

**Court of Pleas and Quarter Sessions, White County, Tennessee County Clerk's Minute Book
Tennessee State Library and Archives micropublication roll 23**

Volume: Page 7: 129 (1806-1811)	Date 15 November 1809	Cause styled as: <p style="text-align: center;">Thomas Clark } vs. } <i>Qui tam</i> Debt Ericus Smith & others }</p>
--------------------------------------------------	-------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------

Content of cause:

In this case the Death of
Thomas Clark being suggested — it is agreed upon by the parties
in the aforesaid suit and thereupon ordered by the Court that the
above suit be revived in the name of Winneford Clark
Executrice [sic] of Thomas Clark deceased against Ericus
Smith & others.

Comment: *Qui tam* action is one brought by an informer under a statute which established a penalty for the commission or omission of a certain act, and provides that the same shall be recoverable in a civil action, part of the penalty to go to any person who will bring such action and the remainder to the state or some other institution. It is called a *qui tam* action because the plaintiff states that he sues as well for the state as for himself. *Black's Law Dictionary*, Fifth Edition (1979), 1126

Researcher: Julia Cauble Smith, 2905 Sentinel Drive, Midland, Texas 79701 (432/697-4955) <cauble@cox.net>