

State of Tennessee
vs. Carryinh a pistol
Jess Reed Col. Motion to retax costs

In this case came the Attorney General for the State, and it appearing to the Court, from the return of the Sheriff upon an execution issued to him by the Clerk of this Court, that the defendant is wholly insolvent unable to pay the costs of this suit or any part thereof. So it is therefore ordered adjudged and decreed by the Court that the part accrued upon the part of the State be allowed and ordered 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.

State of Tennessee
vs. Drunkenness
Red Dolan Motion to retax costs

In this case came the Attorney General for the State, and it appearing to the Court, from the return of the Sheriff upon an execution issued to him by the Clerk of this Court that the defendant is wholly insolvent, unable to pay the cost of this case or any part thereof. So it is therefore ordered adjudged and decreed by the Court that the part accrued upon the part of the State be allowed and ordered 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.

State of Tennessee
vs. A.L.B.
Claude Farnell Motion to retax costs

In this case came the Attorney General for the State and it appearing to the Court from the return of the sheriff upon an execution issued to him by the Clerk of this Court, that the defendant is wholly insolvent, unable to pay the costs of this suit or any part thereof. So it is therefore ordered adjudged and decreed by the Court that the part accrued upon the part of the State be allowed and ordered 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.

State of Tennessee
vs. Tippling
Walter Baker Motion to retax costs

In this case came the Attorney General for the State, and appearing to the Court from the return of the Sheriff upon an execution issued to him by the Clerk of this, that the defendant is wholly insolvent unable to pay the costs of this suit or any part thereof. So it is therefore ordered adjudged and decreed by the Court that the part accruing upon the part of the State be allowed and ordered paid out of 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.

State of Tennessee
vs. B.D.
W.H. Baker Motion to retax costs

In this cause came the Attorney General for the State, and it appearing to the Court from the return of the Sheriff upon an execution that was issued to him by the Clerk of that Court that the defendant is wholly insolvent unable to pay the costs of this suit or any part thereof. So, it is therefore ordered adjudged and decreed by the court that the costs accrued upon the part of the State be allowed, and ordered 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.

State of Tennessee
vs. B.D.
Jim Dotson Motion to retax costs

In this cause came the Attorney General for the State, and it appearing to the Court, from the return of the Sheriff upon an execution issued to him by the Clerk of this Court, that the defendant is wholly insolvent unable to pay the costs of this suit or any part thereof. So it is therefore ordered adjudged and decreed by the court that the costs accrued upon the part of the state be allowed and ordered 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.

State of Tennessee
vs. B.D.
W.E. Matlock Motion to retax costs

In this case came the Attorney General for the State, and it appearing to the Court from the return of the Sheriff upon an execution issued to him by the Clerk of this Court, that the defendant is wholly insolvent unable to pay the costs 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 ordered 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.

State of Tennessee
vs. B.D.
Curtis Brown Motion to retax costs

In this case came the Attorney General for the State, and it appearing to the Court from the return of the Sheriff upon an execution issued to him by the Clerk of this court 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 accrued upon the part of the state be allowed and ordered 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.

State of Tennessee
vs. B.D.
Red Dolan Motion to relax costs

In this case came the Attorney general for the State and it appearing to the Court from the return of the Sheriff upon an execution issued to him by the Clerk of this Court that the defendant is wholly insolvent unable to pay the cost of this case or any part thereof. So it is therefore ordered adjudged and decreed by the Court that the costs accrued upon the part of the State be allowed and ordered 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.

J.A. Gray
vs. Willein B. Gray
In the Circuit Court, Humphreys County, Tennessee.

In this cause it appearing ~~xxxxxx~~ that by order of the Court the defendant, Willein B. Gray, was to have the custody of J.A. Gray III for a period of thirty days once each year to visit her in the State of Alabama upon executing a bond on the sum of Five Thousand Dollars, and it further appearing that the bond was executed by the said Willein B. Gray with the American Surety Company of New York, as surety, and said J.A. Gray III was delivered over to the said Willein B. Gray on June 1, 1926 and returned to the J.A. Gray, his father, as provided in said court decree, and the principal having complied with the conditions of said bond,

IT IS THEREFORE ORDERED AND DECREED, that the bond heretofore given be canceled and delivered up to the American Surety Company of New York, Surety, and Willein B. Gray, principal, and that all liability upon said bond is canceled and discharged.

Jno. E. Garner
Albert W. Steckoll
Attys. for Deft.

State of Tennessee
vs. Mis.
B.V. Diviney

In this cause came the Attorney General for the State and it appearing to the Court that this defendant was indicted at a former term of this Court for the offense of Mis. and said defendant was arrested and entered into bond with W.E. Durdin and J.C. Durdin as his sureties which bond is in the words and figures as follows to wit:-

BOND.

State of Tennessee, Benton Co. We, B.V. Diviney and surties bind ourselves indebted to the State of Tennessee in the penal sum of Five Hundred Dollars to be void on condition the said B.V. Diviney makes his personal appearance to the next term of Circuit Court to be held at Waverly Humphreys Co., on 2nd Monday in December 1925. to answer the ~~xxxx~~ charge of the State of Tennessee of Mis. other wise to remain in full force and effect.

This Nov. 27 1925.
B.V. Diviney
W.E. Durdin
J.C. Durdin

Approved by L.E. Baine Sheriff.

And the defendant B.V. Diviney being called to come into open court and answer the State of Tennessee upon a charge of Mis. came not but made default and the said W.E. Durdin and J.C. Durdin were called to come into open court and bring with them the body of the said B.V. Diviney according to the tenor and effect of his said bond came not but made default neither came the defendant B.V. Diviney nor his said sureties but made default.

It is therefore considered by the court that the defendant B.V. Diviney, and his sureties W.E. Durdin and J.C. Durdin, for thier said default do forfeit and pay unto the State of Tennessee, the said sum of ~~xxxxxx~~ Five Hundred dollars according to the tenor and effect of their said bond. And it is further ordered by the Court that Sol. Jn. Issue to said sureties requiring them to appear at the next term of this court and shew cause if any they have why this judgment should not be made final. And further that ALIAS CAPIAS issue for the defendant.

Court then adjourned until court in course.

[Signature] Judge.

30676
KPAF

State of Tennessee,
Humphreys County,

Be it remembered that a Circuit Court was opened and held in and for the County, of Humphreys, at the court house in the town of Waverly, Tenn. on the 9th. day of August, it being the 2nd. Monday in said month, and the one thousand nine hundred and twenty sixth year of our Lord, and the one hundred and fiftieth year of American Independence.

Present and presiding the Hon. J.D.G. Morton, Judge of the 9th. Judicial District of 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 July term 1926 to appear and to serve as jurors at this the present of this court to wit:

B.F. Ford, Walter Smith, T.L. Fortner W.D. Durham Lee Binkley, I.H. Young, J.C. Watson, G.F. Moore Dave Forester, J.M. King, J.L. Sutton Joe. C. King, N.B. Bradley, Henry Long, John James, Dan Mullinika Parker White, Tom Meadow I.H. Davis, Dempsey Bell Will Thomas, W.L. Daniel, K.O. Hobbs, T.O. Perkins, and it appearing to the court that the above named parties were regularly summoned by the Sheriff of Humphreys County, and that said jurors so summoned appeared and answered said summon except Lee Binkley W.L. Daniel, I.H. Young and John James who were excused by the Court for various cause and P.A. Brown H.F. Fortner Dave Warren and Rabe Turner were appointed by the court to fill said vacancies so appearing, and out of said jurors so summoned and appearing were drawn a Grand Jury to wit, Henry Long, Walter Smith, J.C. Watson, Dempsey Bell J.L. Sutton, T.O. Perkins Dave Forester, Tom Meadow Dan Mullinika N.B. Bradley, Will Thomas, W.D. Durham, and P.J. Fuqua having been appointed Foreman of the Grand Jury at a former term of this court the said Grand Jury is in all things as the directs having been duly elected tried, sworn and charge by the court according to law retired to their room in charge their sworn officer to wit: Walter Anderson a Deputy Sheriff of Humphreys County who had been previously sworn to according to law to attend them in considering indictments and presentments.

Benard Mfg. Co.

vs.) Plea of debt on note

Luff-Bowen Co.)

This case is continued by the plaintiff.

C.L. Work

vs.)

Tom Merideth)

This is continued until next term by the defendant, and the is set for the first day of said term.

J.D. Bibb)

vs.) Damage

J.W. Ryan)

This is continued upon application of the defendant

The following good and lawful men of Humphreys County were appointed by Court to serve as jurors at this the present term of court P.A. Brown, B.F. Fortner, Dave Warren, H.M. Turner Claud Lutten, Clint Jones GMD. R. A. Sumner Alvin Simpson and W.A. Potter.

Mrs. May Parker

vs.) Damage

Miss Carrie Byrn)

This case is continued by the defendant.

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

One against Long Daniel Tom Daniel and Mrs. Kittie Danile B.D. Subpoena for the State J.L. Smith Lewis Phy, Ben Smith Geo. Smith D.B. McCann, and Wolsie Miller.

One against Long Daniel Tom Daniel and Mrs. Kittie Danile M. Liquor etc. Subpoena for the State J.L. Smith Lewis Phy Ben Smith Geo. Smith D.B. McCann and Wolsie Miller.

One against Robert Brown and Mrs. Robert Brown B.D. Subpoena for the State L.A. Phy Geo. Smith D.B. McCann.

One against Roberto Brown M. Liquor etc. Subpoena for the State L.A. Phy, Geo.

Smith and P.B. McCann.

One against Ernest Dunagin Carrying a pistol Subpoena for the State R.D. Warren

One against Math Edwards M. Liquor etc. Subpoena for the State Ben Smith T.D. Story Geo. Smith

One against Clayton Smith and John Lovett M. Liquor subpoena for the State G.W. Maxey W.H. Hickerson, H.L. Hammon J.L. Smith and Lewis Phy

Statet of Tennessee

vs.) B.D.

John Tankersley)

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

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

One against F.C. Fly Miss: Subpoena for the State Jno. Fielder ----- Fielder Kate Powett, Clyde Bowman n Elsie Bowman E.R. Linville.

One against G.H. Gellepsie passing a worthless check. which indictment is in the words and figures following to wit.

State of Tennessee, Humphreys County, Aug. Term of Circuit Court, A.D. 1926

The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charge to inquire for the body of the County of Humphreys and State aforesaid, upon their

oath aforesaid, present that G.H. Gellepsie heretofore to wit, on the 31st. day of May 1926, in said County and State, unlawfully and feloniously did obtain from Alvin Simpson, with fraudulent intent ten pigs of the value of One Hundred and Fifty Dollars the property of the said Alvin Simpson by means of a check of which he the said G.H. Gellepsie was the drawer on the Harpeth Nation Bank of Franklin Tenn. for the sum of One Hundred and Fifty dollars, which said check was presented to the drawee, said Bank and not paid and was not paid by the drawer, the said G.H. Gellepsie, after three days notice in writing having been mailed to said G.H. Gellepsie last know address, contrary to the statute and against the peace and dignity of the State. Jno. B. Bowman Attorney General, Aug. Term, 1926. THE STATE vs. G.H. Gellepsie Bad Check Alvin Simpson Prosecutor Subpoena for the State Alvin Simpson Orville Simpson. Witnesses sworn by me on this indictment before the Grand Jury Aug. Term 1926 P.J. Fuqua Foreman Grand Jury Jno. B. Bowman Attorney Gen eral A TRUE BILL P.J. Fuqua Foreman Grand Jury.

One against G.H. Gellespie a Felony which indictment is in the words and figures following to wit:
State of Tennessee, Humphreys County. Aug. Term of Circuit Court, A.D. 1926.
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 G.H. Gellespie heretofore, to wit, on the 31st day of May 1926 in said County and State, unlawfully and feloniously did obtain from Alvia Simpson 15 lambs of the value of One Hundred fifty two and 85/100 dollars the property of the said Alvia Simpson, by means of a check of which he the said G.H. Gellespie was the drawer on the Harpeth National Bank of Franklin Tenn., for the sum of one Hundred fifty two and 85/100 dollars, which said check was presented to the said Bank, and not paid and was not paid by the drawee the said G.H. Gellespie, after three days notice in writing having been mailed to said G.H. Gellespie at his last known address, contrary to the statute and against the peace and dignity of the State. Jno. B. Bowman Attorney General. Aug. Term, 1926. THE STATE vs. G.H. Gellespie Felony Alvia Simpson Prosecutor. Subpoena for the State Alvia Simpson Orville Simpson-witnesses sworn by me on this indictment before the Grand Jury Aug. Term 1926. P.J. Fuqua Foreman Grand Jury Jno. B. Bowman Attorney General A TRUE BILL P.J. Fuqua Attorney General.

One against Sil Brake and Sam Bramlett Larceny which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County. Aug. Term of Circuit Court, A.D. 1926. The Grand Jurors for the State of Tennessee, elected, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Sil Brake and Sam Bramlett of said County, heretofore, to wit, on the 19th. day of May 1926, in the County aforesaid, unlawfully and feloniously did steal, take and carry away from the stock pens of the value of twenty five dollars, the property of J.B. Link 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 Sil Brake and Sam Bramlett of said county, on the day and year aforesaid, unlawfully and feloniously did receive buy, conceal, and aid in concealing 7 Bu. stock peas of the value of twenty five dollars, the property of J.B. Link of said county, before then feloniously stolen taken and carried away by some one to the grand Jury unknown they the said Sil Brake and Sam Bramlett then and there knowing the said stock peas to have been feloniously stolen, taken and carried away, and they the said Sil Brake and Sam Bramlett 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. Aug. Term 1926. THE STATE vs. Sil Brake et.al. Larceny J.B. Link Prosecutor subpoena for the state J.B. Link Wallace Sherrord Curtis Brown J.V. Lashles J.B. Thompson. Witnesses sworn by me on this indictment before the Grand Jury, Aug. Term 1926. P.J. Fuqua Foreman Grand Jury Jno. B. Bowman Attorney General. A TRUE BILL P.J. Fuqua Foreman Grand Jury.

One against Alfred Curtis Murder which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County. Aug. Term of the Circuit Court A.D. 1926. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charged to inquire for the County of Humphreys, and State aforesaid, upon their oath aforesaid, present that Alfred Curtis heretofore, to wit, on the 29th. day of July 1926 in the state and county aforesaid, unlawfully, willfully, deliberately, premeditatedly and maliciously made an assault upon the body of one Geo. Crafton with a stick inflicting deep, dangerous, and mortal wounds, from and on account of which he the said Geo. Crafton died, and so the Grand Jurors aforesaid, upon their oath aforesaid, present and say that the said Alfred Curtis, on the day and year aforesaid, by the means and in manner aforesaid, and in the State and County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly and of his malice aforesaid, did kill and murder him the said Geo. Crafton, and commit the crime of murder in the first degree, to the evil example of all others likewise offending, and against the peace and dignity of the State. Jno. B. Bowman Attorney General.

Aug. Term 1926. THE STATE vs. Alfred Curtis Murder. Jim Frand Crafton Prosecutor. Subpoena for the State Jim Frank Crafton W.M. Jackson Gray Cavender, Geo. Gordon Dallas Jackson Claud Inman Henry Jackson, Dr. Cappe, witnesses sworn by me on this indictment to testify before the grand jury upon this indictment at Aug. Term 1926. P.J. Fuqua Foreman Grand Jury. A TRUE BILL P.J. Fuqua Foreman Grand Jury.

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

J.D. Martin Judge.

RECAP

Court met pursuant to adjournment, present and presiding the Hon. J.D.C. Norton Judge.

The following cases Alias Capias were ordered issued for the defendants.

State vs. Finnis Henarix drunkenness. State vs. John Montgomery, drunkenness. State vs. Hubb Cooley. W.E. Murphree Forgery. State vs. W.E. Murphree Forgery. State vs. Chas Summers Forgery. State vs. W.C. Timmell. State vs. W.C. Timmell Forgery. State vs. Walter Binkley and Alf Conner M. Liquor. State vs. Will Davis A.B. State vs. F.C. Hudson Mis. State vs. Dave Smith, Bigamy. State Will Palmer Burglary. State vs. Will Palmer, Burglary. State vs. J.W. Utley False pretense. State vs. Elwood Riley Assault with intent to commit murder in the first degree. State vs. Elwood Riley Profanity. State vs. Tad Morris, A.B. State vs. Elwood Riley State vs. Elgie Clayde drunkenness. State vs. W.E. Hooper Bad check. State vs. Tad Morris drunkenness. State vs. Tad Morris Mis. State vs. Tad Morris assault with intent to commit murder in the first degree.

State of Tennessee
vs.
Paul J. Wright) Disturbing worship.

In this case came the Attorney General for 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 twenty dollars together with all the costs then came into open court Rob Wright O.L. Lytton, and John Diviney, 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.

State of Tennessee)
vs.) Disturbing worship
Bobbie Elvington)

In this case came the Attorney General for 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 twenty dollars together with all the costs then came into open court R.S. Warren and E.A. Myatt, 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.

State of Tennessee)
vs.) Carrying a pistol
Bobbie Elvington)

In this case came the Attorney General for 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 fifty dollars together with all the costs, then came into open court R.S. Warren and E.A. Myatt and enter their name 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.

State of Tennessee
vs.)
Pete Morris and Ode)
Chapple)

In this case came the Attorney General for the State and the defendant Pete Morris, and plead guilty as charged. Thereupon the court assess the penalty and say he shall pay a fine of One Hundred Dollars together with all the costs then came into open court S.J. Morris and W.M. Morris and entered their names as sureties for all of said fines 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., and a nolo prosequi is entered in this case the use defendant Ode Chapple.

State of Tennessee
vs.) M. Liquor.
Willie Brown)

In this case came the Attorney General for the State and the defendant in person and plead guilty as charged. Thereupon the Court assess the penalty and say he shall pay fine of two hundred and fifty dollars and be confined in the County jail for a period of 90 days and further that he costs of this cause then came into open court J.B. Brown and J.A. Bradley, and enter their names as sureties for and 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.

State of Tennessee
vs.) Drunkenness
John Warden)

In this case came the Attorney General for 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, and in the event of his failure to pay or secured said fine and costs he will be confined in the County or work house until he pay secured or work out all of said fine and costs.

State of Tennessee)
vs.) Disturbing worship
John Warden)

In this case came the Attorney General for 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 twenty 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. Brown (B.D.

In this case came the Attorney General for 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 One Hundred dollars together with all the costs then came into open court J.B. Pruett and E.L. Pruett 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.

State of Tennessee
vs. Grady Stewart (Drunkenness

In this case came the Attorney General for 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, 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 all of said fine and costs.

State of Tennessee
vs. Dalton Box et.al. (M. Liquor.

In this case came the Attorney General for the State, and the defendants Dalton Box and Wily Box, in person and plead guilty as charged. Thereupon the Court assess the penalty, and say they shall pay a fine of two hundred and fifty dollars together with all the costs, and be confined in the county jail for a period of 90 days, and in the event of their failure to pay or secure said fines and costs they will be further confined in the county jail until they pay secure or work out all of said fine and costs.

State of Tennessee
vs. Wily Box (B.D.

In this case came the Attorney General for 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 One Hundred Dollars together with all the costs and in the event of his failure to or secure said fine and costs he will be confined in county jail or work house until he pay secure and or work out all of said fine and costs.

State of Tennessee
vs. Fato Williams (A.B.

In this comes the Attorney General and states to the court that he desires to prosecute this case no further. It is therefore ordered adjudged and decreed by the court that the defendant be discharged and go hence without day.

State of Tennessee
vs. Burian Bankley (B.D.

In this case came the Attorney General for 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 One Hundred dollars together with all the costs then came into open court Frank Plant and Marion Plant, and enter their names as sureties for all of said fine and costs. It is therefore ordered adjudged and decreed by the court that the State of Tennessee recover of the defendant and his sureties all of said fine and costs.

State of Tennessee
vs. Raney Wilson and Clyde Tipton (B.D.

In this case came the defendant's Attorney General for the State, and the defendants in person and plead guilty as charged. Thereupon the Court assess the penalty and say they shall pay a fines of One Hundred Dollars each together with all the costs then came into open court D.A. Tipton and W.T. Jones and enter their names as sureties for all of said fine and costs as to Clyde Tipton. 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 fines and costs, for which let execution issue, then came into open court T.M. Dotson and entered his name as surety for all of said fine and costs as to Raney Wilson, It is therefore ordered adjudged and decreed by the court that the State of Tennessee recover of the defendant Raney Wilson and his surety all of said fine and costs for which let execution issue.

The following cases are continued on a plea of guilty until the next term of this Court. State vs. Sil Brake and Sam Bramlett - larceny. State vs. Nath Edwards - possessin a still.

State of Tennessee
vs. Clayton and Smith and John Lovett (M. Liquor.

In this case came the Attorney General for the State and the defendant Clayton Smith in person and plead guilty as charged. Thereupon the Court assess the penalty and say he shall pay a fine of Two Hundred and Fifty Dollars together with all the costs, and be confined in the county jail for a period of 90 days, and further that he pay the costs in of this cause, and in the event of his failure to pay or secure said fine and costs he will be further confined the County jail or work house until he pay secure or work out all of said fine and costs. And the case is continued on a plea of guilty as to John Lovett.

State of Tennessee
vs. Tom Howell (Drunkenness

In this case came the Attorney General for 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, and in the event of his failure to pay or secure said fine and costs he will be confined in the County jail until he pay secure or work out all of said fine and costs.

State of Tennessee)

vs.

Ed. Brown et al.

In this cause comes the Attorney General for the State and the defendants in person and by attorneys, who being duly charged and arraigned on said bill of indictment, pleads not guilty. Thereupon the following good and lawful men of Humphreys County were legally selected as jurors to wit: C.B. Jones, H.M. Turner, I.O. Hobbs, I.H. Young, G.D. Riding Parker White Claud Luton, D.F. Taylor, T.L. Fortner, I.H. Davis, J.O. James, and J.M. King. There not being to complete the trial of this case said jury were respite by the court until to morrow morning at 8:30 o'clock.

Court then adjourned until to morrow morning at 8:30 o'clock.

Judge.

John M. King
Judge.

Court met pursuant to adjournment, present and presiding the J.D.G. Norton Judge etc.

State of Tennessee

vs.

Curtis Brown et al. Profanely.

In this cause came the Attorney General for the State and the defendant in person and by attorney, who being duly charged and arraigned on said bill of indictment, pleads not guilty. Thereupon to try the issues joined the following good and lawful men of Humphreys County were legally selected as jurors to wit: R.P. Holland, Lon Baker, Fred Harris, Dillard Parker, P.A. Brown Forest Trotter, D.J. Pruett, Alvin Simpson, A.L. Pruett, W.A. Potter, W.W. Long, and B.F. Porch, who after hearing all the proof, argument of counsel, and the charge of the Court upon their oaths do say that they find the defendant guilty as charged in said bill of indictment. Thereupon the Court assess the penalty and say he shall pay a fine of twenty 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.

M. Liquor

Ed. Brown et al.

In this cause came the Attorney General for the State and the defendant Ed. Brown in person and by attorney, who being duly charged and arraigned on said bill of indictment, pleads not. Thereupon to try the issues joined the following good and lawful men of Humphreys County were legally selected as jurors to wit: I.H. Davis, J.M. King, W.W. Long, B.F. Porch, Parker White Dillard Parker J.C. James G.D. Ridings P.A. Brown T.L. Fortner Alvin Simpson, who after hearing all the evidence proff argument of counsel, and the charged of the Court upon their oaths, do say that they find the defendant guilty as charged in said bill of indictment. Thereupon the Court assess the penalty and say he shall pay a fine of two hundred and fifty dollars together with all the costs, and be confined in the County Jail or work house for a period of 90 days, and in the event of his failure to pay or secure said fine and costs he will be further 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.

M. Liquor

Ed. Brown et al.

In this case came the Attorney General for the State and the defendant Vernon Forester et al. and Ed. Brown in person and by attorney, who being duly charged and arraigned on said bill of indictment, pleads guilty as charged. Thereupon the Court assess the penalty and say he shall pay a fine of Two Hundred Fifty Dollars each together with all the costs, and be confined in the county jail for period of 90 days and in the event of their failure to pay or secured said fines and costs they will be further confined in the county jail until they pay secure or workout all of said fine and costs. It is ordered by the court that the order above that show Ed. Brown was tried by a jury be set aside and for nothing held.

State of Tennessee
vs.
Bert Hooper
M. Liquer.

In this cause came again the Attorney General for the State and the defendant in person and by attorney, when the jury heretofore selected and sworn in this cause to wit, C.B. Jones H.M. Turner, K.C. Hobbs, I.H. Young, O.D. Ridings Parker White Claud Laten D.T. Taylor, T.L. Fortner, I.H. Davis, J.C. James J.M. King, having returned into open court and resumed the hearing of this cause after hearing all the proof argument of counsel and the charge of the Court upon their oath do say that they find the defendant Bert Hooper guilty of manufacturing intoxicating liquor as charged in the first count of the presentment and fix and assess his fine of two hundred and fifty dollars and find the defendant Sam Street not guilty, Thereupon defendant gave notice of motion for a new trial and this cause is passed until tomorrow morning pending the filing and hearing of said motion and the defendant will remain on his present bond - the defendant Sam Street is discharged.

State of Tennessee
vs.
John Clark et al.,
M. Liquer

In this cause comes the defendants Lee Elliott, Richard Shans and Shade Pruett, in person and by attorneys, who being duly charged and arraigned on said presentment plead not guilty. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tenn., to wit: B.F. Porch, J.M. King Dillar Parker, Forest Trotter, P.A. Brown Parker White I.H. Young, J.C. James, Alvis Simpson, T.L. Fortner C.D. Ridings and I.H. Davis, who, being duly elected, empaneled and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say that they find each of the defendants guilty of manufacturing intoxicating liquor as charged in the first count of the presentment and assess the fine of each at two hundred and fifty dollars Thereupon the defendant gave notice of a motion for a new trial and this cause is passed until to-morrow morning at nine o'clock pending the filing of said motion at which time it will be heard and for sufficient reason it is ordered by the Court that each of the defendant execute bond in the sum of Five Hundred dollars for his appearance before this court to-morrow morning at nine o'clock and from day to day pending the hearing of said motion, and in the event of their failure so to do, they will be confined in the County Jail until further ordered of this Court

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

Joimorton
Judge.

Court met pursuant to adjournment present and presiding the Hon. J.D.D. Merion Judge
State of Tennessee,
vs.
Bert Hooper et al.,
M. Liquer.

In this cause comes the Attorney General for the State, and the defendant in person and by attorney when the motion for New Trial, heretofore filed in this cause, came on to be heard which motion is as follows:

Notion
State of Tennessee
Bert Hooper et al.,
M. Liquer

In this cause comes the defendant, Bert Hooper, in his proper person and by counsel, and moves the Court to vacate and set aside the verdict of the jury in this case, and grant this defendant a new trial, and for grounds of his motion he says

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

The verdict of the jury is unreasonable and impossible of belief. The jury find the Defendant Bert Hooper not guilty of possessing, or having in his control an still, apparatus or part thereof, used or intended to be used for the manufacturing of Liquor and in the next breath find him guilty of manufacturing intoxicating Liquors, which act is respectfully submitted is impossible of performance without having in his possession or control a still or apparatus, or part thereof, used or intended for the manufacture of liquor,

It is therefore submitted that the verdict of the jury is against reason.

II

The evidence in this case fails to show the defendant Bert Hooper guilty under either count of the indictment, and beyond a reasonable doubt.

The evidence against him was wholly circumstantial, to wit, that he ran when seen by the informer, Clayton Smith, about 30 yards from the still in the direction of which he was approaching. This evidence is a circumstance pure and simple, and is not of such strength or cogency as to remove every hypothesis other than guilt. It is consistent with the innocence or hypothesis to numerous to mention, and such as readily appears as to a reasonable mind. It is consistent with his testimony that the informer, Clayton Smith, had frequently threatened his life, and that when this defendant turned and ran the informer Clayton Smith had snapped a pistol at him two times, and this is admitted by the witness, Clayton Smith/ Testimony, direct and positive, connecting this defendant in any way with this still is only furnished by the witness, Clayton Smith, witness Lula Hargrove. These witnesses are both successfully and wholly impeached and shown to be unworthy of belief on their oaths.

Additional both Clayton Smith and Lula Hargrove, the above witnesses, are shown to be inveterate malice hatred and ill will toward the defendant, Bert Hooper, that they have harassed him with frequent and unsuccessful criminal prosecution, and have otherwise manifested toward him every evidence of malice, hatred and ill will. The only direct or positive testimony having been given by witness of such character, and shown to be actuated by such malice, the refusal of the Court to charge the special request herein after set out was highly prejudicial to the defendant Bert Hooper.

The Court erred in failing, neglected and refusing to charge this defendant's special request, and which is as follows:

"Second Request, Gentlemen of the jury: before you can convict either of the defendant on the circumstantial evidence introduced in this case, the circumstances must be of such strength and cogency as to remove every hypothesis other than the guilt of the accused. Circumstances consistent with guilt will not suffice, the circumstances must be inconsistent with innocence, and remove every reasonable doubt of the defendant's guilt."

As before suggested, the only direct and positive proof against this defendant, having been presented by witnesses actuated by hatred, malice and ill will and successfully impeached as unworthy of belief, this defendant thinks that his special request on the weight to be given circumstantial testimony was highly important to him on the trial of the case, and that it was properly submitted to the Court to be given, and that it was error in the Court to refuse this request.

Especially is this true in the light of that portion of the Court's charge as follows:

" If an attack is made upon witness, and that witness is shown to be unworthy, of belief
I charge you that even if the witness is shown to be unworthy of belief, if you
find that his testimony is corroborated by other witnesses worthy of belief, then you
may accept his testimony, if you believe his testimony is true as given in this case.

In the light of this charge, having been given to the jury, and whether such charge had been given or not, the testimony against this defendant was purely circumstantial except as to witness Clytom Smith, and Lula Hargrove, and we insist it was error to refuse this special request/

IV.

The verdict of the Jury is based on passion prejudice or caprice, as before indicated it cannot rest in reason, that this defendant is guilty of manufacturing liquor, when found by the jury in his own case that he possessed neither a still, apparatus, nor part thereof,, used or intended to be used in the manufacture of whisky. The verdict of the jury is therefore based on a determination to punish the defendant for something, and on a total lack of a consistent consideration of the evidence, charges against the defendant and of the facts and circumstances of the case upon which a reasonable and legal verdict could be predicated/

▼

The Court erred in refusing to allow the motion made by the defendants at the conclusion of the evidence, and which motion was as follows:

"At the conclusion of all the evidence in this case for the State and for the Defendant, comes the Defendants in their proper person and by counsel and moves the Court to direct the jury to return a verdict in favor of the defendants, and for grounds of such motion say;

I
that there is no evidence introduced and upon which a verdict of guilty can rest/

II

That the testimony against the defendants is wholly circumstantial in nature and is so lacking in strength and cogency as not to be sufficient to remove from the mind of a reasonable man every hypothesis other than the guilt of the defendants.

It is suggested for the consideration of the Court that the circumstances of the Bert Cooper running away is consistent with his innocence more than with his guilt, that it is consistent with his being frightened from any cause, whatever, that it is consistent with his being guilty of some offense other than that with which he is accused, and fearing apprehension from some other offense, that he ran away, and such circumstances is consistent with any cause that would produce flight in any human being.

III

That as to the defendant, Sam Street, no circumstances testified by any witness, and which circumstances is in consistent with his innocence or consistent with his guilt, and as to the defenant, Sam Street, the overwhelming weight of the testimony is that he is innocent/ For these reasons it is respectfully submitted that it is the duty of the Court to direct the jury to return a verdict for the defendants"

VI.

The verdict of the jury is contrary to the law as charged by the Court/
or the foregoing reasons it is respectfully submitted that the verdict of the jury in
this case should be vacated and for nothing held, and that this defendant should
should be granted a new trial.

Th1n August 1928

Howard E. Brown Attorney for defendant

And the same being heard by the court and fully understood, it is in all things over-ruled, to which action of the Court the defendant excepts, It is therefore ordered, adjudged and decreed by the court that for the offense as found by the jury, the defendant pay or secure a fine of two hundred and fifty dollars and the costs of this cause, for all of which let execution issue and that he be confined in the County jail or work house for a period of One Hundred and twenty day, in the event of defendants failure to pay or secure said fine and cost, he will be further confined until the same is paid, secured or worked out.

Thereupon defendant moved in arrest of judgment which motion was likewise over-ruled by the court, to which action of the Court defendant excepts.

Thereupon defendant prayed and appeal to the Supreme Court at Nashville, Tenn., Appeal is granted and the defendant is allowed thirty days in which to prepare and file his bill of exceptions. The defendant will exe cute bond in the sum of Five Hundred Dollars for his appearance before this court as required by law to await the action of the supreme Court and in the event of his failure he will be confined in the County Jail until further orders of this Court.

When the word "kill" was used, he said that [REDACTED] told a conversation as follows: "Allen says to me, 'We've work left. This is really wonder what it is' and he said 'I'm glad to hear you say that'."

State of Tennessee

vs. M. Liquor.

Joe Rainey and
Claud Rainey

In this cause comes 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 presentment plead not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tenn., to wit: J.S. Henry E.T. Curtis, E.V. Mix, Joe C. King, P.A. Brown Parker White, Albia Simpson John B. Madden, J.M. King J.L. Carroll T.L. Fortner Doss Warden, who being duly elected empanelled and sworn according to law, and the proof not having been finished the jury was respite until to morrow morning at 8:30 o'clock.

Court then adjourned until tomorrow at Eight o'clock.

Judge.

Court met pursuant to adjournment, present and presiding the Hon. J.D. G. Morton,
State of Tennessee.

vs.

Joe Rainey and
Claud Rainey

In this cause comes again the Attorney General for the State and the defendant in person and by attorneys when the jury heretofore selected and sworn in this case to wit: J.S. Henry E.T. Curtis E.V. Mix, Joe C. King, P.A. Brown Parker White Albia Simpson John B. Madden J.M. King J.L. Carroll T.L. Fortner, Doss Warden returned into open court and resumed the hearing of this case after hearing all the proof argument of counsel and the charge of the Court upon their oath do say that they find the defendant Claud Rainey guilty of manufacturing whisky as charged in the first count of the presentment and assess his punishment fine at Two Hundred and Fifty Dollars, and found the defendant Joe Rainey not guilty.

Thereupon defendant Claud Rainey gave notice of a motion for a New trial and this case is passed until one o'clock P.M. pending the filing of said motion.

The defendant will remain on his present bond-

The defenan Joe Rainey is discharged.

State of Tennessee

vs.

Joe Rainey and
Claud Rainey

M. Liquor.

In this cause comes again the Attorney General for the State, and the defendant Claud Rainey in person and by attorneys, when the motion for a new trial heretofiled in this cause came on to be heard by the Court.

MOTION FOR A NEW TRIAL

State of Tennessee

vs.

Claud & Joe Rainey)

Comes the defendant, Claud Rainey, and asked the Court for a new trial upon the following grounds;

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

The verdict of the jury is against the greater weight and preponderance of the evidence

The evidence taken as a whole preponderates against the verdict of the jury, and in favor of the innocence of the defendant.

IV.
Defendant excepting to the testimony of one, Oscar Killman and his wife, as follows:
"When the said Killman and his wife came up to who still in a certain hollow and held a conversation as follows: Killman says to his wife "Look here, this is a still wonder whose it is" and his wife attempted to state to him who she believed the still belonged to"

this conversation was had in the absence of defendant Claud Rainey, and in the hearing of the officers, prior to the arrest of the said Claud Rainey, and said officers officers xxxxxxxxx permitted by the court to detail the conversation held by the said Oscar Killman and his wife to the jury over the objection of the defendants. This testimony was highly prejudicial to the deft. Claud Rainey, and the Court after it went to the jury xxxxxxxxx endeavored to cure the harm it had done by instructing the jury not to look to that evidence as to the guilt or innocence of the defendant, Claud Rainey.

V.
The Court erred in the charge to the jury upon the question of good character shown by the defendant, Claud Rainey in that it failed to emphasize to the jury commensurate with the good character shown by the defendant.

VI.
The Court erred in his charge to the jury of the bad character shown by witnesses of one Oscar Killman, the State's star and principal witness, in his charge and went too fully in the explanation of the weight to be given his testimony after the said Killman's character had been wholly and totally destroyed before the Court and jury.

The charge attempts to minimize and lessen the effect of the bad character shown against the witness Killman in the eyes of the jury.

VII.
And other errors to be pointed out in the charge upon the argument of the case.

VIII
The Court erred in overruling defendant's request to have the testimony of Mya Pruett read to the jury, that she had made in her appearance before the Grand Jury, the day before this case was called, to contradict the evidence of the said Killman at her home at the time he and Claud Rainey had the fight.

Theo Parker
Attorney for Defendant.

and the same being heard by the Court and fully understood it is in all things overruled. To which action of the Court the defendant excepts.

It is therefore ordered, adjudged and decreed by the Court that for the offense as found by the jury the defendant Claud Rainey pay or secure a fine of Two Hundred and Fifty Dollars and the costs of this cause, for all which let execution issue, and in the event of his failure to pay or secure the same he will be confined in the County jail or work house until the same is paid secured or worked out, and it is further ordered by the Court that the defendant be confined in the County Jail or work house for a period of ten months.

Therefore defendant moved in arrest of judgment which motion was like wise overruled by the Court, to which action of the Court the defendant excepts. Therefore defendant prayed an appeal to the Supreme Court at Nashville, Tenn, which appeal is granted, and the defendant is allowed thirty days in which to prepare and file his bill of exceptions. The defendant will execute bond in the sum of One Thousand Dollars for his appearance before this court from term to term as required by law to await the action of the Supreme Court and in the event of his failure so to do he will be confined in the County Jail to await the order of this court

Shannon & Tubbs }
vs. } In the Circuit Court for Humphreys County, Tenn. August Term, 1926.
V.H. Murrell et.al. (

On this date came Shannon & Tubbs (a firm composed of J.F. Shannon and J.H. Tubbs) and present a note dated Jan. 5, 1925, in the sum of Three Hundred Fifty Dollars, payable to said Shannon and Tubbs, one half of which note was due Jan. 1st, 1926, and the other half was due July 1st, 1926, said note being executed and signed by V.H. Murrell, Mary Murrell, Mrs. Caroline Murrell, and Mrs. F.W. Cunningham, and in said note there is the following power of attorney, to wit, "and each us both makers and indorsers hereby authorize Mason Sanders or A.P. McMurray 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 there against us in favor of Shannon and Tubbs or assigns for the said note with interest and costs, etc. Thereupon came A.P. McMurray one of the persons so authorized to so confess judgment in said clause in said note and did confess that the said named signers of said note above set out owe the amount of said note to the said Shannon and Tubbs with the interest thereon, to wit, \$7.70 making in all the sum of \$357.70, and did confess judgment against the signers of said note in favor of the said Shannon and Tubbs and did direct the court to render judgment accordingly. Therefore, in consideration of the power contained in said note and the said confession of judgment so made by the said A.P. McMurray, it is considered by the court and the court doth accordingly adjudge that the said Shannon and Tubbs recover of the said V.H. Murrell, Mary Murrell, Mrs. Caroline Murrell and Mrs. F.W. Cunningham the principal of said note to wit, \$350.00 and the interest thereon, to wit \$7.70, in all, the sum of \$357.70, and the costs of this motion for all of which execution issue

Willie Younger)
vs.) In the Circuit Court of Humphreys County, Tenn., August Term
J.L. Smith and) 1926.
J.A. Crowell)

The above styled case was called for hearing on the regular call of the docket by the Court and the plaintiff failing to answer, appear and prosecute the suit the defendant moved the court to dismiss the suit for want of prosecution. The plaintiff was thereupon called to come and prosecute her suit but failed to do so. It is, therefore, adjudged by the court that the plaintiff's suit be and is dismissed, and that defendant recover of her the costs of the cause for which let execution issue.

Adamsy Tester)
vs.) In Circuit Court, Waverly Tennessee.
Arthur Tester)
AUGUST TERM

In this cause it appearing to the Court that the defendant Arthur Tester has been regularly brought into Court by service of process, and has made no defense, but is in default, it is therefore ordered on motion of petitioner, that as to said defendant, the petition be taken for confessed, and the cause set for hearing ex parte. And the cause came on to be heard before the Court, upon the petition, the proconfesse, and the oral testimony of witnesses had in open court, that the treatment of the defendant towards the petitioner, was cruel and inhuman, and that the defendant has failed and refused to provide for his wife according to his, and has driven her away from his home, and that he is not a suitable person to have the care and custody of the

their child William Howard Tester, who is of tender years and needs the care of his mother.

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 the petitioner be vested with all the rights of an unmarried person, and that the custody care and rearing of her child Wm. Howard Tester, by her marriage to the defendant, be and is decreed to her, free from the interference or control of her said husband Arthur Taster, the Court so adjudges and decrees. That the defendant pay the costs of the cause, for which execution may issue.

Emma Dobbins

vs. In Circuit Court, Waverly, Tennessee.

Ben Dobbins

August Term

In this cause it appearing to the Court, that the defendant Ben Dobbins has been regularly brought into Court by service of Subpoena and copy of bill, and has made no defense, but is in default, it is therefore ordered by the Court on motion of the petitioner that as to said defendant, the petition be taken for confessed, and the cause set for hearing ex parte.

And the cause came on further to be heard and was heard by the Court upon the bill, the preconfesso, and the oral testimony of witnesses taken in open court, and the Court is of opinion that the allegations in the bill are true, that the defendant has wilfully neglected and failed to provide for his wife according to his means, and that he has offered such indignation to her person as renders it improper and unsafe for her to live with him and be under his dominion and control.

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 the petitioner be restored to all the rights and privileges of an unmarried person, and that the petitioner's maiden name Emma McGruder be and is restored to her. It is further ordered that the defendant pay the costs of this cause, for which execution may issue.

State of Tennessee)

vs. M. Liquor.

John Clark et al)

In this cause comes the defendants Lee Elliott Richard Shams and Shade Pruett, in person and by attorneys, when the motion for a New Trial filed heretofore filed in this cause, came on to be heard by the Court, which motion is as follows:

MOTION

State of Tennessee)

vs.)

Shade Pruett)

Richard Shams)

Come on the defendants, Shade Pruett and Richard Shams and ask the Court for a new trial upon the following grounds.

I.

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

II

The preponderance and greater weight of the evidence is in favor of the innocence of the defendants, and against the verdict of the jury.

III

The Court erred, in overruling defendant's Richard Shams motion at the conclusion of the State's case for peremptory instructions and direct verdict by the jury on favor of said Defendant Shams.

IV.

The Court erred in allowing over the objections of Defendant all of the following testimony of Lee Elliott, to wit,

"The officers asked me who owned the still, and I told them it belonged to Shade Pruett and Richard Shams that they were the owners of the still."

This testimony was highly prejudicial to the defendants Shams and Pruett, made in their absence and this highly prejudicial testimony going to the jury, was not cured by the instructions of the Court telling the jury not to consider this evidence as against the defendants Shams & Pruett."

V.

The Court erred in using the word "State" in its charge to the jury on the question of an alibi presented by Shams, that at the time of the offense committed he (Shams) was at another place.

"I charge you gentlemen of the jury, this is a good and valid defense when properly presented, but on account of it being a defense so easily concocted by defendant, you should scrutinize it with great care, etc." The Court used the word State where the court should have used the word Defendants" and using the word defendant where the Court should have used the word State"

The Defendant Shams believes the jury became confused and did not give full consideration to his alibi. and the same being heard by the Court and fully understood, it is in all things, over-ruled, to which action of the Court the defendants except.

It is therefore ordered, adjudged and decreed by the Court that for, the offense as found by the jury, each of said defendants pay or secure a fine of two hundred and fifty dollars each and the costs of this cause for all of which let execution issue and in the event of their failure so to do they will be confined in the County Jail or Work House until the same is paid secured or worked out and that the defendant Lee Elliott be confined in the County Jail or work House for a period of ninety days and the defendants, Shade Pruett and Richard Shams be confined in the County Jail or work house for a period of five months.

Thereupon defendants moved in arrest of judgment which motion was likewise over-ruled by the Court to which action of the Court the defendants except.

Thereupon the defendants prayed an appeal to the Supreme Court at Nashville, Tenn. which appeal is granted and the defendants are allowed thirty days in which to prepare and file their bill of exceptions each of said defendants will execute bond in the sum of Five Hundred Dollars for their appearance before this Court as required by law pending the action of the Supreme Court and in the event of their failure so to do they will be confined in the County Jail awaiting the further orders of this court.

State of Tennessee

vs. J.F. Gibson

In this case came the Attorney General for the State and the defendant in person and plead guilty as charged thereupon the Court assesses the penalty 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 fines and costs.

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

State of Tennessee

vs. Scire Facias.

In this cause came the Attorney General for the State, and for sufficient reason appearing to the Court, the forfeiture heretofore taken against the defendants for two hundred and fifty dollars is reduced from two hundred and fifty dollars to twenty five dollars, and the costs of this proceedings. then came into open court J.F. Gibson and paid to the Clerk of this Court the forfeiture of twenty five dollars and the costs of this proceedings. It is therefore ordered, adjudged and decreed by the court that this case be dismissed and the defendants be discharged.

State of Tennessee

vs. Scire Facias

J.F. Diviney et al.,

In this cause comes the Attorney General for the State, and for sufficient reason appearing to the Court, the forfeiture heretofore taken against the defendants for Five Hundred Dollars is reduced from Five Hundred Dollars to twenty five dollars, and the costs of this proceedings. then came into open court J.B. Pruett and paid to the Clerk of this Court the forfeiture of twenty five dollars and costs of this proceedings. It is therefore ordered adjudged and decreed by the Court this case be dismissed, and the defendant be discharged.

State of Tennessee

vs. Forfeiture

Tad Morris, & S.J. Morris

In this cause on motion of the Attorney General for the State it appearing to the Court that a Forfeiture was taken against the defendant and his surety bondman S.J. Morris at the last term of this Court and Scire Facias ordered and issued and it appearing to the Court that said Scire Facias was legally issued and served on said surety S.J. Morris requiring him to appear at this term of Court and show cause why this final judgment should not be taken on said forfeiture of two hundred and fifty Dollars and said parties failing to appear and show cause as aforesaid said Forfeiture of Two Hundred and Fifty Dollars is made final and it is ordered, adjudged and decreed by the court that the State of Tennessee recover for the use and benefit of Humphreys County, of said surety S.J. Morris the sum of Two Hundred and Fifty Dollars and the costs of this Forfeiture for all of which let execution issue.

State of Tennessee

vs.

Berrell Pruett and

Long Daniel

Disturbing worship. In this cause comes the Attorney General, and states to the Court that he desired to prosecute this cause no further. It is therefore ordered adjudged and decreed by the Court that the case be dismissed, and the defendant discharged and go hence without day.

State of Tennessee

vs. M. Liquor

Claud Rainey and

Joe Rainey

Scire Facias. In this cause comes the Attorney General for the State, and for sufficient reason appearing, the forfeiture taken against the defendant, Claud, and Joe Rainey, and their Sureties, to wit J.B. Pruett and Chas Pruett, for Five Hundred Dollars this Forfeiture is reduced from Five Hundred Dollars to Twenty Five Dollars then came into open court J.B. Pruett and paid to the Clerk of this court all of said Forfeiture and costs of same.

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

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

One against Clayton Smith Misi- Subpoena for the State Mrs. Rittie Street, Mrs. Bert Hooper,

One against Landeth Hall Misi. Subpoena for the State Austin Allison J.H. Varden, Carlos Carter, and Hescoe Latimore.

One against Landeth Hall Disturbing worship Subpoena for the State Austin Allison J.B. Horner, J.H. Varden Wily McKeel, Carl Mallard.

One against Clayton Smith Carrying a pistol. Subpoena for the State Bert Hooper Mrs. Bert Hooper, Mrs. Jane Emma Mrs. Clayton Smith

One against Jim Webb Drunkenness. Subpoena for the State R.L. Muliniks, Leonard Buchanan

One against Jno. Glen B.D. Subpoena for the State D.A. Phyl George Smith

One against Jno. Henry Ethridge, B.D. Subpoena for the State Carter Simpson Walter Simpson

One against Oscar Killman Assault and Battery, Subpoena for the State Claud Rainey Mrs. Chas. Pruett, Chas. Pruett

One against Oscar Killman Assault and Battery, Subpoena for the State Mrs. Willie Ragdale, Elton Ragdale Leslie Fortner, Bert Baker, Mrs. Ellen Taylor Leslie Fortner

State of Tennessee

vs.

G.W. Williams

Forgery. 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.

GRAND JURY REPORT.

We, the members of the Grand Jury at the August term of the Circuit Court for Humphreys County, Tenn., 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 inmates well fed and cared for.

We have examined all bonds required to be examined by us and find them properly executed and all good and solvent for the several amounts thereof, except the Guardian bond of Jim Slaughter and Admr. Bond of J.C. Barryman which should be strengthened, and now having completed our labor we respectfully ask to be discharged for the term.

J.B. Bell Foreman Henry Long, J.C. Watson Dempsey Bell J.L. Sutton T.O. Perkins Dave Forester, Tom Meadow, Dan Mulliniks, N.B. Bradley W. Thomas, Walter Smith and W.D. Durham.

State of Tennessee)
vs.) Carrying a pistol

Ernest Dunagin)
(In this cause came the Attorney General for the State and it appearing to the Court that the defendant was indicted at the present term of this court for the offense of Carrying a pistol, and the defendant had been arrested and entered into bond with B.E. Brown W.F. Dunagin W.H. McAdoo and Henry Jones as his sureties, which bond is in the words and figures following to wit:

BOND

State of Tennessee, Humphreys County. We, Ernest Dunagin agree to pay the State of Tennessee Two Hundred forty (\$250.00) Dollars unless the said Ernest F. Dunagin appears 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 carrying a pistol and does not depart the Court without leave. Witness our hands this 17th day of May 1926 Ernest Dunagin. B.E. Brown W.F. Dunagin W.H. McAdoo Henry Jones.
Approved J.L. Smith Sheriff.

And the defendant Ernest Dunagin 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 B.E. Brown W.F. Dunagin W.H. McAdoo and Henry Jones were called to come into open court and bring with them the body of the said Ernest Dunagin according to the tenor and effect of his said bond came not but made default neither came the defendant Ernest Dunagin nor his said sureties but made default.

It is therefore considered by the court that the defendant Ernest Dunagin and his said sureties B.E. Brown, W.F. Dunagin W.H. McAdoo, and Henry Jones, for their said default do forfeit and pay unto the State of Tennessee, the said 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. Issue to 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 that ALIAS CAPIAS issue for the defendant.

State of Tennessee)
vs.) M. Liquor
Grady Chance)

In this case came the Attorney General for the State, and it appearing to the Court, that the defendant was indicted at a former term of this Court for the offense of M. Liquor, and the defendant was arrested and entered into bond with W.T. Ham and W.C. Mays as his sureties, which bond is in the words and figures following to wit:

BOND

State of Tennessee, Humphreys County. We, Grady Chance agree to pay to the State of Tennessee Five Hundred (\$500.00) Dollars unless the said Grady Chance appear at the next term of the Circuit Court of Humphreys County, to be held at the Court house in the town of Saverly, on the 3rd. Monday in April 1926, on Tuesday of said term, to answer the State of Tennessee for the offense of Manufacturing Whisky and do not depart the Court without leave. Grady Chance, Principal, W.T. Ham, W.C. Mays Surety

Approved J.L. Smith Sheriff. This 15 day of Dec. 1924.

And the defendant Grady Chance being solemnly called to come into open court and answer the State of Tennessee upon a charge of Manufacturing whisky, came not but made default and the said W.T. Ham and W.C. Mays were also called to come into open court and bring with them the body of the said Grady Chance according to the tenor and effect of his said bond came not but made default neither came the defendant Grady Chance nor his said sureties but made default.

It is therefore considered by the court that the defendant Grady Chance and his sureties W.T. Ham and W.C. Mays, for their default do forfeit and pay unto the State of Tennessee, the said 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 said sureties requiring them to appear at the next term of this court and 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.) Bad check
G.H. Gillespie)

In this cause came the Attorney General for the State and it appearing to the Court, that the defendant was indicted at the present term of this court for the offense of giving a bad check, and the defendant had been arrested and had entered into bond with W.W. Crockett, John Sayers T.H. Cotton, Warren Carter, as his sureties which bond is in the words and figures following to wit:

BOND.

State of Tennessee, Humphreys County, We, G.H. Gillespie agree to pay the State of Tennessee One Thousand Dollars unless the said G.H. Gillespie appear -- at the next term of the Circuit Court of said County, and from term to term until that case is finally disposed of, to answer for the offense of passing a worthless check. The 2, Monday in Aug. 1926, and does not depart the Court without leave. Witness our hands, this the 11 day of June 1926. G.H. Gillespie W.W. Crockett for Two hundred fifty John Sayers T.H. Cotton Warren Carter. Approved J.L. Smith Sheriff. I.D.L. Hawkins certify that this bond is good and would be excepted by me in the Circuit Court. D.L. Hawkin Circuit Court Clerk. Williamson Co. Tenn.,

And the defendant G.H. Gellespie being solemnly called to come into open court and answer the State of Tennessee, upon a charge of passing a worthless check came not but made default, and the said, W.V. Crockett John Sayers T.H. Cotton and Warren Carter were solemnly called to come into open court and bring with them the body of the said G.H. Gellespie according to the tenor and effect of their said bond, came not but made default, neither came the defendant G.H. Gellespie nor his said sureties but made default.

It is therefore considered by the Court that the defendant G.H. Gellespie, and his said sureties, W.V. Crockett John Sayers T.H. Cotton and Warren Carter, for their said default, do forfeit and pay unto the State of Tennessee, the said sum of One Thousand Dollars according to the tenor and effect of their said bond.

And it is further ordered by the Court that Sci. Fa. Issue to said sureties requiring then 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 that ALIAS CAPIAS issue for the defendant.

BOARD BILL FOR BOARDING JURY IN CASE OF STATE
VS. JOHN CROWELL

This day came into open court Miss Minnie Pave, and present and read in open court against the State for boarding the jury in incase of state vs John Crowell which amount is balance due \$14.00, which amount was read in open court, and was allowed and ordered paid out of the State Treasury, and that the Clerk of this court make out and certify the same to the Comptroller for payment as the law directs.

State of Tennessee
vs. B.D.
Jeff Williams Motion to retax costs

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

This day came J.L. Smith Sheriff and jailer in open Court and present and read in open court, his account against the State for boarding prisoners charged with felonies which amount is as follows:

State vs. Alfred Curtis Murder July 29th, to Aug 13th	13, 16 days	\$12.00
one turn key		\$13.00
State vs. G.H. Gellespie Felony June 11 to June 12	2 days	\$1.50
2 turn keys		\$2.50
		\$16.50

State of Tennessee
vs. Possessing a still
M. C. Hassell Motion to retax costs.

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

State of Tennessee
vs. Larceny
Gene Madoek Motion to retax costs

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

State of Tennessee
vs. Murder
John Crowell Motion to retax costs

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

State of Tennessee
vs. Larceny
James Pillows Motion to retax costs

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

State of Tennessee
vs. Larceny
Robert Baker Motion to retax costs

In this case came the Attorney General for the State and it appearing to the Court from the return of the Sheriff upon an execution issued to him by the Clerk of this Court, that the defendant is wholly insolvent unable to pay the costs of this suit or any part thereof. So it is therefore ordered, adjudged, and decreed by the Court, that the costs accrued upon the part of the State be allowed

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

State of Tennessee
vs.
Murder
V.H. Murrell
Motion to retax costs

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

State of Tennessee
vs.
Davis Crafton and
V.A. Miller and Hafford
Boyd
B.D.

In this case came the Attorney General for the State and the defendants in person, and the defendant Davis Crafton plead guilty as charged. Thereupon the Court assess the penalty and say he shall pay a fine of One Hundred Dollars together with all the costs, then came into open court D.H. Anderson and enter his name as security 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 Davis Crafton and his surety to wit D.H. Anderson all of said fine and costs, for which let execution issue, and the case is nolle as to the defendants V.A. Miller and Hafford Boyd.

State of Tennessee
vs.
Grady Stewart and
Joe Stewart W.H. Mason
Jno. Springer J.C. Gentry
Scire. Facias

In this case came the Attorney General for the State, and for sufficient reason appearing to the Court, the forfeiture heretofore taken against the defendants for Two Hundred and Fifty dollars is reduced to Twenty five dollars, and the costs of the Forfeiture.

It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendants the sum of twenty five for use and benefit of Humphreys County, and the costs of the Forfeiture for which let execution issue.

State of Tennessee
vs.
Long Daniel & Tom
Daniel Kittie Daniel
Heoper Daniel

In this case came the Attorney General for the State, and the defendant in person, and this case is continued upon a plea of guilty as to Long and Tom Daniel, and case is nolle as to Kittie and Heoper Daniel.

State of Tennessee
vs.
Long Daniel et.al.
M. Liquor

In this case came the Attorney General for the State, and states to the Court that he desires to prosecute this case no further, or during the defendant good behavior.

It is therefore ordered adjudged and decreed by the Court that the defendant be discharged, and the case is hereby dismissed during the good behavior.

State of Tennessee
vs.
J.W. Huggins
Forgery.

In this case came the Attorney General for the State, and states to the Court, that he desires to dismiss this case at the costs of J.O. Hudson.

It is therefore ordered adjudged and decreed by the court that the State of Tennessee recover of J.O. Hudson the costs of this suit for which let execution issue.

State of Tennessee
vs.
Charlie Baker
Carrying a pistol

In this case came the Attorney General for the State, whereupon the fine of fifty dollars is assess against the defendants, and the costs of this case, and also a jail sentence of six months/ but said jail sentence is suspended during the good behavior of the defendant, and in the event of his failure to pay or secured said fine and costs he will be further confined in the Humphreys county or work house until he pay secure or work out all of said fine and costs

State of Tennessee
vs.
Lenard Gunnells
attachment

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

State of Tennessee
vs.
Jim & Marion Radford
Roy Radford
M. Liquor

In this case came the Attorney General for the State, in person enter pleas of guilty as charged. Thereupon the Court assess the penalty, and they shall pay a fine of One Hundred Dollars each, and the costs of this cause, and in the confined in the Humphreys County or work house for a period of sixty days event of their failure to pay or secure said fines and costs they will be further confined in the aforesaid jail or work house until they pay secure or work out all of said fine and costs, and that ALIAS CAPIAS issue for the defendant Roy Radford,

State of Tennessee

vs. Drunkenness
Henry Lynville et al.

In this case came the Attorney General for the State and the

defendants Henry Lynville and Lonie Lynville in person and by attorney, who being duly charged and arraigned on said presentment plead not guilty.

Thereupon to try the issue joined came a jury of good and lawful men of Humphreys

County, to wit: C.B. Jones, H.M. Turner, K.C. Hobbs, I.H. Young, P.A. Brown, Park

White, Claud Luton, J.M. King, J.C. James, G.M. Ridings, T.L. Fortner, and B.F. Forch

who being duly elected empaneled and sworn according to law, who after hearing

all the proof, argument of counsel and the charge of the court upon their oaths do

say that they find the defendants guilty as charged in said presentment.

Thereupon the Court assesses the penalty and say that the defendant Henry Lynville

shall pay a fine of Ten Dollars (\$10.00), and that the defendant Lonie Lynville

shall pay a fine of Fifteen Dollars (\$15.00) and that each of the defendants pay

half of the costs, then came into open court A.R. Lynville, W.M. Wallace, and J.W. Dunn

and entered their names as sureties for all of said fines and costs.

It is therefore ordered adjudged, and decreed by the Court that the State of Tennessee

recover of the defendants and their sureties all of said fines and costs for which

let execution issue.

R.A. Tatum

vs. Petition for divorce

Ida Tatum

In this case upon the consideration of the Court, the court is of the

opinion that this be dismissed at the costs of the plaintiff and the sureties upon

his costs bond.

It is therefore ordered that the defendant recover of the plaintiff and his sureties

to wit: J.C. Gunn, J.T. Gun, J.C. Fuqua, J.D. Fuqua, and J.M. Fuqua all the costs of

this cause, for which let execution issue.

The following cases were continued until the next term of this Court.

State of Tennessee vs. Will Davis et al. Scire Facias. State of Tennessee vs Robert

Brown Possessing a still. State of Tennessee vs. F.C. Fly Driving a car with

demonstration license. State of Tennessee vs. Alfred Curtis Murder.

State of Tennessee

vs. B.D.

John Tankersley

In this case the Grand Jury return an indictment marked not a true

bill. It is therefore ordered adjudged and decreed by the Court that the defendant

be discharged and go hence without day.

State of Tennessee

vs. Possessing a still

Willie Young and

Frank Young

This case is continued as to Willie Young, and ALIAS CAPIAS

is ordered issued as to Frank Young.

The following case were continued until the next term of this Court: Mrs. May Parker vs. Miss Carrie Byrne, Damage. J.L. Carroll vs. L.M. Brown et al, Condemnation Phillips and Burdett vs. J.H. Fowlkes, Waverly Motor Company vs. Meeks Harrison Condemnation. G.M. Cook vs. Eli Wills et al, Condemnation. G.M. Cook vs. Meeks Harrison et al, Condemnation.

G.S. Bone

vs. Condemnation

W.N. Phobus

In this case came the plaintiff, and asked the Court to be allowed to

dismiss this case at his own costs.

It is therefore ordered adjudged, and decreed by the court that the defendant, the

costs of this cause for which let execution issue.

G.S. Bone and Sons.

vs. Condemnation

C.H. Phobus

In this case came the plaintiffs, and asked the Court to be allowed

to dismiss, this case at his own costs.

It is therefore ordered adjudged, and decreed by the court that the defendant recover

of the plaintiffs all the costs of this cause for which let execution issue.

State of Tennessee

TO the Honorable Judge of the Circuit Court of Humphreys

County, Holding and presiding at Waverly, Tennessee;

Whereas in our Supreme Court, at Nashville, , at its December Term 192 --, it was

adjudged and ordered in this cause.

John Crowell vs. the State appealed to our said Court from said Circuit Court that it

the same be remanded thereto for further proceedings and final determination therein

These are, therefore. To require you, the Court as aforesaid, that you proceed with

the execution of this judgment of our said Supreme Court, by such further proceeding

in your Court as shall effectuate the objects of this order to remand, and attain the

ends of justice.

Witness, David S. Lansden, Clerk of said Court at office in Nashville, the first

Monday of December, 1922.

David S. Lansden Clerk.

State of Tennessee. Be it remembered, That at a Supreme Court of Errors and appeals

begun and held at the Capitol, in the City of Nashville on the first Monday of

December 192--, of being the -- of December, 192-- when the follow-

ing proceedings were had, to wit:

John Crowell

Humphreys Criminal

vs.

THE STATE.

Came the plaintiff-- in error in proper person and by counsel, and also came the

Attorney-General on behalf of the State, and this cause was heard on the transcript

of the record from the Circuit Court of Humphreys County, and on consideration

thereof, the Court is of opinion that there is no reversible error on the record, and

and that the judgment of the Court below should be affirmed, and it is accordingly

so ordered and adjudged by the court..

It is therefore ordered by the Court that the plaintiff in error, for the offense of Voluntary manslaughter, as charged in the indictment be delivered to the Warden of the penitentiary, or his agent, and be by him conveyed to the penitentiary of the State of Tennessee and there confined at hard labor for a term of not more than 3 years commencing on the day of his reception at said penitentiary. The Plaintiff in error will pay the costs of the cause in this court and the Court below, and execution may issue from this Court for the costs of the appeal. Procecdendo will be to the said Circuit Court of Humphreys County directing that Court to proceed with collection of the costs of the cause accrued there in the manner provided by law. The Clerk of this Court will issue a duly certified copy of this judgment to be delivered by the Marshall to the Warden with the body of said plaintiff in error.

Office of the Clerk of the Supreme Court of the
middle division of the State of Tennessee.

I, Davis S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true and complete copy of the judgment of said Court, pronounced at its December Term 1925 in the case of John Crowell vs. THE STATE, as the same appears of record in my office.

In testimony whereof, I have hereto set my hand and affixed the seal of the Court, at office in, the Capitol, at Nashville, on this the 19th. day of June 1926,
David S. Lansden Clerk.

PROCEEDENDO.

STATE OF TENNESSEE. To the Honorable Judge of the Circuit Court of Humphreys County Holding and presiding at Waverly, Tennessee:

Whereas in our Supreme Court, at Nashville, at its December Term, 1925, it was adjudged and ordered in the cause V.H. Murrell vs The State appealed to our said Court from said Circuit Court that the same be remanded thereto for further proceedings and final determination therein. These are therefore, To require you, the Court as aforesaid, that you proceed with the execution of this judgment of our said Court, by such further proceedings in your Court as shall effects this order to remand, and attain the ends of justice.

Witness, DAVID. S. LANSDEN, Clerk of said Court at office in Nashville, the first Monday in December, 1925,
David S. Lansden Clerk.

THE STATE OF TENNESSEE.

BE IT REMEMBERED, That at a Supreme Court of Errors and Appeals, begun and held at the Capitol, in the City of Nashville on the first Monday of December 1925 it being the ---- day of December, 1925--- when the following proceedings were had, to wit:

V.H. Murrell ----- Humphreys Criminal

vs.

THE STATE

Came the plaintiff in error in proper person and by counsel, and also came the Attorney General on behalf of the State, and this cause was heard on the transcript of the record from the Circuit Court of Humphreys County, and on consideration thereof, the Court is of opinion that there is no reversible error on the record,

and that this judgment of the Court below should be affirmed, and it is accordingly ordered and adjudged by the Court.

It is therefore ordered by the Court that the plaintiff-- in error, for the offense of voluntary manslaughter, as charged in the indictment, be delivered to the Warden of the penitentiary, or his agent, and he be by him conveyed to the penitentiary of the State of Tennessee, and there be confined at hard labor for a term of not more than 4 years commencing on the day of his reception at said penitentiary.

The plaintiff in error will pay the costs of the cause accrued in this court and the Court below, and execution may issue from this Court for the costs of the Appeal. A procedendo will issued to said Circuit Court of Humphreys County, directing that Court to proceed with the collection of costs of the cause accrued therein in the manner provided by law.

The Clerk of this Court will issue a duly certified copy of this judgment to be delivered by the Marshall to the Warden with the body of the plaintiff in error.

Office of the Clerk of the Supreme Court of the
Middle Division of the State of Tennessee,

I, Davis, S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of said Court, pronounced at its December Term, 1925, in the case of V.H. Murrell vs. THE STATE, as the same appears of record in my office.

In testimony thereof I have hereto set my hand and affixed the seal of the Court, at office in the Capitol, at Nashville, on this the 19, day of June, 1926

David. S. Lansden Clerk.

Melvin Schrock
vs.
John Johnson

T.O. Simpson, Justice of the Peace for Humphreys County Tennessee
filed here in Court the following papers to wit:

Certified copy of judgment

Judgment for the plaintiff \$96.00 and all costs of suit, by confession in accordance with the provision of Section 4705 4706 4707, code of Tennessee, Shannon's 44th Edition 1896 for which execution may issue.

This day came George Sugg and presented to me T.O. Simpson a Justice of the Peace in and for the said County of Humphreys, State of Tennessee, note dated Jan. 1921 in the sum of \$85.00 and due 6 months after date payable to Melvin Schrock signed by John Johnson, which note contained authority to W.D. King or George Sugg to at any time after note became 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 the makers and in favor of Melvin Schrock by the authority given under Section 4705, 4706, and 4707 as above cited

I, T. O. Simpson acting Justice of the peace in and for the said County of Humphreys, State of Tennessee, do hereby certify that the above styled case and judgment appear on my docket No. 154 dated, Jan. 2, 1926. T.O. Simpson, Justice of the Peace

EXECUTION

State of Tennessee, Humphreys County, To any lawful officer to execute and return You are hereby commanded, that of the goods and chattles, lands and tenements of John Johnson you cause to be made the sum of Ninety Six Dollars and no cents, and

It is therefore ordered by the Court that the plaintiff in error, for the offense of Voluntary manslaughter, as charged in the indictment be delivered to the Warden of the penitentiary, or his agent, and be by him conveyed to the penitentiary of the State of Tennessee and there confined at hard labor for a term of not more than 3 years commencing on the day of his reception at said penitentiary. The Plaintiff in error will pay the costs of the cause in this court and the Court below, and execution may issue from this Court for the costs of the appeal. Procecdendo will be to the said Circuit Court of Humphreys County directing that Court to proceed with collection of the costs of the cause accrued there in the manner provided by law. The Clerk of this Court will issue a duly certified copy of this judgment to be delivered by the Marshall to the Warden with the body of said plaintiff in error.

Office of the Clerk of the Supreme Court of the middle division of the State of Tennessee.

I, Davis S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true and complete copy of the judgment of said Court, pronounced at its December Term 1925 in the case of John Crowell vs. THE STATE, as the same appears of record in my office.

In testimony whereof, I have hereto set my hand and affixed the seal of the Court, at office in the Capitol, at Nashville, on this the 19th. day of June, 1926,
David S. Lansden Clerk.

PROCEEDENDO.

STATE OF TENNESSEE. To the Honorable Judge of the Circuit Court of Humphreys County Holding and presiding at Waverly, Tennessee:

Whereas in our Supreme Court, at Nashville, at its December Term, 1925, it was adjudged and ordered in the cause V.H. Murrell vs The State appealed to uor said Court from said Circuit Court that the same be remanded thereto for further proceedings and final determination therein. These are therefore, To require you, the Court as aforesaid, that you proceed with the execution of this judgment of our said Court, by such further proceedings in your Court as shall effects this order to remand, and attain the ends of justice.

Witness, DAVID. S. LANSDEN, Clerk of said Court at office in Nashville, the first Monday in December, 1925,
David S. Lansden Clerk.

THE STATE OF TENNESSEE.

BE IT REMEMBERED, That at a Supreme Court of Errors and Appeals, begun and held at the Capitol, in the City of Nashville on the first Monday of December 192-- it being t the---- day of December, 192--- when the following proceedings were had, to wit:

V.H. Murrell ----- Humphreys Criminal

vs.
THE STATE

Came the plaintiff in error in proper person and by counsel, and also came the Attorney General on behalf of the State, and this cause was heard on the transcript of the record from the Circuit Court of Humphreys County, and on consideration thereof, the Court is of opinion that there is no reversible error on the record,

and that this judgment of the Court below should be affirmed, and it is accordingly ordered and adjudged by the Court.

It is therefore ordered by the Court that the plaintiff in error, for the offense of voluntary manslaughter, as charged in the indictment, be delivered to the Warden of the penitentiary, or his agent, and he be by him conveyed to the penitentiary of the State of Tennessee, and there be confined at hard labor for a term of not more than 4 years commencing on the day of his reception at said penitentiary.

The plaintiff in error will pay the costs of the cause accrued in this court and the Court below, and execution may issue from this Court for the costs of the Appeal. A procedendo will issued to said Circuit Court of Humphreys County, directing that Court to proceed with the collection of costs of the cause accrued therein in the manner provided by law.

The Clerk of this Court will issue a duly certified copy of this judgment to be delivered by the Marshall to the Warden with the body of the plaintiff in error.

Office of the Clerk of the Supreme Court of the Middle Division of the State of Tennessee,

I, Davis, S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of said Court, pronounced at its December Term, 1925, in the case of V.H. Murrell vs. THE STATE, as the same appears of record in my office.

In testimony whereof I have hereto set my hand and affixed the seal of the Court, at office in the Capitol, at Nashville, on this the 19, day of June, 1926

David. S. Lansden Clerk.

Melvin Schrock }
vs. } Condemnation
John Johnson }

T.O. Simpson, Justice of the Peace for Humphreys County Tennessee filed here in Court the following papers to wit:

Certified copy of judgment

Judgment for the plaintiff \$96.00 and all costs of suit, by confession in accordance with the provision of Section 4805 4706 4707, code of Tennessee, Shannon's Addinta Edition 1896 for which execution may issue.

This day came George Sugg and presented to me T.O. Simpson a Justice of the Peace in and for the said County of Humphreys, State of Tennessee, note dated Jan. 1921 in the sum of \$85.00 and due 6 months after date payable to Melvin Schrock signed by John Johnson, which note contained authority to W.D. King or George Sugg to at any time after note became 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 the makers and in favor of Melvin Schrock by the authority given under Section 4705, 4706, and 4707 as above cited

I, T. O. Simpson acting Justice of the peace in and for the said County of Humphreys, State of Tennessee, do hereby certify that the above styled case and judgment appear on my docket No. 154 dated, Jan. 2, 1926, T.O. Simpson, Justice of the Peace

EXECUTION

State of Tennessee, Humphreys County, To any lawful officer to execute and return You are hereby commanded, that of the goods and chattles, lands and tenements of John Johnson you cause to be made the sum of Ninety Six Dollars and no cents, and

costs of suit, to satisfy a judgment which Melvin Schrock obtained before T.O. Simpson, Justice of the Peace on the 2nd. day of Jan. 1928 against the said John Johnson and such moneys, when collected pay to the said Melvinschrock. Given under my hand and seal, this 23 day of April 1928. T.O. Simpson Justice of the Peace.

LEVY.

The execution hereto attached came to hand when issued, and search having been made, in my county and no personal property, of the defendant found upon which to levy the same, I hereby levy said execution upon the following real estate belonging to the defendant J.M. Johnson Jr. Said real estate is situated the old 5th. now new third Civil District of Humphreys County, Tennessee near McEwen Tenn. and bounded and described as follows to wit: Bound on the North by Hatcher and on the South by Schrock on the East by Hatcher, and on the West by Hannah, containing 150 acres being This execution is levied to satisfy a judgment in favor of Melvin Schrock, and against J.M. Johnson Jr. This May 19th. 1928. Lewis Phy Deputy Sheriff of Humphreys County Tenn. Filed May 10, 1928. Albert Binkley Clerk.

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, Tennessee to satisfy the aforesaid judgment, of T.O. Simpson J.P. of the said Melvin Schrock, and also the costs of this proceedings.

State of Tennessee)
vs.) M. Liquor.
Marion Gunn Et. al.)

In this case came the Attorney General for the State, and the defendants Marion Gunn, Ben Williams W.M. Gunn, and Taft Slaughter and Pleas Burgess in person who being duly charged and arraigned on said presentment the defendant Pleas Burgess plead not guilty. Thereupon to try the issue joined came a jury of good and lawful men of Humphreys County, to wit: G.F. Moore W.A. Potter I.H. Davis Joe C. King, P.A. Brown, Parker White I.H. Young, J.M. King J.C. James G.D. Ridings T.L. Fortner and B.F. Porch, who being duly elected empaneled tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court upon their oaths do say that they find the defendant Pleas Burgess guilty of possessing a still as charged in the second count of the presentment, and assess his punishment at One Hundred Dollars fine and be confined in the County Jail for a period of 90 days and that he pay the costs of this cause for which let execution issue and in the event of his failure to pay or secure said fine and costs he will be further confined in the County Jail or work house until he pay secure or work out all of said fine and costs. And upon motion of the Attorney General a nolle prosequi is entered in this case upon the payment of costs as to the defendants Marion Gunn Ben Williams W.M. Gunn, and Taft Slaughter then came into open Court H.M. May and Dave Slaughter and entered their names as sureties for the costs as to Ben Williams, and Taft Slaughter, then came into open Court D.A. Tipton and entered his name as surety as to costs Marion Gunn. It is therefore ordered adjudged and decreed by the Court that the State of Tennessee recover of the defendants Marion Gunn Ben Williams and Taft Slaughter, and their Sureties the costs of this case for which let execution issue, and in the event of the defendant W.M. Gunn's failure to pay or secure his part of this fine and costs he will be confined in the County Jail or work house until he pay secure or work out all of said costs, and ALIAS CAPIAS will issue for the defendant Berry Slaughter.

Court then adjourned until Court in course.

[Signature] Judge.