of the trial of this cause. It is thereupon considered by the Court that the same be postponed until the thirtieth day of October instant.

And now comes Dennis D. Darden and acknowledges himself to owe, and be indebted to the United States of America.

in the sum of Two hundred Dollars. law-
ful money of the United States to be
levied upon his goods & chattels, lands &
tenements, rights, credits and effects, con-
ditioned that the said Dennis G. Garden
shall personally be & appear before this
Court at the United States Court Rooms
in the City of Chicago, from day to day
during the present Term to testify on
behalf of the United States in this In-
dictment, and not depart hence with-
out leave of the Court: then this re-
cognizance to be void, and of no effect,
otherwise to be and remain in full
force and effect.

And afterwards, to wit:
on the 30th day of October in the said
October Term A. D. 1857. of said Court, the
following proceedings were had in said
Court, in said entitled cause and en-
tered of Record, to wit:-

The United States
of America.

vs.

John Campbell, alias
James Campbell, and
Edward G. Asay.

Indictment
for corrupting
a Witness.

The Defendants,
by their Counsel, come, & severally move
the Court on affidavits, filed for
separate trials under this Indictment,
which applications are sustained by
the Court: and it is ordered by the
Court, that separate trials be granted

the defendants: with leave to the District Attorney to elect which of the defendants he will first try: when he makes his election to first try Edward G. Asay.

The United States
vs.
Edward G. Asay.

Indictment
for corrupting
a witness.

On motion of the District Attorney: It is ordered by the Court that attachments issue against A. J. Sink and Thomas Hoyme, delinquent witnesses, for the Plaintiff herein returnable forthwith.

And now comes the District Attorney: and now comes also the Defendant in proper person & by counsel: and the Defendant having heretofore entered his plea of not guilty to the Indictment: and issue being now joined, thereupon came a Jury of good and lawful men, to wit: -
G. Benjamin Smith, T. G. Harbaugh, Henry Waterman, C. R. Holland, Samuel G. Roberts, J. P. Colburn, C. A. Bennett, J. R. Hoag, H. C. Perkins, Asa Munn, C. F. Holloway and Frank Munn. -
who were duly elected, tried & sworn, and after hearing the evidence and arguments of counsel, and receiving instructions from the Court: the Jury retired to consider of their verdict, and, after a short absence they returned into Court, with the following verdict to wit: -
That the Jury, find the Defendant

guilty, in manner & form as charged in the Indictment, but earnestly recommend him to the mercy of the Court.

And afterwards, to wit; on the 31st day of October, in the said October Term A. D. 1857, of said Court, the following proceedings were had in said Court in said entitled cause, and entered of Record, to wit:-

The United States vs. John Campbell, alias James Campbell.	}	Indictment for corrupting a Witness.
---	---	--

Now comes the District Attorney, and also the Defendant in proper person, and by Counsel, and the Defendant having heretofore entered his plea of not guilty, to this Indictment, and upon issue joined, thereupon, came a Jury of good and lawful men, to wit:- S. J. Sloan, Asa Munn, H. S. Wilson, E. P. Clark, J. R. Hoag, E. R. Holland, William Bishop, James Campbell, E. R. Witt, Giles Fitch, H. S. Bristol, and H. Hooker, who were duly elected, tried and sworn, and after hearing the evidence, and arguments of Counsel, and receiving instructions from the Court, the Jury retired to consider of their verdict:- and after a short absence, they returned into Court with the following verdict, to wit:
To-wit: the Jury, find the Defendant, guilty.

and afterwards, to wit, on the 3rd day of November, A. D. 1857. as yet of the said October Term, A. D. 1857. of said Court, the following proceedings were had in said Court, in said entitled cause and entered of Record, to wit:-

The United States vs. Edward G. Asay.	}	Indictment for corrupting Witness.
---	---	--

Now comes the District Attorney, and the Defendant in proper person, when the District Attorney moves the Court that sentence be pronounced against the Defendant, upon the verdict of the Jury heretofore found, and returned.

It is thereupon considered by the Court that the Defendant make his fine to the United States in the sum of Five hundred Dollars; that he pay the costs of this prosecution, amounting to the sum of one hundred and Eighteen cents, and that he stand committed until said fine and costs are paid.

The United States vs. John Campbell, alias James Campbell.	}	Indictment for corrupting Witness.
---	---	--

Now comes the District Attorney, and now comes also the Defendant in proper person, when the District Attorney moves the Court that sentence be pronounced against the Defendant, upon the verdict

of the Jury, heretofore found & returned.
It is thereupon, considered by the
Court that the Defendant make his
fine to the United States, in the sum
of Three, Hundred & fifty Dollars, and
that he pay the costs of this prosecu-
tion, amounting to the sum of --
Eighty - - - Dollars, and Seventy-five
cents, and that he stand committed
until said fine & costs are paid.

United States of America }
Northern District of Illinois }

I, William H. Bradley
Clerk of the District Court, of the United States
in the Northern District of Illinois do hereby
certify, the foregoing to be a true and perfect
copy from the record, of said Court, of the Indict-
ments found and presented, by the Grand Jury
in said District against John Campbell alias
Blazes Campbell and Edward F. Clay, on the
14th day of October A. D. 1857. and of all the
proceedings had in said Court under said
Indictments, as the same now remain on file
and of record in said Court.

In Testimony Whereof I have
hereunto subscribed my name
and affixed, the seal of said Court
at my office in Chicago in said
District this 9th day of June
in the year of our Lord One thou-
sand, eight hundred and fifty
eight and of our Independence
the Eighty second year.

Wm H Bradley Clerk



No. 3.
District Court United States,
Northern District of Illinois.

United States

vs.
John Campbell, alias
James Campbell, and
Edward H. Asay.

Copy of Record.

Filed April 22 1859
L. Leland
Clerk