

Read before the honorable Darry W. Humphreys
Esquire Judge of the fifth Judicial Circuit of the State
of Tennessee for Montgomery County, at the Courthouse in
Clarksville on the Third Monday in February 1828 and
52nd Year of the Independence of the United States.

Be it remembered, that heretofore, to-wit,
on the first day of January 1826 a transcript of a record
was filed in the clerk's office of the Circuit Court for
Montgomery County aforesaid in the following words & figures
to-wit,

State of Tennessee

At a County Court of Pleas & Quarter Sessions
continued & held for the County of Montgomery at the
Court house in the town of Clarksville on the Third
Monday in October 1825.

Present.

Valentine Allen Esquires
Nicholas Bagwell Justices.
Edward S. Walton

An appeal from a Justice Court was returned
in the following words & figures to-wit.

State of Tennessee

Montgomery County

To any lawful officer to
execute & return.

You are hereby Commanded to summon Isaac
Robinson to appear before me or some other Justice of
the peace for said County to answer Samuel Young
in a Plea of debt under one hundred dollars. Given in
pat. Given under my hand & seal this 18th day of Aug
1825

Charles Bailey.

Endorsed. Executed & returned on the 20th August 1825.

D. Bailey

Laid over until Monday the 29th Inst August 20th 1825.
Laid over until Wednesday the 7th Sept 1825. Aug 29 1825.

Samuel Young Judgment for Plaintiff on debt
Israel Robinson proven — \$5.68

Officers per Bayless 1.75
" " Ramsey 1.00
Witness John Faggett 1.00
" Henry H. Smith 1.12 1/2
" William King 1.00
" Thomas Clark — 3/4

September 7th 1825. " Charles P. Robinson — 25 — \$6.50
\$12.18

State of Tennessee An appeal prayed & granted
Montgomery County I do hereby certify that the above
is a copy of the Judgment, in this case given under my
hand this 7th of September 1825. Isaac Sennison - J.P.

We know all men by these presents that we
Israel Robinson Thomas Orgain & Charles P. Robinson
are held & firmly bound & obligated unto Samuel Young
in the penal sum of Twenty five dollars, for the true
payment of which we bind ourselves our heirs
&c. &c. sealed with our seals & dated this 7th of September
1825.

The condition of the above obligation is
such, that whereas the above bound Israel Robinson
hath prayed & obtained an Appeal to the next Court
of Pleas & Quarter Sessions for Montgomery County to
be holden on the Third Monday in October next,
Now should the said Robinson prosecute his appeal
with effect, then this obligation to be void, otherwise
to remain in full force & effect. Given under our hands
& seals the day & date above written.

Israel Robinson Seal
Thos Orgain Seal
Charles P. Robinson Seal

And now at the October Term 1825 the following
proceedings were had thereon to wit,

Present Herling Kettelle Esquires
Valentine & Allen Justices
J. W. Bayless

Samuel Young vs. Appeal

This day came the parties by their
Israel Robinson attorneys, and thereupon came a
Jury of good & lawful men, to wit, Leigh Price George
Allen, Jesse Craft, James Williams, Edward Fulton
David Anderson, John Worthington, William C.
Laney, John Brotzer Willie Hagan, John H.
Williams, and Francis Pearine, who being duly elec-
ted tried & sworn the truth to speak upon the
issue joined upon their oaths saying that they find
the issue in favour of the Plaintiff and assess his
damages to thirty five dollars besides his costs.

Therefore it is considered by the Court that
the Plaintiff Samuel Young recover against the
Defendants Israel Robinson & on motion against Thom-
as Ogain & Charles P. Robinson his security in appeal
the sum of Thirty five dollars, the damages afores-
said, by the Jury in form aforesaid, together with
his costs by him about his suit in this behalf expended.

This day came the Plaintiff by his attorney
& prays for, and obtained an appeal to the Supreme
Court of Montgomery County & having entered into
bond & security satisfactory to the Court, the same is allowed.

State of Tennessee

Montgomery County. I Andrew Vance Clerk of
the County Court of Pleas & Quarter Sessions for the
County aforesaid, do hereby certify that the foregoing
copy of the proceedings had in the case of Samuel Young
against Israel Robinson is truly taken from the original
record as is filed in the said office. In testimony whereof

I have hereunto affixed the seal of said County
at office in the town of Clarksville the 20th of
December 1825

A Vance c/s

I know all men by these presents that
we Israel Robinson of the County of Montgomery

and State of Tennessee are held & firmly bound unto Samuel Young in the penal sum of seventy dollars current money of said state, to be paid unto said Samuel Young, certain heir executors administrators or assigns which payment well & truly to be made & done we bind ourselves, our heirs executors Administrators &c. jointly and severally, and firmly by these presents sealed with our seals and dated the 21st day of October 1825

The condition of the above obligation is such that whereas in an action by appeal prosecuted in the Court of Pleas & Quarter Sessions for Montgomery County by Samuel Young Plaintiff against said Israel Robinson for thirty five dollars from which said Judgment the said Israel Robinson hath prayed an appeal to the next Circuit Court to be holden for the County of Montgomery, Now if the said Israel Robinson shall prosecute said appeal with effect, or in case of failure shall perform the Judgment sentence or decree that said Court may make therein, then this obligation to be void or else of full force & effect. Signed sealed & delivered the day & date above written, Israel Robinson

C. Johnson

The costs on said suit are as follows, to wit,

State Tax 1.12 ¹ / ₂	County Tax 1.00	\$2.12 ¹ / ₂	
Clerks fees & Station		\$4.25	
Sherriff John Rice 175	Clairmont 416	\$2.16 ¹ / ₂	\$8.54
John Keese a Witness		\$1.62 ¹ / ₂	
Andrew W. Hail do		" 1.62 ¹ / ₂	
Henry H. Smith "		" 1.12 ¹ / ₂	
William King "		" 1.12 ¹ / ₂	
Thomas Clark "		" 1.12 ¹ / ₂	
Daly & Cook attorneys		10.25	9.27 ¹ / ₂
This Transcript seal		" 40	\$17.81 ¹ / ₂

Alvance Clark

And now at the February Term of the Circuit Court for Montgomery County 1826 the following proceedings were had thereon to wit

Samuel Young } Appeal
13 Israel Robinson } February Term 1826.
This cause is continued on
affidavit of Defendant at this Term

Samuel Young } Appeal
13 Israel Robinson } August Term 1826
This cause is continued at this
Term

Samuel Young } Appeal
13 Israel Robinson } February Term 1827.
This day came the parties by their
attorneys and thereupon came a jury of good &
lawful men to wit, John Rock Stephen Cocke
Josiah Agbourne, James M Smith Wilson Gaudin
Samuel Haggard, Thomas Smith Curtis Gray, William
Hellaishall, Thomas Batson John Rudolph & John
Lisensley, who being duly elected by us & sworn well
& truly to try the matters of controversy between the
parties to this issue & a true verdict give, & thereupon
took their seats in the box, & by consent of the parties
the Jury are permitted to disperse, & this cause & jury
are adjourned until tomorrow morning nine
o'clock.

Samuel Young } Appeal
13 Israel Robinson } February Term 1827
This day came again into Court here
the parties aforesaid by their attorneys, and thereupon
came the Jury aforesaid to wit, John Rock
Stephen Cocke, Josiah Agbourne, James M Smith
Wilson Gaudin Samuel Haggard Thomas
Smith Curtis Gray, William Hellaishall Thomas
Batson John Rudolph & John Lisensley who being

duly elected & sworn the truth to speak upon
the matter of controversy between the parties to this
issue, upon their oaths do say that they find for the
Plaintiff and assess his damages to nineteen dollars
& thirty seven cents besides his costs.

It is therefore considered by the Court here
that the said Plaintiff recover of the said Defendant
the said sum of nineteen dollars & thirty seven cents
the damages aforesaid by the Jury in form aforesaid
assessed, and also his costs by him about his suit
in this behalf expended & the Defendant in mercy
do.

Samuel Young } February Term 1827

Isaac Robinson } Motion for a New trial.
This day came the parties
by their Council and thereupon argument being had
It is considered by the Court that a new Trial
be granted in this cause & that the Defendant pay
the costs expended in this behalf, at this term and
that said Plaintiff give security if this cause was
finally tried at next Term of this Court.

Samuel Young } Appeal

Isaac Robinson } August Term 1828.

This day came the parties
by their attorneys, and thereupon came a Jury
of good & lawful men, to wit, John Huchins
John Fortson, John King, William Sicks, Jr.
John Harris, Frederick Zedekiah Britt, Tyro
Gaim John C. Williams, Edward Price, John
Smith & James Cummins who being duly elected
tried & sworn the truth to speak upon the matter
of controversy upon their oaths do say that they

find the issue in favour of the Plaintiff & they assessed his damages to Seventeen dollars & thirty eight cents besides his costs.

It is therefore considered by the Court here that the said Plaintiff recover of the said Defendant the aforesaid sum of Seventeen dollars & thirty eight cents, the damages aforesaid by the Jury in form aforesaid assessed and also his costs by him about his suit in this behalf expended & the Defendant in money &c.

This day came the Defendant & moved the Court for a rule to show cause why a new trial should be granted on this behalf which granted accordingly.

Samuel Young } August Term 1827
Brad Robinson } Motion for a new trial
This day came again into Court here the parties appeared by their attorneys and thereupon argument being had it is considered by the Court that the motion be sustained and that the Verdict & Judgment in this case be set aside, and that a new trial be had thereon at the next Term of this Court.

Samuel Young } Case & Appeal
Brad Robinson } February Term 1828
This day came the parties by their attorneys, and thereupon came a Jury of good & lawful men to wit William Moore, James Herrin, James Horn, Theophilus Horn, Urich Humphreys, Thomas Paine, James Trotter, James Brook, Babum Bull, William Porter, Burwell Carban, and William Brantly, who being duly called upon & sworn the truth to speak upon the matters

of controversy between the parties to this issue, & took their seats in the box, & by consent of the parties with the assent of the Court the Jury in this case are permitted to disperse, & this cause & Jury are adjourned until tomorrow morning nine o'clock.

Samuel Young } Cause Appeal

¹³ Israel Robinson } February Term 1828

This day came again into Court here the parties appeared by their attorneys, & thereupon came again also the Jury aforesaid hereupon sworn in this cause, who upon their aforesaid do say, that they find for the Plaintiff & assess his damages, to two dollars & forty cents besides his costs; It is therefore considered by the Court that the said Plaintiff recover of the said Defendant and on motion against Isaac Johnson his security in Appeal, the said sum of Two dollars & forty cents the damages aforesaid by the Jury in form aforesaid assessed, and also his costs by him about his suit in this behalf expended, & the Defendant in Mercy do.

Samuel Young } Cause Appeal

¹³ Israel Robinson } February Term 1828

This day came the said Parties by their attorneys, and thereupon the Defendant files his Bill of Exceptions, & prays the same may be viewed sealed & made a part of the Record which is done, & the Defendant prays an Appeal in the nature of a writ of Error, to the Supreme Court of Errors & Appeals at Nashville, & having entered into bond & security according to law the same is allowed.

Robinson on

³ Davis

Be it remembered on the 11th of this cause the Plaintiff proved by William King, who proved by Defendant Robinson came to his house & brought with him the partnership books of the said Young & Robinson & requested him & Henry Smith to make

an estimation of the Books between attending that Young was indebted to him & that Young was making misrepresentations of the Statement of the accounts between them, & that the said King & Smith made an estimation of the books by drawing from the said books the amounts due to Robinson & Young on the Blacksmith books, and the account drawn off is hereto annexed marked C. & made a part thereof, amounting to \$327.⁰⁰³/₄, and that they then divided that sum between them, & then credited Young's half, by the amounts of the private accounts of Robinson against Young as then produced by said Robinson, & they found between thirty two & three dollars of Young's half still due to Young. Robinson thereupon told them, that he had other papers at home which he had omitted to bring & that he could not then come to any exact settlement, the same was also proven by Mr Smith. The Defendant then produced a note hereto annexed marked B. of said Young which was read, & proved that the same was not counted in by King & Smith, & also proved that the whole amount of Greene marked 1. on said account was paid to Young, except \$3.12 1/2 cents paid to Robinson.

And the amount of Steele marked 2. had been warranted on by Robinson, & that he parted in his suit upon the testimony of Young, who proved that he had receipts Steele for about Ten dollars in full of said account. Also that A. W. Hail's account marked (3.) was collected by said Young, and that Richard Daly's account (No 4) was retained in satisfaction of a debt due from Young to Daly, And that Samuel Wilkinson's account (No 5) was paid to Young, and Plaintiff also proved that at the time of dissolution of partnership there was two or three hundred weight of Iron in the shop, which Robinson said belonged to the shop, & which he had paid for himself, and

thereupon the Court instructed the Jury that it was not material, whether the said Young & Robinson were in partnership or not, & that the Justice of the Peace had jurisdiction of the balance of the accounts between them whether as partners, or not, if under fifty dollars & partnership dissolved, and also instructed the Jury, that if it should appear that Robinson had collected the money due on the accounts, or had so appropriated the books & accounts, as to make them his own, that they should find for the Plaintiff, the amount if any due to Young. To all of which the Defendant excepts & prays his Bill of exceptions & prays the same may be signed sealed & made a part of the record, & the same is done. The Defendant also moves for a new trial, which was overruled, & which is also excepted to.

R. W. Humphrey

Exhibit A.

William King	\$ 3.43 3/4	William Haynes	\$ 5.10
John King	" 4.69	2 John Steele	" 13.50 3/4
James Channel	" 8.12 1/2	3 A. W. Hail	" 5.84 1/4
James Miller	" 13.50 1/2	Henry Channel	" 5.68
John Taggart	" 19.49 1/2	John Richardson	" 6.37
Israel Robinson	" 2.87 1/2	John Ellars Hall	" 3.74
1 John Thresher	" 17.54 1/2	4 Richarda Bely	" 12.85
Warren Liker	" 4.11 3/4	William Allen	" 4.98 1/2
Benjamin Jones	" 3.88 1/4	George Garbrough	" 2.87 1/2
Ear Jones	" 2.32	John Martin	" 1.50
Wm Jones	" 4.93	Moses Garbrough	" 4.50
John P. Vaughn	" 15.50	James Early	" 5.68
Thomas Black	" 5.80	James Garbrough	" 2.56
A. Gator	" 3.54 3/4	Samuel Wilkinson	" 7.28
James Ellickle	" 5.44	James Laign	" 8.61
		Edmond Gator	" 5.72
		This page	" 201.95 1/2

W. Lyons — \$4.46
 Idem — "4.74
 P. Green — "2.25
 Jacob Graves — "3.94
 Mrs. Jamison — "1.45
 Charles Robinson — "5.95
 G. Young — "10.43 1/2
 W. Paul — "5.74
 C. F. Cocher — "4.06
 G. Mickle — "5.00
 J. Collisher — "3.28
 J. Lykes — "2.01
 William C. Williams — 6.54
 C. A. Hutchison — 7.41
 M. B. Jamison — 3.43
 G. Lyons — 5.75
 T. Jamison — 4.08
 J. Mittle — 2.25

J. Hute — \$3.72
 J. Hutz — "2.28
 J. Robinson — "5.99
 Thos. Orquin — "1.00
 C. A. Hutchison — "1.93
 J. P. Vaughn — "2.49
 J. Quack — "1.87
 R. Early — "25
 J. Early — \$1.13
 J. Channell — "2.37
 Thos. Wyall — "1.00
 \$105.05 1/4
 201.95 1/2
 \$307.00 3/4

Exhibit B.

On a Settlement due Israel Robinson
 five dollars & fifty cents for Value received
 of him, as witness my hand and seal this 14th
 day of April 1828. Samuel Young

I know all men by their Presents That
 we Israel Robinson James D. Robinson Stephen
 Lantin & Isaac Johnson, all of Montgomery County
 & State of Tennessee are jointly bound & indebted
 to Samuel Young in the penal sum of Two hundred
 dollars, for the true payment whereof we bind ourselves
 our heirs Executors Administrators &c. sealed with
 our seals & dated this 28th day of February 1828

The condition of the above obligation is such
 that whereas this day a Judgment was rendered in
 the Circuit Court for Montgomery County in favour
 of Samuel Young against Israel Robinson &c.

for two dollars & forty cents & costs of suit, and
 whereas the said Israel Robinson hath this day
 prayed an Appeal in the nature of a writ of Error
 to the Supreme Court of Errors & Appeals at New
 Rochsburg L. Now if the said Israel Robinson
 shall with effect prosecute his said Appeal
 or in case of failure therein, shall pay satisfy &
 discharge all such costs & damages as said Samuel
 Young may sustain, by reason of improperly praying
 this appeal. Given under our hand & seal this 28th
 day of February 1828.

Israel Robinson
 James D. Robinson
 Stephen Handlin
 C. Johnson
 J. P. Marr

State of Tennessee
 Montgomery Circuit Court

I Peter J. Marr Clerk of
 our said Circuit Court do hereby certify that the
 foregoing is a true transcript of the Record & proceedings
 had in said Court in the case Samuel Young against
 Israel Robinson, as the same remains of record in my
 office. In testimony whereof I have hereto set my
 hand and affixed my private seal having
 no other official seal at office in
 Clarksville this Third Monday in February 1828
 & 52nd year of the Independence of the United
 States

P. J. Marr Clerk

Certs in County Court

\$ 17⁰⁰ 81¹/₂

Appeal 1622 4 Continuances 160 \$ 3.22¹/₂
 3 Orders 75. Appeal & bond 75. # 1.50

Transcript & seal 1622 39 Writs 1987 6⁰⁰ 50
 2 Affidavits Rice Costs 50cts

43 protates of attendance off 2⁵⁸

\$ 14⁰⁰ 43

State Tax 200 Appellate 250

4⁰⁰ 50

Thos C. Crummon 9 Writs 2 fees

2⁰⁰ 41¹/₂

50 William Allen 13 Writs

3⁰⁰ 25

50 Writon Argain 13 do

3⁰⁰ 25

\$ 13⁰⁰ 41¹/₂

Witness Henry H Smith 8 days per 4" 62 1/2

Letto Thomas black 5" 2.50

" Andrew H Hail 13" 8 per 7" 25

" Camana Sooter 10" 8" 5" 75

" John Keese 13" 8" 7" 25

" James D. Robinson 15" 8" 8" 25

" William Jones 9" 4" 4" 87 1/2

" Charles P. Robinson 6" - 3.00 \$40.50

" James Goodshaw 20" 6" 10" 62 1/2

" John Robinson 5-2 2" 62 1/2

" Samuel M. Wilkenson 12" 6" 6" 62 1/2

" William King 8" 6" 4" 62 1/2

" James Spud 5" 2" 2" 62 1/2

" Henry J. Channel 3-2" 1" 62 1/2

" Stephen Cooke 3-2 - 1" 62 1/2

" James Miller 3" 2" 1" 62 1/2

" Jacob Gray 3" 2" 1" 62 1/2

" John Black 10" 5" 5" 62 1/2

\$40.12 1/2

28" 28" 1/2

Dr. Wm. C. M.

24/11/18
Samuel Young

3 2 Transcript

Israel Robinson

Apr 22nd April 1828

Liberty Bani of 1828

Recorded
Book L - 475

Tashville

To be filed with the Clerk of
Massachusetts Court

No. 0