

State of Tennessee

Now at the court House in the Town of Clarksville, County of Montgomery, and State aforesaid, on the 20 Monday, being the 8th day of May, in the Year of our Lord One thousand Eight Hundred and Forty Eight, and in the 73d Year of the Independence of the United States.

Present the Honorable Mr. A. Martin, One of the Judges of the Circuit Courts of the State of Tennessee, and assigned to hold the courts of the seventh Judicial Circuit in said State.

Wm. M. Shelton, Sheriff of Montgomery County, returns into court, the Writ of Habeas Corpus, to him directed, Executed on, J. W. Barker, James Clark R. W. Hatcher, R. G. Johnson, Wm. H. Elliott, Peter W. Buck, John U. Jordan, Thos. Keen, Jr., Albert Herring, Wm. H. Branch, H. S. Chilton, John McKee, Wm. F. Wall, Jno. Francisco, Meredith Howard, Henry Leigh, James Robats, Wm. Lyons, Stephen Nicholson, John Woodward, A. W. Hooper, Stephen Lee, R. H. Weakley, R. W. Major, Guilford Tally, Wm. Trotter, James Walker, Robert Manning, C. Samson, Joseph Davis, Elisha Ross & W. C. Rye, and also returns that he has by virtue of said writ, summoned Thompson Anglen & A. Bateon, to attend, this court as Constable.

And thereupon from the Jurors summoned as aforesaid, the Court proceeds, as the Statute ~~now~~ such cases made provided directs, to select and empanel a Grand Jury for said County of Montgomery at this Term, who are elected Guilford Tally, Jas. Walker, Henry Leigh, Robert H. Major, Stephen Nicholson, A. W. Hooper, Albert Herring, Stephen Lee, Richard H. Hatcher, Wm. H. Elliott, Thos. Keen, Jr., John Francisco, William Trotter, all good and lawful men of Montgomery County, of whom, the Court appoints Guilford Tally, Foreman, who together with the rest of the said Grand Jurors, having been empaneled, sworn, & charged according to law, to enquire for the body of the County of Montgomery, relative to considers of Presentments.

A Bateon a Constable summoned as aforesaid, is sworn to attend the Grand Jury.

And the Grand Jury ~~returned~~ returned into Court,
in a body with a Bill of Indictment agt Dunkin
^{for an assault & battery committed on the body of W. B. Harris, herein & true bill Guilford Tally, Prosser}
Harris, in the words & figures following to wit:

State of Tennessee

Montgomery County, Circuit Court. May Term 1848.

The Grand Jurors of the State of Tennessee, elected, em-
pannelled, sworn & charged, to enquire in and for the
body of the County of Montgomery upon their oaths
inunt & say that Dunkin Harris late of said County
laborer on the 4th day of April One Thousand Eight
Hundred and forty eight with force and arms at the
County aforesaid an assault did make in and upon
the body of William B. Harris, and him the said
William did then and there beat wound and ill-
treat with fists, sticks, stones &c. and other wrong and
unjusts then and there did greatly to his injury to
the evil example of all others in like case offending
and against the Peace and dignity of the State.

(Prosecutor) Saml Wilson.

W. J. Johnson Atto.
Genl. 7th Col. District

(Witness) Saml W. Wilson sworn in open Court to give evidence
to the Grand Jury on this Bill of Indictment. 15 May 1848
Chas. Bailey CLK

(Signed) True Bill. Guilford Tally Foreman of the Grand Jury

And afterwards to wit at the October Term of the Circuit Court of
said County 1848 the defendant counsel by his attorney offered the following plea
State of Tennessee

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Harcum Mott And the defendant in his own proper person
comes and appears &c. and says that he ought
not be compelled to make any further plea
to said Bill of Indictment because he says that Guilford Tally
On the day of April 1848 so met at the County of Montgomery
Poyamie & Williams a justice of the peace for the County
of Montgomery upon the oath of Monroe Cannon
that the defendant had committed the offence charged
in the Bill of Indictment issued a warrant to C.
W. Hermin, constable for the County aforesaid whereby
said constable was commanded to arrest the said

the sd defendant coming him before said Justice of the Peace or some other Justice of the county, to answer sd charge & the defendant did appear before the said Justice on the same day & pleaded guilty to the charge & was fined five Dollars by sd Justice which said fine he then and there paid to said Justice.

And the defendant avers that the assault & Battery for which he was fined is the same assault & Battery which is set forth in the Bill of Indictment & he here exhibits the Record of the Justice of the Peace, and prays judgment of the Court whether he shall make any further answer.
Bailey Atty.

Repl. specially, to be drawn out, that the Witness of the defendant ^{procured} the warrant that no testimony was examined on the part of the State.
W.B. Johnson Atty.

Remuner. Bailey Atty for dist.

And at Oct. Term 1848 Present the Honorable W.A. Martin Judge of the 7th Judicial Circuit of the State of Tennessee, the following judgment was rendered (omit):

State

vs W.B.

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Remuner. Mann in behalf of the State & the defendant in proper person & thereupon all singular the matters arising and defendants Remuner to the Atty. Genl. replication to his plea being argued. It is considered by the Court that the Remuner be sustained that the defendant be discharged and go hence, the County pay the costs. And the Attorney Genl. prayed an appeal to the Supreme Court

Judge Court Mendocino October Term 1868

Clerk Enrolment Spleen SV. order Reapers	1.00	1.50
" order & labor Reapers 1.00 3 Subpoenas 37 1/2		1.37 1/2
" judgment 75 appeal 75. Bill last 25		1.75
" Probate Subpoena 12 1/2 The Transcript 1.60		1.75
		<u>6.37 1/2</u>

Shp J. P. Wilson went Bond 1.25 1 Reapers more		
Set SV. 3 Subpoenas, executed 75	3	2.50
Shaw. Wilson Lickup for State 4 days		3.00
W B Schum attorney Genl		<u>\$11.87 1/2</u>
For per	3	

State of Tennessee

Montgomery County, I Charles Bailey Clerk of the
 Criminal Court for said County do
 Certify that the foregoing is a true & correct Transcript
 of the Record Proceedings had in this case the State
 of Tennessee against ~~Reuben~~ Marr as the said mar
 riner of Mendocino papers filed in my office this 13th day
 of Decr 1868

Charles Bailey

State

Assault.

Hunkin Mary

Filed January 1st 49

J. P. C.

app. 8.

No. 0

1st Circuit

Appl. former coroner
before a justice -
Special Replevin

Recorded Books No 9

Pages 761 - 762

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