UNITED STATES v. CHENAULT.

Case No. 14,791.

{2 Cranch, C. C. 70.}[1]

Circuit Court, District of Columbia. April Term, 1813.

EXTORTION—ATTEMPT TO COLLECT FEES ALREADY PAID—EVIDENCE—CONTENTS OF WARRANT.

Laboring to exact fees from one party after having received them from another is not extortion, and whether it is an indictable offence, quære. The contents of a warrant cannot be proved without producing it, or accounting satisfactorily for its non-production.

This was an indictment {against Elijah Chenault} for laboring to exact fees from the plaintiff, after having received them from the defendant, on a warrant before a justice of the peace in the case of Carlin v. Weston.

THE COURT refused to instruct the jury that the offence charged was not indictable; but told them it was not extortion.

THE COURT also refused to suffer parol evidence to be given of the contents of the warrant without producing it or accounting satisfactorily for its non-production.

[1] {Reported by Hon. William Cranch. Chief Judge.}