

State of Alabama  
Barbour County, To His Excellency  
Andrew B. Moore, Governor  
of the State of Alabama.

The petitioner of  
the undersigned John C. Hill respectfully  
represents unto your Excellency, that a  
bill of indictment was found against  
your petitioner at the Spring Term  
of the Circuit Court for said county,  
~~for gaming, and~~ that your peti-  
tioner was arrested by virtue of a  
Capias issued from said Court, and  
gave bond with one James Ross as secu-  
rity in the sum of two hundred <sup>dollars</sup> pay-  
able to the State of Alabama in case  
petitioner should fail to appear at  
the next Term of said Court, & from  
Term to Term thereafter to answer to  
said bill of indictment. Your peti-  
tioner further represents unto your  
Excellency that at the Fall Term of  
1837 of said Court, your petitioner  
then a resident of America in the  
State of Georgia came to Clayton,  
the place of holding said Court, on  
Monday morning of the week at  
said Term when the criminal docket

was taken up, and remained on  
hold in Clayton where said Court was  
held, until Wednesday of the same  
week, when he was informed by  
Haywood Peppin Esq., who had examined  
said Criminal Docket that petitioner's  
case could not possibly be reached on  
that day, and that he would be safe in  
going away until next morning. Petition-  
er further alleges that having imper-  
tant business in the town of Midway  
about eighteen miles from Clayton  
he left the Court for the purpose of  
attending to it, with the intention of  
returning next morning. on the day  
your petitioner left Clayton (Wednesday)  
the said case against petitioner was  
called, and a forfeiture taken, and a  
judgment nisi entered against your  
petitioner, <sup>his said security</sup> for the sum of \$200.<sup>00</sup>, on account of  
petitioner's absence. Petitioner further  
alleges that he did return early on  
Thursday morning, to stand his tri-  
al, when he found that said forfeit-  
ure had been taken, and the case con-  
tinued. Your petitioner was there  
recognised with one James Ross in  
the sum of two hundred dollars

to appear at the next Term thereafter of  
said Court to answer said bill of  
indictment. Petitioner further alleges  
that at the time of the sitting of  
said Court at the Spring Term 1859,  
it was impossible for petitioner to  
attend said Term of the Court, by  
reason of the prevalence of the  
Small-pox, your petitioner then resi-  
ding in St. Laines, Georgia, near  
to Columbia, Alabama, and the  
Commissioners Court of Barbour  
County, having stationed guards  
to prevent the ingress of any per-  
sons under whatever pretext from  
the place petitioner then lived into  
the said County, and petitioner al-  
leges that by reason of said restric-  
tions he was prevented from atten-  
ding the said Term of the Court. Your  
Petitioner further alleges that in con-  
sequence of his absence at said  
Spring Term 1859, the said judg-  
ment nisi was rendered final  
against your petitioner and  
his said security, James Ross  
for the said sum of One hundred  
dollars. For the reasons set forth

your petitioner prays your Excellency  
that an order may be granted re-  
mitting the said sum of money, and  
enjoining the collection of the same  
under the execution to be issued  
from said Court, your petitioner  
having at the Fall Term 1839 of  
said Court appeared and recog-  
nized with sufficient sureties for  
his future appearance to answer  
said bill - and that your Excellen-  
cy will grant such further orders  
as shall seem meet & proper for  
said case - & your petitioner as in  
duty bound will ever pray, &c.

John C. Hill

The State of Alabama } J. J. Williams Judge  
Barbour County } of Probate for said county  
and Clerk Esposito and Kuper of the record  
and seal of said court hereby certify  
that John C. Hill whose name is  
signed to the foregoing Petition appeared  
before me in person on this day  
and was by me duly sworn to the contents  
of the said Petition and I certify that  
he is the person he represents himself  
to be given under my hand and  
seal of office this 26<sup>th</sup> October 1839

J. J. Williams Judge of  
Probate

