

8706

No. _____

Supreme Court of Illinois

W. L. Dupuy

vs.

Isaac Gibson, et al,

71641  7

Know all men by these presents that we
 W^m J. Shelby John M. Wilson and George Wagner do
 sell & finally transfer unto the People of the State
 of Missouri in the legal sum of ninety four dollars
 to be received of our respective heirs & assigns &
 tenements of respect to be made in the condition
 following that is to say that whereas an ^{exec} ^{bill}
 hath issued from the Clerk of the Supreme Court
 of Missouri for the division at Mount Vernon
 for the sum of \$700 against & to the Sheriff of
 Richland County Missouri against Isaac Wilson
 John M. Wilson W^m J. Shelby John Hedges &
 John M. Garrison to be received of these heirs &
 assigns & tenements of the said W^m J. Shelby
 & John M. Wilson being heirs to the same
 for the reasons first that there is no such judgment
 as that specified in said execution & cert bill to
 which ^{parties} ~~parties~~ ^{parties} ~~parties~~ which again the cert
 bill is larger than the law justly and finally
 said cert bill contains charges that have been
 already paid now if the said John M. Wilson
 & W^m J. Shelby shall execute their return
 with effect & will pay whatever ^{judgment} ~~cert~~ may be
 rendered on the return or trial thereof
 then this deed to be null & void otherwise to
 remain in full force & virtue

W. J. Shelby
 John M. Wilson
 H. Hargrave

G. P. D.
 G. P. D.
 G. P. D.

William D'epar
or

Isaac Gibson
John M Wilson
M J Shelly
John Pradjord
David M^d Graw

Filed 14th Aug 1865
C. M. Cullen Clerk
By R. J. Thurman. dpt

Olney Illinois

12th Dec

1865

Dear Sir:-

As there seems to be some misunderstanding as to the real progress of a case brought to be entered out of suit in your Court I am induced to write you for the Sheriff as well as a good friend of mine Mr. Shelby - I return the fee bill and the bond given by the parties in replevin - Mr. Shelby is in the case for having while Sheriff Bond served a writ of replevin on a Plaintiff's horse of one Cord who ^{he} consented that the property might be returned in the possession of one of the parties in interest - It is suggested by Mr. Shelby that a part of the fees taxed in your bill is paid viz: - Printers fees to be paid by J. G. Bowman \$300 - and that the Circuit Court fees of Clerk ~~are~~ were settled with the Clerk here

and that again, that under the ad-
judication of the Supreme Court the
law permitting a Court docket
fee of five dollars to be taxed for
further salary allowed to the
Supreme Judges is not now charge-
able as taxed in your bill - I
wish however that you write me
in reference to this matter when
I think the money will be forwarded
less these items if the exceptions
taken be correct something is
also said by Mr. Wilson the attorney
in the case for the item \$18⁰⁰ for
abstracts, this I have explained
to them & will not perhaps
be in the way, though the item
seems a little high - I write
you not as an attorney for either

party but finding that the Sheriff
had been badly advised by whom
an attorney here in reference
to ^{the} Court to which the papers
should be returned he advising
adversely to your written re-
quest made to the Sheriff Oct. 3^d
of present year - Let me hear
from you at length upon
the subject - Under my respect
to Casey & Tanner, et al,

Very truly &c

J. D. Pustow

In the Supreme Court
First Grand Division
November Term A.D. 1865-

William L Dupuy Plff. in Error

vs.

Isaac Gibson et al Defs in Error

Reply of
Execution to
Circuit Court

And now on this the
fifth day of this Term of Court, being
the Eleventh day of November, Comes
the Plaintiff in Error by Tanner + Casey
his Atty. And on his motion the
above styled Cause is docketed,
and a rule taken upon the Defend-
ants in Error to ~~answer~~ file
Reasons or Show Cause for
quashing the Plaintiff's Execution
for cost: ~~in~~

Same
vs
Same

And now again

Comes the Plaintiff in Error on
the same day by his said Attornies
and the Defendant having failed
to answer the rule taken upon

them this day. It is therefore
considered by the Court that the
Replevin be dismissed.

It is further ordered by the
Court that the Clerk issue
an alias Execution for the
Costs which accrued in the
above styled Cause at the last
term of this Court; and that the
Plaintiff in Error have recover
of and from the said Defendants
their costs, wrongfully expended
in this behalf, and that he
have Execution therefor

No 10 of 1864.

No 50 - of 1865.

W. L. Dupuy

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Isaac Gibson et al.

Motion of Defts to
quash writs - and
processes - and
Costs on Page 623 -
of Execution out for
Certs. Dec. 13 - 1865 -

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