

14039

No. _____

Supreme Court of Illinois

People

vs.

Maxwell

State of Illinois
Supreme Court
Second Grand
Division

3
2
2

3 of the January Term thereof
A.D. 1860

The People of the State of Illinois, Plaintiffs, by J.B. White ^{their attorney} come and complain of the Defendants, Samuel Maxwell, Pleasant Ireland, William Maxwell, William F. Palmer and William Fisher, in the custody of in an action of Debt.

For that on the seventeenth day of December. A.D. 1858. at the county of Marshall and State aforesaid the said, Samuel Maxwell, collector, Pleasant Ireland, William Maxwell, William F. Palmer, and William Fisher ~~of~~ of the county of Marshall and State aforesaid, did then and then make and execute their writing obligatory and signed the same with their hands and sealed the same with their seals which said writing obligatory have date the day and year last aforesaid which said writing obligatory being so then and then signed and sealed as aforesaid the same was then and then duly approved by the board of Supervisors of said county of Marshall and was then and then delivered to said Plaintiffs By which said writing obligatory, the said Defendants and each of them acknowledged themselves to owe and be indebted to the People of the State of Illinois in the legal sum of forty thousand Dollars, and which said writing obligatory was made upon and subject to the conditions following to-wit,

That if the said Samuel Maxwell shall perform all the duties required to be performed by him as collector of the Taxes for the year 1858, in the time and manner prescribed by Law and when he shall be succeeded in office, shall surrender and deliver over to his successor in office all Books papers and moneys belonging to said county or to the State and appertaining to his said office, then the said Bond to be void otherwise to remain in full force.

And the said Plaintiffs by their said attorney do aver that the said Samuel Maxwell then and there, was duly qualified and entered upon the discharge of his duties as such collector, aforesaid,

And the said Plaintiffs by their said attorney aforesaid do further aver that the said Samuel Maxwell has not and did not perform all the duties required to be performed by him as such collector of the Taxes for the county of Marshall for the year 1858 in the time and manner prescribed by Law, but that the sum of forty-thousand Dollars, remains due, unpaid and owing from the county of Marshall for the year 1858, which was by Law to have been collected and paid over into the State Treasury of the State of Illinois on or before the first Monday of August A.D. 1859 by the said Samuel Maxwell collector as aforesaid, which time last aforesaid hath long since elapsed.

Yet the said Samuel Maxwell hath not paid over into the State Treasury aforesaid nor to said

Plaintiffs said Sum of Money lost aforesaid nor any
part thereof but to do the same hath hitherto
and still doth altogether neglect and refuse
Wherby an action hath accrued to the said Plaintiffs
to demand of said Defendants the said Sum of Money
last mentioned and also thereof
demanded

Yet the said Defendants have not nor
either of them paid to said Plaintiffs said Sum
of Money last mentioned nor any part thereof
but to do the same have hitherto and still do
altogether neglect and refuse to said Plain-
tiffs Damages of forty-Thousand Dollars
and therefore they bring this Suit to
J. B. White
Plffs atty.

The Clerk of said Court will please issue
Process in said Case as per the above de-
claration directed to Sheriff of Marshall Co.
Commanding to Execute said Writ and Arrears
and Damages as above

J. B. White
Attorney for Plffs

The People
vs
Samuel May collector

In Debt


Damages \$40.000

14040
Warden

W

J. J. White
Attys atty

Filed Dec 7th 59
W. C. Tamm

Mrs 

Know all Men by these Presents,

That we, Samuel Maxwell Collector, and

Pleasant Ireland William Maxwell

William F. Palmer and William Fisher

securities, all of the County of Marshall and State of Illinois, are held and firmly bound to the people of the State of Illinois in the penal sum of Fifty Thousand Dollars, for the payment of which, well and truly to be made, we bind ourselves, each of us, our heirs, executors and administrators, firmly by these presents. Signed with our hands and sealed with our seals, this Twentieth day of December 1858.

The condition of the foregoing bond is such, that if the above bound Samuel Maxwell shall perform all the duties required to be performed by him, as collector of the taxes for the year 1858, in the time and manner prescribed by law, and when he shall be succeeded in office, shall surrender and deliver over to his successor in office all books, papers and moneys belonging to said County, or to the State, and appertaining to said office, then the foregoing bond to be void, otherwise to remain in full force

Signed, Sealed and Delivered in presence of

J. Warner

Samuel Maxwell

SEAL

Pleasant Ireland

SEAL

William Maxwell

SEAL

Wm. F. Palmer

SEAL

Wm. Fisher

SEAL

State of Illinois,

County of Marshall } ss.

I, Washington Cook, Clerk of the County Court of Marshall County, hereby certify that the foregoing bond has been duly approved by the Board of Supervisors and recorded.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at Salem this Twenty-third day of December A.D. 1858.

Washington Cook County Clerk

NOTE.—The signing of the bond must be in the presence of at least one witness. See Section three of Collection Laws. The County Clerk will hand this to the Collector, and as soon as it is duly executed, return it to this office.

STATE OF ILLINOIS,
County of Marshall } ss.

I, Samuel Maxwell collector in and for
said county, do solemnly swear that I will faithfully, dilligently and
impartially, to the best of my judgment and ability, perform all the
duties required of me by law as such collector of taxes for the year 1858.

Samuel Maxwell Collector.

Subscribed and Sworn to before me, this 23rd day of December 1858.

H. E. Cook County Clerk.

Marshall County
BOND, 1858.
Samuel Maxwell Collector.

Received and Filed in Auditor's Office
January 7th 1859
John Dec 9th 1859
W. P. Munn
all



State of Illinois Sangamon County Is

The People of the State of Illinois,

Do the Sheriff of Sangamon County=== Greeting:

WE COMMAND YOU TO SUMMON

O. A. Mines

to be and appear before the ^{Supreme} Circuit Court of said State County on the
first day of the next term thereof, to be holden at the ^{State} Court House
in Springfield on the first Tuesday after the ^{first} Monday in the month of
January next, to testify and the truth to speak, in a certain matter of con-
troversy pending in said Court, wherein The People of the State of Illinois
Plaintiffs and Samuel Maxwell & others Defendants, and have you
then and there this writ.

Witness, Hon John S. Caton Chief Justice
Clerk of

said Court, and the Judicial Seal thereof, at Springfield
this twelfth day of December A. D. 1859.
J. S. Turner Clerk.

7th

The People &c

vs

Samuel Maxwell &c.

Subpoena

Executed this writ by
reading the same to
O. H. Minor Dec 12th 1839

Service out	35
Travel 1 mile	5
	<hr/>
	40

J. C. Perkins
shp. &c

Samuel Maxwell, Collector of Marshall County
 In ag^t with the State of Illinois

To State Tax Assessment of 1858. \$18,852 66

Or

1859 Apr 30	By the Treasurers Receipt	15 88	
" May 30	" Do	9 00	
" Oct 7	" No School Fund Orders	5,745 66	
" " "	" " Treasurers Receipt	4,285 55	
" Dec 9	" Do	1,479 43	11,535 52
			<u>\$7,317 14</u>
1859 Oct 7	Int. Interest 10% on \$4,285.55. 2 mo. 6 days	78 57	
" Dec 9	" " " " 1,479.43 4 " 8 "	52 60	
1860 Jan 3	" " " " 7,317.14 5 " 2 "	308 94	440 11
			<u>\$7,757 25</u>

Auditors Office Illinois

Springfield December 20. 1859

J. Jesse N. Dubois Auditor of Public Accounts of
 the State of Illinois hereby Certify that the above
 account is correct as to principal, and that as
 appears from the proper evidence in this office and
 that the interest is calculated to the third day
 of January A.D 1860. and will at that time be
 correct unless payment is made thereon previous
 to that time

Given under my hand and
 official seal the day and
 Year above written

Jesse N. Dubois Auditor P.A.

Mr. James
No. 22. 29

State of Illinois,

Supreme Court--Second Grand Division.

SS.

The People of the State of Illinois,

TO THE SHERIFF OF Marshall COUNTY,--GREETING:

We command you to summon Samuel Maxwell,
Pleasant Ireland, William Maxwell,
William H. Palmer, and William Fisker

ifs to be found in your County, to appear before the Supreme Court for
the Second Grand Division of the State of Illinois, on the first day
of the next term thereof, to be holden at the State House in the City of
Springfield, on the first Tuesday after the first Monday in the Month
of January next, to answer unto The People of the State of
Illinois -- an action of Debt --
Debt, Forty Thousand Dollars --

Raymond July Rowland Dollars
and hereof make due return to our said Court as the law directs.

Witness, HON. JOHN D. CATON, Chief Justice of said Court and the
Judicial Seal thereof, at Springfield, this Seventh day
of December A. D. 1859.

Wm. Curney

Clerk Supreme Court.

73
Supreme Court--2nd Grand Division.

The People vs. }
vs. } SUMMONS.
Samuel Maxrrell et al.

To January Term, A. D. 1860.

Filed DEC 24 A. D. 1859

Wm. James Clerk.

14039

State of Illinois }
Mass. Hall County } 58,

I returne this writ not served by
order of John H. Stubbs, Auditor,
In com. December 19th 1859

Thomas Ellis
Sheriff &c.

State of Minn.

Supreme Court - Second Grand Division
The People &c

⁷⁷
Samuel Maxwell Foster,

Original Suit - Marshall Co.

O. W. Mires being duly sworn deposes
that he has attended as a witness in said suit
in said Court on behalf of the People for five
days.

O. W. Mires

Sworn to before me this 21 day of January 1860

The Currier

[Signature]

73

The People vs

77

Maxwell today

Affidant of Witness

Filed Jan 21/60

J. A. James

ck