

State of Tennessee

Met at the Court house in the town of
Clarksville County of Montgomery and State
of Tennessee aforesaid on the first Monday
being the 3rd day of March in the year of our
Lord one thousand eight hundred and forty
five and in the 6th year of the Independence
of the United States Present the Honorable
M. A. Martin one of the Judges of the
Circuit Court of the State of Tennessee
and assigned to hold the Court of the 7th
Judicial Circuit in ^{said} State. A qualla Whelp
Sherriff of Montgomery County by his deputy A
D. Ramey returned into Court the States writ
of Habeas facias which is in the words and figures
following to wit: State of Tennessee Montgomery County
To the Sherriff of Montgomery County Greeting
You are hereby commanded to summon
Edwin Johnson James C. Johnson John
W. Barker Jo. Whiffleda Joseph Sturdivant
John Bagnham ^{Henry} ~~Thomas~~ Rivers Zachariah
Grant Henry Northington W. M. Smith
John Bird Larkin Bradley E. S. McClellan
John Oglehead Wm. Higgins Peter Dixon
Ans. Bagley Saml. A. Miles J. M. Parker
John S. Crouch John F. Foster James Pool
John P. Adams Daniel Walker James Pro-
bet Musickah Davis H. R. Dyer M. G.
Cholson James S. Smith Orral Thomson
James Britt personally to appear the Honorable
the Circuit Court to be holden for the County
of Montgomery at the Court house in the town
of Clarksville on the first Monday in March
next then there to serve as Jurors James Wilson

and James B Grant to attend a Constable,
Harris failed not to show them this Writ,
William B Bradley Clerk of the County
Court of Montgomery County at office in the
Town of Clarksville first Monday in December
1844. 69 year of the Independence of the
United States of America

Samuel T Bradley

By the Rogers as such

On the back of which is the following Endorsement
Executed in all the within named persons except
Edwin Johnson Joseph Sturdivant & W
Parker Henry Reed This 3^d of
March 1843. S. T. Ramsey D. S.

And thereupon from the Jurors
Summoned as aforesaid the Court proceeded to
as in such cases made and provided direct
to the Grand Jurors and Grand Jury for said
County of Montgomery when and elected
Edward S Walton John Bayless John
C. Johnson John C. Crouch John W
Barker John C. Bird Thomas Collins
William Higgins Henry H. Smith James
J. Smith James C. Johnson James Britt
Zachariah Grant of whom the Court
appointed Edward S Walton for man who
together with the rest of the Grand Jurors
having been empanelled sworn and charged
according to Law to inquire for the body of
the County of Montgomery relative to
Consider of Perpetrators, James R Grant
a constable of Montgomery County was
sworn to attend the Grand Jury at this
Term

The Grand Jury returned into Court in a body
with a Bill of Indictment against William
Norfleet for Lying ^{A True bill} Signed Edward S. Allerton
foreman of the Grand Jury returned that before you
where said Bill of Indictment the Indictments thereon are in
the words and figures following to wit
State of Tennessee

Montgomery County Circuit Court March Term 1825

The Grand Jurors of the State of Tennessee Elected
impanelled sworn & charged to inquire in and for the body of
the County aforesaid upon their oaths present and say that Will
in ~~the~~ Norfleet late of said County Labourer On the 3rd day
of March 1825 with force and arms at the County aforesaid
was guilty of Lying by them and then selling & exhibiting sper
tuous liquors by a less quantity than the great contrary to the
Statutes in such cases made and provided

And the Jurors aforesaid upon their oaths aforesaid do further
present and say that William Norfleet late of said County
Labourer On the 3rd day of March 1825 with force and
arms at the County aforesaid was guilty of Lying & Lying
brought by them and then selling spirituous liquors by the great and
permitting the same to be drunk on the plantation contrary to the
Statutes in such cases made and provided. To the full example
of all others in like cases offending and against the peace and
dignity of the State

W. B. Johnson Sol

Genl. & Sol district

Prosecutor David Grant

Witnesses D. N. Mallard Joseph Brato sworn in open Court
to testify before the Grand Jury 6 March 1825 What Bailey told

A True Bill Edward S. Walker foreman of the Grand
Jury returned that before you

and then upon a Motion was made & ordered that the
aforesaid who came into Court when the following proceedings
were had to wit

State

103

3³ Jphing

William L. Proffit This day came the Solicitor General in behalf of the State and the defendant in Custody. Other came in continued as an appellant of the defendant. And thereupon came the defendant to gether with L.D. Whard his security and acknowledged themselves to be bound and indebted to the State of Tennessee in the sum of two hundred fifty Dollars to be paid of their goods & Chattels lands & tenements. And to be void if the said William L. Proffit doth make his personal appearance before the Court then on the 2nd Monday in July next & answer the State of Tennessee in the above charge. And absent themselves from the Court.

And afterwards to wit. at the July Term of our said Court 1825 present the Honorable Mr. A. Martin judge of the

State

103

3³ Jphing

William L. Proffit This day came the Solicitor General in behalf of the State. and the defendant was solemnly called to come into Court in the sum this day bound to do come out but made default. And L.D. Whard his security on the recognizance was solemnly called to come into Court and bring with him the body of William L. Proffit & answer said charge. And absent themselves but made default.

It is therefore considered by the Court that the said defendant & his security L.D. Whard do forfeit and pay to the State of Tennessee for the default aforesaid the sum of two hundred fifty Dollars according to the tenor and effect of his recognizance entered into in the Court at the last Term. Unless good and sufficient cause be shown why he did not appear. And a suspension issue.

And on a subsequent day of the said Term the following proceedings were had.

State

3^d Spring

Willie L. Proflut This day came the Solicitor General
in behalf of the State & the defendant
in court and the defendant by his counsel moved the court to
set aside the process taken in this cause against him this Bail
or Security L. O. Shackleford and argument being had it is com-
mended by the court that the matter be returned that the pro-
cess be set aside and for nothing held. and the defendant
by his counsel moved the court to quash the ^{process} indictment
against him. and argument being had it is commended by the co-
urt that the indictment be quashed for nothing held. and
thereupon the Solicitor General on behalf of the State prayed
an appeal to the next Supreme Court to be held at Nashville
and the same is allowed. And thereupon came the defend-
ant together with L. O. Shackleford his security and a clerk
obliged themselves to be bound and in debt to the State of
Tennessee to the said Willie L. Proflut in the sum of two
thousand fifty dollars. and the said L. O. Shackleford in the
like sum of two thousand and fifty dollars to be bound of
their goods and chattels lands and tenements respectively
But to be said of the said Willie L. Proflut and the
under his personal appearance at and before the next Supreme
Court to be held at Nashville on the 1st Monday in ^{December} ~~1844~~
next then and then to answer the State of Tennessee on the above
charge that report be made and leave of the Court
Will call

Clk Isaacant	50	2 app. & amts 12 th order Sleaves	1.00	91.62
"	5	Subpoena ^{12th} 1 witness 37 th Bill out 25	judmt 75	2.00
"	2	negotiating 50. Motion to quash 25		75
"	1	probate & certificate 25. appeal 75	transcript 1.62	2.62
"	1	order set aside process 25	set aside Dr. 25	50
				7.50
Shiff J. Mr. Shiff	cost	1.00		1

Cost Port on		\$8.30
Shy A. L. Manning 2 Subjunctives		50
" " 2 Dr. Mon Int		25-
" D. Grant 1 Dr. Executed		25-
To Mr. Boston Mithup 2 accy 28 Mths		2.12
David Grant Dr 3 " 20 Mths		3.15
	Total	\$15.17

Wm. Bailey Clerk

State of Tennessee
 Montgomery County
 I Charles Bailey Clerk of the Circuit Court for the County aforesaid do certify that the foregoing is a true and perfect transcript of the record and proceedings had in this case the State of Tennessee against Willie L. Norflett as the same remains of record in my office. Given under my hand this 22nd day of October 1845

Wm. Bailey

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State

W. B.

William L. Proffitt

Filed October 28th 1898

7th Street

no sale changed

off a

State of Tennessee

Plas at the Court house in the town of Clarksville
County of Montgomery and State of Tennessee
aforesaid on the first Monday being the 3rd day of
March 1848. In the year of our Lord one thousand
Eight hundred and forty five and 6th year of the
Independence of the United States. Present the
Honorable M. A. Martin One of the Judges of the Circuit
Court of the State of Tennessee and assigned
to hold the Court of the 7th Judicial Circuit in said
State. A quilla Whelpe Sheriff of Montgomery
County by his deputy A. D. Ramey returned into
Court the State's writ of Venue facias in the
words and figures following to wit

State of Tennessee To the Sheriff of Montgomery
Montgomery County & County Greeting.

You are hereby commanded to summon
- Calvin Johnsons James C. Johnson John W. Barber
- L. Whitfield Joseph Standenrunt John Payshaw
Thomas Collins Henry Reeves Zachariah
Grant Henry Northington W. H. Smith John
Bird Larkin Bradley E. S. Walton John Ogden
Wm. Riggins Peter Gion John Paylop. Saml
A. Miles J. W. Packu John S. Crouch John
S. Foster James Pool John Indus Daniel Wallin
James Crockett Hissick David H. R. Parker
M. Gholson James S. Smith Arsal J. Hornblow
James Britt Personally to appear before the Honorable
the Circuit Court to be holden for the County of Montg
omery at the Court house in the town of Clarksville
on the first Monday in March next then and
there to serve as Jurors and Saml. Wilson James
R. Grant to attend as Constables. Herein fail not
have thee this writ. Witness B. J. Bradley Clerk

of the County Court of Montgomery County at office in
the Town of Clarksville on the first Monday
in December 1844 86th year of the Indepen-
dence of the United States of America.

Bennet F. J. Bradley
By Wm. Rogers Deputy

On the back of which is the following Endorsment
Executed on all the within named persons except
Edwin Johnson Joseph Sturdivant J. W. Parker
& Henry Revere. This 3^d of March 1845.

Ad Ramey & Shiff

And thereupon from the Jurors summoned as aforesaid
The Court proceeded to as in such cases made
provided directs to Elect and empanel a Grand
Jury for said County of all out going when are
Elected Edward S. Walton John Bagley John
Ogleburn John S. Grouch John W. Barker
John P. Bird Thomas Collier William Reggins
Henry H. Smith James S. Smith James H.
Johnson James Britt & Zachariah Grant.
of whom the Court appoints Edward S. Walton
foreman roles to go with the rest of the
Grand Jurors having been empanelled & sworn
charged according to Law to inquire for the
body of the County of Montgomery relative
conscience of Jurors. James R. Grant a
constable of Montgomery County was sworn
to attend the Grand Jury at this Term.
The Grand Jury returned into Court in a
body with a bill of Indictment against
William Norflett for Telling a true
Bill. Edward S. Walton foreman of the
Grand Jury & wound that. Copies in

Which Bill of Indictment & the indictment thereon are
in the word and figure following to wit

State of Tennessee

Montgomery County Circuit Court March Term 1845

The grand jurors of the State of Tennessee Elect
empannelled sworn and charged to inquire in and for the
body of the County of ^{Montgomery} upon their oath present
and say that Willis L. Norfleet late of said County La-
bourn on the nineteenth day of October 1844 sent for
and came at the County assizes and was guilty of Tipping
by then and then selling and retailing spirituous liquors
by a less quantity than the quest contrary to the Statute
in such case made and provided

And the jurors aforesaid upon their oath aforesaid
do further present and say that Willis L. Norfleet late
of said County Labourn on the nineteenth day of Octo-
ber 1844 North fore and came at the County assizes
was guilty of selling spirituous liquors by the quest and
permitting the same to be drunk on the premises con-
trary to the Statute in such case made and provided to
the full example of all others in like cases offending &
against the peace and dignity of the State

W. P. Johnson Del

Geo. J. St. District

Prosecutors David Grant

Witnesses Parley Davis sworn in open Court
to testify before the Grand Jury March 12th 1845

John W. Madison Clerk

Attest Peter Edmond T. Watters foreman of the Grand
Jury

And a hearing upon the return was had. And on also hearing
the return was returned to the July Term of our said Court 1845
When does present the ^{return} the A. Martin when the full
coming proceedings were then turned

State

Willie L. Norflint } This day came the Solicitor General in
 behalf of the State. and the defendant in
 custody of his Bail. And the defendant moved the court
 to quash the Bill of Indictment against him. and argu-
 ment being had. It is considered by the court that the in-
 dictment be quashed and for nothing laid. And the Solicitor Gen-
 eral prayed an appeal to the next Supreme Court to be held
 at Nashville and the same is allowed. and Thompson caused
 the defendant to gether with J. O. Shackelford as his security
 and acknowledged themselves bound and indebted to the State of
 Tennessee to suit. The said Willie L. Norflint in the sum of
 two hundred fifty Dollars and the said J. O. Shackelford in the
 like sum of two hundred and fifty Dollars to be found of their
 goods and chattels lands and tenements respectively. But to be void
 if the said Willie L. Norflint doth make his personal ap-
 pearance before the next Supreme Court to be holden on the
 15th Monday in December next at Nashville then and there
 to answer the State of Tennessee on the above charge ~~port~~
 and also as by such judgment as the said Supreme Court may
 make in said cause that respect thereto here of said court

Bills and fees Indictment 50. 1 affidavit 5 ⁰⁰	56 ⁷⁵	
or over Scapion 1.00. or over & above 1.00 2 Subpoenas 50	2.50	
judgment 75. Motion to quash 25 Bills cost 25	1.25	
appeal 75. Transcript & seal 1.00	2.37 ⁵⁰	
1 pro bono & clerk costs	12 ⁰⁰	6.81 ⁷⁵
Shiff A. D. Mearns 1, ^{supper} sum at 50. omit 1.00 2 Subpoenas executed	2.00	
" " 2 De non est	25	
P. W. Hain Mearns 1 day	75	
		99.81 ⁷⁵

John W. R. R. Clerk

State of Tennessee
Montgomery County } I Charles Bailey Clerk of the Circuit
Court of the County aforesaid do certify
that the foregoing paper written paper contains a true and
perfect transcript of the record proceedings had in this
Court the State of Tennessee against William I. Nesbitt
as the same remains of record in my office. Given
under my hand this 29th day of October 1865

Charles Bailey

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Stall

ms B

William S. Hart

Filed October 28th 1898

7th Dec 1898

no not changed
per your reference

No. 0