State
vs
Barrett, Wilie

forfeited recognizance bond
in the state case vs. Newton Barrett

11 pg

1846

State vs. Wiley Barrett 33

In this Cause the said Wiley Barrett makes oath that when the Case of the State against Newton Barrett for felony was called at the last term of this Court he went into Court when something was said about Continuing the Cause for the Deft. and declared in open Court that he would not stand as the security of the said Newton Barrett any longer. He made this declaration aloud in Court in answer to a request of the Deft. Newton Barrett Counsel that affiant should should again go the security of the said Newton Barrett for his appearance to the next term of the Court. Affiant now states he did verily believe he had delivered up the said Newton as he intended to do to the Court. He was ignorant of the propriety of bringing up the said Newton & make a formal surrender of him to the Sheriff. He really supposed he had done all he intended to do & was discharged. And he further says that soon as he was informed that the said Newton had left the Court for the purpose of getting some person to stand as his security for his appearance to the next term of the Court he immediately conjectured his object was to abscond & acting on that idea & belief he immediately employed W. B. Fleming. Given

Stanfield & Peter Gray persons of known
energy and perseverance, and familiar
with the road & bypaths leading from this
place to the rolling hills where the said
Stanton was supposed to have gone to
make hot pursuit after the said Stanton
for the purpose of retaking him & to deliver him up
to the judgement of the law. He offered these men
fifty dollars to bring him back & they set out in pur-
suit of the said Stanton who left an hour after
he had left the Court house & pursued
him for several hours & did not return till
after they were satisfied further pursuit was
not necessary & of no avail. Whereupon the
affiant immediately offered one hundred
dollars to any person who would deliver
up the said Stanton to the Court. & Peter
Gray George Stanfield & two others did
in pursuance of this offer keep watch
as he is informed & knows during the night
after he left the Court in said places near his
former usual one as they supposed he would
most likely frequent. He not only offered
the sum of one hundred dollars for his
apprehension but agreed to pay & did
pay them at all events for the trouble
of watching for him as above stated
as they will state in affidavits herein annexed
He further states after failing in these efforts he

has not neared his mile doing for up to the present hour, & now he ~~has~~ offers one hundred dollars to any person who will deliver up the said Newton to the Custody of the law. or to the punishment which he now ~~suffers~~ delivery for merits He further states he is prepared at any time to give this reward for his apprehension & expects to make a provision in his will for this purpose. Having done all he could do. and having made every effort in his power to retake the said Newton bring him to justice. he prays your Honour to release him from the forfeiture of the recognizance taken in this cause.

Test Z. T. Schimmell clerk

8th Dist
Miller & Barnett
Pltfs

Hale
vs } Affidavit
Weber Barrel

Filed 28 October
1846

State of Tennessee To the Sheriff of Stewart County Greeting
whereas him before to wit on the Twenty fifth day of January 1846 in
Our Circuit Court for the County of Stewart Miles Barrott
and acknowledged himself to Our and be indebted to the
State of Tennessee in the Sum of One thousand dollars to be
levied of his proper Goods and Chattles lands and Tenements
but to be void on Condition that Newton Barrott should
well and truly make his personal appearance before the
said Court on the first Wednesday after the fourth Monday
in June 1846 there and there to answer the State on an
indictment for fellony and not depart without leave of the
Court - and whereas afterwards to wit on the Twenty fifth
day of June 1846 at the June Term of said court the said
Newton Barrott being Solemnly called to come into court
to answer said charge came not but made default and
the said Miles Barrott having been also there and there Solemn
ly called to come into court and bring with him the body
of the said Newton Barrott to answer said charge came
not but made default and it was thereupon considered
by the court that the said Miles Barrott for the default
afore said should forfeit and pay to the State of Tennessee
the Sum of One thousand Dollars according to the Tenor
and effect of his said Recognizance unless he show
Good cause to the contrary at the next Term of this
Court. We therefore Command you to make
known to the said Miles Barrott the Tenor and
effect of this Scirefacias and that you summon the said
Miles Barrott to be and appear before the Judge of Our
7th Judicial Circuit for the State of Tennessee at the court House in
the Town of Dover on the first Wednesday after the 4th Monday
in October next - to show cause if any he has or thereby
of why Judgement final should not be entered against him
in favor of said State for his default afore said and have
you there and there this writ witness P. T. Stewart clerk of our
said court at office in the Town of Dover on the 4th Monday
in June 1846 and 70th year of the Independence P. T. Stewart clerk

State of Tennessee
vs Scifa
Nelie Barrott
Issued 1st October 1846

State vs Willis Barnett

J. W. Stanford makes oath he is personally acquainted with the facts stated in the affidavit of Willis Barnett heretofore filed and he knows these statements to be true.

He was employed by said Stanford with Peter Grey & Bob B. Cleburn to retake said Newton Barnett by the said Willis. They made pursuit within less than ½ an hour after the said Newton left the Court & made every effort in their power to retake him. He has reason to believe they were within a few hundred yards of retaking said Newton but he evaded their pursuit by leaving the road or secreting himself in such a manner that he could not be detected.

He further states it is true said Willis did offer one hundred dollars for his apprehension as stated in his affidavit & did employ himself & others to keep night watch for the said Newton near his residence & where they supposed he would most probably be lurking.

Their efforts to retake him have proved unavailing, notwithstanding the exertions made. He further states he has not at any time intercepted or made arrests on the part of any one to

bring an accused man to trial & punish it not as Mr Willie Bennett has exhibited, His efforts have been unremitting and he has offered ~~his~~ money freely to any one who will bring back the stand Newton. That he may stand his trial in this how court.

George W. Mayfield

Test: J. S. Cummins

Hall
vs } appellant
Welee Barrel

Filed 28 Oct
1845

State
vs } Forfeited Recognizance
Wilson Barrat. This day came the attorney general on behalf of the State and the defendant in proper person and the defendant moved the court upon affidavits filed to be released from the forfeiture taken against him at the last Term of the court as the Bail of Newton Barrat and it appearing to the satisfaction of the court from the affidavits filed that the defendant Wilson Barrat has made every possible diligence to retake the the said Newton Barrat by employing persons to retake the said Newton Barrat and offering a reward for his recapture and that the said Wilson ought to be released from said forfeiture It ordered by the court that the said Wilson Barrat be released from said forfeiture upon his paying all the cost in the case of the state against the said Newton Barrat and the cost in this case for which Execution may issue