2

State of Tennessee

At a Circuit Court begun and held for Montgomery County at the Court House in Clarksville on the 1st Monday in November 1842 present the Honorable M. A. McCorkle judge of the 7th judicial Circuit a Sent of Summons Was returned in words & figures following to wit

State of Tennessee

To the Sheriff of Montgomery County Greeting

You are hereby commanded to Summon George B. Stapleton Phil. H. Norfleet George C. Pryor & Caius Johnson to appear before the judge of our next Circuit Court to be holden for the County of Montgomery at the Court House in the Town of Clarksville on the 1st Monday in November next then and there to answer James A. Dortch of a plea that they render to him the sum of Three Thousand two Hundred & three 33/100 Dollars which they owe to and unjustly detain from him to his damage three Hundred Dollars. Herein fail not. and have then and there this writ Witness Charles Bailey Clerk of our Said Court at office in the Town of Clarksville the 1st Monday in July 1842 66 year of the Independence of the United States

Chas Bailey Clerk

By his deputy James C. Bailey

I acknowledge myself bound in action to G. B. Stapleton P. H. Norfleet. G. C. Pryor Caius Johnson in the sum of One Hundred Twenty five Dollars as James A. Dortch Security for the faithful prosecution of the further suit in case of failure thereto to pay all costs & damages that may accrue thereon Given under my hand & Seal this 30th day of August 1842

Served 30 August 1842 — M. T. Gardner

We acknowledge legal Service of this writ this 12th day of October 1842

C. Johnson
P. H. Norfleet
G. C. Pryor

3

And the plaintiff by his attorney filed his declaration ag

State of Tennessee } Circuit Court
Montgomery County } July Term 1843

James A. Cortch by attorney complains of Phil F. Norfleet, Geo. C. Boyd & Isaac Johnson who have been summoned to answer him of a plea that they render to him the sum of three thousand two hundred and three 33/100 Dollars which they owe to unjustly detain from him.

For that on George P. Hopson as to whom a nul pros has been entered before the filing of this declaration. Sworn to for trust, on the 14th day of September 1839 at the county aforesaid made his certain promissory Note in writing by which he promised to pay to Phil F. Norfleet or order four months after the date thereof at the branch of the Planters Bank of Tennessee at Clarksville the sum of three thousand two hundred & three 33/100 Dollars Value Rec'd. and then and there delivered the said promissory Note to the said Phil F. Norfleet and which is now here produced & shown to the Court. The date whereof is the day & year aforesaid. and the said Phil F. Norfleet to whom the said promissory Note was made payable afterwards towit on the day & year aforesaid Endorsed the said promissory Note in writing his own proper hand and name being thereto subscribed by which he ordered the contents thereof then unpaid to be paid to the said George C. Boyd. and then & there delivered the said promissory Note so endorsed to the said George C. Boyd. who afterwards towit on the day & year aforesaid. and at the county aforesaid Endorsed & delivered the same to the said Isaac Johnson. who afterwards towit on the day & year last aforesaid & at the county aforesaid Endorsed & delivered the same to the plaintiff, and then & there thereby ordered the contents thereof unpaid to be paid to the said plaintiff which said several Endorsements are now here produced & shown to the Court by which the Maker of the said promissory Note was ordered and directed to pay the contents of said promissory Note to the plaintiff and the plaintiff

Endorse

said the plaintiff in fact avers that afterwards when the money on said promissory note became due & payable according to the tenor & effect thereof to wit on the 17th day of January 1840 in the County aforesaid the said promissory note endorsed as aforesaid was exhibited & shown for payment at the Branch of the Planters Bank of Tennessee at Clarksville where the same was made payable & payment thereof was then & there duly demanded. but neither the maker of said promissory note nor the endorsers nor any one else in their behalf did or would then & there or at any other time or place pay the said sum of money called for in said promissory note or any part thereof. and payment thereof was then & there duly demanded & refused. the said sum of money to remaining due & unpaid as aforesaid and payment refused after demand the said promissory note was then and there protested on the day and year last aforesaid and at the County aforesaid protested for non payment of all which the defendants then and there had notice and by reason thereof became liable to pay the said plaintiff the said sum of three thousand two hundred & three 33/100 dollars due on said promissory note. and the further sum of five dollars cost of protesting and giving notice of the same But the said defendants nor either of them have not as yet paid the said sum of money or any part thereof to the plaintiff. but they hand & each & all of them wholly failed & refused to pay the sum or any part thereof to the plaintiff. to the plaintiff damage three hundred dollars. and therefore he sues

H. S. Garland P.Q.

Payment stay off. Rec'd per exp. Rec'd Sept Garland

$3203.33 Portsyal. Sept 18th 1839

Four Months after date I promise to pay P. R. Norfleet or order three thousand two hundred & three 33/100 Dollars at the Bk of the Planters Bank of Tennessee at Clarksville. Value Rec'd witness my hand

Geo. B. Hopson

Endorsed. Phil R. Norfleet
Geo. B. Boyd
C. Johnson

Sept 18th 1840 for the within note by timely
five hundred dollars
J. N. Clarkson

And now at this July Term of our said Court 1843 present the Honorable M. A. Martin judge. The following proceedings were had

James A. Dortch

vs

P. J. Moffett. G. C. Boyd. R. Johnson } Debt

This day came the parties by their attorneys the plaintiff says he will no further prosecute this suit against defendant G. B. Stepson but enters a nol pros as to him. & thereupon it is considered by the Court that the deft G. H. Stepson recover of the plff the costs expended in this behalf as to him. And thereupon came a jury of good & lawful men to wit J. H. Pickens. M. Lockhart. M. O. Dennis. Jr. M. Dye. Jr. Whitfield. Jr. M. Jackson. Jas. Bruing. H. P. Barney Jr. L. Moore. Jr. C. Ellsworth. Eaus. Collier & J. Cumberlain. Who being duly elected tried and sworn the truth to speak upon the issue joined upon their oaths do say that they find the issue in favour of the plaintiff. and that the ballance of the defendants debt come to the plaintiff the sum of five hundred & three Dollars 53 cts ballance of debt in the declaration mentioned that they do assess the plaintiff damages to the sum of two hundred & fifty five Dollars & 88 cts by reason of the detention of said debt. It is therefore considered by the Court that the plaintiff recover of the defendants the sum of eight hundred & fifty eight Dollars 177 cts the ballance of debt & interest so assessed by the jury aforesd. as also the costs in this behalf expended & that execution issue on a judgment 4th day. This day come the parties by their attorneys & the defendants prayed an appeal to the next supreme Court at Nashville which being entered into bond & security according to law the same is allowed

Know all men by these presents that we P. J. Moffett. G. C. Boyd. R. Johnson. G. B. Stepson & John P. Williams of the County of Montgomery and State of Tennessee are held and firmly bound unto James A. Dortch in the sum of Seventeen hundred & Seventeen Dollars 88 cents current money of said State to be paid unto the said James A. Dortch his heirs Executors administrators or assigns firmly & severally & firmly by these presents sealed with our seals & dated this 1st day of August 1843. The condition of the above obligation is such that in an action of debt prosecuted in the Circuit Court for Montgomery County by James A. Dortch plaintiff against P. J. Moffett. G. C. Boyd. R. Johnson defendants. judgment recovered this day rendered by said Court against the said P. J. Moffett G. C. Boyd R. Johnson for the sum of Eight hundred & fifty Eight Dollars 177 cents. From which said judgment the

Said P. K. Norfleet, G. L. Boyd & C. Johnson hath prayed an appeal to the next Supreme Court to be held at Nashville

Now if the said P. K. Norfleet, G. L. Boyd & C. Johnson shall prosecute said appeal with effect, or in case of fail we thereon shall perform the sentence judgment or decree that said Court may make thereon, then this obligation to be void, or else of full force & effect. Signed sealed & delivered this day & date above written

G. P. Hopson (Seal)
John P. Mallory (Seal)

Judgment 21st July 1843 $858.77

State Tax	2.25	
Clerk Cert & Bond	1.15	
" 1 Certificate 37½ judgment 75 Bill cost 25	1.37½	
" jury 12½ or cer for Execution 25	37½	
" appeal Bond 75 transcript & Seal 1.62½	2.37½	5.27½
Sheff McCauley jury 12½ action 04		16½
		$7.69

Test
Chas Pailey Clk

State of Tennessee
Montgomery County } I Charles Pailey Clerk of the Circuit Court for the County aforesaid do hereby certify that the foregoing is a true & perfect transcript of the record & proceedings had in this cause as the same remains of record in my office. In testimony whereof I have hereunto set my hand & affixed my Seal of office at office in Clarksville this 12th day of October 1843 & 68th year of the Independence of the United States

Chas Pailey

8/858.77
107.34
35.78
8.94
34.73

4

James N. Mortch

vs

P. J. Norfleet
Geo. C. Pryor
C. Johnson

filed 24th Oct. 1843

Off 7th Circuit

Recorded in Book
No 2 — 663 — 6

No. 0

857.77
35.25
$893.02

8