~~Petion~~ 9331

Petition of

D. B. Cliffe

E. G. Williams

J. S. Whitehead

April 1864

Cizo

To the Provost Marshal of Franklin
Tennessee—

The petitioner David B. Cliffe, a loyal citizen of the United States, and a citizen of the County of Williamson and State of Tennessee shows that on and before the 4th day of June 1863 his son John B Cliffe was the owner of a stock of goods in a storehouse on the public Square in the Town of Franklin which he was offering for sale and was selling at retail under and by a permission of the Federal authorities. That on said 4th day of June 1863 one Ephraim J Williams accompanied by a portion of Genl Forrest's command entered the town of Franklin and having forcibly broken open the said storehouse took, carried away and destroyed by the aid of others a large amount of said stock of goods, to wit; about thirteen hundred dollars worth—That the said Williams carried a portion at least of said goods out into the country and sold and disposed of the same for his own use and perhaps appropriated portions thereof to his own personal use or that of his family—That said Williams is believed and avers before that time to have been absent and skulking from the command of said Forrest committing depredations in different portions of the country and to have entered the town of Franklin with a portion of Forrest's command on that occasion for the purpose of plunder—That the said Williams well knew at the time that the said John B Cliffe was a loyal citizen of the United States and engaged in a peaceful and legitimate occupation. And the petitioner further shows that if the said Williams were at that time

a member of any company in Genl Forrest's command or of any other company in the rebel service, his act and that of the others in which he concurred was in taking and carrying away or destroying the goods of the said John B Cliffe was not authorized by the laws of arms but was an act of mere robbery and plunder; or if he were at that time an absentee or deserter from the rebel service the act was one of wholly unauthorized by any law whatever: and petitioner claims that the said Williams is in either event responsible to said Jno B Cliffe for the entire value of his property so taken and carried away or destroyed.

The premises considered the petitioner prays that the said Ephraim J Williams be ordered and made to pay to the said John B Cliffe the entire value of his property so taken away and carried away and destroyed and to that end that he be held to answer the charges and specifications herein before set forth either before yourself as Provost Marshal or if in your judgement that course is not proper one, before such military commission or other military tribunal as the Commander of the District shall see fit to direct to try the matters there being no civil court in the county of Williamson before which the said Jno B Cliffe can have the matter brought tried and determined

John B Cliffe

Franklin Tenn
April 11 1864

Sworn and subscribed to before me at Franklin, Tenn. April 11th 1864.

Geo. Edgar Gisham,
Capt & Provost Marshal

To Maj Gen. Rosseau:

(Commander of the Dist

The within petition is respectfully referred to you, for your action thereon, and the party is sent together with the same to you.

Respectfully,

General, Your obedient Servt,

F. M. McFall

Capt. 8th Tenn. V. Cav. &

Comdg Post at

Franklin Tenn.

Know all men by these presents that we Ephraim J. Williams & John S. Whitehead

are jointly and severally bound, or heirs executors and administrators, unto the United States in the penal sum of one thousand dollars to be levied of our lands and tenements, goods and chattels.

The condition of the above obligation is such that if the said Ephraim J. Williams shall make his appearance before such authorities and at such time and place as may hereafter be specified to answer a charge preferred against him by D. B. Cliffe, of taking from the store house of John B. Cliffe, in the town of Franklin, Tenn, without proper authority and without paying for the same, a large amount of goods to the great damage of said John B. Cliffe, and otherwise damaging the said John B Cliffe by breaking and destroying property in said store belong to the said John B. Cliffe Now if the said Ephraim J. Williams shall make his appearance to answer said charges as aforesaid then this obligation to be void and

~~and~~ void, otherwise to remain in force and effect Witness our hands and seals ~~this~~ at Franklin, Tenn. this 4th day of April 1864.

E. J. Williams Seal
J. S. Whitehead Seal

attest
F. M. McFall
Capt Comdg Post.