

State of Tennessee
Montgomery County Circuit Court.

Be it remembered that at the May Term of the Circuit Court began and held at the Court House in the City of Clarksville on the 2^d Monday in May 1866, present and presiding the Hon. Jew A Campbell Judge & upon the 18th day of May 1866 at said Term of said Court the following proceedings were had to wit,

State of Tennessee Montgomery County
To the Sheriff or any Constable of said County

Execution

I Command you that of the goods and Chattels, Lands and Tenements of The Edgfield & Kentucky Rail Road Co^y if to be found in your County. You make the sum of Three Hundred and Ninety five & ¹³/₁₀₀ Dollars, and Cost of suit, to satisfy a judgment that John D. James obtained against them before W D Robertson Esq of Davidson County on the 11th day of March 1861. And pay over the same as the law directs. This 30th day of March 1861.

Chas. Bailey & Co
Justice of the Peace

Bill of Judgment 11 th Mch 1861 for	\$395. ¹³ / ₁₀₀
Cost. Doctoring	15-
Execution & Copy Cost,	20
Original Cost,	<u>1.40-</u>

Office of the 20th March 1861

Return, Came to hand same day issued my property found. Summoned the Memphis Clarksville & Louisville Rail Road Co^o to appear before C Bailey on the 21st of March 1861, to answer as garnisher, &c.
J C Read Clerk

State of Tennessee Montgomery County
To the M C & L R R Co^o

Notice I summon you to appear before of C Bailey Esq a Justice of the Peace for garnishee said County, at his office on the 21st day of March 1861, to answer on oath, what you are indebted to the Edgfield & Kentucky Rail Road Co^o, against whose property I have in my hands an Execution in favor of J D Janus, which they have no property in my County to satisfy, and also to state what effects of the said Edgfield & Kentucky Rail Road Co^o you have in your hands or know of any other person having, and not pay any debt due or hereafter to become due by you and obtain possession of all property of the said Edgfield & Kentucky Rail Road Co^o now or hereafter in your custody, or under your control, to answer this garnishment, to the best of your knowledge recollection or belief, This 20th day of March 1861.

J C Read Clerk.

Office Executed on the 20th March 1861 by leaving Return, a copy of the within, with C G Smith

(3)

Secretary and Treasurer of M C & L R R Co

J B Reed Clerk

R W Humphreys is in Nashville

J B Reed Clerk

State of Tennessee
Montgomery County } John D James

^{no}
The Edgfield & Kentucky
Rail Road Company

Clerk before Chas Bailey a Justice
of the Peace for said County.

Chas G Smith Treasurer
of the Memphis Clarksville & Louisville
Rail Road Company. The garnisher avers
on oath that the Memphis Clarksville &
Louisville Rail Road Company is indebted
to the Edgfield & Ky Rail Road Company
in the sum of Six Hundred & Seventy four
& ⁹⁵/₁₀₀ Dollars, but that since the service of
the garnisher C A Anderson Reciever of the
Edgfield & Kentucky Rail Road Company
has notified him that ^{he} as Reciever or Agent
for the State of Tennessee claims the funds
in his hands. I give Judgment against in
favor of the Plaintiff against the Memphis
Clarksville & Louisville Rail Road Company
for the sum of Three Hundred and Seventy
four & ¹⁵/₁₀₀ Dollars. The original Judgment
rendered by W D Robertson a Justice of
the Peace for Davidson County and One
& ²⁸/₁₀₀ Dollars against them from the 10th of

(5)

We the Memphis, Clarksville & Louisville
Rail Road Company & J. C. Stark
bind ourselves to John D. James in the
sum of Eight Hundred Dollars, to be paid
if the said Rail Road Company, who have
this day appeared to the next term of the
Bond Circuit Court for Montgomery County
from a judgment of Chas Bailey a Justice
of said County, in favor of John D. James
against the said Rail Road Company for
Three Hundred and Ninety Six & 7/8 Dollars
shall prosecute said appeal successfully or
in case of failure therein shall comply with
and perform the judgment of said Court.
This 30th day of March 1861

The Memphis, Clarksville & Louisville
Rail Road Company by C. G. Smith
Secretary and Treasurer

J. C. Stark Security
By Chas G. Smith by authority of Clerk
of Atty. herewith filed.

This day came the Parties by their attys
Judg- and therefore all and singular the matters
menty and things arising out of Defendants answer
and the Plaintiffs Execution, being argued
and by the Court fully understood. Because
it appears to the Court that the Plaintiff has
not shown ^{any} sufficient cause authority, by
proper and legal authority execution against
the Edgfield & Kentucky Rail Road Company
to entitle him to call upon the Defendant to

(6)
answer as garnisher. It is considered by the
Court that the Plaintiffs action be dismissed
that the Defendant be discharged and go
hence without day. and that the Plain-
tiff pay the cost of this Court and the
Justice of the Peace for which Execution
issue.

State of Tennessee & John W. Williamson
Montgomery County } Clerk of the Circuit Court
for said County, do hereby
Certify that the foregoing is a true and
Correct Transcript of the Record and the
proceedings of the Court in this Cause of
Certif. John A. James vs The Memphis Clark-
sville & Louisville Rail Road Company
as the same appears of Record and on file
in my office. In testimony whereof I have
hereunto set my hand and affixed the
seal of our said Court, at office in the City
of Clarksville, this 22nd day of April 1864
J W Williamson Cg

Bills Cost	
Transcript	1 50
Seal of Court	50
	<u>2 00</u>
Total	
J W Williamson Cg	

The clerk of the supreme court
of the Middle Division of Ten-
nessee at Nashville

You will upon receipt of
order in this case upon the
plaintiff giving Bond & security
for costs
Nov 6th 1867

J Othwell Gore

~~Supreme Court~~
to Clerk of Supreme Court

Notice of filing this record

* issued on writ of Error returned
Nov 7. 1867

By A Henry
attorney at law

28 37
John R James
Lawyer
Mr. W. B. Brown
C. A. Rail Road Co
Filed & sworn 1868
Law & 10th Circuit
J. J. Grayson

Ex. 11-65

Indigent applicants The
case in 6 p. is regarded as
decided

East-Spencer

Indy

Enrolled in Book D No 4

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Montgomery
Ex. No. 927