

Minutes Circuit Court, Humphreys County, April Term, 30 day of April 1921

counts, designated as eleventh count and twelfth count, the plaintiff, Mrs. Katherine Porch, here and now duly excepts.

On motion of defendants they are allowed 30 days in which to plead answer or demurer to said amended declaration so as not delay the trial of this case on the day set for same, and upon giving ten days notice to Shannon and Tubb, Atty. for plaintiff defendants may take the deposition of Chas Martin and Mr. and Mrs. Jim Raney the same to be read as evidence in this cause.

N.C. & St. L. Railroad, )  
vs. ) IN CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE.  
J.B. Tankersley )

IN RE : Settlement of J.B. Tankersley with The Nashville, Chattanooga & St Louis Railway.

This cause came on to be heard upon motion of The Nashville, Chattanooga & St Louis Railway, an employer, and J.B. Tankersley, an employee to have the settlement agreed upon between said parties, in conformity with the Workmen's Compensation Law of Tennessee, approved by this Court.

And it appearing to the Court that said J.B. Tankersley was injured on the 29th day of May 1921, the injuries being as follows: eye injured from which he lost 28 days times, and no permanent injury results therefrom, and it further appearing to the Court that the doctor and infirmity bills have been paid by the said Railway, and it appearing to the Court that the agreement of the parties is in words and figures as follows:

"Whereas, J.B. Tankersley of the County of Humphreys State of Tennessee, was injured on the 29th day of May, 1921, at or near Eads, Tenn., while employed as tie inspector by the N.C. & St. L. Railway, account of tripping on wire, which was lying on ground in tie yard, and falling, causing the handle of his paint brush to penetrate just above my eyeball.

"And whereas, I have compromised, adjusted and settled with The Nashville, Chattanooga & St. Louis Railway all differences arising out of the premises, in conformity with the provisions of the Tennessee Workmen's Compensation Act.

"Now therefore, in consideration of TWENTY TWO (\$22.00) Dollars to me in hand paid by said Railway, the receipt of which is hereby acknowledged, I do hereby release, acquit and discharge the said Nashville, Chattanooga & St. Louis Railway, its officers and agents, of all and any liability to me for any damages, of whatsoever kind and nature, that I have sustained or suffered, or which I may hereafter sustain or suffer, through, by or on account of said accident or injury, and I hereby acknowledge full satisfaction and discharge of all liability therefor.

"It is distinctly understood and agreed by me that the sole and only consideration inducing me to the execution of this release is the payment to me of the sum of money mentioned above.

"The consent of the Circuit Court of Humphreys County, Tennessee, will be obtained to commute compensation due under the Tennessee Workmen's Compensation Act into the one lump sum above mentioned, at which time this release will be <sup>come</sup> final.

"The effect of this instrument is fully understood by me and I sign it of my own free will and accord.

B Witness my hand in duplicate, this the 20th, day of June 1921.

(Signed) J.B. Tankersley

A.M. Howard

) Witness.

Minutes Circuit Court, Humphreys County, April Term, 30 day of April 1921

And the compensation to be paid is in accordance with the provisions of the said Workmen's Compensation Law, it is therefore, considered by the Court that the said agreement be, and the same hereby is, approved, The Nashville, Chattanooga & St. Louis Railway to pay the costs.

The Court has further given consideration to claimant's request that settlement in one lump sum be authorized, and it appearing to the Court that this is proper and desirable under the circumstances, authority is hereby given to commute compensation claimant is entitled to into one lump sum, and the agreement of the parties to that effect, heretofore set out, is hereby expressly ~~revised~~ approved.

Approved for entry.

W.L. Cook Judge, Circuit Court, 9th. Judicial Circuit

Approved J.B. Tankersley. (Claimant)

-----Attorney for Railway.

Court then adjourned until court in course.

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 Taverly Tenn., on the 8th. day of August, it being the Second Monday in said month, and the One Thousand Nine Hundred and Twenty first 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 District of the State of Tennessee.

Court was opened in due form of law by J.L. Smith 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 1921 to appear and to serve as jurors at this the present term of this court to wit: Moody Collier, Joe Cullum, Charlie Parker, Will Madden, E.O. Denslow R.T. Herndon, Ed Hassell, Henry Turner, Jim Meadow, J.R. Fowlkes, W.D. King, Dr. W.A. Lomax, J.H. Stanford, Tom Brown, Jessie James, S.L. Berryman, Walter Simpson, Tad Smith, Will McCollum, E.J. McCanless, R.P. Ladd, Len Stanfield Frank Owens, J.M. Reece, W.W. Willis and it appearing to the court that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that jurors so summoned appeared and answered said summons except. R.P. Ladd, and J.E. McCanless, and the court will on tomorrow appoint jurors to fill said vacancies

out of said jurors so summoned and appearing were drawn a Grand Jury to wit: D.D. Collier, Len Stanfield, J.B. Smith, Charley Parker, Orson Denslow, R.T. Herndon, Joe Cullum, Ed Hassell, J.R. Fowlkes, Jim Meadow, Henry Turner, and Moody Collier, Will Madden, out of whom D.D. Collier is by the court appointed Foreman, and the

said Grand Jury is in all things as the law direct, having been duly elected tried and sworn charge by the court retired to thier room in charge of John Crowell a Deputy Sheriff of Humphreys County sworn according to law to attend them in considering indictments and presentments.

Western Union Tel. Co, against N.C. & St. L. Railway Co, G.R. McKeel et al, against W. S. Mays, N.B. Bradley Against Union Mercantile Co, Talmage Mimms, against T.E. Ayers H.M. Ross, against Union Mercantile Co, J.W. Egan against Blumefield Co, N.C. & St. L. Railway Co. The seven above styled cases are continued by conseny. Lizzie Myas against Jess Myas, This case Alias summons is ordered issued By Deft. Annie Lou Peach against Lucas Peach. This case is continued by the Plaintiff.

State of Tennessee )  
vs. )  
Will Capps ) B.D.

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 by the court that the defendant go hence without day.

State of Tennessee )  
vs. ) DrunBussness  
Pete Boasley )

In this case came the Attorney General upon the part of 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 five dollars together with all the costs 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.

Court then adjourned until tomorrow morning at 9.00 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 August term of Court, to wit: Ford Turner and G.T. Smith,

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

One against Q.M. Powitt Rape, which indictment is in the words and figures following to wit:

State of Tennessee, Humphreys County. August Term of Circuit Court, A.B. 1921. The Grand Jurors for the State of Tennessee, duly elected, empanelled, sworn, and charged to inquire for the body of the County Humphreys and State aforesaid, upon their oath aforesaid, present the Q.M. Powitt heretofore, to wit, on the 23rd. day of July 1921 in said County and State, unlawfully feloniously, forcibly and against her will had unlawful carnal knowledge of one Odean Walls, a female, contrary to the Statute and against the peace and dignity of the State. Jno. B. Bowman Attorney General. August Term, 1921. THE STATE vs. Q.M. Powitt, Rape, Aubrey Walls' Prosecutor. Subpoena for the State: Odean Walls, Aubrey Walls, Wily McKeel, Chas Summers, George Neighbors, George Jones Donald Ingram, Walter Collier, W.A. Lawson, S.R. Turner, D.D. Collier, witnesses sworn by me on this indictment before the Grand Jury August Term 1921. D.D. Collier Foreman Grand Jury, Jno. B. Bowman Attorney General A TRUE BILL. D.D. Collier Foreman Grand Jury.

One against Bud Price Col. and Stack Gilmore Col. Larceny, which indictment is in the words and figures following to wit: State of Tennessee Humphreys County. August Term of Circuit Court, A.D. 1921. The Grand Jurors for the State of Tennessee, elected, empanelled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid present that Bud Price col. and Stack Gilmore Col. of said County, heretofore to wit, on the 20th. day of July 1921, in the County aforesaid unlawfully and feloniously did steal, take and carry away one side of meat, a lot of flour, can corn 12 bars soap and one sack onions of the value of Twenty Five dollars, the property of A.E. Lucas & Co. 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. And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Bud Price Col. and Stack Gilmore col. of said County, on the day and year aforesaid, in the County aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing one side of meat, lot of flour can corn, 12 bars soap and one sack of onions of the value of twenty five dollars, the property of A.E. Lucas & Co. of said County, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, they the said Bud Price, Col. and Stack Gilmore Col. then and there knowing the said articles aforesaid to have been feloniously stolen taken, and carried away, and they the said Bud Price col. and Stack Gilmore col. intending then and there fraudulently to deprive the owner thereof, 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. August. Term, 1921. THE STATE vs. Bud Price col et al. Floyd Toland Prosecutor. Subpoena for the State Floyd Toland E.M. Martin, Sam Stricklin Olie Taylor, R.S. Warren. Witnesses sworn by me on this indictment before the Grand Jury Aug. Term 1921. D.D. Collier Foreman Grand Jury Jno. B. Bowman Attorney General. A TRUE BILL D.D. Collier. Foreman Grand Jury. One against Q.M. Powitt Carrying a pistol, Subpoena for the State Hiram Turverville Wily McKeel, Grover Neighbors, Donald Ingram, Geo. Jones, Walter Collier. Jno. B. Bowman Attorney General,

Minutes Circuit Court, Humphreys County, August Term, 9. day of August, 1921.

One against Wade Garrett, Drunkenness, Subpoena for the State. J.J. Sloniker, B. Lowery, Vernon Deck.

State of Tennessee )  
vs. ) Rape,  
Q.M. Hewitt )

In this cause came the Attorney General for the State and the defendant in person and by attorneys who being duly charged and arraigned on said bill of indictment pleads guilty to rape as charged on said bill of indictment.

Therefore to assess the defendants punishment on said plea of guilty came a jury of good and lawfull men of Humphreys County, to wit: W.W. Willis, J.H. Stanford, Ford Turner, Will McCollum, S.L. Berryman Frank Owens, W.A. Lomax, Tom Brown, Walter Simpson, Jess James, G.T. Smith, J.M. Reece, who being duly elected tried and sworn according to law do say upon their oaths that they find the defendant guilty as charged in said bill of indictment and commute the punishment for the offense to imprisonment in the penitentiary for life.

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 life and that he pay the costs of this cause for which let execution issue. It is further ordered and decreed 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.

State of Tennessee )  
vs. ) Carrying a pistol.  
Q.M. Hewitt )

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 all the costs, and 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 costs.

State of Tennessee )  
vs. ) Gaming,  
Jess Tubb )

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 five 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 cost costs.

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

State of Tennessee )  
vs. ) Gaming.  
Tom Crawford )

In this case it is ordered by the Court that this case be retired, and dropped from the docket.

Minutes Circuit Court, Humphreys County, August Term, 9. day of August, 1921.

State of Tennessee )  
vs. ) Forfeiture.  
Jess Tubb et al )

In this cause came the Attorney General upon behalf of the State and the defendant in person, and upon motion of the Attorney General the forfeiture heretofore entered is set a side upon the defendant Jess Tubb paying the cost then came into open court the defendant Jess Tubb and paid to the Clerk Court the costs of the Forfeiture.

State of Tennessee )  
vs. ) Drunkenness  
George Mathews )

In this case it is ordered by the Court that this case be retired and placed upon the dropped docket.

State of Tennessee )  
vs. ) Drunkenness.  
Bob Stricklin )

In this case came the Attorney General upon the part of the State and the defendant by his attorney, and plead guilty as charged, when upon the Court assess the penalty and say he shall pay of five dollars together with all the 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. ) D.W.  
Bryan Emery )

In this case came the Attorney General upon the part of 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 twenty dollars together with all the costs, then came into open court W.W. Emery the father of the defendant and paid to the Clerk of this Court all of said fine and cost.

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

State of Tennessee )  
vs. ) D.W.  
Bryan Emery )

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 twenty dollars together with all the costs, then came into open court W.W. Emery, father of the defendant and paid to the Clerk of this court all of said fine and costs.

It is therefore ordered and decreed by the Court, that the defendant go hence without day.

State of Tennessee )  
vs. ) Carrying a pistol,  
Floyd Nix )

In this case came the Attorney General upon the part of the State and the defendant in person and plead guilty as charged, whereupon the court assess

Minutes Circuit Court, Humphreys County, August Term, 9 day of August 1921

the penalty and say he shall pay a fine of fifty dollars together with the costs then came into open court, J.L. Six and entered his name as surety for all of said fine and costs.

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

State of Tennessee  
vs.  
Chas Work ) Drunkenness

In this case came the Attorney General upon the part of 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 five dollars together with all the costs, then came into open court G.W. Few, and T.F. Merdith and entered 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 the defendant and his sureties all of said fine and cost for which let execution issue.

State of Tennessee  
vs.  
E.L. Chance ) Carrying a pistol.

In this case the defendant in person and by Attorney enter a plea of guilty, and this case is continued on said plea until next term.

State of Tennessee  
vs.  
E.L. Chance ) Assault with intent to commit murder in the first degree

This case is continued because of the absence of defendant's wife.

State of Tennessee  
vs.  
Alice Taylor ) Carrying a pistol

In this case an Alias Capias is ordered issued for the defendant.

State of Tennessee  
vs.  
Frank Plant ) Drunkenness

In this case a plea of guilty is entered and this case is continued by consent.

State of Tennessee  
vs.  
Thomas D. Edmisson ) Drunkenness

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 five dollars together with all the costs, then came into open court J.E. Edmisson, Emmit Lee Edmisson, and J.M. King and entered their name as sureties for all of said fine and costs. It is therefore ordered 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.

Minutes Circuit Court, Humphreys County, August Term, 9 day of August 1921

State of Tennessee  
vs.  
Will Rainey ) Assault to commit rape.

In this case came the Attorney General upon the part of 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 all the costs then came into open court Joe, Rainey and Will McCollum and enter their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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.  
Bud Price & Stack Guimore ) Petit Larceny.

In this case came the Attorney General for the State and the defendants, in person and by attorneys who being duly arraigned on said bill of indictment, pleads guilty to petit Larceny, as charged in said bill of indictment

Therefore to assess the defendants punishment on said plea of guilty came a jury of good and lawful men of Humphreys County, to wit: W.W. Willis J.H. Stanford, Ford Turner, Will McCollum, S.T. Berryman, Frank Owens, W.A. Lomax, Tom Brown, Walter, Simpson, Jess James, G.T. Smith, and James Reece, who being duly elected tried and sworn according to law do say upon their oaths that they find the defendants guilty as charged in said bill of indictment, and that for the offense aforesaid the defendants be confined in the County Jail for a period of thirty days.

It is therefore ordered adjudged and decreed by the court that for the offense aforesaid the defendants be confined in the County Jail for a period of thirty days, and that they pay the costs of this cause for which let execution issue.

Court then adjourned until tomorrow morning at 9:00 o'clock,

Judge.

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

State of Tennessee  
vs.  
Sam Daniel ) B.D.

In this case came the Attorney General for the State and the defendant appearing to the court that the defendant was indicted at a former term of this court for the offense of B.D. and the said defendant was arrested and entered into bond with C.W. Daniel Sr. as his surety which bond is in the words and figures following to wit: State of Tennessee, Humphreys County. we Sam Daniel principal and C.W. Daniel surety agree to pay the State of Tennessee Seven Hundred and Fifty (\$750.00) Dollars.

Minutes Circuit Court, Humphreys County, August Term, 10 day of August 1921

unless the said Sam Daniel 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 2nd. Monday in December 1920 on Tuesday of said term, to answer the State of Tennessee for the offense of B.D. Carrying a pistol and drunkenness, and do not depart the Court without leave Sam Daniel Principal, C.W. Daniel Sr. Surety. Approved W.B. Bryant Sheriff. This 24 day of Nov. 1920.

And the defendant Sam Daniel being solemnly called to come into open court and answer the State of Tennessee, upon a charge of B.D. Carrying a pistol and Drunkenness came not but made default and the said C.W. Daniel Sr. was also solemnly called to come into court and bring with him the body of the said Sam Daniel according to the tenor and effect of their bond come not but made default neither came the defendant Sam Daniel nor his said sureties but made default.

It is therefore considered by the Court that the defendant Sam Daniel and C.W. Daniel Sr. for their said default do forfeit and pay unto the State of Tennessee the sum of Seven Hundred and Fifty \$750.00 Dollars according to the tenor and effect of their said bond. And it is further ordered by the Court that Sci. Fa. Issue 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.

State of Tennessee )  
vs. ) Drunkenness  
Sam Daniel )

This case is continued until next term of court.

State of Tennessee )  
vs. ) Carrying a pistol.  
Sam Daniel )

In this case an Alias Capias is ordered by the Court issued to Decatur County.

Mrs. Nannie C. Teas et, al.

vs. ) Damage.  
Luff Bowen Co. et, al. )

In this cause came the parties by their attorneys and a jury of good and lawful men of Humphreys County, to wit: W.W. Willis, J.H. Stanford, Ford Turner, J.M. Reece, J.L. Carroll, S.L. Berryman, Frank Owens, Walter Simpson, Jess James, G.T. Smith, Will McCollum, and Dave Hemby. who being elected empanelled and sworn to try the issue, who after hearing part of the evidence, and not having time to complete the trial said jury was respited by the Court until tomorrow morning at 9, o'clock.

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

W. L. Cook  
Judge

Minutes Circuit Court, Humphreys County, August Term, 12 day of August 1921

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

State of Tennessee )  
vs. )  
Art Davis ) Drunkenness

In this case came the Attorney General upon the part of 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 all the costs, then came into open court Cecil Davis, and J.A. Wallace and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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.

Mrs. Nannie C. Teas et, al. )  
vs. )  
Luff-Bowen Co. Et, al. )

In this cause came the parties by their attorneys when the jury heretofore. elected and sworn in this case to wit: W.W. Willis, J.H. Stanford, Ford Turner, J.M. Reece, Will McCollum, J.L. Carroll, S.L. Berryman Frank Owens, Walter Simpson, Jess James, G.T. Smith, and Dave Hemby, and having resumed the consideration of this cause but the proof not being completed said jurors were respited until tomorrow morning at 9, o'clock.

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

Judge.

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

#### JAILER'S BOARD BILL FOR BOARDING PRISONERS.

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

Which is as follows State against Q.M. Pewitt, From July 22, 1921 to August 9, 1921 19 days at 75cts. per day \$14.25, and 2 turn keys \$2.00 total \$16.25.

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 of the State for payment as the law directs.

Mrs. Nannie C. Teas et, al.

vs. ) Damage.

Luff Bowen Co. et, al, (

In this cause came again the parties by their attorneys and a came again the jury heretofore elected and sworn in this cause to wit: W.W. Willis J.H. Stanford, Ford Turner, J.M. Reece, Will McCollum, J.L. Carroll, S.L. Berryman, Frank Owens, Walter Simpson, Jess James, G.T. Smith, and Dave Hemby, having resumed the consideration of this cause but the proof not being completed said jury were respited until tomorrow morning at 9, o'clock.

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.

Mrs. Nannie C. Teas et, al, )

vs ) Damage.

Luff-Bowen co. Et, al, (

In this cause came again the parties by their attorneys, and also came again a jury of good and lawful men of Humphreys County to wit: W.W. Willis, J.H. Stanford Ford Turner, J.M. Reece, Will McCollum, S.L. Berryman, J.L. Carroll, Frank Owens, Walter Simpson, Jess James, G.T. Smith and Dave Hemby, who had heretofore been elected and sworn in this cause to try the issue, and having resumed the consideration of this cause but the proof not being completed said jury was by the court respited until <sup>Monday</sup> ~~Thursday~~ morning at 9, o'clock.

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

One against Boyd Adams False Pretense, which indictment is in the words and figures following to wit: State of Tennessee, against Humphreys County. August Term of Circuit Court, 1921. 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 Boyd Adams heretofore, to wit, on the 1st. day of March 1921, in said County and State, unlawfully, fraudulently and feloniously obtained from one J.E. McCannless one mule and one Hundred and Seventy Five dollars, good and lawful money of the united State, all of the value of Three Hundred dollars and of the goods and chatties of him the said J.E. McCannless by means of feloniously, falsely and fraudulently and premeditatedly pretending that he was the owner of a horse mule unincumbered, which he the said Boyd Adams at that time traded to the said J.E. McCannless for one mule and said money which said pretense was wholly false and untrue, and the defendant well knew the same to be false and untrue, with intent to deprive him the said J.E. McCannless, the true owner thereof and deprive him the said J.E. McCannless contrary to the Statute and against the peace and dignity of the of the State. Jno. B. Bowman Attorney General.

August Term 1921. THE STATE vs. Boyd Adams, False Pretense, J.E. McCannless Prosecutor. Subpoena for the State J.E. McCannless, L.W. Slayden, Alvin Sanders, Witnesses sworn by me on this indictment before the Grand Jury, Aug. Term 1921. D.D. Collier Foreman Grand Jury. Jno. B. Bowman Attorney General. A TRUE BILL D.D. Collier Foreman Grand Jury.

One against Chas Capps, Larceny, which indictment is in the words and figures following to wit: State of Tennessee Humphreys County. Aug. Term of Circuit Court, A.D. 1921. The Grand Jurors for the State of Tennessee, duly elected, sworn empaneled and charged to inquire for the body of the County Humphreys and State aforesaid, upon their oath aforesaid, present that Chas Capps, heretofore, to wit, on the 10th. day of July 1921, in the County aforesaid, unlawfully and feloniously did steal, take and carry a way one shirt, and some collars, the number of collars to the Grand Jury unknown of the value of five dollars, the property of Tom Cannon 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. Aug. Term 1921. THE STATE vs. Chas. Capps, Larceny Tom Cannon Prosecutor. Subpoena for the State Tom Cannon, Bond Anderson, J.L. Smith, Len Stanfield. Witnesses sworn by me on this indictment before the Grand Jury Aug. Term 1921 D.D. Collier Foreman Grand Jury. Jno. B. Bowman Attorney General. A TRUE BILL. D.D. Collier Foreman Grand Jury.

One against Jim Alexander cruelty to animals which indictment is in the words and figure following to wit: State of Tennessee, Humphreys County. Aug. Term of Circuit Court A.D. 1921. 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 Jim Alexander, heretofore to wit, on the 14th, day of June 1921, in said County and State, unlawfully and needlessly did torture torment and cruelly beat bruise and wound a cow, the property of Dave Prichard, contrary to the statute and against the peace and dignity of the State. Jno. B. Bowman Attorney General. Aug. Term, 1921. THE STATE vs Jim Alexander Cruelty to animals Dave Prichard Prosecutor. Subpoena for the State Dave Prichard, Essmer Prichard, Aubrey Prichard. Witnesses sworn by me on this indictment before the Grand Jury, Aug. Term 1921. D.D. Collier, Foreman Grand Jury. Jno. B. Bowman Attorney General. A TRUE BILL. D.D. Collier Foreman Grand Jury.

One against Ray Turner, Incest which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County. Aug. Term of Circuit Court, A.D. 1921. 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 Ray Turner heretofore, to wit, on the 3rd. day of October 1920, in said County and State, unlawfully and feloniously had carnal knowledge of one Addie Monroe, a female the said Addie Monroe being a daughter of Mrs. Nannie Monroe the sister of the said Ray Turner, contrary to the statute and against the peace and dignity of the State. Aug. Term, 1921 THE STATE vs. Ray Turner Incest Nannie Monroe Prosecutor, Subpoena for the State Nannie Monroe Addie Monroe. Witnesses sworn by me on this indictment before the Grand Jury Aug. Term 1921. D.D. Collier Foreman Grand Jury. Jno. B. Bowman Attorney General. A TRUE BILL D.D. Collier Foreman Grand Jury. One against Ches Phobus Drunkenness. Subpoena for the State: Mrs. R.A. Murray, Mabel Murray. One against Ely Dameworth. Disturbing Worship, Subpoena for the State C.H. Quail, Tom O, Guinn, J.W. Money, Claud Madden, Nat Scholes, R.C. Haygood.

One against Amy Garret, Drunkenness. Subpoena for the state Alvin Crockett, J.P. Hightower, Will Stewart.

One against Chas Bowen Drunkenness. Subpoena for the State Mrs. R.A. Murray, Mabel Murray, Nellie Murray.

One against Will Capps Assault and Battery. Subpoena for the State W.P. Rice. Subpoena for the State.  
One against Jess Wright Assault and Battery, Almer Crowell, Porter Little Alfred  
Robert Walter Wallace.

One against Louis Curtis, Drunkenness. Subpoena for the State P.A. Brown, Earl Curtis.  
One against Henry Bone Drunkenness Subpoena for the State W.P. Rice, Ida Rice. Gains Baker.

One against Wade Garrett, Drunkenness. Subpoena for the State Alvin Crockett, J.P. Hightower, Will Stewart.

One against Lee Estua Drunkenness Drunkenness, Subpoena for the State W.P. Rice, Ida Rice, Gains Baker.

One against Albert Capps, Drunkenness. Subpoena for the State W.P. Rice Ida Rice, Gains Baker.

One against Lee Bowen Drunkenness. Subpoena for the State. Mrs. R.A. Murray, Mabel Murray, Nellie Murray.

One against Good Wright Assault and Battery, Subpoena for the State Porter Rice, Gordon Rice, W.P. Rice.

One against R.E. Shemwell Mis. Which indictment is in the words and figures following to wit: State of Tennessee Humphreys County. Aug. Term of Circuit Court, A.D. 1921.

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 R.E. Shemwell heretofore to wit, on the 20th. day of Dec. 1920, in said County and State, unlawfully and feloniously, did obtain from E.E. Pace, with fraudulent intent one lot of Auto repairs of the value of twenty Five Dollars, by means of a check of which he, the said R.E. Shemwell, was the drawer on the 1st. National Bank of Dickson Tenn. for the sum of Twenty Five Dollars, which said check, was presented to the drawee, said bank and not paid and was not paid by the drawer after seven days notice in writing having been mailed to said R.E. Shemwells last known address, contrary to the Statute and against the peace and dignity of the State, Jno. B. Bowman Attorney General. Aug. Term 1921. THE STATE vs. RE R.E. Shemwell, E.E. Pace Prosecutor, Subpoena for the State E.E. Pace. Witnesses sworn by me on this indictment before the Grand Jury Aug. Term 1921. D.D. Collier Foreman Grand Jury. Jno. Bowman Attorney General A.TRUE BILL. D.D. Collier Foreman Grand Jury.

One against Will Gwin Drunkenness Subpoena for the State Alvin Crockett, J.P. Hightower, Will Stewart.

One against Cliff Shannon, Drunkenness. Subpoena for the State Hiram Turberville, T.O. Perkins, J.R. Fowlkes, Jim Meadow, J.L. Smith.

One against Ely Smith, Drunkenness, Subpoena for the State C.H. Curtis, Claud Madden.

One against Leslie Few Tippling, Subpoena for the State Jno. Chronister, I.D. Chronister.

One against Ely Dameworth. Carrying a pistol. Subpoena for the State Tom O. Curtis, Lathan Collier.

One against Ed Daniel. Drunkenness. Subpoena for the State W.P. Rice, Ida Rice, Gains Baker,

One against Carlos Brown, Drunkenness. Subpoena for the State P.A. Brown, Earl Curtis.  
One against Earnest Phebus Drunkenness. Subpoena for the State. Mrs. R.A. Murray, Mabel Murray, Paul Reece.

One against ~~Bum Anderson~~ Albert Capps. Drunkenness, Subpoena for the State, Bond Anderson, Jim Meadow.

One against J.T. Pewitt, Tippling, Subpoena for the State Virgil Carnell, Arthur Davis, Thomas D. Edminson, Emmet Lee Edminson.

One against Leslie Few B.D. Subpoena for the State J.J. Sloniker, Vernon Deek, Grady Stewart, Ethridge Moody, Will Ridings, Squire Parks, Phil Bradley.

One against Willie Capps, Drunkenness, Subpoena for the State. W.D. Baker, Bowman Page, Steve Page, Willie Baker, W.S. Mays.

One against Kelly Simpson, Carrying a pistol. Subpoena for the State. Walter Gunn, Albert Gunn.

One against Neil Inman, Drunkenness. Subpoena for the State W.D. Baker, Bowman Page, Steve Page, Willie Baker, W.S. Mays.

One against Rich Smith, Drunkenness, Subpoena for the State Alvin Crockett, Arthur Davis, W.H. Crockett.

One against Sid Williams Drunkenness, Subpoena for the State A.B. Wilkins, Wood Owens.

One against Walter Baker, Drunkenness. Subpoena for the State. Albert Ragdale, Minnie Clements Annie Clements.

One against Man Young. Drunkenness. Subpoena for the State W.P. Rice, Ida Rice, Gains Baker.

One against Walter Baker, Drunkenness. Subpoena for the State Grace Forester, Gilbert Shaw, Melvin Ayers, Sam Rushing.

One against Ches Phebus, Drunkenness. Subpoena for the State. W.P. Rice, Ida Rice, Gains Baker,

One against Doyle Bell Drunkenness. Subpoena for the State. W.D. Baker, Bowman Page Steve Page, Willie Baker, W.S. Mays.

One against Albert Capps. Drunkenness. Subpoena for the State. J.A. Pace, Bond Anderson.

We, the members of the Grand Jury for the Aug. Term of the Circuit Court for Humphreys County, Tenn. 1921 beg leave to submit the following report to your Honor.

We have true presentment made of all offenses given us in charge by Your Honor or otherwise brought to our knowledge.

We have visited the County Jail and Poor House and find the prisoners and inmates well fed and cared for.

We have examined all bonds required to be examined by us and find them properly executed and good and solvent for the several amounts thereof except the Constable bond of M.J.L. McMacKins which we recommend be strengthened and now having completed our labors we respectfully ask to be discharged for the Term. D.D. Collier Foreman, Orson Denslow, Len Stanfield, ~~W.D. Baker~~ Will Maden, J.B. Smith, S.M. Collier, Charley Parker, R.T. Herndon, Henry Turner, J.L. Cullum, Jim Meadow, J.R. Fowlkes.

Minutes Circuit Court, Humphreys County, August Term, 13 day of August 1921

Mrs. Nannie C. Teas et, al.)  
vs. ) Circuit Court Humphreys County, August Term 1921.

Luff-Bowen Co, et, al. (

Came the plaintiffs by attorney and moved the court for permission to amend their original declaration and counts one and two thereof, and also to amend counts three and four, being amendments made to the original declaration and allowed by the court as a part thereof, by adding the following as an additional item of damages done the real estate in the burning of ~~the~~ house on said property, to wit: "That the fire from the burning of said residence became so hot thar it burned, scorch-ed and so injured the shade trees in the yard and around said residence that they soon died, and were utterly destroyed, and that said fire also destroyed the yard fence around said residence; and that the plaintiffs by reason of said fire so destroyed said residence have been and will be deprived of the use thereof and that they entit-  
led to interest on the value of said residence, and the recovery herein from the date of the destruction of said residence, to wit January 5, 1920 to the date of the judgment on the verdict herein; and upon consideration by the court the forgoing addit additional alleged losses are permitted and ordered to be made a part of the various counts in said declaration as aforesaid, as additional elements of damages sued for therein.

Mrs. Nannie C. Teas et, al.)  
vs. ) Circuit Court, Humphreys County, Tenn. August term 1921.

Luff-Bowen Co. et, al. )  
Come the plaintiffs by their attorneys and moved the Court to allow them to amend each count in their declaration, so as to incorporate therein the following:

" The plaintiffs aver that the double head Register adopted by the defendants and installed by them in the residence of the plaintiffs was defectively and improperly constructed, in the valves or deflectors in said register were not constructed so that in the use thereof for the purpose of deflecting the heat from one room to the other one valve or deflector could be closed, and the other adjusted so as to connect with the other at the bottom thereof; but, on the contrary, the said valve or deflectors, were constructed s o that they could not be connected, and when used for the purpose of deflecting the heat from one room to the other, and when one was closed, and the other adjusted to deflect the heat from one room to the other, the valves, or deflectors formed a hot air box, or pocket, and brought about the accumulation of intense heat therein, which heat was radiated through the said valves so constructed, and communi-cated therefrom to the woodwork around said register and set said residence on fire; and plaintiffs further aver that said register was defective, carelessly and negligently installed in said furnace in said residence, in that the top part was not properly closed, and protected against the radiation of heat through the top and ends of said register was not properly instaled so as to protect said residence against the heat from said furnace, and to protect said residence from the fire from said furnace and to prevent the burning and destruction thereof by fire from said furnace.

And upon consideration thereof the court stated it would allow said amendments, upon condition the plaintiffs pay the costs of their witnesses and upon the case being the plaintiffs therefore on account of the condition withdrew said proposed ammement and proceeded with the trial of the case and excepts to the ruling of the Court.

Minutes Circuit Court, Humphreys County, August Term, 13 day of August 1921

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

W. L. Cook  
Judge.

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

Mrs. Nannie C. Teas et, al, )  
vs. ) Damage.  
Luff-Bowen Co. et, al, )

In this cause came again the parties by their attorneys, and also came again a Jury of good and lawful men of Humphreys County to wit: W.W. Willis J.H. Stanford, Ford Turner, J.M. Reece, Will McCollum, S.L. Berryman, J.L. Carroll, Frank Owens, Walter Simpson, C.T. Smith, Jess James, and Dave Hemby. who had hereto-fore been elected and sworn in this cause to try the issue and having resumed the consideration of this cause, who after hearing all the proff in the case and part of the argument but there not being time to complete the trial said jury was respited by the Court until tomorrow morning at 9, o'clock,

W.B. Ridings )  
vs. ) In Circuit Court at Waverly, Tennessee.  
J.D. Jones )

This day came Mason Sanders, and produce in open court a certain promissory note in the words and figures following to wit:

\$1465.43

Waverly Tenn., Sept. 18 1915. On demand after date, we or either of us, promise to pay to the order of Hattie Ridings Fourteen Hundred and Sixty & 43 /100 Dollars, Value received, payable at The Citizens National Bank of Waverly, Tennessee. Interest from date. Both makers and endorsers to this note severally and jointly waive demand notice of nonpayment and protest. In the event suit is brought upon this note, we both makers and endorsers, agree to pay 10 per cent attorney's fee, to be included in the judgment rendered, for collection of same, and we each of us, both makers and endorsers hereby authorize Mason Sanders or----- or either of them, at any time after the above note becomes due, to go before any Court of Record or before any Justice of the Peace having Jurisdiction thereof in the State of Tennessee, and confess judgment thereof against us in favor of Hattie Ridings, or assigns, for the said amount, with interest and costs, and the 10 per cent attorney's fee, in accordance with the provisions of Section 4705, 4606, and 4707, Code of Tennessee, Shannon's Edition 1896. J.D. Jones. For value received I hereby transfer the within note to W.B. Ridings without Recourse on me Hattie Ridings.

In which note was also contained power of attorney written on the face thereof authorizing Mason Sanders to appear before any court of this state and confess judgment in favor of the plaintiff against the defendant on said note at any time after its maturity, if unpaid with interest and costs and a 10 percent attorney's fee etc. and thereupon it was proven in open court that the defendant executed said note and power of attorney, and said Mason Sanders as such attorney in fact confessed the defendant owed the plaintiff Fourteen Hundred and Sixty Five & 43/100 Dollars on said note as principal with a credit of Nine Seven & 73/100 Dollars, balance due on said

Note One Thousand Ther Hundred and Sixty Seven & 70/100 Dollars (\$1367.70) Int Five Hundred eleven & 44/100 Dollars (\$511.44.) as interest thereon, aggregating One Thousand Eight Hundred Seventy Nine & 14/100 Dollars (\$1879.14) and agreed that this court might render judgment in favor of the plaintiff against the defendant for said sum.

It is therefore <sup>ordered that</sup> said note containing said power of attorney be filed and made part of the record in this cause, and that the plaintiff W.B. Riddings recover of the defendant J.D. Jones said sum of One Thousand Eight Hundred Seventy Nine & 14/100 (\$1879.14) Dollars, and all the costs of this cause for which execution will issue.

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

-----  
Judge.

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

State of Tennessee )  
vs. ) A.B.  
M.C. Carnell (

In this case came the Attorney General upon the part of the State, and the defendant in person and by Attorney, and plead guilty as charged, whereupon the Court assess the penalty, and say he shall pay afine of Fifty Dollars together with all the costs. then came into open court J.P. Cowen and entered his name as surety 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 surety all of said fine and costs for let execution issue.

State of Tennessee )  
vs. ) Larceny  
Leslie Few )

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.

State of Tennessee )  
vs. ) Larceny,  
John Wilson et. al. )

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.

State of Tennessee )  
vs. ) Attachment.  
B.Gray & Fred Gray )

It appearing to the Court that the defendants were legally summoned to appear before this court at this term and give evidence before the Grand Jury and that they failed to do so.

Upon motion of the Attorney General an attachment will issue and be served on the defendants requiring them to appear at the next term of this Court to show cause they should not be held in contempt of this Court.

It appearing to the Court, on motion of the Attorney General that C.H. Pewitt was convicted at this term of Court and sentenced to the State Prison and that the Sheriff deputized Claud O. Lashlee and Prim Baugus to carry said Pewitt to the State Prison at Nashville, Tenn., and that their actual expenses amounted to the sum of Seventeen & 90/100 dollars and that the State refused to pay said costs.

It is ordered by the Court that the Circuit Court Clerk pay out of any fines collected by him and in his hands said cost aforesaid to said parties aforesaid.

State of Tennessee )  
vs. ) Forgery  
W.W. Shaw )

State of Tennessee )  
vs. ) Forging a check.  
E.L. Smith )

In the two above styled cases no action was taken by the Grand Jury because the Prosecutor did not appear before said Grand Jury.

State of Tennessee )  
vs. ) Carrying a pistol.  
Barthel Marable Col. )

In this case came the Attorney General upon the part of the State and it appearing to the Court that the defendant was indicted at a former term of this Court for the offense of Carrying a pistol, and that the said defendant was arrested and entered into bond with Calvin Long and G.W. Spencer as his sureties which bond is in the words and figures following to wit: State of Tennessee, Humphreys County. We, Barthel Marable Col agree to pay the State of Tennessee Two Hundred and Fifty (\$250.00) Dollars unless the said Barthel Marable Col. 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 3rd. Monday in April 1921 on Tuesday of said term, to answer the State of Tennessee for the offense of Carrying a pistol and do not depart the Court without leave. Barthel Marable Principal, Calvin Long Surety G.W. Spencer Surety

Approved-----Sheriff. This-----day of -----  
1921 By, R.S. Warren Deputy.

And the defendant Barthel Marable col. being solemnly called to come into open court and answer the State of Tennessee, upon a charge of Carrying a pistol came not but made default and the said Calvin Long Col, and G.W. Spencer was solemnly called to come into court and bring with them the body of the said Barthel Marable Col. according to the tenor and effect of their said bond came not but made default neither came the defendant Barthel Marable Col., nor his said sureties but made default.

It is therefore considered by the Court that the defendant Barthel Marable Col, and Calvin Long col. and G.W. Spencer for their said default do forfeit and pay unto the State of Tennessee the sum of Two Hundred and Fifty (\$250.00) Dollars according to the tenor and effect of their said bond. And it is further ordered by the Court that Sci. Fa. 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 CAPTAS issue for the defendant.

Hattie Arnold,  
vs. ) Circuit Court, Humphreys County, Order Pro Confesso and Final Decreed  
Fred Arnold )

Be it remembered that this cause was this day heard upon the petition of complainant, whereupon she moved the Court for an order pro confesso, and it appearing to the Court that the defendant had been regularly served with subpoena to answer the petition within the time prescribed by law and more than five whole days prior to the present term, and it appearing further that the defendant has failed therein and stands in default thereof before this Court, the petition is taken for confessed in all things and the cause set down for trial ex parte as to him. This cause was thereupon further heard upon the proceedings already had and upon the testimony of the witnesses summoned in the case, whereupon it appeared to the Court that the defendant willfully and maliciously deserted the complainant and absented himself for more than two whole years next before the filling of the petition; that he has refused and neglected to provide for her. Be it there ordered adjudged and decreed that, as prayed for in the petition, the bonds of matrimony subsisting between the complainant Hattie Arnold and the defendant Fred Arnold be and the same are forever dissolved and for nothing held that the said Hattie Arnold is restored to all the rights and privileges of a single woman and that she have a judgment also against the defendant for the cost, for which execution may issue.

Eliza Forester,  
vs. ) In Circuit Court Waverly Tennessee.  
J.M. Forester )

In this cause it duly appearing to the Court, that the defendant J.M. Forester has been regularly brought into Court by service of summons and copy of petition in this case, more than five days before the convening of the Court, and up to this Saturday, the sixth day of the term has made no defense to the suit, but is in default, it is therefore ordered on motion of Petitioner, that as to said defendant J.M. Forester, the petition be taken for confessed, and the case set for hearing ex parte.

And the cause came on further to be heard, and was heard by the Court upon the petition of Eliza Forester, the proconfesso, and the testimony of witnesses taken in open court.

and it satisfactory appeared to the Court from the proof, that the facts charged in the petition are true; that the defendant had willfully deserted the petitioner without a reasonable cause, and had failed and refused to provide for her. It is therefore ordered adjudged and decreed by the Court, that the bonds of matrimony subsisting between the petitioner and defendant be absolutely and forever dissolved and that petitioner be vested with all the rights of an unmarried woman.

It is further ordered adjudged and decreed by the Court that the defendant J.M. Forester, pay the costs of this cause for which execution may issue.

Mrs. Nannie C. Tens et al.  
vs. )  
Luff-Bowen Co. and Beckwith Co. )

Came the parties by their attorneys, and the jury heretofore empaneled, to wit: W.W. Willis, J.H. Stanford, Ford Turner, J.M. Reese, S.L. Berryman, Frank Owens, Walter Simpson, Jess James, G.T. Smith, Will McCollum,

J.L. Carroll, and Dave Hemby who being elected, tried and sworn the truth to speak upon the issues joined, after hearing the evidence, argument of counsel, and charge of court, upon their oath do say they find the issues in favor of the defendants Luff-Bowen Co, and in favor of the plaintiffs against the defendant Beckwith Company, and assess the damages against the Beckwith Company at the sum of Five Thousand Dollars for the loss of the plaintiffs residence described in the declaration and proof in the cause. It is therefore considered by the court that defendants Luff, Bowen Co, go hence, and that they recover of the plaintiffs, and their surties on the cost bond, all costs accrued as to Luff, Bowen Co, and that plaintiffs recover of the Beckwith Company Five Thousand Dollars, the damages found and assessed by the jury as aforesaid, and the balance of the costs herein accrued, for all of which execution may issue. And thereupon came the Beckwith Company, by attorneys, and moved the court to set aside the judgment founded upon the verdict, as aforesaid, and to grant Beckwith Company a new trial, and for reasonable time to prepare and file the motion; and for good and sufficient reasons the court granted said request, and after conference with counsel for both the plaintiffs and defendant Beckwith Company, Saturday October 1st. next, was agreed upon as a suitable and convenient date for hearing and disposing of Beckwith Company's motion for a new trial, and said defendant was granted time until Saturday October 1st. to prepare and file its motion for new trial, it being understood that the motion would be prepared and the original, or copy, be given over to counsel for plaintiffs for their examination and reasonable time before the date set for the hearing, and for the purpose of hearing and disposing of the motion for a new trial the cause is continued until Saturday October 1st. 1921, to which date court shall stand adjourned.

J.M. Copps  
vs. )  
Fred Wyatt )

This cause upon motion of the plaintiff therefor, and it appearing to the Court that this case is sent to this court for condemnation of land the execution issuing from a J.P. and having been levied upon lands, and it further appearing that the said levy upon the said lands was inadvertently made and made when in fact the lands was mortgaged, hence the levy so made was a void one in so far as it sought to collect the judgment in question.

It is therefore ordered adjudged and decreed by the court that the levy so made in this cause was void, and had no effect and consequently did not in any sense satisfy the execution in question; and the said levy is therefore set aside and for nothing held, it is further ordered that the whole case all papers be sent back to the Justice of the Peace sending the judgment an issuing the execution or his successor in office or the one having custody of his docket, to wit: W.W. Pace J.P. with directions to proceed with the cause in the same way and manner as if no levy had never been made, and to issue an execution or executions upon request etc. and that a copy of this order accompany the said papers to the said J.P.

Minutes Circuit Court, Humphreys County, August Term, 16 day of August 1921

State of Tennessee, }  
 vs. } Drunkenness  
 Wade Garrett }

In this case came the Attorney General upon the part of 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 Five dollars together with all the costs, then came into open court Rayman Garrett and J.M. Garrett and entered 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 and his sureties all of said fine and costs for let execution issue.

State of Tennessee }  
 vs. } Drunkenness  
 Wade Garrett }

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 assessed the penalty and say he shall pay a fine of Five Dollars together with all the costs then came into open court Rayman Garrett and J.M. Garrett and entered 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 and his sureties all of said fine and costs for which let execution issue.

Court then adjourned until Saturday October the 1st. 1921.

W. L. Cook  
 Judge.

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

J.E. Tubb }  
 vs. } In the Circuit Court for Humphreys County, Tenn. August term 1921.  
 J.P. Burkett }

Came J.E. Tubb by attorney and moved the court for a judgment on a note dated Dec. 1st. 1917, and due twelve months from its date with interest from date payable to said J.E. Tubb in the sum of One Thousand Dollars (\$1000.00) signed by J.P. Burkett, in which note there is a power of attorney authorizing Mason Sanders to go before any court of record (or Justice of the Peace having jurisdiction thereof) in the State of Tennessee and confess judgment in favor of said J.E. Tubb and against said J.P. Burkett for said amount with interest and costs and a 10% attorneys fee. And it further appearing from said note that the interest thereon except fifty dollars has been paid on the note to date. Then came the said Mason Sanders and in accordance with said power of attorney contained in said note and confessed that said note is passed due and the amount thereof, to wit: One Thousand Dollars and fifty dollars interest is still due and unpaid and owing, and in accordance with the said power he confesses judgment in favor of said Tubb and against the said J.P. Burkett for the said sum of One Thousand Dollars and the further sum of fifty dollars interest, and one hundred dollars attorneys fee in all Eleven hundred fifty Dollars and the costs, and authorizes this court in accordance with said power

Minutes Circuit Court, Humphreys County, Oct. Term, 1st day of Oct. 1921

of attorney to render judgment in favor of the said J.E. Tubb, and against the said J.P. Burkett for said sum of Eleven Hundred Fifty Dollars and costs.

It is therefore ordered and adjudged by the court the the plaintiff, the said J.E. Tubb, recover of the defendant, J.P. Burkett, the said sum of Eleven Hundred Fifty Dollars and the costs incident to this motion for all of which let execution issue.

Mrs. Nannie C. Teas et al }  
 vs. } In the Circuit Court of Humphreys County, Tenn., Aug.  
 Luff- Bowen Co, et al. } Term, 1921.

Came the plaintiffs and moved the court for a judgment on the bond executed by defendants, Luff Bowen Company, and their sureties thereon in lieu of payment into court of the amount they answered in the garnishment proceeding under the attachment issued in the above cause.

When it appeared to the court that the plaintiffs instituted the above styled case by attachment against defendant, the Beckwith Company, a non-resident, and that such attachment was served by garnishment process on defendants, Luff-Bowen Company, and that they answered said garnishment stating that they owed said defendant, the Beckwith Company, the sum of \$1357.84; and it further appearing to this court that the plaintiffs in this case at a former day of the present term of this court recovered a judgment against the defendant the Beckwith Company for the sum of Five Thousand Dollars and costs, and it further appearing that when said answer to said garnishment process came into the court the plaintiffs asked the court for and order requiring defendants, Luff- Bowen Company, to pay into court they amount they had so answered that they were indebted to the Beckwith Company, but said defendants, Luff-Bowen Company, moved the court to be allowed to make bond for said amount and the court allowed them to do this, and on the 14th, day of December, 1920, they executed such bond for said amount payable to the Clerk of this Court with interest from its date, said bond being in the words and figures as following, to wit:

and  
 Whereas this case was begun by original attachment against the defendant Beckwith Company issued by the clerk of this court and executed by the sheriff by serving garnishment process on the defendant Luff -Bowen Co. a firm composed of E.P. Luff and J.S. ( or Jess) Bowen requiring them to answer and show whether or not they were indebted to the defendant Beckwith Co. or had in their possession funds or property belonging to said Co. and who upon their oath admitted that they owed the said Beckwith Co. the sum of Thirteen Hundred and fifty seven dollars and 84 cents which sum is now past due and unpaid and still in the hands of defendants Luff-Bowen Co. and whereas the plaintiffs at this the Dec. 1920 term of court moved for an order requiring the defendant Luff-Bowen Co, to pay said sum into this court which order was allowed, but on application of Deft. Luff-Bowen Co. therefor they were permitted to give bond for the payment of said sum into the hands of the clerk of this court at any time called for by him together with the interest thereon from this date.

Now therefore in consideration of the premises, we the said E.P. Luff and J.S. Bowen, composing the firm of Luff -Bowen Co. principals and ----- Sureties obligate and bind ourselves to pay to Albert Binkley, as circuit Court clerk of Humphreys County, Tenn. or his successor in office, the sum of Thirteen Hundred and fifty seven dollars and 84 cents, together with legal interest thereon from this date for

the use of whoever maybe entitled thereto when called upon so to do by said Binkley or in office, acting under the orders of this court. This December 16th. 1920.

Edmen P. Luff.  
 Jess Bowen,  
 Jno. M. Stribling Surety  
 T.H. Knight  
 Maggie May Bowen.

and in pursuance to the aforesaid facts the court is of the opinion that the plaintiffs are entitle to a judgment against the defendant, Luff-Bowen Company, on their answer to said garnishment proceedings; it is therefore considered and adjudged by the court that the plaintiffs recover of the defendants, E.P. Luff and J.S. Bowen, partners doing business as Luff-Bowen Company the aforesaid sum of \$1357.84 to be credited on the plaintiffs' judgment against the defendant, Beckwith Company, for Five Thousand Dollars and costs; the court is further of opinion and doth <sup>so</sup> judge that plaintiffs are entitle to a judgment on the bond aforesaid and it is therefore adjudged that Albert Binkley as the clerk of this court to whom said bond was made payable recover for the use of plaintiffs on said bond, of the said defendants, E.P. Luff or Edmen P. Luff and J.S. Bowen principals on said bond, and Jno. M. Stribling T.H. Knight, and Maggie May Bowen sureties thereon the aforesaid sum of \$1357.84 with interest thereon accrued thereon from Dec. 16, 1920, to the present time the sum of \$64.46 making in all the sum of \$1422. 80, and the costs of the motion for which execution may issue. The first judgment herein rendered on the answer and garnishment process is merged in the last judgment and only the last judgment is to be collected.

Mrs. Nannie C. Teas et.al.

Vs.

Luff-Bowen Company  
 ans The Beckwith Co.

{ In the Circuit Court, Waverly Humphreys County,  
 { Tennessee.

This cause came on to be heard on this the 1st. day of October 1921, before the Hon. W.L. Cook, Judge, etc. upon the motion for a new trial of the defendant, The Beckwith Company, which motion is in the words and figures following:-

#### Motion.

The Defendant Beckwith Company moves the Court for a new trial in this case, and in support of its motion, assigns the following as grounds of said motion.

#### 1st.

Because the verdict of the jury is against the law as charged by the Court.

#### 2nd.

The verdict of the jury is against the preponderance or weight of the evidence.

#### 3rd.

There was no evidence of negligence on the part of Beckwith Company in the installation of the furnace and register.

#### 4th.

The undisputed evidence showed conclusively that the Beckwith Company used due care in the installation of the furnace and register.

#### 5th.

The Court erred in permitting Mrs. Teas to testify, over defendant Beckwith Company's objection, to the fact that Luff-Bowen Company, subsequent to the fire, had installed a register with brick or asbestos for another customer.

#### 6th.

The Court erred in denying defendant Beckwith Company's motion to direct a verdict in favor of defendant Beckwith Company, at the close of plaintiff's case.

#### 7th.

The Court erred in denying defendant Beckwith Company's motion to direct a verdict in favor of defendant Beckwith Company, made at the close of all the evidence.

#### 8th.

Because of the intemperate and inflammatory language of one plaintiff's counsel, Judge Meeks, who closed the case in the argument to the jury, and especially in the following language.

"As I remember the testimony of Mr. Pearson, he stated that this register, with one or with both deflectors closed, would have set the house afire, and I do not care what any stenographer's notes say. I do not mean to say that any one in this case has done anything wrong, but who knows what the Beckwith Company may have done with its millions.

#### 9th.

Because the verdict was the result of the intemperate and inflammatory language of plaintiff's counsel.

#### 10th.

Because the Court erred in his charge to the jury as follows:

(1) "The negligent construction and installation of the furnace and its parts,--- that is to say, if you do not find from the proof that fire was communicated to the residence. as a consequence of the failure of defendants to discharge a duty to supply and install a furnace in common use, by reasonable prudent persons, making and supplying similar heating systems, plaintiff's case would not be made out, or if you do not find that the heating system and manner of installation caused the fire, and entertain a doubt whether extraneous causes, aside from the furnace and register, produced the fire, your duty would end there. If the preponderance of proof does not disclose that the fire originated as a direct consequence of defendant's construction or installation of the heating system, or the installation of an inherently defective heating system, plaintiff's case is not made out, and your verdict would be for both defendants, and against plaintiffs".

(2) "If the jurors find that the heating system sold and installed in plaintiff's residence, were such as are in common use by persons reasonable skill and caution, and being such, that defendants assumed to know and understand the safe and proper means of installation and use, and engaged with plaintiffs to install the system, and assured its safety, and you find from the preponderance of proof that contrary to such engagement and assurance the defendants, negligently, improperly and ignorantly installed the system so that excessive degrees of heat radiated through the furnace through the hot air pipes into the wall register, heating it so as to ignite the walls, and consumed the building, the defendants would be liable, and your verdict would be for the plaintiff".

(3) " If the representatives of the Beckwith Company was given exclusive direction and control of the installation, designing and directing the work, and if in discharge of such duty, he negligently and improperly caused the system to be so as to concentrate the heat in such a manner as to ignite the wall where it was exposed to or near the wall register, defendant Beckwith Company would be liable, and you would so find and report"

11th.

Because the Court refused to give defendant's first request to charge, which is as follows:

(1) Under the pleadings and the undisputed facts in the case there can be no recovery against the Beckwith Company, and your verdict must not be guilty, i. e., because of action."

12th.

Because the court refused to give defendants's second request to charge, which as follows:

(2). If you find from the facts in the case that the furnace and the register placed in plaintiff's residence were purchased of the defendant, Luff-Bowen Company, and that the agreement for its purchase was made of the defendant, Luff-Bowen Company, and that the furnace and register were installed in the manner that ordinary prudent furnace people usually install the same, there can be no recovery against the Beckwith Company

13th.

Because the court refused to give defendants's third request to charge, which is as follows:

(3) " If you find that the Beckwith Company, the manufacturer of the furnace, did not manufacture the register, but it purchased it of another manufacturer, the United States Register Company, of Battle Creek Michigan, a reputable manufacturer of registers and that the register was made as registers used for that purpose are usually made, and was installed in the usual manner, there can be no recovery in this case against the Beckwith Company."

14th.

Because the Court refused to give defendants's fourth request to charge, which is as follows:

4th. This is a case founded upon alleged negligence and in order for the plaintiffs to recover against the Beckwith Company they must show by a preponderance of the evidence that the defendant, Beckwith Company, was guilty of some negligence, in using the furnace used or in recommending the manner of its installation.

If you find the register to be one ordinarily used by furnace manufacturers and installed in the manner usually followed by reasonable prudent men under like circumstances, the defendant, Beckwith Company, would not be guilty.

15th.

Because the Court refused to give defendant's fifth request to charge, which is as follows:

(5) " In this case, if you find that the defendant, The Beckwith Company, was a manufacturer of the furnace, and that it sold its furnace equipped with register made by the United States Register Company, to Luff-Bowen Company, a local hardware dealer at Waverly, Tennessee, and that the Luff-Bowen Company in turn agreed to install the furnace and register in plaintiff's house, and that they were installed in the manner usually prudent men engaged in that line of work install such appliances, that there

can be no recovery against the defendant, Beckwith Company"

16th.

Because the Court refused to give defendant's sixth request to charge, which is as follows:

"(7th) The defendants are not insured against fire and the mere fact that there was a fire does not in itself establish negligence, the only duty that the defendants Beckwith Company owed the plaintiff was to furnish such furnace, and register, as ordinarily prudent manufacturers furnished under like circumstances, and if you find the Beckwith Company suggested the manner of the installation, then it owed only the further duty of seeing that the furnace and register were installed in the manner ordinarily installed by reasonable prudent men under like circumstances.

If you find the usual practice was followed in such regard there can be no recovery even though you find that by reason of such furnace and register and the installation thereof, the fire resulted. In other words, the test is: Did the defendants perform their duties by the plaintiffs as ordinarily prudent men would under the circumstances? and not might they have done something more, in the light of subsequent events, which would have prevented a possible fire.

The rule is not what a extraordinary prudent man would do but what an ordinary prudent man do under like circumstances."

17th.

Because the Court refused to give defendants's seventh request to charge, which is as follows:

(7) " If you should find that the register used on this job was so constructed that it had a dead air space at all points where the register came in contact with woodwork, or at all material and essential points where it came in contact with the woodwork, and that such dead air space was ordinarily relied upon by ordinary prudent furnace and register manufacturers as sufficient insulation, then you would be justified in concluding that the register was a proper register and properly installed without any other insulation material, and there could be no liability against the defendant, the Beckwith Company, on account of any fire that started in connection with the register."

18th.

Because the Court refused to give defendant's eighth request to charge, which is as follows:

"8th. In determining the question of whether the fire started from a faulty installation of either the furnace or the register, you are not to guess at how the fire occurred. You are not to assume that it started from either or both of these things. It is for you to determine from all the evidence in the case how the fire started. The mere fact that the house burned down is not itself evident that the fire started from a faulty installation of the furnace. It may have started from other causes. The burden is upon the plaintiff's to prove by a preponderance of the evidence what caused the fire, and if the plaintiffs have failed to show to your satisfaction by a preponderance of the evidence that the fire started on account of some negligence of the defendants as I have defined the same, then there could be no recovery."

19th.

Because the liability of the defendants if any, was joint and not a several liability, and the Court erred in submitting the question of a several liability to the jury.

Respectfully submitted.

J.R. Morris

Harry C. Howard.

Attorneys for Defendant The Beckwith Company.

And after due consideration of said motion for a new trial of the defendant The Beck with Company, the Court doth disallow and over rule said motion for a new trial. Whereupon, the defendant, the Beckwith Company, excepts to the action of the Court in over ruling the motion for new trial of the defendant, the Beckwith Company and prays an appeal of said cause to the next term of the Court of Civil Appeals at Nashville Tennessee, which, appeal is granted by the Court upon the defendant, The Beckwith Company entering into bond in the penalty sufficient to cover the costs of said appeal, and the defendant, the Beckwith company is allowed thirty days in which to perfect said appeal in the preparation of the bill of exceptions in said cause, and the execution of said bond.

Court then adjourned until court in course.

W.L. Cook Judge.

CAPTION DECEMBER TERM CIRCUIT COURT, A.D. 1921.

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 December, it being the 2nd. Monday in said month, and the One Thousand Nine Hundred and Twenty First year of our Lord, and the one hundred and Forty Sixth year of American Independence.

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

Court was opened in due form of law by J.L. Smith Sheriff of Humphreys County, Tennessee, and by him was returned into open court a writ of Venire Facias showing that the following named persons were appointed by the County Court at its October Term 1921 to appear and to serve as jurors at this the present term of this court to wit:

J.W. Mooney, Robert Grice, Wilson Parker, Pete Hatcher, J.T. Perkins, J.O. Baugus, John Perkins, E.O. Denslow, W.H. Pickett, W.W. Long, Jean Johnson, John Ridings, P.J. Fuqua, F.A. Murphree, G.W. Smith, Vernon Anderson, George Pickard, Bob Mulliniks,

George McDonald, T.J. Cates, Frank Larkins, Jeff Field, Jess Owens, Frank Rockell and Jim Hedge, and it appearing to the court, that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that jurors so summoned appeared and answered said summons. except Pete Hatcher, J.T. Perkins, Jim Hedge, F.A. Murphree, G.W. Smith, George McDonald, Frank Larkins. who were excused by the Court for various causes, and L.F. Spencer, Bob Pruett, J.F. Gibbons Lilburn Crowell, Willis Bass, C.A. Summers, E.S. Ellis were appointed by the Court, to fill said vacancies so appearing out of said jurors so summoned and appearing were drawn a Grand Jury to wit: J.W. Mooney, Robert Grice, Wilson Parker, J.O. Baugus John Perkins, W.H. Pickett, W.W. Long, Jean Johnson, John Ridings, P.J. Fuqua Jess Owens, and Frank Rockell, and D.D. Collier having been appointed Foreman of the Grand Jury at a former term of this court, 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 their sworn officer J.A. Crowell a Deputy Sheriff of Humphreys County sworn according to law to attend them in considering presentments and indictments.

N.B. Bradley

vs. )  
 ) Damage.  
Union Mercantile Co. )

In this cause came the parties by their attorneys and a jury of good and lawful men of Humphreys County to wit: Vernon Anderson, Bob Mulliniks, George Pickard, L.F. Spencer, Lilburn Crowell, C.A. Summers, E.F. Fortner, E.S. Ellis, W.J. Field J.F. Gibbons, Willis Bass and D.T. Taylor who being duly elected empaneled and sworn to try the issue joined, who after hearing all the evidence and part of the argument, and not having time to complete the trial said jury was respited by the court until tomorrow morning at 9 o'clock.

State of Tennessee

vs. )  
 ) Drunkenness,  
Lee Bowen )

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~~ five dollars together with all the cost then came into open court W.R. Bowen and R.L. Mulliniks and entered their names as sureties for all of said fine and costs.

It is therefore ordered, and adjudged 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. )  
 ) Drunkenness.  
Chas Bowen )

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 W.R. H. Bowen and R.L. Mulliniks and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. ) Drunkenness.

Lee Estus )

In this case 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 five dollars together with all the costs. then came into open court R.D. Estus and R.L. Vaughn, and entered their names as sureties for all of said fine and costs.

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

State of Tennessee

vs. ) Drunkenness.

Louis Curtis )

In the case came the Attorney General upon the part of 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 five dollars together with all the costs then came into open court J.S. Ridings and A.A. Curtis and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. ) Drunkenness.

Henry Bone )

In this case came the Attorney General upon the part of 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 five dollars together with all the cost then came into open court Denton Bone and paid the clerk of this court all of said, an and cost.

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

State of Tennessee

vs. ) Drunkenness.

Ed Daniel )

In this case came the Attorney General upon the part of 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 five 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 and adjudged by the court that the defendant go hence without day.

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

W. L. Coyle  
Judge.

State of Tennessee

vs. ) Trespass.

Chas Ham )

In this cause came the Attorney General upon the part of the State and the defendant in person and by Attorneys, who being duly charged and arraigned on said bill of indictment plead not guilty.

Thereupon to try the issue joined came a jury of good and lawful men of Humphreys County to wit: Vernon Anderson, Bob Muliniks, T.J. Cates, L.F. Spencer, George Pickard J.F. Gibbons, E.S. Ellis, W.J. Field, Lilburn Crowell, C.A. Summers, E.O. Denslow, and Willis Bass. who being duly elected tried and sworn according to law and after hearing all the evidence, argument of counsel and the charge of the Court upon their oath do say they find the defendant guilty as charged in the bill of indictment.

It is therefore ordered and adjudged, and decreed by the court that for the offense aforesaid the defendant pay a fine of five dollars together with all the costs, of this cause, then came into open court P.J. Fuqua and Jas Fizer and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. ) B.D.

Sam Daniel )

In this case came the Attorney General upon the part of 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 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 costs.

State of Tennessee

vs. ) Drunkenness

Sam Daniel )

In this case came the Attorney General upon the part of 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 five 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 costs.

State of Tennessee

vs. ) Carrying a pistol,

Sam Daniel )

In this came the Attorney General upon the part of 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 with all the costs, 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 workout all of said fine and costs.

State of Tennessee }  
 vs. } Carrying a pistol.  
 Barthell Marable C. }

In this case came the Attorney General upon the part of 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 all the costs, 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 workout all of said fine and costs.

State of Tennessee }  
 vs. } Drunkenness.  
 Frank Plant }

In this case came the Attorney General upon the part of 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 five dollars together with all the costs, 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 workout all of said fine costs.

State of Tennessee }  
 vs. } Drunkenness.  
 Earnest Phebus }

In this case came the Attorney General upon the part of 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 five dollars together with all the costs, then came into open court Mrs. Mollie Phebus and W.W. Pace and entered their names as sureties for all of said fine and costs.

It is therefore ordered 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. } Drunkenness.  
 Copie Brown }

In this case came the Attorney General upon the part of 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 five dollars together with all the costs, then came into open court N.B. Bradley and P.A. Brown and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. } Drunkenness.  
 Walter Baker }

In this case came the Attorney General upon the part of 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 five dollars together with all the costs, then came into open court Sam Rushing and D.T. Taylor and enter their name as sureties for all of said fine and costs.

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

State of Tennessee }  
 vs. }  
 Walter Baker }

In this case came the Attorney General upon the part of 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 five dollars with all the costs, then came into open court Sam Rushing and D.T. Taylor and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. } Drunkenness.  
 Will Gunn }

In this case came the Attorney General upon the part of 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 five dollars together with all the cost, then came into open court J.E. Coleman, and D.T. Taylor and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. } Drunkenness.  
 Ches Phebus }

In this case came the Attorney General upon the part of 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 five dollars together with all the costs. then came into open court Mrs. Mollie Phebus, and W.W. Pace and entered their names as sureties for all of said fine and costs.

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

State of Tennessee }  
 vs. } Carrying a pistol.  
 Ely Dameworth }

In this case came the Attorney General upon the part of 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 all the costs then came into open court P.A. Bron, C.N. Dameworth, and C.S. Allison and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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.

Minutes Circuit Court, Humphreys County, December Term, 13 day of December 1991

State of Tennessee  
vs. )  
Ely D-ameworth ) D.W.

In this case came the Attorney General upon the part of the State, and the defendant in person and plead guilty as charged, whereupon the Court assess the penalty and sad say he shall pay a fine of twenty dollars together with all the costs, then came into open court P.A. Brown, C.N. Dameworth, and C.S. Allison and enter their names as sureties for all of said fine and cost.

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

State of Tennessee  
vs. )  
Ely Dameworth ) Drunkenness.

In this case came the Attorney General upon the part of the State, the the defendant in person and plead guilty as charged. Whereupon the court assess the penalty and say he shall pay a fine of five dollsrs together with all the costs, then came into open court P.A. Brown C.N. Dameworth, and C.S. Allison and entered their names as sureties for all of said fine and costs.

It is therefore ordered and adjudged 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. )  
Man Young ) Drunkenness.

In this case came the Attorney General upon the part of the State, the defendant in 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 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. )  
Charles Phebus ) Drunkenness.

In this case came the Attorney General upon the part of 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 five dollars together with all the costs, then came into open court Mrs. Mollie Phebus and W.W. Pace and entered their names as sureties for all of said fine and costs. It is therefore ordered and adjudged by the court that the State of Tennessee recover of the defendant and his sureties all of said fine and cost for which execution may issue.

State of Tennessee  
vs. )  
Jess Wright ) A.B.

In this case came the Attorney General upon the part of the State, and the defendant in person and plead guilty as charged. Whereupon the Court assess

Minutes Circuit Court, Humphreys County, December Term, 13 day of December 1991

and say he shall pay a fine of twenty five 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 by the court that the defendant go hence without day.

State of Tennessee  
vs. )  
R.E. Shemwell ) Mis--

In this case upon motion of the Attorney General a Noleprosequ'e is entered in this case upon the defendant paying or securing the costs, 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 pay secure or workout all of said costs.

State of Tennessee  
vs. )  
George Sherod )

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.

State of Tennessee  
vs. )  
C.W. Daniel ) Cruelty to animals.

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.

State of Tennessee  
vs. )  
C.W. Daniel ) Assault to commit murder in the first degree.

In this case the Grand Jury returned an indictment marked not a true bill. It is therefore ordered by the Court that the defendant be discharged.

State of Tennessee  
vs. )  
Britton Townsend ) A.B.

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 papers in this case to the Juvenile Court.

State of Tennessee  
vs. )  
Calvin Long et al. ) Sci. fa.

In this cause on motion of the Attorney General this case is dismissed upon the defendant pay the cost.

It is therefore ordered and adjudged by the Court that the State of Tennessee recover of the defendants the cost for which let execution issue.

State of Tennessee  
vs. )  
C.W. Daniel ) Sci. Fa.

In this case on motion of the Attorney General that case is dismissed the defendant paying the costs. It is therefore ordered and adjudged by the court that the State of Tennessee recover of the defendant the costs for which let execution issue.



Minutes Circuit Court, Humphreys County, December Term, 14 day of December 1921

State of Tennessee }  
 vs. } B.D.  
 Leslie Few }

In this case came the Attorney for the State and it appearing to Court that the defendant was indicted at a former term of this court for the offense of transporting liquor, and the said was arrested and entered into bond with G.W. Few as his surety which bond is in the words and figures following to wit: State of Tennessee Humphreys County we, ----- agree to pay the State of Tennessee Five Hundred Dollars unless the said Les Few 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 Drunkenness fighting and having whisky in his possession and does not depart the Court without leave. Witness our hands, this the 3 day of June 1921.

G.W. Few.

Approved.

And the defendant Les Few being solemnly called to come into open court and answer the State of Tennessee, upon a charge of Drunkenness fighting and having whisky in his possession came not but made default, and the said G.W. Few was also solemnly called to come into court and bring with him the body of the said Leslie Few according to the tenor and effect of his said bond came not but made default neither came the defendant Leslie Few nor his said surety but made default.

It is therefore considered by the Court that the defendant Leslie Few and G.W. Few for their default do forfeit and pay unto the State of Tennessee the sum of Five Hundred Dollars according to the tenor and effect of their said bond. And it is further ordered by the Court that Sci. Fa. issue to the said defendant and his said surety requiring them to appear at the next term of this court and show cause if any they have why ~~this judgment~~ this judgment should not be made final.

And further that ALIAS CAPIAS issue for the defendant

State of Tennessee }  
 vs. }  
 Sid Williams }

In this cause came the Attorney General upon the part of the State and it appearing to the Court that the defendant was indicted at a former term of this court for the offense of drunkenness and the said defendant was arrested and entered into bond with G.W. Williams and O.B. Bone as his sureties which bond is in the words and figures following to wit: State of Tennessee, Humphreys County, we, Sid Williams agree to pay to the State of Tennessee Two Hundred and Fifty \$250.00 unless the said Sid Williams 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 Dec. 1921 on

Tuesday of said term, to answer the State of Tennessee for the offense of ----- and do not depart the Court without leave.

S.C. William Principal  
 G.W. Williams Surety  
 O.B. Bone Surety

Approved, J.L. Smith Sheriff.

This 3 day of Nov. 1921.

And the said Sid Williams being called solemnly called to come into open court and answer the State of Tennessee, upon a charge of drunkenness came not but made default, and the said G.W. Williams and O.B. Bone was also solemnly called to come into open court and bring with them the body of the said Sid Williams according to the

Minutes Circuit Court, Humphreys County, December Term, 14 day of December 1921

tenor and effect of the said bond came not but made default neither came the defendant Sid. Williams nor his said sureties but made default.

It is therefore considered by the Court that the defendant Sid Williams and G.W. Williams O.B. Bone for their default do forfeit and pay unto the State of Tennessee the sum of Two Hundred and fifty Dollars according to the tenor and effect of their said bond. And it is further ordered by the Court that Sci. Fa. issue to the said defendant and his sureties requiring them to appear at the next term of this court and show cause if any they have why this judgment should be made final.

And further that ALIAS CAPIAS issue for the defendant.

State of Tennessee }  
 vs. } Drunkenness.  
 Albert Capps }

In this case came the Attorney General upon the part of the State, and the defendant in person and plead guilty as charged Thereupon the Court Assess the penalty, and say he shall pay a fine of five dollars together with all the cost, then came into open court Frank Baker and C.C. Willhite and entered 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 execution may issue.

State of Tennessee }  
 vs. } Drunkenness.  
 Albert Capps }

In this case came the Attorney General upon the part of the State, and the defendant in person and plead guilty as charged Thereupon 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 Frank Baker and C.C. Willhite and entered their names as sureties for all of said fine cost.

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 cost for which let execution issue.

State of Tennessee }  
 vs. } Drunkenness  
 Albert Capps }

In this case came the Attorney General upon the part of the State and the defendant in person and plead guilty as charged. Thereupon the Court assess the penalty and say he shall pay a fine of five dollars together with all the cost, then came into open court Frank Baker and C.C. Willhite and enter their names as sureties for all of said fine and cost.

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 for which execution may issue.

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

W.L. Capps  
 Judge.

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

State of Tennessee )  
vs. )  
Virgil Carnell and ) Contempt.  
Thos.D. Edminson )

It appearing to the Court that the defendants were legally summoned to appear before the court at this term and give evidence in the case of State against J.T. Pewitt, and that they failed to do so.

Upon motion of the Attorney General an attachment will issue and be served on the defendants requiring them to appear at the next term of this court to show cause why they should not be held in contempt of this court.

N.B. Bradley ) In Circuit Court of Humphreys County, Tenn.,  
vs. ) Damage.  
Union Mercantile Co. )

Came the parties and also a jury of good and lawful men, to wit: Vernon Anderson, Bob Mulliniks, George Pickard, L.F. Spencer, Lilburn Crowell, C.A. Summers, E.S. Ellis, W.J. Field, J.F. Gibbons, Willis Bass, and D.T. Taylor. who being expected tried and sworn the truth to speak upon the issues joined, upon their oath do say they find the issue in favor of the plaintiff and assess his damages for the breach of the warranty sued on at \$50.00.

It is therefore considered by the court that the plaintiff recover of the defendant the sum of \$50.00 and the costs of this suit, for which let execution issue.

N.B. Bradley ) In the Circuit Court of Humphreys County, Tenn.  
vs. ) December term 1921.  
Union Mercantile Co. )

The defendant came and moved the court for a new trial and in support of his motion and alleged the following grounds, to wit, in support of its motion.

1st. The verdict of the jury was against the weight of the testimony.  
2nd. There is no evidence to support the verdict found by the jury as to the amount of damages.

3rd. There is no evidence to support the verdict found by the jury that the millet seed sold the plaintiff by the defendant was not german millet, or Tenn. german Millet.

4th. There is no evidence to support the verdict of the jury.

5th. The verdict of the jury shows it was founded upon passion, caprice and are prejudice against the defendant.

6th. The weight of the evidence greatly preponderates against the verdict of the Jury.

7th. The court erred in refusing the defendants request for further instructions to the jury which request is as follows:

"Request for defendant-  
To constitute an express warranty the defendant must have expressly told the plaintiff when the sale was made that it, the defendant warranted the seed so sold were true Tenn. german millet seed, and that unless defendant did make such an express warranty it would not be liable under the law for any damages even though the seed were not Tenn. german millet seed other than the price of the seed".

8 The court erred in affirmatively charging the jury as follows:

Attending ever sale of a commodity there is an implied warranty that the thing sold is reasonably suited to the use intended. This implied warranty springs from the

the ordinary obligations that men owe to each other and from the nature of the transaction and is distinguished from express warranty which depends on and arises from the words of recommendation made by the seller intended by him as an inducement to the buyer and which words of recommendation are relied upon by the buyer and induced him to purchase the commodity, as no set form of words are necessary to constitute a warranty but as stated words of recommendation spoken by the seller intended to induce one to buy and which operates as such an inducement to the buyer would constitute a warranty.

9th. The court erred in affirmatively charging the jury as follows: as to the measure of damages.

" And if you find that contrary to the warranty the seed were not german millet seed but were seed of an inferior type such as would not yield like german millet would and failed to produce as german millet seed would have produced on the same soil under same conditions of culture, climate soil and season plaintiff could recover and you will find for the plaintiff and go ahead and assess the damages which cannot exceed the sum of \$500, the amount laid in the warrant, and should be such sum as you find from the proof would compensate plaintiff for the breach of warranty attending the sale of the seed the measure is and the damages are to be assessed by the jury ascertaining from the proof the character, amount and value of the crop that would have been produced from german millet seed sown at the same time and place and produced under the same condition as the crop produced from the seed used and ascertained the amount character and value of the crop of hay actually produced from the seed bought from defendant and ~~saved~~ sowed and the difference between the crop that would have been ordinarily produced from german millet and the crop that was actually produced from the seed by defendant would be the sum of damages that you could be authorized to assess and you should thereupon accordingly assess and report.

Thereupon the Court overruled and disallowed said motion, to which action of the court the defendant excepts.

N.B. Bradley )  
vs. ) In the Circuit Court Humphreys County, Tenn.  
Union Mercantile Co. ) December term 1921.

The court having overruled the defendants motion for a new trial then moved then moved the court to arrest judgment on the verdict of the jury on the alleged grounds following to wit:

The warrant of the Justice of the Peace summoned the defendant to appear before J.C. Parks or some other Justice of the Peace for Humphreys County, Tennessee, to answer the complaint of N.B. Bradley in an action for damages for breach of warranty in the sale of millet seed on or about June 1st. 1920.

without alleging the nature of the warranty complained of, that is whether, it was a warranty of germination of the seed purchased, or of their soundness, or of the kind of seed that was purchased, nor in any way whatever does the warrant indicate the nature of the breach of warranty nor does purport to set out in anyway what the warranty covered in the sale of said seed, nor what was intended to be warranted whether it was a warranty of a hay crop to be produced or of some other kind of a crop.

Thereupon the Court overruled and disallowed said motion, to which action of the court the defendant excepts.

N.B. Bradley )  
vs. ) In the Circuit Court for Humphreys County, Tenn.,  
December term 1921.  
Union Mercantile Co. )

The defendant prays an appeal in the nature of a writ of error to the next term of the Court of Civil Appeals for the middle division of the State at Nashville, Tennessee, which appeal is granted on condition that the defendant make and file an appeal bond as provided by law. And upon motion therefor and for sufficient cause appearing the court allowed thirty days from the adjournment of this court in which to make and file said bond and the defendant to make and prepare and have filed and made a part of the record its bill of exceptions in the case.

State of Tennessee )  
vs. ) Contempt.  
Burrell Kelley )

Came the Attorney General on behalf of the State, together with the Foreman of the Grand Jury, now in session who brought Burrell Kelley before the Court, and moved that he be adjudged in contempt of court for failing and refusing to answer questions put to him touching certain specific violations of the law, and it appearing to the Court, that the Grand Jury in the exercise of its inquisitorial power interrogated said Kelley, touching his knowledge of the illegal sale of intoxicating liquor, and that he answered that he had procured a fruit jar containing whisky from a car occupied by two persons both personally known to him, but that he could not remember which one of said persons delivered or gave the whisky to him, and it further appearing that said transaction was of recent date that the occupants of the car was well known to the witness, and that he was at the time in full possession of his senses, he so stated and that there is no reason given for such laps of memory and the court being of the opinion from the report of the Foreman the answers and the demeanor of the witness that his failure to remember rest upon a deliberate purpose to protect ~~himself~~ to protect the individual who gave him the whisky, the said witness is adjudged in contempt, and committed to jail for a term of ten days.

After the service of two days of the sentence the defendant was brought into court and for the reason that any answer that he might make contrary to what he had already stated might be held come from compulsion he was not required to appear before the Grand Jury and answer further as to this matter; and for sufficient reasons the Court is pleased to and does suspend the remaining part of the ten days sentence.

State of Tennessee )  
vs. ) Carrying a pistol,  
E.L. Chance )

In this case came the Attorney General upon the part of the State, and the defendant in his own proper person and plead guilty as charged. Where upon 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 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.

State of Tennessee )  
vs. ) Assault with intent to commit murder in the first degree.  
E.L. Chance )

In this case came the Attorney General upon the part of the State, and the defendant in his own proper person, and plead guilty, ~~as charged~~ <sup>to assault with intent to commit murder in the first degree</sup> as charged. Where upon

the Court assess the penalty and say he shall, pay a fine of twenty five dollars, ~~and~~ 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 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, Judge etc

The day the Grand Jury came into open court in a body and present the following presentments.

One against Man Young drunkenness, Subpoena for the State Walter Wright, Frank Baker, Bell Willhite, Henry Williams, K.M. Bowen.

One against Man Young Carrying a pistol, Subpoena for the State Roy Dreden, Spencer Qualls.

One against Man Young Carrying a pistol, Subpoena for the State Walter Wright, Frank Baker, Bell Willhite, K.M. Bowen.

One against Man Young B.D. Subpoena for the State Frank Baker, Bell Willhite, Walter Wright.

One against Golley Wright, Mis- Subpoena for the State Bellia one, Irvin Owens, Ola Brown, Ervin Spencer, R.E. White.

One against Paul Wright Carrying a pistol, Subpoena for the State Ernie Spencer, Albert Matlock, Ira Brown.

One against Marion Plant drunkenness, Subpoena for the State W.H. Pickett, Dave Forester.

One against Jim Mallard Drunkenness Subpoena for the State Roy Dreden, Jim Cagle D.W. Woods, E.A. Mosley, Mrs. W.A. Mosley.

One against Wily Terry Subpoena for the State Sam Daniel, Royd Daniel, Jno. Bagnsdale.

One against Herbert Register Drunkenness subpoena for the State J.H. Stanford, Hugh Stanford, B. Lowery.

One against Boss Chronister B.D. Subpoena for the State B. Lowery Alex Wallace, I.D. Chronister, E.A. Wallace, Bert Craft.

One against Wm. Baker A.B. Subpoena for the State Brown Wilkins, Mrs. Brown Wilkins, Len Allen Mrs. Len Allen.

One against Sam Sazer, drunkenness Subpoena for the State Sam Mays col. Lola Mays col. Joe Brandon.

One against Grady Stewart Carrying a pistol subpoena for the State Martin Jones Bob Palthrop.

One against Jim Miller Jr. drunkenness subpoena for the State Joseph Smith, Jasper Stewart Johnnie King, Eula Brigham, Jno Miller, John Word col. Gilford Westfield col. Jake Smith.

One against Walter Miller B.D. subpoena for the State Jake Smith, Jasper Smith, Johnnie King,

One against Walter Miller drunkenness, subpoena for the State Jasper Smith Jasper Stewart Johnnie King, Eula Brigham, Jno. Miller, Jake Word, col. Gilford Westfield col. John Smith.

One against Floyd Nix, drunkenness subpoena for the state Jasper Smith, Jasper Stewart Johnie King, Eula Brigham, Jno. Miller, Jake Word, col. Gilford Westfield col, Jake Smith.

One against R.L. Stanridge B.D. Subpoena for the State ----- Gilliam A.J. Stansberry, Willie Stanridge, Raymand Doyle, G.W. Standridge.

One against Earnest Curtis Tippling Procuring Liquor. Subpoena for the State Geo. Hooton, Frank Rochell, Ed Hooton, Spencer Qualls Geo. Inman, Henry Bone.

One against Boss Chronister Drunkenness. Subpoena for the State E. Lowery, I.D. Chronister, E.A. Wallace, Bert Craft.

One against Reb Wright, Jack Nash, Preston Nash, Jno Watkis, Neely Inman, and R.E. raming.

One against Subpoena for the State Dink Mosley, L.F. Spicer.

One against Walter Gatlin, Drunkenness, subpoena for the State Mandy Gilliam, A.J. Stansberry.

One against Henry Phebus . Tippling, Procuring Liquor, Subpoena for the State Ed Bates, H. Gray, Fred Gray, Gains Baker, Denton Bone.

One against Odie Peach B.D. Subpoena for the State Jim Brake, Svl Brake, Jno. Smith.

One against Ike Hooper Tippling Procuring Liquor, Subpoena for the State D. Woods, Clint Ashley, Spencer Qualls, Walter Anderson.

One against Odie Peach Tippling Procuring Liquor. Subpoena for the state Ed Bates, J.W. Cunningham Denton Bone

One against Odie Peach Tippling Procuring Liquor, Subpoena for the state J.W. Cunningham, Ed Bates Denton Bone .

One against Ike Hooper Tippling Procuring Liquor. Subpoena for the state Clint Ashley, A. Woods, Walter Anderson.

One against Art Davis Drunkenness, Subpoena for the state W.P. Rice Mrs. W.P. Rice.

One against Henry Dameworth A.D. Subpoena for the State Nix Trotter, Pual Johnson, Jack Dotty, Odessa Oden Irvin Bumpas, Edwmer Edwards.

One against Wade Garrett drunkenness, Subpoena for the state Morris Ridings, Marvin Beck.

One against Willie Parker drunkenness Subpoena for the state Grady Jackson, Burton James, Floyd Vihvard.

One against Will Crowell, drunkenness subpoena for the state Walter Batty C.W. James.

One against Spencer Qualls Carryin a pistol subpoena for the state Earl Dreden, Neely Dreden.

One against Geram Cate Tippling Procuring Liquor, subpoena for the state Louis Spencer, Ode Legon, John Oakley L.F. Spencer.

One against Earnest Phebus, B.D. Subpoena for the state Jess Bone, Hugh Wyatt, Stewart Strahle, Wm. Davis, D. Woods, Clint Ashley.

One against Geo. Standridge drunkenness, Subpoena for the state J.M. Lovell Mrs. J.M. Lovell.

One against Will Gunn, Drunkenness Subpoena for the state B. Lowery, Cowen Watkins, W.C. Mack, Pat Needham.

One against R.L. Stanridge, Subpoena for the state Mandy Gilliam, A.J. Stansberry, Raymand Doyle.

One against Herbert Sykes, drunkenness, subpoena for the state Claud Durham, Chas Carter, Ned Traylor, Joe Traylor, Jno. Warden.

One against Albert Camps, drunkenness, Subpoena for the state Katie Brake, Sil Brake, Walter Anderson.

One against Dick Mayberry, Gabe Mayberry, and Neil Inman Manufacturing liquor Subpoena for the state J.P. Baugus Len Stanfield J.L. Smith and Buddie Spann.

One against Monroe Woods, B.D. Subpoena for the state Lee Smith Cecil Smith.

One against John Smith drunkenness subpoena for the state Sil Brake, Katie Brake.

One against Earnest Phebus tippling procuring liquor subpoena for the state Jess Bone Henry Bone, Egbert Hurt, F. A. Evans.

One against R. Warren, drunkenness subpoena for the state Geo Hall, Chas Stapfield, J.D. Madlock, Mrs. Steve Turner.

One against Henry Dameworth, Disturbing worship, Subpoena for the state Nix Trotter Odessa Oden.

One against Lenard Downing subpoena for the state Baxter Hemby, Ode Hemby, Clarence Martin, Joe Davidson.

One against William Baker drunkenness subpoena for the state Brown Wilkins, Mrs. Brown Wilkins, Len Allen, Mrs. Len Allen,

One against Chester Phebus, B.D. Subpoena for the state Joe Mulliniks, Walter Anderson, Jess Bone, Roy Dreden, R.B. Kelly.

One against Thurman Davidson, tippling procuring liquor, subpoena for the state William Davis, Henry Bone.

One against Chester Phebus, B.D. Subpoena for the state R.B. Kelly, Henry Bone, Roy Dreden, Jess Bone, Joe Mulliniks, Walter Anderson.

One against R.L. Standridge drunkenness, subpoena for the state J.M. Lovell, Jim Gatlin, Jim Turner.

One against Earnest Phebus/subpoena for the state, P.A. Evans, Jess Bone, Clint Ashley, Henry Bone, Egbert Hurt.

We, the members of the Grand Jury for the Dec. Term 1921 of the Circuit Court of Humphreys County, beg leave to submit the following report to your Honor.

We have diligently inquired and true presentment made of all offenses given us in charge by your Honor or otherwise brought to our knowledge.

We have visited the county Jail and Poor House and find the Prisoners and inmates well fed and cared for except some additional bedding is need at the Poor House and some of the inmates are in need of clothes.

We find an epilectic at the Poor ----- who is permitted to go to "averly or perhaps goes without permission and who recently had an attack and fell thru a plate glass front almost causing his death, and who also fell again barely escaping falling thru another glass front. This inmate ought to be kept on the farm or confined.

We have examined all bonds required to be examined by us and find them good and solvent for the several amounts thereof except the Constable Bond of Stewart Strahle which should be strenghtend at once and now having completed our labors we respectfully ask to be discharged for the term.

D.D. Collier, Robt. Grice, Jno. Perkins, J.O. Baugus, Wilson Parker, Jno. Ridings, E. Johnson, W.W. Long, W.H. Pickett, J.W. Mooney, P.J. Fuqua, Frank Rochell, Jess Owens.

State of Tennessee,  
vs.  
Jim Mullinax L.A.  
Black, R.E. Horner.

It appearing to the Court that Jim Mullin ax L.A. Black and R.E. Horner were legally summoned to appear before this Court at the present term to give evidence before the grand Jury for violations of law and it appearing that they failed to appear.

On motion of the Attorney General an attachment will issue for said parties requiring them to appear at the next Term of this court to so testify and to answer for their said failure.

Singer Sewing Machine Co.  
vs.  
William James Hooper

Came the plaintiff by its agent, and the defendant being solemnly called to come in to Court and prosecute an appeal from the judgment of the Justice of the Peace ~~xxx~~ came not, but made default.

And it appearing that the plaintiff Singer Sewing Machine Company delivered to defendant One Singer Sewing Machine, Style 66-2, Number 4497830 aprotus attachments & etc. under a conditional sale contract, title being retained in plaintiff until the agreed price of \$28.75 was paid and it appearing that defendant has failed or refused to pay the consideration price, and is in default of his payment for a balance of \$14.75 and under the terms of the conditional sale contract that plaintiff is entitled to the possession of the Sewing Machine above described, to be advertised and sold according to the statute.

It is therefore adjudged that plaintiff have and recover possession of said Singer Sewing Machine, styled 66-2, number 4497830, and that plaintiff recover all the cost of the cause for which let execution issue.

On motion of the Attorney General it appearing to the Court that W.B. Bryant former Sheriff collected some cost in the case of the State vs. R.E. Oliver and others and has failed to pay same over the Clerk of this Court.

It is therefore ordered by the Court that the Clerk of this Court collect and hold the fees due the said Bryant in this court on which may become due to the amount of the cost collected by the Sheriff in the above cause and not paid in.

#### JAILERS BOARD BILL FOR BOARDING PRISONER CHARGED

WITH FELONIES.

THIS DAY came into open court Sheriff and Jailer of Humphreys County, Tennessee present and read in open court his account against the state of Tennessee, for keeping prisoners charged with felonies.

which is as follows Bud Boyd Col. Larceny Aug. 4, 21 to Sept. 37 days	\$27.75	\$29.75
Stack Gilmore col. Larcenys 2 turn keys 237 day	\$2.00	
Aug. 4, 21 to Sept. 9 21	\$27.75	
2 turn keys	\$2.00	\$29.75
Ed Sharp Larceny Sept. 5, 21 to Oct. 1, 21	\$20.00	
2 turn keys	\$2.00	\$22.25
" " " Dec. 14, 21 Dec. 24 21 1d	75	
2 turn keys	\$1.00	\$2.75
	-----	\$84.50

which amount is allowed by the Court, and ordered paid out of the State Treasurer, 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.

State of Tennessee  
vs.  
Q.M. Pettitt

Rape.

Motion to retax cost.

In this case came to Attorney General upon the part of the State and it appearing to the court, from the return of the Sheriff upon a 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 costs 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 directs.

State of Tennessee  
vs.  
Bud Price et, al,

Larceny

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, 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 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 directs.

State of Tennessee  
vs.  
Q.M. Pettitt

Carrying a pistol.

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, 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, and that the Clerk of this court make out and certify the same to the County Judge for payment as the law directs.

H.H. Carnell  
vs.  
T.W. Gatlin et, al,

Transcript of judgment rendered by Joe G. Luff.

Judgment for Piff. for \$114.75 7-15-21.

J.G. Luff a Justice of the Peace for Humphreys County, Tennessee  
Filed here in Court the following papers.

#### Judgment.

In this cause Mason Sanders came and presented the following papers. By virtue of Authority contained in the note. I Mason Sanders the the within named attorney in facts for the maker T.W. Gatlin.

I hereby confess judgment against the above named party T.W. Gatlin & J.P. Cowen, and in favor of H.H. Carnell, for \$102.00, and \$2.55 interst and also an Attorney fee of 10 % ( W.T. Turner Atty.) amounting to \$10.30 making in all \$114.75 together with all cost of this suit, for which execution may issue. This 15th day of July 1921.

Mason Sanders.

in this case the court is pleased to allow the said motion of Mason Sanders, and there-

fore give judgment as asked for in the sum of \$114.75 and all cost of suit against said defendant and in favor of the plaintiff for which execution may issue.

Joe. G. Luff, J.P.

Fi. Fa. Issued July 19- 1921 to J.L. Smith Shff. Fi. Fa. returned on account of time 8-19-1921. J.L. Smith Sheriff. Alias Fi. Fa. Issued 8-22, 21 to J.L. Smith Sheriff

#### Certificate

State of Tennessee, )  
Humphreys County ) I, Joe G. Luff acting Justice of the Peace in and for said County and State, do hereby certify the foregoing to be a true and perfect copy of the record in the above stiled case as can be seen of record now on file in my office in Waverly Tenn. This Sept. 9- 1921. J.G. Luff Justice of the Peace.

Filed Sept. 8 1921. Albert Binkley, Clerk.

#### NOTE.

\$102.00 Waverly, Tenn., Nov. 15 1920.  
90 Days after date, we, or either of us promise to pay to the order of H.H. Carnell One Hundred Two, Dollars value received, payable at THE CITIZENS NATIONAL BANK of Waverly, Tennessee. Both makers and endorsers to this note severally and jointly waive demand, notice of nonpayment and protest. In the event suit is brought upon this note, we both makers and endorsers, agree to pay 10 percent attorneys fee, to be included in the judgment rendered, for collection of same, and we, and each of us, both makers and endorsers, hereby authorize Mason Sanders----- or either of them at any time after the above note becomes due, to go before any court of record or before any Justice of the Peace having jurisdiction thereof in the State of Tennessee, confess judgment thereof, against us in favor of H.H. Carnell or assigns, for the amount with interest and costs and the 10 percent attorney's fee, in accordance with the provisions of Section 4705 4706, and 4707 Code of Tennessee, Shannon's edition, 1894.

T.W. Gatlin,

J.P. Cowen Surety.

EXECUTION. Filed Sept. 8 1921, Albert Binkley Clk.

STATE OF TENNESSEE HUMPHREYS COUNTY. To any lawful officer to execute and return: You are hereby commanded, that of the goods and chattels, ladns and tenements of T.W. Gatlin, J.P. Cowen Sec. you cause to be made the sum of one hundred & Fourteen Dollars and Fifty Five cents, and cost of suit, to satisfy a judgment which H.H. Carnell obtained before J.G. Luff, Justice of the Peace, on the 14 day of July 1921, against T.W. Gatlin, J.P. Cowen Sec. and such moneys when collected, pay to the said H.H. Carnell. Given under my hand and seal, this 22 day of Aug. 1921. J.G. Luff Justice of the Peace.

Filed Sept. 7 1921. Albert Binkley Clerk.

#### LEVY

There being personal property of the defendant T.W. Gatlin to be found in my County, I therefore levy this execution, subject to a levy this day made by me in the case of R.B. Patterson vs. T.W. Gatlin et al, on the following lands situated in the 2nd. Civil District of Humphreys County, Tenn., on the south side of Dry Creek, and bounded follows: First Tract. Beginning at a stake on the top of the hill in Geo. Shuman's E.B.L., running thence south 70o east with the meanders of the ridge 18 poles to a stake thence south 51o east 13 poles, thence north 74o east 24 poles to a stake, thence east 58 poles to a pile of stone in the head of a hollow in Hick Gatlin's W.B.L., thence south with Gatlin's line 203 poles to a stake, on the side of a hill. W.W. Gatlin's corner, thence east 38 poles to a stake in a hollow with small white oak pointers, t

thence south 34 poles to a dog wood in Bowen's N.B.L., thence west with Bowen's line 248 poles to a stake, Geo. Shuman's corner, thence north with Shuman's line to the beginning, containing 170 acres more or less.

SECOND TRACT. Beginning at a small black oak on the top of a ridge in Geo. Shuman's line the same being J.F. Wasson's S.W.C. running from thence south 72 poles to a black oak Shuman's corner, thence east 73 poles to a stake on the top of a ridge with Hickory pointers thence north 20o west with the meanders of the ridge 17 poles, thence north 41o west 35 poles to a stake, thence 10o west 8 poles, thence north 55o west 14 poles, thence north 10o west 8 poles, thence north 55o west 22 poles to the beginning, containing 17 acres more or less. Said lands levied on as the property of T.W. Gatlin and being owned by him and I return this execution to the Circuit Court of Humphreys County Tenn., and I have this day notified J.G. Luff the Justice of the Peace of this return and its being filed in the Circuit Court. Said lands being levied on to satisfy this execution, This Sept. 7th. 1921. J.L. Smith Sheriff.

And on motion of the plaintiff, it is ordered by the court that the lands so levied upon be sold by the Sheriff of Humphreys County, Tenn., to satisfy the aforesaid judgment of ~~Rix~~ J.G. Luff, Justice of the Peace, and the costs of this proceedings.

R.B. Patterson

Condemnation

Vs.

T.W. Gatlin & L.

Hassell, J.A. Gatlin )

J.G. Luff a Justice of the Peace for Humphreys County, Tennessee filed here in court the following papers.

#### Judgment.

The Plaintiff this day produced in Court a note purporting and proved to have been made by T.W. Gatlin defendant T.W. Gatlin Principal, and E.L. Hassell and J.A. Gatlin, Securities on Nov. 30th. 1920 for Two Hundred dollars, payable to the plaintiff six months after date with interest at 6 % also a power of attorney of the same date, by which the defendants authorized Mason Sanders or John E. Bowman to confess judgment in any court of the state in favor of the plaintiff on said note at any time after it should be come due and remain unpaid, and the defendant, by the said John E. Bowman their attorney, confess that there is due and unpaid on said note to the plaintiff, Two Hundred Dollars, the principal Seven and 66 /100 dollars attorney's fee and agree that this court may render judgment against them for the same, as well as the cost. I therefore give judgment in favor of R.B. Patterson against T.W. Gatlin principal, and E.L. Hassell and J.A. Gatlin sureties for the said sum of Two Hundred, ~~Rix~~ Twenty eight and 42/100 the total amount due and also the cost of suit. This July 9-1921. Joe G. Luff J.P..

Fi.Fa. Issued to J.L. Smith July 13- 1921. Fi.Fa. returned on account of time This Aug. 13- 1921, J.L. Smith Sheriff, Alias Fi.Fa. issued Aug. 22 -21 to J.L. Smith

State of Tennessee )  
Humphreys County )

I, Joe G. Luff an acting Justice of the peace in and for said County and State do hereby certify the forgoing to be a full complete and true copy of the record now on file in my office in the above stiled case. Given under my hand and seal in office on this the 8- day of August 1921. J.G. Luff J.P.

Filed Sept. 8 1921. Albert Binkley Clerk.

## NOTE

\$200.00 Waverly, Tenn, Nov. 20th. 1920.  
Six months after dat, we or either of us promise to pay to the order of R.B. Patterson Two Hundred Dollars for value received, payable at THE CITIZENS BANK OF Waverly, Tennessee. Both makers and endorsers to this note severally and jointly waive demand notice of non-payment and protest. In the event suit is brought upon this note, we both makers and endorsers, agree to pay 10 per cent attorney's fee to be included in the judgment rendered for collection of same, and we and each of us, both makers and endorsers, ~~agree~~ hereby authorize, Mason Sanders or Jno. B. Bowman or either of them at any time after the above note becomes due, to go before any Court of Record or before any Justice of the Peace having jurisdiction thereof in the state of Tennessee and confess judgment thereof against us in favor of R.B. Patterson, or assigns, for the said amount with interest and costs, and the 10 per cent attorney's fee, in accordance with the provisions of Section 4705, 4706, and 4707, code of Tennessee Shannon's edition, 1896, 4th Int. from date.

T.W. Gatlin,  
E.L. Hassell Sec.

J.A. Gatlin.

Filed Sept. 8 1921.

Albert Binkley, Clerk.

## EXECUTION.

STATE OF TENNESSEE HUMPHREYS COUNTY. To any lawful officer to execute and return: You are hereby commanded, that of the goods and chattels, lands and tenements of T.W. Gatlin Prin. E.L. Hassell & J.T. Gatlin Sec. your cause to be made the sum of Two Hundred & Forty-eight Dollars and Forty two Cents, and cost of suit, to satisfy a judgment which R.B. Patterson obtained before J.G. Luff, Justice of the Peace, on the 9 day of July 1921, against the said T.W. Gatlin, E.L. Hassell & J.A. Gatlin and such moneys as when collected, pay to the said R.B. Patterson. Given under my hand and seal, this 22 day of Aug. 1921. J.G. Luff Justice of the Peace. Filed Sept. 7, 1921 Albert Binkley, Clerk.

Filed Sept. 7, 1921. Albert Binkley, Clerk.

## Levy

There being no personal property of the defendant to be found in my County, I therefore levy this execution on the following lands situated in the 2nd, Civil District of Humphreys County, Tenn., on the South side of Dry Creek and bounded as follows:

FIRST TRACT. Beginning at a stake on the top of the hill in Geo. Shuman's E.B.L., running thence south 700 east with the meanders of the ridge 18 poles to a stake, thence south 510 east 13 poles, thence north 740 east 26 poles to a stake, thence east 58 poles to a pile of stone in the head of a hollow in Hick Gatlin's corner, W.W. Gatlin's W.B.L., thence south with Gatlin's line 203 poles to a stake, on the side of a hill W.W. Gatlin's corner, thence east 38 poles to a stake in a hollow with small white oak pointers, thence south 34 poles to a dogwood in Bowen's N.B.L., thence west with Bowen's line 248 poles to a stake, Geo. Shuman's corner, thence north with Shuman's line to the beginning, containing 170 acres more or less.

SECOND TRACT. Beginning at a small black oak on the top of a ridge in Geo Shuman's line, the same being J.F. Wasson's S.W.C. running from thence south 72 poles to a black oak, Shuman's corner, thence east 73 poles to a stake on the top of the ridge with Hickory pointers, thence north 200 west with the meanders of the ridge 17 poles, thence north 610 west 35 poles to a stake, thence 100 west 8 poles, thence north 550

west 14 poles, thence north 100 west 8 poles, thence 550 west 22 poles to the beginning containing 17 acres more or less.

Said lands levied on as the lands of T.W. Gatlin and being owned by him and I return this execution to the Circuit Court of Humphreys County, Tenn., and I have this day notified J.G. Luff the Justice of the peace of this return and its being filed in the Circuit Court. Said lands being levied on to satisfy this execution. This Sept. 7th. 1921.

J.L. Smith Sheriff.

And on motion of the plaintiff, it is ordered by the court that the lands so levied upon be sold by the Sheriff of Humphreys County, Tenn., to satisfy the aforesaid judgment of J.G. Luff, Justice of the Peace, and the costs of this proceeding.

State of Tennessee,

vs. ) Drunkenness.  
Neil Inman )

In this case came the Attorney General upon the part of 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 five dollars together with all the costs 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 or secure or work out all of said fine and cost.

State of Tennessee

vs. ) Cruelty to animals.  
Jim Alexander )

In this case came the Attorney General upon the part of the State and the defendant in person, and upon the recommendation of the Attorney a Nolleprosequi is entered in this upon the defendant paying or securing the cost.

then came into open court H.C. West, and Roy Cunningham and entered their names as sureties for the cost of this cause.

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

State of Tennessee against Alice Taylor col. Leslie Faw, Chas Camps, Roy Turner, Amy Garrett, Kelly Simpson, The six above styled case and Alas Caplan is order issued for the defendants.

State of Tennessee against Goad Wright, Boyd Adams, Wade Garret J.T. Dewitt, Will Capps, Will Capss, Henry Daneworth, Herschell Elliot et al, The nine above styled cases are continued until next term.

State of Tennessee

vs. ) Sci. Fa.  
B. & Fred Gray )

In this case for sufficient reason appearing this case is dismissed upon the defendants paying the cost.

It is therefore ordered by the court that the defendants pay the cost of this cause for which execution may issue.

Western Union Tel. Co, against N.C. & St. L. Railway Co. G.R. McKeel against W.S. Mays, Luff-Bowen Co, against Mrs. Nannie C. Tens et al, Talmage Mimms against T.E. Ayers, A.W. Lucas against Thomas A. Horton et al, H.H. Ross against Union Mercantile Co. L.B. Sutton against W.B. Webb. W.K. Pirtle & Co. against Sam G. Jones and Hattie C. Jones the eight above styled case are continued until next term.

Annie Lou Peach )  
 vs. ) Petition for divorce.  
 Lucas Peach )

It appearing to the court when this case came on for trial that the plaintiff having failed to appear and prosecut~~ex~~ 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 accrued, for which execution may issue.

D.V. Dell )  
 vs. ) Appealed J.P.  
 G.W. Buchanan )

In this case all matters and questions therein involved have been settled out of court. It is ordered by the court that the costs be equally divided between the plaintiff/except the state and County tax which does not accrue, and if the costs is not paid in 30 days from the adjournment of court at this term execution will issue against the plaintiff and defendant both for their half of the costs.

F.P. Ladd )  
 vs. ) Appealed J.P.  
 Bud Guthrie )

Came the parties who appeared before the Clerk of this Court, and directed a dismissal of the cause out of term time, the defendant agreeing to pay the cost. And it appearing to the court that this is the first term since the appeal it is adjudged that the defendant Bud Guthrie, and M.F. Qualls his surety on this appeal bond pay all the costs accrued in the cause for which let execution issue.

F.P. Ladd )  
 vs. ) Appealed J.P.  
 Roy Hays )

Came the parties who appeared before the Clerk of this Court, and directed a dismissal of the cause out of term time, the defendant agreeing to pay the costs. And it appearing to the Court that this is the first term since the appeal it is adjudged that the defendant Roy Hays, and his surety on his appeal bond to wit: M.F. Qualls, pay all the costs accrued in the cause for which let execution issue.

E.E. Shadle )  
 vs. ) Appealed J.P.  
 S.C. & St. L. Ry. )

In this case all matters and questions therein involved have been settled and adjusted out of court. It was further agreed between them that the defendant would pay all the costs, in the case.

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

J.W. Byrn )  
 vs. ) Appealed J.P.  
 Blumefield Co. ) In Circuit Court Waverly, Tenn.,

In this cause came the parties by their attorneys without the intervention of a jury, when this cause was heard by the court on the the 15th. day of December 1931, and after hearing all the evidence introduced on both sides as well as the argument of counsel, and the court being of the opinion that the plaintiff had fully made his case by a preponderance of the evidence. The Court was satisfied that the plaintiff was entitle to a judgment against the defendants, Blumefield Co. It is therefore ordered adjudged and decreed by the court that the plaintiff recover of defendants Blumefield co the sum of \$6.35, and all the costs of this court including the costs of the Justice of the Peace Court, for which execution may issue.

F.P. Ladd )  
 vs. ) Appealed J.P.  
 Otis Moseley )

Came the plaintiff by his attorney, and moved the court to dismiss the appeal for want of prosecution, and the defendant being called to come and prosecute his appeal, came not, but made default: It is therefore, adjudged by the court that the judgment of the Justice of the peace be affirmed, and that the plaintiff recover of the defendant Otis Moseley, and M.F. Qualls, his surety on his appeal bond, five dollars the amount of said judgment, five cents interest thereon from the 22nd. day of October 1921 the date of judgment, and also the costs in the Circuit Court as well as the costs in the Justice of the Peace court, for which let execution issue.

State of Tennessee )  
 vs. )  
 ) DrumKeness  
 Doyle Bell )

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

Therefore to try the issue joined came a jury of good and lawful men of Humphreys County, to wit: H.H. Carnell, G.G. Jarrell, A.L. Allison, J.F. Daniel, H.M. Turner, George Wyatt, Brown Morrisett, Lester West, Joe Carroll, ----- and ----- who being elected tried and sworn according to law who after hearing all the evidence, and chareg of the court upon their oath do say that they find the defendant not guilty.

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

Lizzie Mays )  
 vs. ) In Circuit Court at Waverly, Tenn.,  
 Jesse Mays )

This cause was this day heard on motion of the attorney for petitioner for an order proconfesso against the defendant Jesse Mays, when it appeared to the satisfaction of the court, that the defendant was regularly brought before the court by publication duly and legally made as in non resident cases, and that up to this the last day of the present term he has failed to appear and make defense to the petition of the plaintiff, it is therefore ordered, adjudged and decreed that the petitioner be taken for confessed and set for hearing ex parte as to said defendant.

The case was then further heard upon the petition, the order proconfesso, and oral