

799

Payne
vs
Holt & Clemons } Fall term 1848

Defendant Lewis C. Clemons this day personally appeared before the undersigned and made oath that he cannot go safely to trial in this cause on account of the absence of James M. Harris a material witness for his defence that said Harris has been in attendance on this Court during the first weeks of its term but is now sick & unable to attend Given under my hand this 5th day of January 1848

J. C. Schumier

Sworn to in open
Court Day 5th 1848

J. D. Crumpler & M. D. O. M. C.
J. R. Holt in Elgin G. P. G.

We believe that we can prove by J. M. Harris that Bolin to whom L. C. Clemons had sold the tract of land for which the note sued on was given him Deft Holt two hundred dollars to take the contract off his hands & gave up to Holt the bond for title that Clemons had given him Bolin. And thereupon Clemons gave up the notes he held on Bolin & Holt executed his notes for the purchase money one of which is the note sued on. And Clemons executed a bond for title to Deft. Holt.

No. ~~177~~ 180

Paym

Co $\frac{3}{4}$ aff

Holt & Clemmons

Filed Jan 5th 1848

D. D. Cramer clm.

to me by

Robt. M. Edgwin, Dpt