

R 486

John. Norwood

vs depositions
of
J. E. Niles +
Jas Norwood +
J. J. Norwood +

J. J. Pinsterton

et al

Filed 27 Sept 1869

C. W. Lawrence cjm

Bill Cost

Exp on Taking & Depositions
J. E. Niles & Norwood by day 50 miles

547
270

+

John, Hornord et al In Chancery
^{vs}
James J. Pinckney et al at
Huntingdon

The Depositions of Jno. Hornord, Henry
Smith, J. J. Hornord, Lewis Hornord, J. B. Holes. Witnesses
for the complainants in the above stated
Cause taken on Notice at my office in
Huntingdon Carroll County Tennessee. On
Notice - On the 27th day of Sept^r 1869
in the presence of A. B. Hastings attorney for
Complainants and H. B. Thomas attorney for
defendants said witnesses being of full
age after being duly sworn deposed as
follows:

J. E. Sawles first examined by Com-
plainant.

Questⁿ 1st - How will state where you resided
in 1865-6 & 7 -

Ans^r A portion of the time in 1865 I was in
Paducah - Nashville - and Smithland I was
in the army and in 1866 and 1867 I was
at home in Benton County Tennessee.

Q. State if you are acquainted with
the parties to this suit - If so how far
you live from them.

and a Wife from Mr J. J. Pinkston
Quest 3rd State where defendant James J
Pinkston resided in 1865,
Ans I don't recollect of seeing him in that
year, and can't say where he lived.

Quest 4 State where defendant Pinkston resided
during the year of 1866.

Answer I think he moved back to Tennessee in
the spring of 1866.

Quest 5 State where did defendant come in 1866
when you say he moved back to Tennessee
And state as near as you can the time
he did return -

Ans he said he came from the State of Illinois
I don't remember the precise time of the year
It was in the spring some time -

Quest 6 State if you heard defendant James J
Pinkston say anything about what he
was doing ^{while} in Illinois - If so state
what he said about it.

Ans I heard him speak of labouring some
while he was there.

Quest 7 State whether or not you heard def-
endant James J Pinkston say anything
about exercising the right of suffrage
while he was living in Illinois - If
so state what he said about it.

Ans I heard him say he voted for Aldabe in Illinois.

Quest 8th - As there are two defendants in this suit by the name of Pinkston you will now ^{state} which one you have been referring to in this deposition -

Answer James J. Pinkston was the only I referred to.
Capt Grand by drift counsel -

Quest 1st Where did the family of Jas J Pinkston live during the years 1865, 67 & 8?

Answer In August 1865 I got home and from that time up to 1867 or 1868 his family resided in Carroll County -

Quest 2nd Where did they move to in 1867 or 8 when they left this County?

Ans they moved to Benton County and resided there at this time.

Quest 3rd When you speak of the drift having said that he moved back to Lewis in the Spring of 1866 did he the drift say in that conversation that he had only been staying in Illinois in order to keep from being arrested & sent to prison by the Confederate authorities if so state all he said about this -

Ans he said something concerning that - but I can't state all that was said about it.

Quest 4th Did he not tell you in that conversation that the

Quest 5 During the time of his absence there did his family remain here in this County? or did they go to him?

Answer If they did I never heard of it.

Quest 6 Did the deft James J take any of his household or kitchen furniture with him when he left here?

Ans I don't know -

Quest 7 Where did his family live while he was absent?

Answer I don't know.

Quest 8 Did the deft own a house plot of ground in this County in 1865 & 6?

Answer From what I could hear it was in dispute there was two or three claiming it then with others -

Quest 9 State what time you went into the army & what time you returned again to this County?

Ans I went out in July 1862 and returned again in August 1865.

Quest 10 State if the wife & family of the deft James J was not living on the place claimed by said deft when you left & when you came back again 1865?

Ans They were staying on it when I left but when I returned I think a man by the name of Cooper was living there - if he was not when I returned he was a short time after I got home -

Quest 11 Do you know where the deft's family lived at that time; that is, at the time Cooper lived on the place

Claimed by the deft James I?

Answer I think they were somewhat scattered though they lived in this County -

Quest 12th What was Coopers given name?

Answer John Cooper.

Quest 13th What month in 1866 did the deft James I come back to this County?

Ans I don't know the month it was in the Spring in April or May - I think.

Quest 14th Do you know how the deft James I left this County, if so state how, when he went to Illinois?

Answer I heard him say he was captured by Forrest at Humboldt and that Forrest paroled him to leave the state and stay out of it during the war to which question and answer Campbell Counsel excepts -

Quest 15th Did not the deft James I tell you in that conversation that Forrest carried him to Muncie in Kentucky?

Ans I don't recollect of his telling me that -

Depona by H. H.

Quest 16th When did the Confederate authorities cease to exist?

Answer It was sometime in the Spring of 1865 -

Quest 2nd How many was there in defendant James I. Pirkston's family in 1865-66?

Ans Same four or five

Quest 3rd State if a portion of the members of

Ans I dont Recollect. I saw Sam of his married
Daughters at Paducah going to Illinois.
4 and one of his Single Daughters also.
3 Q State whether or not defendant James
J. Prickston was a Soldier at any
time during the second war.

Answer I saw him with Soldiers Uniform on. I never
saw him Enlisted.

5 Do you know of your own knowl-
edge of defendant James owning
land in Carroll County in 1860-66.

Answer I never saw his land, though he claimed some
land in Carroll County.

6 Did you or not in the conversations
referred to hear defendant James say
he never drew any pay or bounty from
the Government and that he really
never belonged to any army.

Answer I have heard him say he never got any pay.
he said he belong to the 7th Wisconsin Battery.
Res. Exposed by Defts.

Quest 1" Was not the single daughter of the deft that you saw
at Paducah grown & was she not with her
married sister that you said there?

Ans ^{and further this defendant object not}
30m. 19 some ^{she was grown and with her married sister}
of Phelia Howwood next examined. L. E. & V. O. L. E.

Quest 2" — State if you are one of the
Plaintiffs Complainants in this suit —

Answer I am one of the Complainants.

Quesd 2. State where defendant James J. resided during the year of 1865.

Answer He said he resided in Illinois.

3 State where defendant James J. resided before he went to Illinois and at what time he left this country.

Answer He resided in Carroll County. he left this County about the time the Federals were stationed at Humboldt.

4 State at what time he returned to this ^{State} after he left at the time you speak of.

Answer My recollection is that he returned about the latter part of May 1866.

5 ^{State} - Whether or not defendant James J. had returned to this State at the time of the institution of this Suit.

Answer he had not.

6. State if defendant James J.'s family was with him during the time he was absent from Tennessee or any part of them.

Answer I cant say they were with him. I saw his Daughter & Grand son on a Steam boat at Johnsonville.

Ans

been when they returned.

Q

Defendants Counsel excepts to the foregoing question. Computed by C & M and official Chancellor

Ans

they said they were going to Illinois and when they returned they said they had been to Illinois they were gone about two months.

Ans

8th

State if you ever heard defendant James J. Say when his daughter Grand daughter were during the time, were absent from Tennessee by State where he said they were.

Ans

Ans

He said they were in Illinois with him or about him.

9

State how long they returned to Tennessee before defendant James returned they returned before he did but I dont know how long first.

Answer

10

State what you heard defendant J. Say about living in Illinois - & how long he said he lived there - and what he said about voting whilst in Illinois

Ans

He said he lived in Illinois but I dont know how long. he said he voted for his son or Logan whilst there.

Ques. 11.

State if you ever heard defendant Say anything about not drawing pay

from the Government of so state
what he said about it.

Ans He said he had never drew any pay from
the government but I dont recollect the
Cause why he did not.

Cross Examined by Defts Counsel

Quest 1st State if the wife & family of the deft James I did not
reside in this County all the time during the absence
of said deft?

Answer his wife and part of the family did but
not all of the family.

Quest 2^d Which of the family did not, name them?

Ans - his Daughter Elizabeth and his Grand
Son Jordan.

Quest 3^d How old was his daughter & grandson?

Answer I dont know the age of either of them

Quest 4th Where did they live while absent from here?

Answer I can only say from their report.

Quest 5th Are they the same persons you speak of in your
examination in chief - when you stated that they
lived in Illinois?

Ans they are the same two.

Quest 6th When did they leave this County, & what time did they
return again?

Answer they left to the best of my recollection in the
spring of 1865 - and returned in the sum-
mer or fall of the same year.

Quest 7th Did the rest of the defts family remain here at home

Ans I believe they did -

Quest 8th Did they live on the place claimed by the deft James during that time & until the return of the deft himself to this County?

Answer They lived there until Cooper got in possession of the place which was in or about the last of March 1866.

Quest 9th How did Cooper happen to get the place?

Ans I rented it to him -

Quest 10th When did the deft James leave this County?

Ans He left it about the time the Federals occupied Humboldt

Quest 11th How & why did he leave?

Answer He said he was afraid to stay in this County - on account of the Confederate forces -

Quest 12th Did not you see & talk with the deft James J after he came back in 1866 & before you commenced this suit?

Ans I think not -

Quest 13th Did you not on the day you filed the Bill in this cause see the deft James J in this Town & talk to him?

Ans The Bill was filed before I saw him in this place

Quest 14th You are positive then that you did not see nor know the deft James J was here in the County when you filed the Bill?

Answer My Recollection is the Bill was filed before I saw him or knew that he was in this County -

Quest 15th When did you have the conversation with the deft James J in which he told you that he had been living in Illinois & while there he voted for Lincoln or Logan?

Ans My recollection is that it was the first or second time that I saw him after he returned in the spring.

Quest 16th What month & what year was it & who was present?

Ans It was a short time after he returned the last of May or first of June 1846 and if there was any one present it was one of J J Pinkston's little boys that I had hired.

Quest 17th When did the conversation take place when he told you that he had never received any pay for his services in the Federal army & who was present?

Answer I have heard him speak of it several times but I don't remember the time or who was present.

By and by Capt

Quest 18th When James J Pinkston's daughter and Grand Son were gone to Illinois was or not his wife the only one of the family in this Country.

Answer The wife of Mr Pinkston and a little Grand Son and a ~~man~~ Daughter and child of the ~~man~~ Daughter was still in this Country - and further dependent on the rest.

Thos J. Homwood next Examined by counsel
Quest 1 Why Corrupt?

Ans When and where were you married
I was married in January 2 1866. etc
in Carroll County.

Q Where did you go to after you were
married - I mean to what State did
you go?

Ans I went to Illinois in a few days after
I was married.

Q When was defendant James J. Quikston
living at the time you went to Illi-
nois, An

Answer ~~I think~~ He was living in Illinois

Q How long do you know of his living
in Illinois after you went there.

Answer He lived there about three months that I
know of

Q How far by drifts

Quest 1 How far is it from here to where you said Mr
Quikston in Illinois?

Ans about 160 miles

Quest 2 What time in April was it that he started home
to this County?

Ans To the best of my recollection it was the 3rd
day of April 1866 but I don't know when
he went to when I came back here in
September I found him here.

Quest 3^d

Was Mr Pinkston living on a farm of his own in Illinois while you saw him there? or was he working about from place to place?

Ans

He was working on a house for William Rodford - and if he owned land there I don't know it or any other property except a wagon and a pair of a Rifle gun and workmen's tools, and further this deponent don't know

1 day 26 miles

J. J. Homwood

Lewis Homwood, 1 day 26 m
not of an owner

The Depositions of J. E. Niles John Homwood and J. J. Homwood were taken before me at the time and place mentioned in the Caption and in the presence of three Stated Jurors and the questions were reduced to writing by the attorneys and answers reduced to writing by me and read over to and adopted and signed by the witnesses in my presence and I Certify that the same has not been changed in any way since taken and that I am neither of Kin or Counsel for either party nor interested in the suit and that I filed the same in my office the 27th Sept/6,
S. W. Hawkins C. J. M.

Bill Cost

C & M Taking 3 Depositions		\$3.00
J. E. Hokes Benton Co 1 day 30 miles		2 70
John Norwood 1 day 26	\$1.84	2 64
T. J. Norwood 1 26	1 84	2 64
James Norwood Not examined 1 day 26 mi		2 64
		\$11.82