

14118

No. _____

Supreme Court of Illinois

People ex rel. Peck

vs.

Wm. D. Abernathy ^{E H}

71641  7

Supreme Court
December Term 1842

The People of the State of Illinois
vs
Ebenzer Peck, Clerk of
the Supreme Court

vs
William D. Abernethy
Gate Sheriff of
Hancock County

Ebenzer Peck being duly
sworn states that he transmitted to William D. Abernethy
for collection the following fee bill ~~and execution~~
for costs in the said Supreme Court viz:
Ouel Weston vs Walter M. Stakes \$ 9.07½

And the said Peck states that the said fee
bill ~~and execution~~ for costs was for services rendered by
him as clerk of this Court, and that he is interested in
said fee bill ~~and execution~~, it being for the services ren-
dered as aforesaid; and the said Peck further states
that the said William D. Abernethy ^{has paid to}
return said fee bill ~~and execution~~ ^{within the time prescribed by law}, and that the said
William D. Abernethy has not paid to the said Peck
the said amount or any part thereof; whereupon your
affiant asks a rule against the said William D. Abernethy

Sworn and subscribed to before me
this 28th day of December, D. 1842
Walter D. Leates Justice Sup ct

Peck

Supreme Court
Dec Term 1842

The People ex rel
C Peck et al

vs

Wm. Dabney
late Sheriff of
Hancock County

Affidavit of Motion
for rule

14118

Filed 28th Dec 1842
C Peck
et al

Recd. As Shewmby



25

E. P. No 109
Clerk of the Supreme
Court Springfield Mo

At a Supreme Court begun and held at Springfield on Monday the twelfth day of December A.D. 1842: to wit: on ~~the~~ Tuesday the twenty eighth day of December A.D. 1842.

Present the Honorable William Wilson Ch: Just:

u u u Thomas C. Browne

u u u Sidney Preece

u u u Walter P. Scates

u u u Samuel H. Treat

u u u Stephen A. Douglas

u u u John D. Catton

The People of the State of Illinois
on the relation of Ebenezer Peck
Clerk of the Supreme Court &c.

vs
William D. Abernethy

Gate Sheriff of Hancock County

of Pledge his attorney: it is
ordered by the Court that the defendant ^{show cause why he has not} be ruled to return the
said fee bill mentioned in said affidavit, ^{according to law} within twenty days
from the service upon the defendant of this rule and of a copy
of the said affidavit, or in default thereof, to show cause why
an attachment should not issue against him for a failure
to comply with the order herein —

A. B. H. Clerk of the Supreme Court of the State of Illinois, do hereby certify that the foregoing is a true copy of the order of the said Supreme Court, in the above entitled cause, of record in my office,

In Testimony whereof, I have hereunto set my hand and affixed the seal of the said Supreme Court, at Springfield, this thirtieth day of December A.D. 1842

Peck C. J. C.

Supreme Court - December Term 1842

The People of the State of Illinois
vs
Ebenzer Peck, Clerk of
the Supreme Court

vs
William D. Abernethy
State Sheriff of Hancock County

Ebenzer Peck being duly sworn
states that he transmitted to
William D. Abernethy for
collection the following fee bill

for costs in the said Supreme Court viz:
Joel Wilton vs Walter M. Stakes \$9.07 1/2

And the said Peck states that the said fee bill for costs was
for services rendered by him as Clerk of this Court, and that
he is interested in said fee bill it being for the services ren-
dered as aforesaid; And the said Peck further states that
the said William D. Abernethy has failed to return said fee bill
within the time prescribed by law and that the said William
D. Abernethy has not paid to the said Peck the said
amount or any part thereof; Whereupon your affiant asks
a rule against the said William D. Abernethy

Sworn and subscribed to before me
this 28th day of December A.D. 1842
(signed) Walter W. Scott, Justice Sup Ct

(signed) E. Peck

I, Ebenzer Peck Clerk of the said Supreme Court of the State of
Illinois do hereby certify that the foregoing is a true copy of the affidavit
of the relator Ebenzer Peck herein, upon which the rule in that
behalf was granted by the said Supreme Court

Witness my hand, and the seal of the said
Supreme Court at Springfield this 30th day
of December A.D. 1842

Peck
C. J. C.

I have annexed the within Rule by returning a
copy of the same
to the within named William D. Abumathy
January 16th 1843 -

William Backus Sheriff H. C. Ells

Supreme Court
The people of the State of Mass.
on the relation
C. Prex
vs
William D. Abumathy
Late Sheriff of Hancock Co.,
Return

Sheriff's Fees
making copy - \$1.00
Serving 30
18 miles travel 1.12 1/2
Returning 12 1/2
\$2.75-

William Backus
Sheriff H. C. Ells