

No. 14139

Supreme Court of Illinois

People ex rel. Peck

vs.

Hugh L. Jackson

71641  7

Supreme Court, December Term 1842.

The People of the State of Illinois
ex relatione Ebenezer Peck Clerk
of the Supreme Court -

} Ebenezer Peck being duly
sworn, states that he
transmitted to Hugh Jackson
Sheriff of Greene County for
collection the following fee
bills and execution ~~to wit~~

Hugh Jackson Sheriff of
Greene County

for costs in the said Supreme Court, viz: John Prunoff &
Josephus Hewitt \$10,88 1/2 - Proby M. Holliday et al & The President, directors
& Company of the Bank of Illinois \$11-7 1/2 - Blake & Andrews \$7-76 1/4 law
Commissioners of Greene County & Samuel Smith \$17,76 1/2

And the said Peck ^{further} states that said fee bills and executions
~~for costs~~ were for services rendered by him as Clerk of this Court, and that
he is interested in said fee bills and execution, the being for services
rendered as aforesaid. And the said Peck further states that
the said Hugh Jackson has failed to return to said fee bills
and executions according to law, and that the said Hugh
Jackson has not paid to the said Peck the amount or any
part thereof. Whereupon your affiant asks a rule against
the said Hugh Jackson Sheriff &c

Sworn and subscribed before me
this 24th day of January 1843 -
(signed) S. H. Treat, (Judge &c) (signed) E Peck

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

In testimony whereof, I have hereunto set my hand
and affixed the seal of the said Supreme Court at
Springfield this 25th day of January A.D. 1843.

(signed) E Peck. Clk.
Copy for Defendant -

At a Supreme Court began and held at Springfield on
Monday the twelfth day of December A.D. 1842 to-wit:
on Tuesday the twenty fourth day of January A.D. 1843.

Present the Honorable William Wilson Chief Justice

~ ~ Samuel Dockwood

~ ~ Thomas C Browne

~ ~ Walter B Scates

~ ~ Samuel H Heat

~ ~ Stephen A Douglas

~ ~ John Deaton

The People of the State of Illinois
on the relation of Ebenezer Peck
Clerk of the Supreme Court
vs
Hugh Jackson Sheriff of
Greene County

Upon the reading and
filing of the affidavit of
the relator herein and on
motion of John Hardin
his attorney, it is ordered
by the Court that the said

defendant be ruled to return the said fee bills and execution
mentioned in said affidavit, within twenty days from the
service upon the said defendant of this rule and of a copy
of 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.

I Ebenezer Peck Clerk of the Supreme Court of the
State of Illinois do hereby certify that the foregoing is a
correct 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 25th day of January
A.D. 1843. (signed) E Peck. C. C.

no error in the law, the now cause why an attachment
The People of the State of Illinois } should not issue against him in the cases
Ex Relation Ebenezer Peck Clerk } enumerated in the annexed copy of a Rule
of the Supreme Court } for not returning the Executions and Fee bills
therein named.

This respondent answering admits, that an Execution or fee bill came
to his hands as Sheriff as aforesaid against Josephus Hewitt in favor of John Parnap for the
sum of \$10.88 1/2 - also one against Beverly W Holiday et alii on the State Bank of
Illinois for \$11.87 1/2, also one against Blake vs Andrews for \$7.76 1/4. and one
against Samuel Smith in favor of County Commissioners for \$17.76 1/4. That
in each and all the fee bills except the one of the State Bank vs P. W.
Holiday & others, the persons against whom the same were issued were not resi-
-dents of the County of Green, nor had they or either of them any goods or chattels,
lands or tenements within the bailiwick of this respondent, to the best of
this respondents knowledge or belief when of this respondent could make
the whole or any part of said fee bills or Executions in either of said cases.
That this respondent returned said fee bills or Executions according to
law and mailed the same at Canton directed to the said Ebenezer
Peck Clerk as aforesaid at Springfield. And this respondent further
saith that in the case of the State Bank vs P. W. Holiday et alii, this
respondent called on E. Lott one of said defendants to settle said fee
bill, when said Lott satisfied this respondent that he had paid said
costs to D. A. Smith one of the Attys in the cause, and this respondent return-
-ed said fee bill accordingly as required by law and mailed the
same to Ebenezer Peck Clerk as aforesaid at Springfield. And this
respondent expressly alleges that he has not received a single cent
upon either or any of the fee bills set out in the affidavit of said Peck,
nor has he neglected or refused to return the same, nor is he indebted
to said Ebenezer Peck in any way shape or manner; but that on the contrary
by said Ebenezer Peck is indebted to this respondent for costs as Sheriff
of said County of Green in the sum of between three and four dollars
and further this respondent saith not

Subscribed & sworn to before me
this 9 day of February A.D. 1843

D. Jackson

Peck
C. S. B.

Supreme Court

The People of the State of Illinois
Exrelatives Ebeneser Peck
Clerk of the Supreme Court

No

Hugh Jackson Sheriff
of Greene County

Answer of defendant

Geo. M. Davis Atty for defdts

Supreme Court, December Term 1842

The People of the State of Illinois
vs
Ebeneser Peck Clerk of the
Supreme Court

Hugh Jackson, Sheriff of
Greene County

Ebeneser Peck being duly sworn
states that he transmitted to
Hugh Jackson for collection
the fee bills and executions for
costs in the said Supreme Court
viz: John Purry vs Josephus

Hawthorn \$10.88½; Beverly W. Holliday et al vs The President,
Director & Company of the Bank of Illinois \$11.07½. Blake vs
Andrews, \$7.76¼. County Commissioners of Greene County vs
Samuel Smith \$17.76¼ -

And the said Peck further states that the said fee bills
and executions for costs were for services rendered by him as Clerk
of this Court, and that he is interested in said fee bills and executions
they being for services rendered as aforesaid. And the said Peck
further states that the said Hugh Jackson has failed to return said
fee bills and executions, ^{according to law} and that the said Hugh Jackson has not
paid to the said Peck the amount nor any part thereof. whereupon
your affiant asks a rule against the said Hugh Jackson,
sworn to and subscribed before me this

24th day of January A.D. 1843
(signed) J. H. Quat, Judge &c

(signed) E. Peck

E. Ebeneser Peck, Clerk of the Supreme Court of the State of Illinois, do
hereby certify, that the foregoing is a correct copy of the affidavit of the
deponent, Ebeneser Peck, upon which the rule in this behalf was granted
by the said Supreme Court.

In testimony whereof I have hereunto set my
hand and affixed the seal of the said Supreme
Court at Springfield this 25th day of January
A.D. 1843.
Peck C. S. C

At a Supreme Court begun and held at Springfield on Monday
the twelfth day of ~~Dec~~ December A.D. 1842: to wit: on the
twenty-fourth day of January A.D. 1843.

Present the Honorable William Wilson, Chief Justice,

u u u Samuel D. Lockwood

u u u Thomas C. Browne

u u u Walter P. Seats

u u u Samuel N. Treat

u u u Stephen A. Douglas

u u u John A. Catron

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

vs

Hugh Jackson

Sheriff of Greene County

Upon the reading and filing of
the affidavit of the relator herein
and on motion of John Henshin
his attorney: it is ordered by the
Court that the said defendant be

compelled to return the said writs and execution mentioned in said
affidavit within twenty days of the service upon the said defendant of
this rule and of a copy of 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.

I, Ebenezer Peck, 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 the seal of the said Supreme
Court at Springfield this 23rd day of
January A.D. 1843

Peck

C. S. C.

The within and copy affidavit duly served
by me upon Hugh Jackson Sheriff of Greene County
by leaving with him a true copy of the same and
also at the same time exhibiting the original
this 28th day of January 1843.
James Hopkins
Clerk of Greene County, Ill.

Supreme Court

People ex rel E. Beck vs

&

Hugh Jackson Sheriff
of Greene County

Rule and Return

original.

Filed 1st Feb'y 1843

E. Beck

606

Supreme Court December Term 1842
The People of the State of Illinois
vs
Ebenzer Peck, clerk of the
Supreme Court

vs
Hugh Jackson Sheriff of Greene
County

Ebenzer Peck being duly
sworn states that he transmitted to Hugh Jackson
for collection the fee bills and executions for costs in
the said Supreme Court: viz John Burrass vs Josephus
Herwitz \$10.88 $\frac{1}{2}$. Beverly W. Holliday et al vs The President,
Director & Company of the Bank of Illinois \$11.07 $\frac{1}{2}$. Pilate vs
Andrews \$7.76 $\frac{1}{4}$. County Commissioners of Greene County
vs Samuel Smith \$7.76 $\frac{1}{2}$.

And the said Peck states that the said
fee bills, and executions for costs were for services rendered
by him as clerk of this Court, and that he is interested in
said fee bills, and executions it being for the services
rendered as aforesaid; and the said Peck further states
that the said Hugh Jackson has ~~not~~
failed to return said fee bills, and executions, and that the
said Hugh Jackson has not paid to the
said Peck the amount or any part thereof; whereupon
you applicant asks a rule against the said Hugh Jackson

sworn to and subscribed before me
this 34th day of December A.D. 1842
A. H. Heat Judge

Peck

People ex rel C Beck
Clerk of the Sup Court

vs

Hugh Jackson Sheriff
of Green County

Affidavit and Motion
for rule -

Filed ^{the} 24th January 1843.
C Beck
Clerk

Supreme Court
Dec Term 1841

~~Thomas Bayne~~

~~David Caldwell~~

166

Record

Dismissed Dec 1841

Supreme Court
Dec: Term 1842

The People of
the State of Tenn

vs

Hugh Jackson
Sheriff

James

Record

194

~~James~~

~~James~~

14139

~~James~~