

8697

No. _____

Supreme Court of Illinois

W. H. Dove

vs.

Moses P. McGehee, et al

71641  7

State of Illinois } of the April Term A.D. 1868
Saline County } of the Circuit Court of
Saline County Illinois

To the Hon. William J. Allen Judge of the
Circuit Court of said County in Chancery
sitting.

Humbly complaining, your orator,
William W. Dove, a citizen of Saline County
Illinois and a Tax payer therein, who sues
as well for the other taxpayers and citizens of said
County, as for himself, shows unto your honor,
that in pursuance of an act of the General
Assembly of the State of Illinois, approved Feb-
ruary 7th A.D. 1857, entitled "An act to relocate
the County seat of Saline County," a copy of
which is filed herewith, marked "A" and prayed
to be taken as part of this your orator's Bill
of Complaint, an election was held in Saline
County Illinois at the various precincts thereof
at the general election in November 1857,
for the relocation of the County seat of
said Saline County, at which said election
the Town of Hanniburg received seven hundred
and twenty five votes and Raleigh re-
ceived 689 votes, and that 26 persons voting
at said election did not vote for either Hanni-
burg or Raleigh, for County seat, and that the
total number of persons voting at said
election was four hundred and forty,

and that Harrisburg received a majority
of all the votes cast at said election -

Your orator would further show unto
your Honor, that Harrisburg is now the
County seat of Saline County, Illinois,
and as such was duly elected at said
election, and that the terms of the Circuit Court
of said County have been held at said
town of Harrisburg since said election,
and the County Courts of said County
have been held in said town since
January of this year 1859; and that the
Clerks of the Circuit and County Courts
have been keeping and holding their
offices in the said town of Harrisburg
since the month of January 1859. and
are now keeping and holding their offices in
said town -

And that the Sheriff of said
County has also been keeping and holding
his office at and in the town of Harris-
burg since the time last aforesaid -

Your orator would further show unto
your Honor, that the County Court of said County
have contracted for the erection of a court house
at and in the town of Harrisburg for
the accommodation of the Courts and
offices of said County, and also for the
erection of a jail, said buildings to cost

a large sum of money, to wit upward of \$15,000, and that the contractors have begun to provide the materials for the erection of said buildings, and the County Court has paid the Contractors \$5000 of the contract price for the erection of the same -

Your orator avers and charges that a large majority of the People of said County since said election, have regarded Harrisburg as the legal County seat of said County, but so it is, may it please your honor, some evil disposed persons, unwilling that the voice of a majority of the legal voters of said County honestly and fairly expressed at the ballot box should decide between the said towns of Harrisburg and Raleigh for County seat of said County of Saline, but anxious to keep up a continual strife and confusion in said County, relative to the "County seat question" - deny the validity of said election, and the constitutionality of the Law under which the same was held, and aver and maintain that Harrisburg was not fairly elected as the County seat at said election, but that a large number of the votes cast at said election for Harrisburg were fraudulent votes, and votes cast by persons not entitled to vote at said election at the time and place they did vote, and that Raleigh received a fair majority of the

legal vote cast at said election, and is now the legal County seat of said County of Saline -

Your orator further avers and charges that Moses P. McShea County Judge of said County, and James Stricklin one of the associate justices of said County and Richard N. Warfield, County Clerk of said County aver and maintain that said law is unconstitutional, and the election held in pursuance thereof is and was fraudulent and void -

Your orator further avers that Willis A. Stricklin, Sheriff of said County, aver and maintains that said Law is unconstitutional, and the said election fraudulent and void.

Your orator further avers that although said Simon Burnett, Clerk of the Circuit Court of said County holds and keeps his office at and in the ~~town~~ said town of Harrisburg, avers that said town is legally the County seat of said County, and avers and maintains that Raleigh is the legal County seat of said County and was so fairly elected at said election, and that Harrisburg is only apparently the County seat of said County, and not so in Law.

Your orator further avers that said Richard N. Warfield, County Clerk, and Willis A. Stricklin

Sheriff of said County, threaten and say they intend to remove their offices to the town of Raleigh, and hold and keep them there, and the said Moses P. McClure County Judge and James Sticklin associate Justice of said County threaten and say they intend to remove their offices to said town of Raleigh and to open and hold the County Courts of said County at Raleigh and not at Harrisburg as your orator avers they should do.

Your orator states according to the best of his knowledge information and belief, that in case said ~~said~~ County Clerk, Sheriff, County Judge and associate Justice remove their offices to said town of Raleigh, that William Watkins, who is also a member of the County Court will exercise the duties of his office as one of the associate justices of the County Court of said County at said town of Raleigh.

Your orator further avers and charges that there is great danger that if the other officers remove their offices to Raleigh as they threaten and intend, that William Burnett Clerk of the Circuit Court of said County who is so disaffected with said town of Harrisburg, will remove, keep and hold his office to and at said town of Raleigh and not keep the same at Harrisburg as he should do.

Your orator further shows unto your Honor, that the schedule hereto annexed, marked

"B" contains a list of the votes cast at said election, showing the place at which each person voted respectively, which is prayed to be taken as part of this Bill. Your orator avers that to the best of his knowledge, information and belief, the seven hundred and twenty-five votes cast for Harrisburg at said election, were cast by persons entitled to vote at said election at the time and place they did vote, and that said town received a fair and honest majority of all the votes cast at said election, and is now the legal County-seat of said County -

Your orator further shows unto your honor, that said act contains no provision authorizing the election therein to be contested, and that there is no provision of the Laws of this State authorizing an election of that kind to be contested -

Your orator charges that the actings and doings of said Messrs P. McEsker + James Sticklin members of the County Court, Willis A. Sticklin Sheriff of said County + Richard A. Warfield County Clerk of said County, in denying that Harrisburg is the legal County seat of said County, and insisting that Raleigh is the legal County seat, act contrary to Equity and good conscience and that their threats and intentions to remove their offices to said Town of Raleigh, and the willingness of said Herman Beuth Circuit Clerk and William Watkins County Justice

to also remove their offices to said town of Raleigh
in case said other officers remove and manifest-
ly to the injury of your orator and other voters
of said County of Saline, and has the effect of
harassing and annoying the public mind upon
the subject of the location of the County seat
of said County, retards the improvement of said
Town of Harrisburg and vicinity, and may
work to the great damage and ~~substantial~~ loss of
said County of Saline and the tax-payers thereof
in the forfeiture of the contract for the erection of
public buildings as aforesaid -

Now your orator submits to this
honorable Court, whether said act as aforesaid
is not unconstitutional, valid and binding, and
whether the election held under said law is not
legal so far as authority to hold an election
under said Law is concerned -

Inasmuch as your orator is without re-
lief save in ~~the~~^a Court of Chancery, where
matters of this kind are allowable and cog-
nizable, and inasmuch as the officers
aforesaid threaten to remove their offices dur-
ing the ensuing week, your orator prays
that Messrs P. McCabe, James Sticklin and
William Watkins, members of the County
Court, Richard N. Warfield County Clerk,
Willis A. Sticklin Sheriff, and Hiram
Burnett, Circuit Clerk of said County

of Salem be made defendants to this
your orator's Bill of Complaint, and
in order that the question may be finally
determined and settled as to whether Har-
risburg or Raleigh is legally the County seat
of said County, Your orator prays that
Summons in Chancery issue, directed or
commanding or returnable or and that said
defendants be required under their ^{respective} ~~several~~
corporal oaths to answer =

1st "Whether or not any of the persons who voted
at said election were illegal voters, stating
the names number and cause or causes
of the disqualification in each case"

2nd "To state to the best of their knowledge &
information for what place, ~~whether~~ Harri-
sburg or Raleigh each of said voters cast
their votes"

And may it please your honor to grant
the writ of Injunction issuing out of and
under the seal of said Court, commanding
restraining and enjoining the said Moss
P. McClure, James Sticklin, William Watkins,
Richard N. Warfield, Ellis A. Sticklin and
Striam Burnett officers as aforesaid
from removing their offices and the books
and papers thereof from the town of Harrisburg
to the town of Raleigh, and from exercising

said officers at said town of Raleigh - and
enjoining them and each of them to remain
with their offices and the books and papers
thereof at said town of Hammbury -
And may it please your Honor to grant
such other and further relief, as to Equity and
good conscience belong, and as in
duty bound will ever pray &c -

Wm. H. Dove

By Geo. B. Rame. Sol.

Wm. H. Dove being sworn, states
on oath that the matters and things stated
in this Bill, so far as stated from his own
knowledge are true & so far as stated
from the information of others he believes
to be true

W. H. Dove

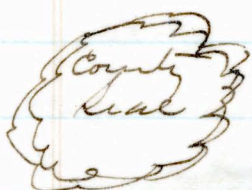
Sworn to and subscribed
before me, this 3rd day of
November A. D. 1859

B. Bruce J.P. (Seal)

State of Illinois }
Saline County } 358
County Court of ~~Saline~~ ^{Saline} County do hereby
certify that Benjamin Bruce, whose
genuine signature appears to the
 foregoing affidavit is and was a justice

of the peace in & for said County, duly
elected, commissioned and qualified,
and as such, full faith and credit, are
due, and of right ought to be given
to all his official acts

Witness my hand and seal of
office at Harrisburg, this
November 3rd AD 1859



R. N. Warfield County Clerk
Saline County Ills

Exhibit "A."

"An Act to relocate the County Seat of Adams County.

Sec. 1. "Be it enacted by the People of the State of Illinois, represented in the General Assembly: That at the elections to be held on the Tuesday after the first Monday in November One Thousand, eight hundred and fifty seven in the County, a poll shall be opened at each of the election precincts in said County, to decide upon the relocation of the County seat of said County. The places to be voted for shall be Raleigh, the present County seat, and Harrisburg the proposed County seat, and no others. The qualified voters of said County may vote upon said questions - Those desiring the County seat to remain at Raleigh shall have printed or written upon their ballots "For County seat Raleigh," those wishing to remove said County seat, shall have printed or written upon their ballots, "For County seat, Harrisburg."

Sec 2. When the County Clerk of said County gives notice of the elections in November A.D. 1857, it shall be his duty to state in said Notice that said poll will be opened at the election precincts of said according to the

provisions of this act:

Sec 3. The Judges and Clerks of said Election shall make returns of said elections in the manner and time now prescribed by Law in regard to other elections in this State.

Sec 4. When the returns shall have been made to the Clerk of the County Court of said County of Saline, he shall proceed to open and count the votes given for the relocation of the seat of justice at the town of Harnsburg, and also the votes given for retaining the seat of justice at Raleigh; the opening and counting of said votes shall be in accordance with the Laws requiring the opening and counting of the votes of the elections in this State, and if a majority of all the votes cast for and against the removal and relocation are in favor of locating at Harnsburg, then Harnsburg shall be and remain the permanent seat of justice of said County of Saline. And the County Court of said County shall provide temporary buildings for the accommodation of the County officers and the Courts of said County, and shall, at own

as practically proceed to erect permanent public buildings, and the officers of said county shall, on or before the 1st day of January A D 1838, remove their offices to said new County seat, together with all the books, papers, records documents and appurtenances, belonging thereto, and the County and Circuit Courts of said County shall be held in the town of Stanisburg -

Sec 5- This act shall take effect and be in force from and after its passage

Approved Feb 7, 1837

Roll Book of an Election held at
Pollatio in Saline precinct,
Saline County, State of Illinois on the
3^d day of November 1857.

State of Illinois }
Saline County }
}

We, George McCleary, J. F. Upchurch
William Johnson Judges and E. G. Welch
Robert W. Peoples Clerks do solemnly swear
that we will perform the duties of
judges and clerks according to Law and
the best of our abilities, that we will
studiously endeavor to prevent fraud,
deceit and abuse in conducting the
same -

E. G. Welch } Clerks of Election
Robert W. Peoples }

George McCleary }
J. F. Upchurch } Judges of Election
William Johnson }

Subscribed and sworn to us =
for me this 3^d day of November 1857
Calvin Beaman (J.P.)

No	Names	No	Names
1	Jacob Smith	5	James H. Holliday
2	A. F. Swine	6	Willis M. Jones
3	Robert W. Shreve	7	Lilford Williams
4	Dave Price	8	John W. Shreve

9	James M. Hall	38	James F. Wain
10	L. G. Pal	39	Wesley Fletcher
11	Thomas Barnes	40	Robert S. Wright
12	Zach Barnes	41	James Tate Jr
13	Thomas Weir	42	Wm Jones
14	John C. Neighbors	43	John Ward
15	S. T. Webber	44	Oliver A. Stur
16	Wm C. Aron	45	Joseph J. Pemberton
17	Nelson Webber	46	James A. Sanders
18	James M. Kowe	47	Lucker B. Woodson
19	Wm D. Garrison	48	John Woodson
20	John R. Morris	49	Thomas F. Gasaway
21	D. B. Tate	50	E. F. Roberts
22	A. J. Stator	51	John W. Stator
23	Thomas Henry C. Audum	52	John D. Johnson
24	W. C. Thomas	53	Andr Hall
25	Joseph Mills	54	Joshua Vineyard
26	Henry Goodman	55	Thomas L. Neighbors
27	George N. Pemberton	56	Wm Cleaveland
28	John W. Fletcher	57	John S. Haywood
29	Zach Blake	58	Francis M. Garrison
30	Wm B. Simmons	59	James Farrington
31	Darl G. Bray	60	Bryj. Jones
32	Charles A. Gattow	61	G. W. Pulliam
33	Wm Bond	62	Alc Holliday
34	James Travis	63	Wm Barnfield
35	James Jones	64	Asaac M. Romaine
36	Wm Knight	65	Hubbard Carter
37	Joseph Smith	66	David Tate

67	Lich ^a Balanic	96	Mat Hawkins
68	John Brooks	97	Robert Watson
69	Wm Hall	98	Wm Harris
70	John V. Tate	99	Alex. Harris
71	Wm Burkes	100	Wm Ellery
72	Allen M. Farland	101	Howel Adams
73	John Spain	102	Solomon Murphy
74	Russell Hall	103	George H. Rumsey
75	Albert A. Anderson	104	James Boyd
76	Lee Travis	105	John Kelce
77	Henry Rumsey	106	Thomas Lane
78	Andr Hartman	107	Wm A. Johnson
79	Selden Harris	108	Richard Summers
80	John M. Bond	109	Thomson G. Anderson
81	Burrell Ward	110	John M. Carr.
82	Dan L. Kitcheloc	111	Joseph H. Watson
83	Wm J. Tate	112	Leff. Harris
84	Spencer Kelin	113	J. Le Williams
85	James G. Shaw	114	Jacob Patten
86	Joel Hall	115	Wm Whitesides
87	Isaac Harris	116	Allen Bunday
88	John Kelly	117	Isaac Lane
89	Benj. Henderson	118	Kenny Jones
90	B. Harris	119	Wm Rhine
91	Paul Avery	120	Wm Pugh
92	J. E. Oauer	121	Aber Rhine
93	Thos Peck	122	J. W. Spain
94	Isaac M. Johnson	123	Elza Pugh
95	G. W. Haase	124	Wm Parker

125	Nicholas Bond	153	Wm G. Anderson
126	Sebastian Shaw	154	Henry Webber
127	Merrin Keels	155	Jonathan Johnson
128	Wm Anderson	156	James W. Thomas
129	Wm R. W. Farland	157	A. C. Durham
130	Alfred Hall	158	Robert A. Tate
131	Wm D. Tate	159	James J. Kincheloe
132	Wiley Pemberton	160	Milson Hall
133	Jacob Mancel	161	Albert Gorman
134	Thomas Blake	162	James W. Beals
135	Lewis Whiteside	163	Wm J. Durham
136	John Jones	164	Thos. L. Neighbors
137	Arch Reid	165	Horace Hauser
138	Georg Williams	166	Jonathan Jones
139	John B. Weir	167	Lawson B. Woodard
140	Alif Jones	168	J. J. Cleveland
141	Thos J. Mace	169	Lafayette Shaw
142	Wm Ragsdale	170	Hugh. Baskin
143	Jonah Oliver	171	Jesse Coulter
144	Elmon Keall	172	Alfred Dodd
145	Rolla Organ	173	Wm Watkins
146	Elison Ray	174	Wm Barton
147	Thomas Stegall	175	Frank Jones
148	John Johnson	176	Richmond Morris
149	Cornelius Pol	177	Samuel Beals
150	Alon. Fletcher	178	W. C. Borden
151	John R. Woodard	179	John J. Kincheloe
152	John B. Tate	180	Wm C. Smith

181	C. E. Barton	189	Mrs Thomas Linn
182	Samuel Massey	190	George W. Brown
183	Charles A. Smith	191	Uriah Pugh
184	John Laker	192	E. G. Welch
185	Milton Galbraith	193	Robt. W. Pappas ^(paper)
186	Reuben Smith	194	George McCleary
187	Henry Edwards	195	M. Johnson
188	Henry Tate	196	J. F. Johnson.

Poll Book of an Election
 Held at the Court House in Raleigh
 Precinct Saline County State of Illinois
 on the third day of November 1857.

State of Illinois
 Saline County

We John M. Burnett, H. R. Coffey
 M. E. Jones Judges, and Nathaniel Bram-
 lett James Macklin Clerks, do solemnly swear
 that we will perform the duties of
 judges and clerks according to Law and
 the best of our abilities, that we will stu-
 diously endeavor to prevent fraud, deceit
 and abuse in conducting the same.

Nathaniel Bramlett }
 James Macklin } Clerks of Election

John M. Burnett }
 H. R. Coffey } Judges of
 M. E. Jones } Election

Subscribed and sworn to

this 3rd day of November 1857

Horace Burnett clk circuit court

No	Names	No	Names
1	J. G. Burnett	29	S. M. Guines
2	Martin Killeen	30	Ed. Jiles
3	Charles Burnett	31	Wm Choisser
4	James Stull	32	W. J. Moore
5	Wm Danish	33	V. Rathbone
6	A. Musgrave	34	E. Williams
7	Robert Hoals	35	L. B. Karnes
8	H. Burnett	36	W. B. Jones
9	Wm G. Malcom	37	Wm Crawford
10	R. W. Story	38	W E Burnett
11	George E. Burnett	39	Thomas Stubbs
12	Joseph S. Barrett	40	S. B. Pulliam
13	Richard Pemberton	41	J. C. Coffee
14	R. N. Warfield	42	W B Johnson
15	E. C. Ingersoll	43	James M. Shortridge
16	C. R. Evans	44	O. Limerick
17	D. W. Thomas	45	John T. Berger
18	Robert H. Lancaster	46	Leonard Duley
19	Wm Margrave	47	Augustus Janning
20	John J. Jones	48	John W. Jones
21	Isaac Musgrave	49	Alexander Keant
22	John W. Tinsley	50	Keeli Kerring
23	John Stubbs	51	Wiley Elden
24	D. N. Stinson	52	Reinam Musgrave
25	D. L. Miner	53	J. W. Shaw
26	B. C. Swell	54	C. W. Riddle
27	F. D. Wiseman	55	George Limerick
28	J. C. Guines	56	Thomas Limerick

5-7	William Cox	84	George Barnes
5-8	William Sticklin	87	James Harrison
5-9	S. A. McChesney	88	G. L. Williams
60	John W. Whitworth	99	Peter Hawkins
61	William Bishop Sr	90	William Stephens
62	Keigh Carter	91	Isaac Jennings
63	Adm Keelm	92	Leander Sticklin
64	M V Kenady	93	William Hatcher
65	Samuel Rawlings Sr	94	J. S. Cotton
66	J. B. Murch	95	A. O. Cantrell
67	Samuel Loflin	96	Walker Oglesby
68	James J. Mings	97	Danl Simmons
69	Kentiah Westfall	98	J. R. Fiver
70	Benjamin Kammick	99	Mathew Brown
71	James Moore	100	A. J. Neal
72	Alfred Patterson	101	W. S. Baker
73	W. J. Lunnings	102	Lorenso West
74	Joseph W. Swain	103	James Braden
75	Samuel Rawlings Jr	104	Theodrick Ragsdale
76	Thomas Vantrued	105	Hatcher Caster
77	William Rawlings	106	Felix Crawford
78	Robert Sawkins	107	Jeremiah Bishop
79	W. S. De groat	108	Joel Herdway
80	John B. Barton	109	Joseph Anderson
81	Samuel Barton	110	John W. Aaron
82	G. A. Barton	111	Baty Breeding
83	John Arden	112	A. J. Marsh
84	Francis Barnes	113	Charles S. Swan
85	William Barnes	114	L. M. Oushauer

115	James L. Varvel	143	Simon W. Durham
116	Era Durham	144	William Rhine
117	J. P. Durham	145	Solom Leble
118	A. N. Lowell	146	A. J. Rhine
119	John Read	147	Jno W Martin
120	John McCoy	148	G. W. Burshat
121	G. Gleoffe	149	Paul Leble
122	Thomas W. Hail	150	Asa Barber
123	Stephen Encore	151	William Low
124	Mathew J. Jones	152	James Cain
125	A. F. Webber	153	H. R. Brown
126	G. S. Vick	154	L. J. Burger
127	William Miner	155	L. S. Sneed
128	Goldson Patterson	156	J. Hammett
129	Bluford Bramlet	157	Jos Dorley
130	Nathan Lion	158	Edward Stephens
131	William Smith	159	Wm C Powell
132	William Evans	160	James Adams
133	James Leatter	161	Jos d Powell
134	William Leatter	162	B. F. Bearden
135	W. J. Mahurds	163	Eli Bearden
136	Dan Jones	164	Henry Grabe
137	J. Grabe	165	J. F. Upchurch
138	George Gordon	166	James Largent
139	Henry Waig	167	Joseph Ware
140	John P. Anderson	168	Jonah Bolden
141	Henry E. Jones	169	Thos Warren
142	James A. Braden	170	J. F. Poe

- | | | | |
|-----|---------------------|-----|-------------------|
| 171 | P. W. Oglesby | 200 | Gas Skelton |
| 172 | Saul Benson | 201 | B. H. Johnson |
| 173 | James Westfall | 202 | Gas Sharrick |
| 174 | W. Tubbs | 203 | Thos Roberts |
| 175 | J. G. Williams | 204 | Wm Fly |
| 176 | Thos Redman Jr | 205 | Gas W. Sneed |
| 177 | James W. Oglesby | 206 | Featherston Cross |
| 178 | Elias Roberts | 207 | Henry Bramlet |
| 179 | W. S. Chenalt | 208 | Wm A. Thorn |
| 180 | Thos Redman Sr | 209 | L. A. J. Thorn |
| 181 | W. J. Roberts | 210 | James Thorn |
| 182 | Wm Redman | 211 | Isaac Barnes |
| 183 | John Roberts | 212 | Fred Moore |
| 184 | James Fight | 213 | Wm Johnson |
| 185 | Wm Dehart | 214 | Gas L. Minor |
| 186 | Allen Jennings | 215 | Wm S. Pemberton |
| 187 | William Thornberry | 216 | Harry Patterson |
| 188 | Thos Benson | 217 | Jason Martin |
| 189 | David Dehart | 218 | Wmry Simons |
| 190 | John Lawyer | 219 | J. L. Upchurch |
| 191 | John W. Vantrece | 220 | Eliza Davis |
| 192 | Harvey D Pennington | 221 | Alexander McCoy |
| 193 | S. B. Spurlock | 222 | George Fight |
| 194 | David Smith | 223 | Wm Brown |
| 195 | William Dehart | 224 | J. F. Moloney |
| 196 | Peter Fight | 225 | Len Dooly |
| 197 | J. D. Bramlet | 226 | Calif Dooly |
| 198 | Geo Bramlet | 227 | Orshurn Powell |
| 199 | Saul Johnson | 228 | Wm Moss |

228		256	Wm Braumet
229	J B Braumet	257	J. E. Rhine
230	Wm R Hunt	258	Rufus Smith
231	Allen Hunt	259	Biron F Breeding
232	Isaac Rhine	260	Wm R Murray
233	Wm G Cole	261	Jos C Little
234	John Lain	262	A P Govin
235	Solomon Read	263	Wm Boldin
236	Jos A Johnson	264	R. G Johnson
237	Susan Perry	265	Wm Jones
238	Wm & Braumet	266	Wm Garrett
239	Le B Upchurch	267	Jos R Low
240	O L Young	268	J B Simmons
241	Wm B. Everett	269	Allen McCaslin
242	F. G. Runalds	270	Wm Roberts
243	Elias Rhine	271	Rutherford Easley
244	J M Reeves	272	Jos Gaston
245	Thos Meadows	273	Thos C. Braumet
246	S. J. Barger sr	274	Jos Perry
247	Wm W Leaskeff	275	Mison Smith
248	Calvin Smith	276	Ezekiel Ward
249	David S. Crawford	277	Jos W Bradin
250	G. W. Stephens	278	Hub Hunt
251	Wm Whisnaut	279	Samuel Elliott
252	Jos Kittinger	280	George W. Mace
253	Wm F Brown	281	Wm Mace
254	Jos P. Johnson	282	Jos M. Webber
255	Israel W. Crawford	283	J. C. Mitchell

284	R S Stinson	301	James Tomlinson
285	Allen Bramlett	302	Emory Chosen
286	L B Bramlett	303	Thos P. Moore
287	Geo M Burnett	304	A. W. Durham
288	M E Jones	305	Willis A. Miller
289	James MacElrin	306	Veltain Chosen
290	Geo Rhine	307	Achelaun Coffey
291	Geo C Sprouck	308	Salus M. Coffey
292	Kathun Bramlett	309	Jas A Dodd
293	S R W Church	310	Wm Burkhardt
294	Jacob Simmons	311	F. L. Mitchell
295	Geo. Steinseltz	312	Geo S. Kennedy
296	Henry A Cox	313	Asa B. Johnson
297	D J W Church	314	Thos A Jones
298	Geo Wesley	315	H. C. Coffey
299	J B Vaughness	316	Carroll McCoslin
300	Jacob Miller		

Poll Book of an Election
Held at Wiley Pinnells in Curran
Precinct, Saline County, State of Illinois on the
3^d day of November 1857.

State of Illinois }
Saline County } }

We, Wiley Pinnell, John T. Brown, John
Wright, Judges, and Andrew H. Benson William
Elder clerks do solemnly swear that we
will perform the duties of Judges and
clerks according to Law and the best of
our abilities, that we will studiously en-
deavor to prevent fraud, deceit and
abuse in conducting the same.

A. H. Benson }

Wm Elder } Clerks of Election

John T. Brown }

John Wright } Judges of Election

Wiley Pinnell }

Subscribed and sworn to before
me this 3^d day of November 1857

Moses Willis (M. W.)

No	Names	No	Names
1	Wm Elder	5	A. H. Benson
2	John Dodd	6	J. J. Harrison
3	James Tate	7	James Baldwin
4	David Westmore	8	G. F. Tucker

9	Moses P. Moss	38	Edmond Read
10	Richard M. Burnett	39	Geo Bishop
11	Thos Mathis	40	Wm J. Hall
12	Wm J. Wilson Sr	41	Geo Huggins
13	Geo Wright	42	Asst Shelton
14	Samuel Defer	43	Martin Mathis
15	Starlin Bishop	44	Quincy Williams
16	James Morris	45	Wm A Pinnell
17	J F Grable	46	Geo R. Cortney
18	Clack McClelland	47	Wm McClelland
19	Ernie McClelland	48	Saul Thayer
20	Ernie McClelland ^{M.} Eli Gates	49	Wm Westbrook
21	Wm Mathis	50	Benjamin Coats
22	Charles Ellerton	51	Jonathan Hall
23	Nathan Reid	52	Joseph Spears
24	Joshua Reid	53	Alfred Mathis
25	Est McLesand	54	Wm Leak
26	William Morris	55	Wm Read
27	Starlin Bishop	56	Geo St Beakler
28	Geo Chorice	57	Geo J Mathis
29	Dwight Pullen	58	Joseph A. Potts
30	Meeks Hally	59	Beal Bishop
31	Wm Bishop Sr	60	Saul Huggins
32	Dwight Bishop	61	Malachi Hafford
33	Geo Irvine	62	Geo J. Hall
34	Anderson Hall	63	Geo Bixler
35	James Robinson	64	Gilbert L. Pinnell
36	Geo Hall	65	Willis Keall
37	Geo M. Driggs	66	Francis A. Gegg

67	James G. Gugg	95	C. W. Shockley
68	Elias Cantrell	96	Harrison Miller
69	S. E. Westbrook	97	William Higgins
70	J. G. Skellton	98	Jno Wessel
71	John Hafford	99	W. G. Sloc
72	Jno C. Leats	100	Geo S Higgins
73	Wm D. Douglass	101	Saml C. Endicott
74	Wm Roberts	102	Wm Hall
75	Benjamin Simpson	103	Geo Murray sr
76	E. B. Eaton	104	A. Lehousser
77	Danl Vaughn	105	Richard Young
78	Jno Read	106	J. N. Langley
79	Wm P. Wilson Jr	107	Samuel Miller
80	Francis Gugg	108	Sandus Stephens
81	Zachel Davis	109	Michael Robinson
82	Thos Boyd	110	Geo Simpson
83	Richard Ooda	111	Wm Carner
84	A. S. Higgins	112	Wm J. Eldon
85	Hugh F. Shoemate	113	David Shockley
86	Thos M. Vaughn	114	Simon Reader
87	James French	115	James S. Gostney
88	Jno J. Brown	116	Abner Murray
89	Smith Douglass	117	Geo S. Leard
90	Reuben Beaulac	118	Chas Hafford
91	Jno Beaulac	119	A. McElary
92	Milton Beaulac	120	Wm Sammons
93	James Murray	121	Henry W. Thomas
94	James Courtney	122	Wm Byles

123 Jno Eldon
124 Adam Hafford
125 Jeremiah Boldin
126 Russel Henson
127 Mrs Stephenson
128 Jeremiah Eldon
129 J. M. Eldon
130 Thos French
131 Valentine Morris
132 Mr John
133 Peter O'Donnell
134 Wiley Pinnell
135 J. C. Anthony
136 John Cole
137 Thos Simpson
138 Benjamin Hudgins
139 J. M. Redburn
140 A. J. Maden
141 Jno Martin
142 A. J. Braulit
143 Jesse Hafford
144 Jno Murphy
145 Peter Bates
146 Benoit Hammons
147 Moses Hillis
148 J. W. Jones
149 Saul Westbrook
150 Martin D. Gillet
151 Mrs D. Clary

152 Thos C. Span
153 Mark Sketton
154 Jas. S. Vanphur
155 Mrs Stallions
156 Robert W. Wilson
157 Henry Simpson
158 R. J. Steader
159 Josiah Dodd
160 Jno Margrave
161 Jas Morris
162 Jno J. Morris
163 R. L. Housdall
164 Mrs Doda
165 J. B. Shomate
166 Mr Howen
167 Mrs Hannah
168 Thos J. Hudgins
169 Jno B. Davis
170 Jno Endreth
171 Emanuel Williams
172 Thos Murphy
173 Napoleon Chrissen
174 Jno J. C. Brown
175 Jno C. Watson
176 Jno M. Higgins
177 J. N. Higgins
178 Samuel Elder.

List of Voters in Pusky Precinct
November Election 1859.

1	Henry Abney	27	James Mahugh
2	Joshua Abney	28	James Wesley Horn
3	Jasper A. Stricklin	29	Louis Casaway
4	John Abney	30	Thos. Clark
5	James B. Medling	31	Jackson Jordan
6	W. G. Owen	32	G. M. Dorris
7	Aaron Owen	33	Alsey Abney
8	Wm. Allen	34	David N. Allen
9	John D. Jenkins	35	W. Abney Jr
10	Jesse Abney	36	J. S. Gatter
11	Nathan Morrison	37	Moses Mahugh
12	Archibald Blackburn	38	Abner Patterson
13	W. C. Bickers	39	Henry Stone
14	Wm. H. Parker	40	W. A. Glenn
15	James Stricklin	41	B. J. Sullivan
16	Thos. J. Johnson	42	Joseph Cutsell
17	Joseph M. Weir	43	John W. Abney
18	John A. Hall	44	John Summers
19	James A. Berks	45	Larkin Stricklin
20	G. W. Stone	46	Manfield Horn
21	Isaiah Patten	47	Joseph Davis
22	Ephraim Patten	48	David Learner
23	J. J. Clark	49	W. B. Allen
24	Samuel Neal	50	John P. W. Fay
25	Richard Shaw	51	G. B. Hawks
26	B. J. Davis	52	John Smith

McDonald Ozmunt
Wm. H. H. H. H.
Morgan Dallis
Beverly Fleming
Z. P. Hawkins
W. B. Pickett
Steph Simpson
Georg B Travelstead
David Roper
Jose Abrey Jr
Calvin Stone
Americus Gurvey
A. W. Stone
W. Hawkins
W. Parker
W. Dallis
Benj. J. Morris
W. C. Dunahoo
Joel Doonahoe
W. D. Russell
C. A. Breedlove
David Bratright
W. Abrey Sr
Wilson Anderson
John Price
J. M. Medley
Jenniah Rice
Henry J. Jay
W. Parker

W. Robison
J. A. Harris
Haupton Brown
John A. Bratright
John Benks
R. G. Wier
Americus Bratright
Americus Bratright
Franklin Lawster
John Allen
Lewis Patterson
Pleasant Bosley
Stephen Vinjard
John Slamaker
Lafate Cress
W. Blake
A. J. Cragg
Robert Bratright
G. B. Clayton
Calvin Travelstead
Jacob D. Kias
John Gasaway
Thos Gasaway
Jonathan Abrey
Willi. A. Stuckler
J. S. Travelstead
G. J. Empson
Young Patterson
B. N. J. Fips

List of votes in Buxby Precinct
November Election 1857

Thos Armstrong		George Bond
J M Hall		Peter Tuttle
Enoch Gathen		Joseph Sawyers
Ralph Gistman	114	O Anderson
Jackson Patterson	115	John Spencer
Joseph Reynolds	114	J S Miller's Union
David Evans	115	A S Tolbert
Moses Dowe	116	Abraham Tucker
Samuel Ower	117	Alva Hampton
George Allen	118	James J Anderson
Abner Abney	119	Jacob S. Tucker
Nathan D Brown	120	Eli P. Anderson
B N J Reynolds	121	Richard Thompson
Willis Abney	122	John Miller
Peter Stone	123	Richard Ozment
	124	Urah Leason
	125	John Holmes
	126	Stephen Parker
	127	James M Eaton
	128	Elias Shanks
	129	J. W. Russell
	130	William Harris
	131	Willis Tucker
	132	John H Leason
	133	James H Still
	134	L H Lewis
	135	Asa Harris
	136	David James

Of List of Votes in Monroe Precinct,
Saline County Ill
November Election 1857.

1	Wm Riley	26	Jesse Tuttle
2	G. B. Ramm	27	John B. Norman
3	John W. Root	28	Samuel Cairn
4	Henry Shoiet	29	Squire Cairn
5	Thomas S. Leathers	30	P. F. E. Moser
6	John B. Wright	31	John W. Gray
7	Sam Robinson	32	James Dunning
8	James Holland	33	Marion Ozment
9	John Johnston	34	Wm Ingram
10	Ed M. Pavin	35	Tho Baker
11	John Largent	36	Hezekiah Ingram
12	Alfred Tuttle	37	John H. Johnston
13	David B. Russell	38	Michael Farmer
14	Joseph Thompson	39	John Berry
15	Charles Nyberg	40	James McStrath
16	Osker Kress	41	Hyge McStrath
17	August Rankin	42	Walter B. Leaster
18	Henry Doll (com)	43	David Patterson
19	Philip Susilar	44	Obediah Sticks
20	Asel Nyberg	45	Sharon Fowler
21	Nehemiah Kamm	46	James O Neal
22	Israel Fowler	47	Ransom Moore
23	N L Church	48	Jackson Dodd
24	W. F. Swin	49	John R. Gaskins
25	Charles Matt	50	Tho M. Cook

51	John M. Anglin	80	A B Pankey
52	John A. Harris	81	Richard Sumner
53	Benjamin W. Cook	82	James Price
54	Elijah Dorris	83	Alexander Stinson
55	Lewis Sticklin	84	Lewis Stiff
56	Lewis Dorris	85	Yerby Hutson
57	John G. Gullidge	86	John W. Ramm
58	Wm W. Maddox	87	William Bush
59	Wilson Tinson	88	A J Pebles
60	Raney Garason	89	Henry Stubbs
61	Joshua Anglin	90	A O Hill
62	Wm J Gibbs	91	A B Sticklin
63	Wm P. Pulliam	92	W. L. Sticklin
64	Job Bryan	93	John Sticklin
65	A. C. Slaven	94	David Price
66	Zimoth Bryan	95	John Cairn jr
67	John W. McCormick	96	Wm J Johnson
68	Burrell Braubert	97	Thomas Evans
69	David Bryan	98	J Cook
70	James Stiff	99	Thompson Harris
71	John W. Diavelstra	100	Joseph Dillon
72	Samuel Hart	101	G. W. Bryan
73	Wm C. Tauer	102	Wade Hampton
74	Henry Goldborough	103	Edmund Markum
75	A. J. Druning	104	Isaac W. Barker
76	Lofton Price	105	John W. Bryan
77	D. S. Linn	106	A B Martin
78	Samuel Stiff	107	Enos E. Sweet
79	Alex. Harris		

108	John Johnson	137	J S Tucker
109	John M Lifford	138	Isaac Rice
110	John L. Wilford	139	Timothy News
111	John D. Anderson	140	Edward Cain
112	J. L. Riley	141	David Wilson
113	James H Shaw	142	William Nelson
114	James E. C. Graves	143	Franklin Keith
115	Samuel Atkins	144	Henny Gaskins
116	Howard Gaskins	145	Wm Sarge
117	Joseph Johnston	146	Abraham Rand
118	John B. Wilford	147	James Ward
119	James Cozart	148	John Holland
120	James C. White	149	Wm C Gaskins
121	Harmon Arnold	150	James McDermott
122	James Gullage	151	D. F. Baker
123	Simpson Holland	152	Wm Upchurch
124	Thos Stiff	153	James M. Breding
125	Robert Weaver	154	Minchen Odum
126	Nathaniel Stiff	155	G. W. Priest
127	Wilson K Brown	156	James Perkins
128	James Butler	157	William Arnold
129	James E Butler	158	Joseph B. Garrison
130	Hampton Parker	159	J. E. Law
131	Wm Young	160	John Gaskins
132	Maryland Malady	161	James Feayle
133	Richard Stiff	162	Chas. Russell
134	John W Parker	163	J. C. Ozment
135	W W Pebles	164	Edward Hampton
136	John S. Pearson	165	Wilson Gaskins

166	John & Ashley	193	W. S. Staff
167	Isaac Cairn	194	W. S. Morris W. S. Morris
168	S. H. Seaford	195	W. B. Pearce S. B. Hill
169	William Mann	196	W. B. Hill W. B. Hill
170	Nathan Smith	197	Andrew J. Young Andrew J. Young
171	Dabney Bibb	198	Allen Smith
172	John J. Norman	199	James Johnson
173	R. G. N. Wise	200	Joseph G. Porter
174	E. W. Staff	201	Matthew S. Suko
175	John McStrath	202	John W. Mitchell
176	Lias Weaver	203	W. P. Gunter
177	John Horn	204	Jo. Robinson
178	William & Dove	205	M. P. McSchee
179	S. W. Storning	206	F. Dunning
180	Elijah Pearson	207	W. Perkins
181	Henry Hutson	208	John B. Wilson
183	William Dorely	209	Lewis Pierce
183	William Johnson	210	G. W. Sumpkins
184	Eldridge Dempsey	211	John Cairn
185	Pleasant Eator	212	John Pantley
186	Thomas Cairn	213	Jonah Gold
187	Dana Staff		
188	John Hamilton		
189	William Cairn		
190	John Tate		
191	Edward Shephard		
192	Christopher C. Ozment		
1	W. S. Staff		

A List of votes in Stonefort pre-
 cinct, Saline County Ill
 November Election 1854 -

1	James A. Harris	26	Wiley McGowan
2	Jacob Stevens	27	Thomas Robertson
3	Robert L. Baley	28	John Wilkins
4	William Tolbert	29	Isachariah Harris
5	Richard Harris	30	John F. Fitzgerald
6	John Keys	31	Lith Roper
7	John Hays	32	James Tolbert
8	Thomas Tanner	33	Harmon Thompson
9	John Fitzgerald senior	34	John B. Gratz
10	William Buchanan	35	William A. Harris
11	L. J. Hancock	36	James A. Sparks
12	Thomas W. Russell	37	Levi S. Randolph
13	D. J. Miller	38	Wilson Henderson senior
14	S. P. Sparks	39	John W. Hancock
15	David H. Thompson	40	James Miller
16	Brant H. Wilkins	41	W. G. Anderson
17	Amsted Thompson	42	E. M. Carnier
18	David Dods	43	B. J. Hancock
19	William Albanis	44	Webster Pankay
20	Henry Carnier	45	James C. Ross
21	Lawrence W. Russell	46	William Pankay
22	James Hutchison	47	B. G. Anderson
23	James M. Roper	48	David B. Russell
24	John C. Adkins	49	John W. Adkins
25	Joseph W. Russell	50	B. J. Lewis

51	Hampton Parky	80	Absolon Shanks
52	David Vineyard	81	Thomas S. Jannet
53	Bruant Mullen	82	Miriam Holmes
54	Elias Abney	83	John Shanks
55	Gabriel Randolph	84	Mathew Fitzgerald
56	William Allen	85	John Brothus
57	William R. Fann	86	William Scott
58	Lewis M. Vinson	87	James Lane
59	John Brown	88	John Lane
60	Wm. Allen	89	Osceola Pinnell
61	Thomas Anderson	90	Isiah Wesley
62	B. M. Carrier	91	Likes Garrison
63	Thomas Hays	92	Alexander Abney
64	Brian & Grace	93	Richard Fairthing
65	Beverly Henderson	94	Lewis Garrison
66	Thomas W. Smith	95	Thomas Tolbert
67	James Vineyard	96	Stephen Miller
68	C. S. Blackman	97	James Dods
69	Michael Shanks	98	Wilson Henderson
70	W. R. Vinson	99	Johna McJoyner
71	A. J. Abney	100	Thomas Garrison
72	Daniel Colner	101	James Garrison
73	William Hays	102	Hardin Henderson
74	William Hutchinson	103	C. E. Wilkins
75	M. E. Barker	104	Alexander R. Willis
76	Hiram Abney	105	James Wilkins
77	Levi Tanner	106	Bleford Carrier
78	C. C. Wilkins	107	Gillis W. Henderson
79	Stephen Tanner	108	James B. Barker
	110 - J. P. Willis Jr.	109	James Fitzgerald
		111	

110 List of votes in Somerset Precinct November Election 1857

1	W. L. West	27	W. W. Bowland
2	John S Church	28	James H. Estes
3	Michael Sowerheaver	29	James E. Kitch
4	Jackson Sowerheaver	30	Harry Ewel
5-	B. N. J. Sowerheaver	31	Leroy Gibbs
6	Bazil S. Murphy	32	Thomas S. Yell
7	William N. Nelson	33	Thomas Hickman
8	John Hare	34	John Datan
9	Effusion Good	35-	Fred Bowman
10	W. W. Colbert	36	R. A. Berry
11	W. S. Moore	37	Geo Yell
12	Calvin Seat	38	Joat Moore Jr
13	Lisa S Seat	39	L. B. Wick
14	James Robert	40	Thos A Rude
15-	Geo J. Cummins	41	John Horton
16	Albert Shelby	42	Cornelius Gibbs
17	William Miller	43	John Seats
18	Stephen Stetley	44	William A. Cummins
19	Andrew Seat	45-	Wm A Rude
20	Jacob D. Church	46	Robert Wick
21	W Stetley	47	Hiram J. Brammon
22	John Smith	48	Thos Gibbs
23	L. D. Robinson	49	Stephen Wamaeth
24	J. E. Brown	50	James Moore
25-	W. H. H. Estes	51	Walker Smith
26	James Curtis	52	W. S. Seroffins

53	William Mathews	76	Bro Wording
54	Samuel Amos	77	A. B. Coffee
55	Phillip Surralls	78	Joseph Boldes
56	James M. Story	79	Daniel C. Mayshaw
57	W. W. Marshall	80	Bro. Brothots
58	Leotis Mattingly	81	S. H. Bucke
59	Levin J. Estes	82	W. Gibbons
60	James Cummins	83	George P. Kuts
61	L. M. Sweetser	84	J. D. Grims
62	Michael Freedeman	85	Pleasant Seroggins
63	Horton Cummins	86	Leah Moore
64	Jacob A. Rude	87	Henry Barnes
65	Allan Moore	88	George W. Agdell
66	James Harpool	89	Bro Alexander
67	Benj. Lisk	90	J. L. Grims
68	John Fitz	91	Leaswell Cummins
69	Humphrey Seroggins	92	Henry Dick
70	Richard Church	93	J. A. Cummins
71	J. H. Gentry	94	James Hays
72	Thos. H. Miller	95	George W. French
73	Harrison Moore		
74	David Reynolds		
75	Joseph O. Rude		

Poll Book of Independence in-
 cinct Saline County Mo.

Nov - 3rd 1857 -

List of Voters

1	Edson Reynolds	25	Wm. Deal
2	Thomas Gully	26	A. J. Arnold
3	Baz Gaskins	27	A. Blomley
4	Henry Priest	28	Wm. Reynolds
5	Joseph Fitzgerald	29	James R. Barker
6	Gillis Gully	30	Samuel Williams
7	Willis Gaskins	31	W. B. Sutton
8	Wm. Lammus	32	John Weuster
9	J. J. Harrison	33	Singleton Meese
10	Younis Bryan	34	Allen Smith
11	Stephen Donnan	35	Simon Williams
12	A. J. Reynolds	36	Granville A. Travis
13	Wm. Gully	37	J. M. Carrier
14	R. S. Mitchell	38	Alois Rude
15	Soreniah Owens	39	R. S. Mitchell
16	L. D. Turner	40	J. Willis Mitchell
17	L. W. Macfarlane	41	Wm. L. Bullington
18	Andrew Harrison	42	G. W. Newell
19	J. W. Travis	43	D. J. Mitchell
20	E. J. Gully	44	Nath. Willford
21	James Gaskins	45	Harriah Longear
22	John Reynolds	46	Willis Elkins
23	Lewis Turner	47	Peter Rabaw
24	Wm. Biber	48	Dyran Wilkins

49	William Hill	78	A. d. Griffiths
50	Robert Reiburn	79	Larkin Ransing
51	Eli Ward	80	Frank B. Tucker
52	L. V. Morris	81	Ruffin Davis
53	G. W. Buchanan	82	Edman Dunman
54	Byron McKins	83	Wm J. Blackman
55	George Hill	84	A. B. Mitchell
56	Steph L. Dunman	85	Marion Land
57	Wm J. Davis	86	Sam Atkins
58	Berry Bush	87	Wm Dunman
59	James Hancock	88	Valentin Dunman
60	C. W. Turner	89	G. W. Husley
61	Zimory Ganson	90	Johnath Crostan
62	D. W. Turner	91	Alfred Cook
63	George Drain	92	Joseph W. Conley
64	William Ferguson	93	Steph J. Mitchell
65	Nathan Bramblett	94	Wm Ferguson
66	Leonard Hargrave	95	J. C. Killgore
67	B. L. Bullington	96	Amos Evans
68	E. W. Barker	97	Wm J. Mitchell
69	Elias Carter	98	John Kirby
70	D. C. Crossan	99	David Reynolds
71	Ed Conley	100	J. P. Blackman Sr
72	J. W. Bayus	101	Andrew Davis
73	Larkin Reynolds	102	James C. Daycock
74	W. R. McKins	103	J. P. Blackman Sr
75	Reuben Hays	104	Jacob Shrumen
76	Wm J. Chanley	105	J. P. Blackman Sr
77	J. d. Griffiths	106	Wilson Gaskins
		107	Johnson Reed
		108	Alfa Reed
		109	P. Baker
		110	Leonna Reed
		111	William G. Gaskins
		112	Jonah Blackman
		113	Charles Mack

Roll Book of Cottages Snow
 presents -

List of votes in November 3rd 1859

1	Wm Roark	26	A. J. Sisk
2	Wm Black	27	J. P. Wilson
3	Albat Sisk	28	A. J. Wilson
4	James Keith	29	G. J. Lamahan
5	Michael Roark	30	J. W. Bell
6	John W. Jones	31	J. W. Whisen
7	John Keith	32	A. J. Sisk
8	Willis Prather	33	J. A. Brouland
9	Lewis Decker	34	Joseph Stucklin
10	A. J. Patten	35	Louis Reed
11	John Boyd	36	Ch. B. Murre
12	Thomas Keith	37	L. B. Berry
13	J. B. Williams	38	Wm Hulitt
14	S. M. Brouland	39	J. B. Murre
15	J. W. Slaton	40	Elias Donahoe
16	Edmund Baker	41	J. J. Slaton
17	E. M. Gullidge	42	L. A. Moore
18	James E. Slaton	43	N. S. Slaton
19	B. Series	44	Moses Pearce
20	J. J. Mason	45	E. J. Brouland
21	Wm Thompson	46	J. C. Mason
22	L. J. Reynolds	47	J. W. Strong
23	P. D. Delling	48	Samuel Moore
24	W. A. Summey	49	L. M. Prather
25	J. A. Dillard	50	Charles Guard

5-1	John Baker	5-9	Elijah Johnson
5-2	Abraham Britton	60	W. P. Strong
5-3	Overton Lund	61	E. R. Moore
5-4	Josephus Kalins	62	Wm Bousland
5-5	Wm S Prater	63	Strutton Lisk
5-6	d. E. Carnahan	64	A. Rawson
5-7	Robert A Boyd	65	W A Groves
5-8	W B Pearce		

State of Illinois
 Saline County
 I, A. Stinson
 County Clerk of the Circuit
 Court of said County certify that
 the foregoing is a true and correct
 copy of the Bill and Exhibits filed
 in my office by William St Dove
 complainant against Moses P. McGhee
 County Judge and other County Officers
 of Saline County defendants
 in testimony whereof I have
 hereunto set my hand and
 the seal of my office this
 10th day of November 1859
 A. Stinson
 County Clerk
 By Thos A Jones
 Secy

At Chambers Marion Ills

Nov. 4th 1854

Upon an Examination of the within Bill and Exhibits, It is ordered that an Injunction issue from the Office of the Clerk of the Saline Circuit Court State of Illinois against the defendants to the Bill in accordance with the prayer of said Bill upon condition that complainant execute a bond conditioned as the Law directs with Wm Rowk, J. Robinson John W Mitchell & H R Pearer as his sureties in the sum of \$1000⁰⁰ and that Wm J Allen be appointed Clerk to serve said writ of Injunction

(Signed) William J. Allen Judge 24th Judicial District
of the State of Illinois

(CA)

W. V. Doe

vs

Moses R. McQueen

James Bucklin

Wm Jackson

R W Wayfield

Abraham Buntt

Wm A. Strickland

Copy of Bill
and Exhibits

April Term

A. D. 1850

Saline Circuit Court

Original Filed

Nov. 5th 1854

In the Supreme Court of the State of Illinois held at Mt Vernon
Novor Term 1854 First Grand Division

The People on the relation of
of Thomas Moore

vs

Hiram Burnett

Mandamus

And now on this day
comes the said Defendant Hiram Burnett
and waives the issuance of an alternative
writ of Mandamus in the above entitled
Cause, and for his return in the above
styled Cause states that he admits all the
allegations in the Pltffs petition to be true
in manner and form as they are alleged
and set forth therein with this exception
that he does not nor can he admit that
Raleigh is the County Seat of Saline County
and as an excuse for not issuing the writ of
summons as demanded of him by the relator in
the above styled Cause, He would respectfully
state to this Honorable Court, that by virtue
of an act of the General Assembly of the
State of Illinois entitled "an act to relocate
the County Seat of Saline County Approved
February the 7th 1834" which said act is
in the words and figures following to wit.

"Be it enacted by the People of the State of Illinois
represented in the General Assembly. That at the

Election to be held on the Tuesday after the first Monday in November One Thousand Eight Hundred and fifty seven in the County a poll shall be opened at each of the Election precincts in said County to decide upon the relocation of the County seat of said County. The place to be voted for shall be Raleigh the present County seat and Harrisburg the proposed County seat and no others.

The qualified voters of said County may vote upon said question. Those desiring the County seat to remain at Raleigh shall have printed or written upon their ballots "For County seat Raleigh" those wishing to remove said County seat shall have printed or written upon their ballots. "For County Seat Harrisburg"

Sec 2 When the County Clerk of said County shall give notice of the election in November A.D. 1857 it shall be his duty to state in said notice that said poll will be opened at the Election precincts of said County according to the provisions of this Act

Sec 3 The judges and Clerks of said Election shall make returns of said Election in the manner and time now prescribed by Law in regard to other elections in this State

Sec 4

When the returns shall have been made to the Clerk of the Court, Court of said County of Saline, he shall proceed to open and count the votes given for the relocation of the seat of justice at the Town of Harrisburg, and also the votes given for retaining the seat of Justice at Raleigh. The opening and counting of said votes shall be in accordance with the Laws requiring the opening and counting of the votes of the elections in this State, and if a majority of all the votes cast for and against the removal and relocation are in favor of locating at Harrisburg, then Harrisburg shall be and remain the permanent seat of Justice of said County of Saline and the County Court of said County shall provide temporary buildings for the accommodation of the County officers and the Courts of said County - and shall as soon as practicable proceed to erect permanent ^{public} buildings and the officers of said County shall on or before the first day of January A.D. 1858 remove their offices to said new County Seat together with all the books papers records documents and appurtenances, belonging thereto, and the County and Circuit Courts of said County

shall be held in the town of Harrisburg

Dec 5th

This act shall take effect
and be in force from and after its
publication

Approved Feb 7th 1857 " an elec-
tion was held in Saline County for the
relocation of the County Seat of
said County. and Richard N
Worfield the County Clerk of
Saline County, having as the
Defendant understands stated
officially that Harrisburg had the
majority of the votes cast at said
election. Deft concluded that Harris-
burg was the County Seat of said County
of Saline, but whether Harrisburg or
Raleigh had a majority of the votes
cast at said election this Deft
did not then know nor does he yet
know otherwise than on the certificate
of the County Clerk, which Deft took
as evidence of that fact, and for that
reason refused to issue the summons as
demanded of him by the relator in
this cause and this Defendant
~~Further states that whether Raleigh
or Harrisburg really had the majority~~

That an injunction has been issued from
the Circuit Court of Saline County at the
instance of one ~~Wm H~~ Dove a citizen
of Harrisburg which writ was issued by
this Defendants deputy informing him
from exercising his office at Raleigh
and which writ was issued from
Harrisburg from an office kept
there by this Defendant & which had
no influence on this Dept. as he did
not attempt to issue a writ at Raleigh
but did all his business as clerk of
the Circuit Court at Harrisburg
Though he still believes that
^{as copy of which is now referred to & made a part}
~~of this return~~ ^{of the County Seat} ~~at Raleigh~~ ^{at} ~~the County Seat~~ ^{at} ~~at~~
that it would so appear if the polls
were legally purged, but that
the first Bill that was filed by
one Lansing B. Barnes was illegally
dismissed without the consent of the
parties interested in it & would
have been now settled were it not
for the dismissal of said Bill &
Whether Raleigh or Harrisburg has
the Majority of all the legal

of votes cast at said Election has never
been ascertained except as above stated

All of which matters and things as above
set forth by him the Defendant submits
to this Honorable Court as his
return in the premises and humbly
prays to be hence dismissed &c.

Henry J. Gunder

vs
Giram Burnett

Def's attorney

State of Illinois }
Jefferson County }

This affiant Giram
Burnett being first duly sworn accord-
ing to Law deposes and says that the
matters & things set forth in the
aforegoing returns are true to the
best of his knowledge & belief
Sworn to & subscribed Giram Burnett

before me this 19th day
of Nov. AD. 1859

A. Johnston Clerk

59

Aram Burnett
at
People &c

Return to Mandanians

Henry S. Guuner
Atty for Dept

Filed Nov. 19. 1859.
N. Johnston City
— 11 —

In the Supreme Court State of Illinois
First Grand Division

People of the State of Illinois
By rel Tho^s Moore
vs

Hiram Burnett

No 100
Term
1859

Petition for
Mandamus

I do hereby enter my
appearance in the above case
& waive notice of petition for
Mandamus ~~being hereby brought~~ this 17th day of November
1859

Hiram Burnett

People of the
Thos Moore

vs
Heran Burnett

Petition for Mandamus

Appearance of Sept
entered

Filed Nov. 17. 1859.
A. Johnston clk

Henry J. Sumner
att'y for Sept

[Faint handwritten notes in the left margin, including names like 'Heran Burnett' and 'Henry J. Sumner']

State of Missouri } Nov Term of Supreme
Jefferson County } Court 1859.

This day personally came before the undersigned clerk, Green B. Ramey, William A. Stricklin, Do Robinson Clerks of Soline County Mo, who being duly sworn say on oath, that on the 17th day of November instant an information in the name of the people is upon the relation of Thomas P. Moore vs Hiram Burnett, was filed in the Clerk's office of this Hon. Court (to which reference for its contents is asked) praying that a mandamus be awarded by this Hon. Court against said defendant Burnett, who is stated to be clerk of the Circuit Court of Soline County Mo. Com manding him to issue a certain process, said to have been demanded by said relation to be issued against Thomas B. Vaughn. Affiants further state, that said Relation - Moore, and said defendant Burnett both now reside at and in the town of Raleigh in Soline County, and are property holders in said town and directly interested in its prosperity. ~~and~~
~~from both of~~

Appellants further state, that hereafter to wit up
to and until the Tuesday after the first
Monday of November 1857, the town of
Raleigh had been under the laws
then in force, the County Seat of Soline
County, Ill., and the proper place for
all the County officers to exercise the
the functions and discharge the duties
of their offices. But that on that day
by and under the provisions of an
act of the Legislature of this State entitled
"An act to relocate the County Seat of
Soline County" a poll was opened to
a vote of the people taken upon the
question of Relocation; They further state
that the Contest in said Election was
between the towns of Harrisburg the
proposed future County Seat, and
the town of Raleigh the then County
Seat, and they further show, that at
and during the pendency of said
Contest & Election, the said Moore who
is now the relator and the said Swift
& Burnett, were active and industrious &
zealous partisans of & for the then
County Seat, to wit Raleigh, where they
then resided and still reside — But
appears show, that at said Election

in said County on said question there
was fourteen hundred and ~~forty~~ ^{fourteen}
votes polled, and there was besides twenty
six persons who voted at said Election who
did not vote on said questions of location.
They further state that of the votes cast at said
Election there were for relocation at the
town of Hennisburg the number of seven
hundred and twenty five - being more
than a clear majority of all the votes
cast at said Election - Affiants further
state that upon the result of said Election being
known, all the officers of said County
remained their officers to the town of
Hennisburg except the defendant in
this mandamus case ^{+ one William Watkins} Burnett, who
declined & refused to ~~obey~~ ^{concede}
the right or acknowledge the duty of
County officers to remove to said
town, that after said Election was
held and said question determined by
said vote, of the people as aforesaid
one Lenson B Lewis filed his bill in
Chancery as Complainant against
Hiram Burnett, (the deft here) Messrs
P M Gisher, James Stoddard & William
Watkins the former then and now Circuit
Clerk & the three latter constituting
the County Court of Saline County

also Richard A. Warfield County Clerk
and William Ross Clerk Sheriff of
Linn County - Affiant further states
that ~~said Complainants~~ the contents of said
Complaints will will be seen by reference
to an abstract or statement thereof
in the case of the People vs the return
of Mitchell vs Warfield decided at
the Spring term of this Year Court 1858,
at Ottumwa, Ill., and reported on page
161 of 20th Ill. to which affiants ask
this Year Court to Refer, the statement
there being the substance of said
bill for an injunction - Affiants
also state that upon said Bill, an injunction
was issued & served on said Defendants
and, that said Keenan Burnett then
admitted the bill of Complaint to be
true; Affiant further states that pending
said injunction the information upon
the relation of Mitchell vs Warfield
et al was filed - for full particulars with
reference to which reference is added
to the case decided & reported on page
160 & sequen of 20th Ill. Reports -
and that after the decision of said
Court and the determination of the
questions involved therein, the officers

of said County who had removed to the country
returned and established their offices again
at Raleigh in conformity with the decision
of the Supreme Court, - Appants further
state that at the November term 1858, of the
Ancient Court of Soline County, by the
Complainant in the injunction suit
obtained a change of venue from
said County & Circuit to the County of
Williamson then in the 3rd Circuit
Soline County then being in the 19th
Judicial Circuit, and that at
a special term of the Ancient Court
of Williamson County held on the
8th day of January 1859, the said
Bill filed by Lenson B. Garner was
dismissed and said injunction
dissolved.

Appants further state that after the
dismissal of said injunctive suit, to wit
on or about the 15th day of January
1859, all of the said County officers
not excepting even the said Median
Burnett, removed their offices from
the old County Seat of Raleigh to the
new County Seat at Heersburg -
and have from thence hitherto kept
them there, and now still keep them
there - & there exercise their several offices

Affiant further states that said Thomas
Burnett has not removed his residence
from Raleigh to Harnsburg, but only
his office, the duties of the same
being performed by Thomas A. Jains
a lawfully constituted Deputy
of said Burnett, Affiant further
states that since the dismissal of the
bill for impeachment as against the
~~County~~ removal of all of said officers
to the town of Harnsburg, and after
the same was recognized and regarded
by a large majority of the Citizens as
the County Seat, ~~the County~~, and
after the Regular terms of the Circuit
and County Court had been held at
Harnsburg, by the Circuit and
County Judges, the County Court,
Contracted for the erection of the
necessary public buildings of
the town of Harnsburg, at a cost of
over fifteen thousand dollars, and
have now paid ~~over~~ five thousand
dollars upon the same, and the
Contractors have furthermore gone to great
expense and made great outlay
in procuring material for said
public buildings —

But Affidavits Show further that notwithstanding all these things are true, that some few persons were still dissatisfied and discontented with the matter as it now stands, and among those persons were and are the said relative Moore and said defendant in said relation, Miriam Burnett, — By means whereof it was removed and suspected that, another attempt would be made to disturb the justice again and compel a removal to the town of Palmyra, and in order to prevent the same and afford to the County officers some protection in the large expenditures they were making & to make and to preserve quiet and restore peace on said question, one William H. Bone as Complainant, therefore took on the 5th day of November 1849, filed his bill of Complaint in the Circuit Court of Soline County for injunction restraining the judges of the County Court the clerks of the Circuit and County Court and the Sheriff of said County defendants, and thereupon an order only return upon the same by the Hon. William Allen Judge of said Court

Said injunction was issued
being date the 5th day of November
1859. ~~and the said bill was
thereby rendered null and void
and of no effect~~ - Affiants also state that
the object and scope of the said bill
& injunction is to settle the question, now
attempted to be raised upon in this
Mansumers Case, with reference to
where the County Seat of said County
now should be, and to this end (since
the former bill has been dismissed) to
determine the question as to the legality
of the votes cast at said Election, and
as to the Majority of the legal votes of
said County having been cast for
the Town of Hornsburg -

Affiant further states that said
injunction & said Bill is pending
and undisturbed in the Circuit
Court of said Sabine County - where
said question will in due time be
adjudicated & settled as affiants
hope and believe -

They, further state that said Bill &
Injunction was after its issue duly served
on the said Burnett, on the 5th of November
1859 and has since been served on

Some of
the County Clerk & Judges of the County
Court, Affiants further state, that well
knowing the facts aforesaid, and the
inclination and avowal of said Relator
and said Defendant, and furthermore
that they are intended as above stated
they do hereby believe said Relator &
said Burnett have conspired and
now are conspiring together & with each
other and perhaps with others to these
affairs unknown, to have a Mandamus
issued upon the Relator & by said
Moore, and with the view of ~~determining~~ ^{determining}
Some questions connected with said County
Seat, without having the same fully and
fairly presented according to the true
state of facts, for they state that Harrisburg
now is the County Seat, ^{of said County} & that Raleigh is
not, and that said Burnett now has
his office in Harrisburg & not at Raleigh
as stated in said Relator, and that the
^{room in} the house formerly known as the Court house
at Raleigh ~~is now occupied by~~ and
formerly occupied by said Burnett as his Clerk's
office is now as officers are informed
and believe & Chap occupied by a Shoemaker
for his Shoemaker's Shop — &
~~known~~

Applicants further say that they are
each and all citizens of Saline County
and feel deeply interested in the
peace quiet and Harmony of said
Citizens upon said questions, and are
interested as taxpayers of said County
in preserving the public funds thereof
from being uselessly squandered
and wasted - Wherefore they
pray that said Mandamus upon
the relation of said Moore may
not be allowed by this Honorable
Court and further say not
to

Witness the presence of } Green B Ransom
- within the 17th } Miller A Stricklin
day of November } J. Robinson
1859 - }
Noah Johnston clk

CW

Affidavit

The People
in Relation of Moore
vs

Hiram Burnett

for

Mandamus

Filed Nov. 18th 1859
J. S. Johnston Clerk

Haynes Parisk
for outsiders

State of Illinois }
Saline County }
This affiant Lenson

B. Karnes a resident of Saline County
and State of Illinois States, that he
was requested by a number of Citizens
and Tax Payers of said County of
Saline and State of Illinois aforesaid
to allow his name to be used as nomin-
al Complainant in a Bill in Chan-
cery filed in the Saline Circuit Court
against Hiram Burnett Clerk of the
Circuit Court of said County of Saline,
Moses D. McGehee County Judge, and
others, to prevent by injunction the records
of the Circuit Court, and County Court
and other County Offices being removed
to Harrisburg from Raleigh in said
County, and that whilst said suit was
pending the Attorney employed on be-
half the Citizens of Harrisburg and other
interested in the town of Harrisburg
prevailed upon this affiant in a
secret and clandestine manner to dis-
miss the suit in Chancery so commenced
in his name, and that those interested
in said suit in Chancery knew nothing
about his doing so until after it was

done, and that the said Suit would not have been dismissed by him but for the false representations and inducements held out and made to him by the attorneys and agents of the people of Harrisburg, as well as threats against him if he did not dismiss said Suit.

That there were other inducements of a pecuniary nature personal to himself which he does not feel bound to disclose, but that he had no interest in the Suit himself and his name was only used by his consent (bonafide given) by others, really most deeply interested in the Suit, and that he is now truly sorry he was induced to dismiss said Suit and is satisfied that it was an error on his part and was only intended to defeat the investigation of the matters in controversy by a final hearing of said Cause, and further this affiant sayeth not.

Attest

Ephraim Williams

L. B. Harris

State of Illinois
Saline County

This day came before

me the undersigned an Acting Justice
of the Peace in and for said County
Leason B. Harnes whose name is
above subscribed, and who being duly
sworn according to Law deposes and
says that the foregoing affidavit is
true in substance and in fact.

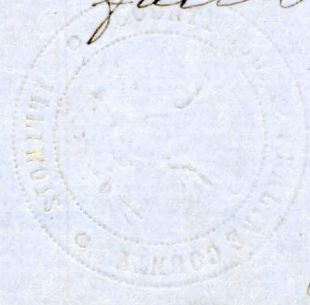
In testimony whereof I have
hereunto subscribed my name
and affixed my Seal this the
11th day of November A.D. 1859

Wm. Burtchast

State of Illinois
Saline County

I, Rev. Mayfield
Clerk of the County
Court in and for the County of
Saline State of aforesaid Certify that
William Burtchast before whom
the foregoing affidavit appears to
have been made is and was
at the time taking the same a legal
acting Justice of the Peace in and
for the County of Saline State of Ill
duly elected and qualified and

"all his official acts"
as such Justice of the Peace is entitled
to and should receive full
faith and credit



Given under my hand
and the official seal of
said County Court at
Harrisburg on this 14th
day of November 1859
R. V. Warfield J. P.

The people
of
Berrett

W. J. ...
of ...

Julia Nov. 18. 1859
N. J. ...

In the Supreme Court of the State of Illinois

1st Circuit Division

November term AD 1859

The people of the State of Illinois
on the Relation of Thomas, P. Moon

^{vs}  Petition for Writ of Habeas Corpus
Hiram Burnett,

To the Honorable John, D. Catron
Chief Justice, and the Honorable Sidney
Breese and Buckner, H. Walker associate
Justices of the Supreme Court of the
State of Illinois,

Your Petitioners the people
of the State of Illinois on the relation of
Thomas, P. Moon Relator in the above
styled Cause respectfully represent
to your Honors that the said Thomas
P. Moon is now and was on the ^{7th} day
of November 1859 a resident
Citizen of Sabine County and State
of Illinois aforesaid and that
one Thomas, B. Van Meter then was
also a resident of Sabine County
and still is resident there and
was on the day & year last aforesaid
justly indebted to the said Thomas,
P. Moon in the sum of \$ 121.26
for which the said Thomas, P. Moon

then and there had and now
has a legal Cause of action in
the Circuit Court of Saline County
against the said Vaughan for the
recovery of the said Sum of
Money.

Your Petitioner further states
that the town of Kalleigh in the
said County of Saline, was on the 7th
day of November 1859 apointed the
County seat of Saline County and
still is the County Seat thereof &
was then & there is now as such
the place assigned by Law for
the transaction of the Public busi-
ness of the County of Saline, and
that one Hiram Burnett the
defendant in this Petition was
then and there and still is
the Circuit Clerk in and for the
County of Saline duly elected Com-
missioner and qualified to act as
such Clerk.

Your Petitioner further states
that on the 7th day of November 1859
at the County of Saline apointed the said
Thomas P. Brown did at the office
of the said Hiram Burnett Circuit

clerk of Saline County aforesaid, at
and in the Court house of Saline
County in the town of Raleigh the
County seat of the said County of
Saline, deliver to him the said
Hiram Bennett a written precept
or demand in writing subscribed
by him the said Thomas, P. Moore
(a copy of which & precept is hereto
annexed & referred to as exhibits
(A)) by which said precept
written said Hiram Bennett was
requested by him the said Thomas, P. Moore
to issue a Summons on his behalf
as plaintiff against the said Thomas, B.
Vaughan as debt in an action
of assumpsit, and it then and
there became and was part of the
official duty of him the said Hiram
Bennett as Circuit Clerk of Saline
County aforesaid to issue a writ
of Summons against the said
Thomas, B. Vaughan at and from his
office in the Court house at the
town of Raleigh, Saline County
aforesaid, summoning the said
Thomas, B. Vaughan to appear at
the next term of the Circuit Court

of Sabine County State of Illinois
to be holden at the Court House
in the Town of Raleigh ~~the said~~
County seat of Sabine County
as aforesaid, on the first Monday
in the month of April A.D. 1860
to answer him the said Thomas
P. Moore in ~~the~~ action of
assumpsit. ~~so~~ ~~Consequently~~ and
your Petition further states that
in the said Thomas P. Moore did
at the time of demanding the
Summons of him the said Hiram
Bennett as such Circuit Clerk, then
and there tender him all fees
which there were or might become
due to him the said Hiram Bennett
for the filing & precept in his
said office and issuing the
Summons, yet that notwithstanding
standing the premises the said
Hiram Bennett so being such
Clerk to issue said writ of
Summons according to the
request of him the said Thomas
P. Moore wholly failed & refused
and still does fail & refuse.
Wherefore your Petition prays

having no other legal remedy to compel the
 said Hiram Bennett as such clerk, to give this writ ^{prays}
 that the peoples writ of alterna-
 tive Mandamus ^{by this Honorable Court} may be awarded
 herein commanding the said
 Hiram Bennett as such Circuit
 Clerk to issue said writ of
 summons as demanded of
 him by the said Petitioners,
 & to show cause why
 he does not issue the same
 & Petitioners will ever pray &c

Copy of precept marked as exhibit
 (A) & referred to in foregoing Petition

Thomas P. Moore
 vs

Thomas B. Vaughn } Damages \$120.20

To Hiram Bennett Clerk of the Circuit Court
 of Sabine County, State of Missouri
 Sir


You will please issue
 a summons in the above styled
 cause returnable at the next term of
 the Circuit Court of Sabine County, State
 of Missouri, to be holden at the Court House
 in ^{in and for Sabine County, State of} Raleigh, on the 1st Tuesday in the
 month of April 1860

[8497-43]
 Witness my hand & seal this 1st day of November 1859
 (signed) Thomas P. Moore JUDGE

State of Illinois
Franklin County J.P.

This day personally came before
me the undersigned Clerk of the County
Court in and for the County of Franklin & State of
Illinois, P. Moore the latter in the
following Petition for Mandamus,
who being first duly sworn according
to Law deposes & says that the
Matters & Things in the foregoing
Petition are true to the best of
his knowledge & belief
Th. P. Moore

I James W. Collins Clerk
of the County Court in and
for the County of Franklin
& State of Illinois do hereby
Certify that Thomas P. Moore
whose Name is subscribed
to the foregoing affidavit after
being first duly sworn according
to Law declared upon oath
that the contents of the foregoing
affidavit is true to the best
of his knowledge and belief
In testimony whereof I have



Amounts set my hand &
Affixed my seal of office
this 7th day of November
1859 at my office in
Benton Franklin Co Mo
James J. Dollius
County Clerk

The people on the
Reflection of
Monas. P. Moon
is P. H. J. M. and
Hiram Bunt

59

Filed Nov. 17-1859.
N. Johnston Clerk
Paid by Adams \$5.00

State of Illinois } November Term
 Jefferson County } Supreme Court of
 the people on the Relation of } Illinois 1839
 Thomas P. Moore ~~petitioner~~
 vs }
 Hiram Bennett } Petition for Mandamus

This day personally came before me
 The undersigned Clerk of said Supreme
 Court in the first ^{Grand} division Hiram Ben-
 nett and after being duly sworn
 upon his oath says that he is the
 defendant in the above Cause
 and that he most positively denies
 that there is or ever has been
 any collusion between him
 and the above named ^{Relation} ~~petitioner~~
 as charged in the joint affidavit
 of Green B. Haines & Robinson
 & Miller & Stricklin This day filed
 with the papers in this Cause
 He further states that as to the
 result of the election mentioned
 in the aforesaid affidavit he
 admits that he has believed and
 does now verily believe that the
 Town of Harrisburg did not
 at said Election receive a

a majority of the legal votes
cast at said Election and that
he does believe that ^{the favor of} Raleigh in
said Saline County is according to
the Constitution & laws of this
State the County seat of said County
He further swears that although
he lives at Raleigh in said Saline
County yet he does not desire to
hold & exercise his office as
Clerk of the Circuit Court of said
County at that place or any
other place which is not the
County seat of said County
but all he desires or wants
in this case is to know where
he should exercise his office at
or in other words if Raleigh
has been declared the County
seat of said County by an authority
or power competent to decide
such questions he is ready &
willing to abide such decision
& for that purpose intends to make
a full answer & return to the
writ of Mandamus if awarded in
the above case so as to present
all the facts connected with the

The Case before this Court
and further he says not
Hiram Burnett

Sworn to and Subscribed

before me. 18th Nov. 1859

A. Johnston Clerk

57 8

People's Co.

by

W. Bennett

of 87.

8

Filed Nov. 18. 1859
N. Johnston M

[Faint, illegible handwritten text, possibly bleed-through from the reverse side of the page]

The people on the station
of Thomas Moore

7 } Merchants
Hiram Burnett

and the petitioners
by whom & ~~and~~ their associates
concealed say that the
said return of the said Hiram
Burnett is not sufficient in Law
& that they are not for reason
of any thing therein contained
bound any further to answer
the same & this they are ready
to verify &

A D Daff &
H. Nelson
for petitioners

The prop^r or
the relation of
Thomas Wood

for

William Bennett

Prisoner

~~870~~

Filed Nov. 19. 1859

St. Johnston clerk

State of Illinois } November Term
Jefferson County } Supreme Court 1839
The people on the Petition of }
Thomas & Moore ~~petitioners~~ } Relators for
vs } Mandamus
Gerrard Bennett }

This day personally came before
me the undersigned Clerk of the
said Supreme Court Thomas &
Moore the above ~~petitioners~~ ^{Relators} & after
being duly sworn upon his oath
says that he most positively
denies that there now is or
has ever been any collusion
between him and the above
defendant as charged in the
present affidavit of J Robinson
Green B Ramey & Willis A Stucklin
this day filed with the papers
in this above cause He further
states & swears that as to the
election mentioned in said affi-
davit & the choice of Harrisburg
as the County seat of this affiant
states that he is informed & believes
that ~~and~~ the result of said election
has never yet been legally decided

or determined that the votes have
never been canvassed, as contem-
plated by the constitution of this
State, and that when they are
so canvassed, it will be found
that a majority of the legal
votes cast at said Election
were against Hornerburg
He further states & swears
that he very believes that
the Complaint Dore Men
found in said Affidavit is
fraudulently colluding with
all the defendants mentioned
in said Bill & Affidavit except
Bennett & Watkins and he
further swears that Melis &
Strutler one of the defendants
in said Bill mentioned who
is stated in said Bill over
& maintains the & declares that
Raleigh is the County seat &
that said Election was fraudu-
lent & void and who it is said
in said Bill is threatening to remove
his office as Sheriff of said County
to Raleigh in the name identical
Melis Strutler who joins

with Jo Robinson & G B Ransom
in the affidavit filed
this cause as aforesaid
This affidavit further swears
that from these facts & others
of a like character he does
verily believe that the bill
filed for impoundment as
mentioned in said Robinson
Ransom & Shucklers affidavit
was filed for the express purpose
of fraudulently & unlawfully
keeping & retaining the said
several offices & the public
business generally of Saline
County Illinois at Hamburg
contrary to law & to prevent
& hinder the officers of said
County from holding & exercising
their offices at Saline the County
seat of said County & to hinder
the due course of law & the
administration of justice in
said County of Saline

Sworn to & subscribed

before me. 18. Nov. 1859

A. Johnston Cllk

Wm. P. Moore

The People
Barnett

Maudslayi
all 9 Nov

Filed Nov. 18. 1859

St. Johnston Clerk

People of the

Thomas P. Moore

by

Henry Burnett

Notes for Mandamus

8677

— 3