

to the defense of insanity in this case.

State of Tennessee

vs.)
Elvis Crowell)

Murder

Comes the defendant Elvis Crowell, in open Court, on this, May May 1st, 1919, in person and by his Attorneys of record and moves the Court to grant him a new trial and assigns the following causes in support of his said motion

1st.

There is no evidence to support the verdict of the Jury.

2.

The weight of the evidence in the case clearly preponderates against the verdict of guilty, rendered by the jury, and in favor of the defendant's innocence.

3.

The evidence introduced by the State, upon which the jury was asked to convict the defendant, in itself showed a reasonable doubt as to the sanity of the defendant at the time he killed the deceased, John Poeler, and defendant should therefore be granted a new trial.

4.

The entire evidence in the case clearly shows that the defense of insanity was made out, and that the jury in giving all evidence a calm, full fair consideration, could not have failed to find a reasonable doubt as to his guilt. The evidence fairly weighed in its force is such that to all reasonable minds it is convincing that the defendant was not sane in the sense of the law at the time he killed the deceased.

5.

The entire evidence in the case shows that the defendant was not, at the time he killed the deceased, of sound memory and discretion, and a reasonable doubt as to whether he was sane or insane at the time, therefore the verdict of the jury should be set aside and a new trial awarded.

6.

After stating the theory of the defense of insanity made by the defendant, the Court in its charge used this language: "To excuse the defendant on the ground of insanity or the lack of sound memory and discretion, it must appear from the proof, that the defendant was without the power of reason so far as to render him incapable of distinguishing, between right and wrong, of distinguishing good from evil. The capacity to know right from wrong, and to know that the particular act that he was committing was wrong, is the test of accountability. If the jurors believe and find from the proof that the defendant Elvis Crowell was insane, that is that he was without sound memory and discretion, and could not distinguish right from wrong, or good from evil, and in committing the act, did not, on account of his mental state, realize that in the act of killing, he was doing wrong, he would be excused on the ground of insanity, and you will acquit.

If from all the proof the jurors entertain a reasonable doubt of whether defendant was sane that is of whether at the time, he could distinguish between good and evil right and wrong, you would under the law resolve the doubt in favor of the defendant and acquit on the ground of insanity; that is upon the ground that you entertain a reasonable doubt of whether or not the defendant was sane at the time the killing was done."

The foregoing is error in that it authorizes the jury to test the accountability of the defendant for the crime charged against him, on what the jury might find

as to his knowledge of right and wrong and good and evil about other trivial and unrelated matters presented in evidence by the State, and did not limit the jury to the question of whether at the time he did the killing, he had a consciousness of doing wrong in that act. For this error, defendant should be given a new trial.

With the view to correct the error made against the defendant by the Court in the foregoing extracts from the charge to the jury, the defendant, after the Court had read the charge to the jury, and after an inquiry by the Court, the state informed the Court that it had no requests to make, the defendant requested the Court to make the following charges, set out in the words now stated, with the action of the Court thereon refusing to so request:

REQUEST NUMBER ONE BY DEFENDANT.

If all the evidence submitted by the State, convinces you that the defendant is guilty as charged in the indictment, you will then take up your consideration of the case, all the evidence you may find, both in the proof submitted by the State and the defendant on the defense of the defendant that at the time he committed the act of killing, he was not of sound mind, if, after the consideration of all the facts and circumstances in evidence before you that that you may find in them on this defense, your minds are not satisfied beyond a reasonable doubt that he was at the time he killed the deceased, sane or of sound mind, that is, did he or did he not at that time have sufficient discernment to distinguish between good and evil, and had no consciousness of doing wrong in the act he then committed, - you will acquit the defendant. Discernment between good and evil on matters not related to this defense, is not the test. Defendant must have had a consciousness of doing moral wrong and evil in the act of killing the deceased.

If on consideration of all the evidence on this defense that you may find in the proof, submitted to you, you find your mind in equipoise or balance, as to defendant's sanity or insanity, you will in the meaning of the law a reasonable doubt as to the defendant's sanity or insanity, and in that event you should acquit.

Refused, Cook, Judge.

It was error, for which a new trial should be given, not to grant this request.

8.

It was error not to grant request No. 2, made by the defendant, after the Court had read his charge to the jury reading as follows:

"REQUEST NUMBER 2 BY DEFENDANT.

If you have a reasonable doubt as to defendant's sanity or insanity, you must acquit and can not in any way be influenced by the fact defendant has not filed a plea of present insanity. The argument of the Attorney General on the failure of the defendant to file a plea of present insanity in this case, should have no weight with your reaching your verdict."

The Court's action on this request in refusing to charge it, is thus stated: "Refused because attorneys for defense and state alluded to this, one saying if acquitted, defendant would be provided for, and taken care of, and to this the Attorney General replied that if acquitted he would go at large without restraint.

W.L. Cook, Judge.

Next, Clement and Morris, the first in opening the case, and the second named following Mr. Carter for the defense, urged the jury to convict because of the danger to the lives of others if defendant were acquitted. It was in response to this improper

and unnecessary argument, on position that attorneys for the defense, replied by the statement that the law provided for insane people being cared for, and that the jury should give no weight to the argument thus answered. When the state's representative closed the case, he urged upon the jury the failure of the defendant to file a plea of present insanity in this case, as one reason why he should be convicted, the failure to file such plea evidencing a purpose to be acquitted, and go at large without further restrictions upon his freedom. Taking this position, the state's representative most vigorously urged upon the jury a conviction because of the danger to society in giving defendant his freedom.

Because of said position by the state, and the error in declining to charge this request May 2, defendant should be given a new trial.

The official representative of the State, in closing the case read from a book entitled "Nervous and Mental Diseases" by Church-Peterson, M.D.s, 6th. Edition, the following passages, containing the statements shown therein, when such printed matter had been given in evidence. This matter is taken from chapter 14 of said book, on the subject therein treated "Paranoia.", skipping through pages 844 to 848, and not reading the sections under the different heads of the subject, he picked sentences here and there without connection, with preceding or following sentences, and read them. The portions he read are these: "It affects by preference individuals who ~~even~~ are even from childhood peculiar, shy irritable, mistrustful and misanthropic. "The patient is morbidly shy, peculiar, eccentric, avoids the companionship of others and is prone to withdraw himself into the solitude of his own thoughts." People seem strange to him in their own conduct and in what they say. He grows suspicious of every thing and everybody. What is done and said to others appears to have significant relation to himself. People alter their conduct toward him, look at him curiously smile sarcastically when he passes, wink at or make signs to one another when he is near; make observations among themselves, which overheard by him, are construed to have a double meaning, as being derogatory to him, reflecting on his character. The more he studies the extraordinary condition of affairs, the more gloomy solitary and self-absorbed he becomes. Naturally the growing alteration in himself really does provoke the notice of others, a fact which tends to intensify his ever increasing suspiciousness of concealed animosity among those with whom he comes in contact. Many things in his past life rise up in his memory to find a new interpretation in the light of his present general distrust. His physical sensations have become more marked, have taken on new character, and even hallucinations, of general or special sensibility. He feels peculiar general sensations, shooting pains, sudden pricking in his skin. Unusual or unpleasant odors or tastes harass him. Much more serious and remarkable, however are the peculiar changes in his auditory perceptions. At first these are usually confused noises, of roaring and tinkling sounds with the gradual perversion of sounds and words heard in delusions colored by the suspicious contents, of the patient's consciousness; later actual hallucinations of hearing, which becomes a fixed and permanent feature of his malady"

The patient now enters into the second or persecutory of paranoia, the period of delusional explanation of his troubles. He has arrived at what he conceives to be a logical result of his reasonings, a rational explanation of the distress and affliction he has undergone. Everything he has suffered has been due to the machinations of unknown enemies. The delusions of persecution are at first somewhat confused in

Character. No particular individual or group of individuals is thus far responsible for the affliction. It is simply some unknown person who takes pains to mistify, ill-will or malevolence toward him, "They" talk against him, call him names, attempt to poison him with gases or by tampering with his food, and try to injure him with electric shocks or by throwing corrosive substances at him. Since wherever the patient may be, wherever he may go, the voices, shocks, poisons, etc., seem to pursue him, he comes to think that no single person could manage so vast a conspiracy. It must be some large aggregation of persons who are concerned in the effort to humiliate, cripple or destroy him; an aggregation bound together by ties of secrecy, and able to permeate all classes of society. What could such a body be but a secret society, an order of Masons or Odd fellows, some religious or political brotherhood - the Jesuits, Catholics, protestants, anarchist, or police. Perhaps some one individual is at the head of the band of plotters, some arch-conspirator, but the work is done by innumerable aides who employ all manner of means and apparatus to accomplish his ruin. The system of persecutory ideas is built up in the most elaborate way, and the more educated the individual suffering from paranoia, the more wonderful the organization and adjustment of the various parts of the delusional system"

"The patient is driven by his delusion to make complaints to the police, to judges, or to the governor of the state, the President, or other government or judicial authorities. Not infrequently he attempts, himself to wreak vengeance upon one or more of his imaginary enemies"

The Third stage, the expansive period, or the periods of transformation of personality is often induced by the patient's attempt at a logical explanation of the cause of the persecution. Since he has so many enemies, and every man's hand is against him it must be due to his importance. He either resembles some distinguished personage or he is of royal blood or god-like descent. The transformation may be suddenly induced by a hallucination revealing to him his high estate. The contents of these delusions of grandeur may be religious, political, erotic, jealous, and so on. For instance, the delusion of being a prophet or a second Messiah is very common (paranoia religiosa) The delusion of being a great discoverer or inventor is frequently met with, (paranoia inventoria) Another common delusion is that of being a great social reformer. A peculiar form of paranoia erotica, in which a person imagines him or herself to be loved by some one of superior station. It is a romantic, platonic love in which the patient indulges. He has communications with the object of his delusions, imaginary conversations, through the medium of hallucinations. A good example of this was a man running after an actress.

The said representative of the State insisted to the jury and argued that these symptoms, or facts in the foregoing paragraph, were in direct conflict with the hypothetical statement of said case, presented to Doctors Abernathy and Teas and on which they gave their opinion as men of experience or expertness on mental diseases, and that therefore the jury should not believe their testimony, nor give any weight to it, or the contents of said hypothetical case. When the said representative of the State had closed the case and before the jury was charged, defendant through his counsel presented the following motion;

"At the conclusion of the examination of the argument by the attorney general representing the state, inclosing the case the defendant moved the Court to exclude from the jury the consideration of certain printed matter read by him from a book entitled "Nervous and Mental Diseases" by Church and Peterson. This matter was not

given in evidence to the jury, and no evidence tending to show that statements contained therein have any pertinency or application to the defense of insanity in this case. The Court granted this motion and instructed the jury as therein requested

when the Court has concluded reading his charge to the jury, the defendant made the following request:

REQUEST NUMBER 2, BY THE DEFENDANT.

The Attorney General in closing the case for the State, read you certain portions of printed matter from a book entitled "Nervious and Mental Diseases" by Church - Peterson. In considering this case you give no weight to the statements contained in such printed matter in said book. There was no evidence presenting this matter in the form in which it was read, and no evidence tending to show that the statements contained therein had any pertinency or application to the defense of insanity made in this case. The Court struck out the last sentence in the foregoing request, and after remodeling the portion of it preceding said last sentence, he read his instructions to the jury on this subject in the following words: "The attorney General in closing the case for the State, read to you certain portions of printed matter from a book, entitled "Nervious and Mental Diseases" by Church- Peterson, A motion was sustained excluding this matter and of course in considering this case you will give no weight to the statements contained in such printed matter in said book," The Court should have given said request No. 3, as originally written and not modified it as he did. Because of this error a new trial should have been granted.

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The action of the Attorney General in reading the printed matter set out in Ground No. 9 above mentioned, is a ground for a new trial, and its effect as testimony not sworn to in the case, was prejudicial to the defendant coming as it did from the official representative of the State, even though the action of the Court set forth in grounds No. 9, and 10 of this motion had for its purpose the correction of the error made by the attorney general in reading such printed matter and arguing from it before the jury.

12

During four or five months defendant was confined in jail, Dr. E.Y. Napier, at the request of the Attorney General, representing the State in this case, saw the defendant at the jail some five or six times, and had simple conversations with him, to the effect that he asked him if he was being treated well, and about his uncle and about his uncle and his witness being great friends. The Doctor simply stated to him that he called to see how he was getting along, and wanted him to have everything he could get. He made no examination of him in the way of stripping him, taking the circulation of his blood, or otherwise. He had no information from the boy, or any one else, of his forging a check of \$500. and giving it to a little boy living at the jail the check, to turn him out. He was permitted to say on this scanty information that he neither saw nor observed anything in his actions or conduct, his demeanor or appearance, that indicated he was of unsound mind, or discover any signs of insanity. He was permitted on this testimony, given by him to make the statement that defendant knew good from evil and right from wrong. The Doctor had never been a witness in a murder trial as an expert on the subject of insanity, and when asked if he had made a special study of works on mental diseases, said that he had not, and named no authority upon that subject when asked

if he had read any authority upon it, and said that he had read nothing except just the general practice. Before he had even made his statement, disclosing that he had not given the subject of mental and nervous diseases any study or attention, defendant's counsel objected to the testimony above mentioned on the ground that he had not qualified himself sufficiently as an expert. This objection was overruled and exception taken to that action. It was error in the court to permit this testimony and such action is relied upon in this motion for a new trial.

13

The Court permitted one Corb Franklin to state that he went to school with the defendant, and often saw him and had talks with him on general topics, about events and people in the neighborhood, farming, &c., and that he never noticed when in school with him, or thereafter, anything in his conduct or demeanor to indicate that he was not of sound mind, and that he was competent to know right from wrong, and good from evil on the bases of the testimony thus stated by him. This testimony was excepted to, exceptions overruled, and the Court's action in that respect, then and there excepted to.

14

One J.W. Weema was permitted to state that he knew the defendant, who would be his house, and that one time, he brought a smoker to smoke out rats, and they had a big time smoking out the rats, and from the talk with him he had on this occasion and other conversations not given, he considered him sane, and gave his opinion that he knew good from evil.

T.K. Miller, after stating that he had talked to the defendant about one thing and another, and nothing in particular, was permitted to give his opinion that he knew good from evil, and right from wrong, and that he saw nothing in his demeanor that indicated an unsound mind.

One P.J. Dunnegan gave just the same character of testimony, and was permitted to express the same opinion, and that the defendant was "very sane, intelligent boy" This witness and one George Stringer stated that the boy had gone to school to them and recited his lessons about like the other ordinary boys. On this he, too was permitted to give the same opinion as to sanity, &c.

J.L. Smith, who was Sheriff of the County up to September 1, 1918, for four years preceding that date, was frequently at the home of the uncle, with whom this boy lived, and that he saw nothing wrong with him, and that he thought he knew right from wrong.

Two girls, Stella Crowder and Lula Wells, went to school with the defendant and never saw anything wrong with him. They mentioned that on the day of the killing they were at his home, and that before he left the house, they were talking about any thing that happened to come up, and among other things defendant was talking about cutting off the finger nails of another girl who was present. They simply say from their association with him, and talked about matters, in the neighborhood &c., they think he knew right from wrong, and good from evil good, and in their opinion, he was of sane mind.

So to all the foregoing testimony, the exceptions made to the same character of testimony, mentioned in the grounds of this motion preceding this one, apply. All such evidence was incompetent, and should have been excluded, and the action of the Court in permitting it, is relied upon as a ground for a new trial.

15.
On rebuttal, offered by the State, one Alex Crowder, was permitted to state that about two weeks before the term of the court preceding the trial term of this case defendant's uncle, Lee Crowell, who had testified as a witness as to the demeanor of the defendant, and his characteristics during a certain period of time antedating the killing, had come to where he was cutting logs, and offered to give him \$300. to swear that defendant was crazy the year said witness worked for said Crowell, - that being the year 1918, and also asked to swear for this consideration that the defendant was in the woods with the witness at work at the time of the killing. This testimony was objected to in these words: "Mr. Leech: We object to that testimony as incompetent, it has been ruled out once, and further upon the grounds that it is immaterial what Lee Crowell did. The Court would be if Mr. Crowell had not been a witness, but it may be considered by the jury in the weighing of his testimony Mr. Leech: We except to the action of the Court" This testimony should have been excluded, and its admission to the jury is relied upon for a new trial.

16.
On rebuttal, George Fentress, A.J. Sanders, Ed. Work, and R.P. Holland, were permitted to state over objections made by the defendant, as to statements by defendant's uncle Lee Crowell as to the whereabouts of the defendant on the day the deceased was killed. These statements by the two first named witnesses, were to the effect that in the Court House at Waverly, after the arrest of the defendant, his said uncle stated that he knew defendant did not commit the crime, because he was with him from early in the morning until 3 o'clock in the evening looking for some cattle, and the two latter, that Lee Crowell and the defendant were not together at Hurt's mill in the forenoon of the day of the killing, as claimed by the said uncle in his statement to that effect made to them. Exceptions to all the foregoing testimony were overruled by the Court and exception taken to such motion.

17.
Witnesses W.R. Witherspoon, J.W. Weems, T.K. Miller, Abe Martin, and P.J. Dunnegan were permitted to state in a loose fashion that the character of Lee Crowell in the community was bad, and that they would not give him full faith and credit on his oath in a court of justice. This testimony was based upon prejudice, created after the killing of the deceased Peeler, and it was objected to on that ground, and exceptions taken to the action of the court in overruling the objection. It was error to permit this testimony to go to the jury, and is relied upon in this motion. The defendant for the reasons stated in the foregoing heads or grounds for a new trial, respectfully asked to Court that the verdict of the jury and the sentence imposed following and based upon that verdict, be set aside and for nothing held and that he be granted a new trial.

Fuqua & Carter and H.M. Leech Attorneys for the

Defendant.

Filed May 1st, 1919, Albert Binkley
Clerk.

and after consideration of said motion by the Court it is in all things overruled to which action of the Court the defendant excepts thereupon defendant moved the in arrest of judgment which motion is likewise over-ruled Therefore it is ordered adjudged and decreed by the Court as heretofore, that for the offense of ~~TRANSPORTING LIQUOR~~ as found by the jury to wit: murder in the 1st. degree the defendant be confined in the State Penitentiary at Nashville Tenn. at Hard labor for the remainder of his natural life and that he pay the cost of this cause for which let execution issue. re all of which defendant excepts and prays an appeal in the nature of a writ of error to the next term of the Supreme Court to be held at Nashville for the middle Division of the State, which appeal is granted and defendant is allowed 30 days in which to prepare and file his bill of exceptions. On motion defendant's bail is fixed at the sum of Ten Thousand Dollars conditioned as required by law for his appearance before the Supreme Court and said bail not being executed the defendant is remanded to jail and placed in the custody of the Sheriff of Humphreys County, Tenn.,

State of Tennessee
vs.) Transporting Liquor,
Joe Murray) Forfeiture on bond.

In the case came the Attorney General for the State and ~~xxxxxx~~ shows to the Court, that on September 28 1918 a States warrant was duly issued by T.J. Haney Justice of the Peace for Humphreys County, Tennessee against the said defendant charging him with transporting liquor, and the said defendant was duly and legally arrested on said warrant and entered into bond for his appearance at the December Term of Circuit Court 1918 with E.A. Potter, and J.B. Smith as his sureties, which bond is in the words and figures following to wit: State of Tennessee Humphreys County. We, J.H. Murray agree to pay the State of Tennessee Five Hundred Dollars unless the said J.H. Murray appear at the next term of the Circuit Court of said County, and from term to term until the case is finally disposed of, to answer for the offense of violating bone Dry Law by bringing whisky from another State to Humphreys County, Tennessee, to the amount of Five qts. whisky, and does not depart the Court without leave Witness our hands, this the 1, day of October 1918

J.H. Murray.
E.A. Potter,
J.B. Smith,

Approved T.J. Haney J.P.

And the defendant J.H. Murray being solemnly called to come into open court and answer the State of Tennessee, upon a charge of Transporting Liquor came but made default and the said E.A. Potter, and J.B. Smith were also called to come into open court and bring with them the body of the said J.H. Murray according to the tenor and effect of thier said bond come not but made default neither came the J.H. Murray nor his said sureties but made default. It is therefore ordered adjudged and decreed by the court that the defendant J.H. Murray, E.A. Potter and J.B. Smith his said sureties, for thier default aforesaid do forfeit and pay unto the State of Tennessee the said sum of Five Hundred Dollars according to the tenor and effect of thier said bond.

And it is further ordered by the court that Sci. Fa. issue to the said defenant J.H. Murray, E.A. Potter and J.B. Smith requiring them to appear at the next term

Minutes Circuit Court, Humphreys County, April Term, Monday of May 1919

of this court and show cause if any they have, why this judgment should not be made final. And further that Alias Capias issue for the defendant.

State of Tennessee

vs.) Forfeiture

Jno. Graham Col.)

In this case came the Attorney General for the State, and it appearing to the satisfaction of the Court, that on October 19 1918 a States warrant was duly issued by T.J. Haney Justice of the Peace for Humphreys County, Tennessee against the said defendant charging him with transporting liquor, and the said defendant was duly arrested and legally arrested on said warrant, and entered into bond for his appearance at the December Term of the Circuit Court 1918 with G.L. Raney, and F.A. Evans as his, which bond is in the words and figures following to wit:

State of Tennessee, Humphreys County. We, John Graham agree to pay to the State of Tennessee, Two Hundred & Fifty Dollars unless the said John Graham appear at the next term of the Circuit Court of Humphreys County, to be held at the Court house in the town of Waverly on the Second Monday in December 1918, on Monday of said term to answer the State of Tennessee for the offense of bringing whisky from State of Ky. to Waverly Tennessee in violation of Bone Dry law, and do not depart the Court without leave.

J.A. Graham Principal

G.L. Raney Surety

F.A. Evans Surety.

Approved J.J. Haney J.P.

This 19 day of Oct. 1918.

And the defendant John Graham being solemnly called to come into open court and answer the State of Tennessee, upon a charge of transporting liquor came not but made default and the said G.L. Raney and F.A. Evans were also called to come into court and bring with them the body of the said John Graham according to the tenor and effect of bond came not but made default neither came the defendant John Graham nor his said sureties, but made default.

It is therefore ordered, adjudged, and decreed by the Court that the defendant John Graham, and G.L. Raney, and F.A. Evans for thier said default do forfeit and pay unto the State of Tennessee, the said sum of Two Hundred and Fifty Dollars according to the tenor and effect of thier said bond.

And it is further ordered by the Court that Sci. Fa. be issued to the said defendant and his said sureties requiring them to appear at the next term of this court and show cause if any they have why this judgment should not be made final. And further that Alias Capias issue for the defendant.

This day came W.R. Bryant into open Court and present and read his bill for boardings of the Jury, in the case of State against Elvis Crowell to the amount of Eighty six and 12/100 Dollars. Which account was read in open court approved and allowed, and ordered paid, out of the treasury of the State of Tennessee. And that the Clerk of this Court certify the same to the Comptroller of the treasury for payment, as the law directs.

Minutes Circuit Court, Humphreys County, April Term, Monday of May 1919

The following cases, were continued until next of Court

Western Union Tel. Co. against N.C. & St. L. Ry. E.T. Tatom against R.A. Murray
Jno. Lagan Admr. against N.C. & St. L. Ry. Allen Radjoy against C.E. Qualls,
Carry Barham against Addie Barham, Carter Dry Goods Co. against W.C. Ridings et al.
Mrs. E.J. Patterson against Wade Edwards et al. Georgia A. Kirby against E.C. Kirby.
State of Tennessee against L.M. Roberts, This case is ordered by the Court Dropped.
Mrs. Ella P. Young against J.L. Smith Sheriff, appealed J.P. This is continued until next term of the this court pending settlement.

Herman Moody Col.)

vs

Daisy Moody col. (Divorce,

It appearing to the Court, when this case came on for trial that the Plaintiff having failed to appear and prosecute his case.

Therefore the Court ordered that this case be dismissed, and dropped from the docket, and the Plaintiff, taxed with the cost, of this case accrude, for which let execution issue.

State of Tennessee)

vs.

(B.D.

Don Crafton (

It appearin to the Court that the defendant Don Crafton is dead
The case is by the Court stricken from the docket.

JAILERS BOARD BILL.

This Day came W.E. Bryant Sheriff and Jailer of Humphreys County, Tenn.

and presented and rad in open court his account against the State of Tennessee, for keepin prisoners furn keys and etc. as to prisoners charged with felonies, To the amount of \$78.50, which account is allowed by the Court, and ordered paid out of the State Teasury, and that the Clerk of this court certify the same to the Comptroller of the State for payment as the law directs.

State of Tennessee)

vs.

(Suspended Jail sentence

L.M. Roberts (

This case is by the Court, ordered, dropped, and ploed upon the Drop docket.

Mercantile Trust Co.) In the Circuit Court of Humphreys County, at Waverly Tennessee
vs.)
Waverly Spoke Co.)

On motion of the Plaintiffs, the defendants were called to come into Court and defend this suit, they having been served with process more than five days before the convening of the Court, but defendants failed to do so, it is therefore adjudged that the Plaintiffs recover of the Defendants, the sum of \$1,392.00 the amount of principle of the six notes for \$232.00 each, sued on in this case, together with \$90.48 cents interest to date thereon, and the additional sum of \$148.24 Attorneys fees as provided in said notes, aggregating the sum of \$1,630.72, which is the total sum due on the balance of said notes under the condition sale contract executed for the property herein replevied, and also have and recover of the defendants the costs on the case, for which execution will issue.

Minutes Circuit Court, Humphreys County, April Term, 1 day of May 1919

Whereupon the Court proceeded to hear said case, and render judgment without the intervention of a jury, and it appeared to the Court that the defendant on March 29th 1918, purchased by conditional sale contract from the assignors of plaintiffs a Motor Truck, manufactured by the Indiana Motor Truck Corporation, Body Stiled, State and Pandle, Motor No. 24513, Horse Power 53, Model Letter or No. R. 4707, Factory or Truck No. 4707, Motive Power 53 horse, Year built 1918 No of Cylinders 4, Color Gray, etc. for the sum of \$2,784.00 payable in twelve payments of \$232.00 each, evidenced by the 12 notes of the defendants, all of which notes have been paid, except 6 which are all due and unpaid, and said Motor Truck was delivered to the defendants at Waverly Tennessee. And when all of said notes for purchase money had matured, the first six of same were paid some at maturity, and some after maturity, when defendants finally defaulted in the payment of the last six notes sued on in this case.

It appearing to the Court that on the 29th day of August 1918 plaintiff instituted its replevin suit to recover the property herein before described, the contract of sale therefor, providing that the title of the property remained in the plaintiff until all the purchase money had been paid, and in default of payment of any part thereof when due, then all the balance remaining unpaid became due, and plaintiff should at once take possession of the property, and if legal action taken, then all expenses, including reasonable attorneys fees etc. should be born by the defendants. Under the Replevin Writ afore said the Sheriff took possession of said property, and turned the same over to Attorney for plaintiffs, subject to the orders of this Court. And it further appearing to the Court from a paper writing signed by the Mercantile Trust Co, of Ill. the plaintiff, and Waverly Spoke Co, the Deft. that the necessary necessity for sale of the property replevied in this case, was waived, and without payment of the balance of the purchase money due as herein before shown, together with costs and Attorneys fees, the Pltiffs may dispose of said property as they see fit. The Court therefore finds the value of the property in question to be the sum of \$1,530.02, the amount of judgment rendered in this case, together with costs, upon payment thereof by the Defts. the property will be delivered to Defts. otherwise Pltiffs are entitle to retain the same in satisfaction of thier said judgment aforesaid and costs of the case, which will be paid by plaintiffs all of which the court adjudges and decrees.

It further appearing to the Court that said notes and contract have been filed in the record, and made exhibits to the declaration filed in the case, and have been read to the Court, and the plaintiffs being the beneficiaries under said judgment, and entitle to the proceeds thereof, they are not required to pay said proceeds into Court, and said notes executed for the balance of the purchase money, and the contract are hereby canceled and declared liquidated by virtue of said judgement, and the plaintiffs having paid the costs of the case, Judgment is hereby rendered against the defendants Waverly Spoke Co. for the costs, for which execution may issue.

And all matters involved in this proceeding having been fully disposed of, it is ordered by the Court, that the plaintiff and thier sureties on thier replevin bond, be released from further liability.

Court then adjourned until Court in course.

W.L. Cook
Judge.

Minutes Circuit Court, Humphreys County, August Term, 11 day of August 1919

CAPTION APRIL TERM OF CIRCUIT COURT A.D. 1919.

STATE OF TENNESSEE
HUMPHREYS COUNTY

Be it remembered that a Circuit Court was opened and held in and for the County of Humphreys, at the Court House in the town of Waverly Tenn., On the 11th. day of August 1919, it being the 2nd. Monday in said month. And the One Thousand Nine Hundred and Nineteenth year of our Lord. And the One Hundred and Forty Fourth year of American Independence.

Present and presiding the Hon. W.L. Cook Judge of the 9th. Judicial Circuit of the State of Tennessee

Court was opened in due form of law by W.B. Bryany Sheriff of Humphreys County Tennessee, and by him was returned into open court a writ of Venire Facia showing that the following named persons were appointed by the County Court at its July Term 1919, to appear and to serve as jurors at this the present term of this Court to wit: Henry Williams, J.M. Garrett, J.M. Choate C.E. James, Dave Johnson, Scott Reynolds, Joe Carroll, Jim Patrick, John Holland, J.R. Patterson, T.K. Simpson, Will Clegborn, Frank Rochell, C.C. Hobbs, Henry Carter G.P. Cotham, Albert Larkins Henry Turner, H.N. Carnell, Will Latimore C.J. Johnson, George Pickard Dave Forester W.W. Gatlin, Tom Bone, and it appearing to the Court, that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that said jurors so summoned appeared and answered said summons except Tom Bone and Dave Forester who were excused by the Court for various causes and J.N. Hanlin and A.H. Mallard were appointed by the Court to fill said vacancies as appearing. Out of said Jurors so summoned and appearing were drawn a Grand Jury to wit: Henry Williams, J.M. Garrett, W.W. Gatlin, J.M. Choate, C.E. James, Scott Reynolds, Dave Johnson, Joe Carroll, Jim Patrick John Holland, J.R. Patterson, T.K. Simpson, and J.N. Hanlin, out of whom J.N. Hanlin is by the Court Appointed Foreman, and the said Grand Jury is in all things is in all things as the law directs having been duly elected tried and sworn and charged by the court, retired to thier room in charge of R.J. Balthrop a Constable of Humphreys County sworn according to law to attend them in considering present ments and indictments.

State of Tennessee)
vs. (Drunkenness
)
T.O. Perkins (

In this case came the Attorney General for the State, and the defendant in his own proper person, and pled guilty as charged whereupon the Court assessed the penalty and say he shall pay a fine of Five Dollars together with the costs, then came into open court J. Ben Fuqua, and Roy Carter and entered thier names as sureties for said fine and costs.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant and his sureties all of said fine and costs for which let execution issue.

State of Tennessee)
vs.)
B.D. Hogan) D.W.

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Twenty Dollars together with all the costs, then came the defendant into open court and paid the Clerk of this Court all of said fine costs. It is there ordered adjudged and decreed by the court that the defendant go hence without day.

State of Tennessee)
vs.)
T.O. Perkins (Carrying a pistol

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the Court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the cost, then came into open Court J. Ben Fuqua and Roy Carter and enter thier names as sureties for all of said fine and costs.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant and his sureties all of said fine and costs for which execution may issue.

State of Tennessee)
vs.) A.D.
Walter Mumfrees (

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Five Dollars together with all the costs. And in the event of his failure to or secure said fine and cost he will be confined in the County Jail or Work-House until he pay secure or work out of said fine and costs.

The following cases were continued until next term of court. Western Union Tel Co. against N.C. & St. L. R.R. E.T. Tatom against R.A. Murray Mrs. E.J. Patterson against Wade Edwards.

State of Tennessee)
vs.)
W.A. Thedford (Selling Cigarettes

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty, and say he shall pay a fine of Fifty Dollars together with all the costs then came into open court W.A. Thedford, into open court and entered Mrs. Thedford, and F.H. Thedford's names as sureties for said fine and costs.

It is therefore ordered adjudged and decreed by the court, that the State of Tennessee recover of the defendant and his said sureties all of said fine and cost for execution may issue.

Court then adjourned until tomorrow morning at 9 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook, Judge.

This day the Grand Jury came into open Court in Body and present an Indictment against J.M. Springer, which indictment is in the words and figures following to wit: State of Tennessee Humphreys County, August Term of the Circuit Court, A.D. 1919.

The Grand Jurors for the State of Tennessee, duly, elected, empaneled, sworn and charged to inquire for the County of Humphreys and State aforesaid, upon thier oath aforesaid, present that J.M. Springer here tofore, to wit, on the 12th. day of May 1919 in the State and County aforesaid, unlawfully, willfully, deliberately, premeditatedly, and maliciously made an assault upon the body of one B.S. Brown with a shot gun inflicting deep dangerous, and mortal wounds, from and on account of which he, the said B.S. Brown died, and so the Grand Jurors aforesaid, upon thier oaths aforesaid, present and say that the said J.M. Springer, on the day and year aforesaid, by the means and in the manner aforesaid, and in the State and County aforesaid, unlawfully feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought did kill and murder him, the said B.S. Brown, and commit the crime of murder in the first degree, to the evil example of all others likewise offending, and against the peace and dignity of the State. Jno. B. Bowman, Attorney General.

THE STATE vs. J.M. SPRINGER Murder Mrs. B.S. Brown Prosecutor, Subpoena for the State Mrs. B.S. Brown, Geo. Craft, D.C. Riddings, Dr. W.H. Daniel, Jim Fontress, Dave Patterson, A.J. Jones, C.H. Williams, Joe Brown, J.L. Chambers W.D. King, A.J. Balthrop and Mrs. D.H. Lomax, Witnesses sworn by me to testify before the Grand Jury upon this indictment at Aug. Term 1919 J.N. Handlin Foreman Grand Jury. A TRUE BILL J.N. Handlin Foreman Grand Jury.

State of Tennessee)
vs.) Assault to commit murder,
)
Lem, Burris Warren (

In this case came the Attorney General for the State, and the defendant in person and by attorney, who being duly charged and arraigned on said bill of indictment pleads not guilty.

Thereupon came a jury of good and lawful men of Humphreys County to wit: A.H. Mallard, Will Latimore, Henry Carter, G.P. Cotham, George Pickard, Jake Tubb J.C. Morrisett, Albert Larkins, Henry Turner, H.H. Carnell J.T. Wallace, and Will Cleghorn who being duly elected tried and sworn and in charge of San G. Jones, an officer sworn to attend them, upon thier oaths do say they find the defendant guilty of an assault to commit murder in the second degree as charged in said bill of indictment and recommend to the Court that his punishment be fixed at one year in the State Training and Agricultural School for boys and it appearing to the Court that the defendant is under the age of 18 years.

It is therefore ordered adjudged and decreed by the Court that for the offense aforesaid the defendant be confined in the State Training and Agricultural School for boys for a period of one year and that he pay the cost of this cause for which let execution issue. Motion of an appeal being given the defendant will remain of his present bond until the hearing of said motion.

Minutes Circuit Court, Humphreys County, August 12th Term, 12 day of August 1919

State of Tennessee

vs.

B.D.

J.H. Murray

In this case came the Attorney General for the State and the defendant in his own proper person and by attorney, and plead guilty as charged whereupon the Court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the costs, and in the event of his failure to pay or secure said fine and cost he will be confined in the County Jail or work house until he pay secure or work out all of said fine and cost. *for sufficient reasons to fast sentence has been imposed is suspended until the December Term of the Court*

State of Tennessee

vs.

B.D.

John Graham Col.

In this case came the Attorney General for the State and the defendant in person, and plead guilty as charged, whereupon the Court assess the penalty and say he shall pay a fine of Fifty Dollars together with the costs, and in event of his failure to pay or secure all of said fine and costs he will be confined in the County Jail or work house until he pay secure or work out all of said fine and costs.

State of Tennessee

vs.

Forfeiture

J.H. Murray et. al.

Came to Attorney General upon behalf of the State, and the defendant by his Attorney, and upon motion by the Attorney General Forfeiture heretofore entered is set aside upon defendant paying the costs Therefore it is adjudged by the Court that the defendant and his sureties E.A. Potter, and J.B. Smith pay said costs for which execution may issue.

State of Tennessee

vs.

Forfeiture

John, Graham et. al.

Came the Attorney General upon behalf of the State, and the defendant by his attorney, and upon motion of the Attorney General the Forfeiture heretofore entered is set aside upon the defendant paying the costs. Therefore it is adjudged by the Court that the defendant and his sureties F.A. Evans and G.L. Rainey pay said costs for which let execution issue.

The following cases were dropped from the docket and placed upon the Docket State of Tennessee against Mrs. Maggie Dunn, Mrs Maggie Dunn.

The following cases Alias Capiases was ordered issued for the defendants State of Tennessee against Clyde Finch, George Nickson, Jers Jackson et.al. O.W. Finley, Edgar Simmons, Cecil Bishop, Fred Heath, Elmer Peeler.

State of Tennessee against Sherman Hargrove, this case is continued until next term of Court, because of the absence of Rayman Daniel

The following cases were continued until next term of Court State of Tennessee J.M. Springer State of Tennessee Pap Nichols Col.

Court then adjourned until to-morrow morning at 9 o'clock,

Minutes Circuit Court, Humphreys County, August Term, 12th day of August 1919

Court met pursuant to adjournment present and presiding the Hon. W.L. Cook, Judge.

State of Tennessee

vs.

Tippling,

Pap Nichols Col.

In this case came the Attorney General for the State and it appearing to the Court that this defendant was indicted at a former term of this Court for the offense of tippling, and the said defendant was arrested and entered into bond with Rena Riggins William Waddy and T.C. Flowers as his sureties which bond is in the words and figures following to wit: State of Tennessee Humphreys County we Pap Nichols agree to pay the State of Tennessee Two Hundred & Fifty Dollars unless the said Pap Nichols appear at the next term of the Circuit Court of Humphreys County to be held at the Courthouse in the town of Waverly, on the 3rd Monday in April 1919 on Tuesday of said term, to answer the State of Tennessee for the offense of Tippling and do not depart the Court without leave.

Pap Nichols Principal
Rena Riggins Surety.
William Waddy Surety
T.C. Flowers

Approved: W.B. Bryany Sheriff,

This 28 day of Dec. 1919.

And the defendant Pap Nichols being solemnly called to come into open court and answer the State of Tennessee upon a charge of Tippling came not but made default and the said Rena Riggins William Waddy and T.C. Flowers were also called to come into court and bring with them the body of the said Pap Nichols according to the tenor and effect of his said bond came not but made default neither came the defendant Pap Nichols nor his said sureties but made default.

It is therefore considered by the court that the defendant Pap Nichols and Rena Riggins William Waddy and T.C. Flowers for thier said default do forfeit and pay unto the State of Tennessee the said sum of Two Hundred and Fifty Dollars according to the tenor and effect of thier said bond.

And it is further ordered by the Court that Sci. Fa. be issued to the said defendant and his said sureties requiring them to appear at the next term of this Court and show cause if any they have this judgment should not be made final. And further that Alias Capias issue for the defendant.

W.J. Cates

vs.

Attachment & Ct.

Allen Murphree

& W.T. Hamm

In this cause came the Plaintiff and asked to be permitted to dismiss this suit without prejudice which request is granted and this cause is dismissed without prejudice at the cost of the Plaintiff and his sureties on his appeal bond E.E. Pace for all of which costs let execution issue.

State of Tennessee

vs.

Assault to commit murder

Lem Burris Warren

In this cause came the Attorney General for the State and the defendant in person and by attorney when the motion for the arrest of judgment and for a new trial in this cause came on to be heard by the Court which motion

is as follows: Comes the defendant by his Attorney, and moves the Court for the arrest of judgment in this case, and for a new trial upon the following grounds:-

1st. That the verdict of the Jury is not supported by the weight of the testimony.

2nd. That the Court erred in refusing to allow testimony offered by the defendant, that he had been advised and encouraged by certain parties to make assault.

3rd. That the Court erred in refusing to allow the defendant to show that previous to this offense, he was severely beaten by the prosecutor, and rendered unconscious as a result thereof, which proof would have at least shown to the jury some provocation, reduced the degree of offense found by the jury.

and after hearing said motion, the same is in all things over ruled by the Court. To which action of the Court in overruling said motion in arrest of judgment and for a new trial the defendant excepts and prays an appeal to the next term of the Supreme Court at Nashville Tenn. which appeal is granted and the defendant is allowed 30 days in which to prepare and file his bill of exceptions.

It is further ordered by the Court that the defendant execute bond in the sum of five hundred dollars for his appearance before the Supreme Court as aforesaid, and that is heretofore decreed, he be confined in the State Training and Agricultural School for boys for a period of one year for the offense as found by the jury, and he pay the cost of this cause for which let execution issue.

Sheriff Jailer's Board bill.

This day came W.B. Bryant Sheriff and Jailer of Humphreys County Tennessee and present and read in open court his account against the State of Tennessee for keeping prisoners turns keys and etc. as to prisoners charged with felonies. which are as follows: Elvis Crowell May 1st. 1919 to August 11 1919 \$77.25
J.M. Springer May 12 1919 to August 11 1919. \$68.25
Less one day board Elvis Crowell \$145.50
\$145.75

To the amount of \$145.75, which account is allowed by the Court, and ordered paid out of the State Treasury, and that the Clerk of this Court certify the same to the Comptroller of the State for payment as the law provides.

State of Tennessee)
vs.) Transporting Liquor
Willie Johnson Col.) Motion to retax cost

In this case came the Attorney General upon the part of the State and appearing to the Court, from the return of the Sheriff upon an execution issued to him by the Clerk of this Court against the estate of the defendant, for the cost of this suit, that the defendant is wholly insolvent unable to pay the cost of this suit, or any part thereof. So it is therefore ordered adjudged and decreed by the Court, that the cost accruing upon the part of the State, be allowed and paid out of the County Treasury of Humphreys County, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law provides.

State of Tennessee)
vs.) Larceny

Jess Green)
vs.)

In this case the Grand Jury return an Indictment marked not a true bill. It is therefore ordered by the Court that the defendant be discharged, and go hence without day.

This day the Grand Jury came into open Court in a body, and present the following indictments, and presentments.

One against Nute Harrison B.D. Subpoena for the State Lee Ingram Herschel Phifer and Tobe Rogers.

One against Frank Plant B.D. Subpoena for the State Lee Ingram, Herschel Phifer and Tobe Rogers.

One against Dick Wyatt et.al. gaming Subpoena for the State Clyde Anderson Mrs. Rosey Wyatt, and F.C. Moore.

One against R.L. Yarbrough Tippling, Subpoena for the State Tom Crawford and Fred Heath.

One against R.L. Yarbrough Tippling Subpoena for the State Sam Daniel, Matt Gunn, Tom Crawford and Fred Heath.

One against Loyd Davis et.al. Gaming Subpoena for the State J.N. Alexander, and Ben O. Guinn

One against R.L. Yarbrough, Tippling Subpoena for the State Matt Gunn, Sam Daniel, Tom Crawford, and Fred Heath.

GRAND JURY REPORT AUGUST TERM CIRCUIT COURT A.D. 1919.

We the members of the Grand Jury for Humphreys County for the Aug. Term 1919, beg leave to submit the following report to your Honor.

We have faithfully performed all duties required of us, having visited the County Jail and Poor-House, and found the prisoners and inmates well fed and cared for, having examined all bonds required to be examined by us and found them properly executed and good and solvent for the several amounts thereof and now having completed our labors, we respectfully asked to be discharged for the term.

J.N. Handlin Foreman, T.K. Simpson, J.W. Holland, W.W. Gatlin, J.M. Choate J.M. Garrett, J.D. Johnson, Scott Reynolds, C.K. Patrick, J.L. Carroll C.E. James, H.A. Williams J.R. Patterson

Ollie Wood)

vs.) In Circuit Court of Humphreys County, Tennessee.

Walter Wood (

This cause came on to be heard on this Wednesday August 13, 1919 the same being the last day of the present term of said Court on motion of the petitioner for an order pro-confesso against the defendant,

Walter Wood, when it appeared that the Defendant had been regularly served with process more than Five (5) whole days before the first day of the present term, requiring him to appear and answer the petition filed herein, and up to this the last day of the present term he has failed to answer and being in default thereof, it is hereby ordered adjudged and decreed that Petitioner's complaint be taken for confessed and the cause set for hearing ex parte as to said Defendant.

The cause was then heard upon the petition proconfesso heretofore taken, and oral testimony introduced in open court when it

Minutes Circuit Court, Humphreys County, August Term, 18 day of August, 1919

appeared to the satisfaction of the Court that the Defendant was guilty of such cruel and inhuman treatment toward to petitioner as rendered it unsafe and improper for her to cohabit with him and be under his dominion and control; that he had offered such indignities to her person as to render her condition intolerable and thereby forced her to withdraw from him, that he has abandoned her, turned her out of doors and refused and neglected to provide for her.

It is therefore ordered, adjudged and decreed that the bonds of matrimony now subsisting between the petitioner and the Defendant be perpetually dissolved rendered void and for nothing held and that the petitioner be restored to all the rights and privileges of a single woman and that her maiden name, to wit: Ollie Alexander, be restored to her.

It is further ordered, adjudged and decreed that the Defendant pay the cost of this case, for which execution will issue.

John Lagan, Administrator

vs.

N.C. & St. L. Ry. Et, al.

This case having been settled by compromise agreement among all parties, it is hereby dismissed by the plaintiffs at the Defendants' cost the N.C. & St. L. Ry. for which execution may issue. The Court so orders adjudges and decrees.

State of Tennessee

A.B.

Robert Fortner

In this case came the Attorney General for the State and the defendant in person, and ~~Robert Fortner~~ to assault and battery, whereupon the Court assess the penalty and say he shall pay a fine of ten dollars together with all the cost, then came into open court H.F. Fortner and J.L. Hickman and enter their names as sureties for said fine and cost.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant his sureties all of said fine and cost for which execution may issue.

John Rainey

vs. Damage.

C.E. Qualls

On the defendant's motion the plaintiff being called to come and prosecute failed to do so. It is there ordered and adjudged and decreed that the suit be and the same is hereby dismissed, and that the defendant recover the costs of the suit from the plaintiff, for which execution may issue.

The following cases were continued until term of court by the plaintiffs

Carry Barham againsts Audie Barham, Georgia A. Kirby against E.C. Kirby, Ethel Easley against W.E. Easley,

A.N. Mallard against S.A. Arnold, Condemnation. In this case the parties and this Court is compromised at the costs of the defendant S.A. Arnold. It is agreed that the defendant S.A. Arnold, pay the plaintiffs A.N. Mallard et al, sum of \$73.30 principal and \$1.30 interest and the costs of this cause, for which execution may issue.

Minutes Circuit Court, Humphreys County, August Term, 18 day of August, 1919

D.C. K. Binkley

vs.

In Circuit Court of Humphreys County, Tennessee.

W. A. Edwards

In this case on motion of Plaintiff and for sufficient causes it is ordered by the Court that the Defendant give sufficient cost bond or justify the sureties on his present bond on or before the 11th. day of October, 1919 or his suit will stand dismissed.

State of Tennessee

vs.

Attachment.

Rayman Daniel

In this case it appearing to Court upon motion of the Attorney General, that the above named party was legally summoned to appear before this Court to give evidence in the case of State against Sherman Hargrove, and failed to do so. It is therefore ordered by the Court that Attachment issue and be served on said party requiring him to appear at the next term of this court to give evidence before the Court, and answer for contempt of Court.

Georgia A. Kirby

vs.

In Circuit Court of Humphreys County, Tennessee.

E.C. Kirby

This case was heard on this August term 1919 before Judge W.L. Cook upon the petition of the Complainant Mrs. Georgia A. Kirby, and the answer of the Defendant E.C. Kirby and oral testimony of witnesses examined in open court and it satisfactorily appeared to the Court from the proof that the allegations of the bill are true; that the defendant had been guilty of such cruel and inhuman treatment as rendered it unsafe and improper for her to cohabit with him and remain under his dominion and control, he had offered such indignities to her person as to render her condition intolerable, and thereby forced her to withdraw, that he abandoned her, turned her, out of doors and refused or neglected to provide for her. It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony now subsisting between the Petitioner and the defendant be dissolved and for nothing held, that the Petitioner be vested with all the rights of an unmarried woman. Be it further ordered, adjudged and decreed that the title to a certain tract of real estate with all improvements thereon, shown to belong to the Defendant E.C. Kirby, be divested out of the Defendant and vested in the Petitioner Georgia A. Kirby. Said real estate being situated in the Second Civil District of Humphreys County, Tennessee, in the town of Waverly on the N. side of Trace Creek and described as follows: Beginning on the S.W. C. of a lot or parcel of land purchased by Mrs. McCloud from A. Lucas and wife October 13th. 1913, at an iron stake S. 88° W. from a chestnut pointer 13 1/2 feet on point of hill about 50 feet N. from the center of Main tract of the N.C. & St. L. Ry, thence N. with Railroad right of way, 9 poles to a stake with three hickory pointers, thence N. 20 poles to a stake in line of lot sold to Fronia McCloud heretofore, thence W. with said line 6 poles and 9 links to Hickman's E.B.L. thence S to the beginning, containing about three quarters of an acre, more or less. Petitioner is also awarded as further alimony the sum of \$50.00 which was paid to complainant, and a writ of possession may issue to put petitioner in possession of the

Minutes Circuit Court, Humphreys County, August Term, 19 day of August 1919

of the above described real estate decreed to her.
The Defendant will pay the costs of this litigation for which execution will issue.

State of Tennessee)
vs.) Assault to commit murder in the first degree
Lem Burris Warren)

It is ordered that the time for defendant to prepare and file his Bill of Exception shall be extended, and sixty days are hereby allowed within which to file the Bill of Exceptions in the cause.

Carter Dry Goods Co.)
Vs.) Condemnation
N.C. Ridings et.al.) Motion to retax costs

In this cause came J.R. Morris attorney for the Carter Dry Goods co. and ask the court to dismiss this cause at the costs of his clients the Plaintiffs in this case.

It is therefore ordered adjudged and decreed by the court that the Plaintiffs the Carter Dry Goods Co. pay the costs of this cause, and the costs in the condemnation proceedings for which let execution issue.

Court then adjourned until court in course.

W.L. Cook
Judge.

Caption December Term Circuit Court A.D. 1919.

Be it remembered that a Circuit Court was opened and held in and for the County of Humphreys, at the Court house in the town of Waverly Tenn. on the 8th. day of December it being the 2nd. Monday in said month. And the One Thousand Nine Hundred and Nineteenth year of Our Lord, and the One Hundred and Forty Fourth year of American Independence.

Present and presiding the Hon. W.L. Cook Judge of the 9th. Judicial Circuit of the State of Tennessee.

Court was opened in due form of law by W.B. Bryant Sheriff of Humphreys County Tennessee, and by him was returned into open Court a writ of Venire Facia showing that the following named persons were appointed by the County Court at the July Term 1919, to appear and to served as jurors at this the present term of this court to wit: E.B. Scholes, L.L. Shipp Bob Wheeler, Bob Rainwater Clifford Patterson, Lon Tinnell, Clarence Martin, W.A. Scott, Martin Waggoner, J.A. Stewart, W.W. Long Alex May, C.E. Eratcher, Len Bird Sam Petty, Peck Traylor, C.C. Willhite, Jack Larkins Gordon Pullen, J.M. Reece, W.H. Rogers, J.C. Brandon, Dec Wood, A.R. Linville and Rome Reeves, and it appearing to the Court, that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that said Jurors, so summoned appeared and answered said summons except L.L. Shipp, Peck Traylor, Bob Wheeler, W.A. Scott, C.C. Willhite Bob Rainwater Gordon Pullen, Sam Petty, A.R. Linville, Jack Larkins, and Clifford Patterson. who was excused by the Court for various causes and

Minutes Circuit Court, Humphreys County, December Term, 8 day of December 1919

Out of said jurors so summoned and appearing were drawn a Grand Jury to wit: J.N. Hanlin, W.H. Rogers, Alex May, Lon Tinnell, J.A. Stewart, Dec Wood, W.W. Long Clarence Martin, Len Bird, E.B. Scholes, Rome Reeves C.E. Bratcher, Martin Waggoner, out of whom J.N. Hanlin is by the Court appointed Foreman, and the said Grand Jury is in all things as the law directs, having been duly elected tried sworn and charged by the court, retired to thier room in charge of J.C. Thomas a Constable of Humphreys County sworn according to law to attend them in considering presentments and Indictments. Ten members of the Venire, ahving been excused for cause, and there being no jury cases for trial to day, the Sheriff was ordered to summon ten good and lawfull men to appear at nine o, clock tomorrow moring to serve as regular jurors.

State of Tennessee)
vs.) E.D.
Frank Plant)

In this case the Attorney General for the State and the Defennant in person and plead guilty as charged, whereupon the Court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the cost.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant all of said fine and costs, and in the event of his failure to pay or secure said fine and cost he will be confine in the County Jail or work house until he pay secure or work out all of said fine and costs.

State of Tennessee)
vs.) B.D.
Nute Harrison)

In this case came the Attorney General for the State and the defend ant in his own proper person plaed guilty as charged, whereupon the court assess the penalty, and say he shall pay a fine of Fifty Dollars together with all the cost. It is there ordered adjudged and decred by the court that the State of Tennessee recover of the defendant all of said fine and cost, and in the event of his failure to pay or secure said fine and cost he will be confined in the County Jail or work house until he pay secure or work out all of said fine and costs.

State of Tennessee)
vs.) Gaming.
Loyd Davis et. al.)

In the case came the Att orney General for the State, and the defendants, Loyd Davis, Earnest Morris and Creed Hickman, and plead Guilty as charged, whereupon the C urt assess the penalty and say they shall pay a fine of five dollars each, together with all the costs, then came into open court the afore said defendants, and paid to the Clerk of court all of said fine and cost. It is therefore ordered adjudged and decreed by the court that the aforesaid defendants go hence without day, and an Alias Capias issue for the dfendant Jack Jones.

Court then adjourned until tomorrow morning at 9 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment, Present and presiding the Hon. W.L. Cook, Judge. when the following good and lawful men were appointed by the court, to serve as jurors for this the December Term of the Circuit Court, to wit: J.W. Tinnell, J.R. Perkins, Tom Bryant, Jno. Fields, W.W. Hickman, W.S. Miller, Toke Rogers, W.B. Box and W.B. Tribble. J.S. Hemby.

This day the Grand Jury came into open Court in a body, and present the following Indictments and presentments.

One against Davis Crafton, B.D. Subpoena for the State W.B. Bryant and Sam Jones. One against Jack Rose, carrying a pistol, Subpoena the State W.E. Bryant, Buddy Spann, and Jno. Cabb. Col.

An indictment against Pete Swearn removing corn from stalks which indictment is in the words and figures following to wit: State of Tennessee Humphreys County Dec. Term of Circuit Court, A.D. 1919, The Grand Jurors for the State of Tennessee duly elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon thier oath aforesaid, present that Pete Swearns heretofore to wit, on the 28th. day of Aug. 1919, in said County and State, unlawfully and feloniously did enter upon the enclosed lands of Clint Ashley and did remove from the stalks the ears of corn growing thereon and attached thereto, for the purpose of depriving the said Clint Ashley, the true owner thereof and of appropriating the same to his own use, contrary to the form of the statute, and against the peace and dignity of the State.

And the Grand Jurors aforesaid upon thier oath aforesaid, further present that the said Pete Swearns, on the day and year aforesaid, in the State and County aforesaid unlawfully did enter upon the inclosed lands of the said Clint Ashley and willfully and wantonly did sever the grain there being by cutting stalks of corn and removing the ears of corn from the stalks, contrary to the Statute and against the peace and dignity of the State. Jno. B. Bowman Attorney General.

Dec. Term 1919. THE STATE vs. Pete Swearns. Removing corn from stalks, Clint Ashley Prosecutor, subpoena for the State Clint Ashley, Allen Murphree, Sam Jones Chas Wood, Claud Hannah, Martin Sanders, Witness sworn by me on this indictment before the Grand Jury, Dec. Term, 1919. J.N. Hanlin Foreman Grand Jury, Jno. Bowman Attorney General. A.TRUE DILL J.N. Hanlin Foreman Grand Jury.

One against Warren and Jack Rose House Breaking, which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County. Dec. Term of Circuit Court, A.D. 1919. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon thier oath aforesaid, present that Warren and Jack Rose heretofore to wit, on the 1st. day of October 1919, in said County and State, unlawfully and feloniously did break and enter the business house of the Hillman, Scarboro Auto, Co. of said County, with intent to commit a felony wit a larceny contrary to the Statute and against the peace and dignity of the State Jno. E. Bowman Attorney General.

Dec. Term, 1919 THE STATE vs. Warren and Jack Rose House Breaking W.E. Bryant Prosecutor Subpoena for the State W.L. Bryant, Buddy Spann, Arco Dreaden, Geo. Smith, Jno. Cabb. Col. Jim Lawrence Dock Forester Herman Rushing Morris Scarboro Chas Martin, Witnesses sworn by me on this indictment before the Grand Jury Dec.

Term 1919; J.N. Hanlin Foreman Grand Jury. JNO. B. BOWMAN Attorney General, A.TRUE. DILL J.N. Hanlin Foreman Grand Jury.

State of Tennessee

vs.) A.B.
J.M. Phy.)

In this case the Grand Jury return and indictment marked not a true bill. It is therefore ordered adjudged and decreed by the Court, that the defendant go hence without day.

State of Tennessee

vs.) Larceny.
J. Summers Col.)

In this the Grand Jury return an indictment marked not a true bill. It is therefore ordered adjudged and decreed by the court that defendant go hence without day.

In the following cases, an Alias Capias is ordered issued for the defendants. State of Tennessee against Clyde Finch, Geo. Dickson Jess Jackson Et.al. C.W. Finley Edgar Simmons, Cecil Bishop, Fred Peath, Elmer Peeler, Ray Nichols Col. Pap Nichols Col. R.L. Yarbrough, R.L. Yarbrough, R.L. Yarbrough.

State of Tennessee)
vs.) Gaming.
Dick Wyatt et.al.)

In this came the defendants Dick Wyatt, Crady Morris, and Ely Norrisett, and enter a plea of guilty and this case is continued by consent until next term and Alias is ordered issued for defendants Ray Cunningham Jack, Jones and Bold Pete Turner.

State of Tennessee

vs.) Murder.
J.M. Springer)

This case is continued until Tuesday after the 1st Monday in January.

State of Tennessee)
vs.)
Davis Crafton)

This case is continued by defendant until next term.

State of Tennessee

vs.) Larceny.
Pete Swearns)

In this case came the Attorney General for the State, and the defendant in his own proper person, and by attorney, and by consent this case is continued until next term.

State of Tennessee

vs.) Attachment.
Rayman Daniel)

In this case came the Attorney General for the State, and the defendant in person whereupon the court dismissed this case upon the defendant paying the cost, then came into open court J.N. Cunningham and entered his name as security for the costs in this case.

It is therefore ordered adjudged and decreed by the court that the State of Tennessee recover of the defendant and his security the costs of this case for which let execution issue.

State of Tennessee
vs.
Sherman Hargrove) Larceny.

In this case came the the Attorney General for the State and the defendant in person and by attorney, who being duly charged and arraigned on said bill of indictment pleads not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County to wit: J.W. Tinnell, J.B. Fields, J.P. Perkins Tom Bryant, J.S. Hamby J.C. Brandon, J.M. Reece, W.W. Hickman, W.S. Miller Toke Rogers, W.R. Box, and W.B. Tribble who being elected tried and sworn according to law, and being in charge of thier sworn officer S.G. Jones and after hearing all the proof argument of counsel and the charged of the Court upon thier oath do say they find the defendant guilty of petit larceny and assess his punishment at a term of 90 days in the County Jail.

It is therefore ordered, adjudged and decreed by the Court that for the offense aforesaid the defendant be confined in the County Jail for a period of Ninety days and that he pay the cost of this cause for which let execution issue and in the event of his failure to pay or secure said costs he will be further confined until the same is paid secured or worked out.

It is further ordered by the Court that the defendant be and he is hereby rendered infamous, disqualified to exercise the election franchise or give evidence in any of the courts of this state.

Court then adjourned until tomorrow morning at 9, o'clock.

W. L. Cook
Judge.

Court met pursuant to adjournment present presiding the Hon. W.L. Cook, Judge & etc. This day the grand Jury came into open Court in a body and present the following indictments and presentments.

One against J. E. Sullivan, Frank Plant, W.O. Nelson, and W.L. White Gaming, Subpoena for the State W.E. Bryant, and D.E. McCann.

One against E.C. Finch Selling Cigarettes, Subpoena for the State Geo. Smith, and Oscar Baker.

One against J.T. Pewett, selling cigarettes, subpoena for the State S.J. Jones,
One against Col Qualls selling cigarettes, Subpoena for the State Tom Townsend, and Davis Foreh.

One against R.E. Oliver G.F. Brigham and G.P. Climer, gaming subpoena for the State D.E. McCann and W.B. Bryant.

One against Walter Ethridge, Larceny, which indictment is in the words and figures following to wit: State of Tennessee Humphreys County, Dec. Term of Circuit Court A.D. 1919. The Grand Jurors for the State of Tennessee, duly elected, empaneled sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon thier oath aforesaid, present that Walter and Fate Ethridge heretofore to wit, in the 1st. day of Sept. 1919, in the County aforesaid, unlawfully and feloniously did steal, take and carry away two horses of the value of four hundred Dollars of J.G. Stanfield of said County, then and there being found, contrary to the form of the Statute in such cases made and provided and against the peace and dignity of the State. Jno. B. Bowman Attorney General.
Dec. Term, 1919. THE STATE vs. Alter Ethridge et.al. J.G. Stanfield Prosecutor Subpoena for the state, J.G. Stanfield James Bates Master Clerks V.P. Stanfield Oge Stewart, Willie and Vernon Holl and Willie Tinton, Herbert King, Nashville Tenn. Witnesses sworn by me on this indictment before the Grand Jury Dec. Term 1919 Orson Denslow Foreman Grand Jury. Jno. B. Bowman Attorney General. A. TRUE BILL Orson Denslow Foreman Grand Jury.

One against John O. Guinn, Cruelty to animals, which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County. Dec. Term of Circuit Court, A.D. 1919. The Grand Jurors for the State of Tennessee, duly elected empaneled sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon thier oath aforesaid, present that John O. Guinn heretofore, to wit, on the 10th. day of November 1919, in said County and State, unlawfully and needlessly did bruise and maimed a hog the property of Mrs. M.F. Dreaden, contrary to the statute and against the peace and dignity of the State.

Jno. B. Bowman Attorney General.

Dec. Term, 1919. THE STATE vs. John Oguinn, Cruelty to animals Arco Dreaden Prosecutor. Subpoena for the state Arco, Dreaden, Ray Cunningham Aubrey Prichard Orland Raymer. Witnesses sworn by me on this indictment before the Grand Jury Dec. Term 1919. Orson Denslow Foreman Grand Jury. Jno. B. Bowman Attorney General.
A. TRUE BILL Orson Denslow Foreman Grand Jury.

One against Charlie Summers, and Luther Durham misdemeanor, which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County. Dec. Term Circuit Court, A.D. 1919. The Grand Jurors for the State of Tennessee duly elected empaneled, sworn and charged to inquire for the body of the County of Humphreys and State aforesaid, upon thier oath aforesaid, present that Chas Summers col. and Luther Durham heretofore to wit on the 10th. day of April 1919, in said County and State, unlawfully trespass on the lands of Clyde Landis in the old 6th. Dist. of Humphreys County, Tenn., by cutting down and destroying valuable timber thereon exceeding Fifty cents in value with a view to convert the same to thier own use contrary to the statute and against the peace and dignity of the State.
Jno. B. Bowman Attorney General. December Term, 1919. THE STATE vs. Chas. Summers et.al. misdemeanor Clyde Landis Prosecutor. Subpoena for the State Clyde Landis Chas. Landis, Frank Sanders, witnesses sworn by me on this indictment before the Grand Jury Dec. Term, 1919 Orson Denslow, Foreman Grand Jury. Jno. B. Bowman Attorney General. A. TRUE BILL Orson Denslow, Foreman Grand Jury.

GRAND JURY REPORT DECEMBER TERM A.D. 1919.

We, the members of the Grand Jury for the Dec. of the Circuit Court 1919, members of Humphreys County, do leave to submit the following report to Your Honor.

We have faithfully performed all duties required of us having visited the County Jail and poor house and found the prisoners and inmates well fed and cared for, and having examined all bonds required to be examined by us and found them properly executed and good and solvent for the several amounts thereof and now having completed our labors we respectfully asked to be discharged for the Term. Orson Denslow Foreman, W.H. Rogers, Alex May, Len Tinnell J.A. Stewart Dee Woods, W.W. Long, Clarence Martin, Len Bird, E.B. Scholes Rome Reeves, C.E. Brat cher, and Martin Waggoner.

Court then adjourned until tomorrow morning at 9 o'clock.

W.L. Cook
Judge

Court met pursuant to adjournment, Presean and presiding the Hon. W.L. Cook Judge, etc.

Mary Alice Williams)

vs.) On Circuit Court of Humphreys County, Tenn.,

Alexander Williams)

This case was heard on this the fourth and last day of Court on motion of the petitioner's attorney for an order pro confesso against the Defendant and it appearing to the satisfaction of the Court that publication was regularly had and made for the defendant directing him to appear and answer the petition's bill and he having failed to appear but being in default thereof the Petitioner's bill is therefore taken for confessed and set for hearing ex parte as to the defendant.

The cause was then further heard upon the Petition and order pro confesso and oral testimony of witnesses introduced in open court when it appeared to the Court that the defendant more than two years next before the filing of said petition had wilfully and maliciously deserted the Petitioner without a reasonable cause, that he had abandoned her, turned her out of doors and refused and neglected to provide for her. It is therefore ordered, adjudged and decreed that the bonds of matrimony now subsisting between the Petitioner and the defendant be dissolved, rendered void and for nothing held, that the Petitioner be restored to all the rights and privileges of a single woman that her maiden name, Mary Alice Lewis be restored to her and that the defendant pay the costs of this cause for which execution may issue.

M.C. Jones)

vs.) In the Circuit Court Humphreys County, Tennessee,

Faustina Jones)

In this case it duly appearing to the Court, that the defendant Faustina Jones has been regularly served with subpoena to answer the petitioner's suit for divorce, and that up to this the third day of the present term of Court, and it being the last day of the term, and the defendant having failed to appear and make defense to said petition, within the time required by law, it is ordered and decreed that to the defendant Faustina Jones, the petition be taken for confessed, and the case set for hearing ex parte.

This cause came on to be heard at this the Dec. Term 1912, of the Circuit Court, before the Hon. W.L. Cook, Judge, upon the petition of M.C. Jones the order proconfesso heretofore taken, against the defendant, and the oral testimony of wit-

nesses taken in open court; and it satisfactorily appeared to the Court, from the proof that the facts charged in the petition are true; that the defendant had wilfully deserted the petitioner without a reasonable cause for more than two whole years before the filing of the petition, as charged, and that the petitioner gave the defendant no cause or just excuse for her said misconduct.

It is therefore ordered, adjudged and decreed by the court, that the bonds of matrimony subsisting between the petitioner and the defendant be absolutely and forever dissolved, and that the petitioner be vested with all the rights of an unmarried person, it is further ordered, adjudged and decreed by the court, that the petitioner, M.C. Jones, pay the costs of this cause, for which execution may issue.

Carrie Barham

vs.

Audie Barham

{ In Circuit Court of Humphreys County, Tenn.

This cause this day came on for hearing before the Honorable W.L. Cook, at the regular December term and it appearing to the Court that Service of suit was regularly had on the defendant by publication as required by law in the Humphreys County Democrat and Waverly, Sentinel, a weekly paper published in Waverly Tennessee, and it appearing further that the defendant has failed to appear and make defense to the allegation in the petition whereupon the Court considered that it is taken in all things confessed and the case was set for trial ex parte as to him.

The cause was further heard on the petition and order pro confesso, and the evidence of witnesses in open court, whereupon it appeared to the Court that the Petitioner and defendant were married in Humphreys County in April, 1911; that they lived together for some two years, during which time the defendant never supported the Petitioner and that in the summer of 1912 the defendant deserted the petitioner and absented himself for a period of two years next before the filing of the petition and he abandoned her and refused and neglected to provide for her during all these years.

Therefore be it ordered, adjudged and decreed that the bonds of matrimony subsisting between the defendant and petitioner be dissolved and that she be granted an absolute divorce; that she be awarded the custody and care of her infant girl child, Millie May Barham, now eight (8) years old and that she be restored to all the rights and privileges of a single woman, and that the defendant pay the costs of this case for which execution may issue.

Nannie Scott

vs.

David Scott

{ In Circuit Court of Humphreys County, Tenn.

This cause came on for hearing this day before E.B. Kener, Judge W.L. Cook, presiding at the December term of Circuit Court and it appearing that service had been regularly had upon the defendant by publication according to law in the Humphreys County Democrat and Waverly Sentinel, a paper published weekly in the town of Waverly and it further appearing that the said Defendant has failed to appear and make defense as required by law, it was therefore in all things taken for confessed and set for trial ex parte.

The case was further heard on the petition and order pro confesso and the evidence whereupon it appeared to the Court that the Petitioner and defendant were married on the 26th. day of August 1911 in Nashville; that shortly thereafter the defendant abandoned the petitioner, turned her out of doors and refused and neglected to

provide for her and the Court is pleased to so consider;
Therefore be it ordered adjudged and decreed that the bonds of matrimony now subsisting between the Petitioner and the Defendant be dissolved and for nothing held; that the Petitioner be granted an absolute divorce; that she be granted the care and custody of the child of the union, an infant at the Mother's breast; that she have restored to her her maiden name, Mamie Berryman and that she be granted all the rights and privileges of a single woman; that the defendant be taxed with the cost of this case for which execution may issue.

Elayden E. Sanders

vs. { In Circuit Court of Humphreys County, Tenn.
K.C. E. St. L. Ry. et.al.

This case was this day settled by compromise agreement out of Court under which the Defendant is to pay the cost of this suit for which execution may issue.

F.C. E. Binkley /
vs. { In Circuit Court of Humphreys County, Tenn.,
W. A. Edwards /

This case was this day heard by the Honorable W.L. Cook, Judge, without the intervention of a Jury, His Honor finding the issue in favor of the plaintiff, assessing the damages of the Plaintiff at the sum of \$7.75 and costs of suit

It is therefore considered by the Court that the Plaintiff recover of the Defendant an sureties on his Appeal bond to wit; J.L. Hickman, John Pearl, G.A. Merdith and W.C. Turner, the sum of \$7.75 and the costs of this suit save and except the witnesses of the plaintiff who were summoned but not examined, Judgment here rendered against the plaintiff for the cost of such witnesses as were not introduced by him, execution being awarded against the Defendant for judgment herein rendered and all other cost in the case save that of the plaintiff's witnesses who were summoned but not examined.

SHERIFF'S BOARD BILL FOR BOARDING JURY

This day came W.B. Bryant, Sheriff and Jailed into open court and present his bill for board of jury, in case of State against Sherman Hargrove, to the amount of \$7.00 which amount was read in open Court, allowed, approved, and ordered paid out of the Treasury of the State of Tennessee, and the Clerk of this court certify the same to the Comptroller of the Treasury for payment, as the law directs

Sheriff's board bill for boardin prisoners.

This day came W.B. Bryant, Sheriff and Jailer of Humphreys County Tennessee, and present and read in open court his account against the State of Tennessee, for keeping prisoners, as to prisoners charged with felonies.

Which amount is as follows: Aug. 12 1919 to December 11 1919	\$91.50
" " " " " Jap Springer Aug. 12 1919 to December 11 1919	\$91.50
Total amount as to both prisoners is \$183.00	\$183.00

Which is allowed by the Court, and ordered paid out of the State Treasury, and that the Clerk of this Court make out and certify the same to the Comptroller of the State for payment as the law provides.

State of Tennessee {
vs. { Assault to commit murder in the first degree
Lem Burris Warren { Motion to retax cost

In this case came the Attorney General upon the part of the State and it appearing to the Court, from the return of the Sheriff upon an execution issued to him by the Clerk of this Court against the estate of the defendant, cfor the cost of this suit, that the defendant is wholly insolvent unable to pay the cost of this suit, or any part thereof. So it is therefore ordered adjudged and decreed by the Court, that the cost accruing upon the part of the State, be allowed and paid out of the State Treasury, and that the Clerk of this court make out and certify the same to the Comptroller of the State for payment as the law provides

State of Tennessee {
vs. { Assault with a shot gun with intent to kill.
Amon Arnold {

In this cause it appearing to the Court, that the defendant is under 16 years of age, this case is hereby transferred to the Juvenile Court of Humphreys County Tenn., for further hearing, and the Clerk of this Court will send all the papers in this case to the Juvenile Court.

State of Tennessee {
vs. { House breaking and larceny.
Warren and Jack Rose {

In this case it appearing to the Court, that the defendants are in penal servitude, at Jeffersonville Indiana. It is therefore ordered by the Court, that this case retired.

State of Tennessee {
vs. { Carrying a pistol.
Jack Rose {

In this case it appearing to the Court, that the defendant is in penal servitude at Jefferson Indiana. It is therefore ordered by the Court, that this case retired.

State of Tennessee {
vs. { Forfeiture
Pap, Nichols Col. et.al. {

In this case it appearing to the Court, that at the August term of this Court Forfeiture was taken against the defendant his his sureties upon his appearance bond, and ordered issued and it appearing to the Court that the Clerk of this court issued Sei.Fa. and delivered same to the Sheriff, of Humphreys County Tennessee, and it further appearing to the Court that said Sei.Fa. was not served upon said defendant nor his said sureties, by said Sheriff.

It is therefore ordered adjudged and decreed by the Court, that ALIAS Sei.Fa. issue for the defendant and his said sureties, returnable to the next term of this Court.

Minutes Circuit Court, Humphreys County, December Term, 11 day of December 1919

E.T. Tatum, {
vs. { In Circuit Court at Waverly Tenn.,
R.A. Murray {

This case was heard by Judge, W.L. Cook without the intervention of a jury, and no contest being made over the issues or amount for which plaintiff should recover, by agreement of the parties, judgment is here rendered for the sum alleged in the declaration to wit \$123.97 and costs of this case against the estate of R.A. Murray. It appearing that this cause was revived in the name of the personal representative of said R.A. Murray deed. and that said estate is being administered in the county court, it is ordered that the Clerk of this court make and certify to the Clerk of the county Court of Humphreys County a statement of this judgment and bill of costs to be filed with W.D. Hagler Admin. of said estate, to be included and paid as a part of the claims against said estate.

State of Tennessee ex rel. {
Ed Choate { In Circuit Court of Humphreys County, Tennessee.
vs. {
Sam Mitchell {

Be it remembered that, case came on for hearing this 11th. day of December, 1919 before the Honorable W.L. Cook and it appearing to the Court that the Petitioner is entitle to the legal custody of the child, Stella Mai Choate, but the child's inclination and welfare requiring it, it is ordered, adjudged and decreed that the said Ed Choate be granted the legal custody of the said Stella Mai Choate, but also be left in the custody of her grand -father, the defendant, Sam Mitchell until otherwise ordered. The suit will be retained on the docket. The Petitioner will pay the cost thus far accrued for which execution may issue.

The following cases were continued until next term of court, Western Union Tel. Co. against N.C. & St. L. Ry. Mrs. Ella P. Young against J.E. Smith-Sheriff, Mrs. E.J. Patterson, against Wade Edwards et.al. Claud Lashlee against N.C. & St. L. Ry.

Black Wood Tine Co.
vs.
Waverly-Spoke Co. &
Tennessee Utilities Co. (

This case is continued by the Plaintiff, and set for Monday of next term.

State on Realtion of H.H. Pullen
vs. {
Billy Holland { In Circuit Court Humphreys County Dec. Term 1919

In this cause it was agreed by and between the parties that the boy Arthur Pullen should be placed in the Custody of his father, the Relator, H.H. Pullen, and that each party, the Relator and the defendant should each pay one half of the costs of this cause, which they have done, and the said Arthur Pullen was placed in the custody of his father, H.H. Pullen.

It is therefore considered by the court that the said Arthur Pullen shall be and remain in the custody of his said father the said H.H. Pullen, the court so orders, adjudges and decrees.

Minutes Circuit Court, Humphreys County, December Term, 11 day of December 1919

Mrs. D.H. Duncan
vs. {
J.N. Duncan { In Circuit Court at Waverly, Humphreys County, Tennessee

This case came on for hearing this day, and it appearing that the matters in controversy had been settled out of Court by compromise agreement, and on motion of counsel for Plaintiff the same was dismissed at Plaintiff's cost.

It is therefore ordered adjudged and decreed by the Court that the Defendant J.N. Duncan recover of the Plaintiff Mrs. D.H. Duncan and her sureties on her prosecution bond to wit: Bery S. Duncan, Douglas Duncan, and Mrs. Tennie Hedge the cost of this cause, for which execution may issue.

Court then adjourned until Tuesday January 4th. 1920.

W.L. Cook
Judge.

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook, Judge etc.

State of Tennessee {
vs. { Murder
J.M. Springer {

In this cause came the Attorney General for the State and the defendant in person and by attorney, who being duly charged and arraigned on said bill of indictment, pleads not guilty. Thereupon the following good and lawful men of Humphreys County were legally selected as Jurors to wit: Carl Warren, Roy Breden, S.B. Stanfield, T.A. Gwin, Jim Wood, J.N. Perkins, J.B. Smith, A.F. Breden, J.S. Hembey, S.H. Hembey, and Maud Hingey, and there not being time to complete the selection of the jury they were respited by the Court until to-morrow morning at 9 o'clock and said jurors retired in charge of W.S. Miller and J.F. Merdith, thier sworn officers who had been previously legally sworn to attend them and who had them in charge.

Court then adjourned until to morrow morning at 9 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment present and presiding the Hon. W.L. Cook, Judge.

State of Tennessee {
vs. { Murder.
J.M. Springer {

In this cause comes again the Attorney General for the State and the defendant in person and by his attorneys, when the jurors heretofore selected in this cause to wit: Carl Warren, Roy Breden, S.B. Stanfield, T.A. Gwin, Jim Wood, J.N. Perkins, J.B. Smith, A.F. Breden, J.S. Hembey, and Maud Hingey, having returned

into open court in charge of thier sworn officers W.S. Miller, and J.F. Merdieth-
when the selection of a juror in this case was resumed and the following ^{good} and
lawful juror to wit: George Greenwell was ~~HEIMEN~~ legally selected as a juror
and said jury having been completed, duly elected tried and sworn according to law
and this cause proceeded with but the evidence in this case not being completed the
jury was respited by the Court until to-morrow morning at 9 o'clock and they retired
in charge thier sworn officers W.S. Miller and J.F. Merdieth.

Court then adjourned until to-morrow morning at 9 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook Judge.

State of Tennessee
vs. Murder
J. M. Springer

In this cause came again the Attorney General for the State and
the defendant in person and by ^{his} attorneys when the Jurors heretofore selected in this
cause to wit: Carl Warren, Roy Braden, S.B. Stanfield, T.A. Gwin, Jim Wood, J.R.
Perkins, J.B. Smith, A.F. Braden, J.S. Hemby, S.H. Hemby Maud Hughey, and George
Greenwell, having returned into open court in charge of thier sworn officers W.S. Miller
and J.F. Merdieth. and this cause proceeded with, and ^{after} hearing all the proof, aggu-
ment of counsel and the charge of the Court but not having time to consider the of
thier verdict said jury was respited by the Court until to-morrow morning at 9 o'clock
and thereupon they retired in charge of thier sworn officers, W.S. Miller and J.F.
Merdieth.

Court then adjourned until to-morrow morning at 9 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook Judge.

State of Tennessee
vs. Murder
J.M. Springer

In this cause comes again the Attorney General for the State
and the defendant in person and by attorneys when the jury heretofore selected
and sworn in this cause, to wit: Carl Warren, Roy Braden, S.B. Stanfield, T.A. Gwin
Jim Wood, J.R. Perkins J.B. Smith, A.F. Braden, J.S. Hemby, S.H. Hemby Maud Hughey
and George Greenwell. having returned into open court in charge of their sworn
officers W.S. Miller, and J.F. Merdieth and having resumed the consideration of
cause upon their oaths do say that they find the defendant guilty of murder in the
second degree as charged in said bill of indictment.

It is therefore ordered adjudged and decreed by the Court
that for the offense aforesaid the defendant be confined in the State Penitentiary.

at Nashville Tenn., at hard labor for an indeterminate period of time of not less
than ten years nor more than twenty years and that he pay the cost of this cause for
which let execution issue.

BOARD BILL OF MISS MINNIE PAVO.

This day came into open court Miss Minnie Pavo, and present and read her Board bill
for boarding the jury in case of State against J.M. Springer, to the amount of \$84.00
which amount was read in open court allowed, approved and ordered paid out of the
Treasury of the State of Tennessee, and that the Clerk of this court make out
and certify the same to the Comptroller of the State for payment, as the law directs.

W.M. Witherspoon
vs.)
Davis Miller) Appealed J.F.

This case was this day settled out of court by compromised agree-
ment under which the Defendant is to pay the costs of this suit, for which execution
may issue.

Bessie Dwyer
vs.)
David Dwyer) In Circuit Court Waverly Tennessee.

In this cause it duly appearing to the Court that the defendant David
Dwyer has been regularly brought into Court by publication according to law, and
failed to make defense to the petition filed in this cause within the time required by
law. It is therefore ordered by the Court that as to the defendant David Dwyer, the
petition to taken for confessed and the cause set for hearing ex parte as to him.
And thereupon the cause coming on to be further heard, upon the petition, the order
proconfesso, and the oral testimony of witnesses had in open Court, the Court orders
adjudges and decrees that the defendant has unlawfully, and without reasonable cause
abandoned the Petitioner, turned her out of doors and neglected and refused to provide
for her, and that his abandonment of her had continued for more than two whole years
before the filing of the petition in this cause.

The Court further orders adjudges and decrees, that the bonds of matrimony between the
Petitioner and defendant be absolutely and forever dissolved, and that the Petitioner
be vested with all the rights and privileges of an unmarried person, and that the
defendant pay the costs of this cause for which execution may issue.

Court then adjourned until court in course.

W.L. Cook
Judge.

CAPTION APRIL TERM CIRCUIT COURT A.D. 1920

State of Tennessee)
Humphreys County)

Be it remembered that a Circuit Court was opened and held in and for the County of Humphreys, at the court house in the town of Waverly Tenn., on the 19th. day of April, it being the 3rd. Monday in said month. And the One Thousand Nine Hundred and Twentieth year of our Lord, and the One Hundred and Forty Fourth year of American Independence.

Present and presiding the Hon. W.L. Cook Judge of the 9th. Judicial Circuit of the State of Tennessee.

Court was opened in due form of law by W.B. Bryant Sheriff of Humphreys County Tennessee, and by him was returned into open court a writ of Venire Facia showing that the following named persons were appointed by the County Court at its April term 1920 to appear and to served at this the present term of this court to wit: F.N. Scholes, Tom Hooper, D.B. Collier, Charlie Madden, Bob Traylor, C.G. Gould, W.N. Link C.C. Hobbs, J.M. C. Young, A.J. Sanders, Orson Denslow, J.M. Choate, G.W. Dotson R.P. Holland, W.O. Priest, G.W. Smith, J.H. James, Ed. Gunn, G.N. Larkins Dec. Rogers, Billy Rice, W.R.H. Bowen, George Daniel, D.M. Owens, and R.P. Ladd. and it appearing to the court that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that said jurors, so summoned appeared and answered said summons except W.R.H. Bowen, G.N. Larkins, Bob Traylor, Charlie Madden, F.N. Scholes, Dec Rogers, R.P. Ladd, G.G. Gould, and J.M. C. Young, who were excused by the court for various causes, and W.H. Carnell, J.O. Baugh's, Tom Townsend, J.J. Sanders C.E. Moore C.W. Bell, J.H. James, J.M. Choate, Ed. Gunn Henry Pullen were appointed by the court to fill said vacancies. Out of said jurors so summoned and appearing were drawn a Grand Jury to wit: J.N. Hanlin, Foreman R.P. Holland, Tom Hooper, W.O. Priest W.N. Link, G.W. Smith, G.M. Daniel, D.M. Owens, Billy Rice, C.C. Hobbs, Orson Denslow, D.B. Collier, and the said Grand Jury is in all things as the law directs, having been duly elected tried, sworn and charged by the court, retired to their room in charge of J.C. Thomas a Constable of Humphreys County sworn according to law to attend them in considering presentments and indictments.

Black Wood Tire Co.)
vs.)
Waverly Spoke Co.)

Came the parties by their attorneys, and this cause was heard before the court without a jury, and after hearing the proof and argument of counsel the Court is of the opinion and finds that the defendant Waverly Spoke Company is indebted to the plaintiff Black Wood Tire Company the amount of \$149.90 by account from Davidson County sworn to, for two work tire sold delivered and used by the Defendant and the court finds further that defendant Waverly Spoke Company is entitle under its cross action to recover, upon a breach of warranty, attending the sale of said two tire nominal charges of \$5.00 having failed to prove special damages.

It is therefore considered by the court that Plaintiff Black Wood Tire Company have and recover of defendant Waverly Spoke Company and Theo Lucas its surety on the Bond for Certiorria and supersedures after deducting said damage of \$5.00 the value of said amount of One Hundred and Forty Four and 80/100 Dollars, and the cost of the cause for which let execution issue

Court then adjourned until tomorrow morning at 9 o'clock.

W.L. Cook
Judge

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook.

C.C. Gatlin)
vs.) Appealed J.P.
Joe Petty)

This cause was tried before the court without intervention of a jury and after hearing all the evidence and argument from all of which it appeared to the Court that there was a warranty of soundness made by the defendant Joe Petty, and that there was a breach of that warranty and that the breach of the said warranty a contract the plaintiff C.C. Gatlin is entitle to recover of the defendant Joe Petty the sum of Thirty Dollars (\$30.00) and plaintiff C.C. Gatlin is to pay his own witnesses and the defendant Joe Petty is to pay all other costs and the \$30.00 for which execution may issue.

Harold Lucas)
vs.) Appealed J.P.
James E. Lee)

This case was tried before the court without the intervention of a jury, and after hearing all the evidence and argument of from all of which it appears to the Court that there was a warranty of soundness made by the Plff. Harold Lucas and that there was a breach of that contract and that for the breach the defendant Lee is entitle to recover of the defendant the sum of \$70.00 to be credited on the purchase price of the horse and that the Plaintiff Harold Lucas is entitle to recover of the defendant Lee L.S. Jackson as security and D.C. Stinger as surety the sum of one hundred dollars, and interest on the \$100.00 from February 21, 1919 the sum of \$7.00 making in all the sum of \$107.00 and the cost of this cause for which execution may issue.

This day the Grand Jury came into open court and present the following indictments and presentments.

One against John J. Jackson B.D. Subpoena for the State, W.B. Bryant, D.B. McCann and Charlie Williams.

One against John Mathewws, B.D. Subpoena for the State W.B. Bryant, D.B. McCann, and Charlie Williams.

State of Tennessee
vs.

A.V. Anderson

In this case the Grand Jury returned into open court an indictment marked not a true bill.

It is therefore ordered by the court that the defendant be discharged.

The said Grand Jury returned an indictment against Jess Bone age of consent which indictment is in the words and figures following to wit:

State of Tennessee, Humphreys County. April Term Circuit Court, A.D. 1920. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Jesse Bone heretofore, to wit, on the 18th. day of

1919, in said County and State, unlawfully, feloniously and carnally knew Mary Stanfield, a female, over the age of twelve years and under the age of twenty one years the said Jesse Bone and Mary Stanfield not occupying the relation of husband and wife at the time of such carnal knowledge, and the said Mary Stanfield not being at the time and before said carnal knowledge, a bauch lewed or kept female, contrary to the statute and against the peace and dignity of the State. Jno. B. Bowman Attorney General.

April Term 1920. THE STATE vs. Jesse Bone age consent Len Stanfield Prosecutor. Subpoena for the State Len Stanfield, Mrs. Stanfield, Wm. Wyatt, Fred Wyatt, Clarence Mayfield, Clayton Curtis, Chest ~~NEWBERRY~~ Newbitt, Harild Reeves, Buddy Spann, Grady Spann Will Hooper, Cathrine Poreh. Witnesses sworn by me on this indictment before the Grand Jury, April Term 1920. J.N. Hanlin Foreman Grand Jury Jno. B. Bowman Attorney General. A TRUE BILL J.N. Hanlin Foreman Grand Jury.

State of Tennessee)
vs.) Tipping.

John J. Jackson)
In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the costs, then came into open court the defendant and paid to the clerk of this court all of said fine and costs.

It is therefore ordered adjudged, and decreed by the court that the defendant be discharged, and go hence without day.

State of Tennessee)
vs.) selling Cigaretts

J.T. Pruett)
In this case came the Attorney General for the State, and the defendant in his own proper person and plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Fifty dollars together with all the costs., then came into open court the defendant, and paid to the Clerk of this court all of said fine and cost.

It is therefore ordered adjudged, and decreed by the court that the defendant be discharged and go hence without day.

State of Tennessee against, Clyde Finch, George Dickson, C.W. Finley, Edgar Simmons, R.L. Yarbrough, W.L. Yarbrough, It is ordered by the court that the six above styled case be dropped, and placed on the retired docket.

State of Tennessee against Cecil Bishop, Pap Nichols, Pap Nichols. It is ordered by the court that Alias Capias be issued for the above Three defendants.

State of Tennessee)
vs.) Larceny
Pete Swearns)

This case is continued by the state until the next term of court.

State of Tennessee)
vs.)
Pap Nichols et.al.)

This case is continued upon applican of the Bondsmen.

State of Tennessee)
vs.) Gaming
Jack Jones)

In this case came the Attorney General for the State, and the defendant in his own proper person, and plead guilty as charged whereupon the Court assess the penalty and say he shall pay a fine of Five dollars together with all the costs, then came into open court the defndant and paid to the Clerk of this court all of said fine and costs.

It is therefore ordered adjudged and decreed by the court that the defendant be discharged, and go hence without day.

State of Tennessee)
vs.) Tipping
R.L. Yarbrough)

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty of tipping within four miles of a school house, whereupon the court assess the penalty, and say he shall pay a fine of Fifty dollars together with all the costs, and that he be confined in the county Jail for a period of thirty day, and in the event of his failure to pay or secure said fine and costs he will be confined in the County Jail or work house until he pay secure or work out all of said fine and costs.

State of Tennessee)
vs.) Carrying a pistol
Elmer Peeler)

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the costs, then came into open the defendant and paid to the Clerk of this court all of said fine and costs,

It is therefore ordered, adjudged and decreed by the court that the defendant be discharged, and go hence without day.

State of Tennessee)
vs.)
Dick Wyatt et.al.)

Attorney General for the State, and
In this case came the defendants Dick Wyatt, Jack Jones, Wily Morrisett, Grady Morris, and Pete Turner, and enter pleas of guilty, whereupon the court assess the penalties, and say that they shall each pay a fine of Five dollars together with all the costs, then came into open court Jack Jones, Wily Morrisett Grady Morris, and Pete Turner, and pay to the Clerk of this court all of said fine and costs as to themselves, and then came into open court J.M. Crowell and J.C. Thomas and enter their names as security for the fines and cost as to Dick Wyatt.

It is therefore ordered adjudged, and decreed by the court that the State of Tennessee recover of the defendant Dick Wyatt, and his said sureties all the said fine and cost as to the defendant Dick Wyatt, for which let execution issue. And a verdict of not guilty is hereby enteted as to the defendant Ray Cunningham. It is therefore ordered adjudged and decreed by the court that the defendants Jack Jones Wily Morrisett Grady Morris Pete Turner, Ray Cunningham go hence without day.

State of Tennessee
vs.) Selling Cigaretts
Col Qualls)

In this case came the Attorney General for the State, and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the cost, and in the event of his failure to pay or secure said fine and he will be confined in the County Jail or work house until he pays secures or workout all of said fine and cost.

State of Tennessee
vs.) Selling Cigaretts.
E.C. Finch)

In this case came the Attorney General for the State and the defendant in his own proper person, plead guilty as charged, whereupon the court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the cost, and the event of his failure to pay or secure said fine and cost he will be confined in the County Jail or work house until he pay secure or work out all of said fine and cost.

Court then adjourned until tomorrow morning at 9 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook.

State of Tennessee
vs.) Gaming
Fred Heath)

In this case came the Attorney General for the State and the defendant in his own proper person, and plead guilty as charged, whereupon the court assess the penalty, and say he shall pay a fine of five dollars together with all the cost, and in the event of his failure to pay or secure said fine and cost he will be confined in the County Jail or work house until he pay secure or work out all of said fine and costs

State of Tennessee)
vs.) Gaming
Jess Jackson et.al)

In this case came the Attorney General for the State, and the defendant Fred Heat in his own proper person and plead guilty as charged whereupon the court assess the penalty and say he shall pay a fine of Five Dollars together with all the cost and in the event of his failure to pay or secure said fine and cost he will be confined in the County Jail or work house until he pay secure or workout all of said fine and costs, and that Alias Capises issue for the defendants Jess Jackson and Jim Miller.

State of Tennessee
vs.) E.D.
Davis Crafton)

In this case came the Attorney General for the State, and defendant in person and by attorneys, who being duly charged and arraigned on said Bill of indictment, pleads not guilty. Thereupon the following good and lawful men of Humphreys County were legally selected as jurors to wit: H.H. Carnell, J.O. Baugus, Tom Townsend, J.J. Sanders, C.E. Moore, C.S. Bell, J.H. James, J.M. Choate, Ed Gumb, Henry Pullen, A.J. Sanders, and W.J. Edwards, who after hearing all the evidence in the case argument of counsel, and the charged of the court do say upon their oath that they find the defendant guilty of transporting liquor as charged in said bill of indictment, whereupon the court assess the penalty, and say he shall pay a fine of Fifty Dollars together with all the costs, and upon the defendant securing the costs the fine of Fifty Dollars will be suspended, and in the event of his failure to pay or secure said cost he will be confined in the County Jail or work house until he pay secure or work out all of said costs.

This day the Grand Jury came into open court in a body and present the following indictment

One against Stewart Strahley et.al, aiming, Subpoena for the State Wm. Wyatt, and Harold Reeves.

One against Jim Clayborn assault with intent to commit murder in the first degree, which indictment is in the words and figures following to wit:

State of Tennessee Humphreys County. April Term of Circuit Court, A.D. 1920.

The Grand Jurors for the State of Tennessee, elected, empaneled, sworn and charged to inquire for the body of the County of Humphreys, and State aforesaid, upon their oath aforesaid present that Jim Clayborn of said County, heretofore, to wit, on the 26th. day of March 1920 with force of arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Chas Daniel with a certain single tree with the unlawful and felonious intent, then and there, him, the said Chas. Daniel unlawfully, feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought, to kill, and upon him to commit the crime and felony of murder in the first degree, against the peace and dignity of the State. Jno. B. Bowman Attorney General.

Apr. Term 1920. THE STATE vs. Jim Clayborn Assault with intent to commit murder in the first degree. Chas Daniel Prosecutor. Subpoena for the State: Chas Daniel, Mrs. Chas Daniel, Mrs. Mollie Smith, Dr. D.H. Pruett. Witnesses sworn by me on this indictment before the Grand Jury, April Term 1920. J.N. Hanlin Foreman the Grand Jury. Jno. B. Bowman Attorney General. ATRUM BILL J.N. Hanlin Foreman Grand Jury.

RECEIVED

State of Tennessee
vs.) Assault with intent to commit murder in the first degree.
Paul Baker (

In this case the Grand Jury return an indictment marked not a True Bill.

GRAND JURY REPORT APRIL TERM CIRCUIT COURT A.D. 1920
We, the members of the Grand Jury at the April Term of the Circuit for Humphreys County, beg leave to submit the following report to Your Honor.

We have faithfully discharged all duties required of us and having nothing to call to Your Honors attention and having completed our labors we respectfully ask to be discharged for the term. J.N. Hanlin Foreman, C.C. Hobbs, W.N. Link, G.W. Smith, R.P. Holland, Orson Benschow, D.D. Collier, G.M. Daniel, T.J. Hooper, G.W. Botson, R.R. Piest, Wm. Rice, B.M. Owens.

Western Union Telegraph Co.

vs.

N.C. & St. L. Railway et.al.

By consent of parties this cause is continued till next term of this Court.

Mrs. E.J. Patterson)
vs.) Appealed JP.

Wade Edwards et.al.)

In this case all matter and questions therein involved have been settled and adjusted out of court. It was further agreed between them that the plaintiff would pay one half of the costs, in the case, and that defendant would pay the other one half of same; and it appearing that the defendants have paid to the clerk of this court one half of said costs.

It is ordered by the court that defendant recover of plaintiff (for the use of those entitle to the same) the said one half of the bill of costs in this cause, and if same is not paid within 30 days from adjournment of this court that execution may issue against plaintiff for said costs so adjudged against her.

Ethel Easley.
vs.) Petition for Divorce.
W.E. Easley)

This case was this day, on motion of the Plaintiff dismissed, at her own costs, for which execution may issue.

State of Tennessee)
vs.)
J.E. Sullivan et.al.)

In this case came the Attorney General for the State, and the defendants J.E. Sullivan, Frank Plant, W.O. Nelson and W.L. White, in person, and plead guilty as charged when upon recommendation of the Attorney General a Nolleprosequi is entered in this case upon the defendants pay or securing the cost.

It is therefore ordered adjudged and decreed by the court, that the State of Tennessee recover of the defendants the costs of this cause, and in the event of their failure to pay or secure said costs and cost that will be confined in the County Jail or work house until the pay secure or workout all of said costs.

State of Tennessee)
vs.) Gaming
R.E. Oliver et.al.)

In this case came the Attorney General for the State, and the defendants R.E. Oliver, G.E. Brigham, and G.P. Climer, in person, and plead guilty as charged when upon recommendation of the Attorney a Nolleprosequi is entered upon the defendants paying or securing the costs. It is therefore ordered adjudged and decreed by the court that the State of Tennessee recover of the defendants all the costs in this cause, and in the event of their failure to pay or secure said cost they will

be confined in the County Jail or work house until they pay secure or work out of said cost.

P.P. Whitson)
vs.) Petition for Divorce.
Ada Whitson)

This cause came on to be heard on this 21st, day of April, 1920, before Judge Cook upon the petition of P.P. Whitson and oral testimony offered in open court, and it satisfactorily appeared to the Court that the facts charged in the petition are true, that the defendant had willfully deserted the complainant for more than two whole years before the filing of this petition (without a reasonable or just cause).

It is, therefore, ordered adjudged and decreed by the court that the bonds of matrimony subsisting between complainant and defendant be absolutely and forever dissolved and for nothing held and that ~~XXXXXXXXXX~~ Plaintiff pay the costs of this cause for which let execution issue.

Court then adjourned until to morrow morning at 9,00 o'clock.

W.L. Cook
Judge.

Court met pursuant to adjournment, present and presiding the Hon. W.L. Cook Judge.

Jim Simpson)
vs.) Appealed J.P.
J.R. Fentress)

Came the parties by their attorneys and came a jury of good and lawful men to wit: H.H. Carnell, J.O. Baugus, J.J. Sanders, C.E. Moore, C.S. Bell, J.H. James, H.H. Pullen, W.J. Meadow, A.J. Sanders, W.A. Nolan, A.F. Bredend, and Wylie Hand, who being elected empaneled and sworn to try the matter in controversy upon their oath do say they find that the defendant agreed to pay plaintiff as an employee of Hiddings, defendants contract to erect a barn the sum of \$13.30 being a part of the amount which includes the second pay role and the jury recommend an equal division of the costs.

It is therefore considered by the court that plaintiff recover of the defendant said sum of \$13.30, and that plaintiff recover of defendant J.E. Fentress one half of the costs of the cause, and that defendant recover of plaintiff Jim Simpson the other half of the cost for which let execution issue.

Claud Rainey)
Allie Rainey) Petition for Divorce.

This cause was heard on motion of the petitioner's solicitor for an order pro confesso against the defendant and it appearing to the satisfaction of the Court that the defendant Allie Rainey was regularly served with process more than five day before the first day of the present term directing her to appear and answer Petitioner's bill and she having failed to answer same, but being in defendant thereof, it is ordered, adjudged and decreed that the petitioner's bill be taken for confessed and set for hearing ex parte as to said defendant.

This cause was then further heard upon the petition, order pro confesso and oral testimony of witness introduced in open court when it appeared to the satisfaction of the court that the petitioner and the defendant were married on January 26, 1918 and that on March 7, 1919 the defendant was guilty of the commission of adultery with one Bert

Polan, near her home on Tumbling Creek in Humphreys County Tennessee, which offense was not condoned by the plaintiff, it is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the petitioner and the defendant be dissolved, rendered void and for nothing held and that the petitioner be restored to all the rights and privileges of a single man.

It is further ordered, adjudged and decreed that the petitioner pay the cost of this cause, for which execution will issue

SHERIFF'S BOARD BILL FOR BOARDING PRISONERS

This day came W.B. Bryant, Sheriff of Humphreys County Tennessee and Jailer into open court and present and read in open his account against the State of Tennessee, for keepin and boarding prisoners charged with felonies.

Which amount is as to J.M. Springer from Dec. 11, 1919, to Jan. 10 1920 \$22.50
 " " " " Fate Ethridge " " 20 1919, " Apr. 21 1920 \$94.25
 Total amount as to both prisoners is \$116.75

Which amount is allowed by the Court, and ordered paid out of the State Treasury, and that the Clerk of this Court make out and certify the same to the Comptroller for payment as the law directs.

State of Tennessee } Murder
 vs. } Motion to retax cost
 Elvis Crowell }

In this cause came the Attorney General for the State, and it appearing to the Court, from the return of the Sheriff upon an execution issued to him by the Clerk of this Court against the estate of the defendant, for the costs of this suit, that the defendant is wholly insolvent unable to pay the cost of this suit, or any part thereof. So it is therefore ordered adjudged and decreed by the Court, that the cost accruing upon the part of the State, be allowed and paid out of State Treasury, and that the Clerk of this court make out and certify the same to the Comptroller of the State for payment as the law provides.

State of Tennessee } Murder
 vs. } Motion to retax cost
 J.M. Springer (

In this case came the Attorney General for the State, and it appearing to the court, from the return of the sheriff upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit, that the defendant is wholly insolvent unable to pay the cost of this suit or any part thereof. So it is therefore ordered adjudged and decreed by the court that the cost accruing upon the part of the State, be allowed and paid out of the State Treasury, and that the Clerk of this court make out and certify the same to the Comptroller of the State of Tennessee for payment as the law provides.

State of Tennessee } Larceny
 vs. } Motion to retax cost.
 Sherman Hargrove }

In this case came the Attorney General for the State, and it appearing to the court, from the return of the Sheriff upon an execution issued to

to him by the Clerk of this court against the estate of the defendant for the costs of this suit, and that the defendant is wholly insolvent unable to pay the cost of this suit, or any part thereof. So it is therefore ordered, adjudged and decreed by the court, that the cost accruing upon the part of the State, be allowed and paid out of the County Treasury, and that the Clerk of this court make out and certify the same to the County Judge of Humphreys County Tennessee, for payment as the law provides.

State of Tennessee
 vs.

Fate and Walter Ethridge)
 Came the Attorney General on behalf of the State, and moved the court for an Alias Copies for the arrest of Walter Ethridge.

It is ordered by the court, that the Writ be issued, for the arrest of said defendant. And also came the Attorney General, who moved the court to allow him to enter a Nolo prosequi as to the defendant Fate Ethridge upon his payment of all the cost of the cause. It is therefore considered by the court that upon the defendant Fate Ethridge paying or securing the cost of the cause, that he discharged from the custody of the Sheriff, and released from further prosecution in the cause. Where upon came Sam Ethridge John K. Mathis and Om Ethridge in open court and acknowledged themselves as sureties for all of said costs.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant, his sureties all of said cost for which let execution issue.

State of Tennessee } Misdemeanor.
 vs. }
 Chas Summers and Luther Durham. (

Came the Attorney General on behalf of the State and the defendants in person, who with the Attorney General waived a jury, and said defendants being arraigned, upon the bill of indictment, plead not guilty. Whereupon after hearing all the evidence, it appears that said defendants and neither of them are proven guilty of willfully, trespassing upon cutting down or destroying timber of the prosecutor with a view to converting the same to their own use, but that defendant Summers had no knowledge that his co defendant was cutting timber and defendant Durham, was hired to cut, and entered upon the prosecutor's land without intent to convert to his use. Wherefore the defendants are not guilty, and go hence without costs.

Claud O. Lashley
 vs.

Wilker D. Hines Director
 General of Railroads, operating the Nashville St. L. Railway.

Came the defendant by attorneys and moved the court to dismiss the cause as against the N.C. & St. L. R.Y. And it appearing to the court on the statement of the cause that the complaint and claim of plaintiff originated on the 16 of March 1919 it is ordered by the court that the cause stand dismissed, in so far as it affects the defendant Railway, and that the same prosecuted, in conformity with the order of the Railway Administration, against the Director General of the Rail road of the United States. To which action of the court the plaintiff excepts. The cost against incident to making the Railway a party defendant is adjudged against the plaintiff.

Cland O. Lashley

vs

Walker B. Hines Director

General Rail roads, operating the Nashville, Chattanooga and St. Louis Ry.

Came the parties by their attorneys and a jury of good and lawful men to wit: H.H.

Carnell, J.O. Baugus, J.J. Sanders, C.E. Moore, C.E. Bell, J.H. James, Henry Pullen
W.J. Meadow, Ed. Gunn, Jim Hedge, J.M. Choate and W.A. Nolan who being elected empan-
eled and sworn, to try the matters in controversy, after hearing the evidence argu-
ment of counsel, and the charge of the court, and not having time to consider of their
verdict, were respite until tomorrow morning.

John Bodd agent for
Hudleston and Turner,

vs

Appealed J.P.

E.L. Pruett

Came the plaintiff by his attorneys Fuqua and Carter and move the
court that they be permitted to enter, on behalf of their clients a voluntary non suit,
saying that at this time they do not desire to further prosecute the cause. Said motion
is accordingly allowed, and it is considered by the court that plaintiff's and their
sureties on their cost bond, to wit: A.J. Sanders pay the costs of the cause for
which let execution issue.

Lizzie Mays

vs.

Petition for Divorce

Jess Mays

On motions of attorneys for the plaintiff it is ordered, that an Alias
summons returnable to the next term be issued to the Sheriff of Davidson County to be
served upon the defendant Jess Mays.

Court thereupon adjourned until tomorrow morning at 8,00 o'clock,

W. C. Case
Judge

Cland O. Lashlee

vs.

In circuit Court at Waverly Tenn.,

N.C. & St. L. Ry. et al,

In this case, at the conclusion of the plaintiff's evidence
the defendant moved the court for peremptory instructions for a direct verdict, which
motion the court overruled, to which action of the court, the defendant excepted.

And at the conclusion of all the evidence submitted to the jury in this case, the
defendant then renewed his motion for a direct verdict, which motion the court
overruled, to which action of the court the defendant excepted.

C.O. Lashlee

vs

N.C. & St. L. Railway) In Circuit Court at Waverly Tennessee.
Walker Hines Director)
General of Railroads)

Came again the parties by their Attorneys and a jury of good
and lawful men to wit: H.H. Carnell, J.O. Baugus, J.J. Sanders, C.E. Moore C.E. Bell
J.H. James, Henry Pullen, W.J. Meadow Ed. Gunn, Jim Hedge, J.M. Choate and W.A. Nolan
who being sworn to well and truly try the issues joined in this case say they find the
issue in favor of the plaintiff and assess his damage at the sum of \$75.00 and cost
of this case.

It is therefore considered by the court that the plaintiff recover of the defendant,

"The Director General of Railroads", the sum of \$75.00 and the cost of this case, for
which execution will issue.

C.O. Lashlee

N.C. & St. L. Ry.

and Walker B. Hines,

Director General of Ry.)

In this case the Defendant moved the court for a new trial

which is in the words and figures as following:

C.O. Lashlee

vs.

X

X

X

In Circuit Court at Waverly, Tennessee.

Director General of Railroads

Comes the Defendant, the Director General of Railroads
by Attorney and moved the Court to set aside the verdict of the jury and grant him
a new trial in this case and assigns the following grounds upon which said motion is
based.

1st.

The verdict of the jury is not supported by the weight of the evidence.

2nd.

The Court erred in refusing to charge the jury on Defendant's request as follows:

No. 1. The Court instructs the jury that the burden is upon the Defendant to estab-
lish by evidence that the loss or damage in question was caused by an act of God, in
otherwords, if you find that the damage, if any was occasioned by a storm, freshet or
flood of such extraordinary and unprecedented that it would not have been anticipated or
prevented by the exercise of ordinary foresight on the part of the Defendant, then in-
less the plaintiff has satisfied you by his evidence that the Defendant has been guilty
of negligently entering into and cooperating with the Act of God in causing the dam-
age, if any, then you will find in favor of the defendant".

No. 2,

The Court erred in refusing to give request No. 2 except as orally modified by the
Court which request No. 2, is as follows with said oral modification immediately fol-
lows: "The Court instructs the jury that if you find from the proof as a whole that
the road bed complained of between mile post 69 and 70 was constructed by the Defendant
more than 20 years to the institution of this suit and that the Defendant during said
period of 20 years main tained its road bed as constructed, without interference, on
the part of the plaintiff, or those under whom he holds title, or without any action
in law or equity, being brought by him or his grantors against Defendant during said
period, seeking relief against said Defendant in damage or otherwise then and in that
event, should you so find, the Defendant would not be liable in damage and the Court
instructs you in that event to find in favor of the defendant.

The Court erred in adding the following oral modification to Request No. 2: This is the
correct statement of the law but if you find from the proof that the Defendant within
the last 6 years has recognized a claim for damage by the prior owner, similar to the
present claim, then the Court charges you that there would be no prescriptive right
inuring to the benefit of the Defendant in this case.

The Court erred in refusing to charge the Defendant's request No. 3, as follows:

The Court further instructs the jury that should you find from the evidence as a whole
that the damage, if any, was caused by the construction of the County Highway Author-

ties whereby the natural course of the surface water or a portion of same was diverted across the Defendant's track or through the defendant's culvert into the lands of the plaintiff, in other words, if you find that the action of the County Highway Authorities in the premises in the construction of the said new road along by the side of the Defendants tract was the proximate cause of the damage sustained by the plaintiff, then and in that event you will find in favor of the Defendant.

The Court erred in refusing to charge the jury on Defendant's Request No. 4. as follows:

There is no rule for measuring the time between such extraordinary floods which might cause damage for which the Defendant would not be liable. If you find that the storm of March 16, 17, which caused the damage was extraordinary rainfall such as the Defendant could not guard against, or that the prior one, which Mr. Hassell testified did greater damage, was an extraordinary storm which the Defendant in its past operations had not been called upon to guard against, they could not be taken out of the category of extraordinary or unexpectedly severe storm and be regarded as periodical floods because there had been two. So if you find that the March flood was extraordinary severity and volume as not to be considered ordinary or periodical rain rain fall you should find for the Defendant.

The Court erred in refusing to grant Defendant's motion for peremptory instruction at the close of plaintiff's evidence.

The Court erred in refusing to grant Defendant's motion for peremptory for a direct verdict at the close of all the testimony that was submitted to the jury. Wherefore, the Defendant prays the court to set aside the verdict of the jury in this and grant a new trial.

which after due consideration by the court, the court was pleased to overrule said motion and disallow same.

Whereupon the Defendant then moved the Court for an arrest of the judgment which the Court after consideration overruled and disallowed, from all of which action of the Court the Defendants excepts and prays an appeal to the next term of the Court of Civil Appeals at Nashville for the Middle Division of Tennessee, which appeal is granted and 30 days from the adjournment of Court is allowed the Defendant in which to make bond and perfect said appeal.

Claud O. Lashlee

vs.

N.C. & St. L. Railway and
Walker B. Hines Director

General of Railroads.

In the above styled cause, upon motion of Defts. therefor, and upon request of United States Railroad Administrator, and John Barton Payne at this time) Director General of Railroads and as agent under Sec. 206 of transportation act, be and he is hereby substituted for and in the place of Walker B. Hines, Director General of Railroads, as previously set out in said case as defendant therein; and the judgment rendered in this case, as entered on the Minutes at the present term of this court be and the same is hereby modified and changed so as to make the judgment so rendered therein against the said Walker B. Hines, Director General of Railroads, be and the same is rendered against the said John Barton Payne, Director General of Railroads as agent etc.

Court then adjourned until court in course.

Caption August Term of Circuit Court A.D. 1920

State of Tennessee

Humphreys County.

Be it remembered that a Circuit Court was opened and held in and for the County of Humphreys, at the court house in the town of Waverly Tenn., on the 9th day of August 1920, it being the 2nd Monday in said month, and the Ninety-Nine Hundred and Twentieth year of our Lord. And the One Hundred and Forty fifth year of American Independence.

Present and Presiding the Hon. W.L. Cook Judge of the 9th. Judicial Circuit of the State of Tennessee.

Court was opened in due form of law by W.B. Bryant Sheriff of Humphreys County Tennessee, and by him was returned into open court a writ of Venire Facias shewing that the following named persons were appointed by the County Court at its July Term 1920, to appear and to serve as jurors at this the present term of this Court to wit: Clint Bizon, J.M. Petty, Hill Turner, Herbert Gill, G.H. Yarbrough, John Tinnell, W.H. Merdith, M.B. Burnett, J.A. O Guinn, Ed Hassell, S.H. Henry, R.J. Baithrop, J.C. Hooper, G.V. Botson, S.A. Forsee A. Hood, Bob Rice, S.J. May Jr. Dennis Pague, Sam Rushing, Will Trogden, W.B. Worford, R.P. Ladd, G.W. Ethridge, and J.M. Reese. and it appearing to the Court, that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that said jurors so summoned appeared and answered said summons except Clint Bizon Herbert Gill, G.H. Yarbrough, J.A. O Guinn, who were excused by the court for cause. J.C. Hooper, S.A. Forsee A. Hood, and W.B. Worford. Out of jurors so summoned and appearing were drawn a Grand Jury to wit: Hill Turner, G.W. Ethridge, R.J. Baithrop J.W. Tinnell, Bob Rice, S.H. Henry, S.J. May Jr. Will Trogden, W.H. Merdith, J.M. Petty, G.V. Botson, J.M. Reese, and J.M. Hanlin. out of whom J.M. Hanlin is by the Court appointed Foreman, and the said Grand Jury is in all things as the law directs having been duly elected tried and sworn and charged by the court, retired to their room in charge of their sworn officer B.E. McQuinn sworn according to law to attend them in considering indictments and presentments.

Resolution adopted by the Waverly Bar Association out of respect to the memory of Thomas Carter Morris:

Whereas on the 12 day of June 1920, Col. Thos C. Morris, long a member of the Waverly Bar died at the home of his son. Judge J.R. Morris, in the city of Waverly, Whereas Col. Morris was born in Charlotte, Dickson County, Tennessee on the 27th day of Sept. 1833 and spent quite a number of years during his boyhood on the farm of his uncle Jane McAdoo on Hurrian Creek in this County, settling soon after attaining his majority in the town of Charlotte where he engaged in the practice of the legal profession for several years prior to the opening of the Civil war. Whereas in 1856 he was elected County Clerk of Dickson County to fill an unexpired term and was re-elected by the people for a full term in 1859 and served in that capacity during the Civil war.

Whereas during his term of office the Federal soldiers took possession of Charlotte the County site, garrisoning the court house but Col. Morris obtained permission from the commanding officer to transfer the records of the Clerk's office to his

Minutes Circuit Court, Humphreys County, August Term, 9 day of August 1920

And whereas he manifested a great interest in the social welfare of his country being a Knight Templar Mason and for years a member of the Clarksville Commandery No. 1, and although he belonged to the Knight of Pythias and other social fraternal orders, yet he was especially prominent in the Masonic Fraternity of the State. And whereas he was especially kind to the poor and unfortunate and was a most liberal donator to all funds for charitable purposes.

And whereas one of his pronounced characteristics was his love for little children, doubtless knowing by name more children in Waverly than any man of his age in town. He was never known to refuse the demands of a little child, however poor and unfortunate it might be.

And whereas he was greatly missed by the members of his profession and by the people generally yet his loss was more keenly felt among the children children of Waverly than possibly any other class.

And whereas he was survived by four children, to wit: Mrs. Elva Cunningham, Mrs. Allena Hall and Miss Mary Carter, of San Antonio, Texas and Mr. Roy Carter, a member of the Local Bar.

And whereas being desirous of showing the proper respect to his memory and testifying to the world as to his true worth and merit as a citizen and Christian gentleman, we hereby adopt the following resolution:

BE IT RESOLVED, by the members of the Waverly Bar in a called session at August term of the Circuit Court of Humphreys County, that in the passing of General Carter, the legal profession and the country in general has sustained a great loss.

Be it further resolved that as a mark of respect to his memory that the President of the Local Bar Association in hereby authorized to appoint a committee whose duty it will be to present a copy of these resolutions to each Court of record in the County, where the same will be spread upon the Minutes,

Be it further resolved that as further mark of respect to the memory of General Carter that a certified copy these resolutions be prepared by the Circuit Court and forwarded to his daughters at San Antonio, Texas.

Pursuant to the instructions of the Bar Association I hereby submit the following as my report of the committee on resolutions.

J. Ben Fuqua Committeeman on resolutions

State of Tennessee

vs.)
(B.D.
John Mathews)

In this case came the Attorney General for the State and the Defendant in his own proper person and plead guilty as charged. Whereupon the Court assess the penalty and say he shall pay a fine of Fifty Dollars together with all the cost. then came into open court C.W. Daniel and J.B. Smith, and enter their names as sureties for all of said fine and costs.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant his sureties all of said fine and cost for which let execution issue.

Court then adjourned until tomorrow morning at 9 o'clock.

W. L. Cook
Judge

rs, yet

tor

Minutes Circuit Court, Humphreys County, August Term, 30 day of August 1920

Court met pursuant to adjournment, Present and presiding the Hon. W.L. Cook, Judge. when the following good and lawful men were appointed by the Court, to serve as jurors for this the August term of the Circuit Court, to wit: Jno. Lucas, Will May, Tilden Ethridge, W.R. Yates, Bill Warren, G.M. Hall, T.J. Black, Fields, and Bob Baker.

State of Tennessee

vs.) Larceny.
Pete Swearns)

In this case came the Attorney General for the State, and the defendant in person and by attorney, who being duly charged and arraigned on said bill of indictment pleads not guilty. Thereupon the following good and lawful men of Humphreys County were legally selected as jurors: to wit: Ed Russell, Bill Warren, John Crowell, Will May, W.R. Yates, Tilden Ethridge, G.M. Hall, T.J. Black, M.B. Burnett, Jno. Lucas, Walter Pruett, and Ab Thompson, who after hearing all the evidence argument of counsel and the charge of the court retired to their room in charge of their sworn office Sam Jones a Deputy Sheriff of Humphreys County to deliberate on this case but not having time to complete their verdict said jurors were respited by the Court until tomorrow morning at 9 o'clock.

State of Tennessee

vs.) Cruelty to animals
John O Guinn)

In this case came the Attorney General upon the part of the State and the defendant in his own proper person, when upon agreement with the Prosecutor and the Attorney General a Nolleprosequi is entered upon the defendant paying the costs then came into open court Hugh Hobbs and C.M. Haygood and entered their securities for the costs of the case.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendant and his sureties the costs in this case for which let execution issue.

State of Tennessee

vs.) Gaming
Jesse Tubbs)

In this case came the Attorney General for the State and it appearing to the Court that the defendant was indicted at a former term of this court for the offense of Gaming, and that said defendant was arrested and entered into bond with P.L. Hensley and Bob Burns as his sureties which bond is in the words and figures following to wit:

State of Tennessee Humphreys County. We Jesse Tubbs, agree to pay the State of Tennessee Two Hundred Fifty (\$250.00) Dollars unless the said Jesse Tubbs appear at the next term of the Circuit Court of Humphreys County, to be held at the Court House in the town of Waverly, on the 2nd Monday in Aug. 1920 on Tuesday of said term, to answer the State of Tennessee for the offense of gaming and do not depart the Court without leave.

Jesse Tubbs Principal
P.L. Hensley Surety
Bob Burns

Approved W.D. Bryant Sheriff
This 22 day of June 1920.