

14183

No. _____

Supreme Court of Illinois

Cotton

vs.

Reed et al.

71641  7

**IN THE SUPREME COURT—STATE OF ILLINOIS—FIRST GRAND
DIVISION—TO NOVEMBER TERM, A. D. 1858.**

Thomas L. Cotton, Plaintiff in Error.

Lewis Reed, Miller McClure and Isaac Martin Trustees of } Error to Hardin
School Township 12, Range 8 East.

Page 1. Complainant was examined and received a certificate of qualification as a school teacher.

Page 2. On the 19th May 1856, the pl'ff. was employed by school directors in District No. 5, Township 12, Range 8, in Hardin county; that in pursuance to said agreement between the compl't. and said directors, he taught a school in said district, from 19th of May 1856 to 26th of Sept. 1856; that he kept said school, according to law; that he completed his school and made out his schedule and delivered the same to one of the directors; that the other two directors were absent and did not return in time to examine and approve said schedule until after the 1st Saturday in October 1855

Page 3. The schedule was examined and approved by the director to whom he delivered it, and signed by him on the 26th of Sept. 1856; the same day it was delivered to him by comp't.; that the schedule was not delivered to the Township treasurer, to be filed as required by law, two days before the 1st Saturday in October, 1856, for the reason the other two directors were absent and could not examine said schedule; that on the 10th of October 1856 said trustees held a meeting and proceeded to examine teachers schedule returned since April prior thereto, and found all correct except complainant's, which they rejected because the directors had not filed complainant's schedule two days prior to the 1st Saturday in Oct. of that year as required by law, and for that reason was rejected; that comp't. then and there caused the other two directors to sign and approve said schedule, which will more fully appear by reference to said schedule marked (A).

Page 4. Compl't. again, at said meeting of said trustees, moved said trustees to allow said schedule and make an order to the treasurer to pay it, but they still refused.

Charges that he done and performed all the law required him to do; that he kept said school; in school district No. 5, township 12, range 8, from 19th of May 1856 to 26th of Sept. 1856, and that he was entitled out of the school fund \$180,00 for his services, and submits to the court whether he should loose said sum of 180,00 on account of the accidental absence of the two directors at the time it should have been examined and approved.

Page 5. Prayes that the trustees be made defendants to said bill, and for general and special relief.

Page 7. Order dismissing bill for want of equity at the Oct. term, 1857.

J. M. WARREN, for Pl'ff. in Error.

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Cotton

no

Trustee of Schools

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Office

Filed Nov. 15. 1858.

A. Johnston Clerk