

To The Hon Jmz H Robt Chancellor Sitting
in Equity at Clarksville

The Bill of Complaint of Euse Johnson
a citizen of Montgomery County represents that he
obtained two judgments against Wm & Chittum before
P Priestly Esqr one for the sum of \$21.10 & the other
for the sum of \$185-13 in the name of Mary & Edward
which has been since assigned to Larr Brator for
a full and valuable consideration said judgments
were rendered on the 1st day of October 1850
and Executions issued thereon & the proper Officer
makes return thereon that there is no property
of the Defendant out of which the same can be
made Larr Brator further represents that said
debts were contracted by his wife her intermarriage
with her and for which he executed his notes
and that his said wife was the widow and one
of the distributees of the Estate of Jas P Portch
Reed who died possessed of a large real and
personal Estate & that Robert Chittum is the
Administrator of said Estate & that notwithstanding
near four years have elapsed since the death of
the said James and Administration granted on
his Estate the portion of the estate belonging to
the Wm & Wife has not as yet been delivered
over to them so that the same can be subjected
to the payment of their debts by Executions - And
the contrary thereof at the commencement of the
present year the said Robert hired out the ne-
grees of the estate being some ten or twelve
in number for the present year Larr Brator also
charges that the said Robert agreed with this
affiant more than twelve months ago to pay
said debts of the estate at the close of the present
last year but instead of so doing he is informed

and believes that he returned the papers of said Estate to the ~~Office~~ Office of the County Court of Clarendon to have sworned the Administration & refuses to pay the above named debts. Your Orator charges the fact to be that the said Robert did not divide sd Estate & deliver over to the said William his portion of the Estate for the purpose of delaying and hindering the creditors of the said William from collecting the debts due from him.

In tender consideration whereof & in as much as he is compelled by the strict rules of the common law Your Orator prays that the sd Robert & William may be made parties Defendants to this bill that they answer the several allegations contained therein & that your honor may docket off sd debts out of the interest of the sd William in sd Estate and such other and further relief as in Equity he may be entitled to, as in duty bound will ever pray
Humphreys Sol

Copy of the Rules on Rule Docket.

Bill filed 15. April 1857. Copy & Subpoena issued 16. April 1857. Subpoena to answer returned 18. April 1857, executed. Oct. Rules 1857. Bill taken pro confesso as to both defendants by order of Complainant. 1st day December term 1857 bill taken pro confesso as to both defendants & set for hearing by order of Complainant's Counsel.

Copy of Decree

Be it remembered that this cause came on for hearing this 16th of Dec. 1857, before the Hon. John S. Brien Chancellor, the said bill having been taken pro confesso & set for hearing and it appearing to the Court that said debts set forth in the bill were contracted by Annie Chilton, the wife of the said William whilst she was the widow of James Dortch dec'd. & that the said William, after his marriage, executed his notes for the debts, upon which judgements were rendered before Philander Priestley Esq., one for the sum of twenty one dollars and

Ten cents and the other for the sum of one hundred & eighty five dollars & thirteen cents on the 1st day of October 1850 & that executors had issued thereon & return made that no property was found to satisfy the same. And it further appearing that the said Annie as the widow of James Cortez dec'd, is entitled to one half of said estate, which is in the hands of Robert Chilton, the brother of the said William & that more than two years had elapsed after granting Adm't, before the filing of this bill & no settlement of said estate had taken place & instead thereof, the negroes of said estate hired out by the Adm't & no distribution made, which it should have done. It is ordered, adjudged and decreed by the Court that the said Cave Johnson have a decree against said W^m & Annie his wife for the sum of two hundred & six dollars & 23 cents principal & the sum of fourteen dollars & 94 cents interest, to be levied of the goods & chattels of Annie Chilton in the hands of Robert Chilton, as the relic of James Cortez dec'd, & the costs in this behalf expended.

I acknowledge myself the security of the Comp't. Cave Johnson for all such costs as may be decreed on the hearing of this bill, which he has this day filed in the Chancery Court at Clarksville against Robert & W^m S. Chilton. Witness my hand and seal the 15th day of April 1851.

Robert W. Humphreys Seal

State of Tennessee

I Philander Priestley Clerk & Master of the Chancery Court at Clarksville, Montgomery County in said State, certify the foregoing to be a true transcript of the bill, Answer, and final decree rendered in said cause at the December term 1851 of said Court, the Hon. John S. Stein Chancellor presiding, this being a transcript of all the proceedings had in said cause, as the same are on file & record in my office.

In testimony whereof I have hereunto

C. E. D.

Set my hand & affixed my private
seal, having no seal of Office, at Office
in Clarksville, the 22^d. December 1857 and
the 7th year of the Independence of the
United States.:

P. Priestley C. J. H.



Witnessed at Court
and sealed & sworn
by

J. C. Lewis
Deputy Clerk
Clarksville, Tenn.

Filed 29th Dec. 1857

Attest my hand & seal

W. C. Bell

Wm. C. Bell

This transcript 1680. 1.68. Certificate & seal 1.00 \$2.68

State of Tennessee.

To the Clerk of the Supreme
Court at Nashville.

Let a writ of Error and
Superedeas issue in this cause, upon bonds
and security being given as required by law.
Given under my hand, at Nashville,
29th December 1857.

R. J. McKinney
Judge

To the Honorable Nathan Green one of the Judges of the
Supreme Court of the State of
Tennessee.

Your Petitioner Anna Chilton a citizen of Montgomery
County Tennessee would most respectfully represent to your Honor that on the 15th
day of April 1854. One Levee Johnson filed his Bill in the Chancery Court at Nashville
against Robert Chilton and W. L. Chilton, a copy of which and the proceedings
thereon being herewith presented and pray to be taken as part of this Petition.

Your Petitioner would state that ^{the said M. E. Gault} ~~she had recovered~~
two judgments against said W. L. Chilton (who was then the husband
of your Petitioner) for about two hundred dollars, before a Justice
of the Peace of the said County, which judgments
were rendered on two notes, executed by the said William L. to the said M. E.
Gault, and failing to collect them at law, the said Levee
Johnson, who claimed to be the owner of said judgments, filed his
said Bill against the said Robert S. as administrator of said W. L. Chilton &
the said Wm L., which said Bill was taken pro confesso as to them
and on the 17th day of December 1854 a decree was pronounced
in said cause against the said William L. and your Petitioner
for the sum of \$221.17 to be levied of the goods and chattels
of your Petitioner in the hands of Robert Chilton as administrator
of said W. L. Chilton the former husband of your Petitioner.

Your Petitioner is advised that the following errors exist in
said decree and the record therein presented.

- 1st Your Petitioner was not made a party to said ^{Bill} filed by the
Johnson, in which ~~cause~~ ^{Bill} decree was pronounced
against her.
- 2^d Your Petitioner was never served with any process notifying
her of the institution of said suit, and no process ever
issued against her.

Petitioner states that she desires to answer and object
that the ~~statements~~ ^{Bill} made ~~therein~~ are untrue, and
that the demands therein set up are unjust and should not
be made to pay the same.

Petitioner states that a writ of fieri facias has been
issued upon said decree and is now in the hands of the Sheriff
of Montgomery County and will be levied upon your
Petitioner's property unless a supersedeas shall issue.

Wherefore for the errors aforesaid for divers other errors
existing in said record, Petitioner prays that a writ of error
may be granted returnable before the Supreme Court of the State at
Nashville, that the errors may be examined in said Court & judgment
arrested. That in the mean time a writ of supersedeas

Magister to the Sheriff of Montgomery County, superseding any proceeding
 said writ of fieri facias. Petitioner will ever pray as
 in duty bound. Petitioner would state that since said decree was pronounced, she
 obtained a divorce "a vinculo" from W. L. Chilton

Thos. W. Wisdom atty

State of Tennessee
 Montgomery County

Personally appeared before me George W. Leigh
 an acting Justice of the peace for said county

Anna Chilton and made oath that the matters stated
 in the foregoing Petition as stated of her own knowledge are true
 and those stated upon the Informations of others she believes to be
 true.

Sworn to & subscribed before me
 this 22nd day of December 1851 -

Anna Chilton.

G. W. Leigh Jt.

In justice to the Chancellor who decides
 this case. I would state that there was no defense
 made & the decree was drawn without submitting
 the paper to the inspection of the Court.

Wm. S.

Anna Chilton

W. M. Petitioner

Care Johnson

I Thomas W. Wisdom acknowledge my self bound indebted to Care Johnson
 in the sum of five hundred & fifty dollars (\$550.00) for Anna Chilton's
 security that she will prosecute with effect her writ of
 error superseding that he has this day obtained from the Hon
 Nathan Green Clerk the Indors of the Supreme Court of
 the State of Tennessee in the case of W. Johnson against her self.
 This obligation to be void if the said Anna prosecutes said writ of error
 with success, or in case of failure abide by the form the decree that the
 Supreme Court may pronounce in said case. Decr 24. 1854

Thos. W. Wisdom

State of Tennessee

To A. Sheriff of Montgomery County. Greeting
Whereas Anna Carlton, by Petition to R. J. McKinnis
Esq. one of the Judges of the Supreme Court of s^t. State, sitting
at Nashville, has obtained an Order, to the Clerk & Marshal
of s^t. Court, at Nashville, to give writ of Habeas Corpus
to bring up the said cause of Jane Johnson or R. J. McKinnis
Carlton, from the Chancery Court at Fayetteville, to the Supreme
Court sitting at Nashville, for a rehearing &c

You are therefore, hereby commanded
to notify the said Jane Johnson, in his attorney, to be
and appear before the Judges of our said Supreme Court
at its present Term: & then and there show cause, if any
he has or can, why said Decree, should not be
reversed: &c

and here you that & there, this writ, and
show how you have obeyed the same.

Witness, J. P. Clark, Clerk & Marshal of the said
Supreme Court, at Office in Nashville, this 29th
Dec. 1857. and 76th Year of the Independence of the
United States.

J. P. Clark, Clerk

Anna Philton
is notice
Cane Johnson

Sept. 29th Oct. 1857
leave to hand
1st day of Jan'y
1857. and execute
on the next day
by me being known
to Cane Johnson
the contents of this
Notice

Wm. M. Stutter Staff

State of Tennessee

To the Sheriff of Montgomery County. Greeting

Whereas, Anna Childen, by her Petition to Robt. J. McKinney Esq. one of the Judges of the Supreme Court, sitting at Nashville, has obtained an Order, to the Clerk and Marshal of said Court, to give notice of said and enforce said Order, to bring up the case of said Childen against R. & W. L. Fulton, from the Chancery Court at Clarksville, to the Supreme Court at Nashville for rehearing &c

You are therefore hereby commanded that if Execution, hereon shall issue on the decree in said cause from the Chancery Court at Clarksville and come into your hands, or into the hands of any of your deputies, that you do exert your all attempts at the enforcement of said decree, till said matters are reheard and tried in our said Supreme Court:

and have you return & show this writ, and show how you have executed the same.

Witness J. P. Clark Clerk & Marshal of the Supreme Court at Nashville, 29th Dec. 1857. and 76th year of the Independence of the U. States

J. P. Clark, Clerk

Anna Chilton
is Supersedeas

Fre Johnson

Sp². 29th Dec. 1857

I acknowledge
the service of this
Supersedeas this
1st day of Janry
1857

Wm⁹11 Sullivan Supt

Clarksville Tex Decr. 23. 1857

J P. Clarke Esq.

Sir Sir

Enclosed you will find a Petition
and a copy of record which you will please do
me the favor to present to Judge Green or
some of the Judges of the Supreme Court. as early as
possible and send the Superintendence &c to me.

I have executed a bond for the successful prosecution
of the writ of error on the Petition. but as it is too
informal. if so I will give another at any time

I have requested Mr. Bailey to write you a few lines
as you are unacquainted with me and my circumstances &c

Respectfully yours

Thos W. Wisdom

J. P. Cleary Esq. We know the security for
in this case is very good J. W. Bailey

James Madison
No 3 Sermonettes
& Notes
Wm. Johnson



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H. James P. Clark
Clerk of the Supreme
Court Washington Tenn