

Jewel Belcher
Vs.
Lewis Belcher

In The Circuit Court at Waverly, Tennessee.

In this cause on motion of complainant and it duly appearing to the court that the defendant Lewis Belcher has been regularly brought before the court by non-resident publication properly had and made and up to this Friday the 5th. day of the term of this court the defendant has failed to appear and make defense to the petition filed in this case, and within the time required by law; it is ordered that as to the defendant Lewis Belcher the petition be taken for confessed and the case set for hearing ex parte.

And the case coming on futher to be heard before the court upon the petition of the complainant, the order proconfesso and the oral testimony of witnesses produced in open court when it appeared to the court that the petition and the defendant married in the state of Alabama where they lived for a very short time and that the petitioner at the suggestion of the defendant came back to her father's and mother's home in Humphreys County, Tennessee, the defendant also coming to Humphreys County where he stayed in the home of petitioner's father and mother for about ten(10) days, during all of which time he furnished the petitioner no means of support and made no arrangements for her care. The defendant then told the petitioner that he was going away to Alabama to get work and would send her money for her support and for to pay expenses to come to him, all of which he failed to do, and as a matter of fact the mother of petitioner had to send her means to come back to her home from the state of Alabama when she did come.

It is therefore ordered, adjudged and decreed by the court that the bonds of matrimony now subsisting between the complainant and the defendant be and are absolutely dissolved and that the petitioner be restored to all the rights and privileges of a single person and that her maiden name Jewel Chambers be restored to her and that the defendant pay the cost of this case for which execution may issue.

Court then adjourned untill tomorrow morning at 9 O'clock,

Judge

Court met pursuant to adjournment, present and presiding the Hon. J.D.G. Morton Judge etc.
G.A. Poplin
Vs. Circuit Court Waverly, Tennessee.

Nixon & Phillips Construction Co.,
Comes the plaintiff by attorneys and moves the court to be permitted to take a non-suit in this case, which motion is allowed and the case is dismissed at the plaintiff's cost.

Ruth M. Stephenson
Vs. Petition for Divorce.
J.A. Stephenson
In this case it is ordered dismissed by the plaintiff and plaintiff will pay the costs, for which execution may issue.

Hubert Hedge by Next Friend,
Vs. Circuit Court Waverly, Tennessee.
Ike Johnson et al.

Came the parties in person and by their attorneys, and also a jury of good and lawful men to wit: George Hughey, Doss Thompson, Alse Woods, J.W. Milam, George Smith, Monroe Woods, Thomas Bigham, Charlie Smith, J.S. Westbrooks, W.R. Spann, N.C. Curtis, and G.T. Hatcher who being elected tried, and sworn the truth to speak upon the issue joined, and at the termination of all the proof introduced by the plaintiff on the trial of the case the defendant moved the court to direct a verdict in favor of the defendant; and after due consideration of said motion so made, the court ordered the jury and directed it to return a verdict in favor of the defendant. It is therefore considered by the court and ordered that the defendants recover of the plaintiff all of the costs in said case for all of which execution may issue.

Hubert Hedge, by next friend,
W.L. Hedge,
Vs. In the Circuit Court at Waverly, Tennessee.
Ike Johnson, et ux.

In this cause comes the plaintiff by Counsel, and moves the Court for a New trial, and for grounds of his Motion, says:

1.

The Court erred in sustaining the motion by defendant's counsel, for a directed verdict:

- The facts developed in Plaintiff's proof showed a latent animosity on behalf of defendants, and against the plaintiff, and which animosity manifested itself in divers ways:
- The facts as developed by Plaintiff in his proof showed that the defendant, Ike Johnson, and his wife, had held secret conferences and conversations with Lurhea Hedge, wife of Plaintiff, and which for reasons best known to themselves were kept from plaintiff, and he denied all information relative thereto; during and after these conferences the attitude of the plaintiff toward the plaintiff was cold, reticent and indifferent.
- The facts developed by plaintiff in his proof in chief showed that the defendant, Ike Johnson, had taken the law into his own hands that he attempted to make a scape-goat of the sheriff, and attempted to shift responsibility. Failing in this he took the law into his own hands.
- The facts developed by the plaintiff show that the defendant Ike Johnson designed a permanent separation of the husband and wife. There were no limitations or qualifications

Minutes Circuit Court, Humphreys County, December Term 15th. day of December 1930.

Court Met pursuant to adjournment present and presiding the Hon. J.D.S. Morton Judge etc.
This day the Grand Jury came into open Court and presents the following indictments and presentments.

One against A.D.Carnell, assault with intent to commit murder, State of Tennessee, Humphreys County, December Term of Circuit Court, A.D.1930. The Grand Jurors for the State of Tennessee, elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid presents that A.D.Carnell of said County, heretofore, to wit, on the 25th., day of August 1930, with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and maliciously did make an assault upon the body of one T.G.Ferguson with a ^{certain} pistol with the unlawful and felonious intent, then and there, him, the said T.G.Ferguson unlawfully, feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought, to kill, and upon him to commit the crime and felony of murder in the first degree, against the peace and dignity of the State.

W.C.Howell, Assistant Attorney General.
December Term, 1930, THE STATE VS. A.D.Carnell Assault with intent to commit murder in the first degree. T.G.Ferguson Prosecutor. Subpoena for the State: T.G.Ferguson, W.R.Sparr, J.L.Smith, Jewell Ferguson, Jack Spencer, Witnesses sworn by me on this indictment before the Grand Jury, December Term, 1930 R.H.McKeel Foreman Grand Jury. W.C.Howell Assistant Attorney General. A true bill. R.H.McKeel Foreman Grand Jury.

One Against Don McCloud, Larceny, Subpoena for the State Walter McNeil, D.B.McGann, W.E.Mclemurry, Traylor Harris, and Carter Simpson.

One Against Melvin Hicks, attempt to commit a felony, which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D.1930. 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, presents that Melvin Hicks heretofore, to wit, on the 15th., day of August 1930, in said County and State unlawfully and feloniously did attempt in day time to feloniously and forcibly break and enter the smokehouse of one D.C.Balthrop, of said county, with intent to commit a felony, to wit, a larceny, with intent to feloniously take steel and carry away the goods and chattels of the said D.C.Balthrop, then and there to be had and found in said smokehouse, contrary to the statute and against the peace and dignity of the state.

W.C.Howell Assistant Attorney General.
December Term, 1930, The State Vs. Melvin Hicks, attempt to commit a felony, D.C.Balthrop Prosecutor, Subpoena for the State: B.C.Balthrop and Doss Balthrop, Witnesses sworn by me on this indictment before the Grand Jury December Term 1930, R.H.McKeel Foreman Grand Jury.

W.C.Howell Assistant Attorney General. A TRUE BILL. R.H.McKeel Foreman Grand Jury.

One Floyd Nix, Bad Check which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County, December Term of Circuit Court A.D.1930.

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, presents that Floyd Nix heretofore, to wit, on the 21st, day of July 1930, in said County and State, unlawfully and willfully did obtain from E.T.Crowell, fraudulent intent Ten Dollars by means of a check of which he the said Floyd Nix, was the drawer on Farmers & Merchants Bank of Waverly, Tennessee, for the sum of Ten Dollars, which said check was presented to the drawee, said bank, and not paid and was not paid by the drawer after seven days notice in writing having been mailed to said Floyd Nix at his last known address, contrary to the statute and against the peace and dignity of the state.

Minutes Circuit Court, Humphreys County, December Term 15th., day of December 1930.

W.C.Howell Assistant Attorney General. December Term, 1930 THE STATE VS. FLOYD NIX
Bad Check E.T.Crowell, Prosecutor SUBPOENA FOR THE STATE: E.T.Crowell.
Witnesses sworn by me on this indictment before the Grand Jury Dec. Term, 1930 R.H.McKeel Foreman Grand Jury. W.C.Howell Assistant Attorney General. A TRUE BILL R.H.McKeel Foreman Grand Jury.

One Against A.D.Carnell, Carrying A Pistol, Subpoena for the State W.R.Sparr, Jack Spencer, Jewell Ferguson and J.L.Smith.

One against Roger Wilbern, assault with intent to commit murder, which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930, The Grand Jurors for the State of Tennessee, elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid presents that Roger Wilbern of said County, heretofore, to wit, on the 4th., day of October 1930, with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Pat Webb with a certain pocket knife with the unlawful and felonious intent, then and there, him, the said Pat Webb unlawfully, feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought, to kill, and upon him to commit the crime and felony of murder in the first degree, against the peace and dignity of the State.

W.C.Howell Assistant Attorney General. December Term, 1930, The State Vs. Roger Wilbern Assault with intent to commit murder in the first degree. Pat Webb Prosecutor, Subpoena for the State: Pat Webb, Will Walker, Theodocia Spicer and Hugh Gardener, Witnesses sworn by me on this indictment before the Grand Jury, December Term, 1930 R.H.McKeel Foreman Grand Jury. W.C.Howell Assistant Attorney General. A TRUE BILL. R.H.McKeel Foreman Grand Jury.

One against Claud Warren, felony, Subpoena for the State: C.B.Laws and McKinly Long.

One against Henry Danesworth H.B. and Larceny, which indictment is in the words and figures following to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930, 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 Henry Danesworth heretofore, to wit, on the 11th., day of November 1930, in said County and State, unlawfully, feloniously, and forcibly did break and enter the business house of one Levi Crowell, of said county, with intent to commit a felony, to wit, a larceny.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present: that the said Henry Danesworth, on the day and year aforesaid, in the state and county aforesaid, unlawfully and feloniously did take, steal, and carry away: one pair men shoes "Ball Band" brand; one pair men shoes "Diamond Brand" Peter's shoes; one coat; one pair corduroy trousers; one sheep lined coat all of the value of Twenty Dollars, and of the goods and chattels of the said Levi Crowell and W.R.Waggoner, with intent to deprive them, the said Levi Crowell and W.R.Waggoner, the true owners thereof and convert the same to his own use, contrary to the statute and against the peace and dignity of the state W.C.Howell Assistant Attorney General. And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Henry Danesworth of said county, on the day and year aforesaid, in the county aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing one pair men shoes "Ball Band" brand; one pair men shoes "Diamond Brand" Peter's shoes; one coat; one pair corduroy trousers; one sheep lined coat all of the value of Twenty Dollars, the property of Levi Crowell and W.R.Waggoner of said county, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, he the said Henry Danesworth then and there knowing the said property to have been feloniously stolen, taken and carried away, and he the said Henry Danesworth intending then and there fraudulently to deprive the owner

thereof, contrary to the statute and against the peace and dignity of the state.

W.C.Howell Assistant, Attorney General.

December Term, 1930, The State Vs. Henry Danesworth, H.B. and Larceny, Levi Crowell Prosecutor Subpoena for the State; Levi Crowell, J.C. Thomas, Austin Sanders and Roy Pingston,

Witnesses sworn by me on this indictment before the Grand Jury December Term, 1930, R.H.

McKeel Foreman Grand Jury, W.C.Howell Assistant Attorney General, A. TRUE BILL R.H. McKeel

Foreman Grand Jury.

State of Tennessee)

Vs.) Malicious Mischief.

J.T. Sanders)

In this cause the Grand Jury return an indictment marked not a true bill.

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

SHERIFF'S BOARD BILL FOR BOARDING PRISONERS CHARGED WITH FELLANIES.

This day came Walter McNeil Sheriff and jailer for Humphreys County, Tennessee, in open Court and presents and reads his board bill against the State of Tennessee, for boarding prisoners charged with felonies

State of Tennessee Vs. Scott Shanks Murder Apr. 8th., 1930. April 14th., 1930.

Aug. 11th., 1930 to Dec. 15th., 1930, 127 days at 75¢ per day = \$95.25

State of Tennessee Vs. Henry Danesworth H.B. and Larceny, Nov. 21, 1930 to

Dec. 15, 1930, 25 days at 75¢ per day = \$18.75

\$114.00

Waverly Motor Co.

Vs.

In the Circuit Court of Humphreys county, Tenn/

J.A. Turner December term 1930.

MOTION FOR A NEW TRIAL

The defendant moves the court for a new trial, and in support of his motion assigns the following errors of law committed against him on the trial of this cause:

In this cause at the conclusion of the argument for the defendant in the cause the court of its own motion directed the jury to return a verdict in favor of the plaintiff for \$100. with interest and the costs of the cause

This was error in the court because the contract sued on by the plaintiff as shown by the plaintiff itself showed that in the contract the plaintiff was to render certain personal services to or for the defendant. These services plaintiff admitted it had not rendered and the reason assigned therefor was a disputed question of facts that the court could not pass on. The services to be rendered by the plaintiff to the defendant was to bring a second hand Dodge touring car from McEwen to its place of business at Waverly, Tenn. and tighten it up, and shine it up and put it in condition to sell and to use its entire force in making every effort to sell the car within six months from the date of the contract sued on. The only reason assigned by the plaintiff for not performing this service was that said Dodge touring car had no batteries on it which was a disputed question of fact, which could only be passed upon by the jury.

11.

Before the plaintiff could recover on the contract sued on in which it was to render personal services to the defendant it must show as a condition precedent that it had performed the services agreed upon, or a good and sufficient legal excuse for its failure to do so. It showed no legal excuse in this case for not performing the services required of it in said contract as above shown and it was error in the court to direct a verdict in its favor.

111.

In the contract sued on the plaintiff cannot ignore the provisions of said contract in favor of the defendant and refuse to perform them or to perform what was required of it in the contract and compel the defendant to perform his part of the contract in its entirety. The plaintiff's right of recovery depends upon the terms of the contract of the contract sued on and it must make out its case by showing its compliance and performance of everything required of it in the contract.

Courts will only enforce contracts in their entirety or in other words it will only enforce the whole contract and not a part of it, to do otherwise would be for the court to destroy contracts rather than to enforce compliance of the parties to the terms of the contract.

..... J.F. Shannon

..... J.E. Tubb

Attys. for Deft.

J.I. Ridings

Vs.

In Circuit Court Waverly, Tennessee.

Tennessee Electric Power Company

MOTION FOR NEW TRIAL.

Comes the defendant Tennessee Electric Power Company by its attorneys and moves the court for new trial in the above style case, for grounds of said motion says:

I

Because the plaintiff failed to show by the preponderance of the evidence that he had any contract with the defendant for the electric light poles sued for in this case, and in fact the proof shows that a contractual relationship existed between the plaintiff and the defendant.

II

Because the contract made by the Tennessee Electric Power Co., which was in writing and made part hereof exhibit "1" discloses that the party with whom said contract was made by the defendant Tennessee Electric Power Company was an independent contractor and in no way otherwise connected with the Tennessee Electric Power Company other than as disclosed in said contract exhibit "1" to his motion.

III.

Because the weight of the testimony or evidence in the case is against the conclusions of the court in pronouncing judgment against the defendant, and is in favor of the defendant.

IV.

Because the court was mistaken in basing a conclusion that before the defendants issued voucher or check to the defendant Wallace that the Tennessee Electric Power Co. had noticed that Ridings had not been paid, this conclusion no doubt being reached from a letter dated August the 14th. 1929 from Stevens & Wood Engineers and Constructors, which letter was written in reply to a letter that Mr. Ridings had written to this Engineering concern. The testimony of Mr. Bartlett and Mr. Satewhite showing conclusively that Stevens & Wood were only Engineers and not a part of the Tennessee Electric Power Co. but a corporation separate and apart from the Tennessee Electric Power Company.

V.

Because the letter introduced in evidence written by the Defendant Tennessee Electric Power Co., dated August 27, 1929 in reply to a letter dated August 23, and written by W.D. Patterson about this transaction was all after the voucher or check in payment of Wallace for the poles in question which letter enclosing check and the check itself was dated the

16th. of August 1929, hence the defendant Tennessee Electric Power Co., had no notice prior to the issuance of its check to Wallace that Ridings and Patterson had not been paid. The Court after hearing argument of counsel in motion for a new trial it pleased to overrule same. State of Tennessee)

vs.) Resisting an officer.
B.O. Pigrim)

In this cause comes the assistant Attorney General for the state and the defendant in person and by Attorney, who, being duly charged and arraigned on said indictment pleads not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County to wit: Bob Hughey, W.M. Rollins, Dave Adams, George Hughey, W.O. Simpson, M.C. Riddings, H.M. Allison, John Ingram, J.W. Miley, Duncan Story, F.D. Baggett, Roy Ingram, who being duly elected tried and sworn according to law and, and after hearing part of the proof and not having time to complete the case, said jury was respited by the Court until tomorrow morning at 9 O'clock.

Court then adjourned until tomorrow morning at 9 o'clock

B. J. Martin Judge,

Minutes Circuit Court Humphreys County, December Term 16th. Day of December 1930.

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

vs.)
W.A. Lawson) Molicious Mischeif

In this case came the assisnt Attorney General for the State and defendants in ~~whom~~ and by attorneys, who being duly charged and arraigned on said bill of indictment pleads not guilty. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: A.V. Anderson, Doss Thompson, Alse Woods, Tom Pullen, Albert Binkley, J.H. Collier, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, W.R. Spann, N.C. Curtis, and G.T. Hatcher, who being duly elected tried and sworn according to law, ~~after~~ hearing all the proof .rgument of counsel, and the charge the court upon their oath do say that they cannot agree upon a verdict in this case.

It is therefore ordered adjudged and decreed by the court that a mistrial be entered in this case, and the jury be discharged, and the case continued until next term of this court.

State of Tennessee)
vs.) Resisting an Officer
B.O. Pigram)

In this cause comes again the Assistant 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: Bob Hughes, W.M. Rol..., Dave Adams, George Hughes, W.O. Simpson, M.C. Ridings, H.M. Allison, John Ingram, J.W. Miles, Duncan Story, F.P. Baggett, and Roy Ingram, after hearing the remainder of the proof argument of counsel, and the charge of the court, upon their oaths do say they find the defendant guilty as charged, in said bill of indictment. Thereupon they assess the punishment and say he shall pay a fine of \$10.00 together/all the cost of this cause, thence came into open court Mrs. E.O. Pigum and Walter Smith and entered their names as surety for all of said fine and cost. It is therefore ordered adjudged and decreed by the court that the State of Tennessee recover of the defendant and his surety all of said fine and cost for which let execution issue.

State of Tennessee)
vs.) B.D.
Walter Miller)

Walter Miller)
In this case came the assistant 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 One hundred dollars together all the cost, and the event of his
failure to pay or secure all of said fine and costs he will be confined in the county jail
or work house until he pay secure or work out all of said fine and costs.

State of Tennessee)
vs.) B.D.
Almond Elazier)

in this case came the assistant Attorney General for the State and the
and the defendant in person and plead guilty as charged, thereupon the Court assess the
penalty and say shall pay a fine of One hundred dollars together with all the costs, and
the event of his failure to pay or secure ~~all of~~ said fine and costs he ~~will~~ be confined
in the county jail or work house until he pay secure or work out all of said fine and cost.

W.J. Black
vs. Circuit Court, Waverly, Tenn.
C.E. Powett

This cause was this day heard by the court, without the inter vention of a jury upon the whole record and testimony offer by both plaintiff and defendant, and it appeared to the court that the plaintiff has possession of the property involved in the suit; it is therefore ordered by the court that the plaintiff retain the property, two tires and two tubes, as his own, and the defendant, C.E. Powett, will pay all the costs of the cause, for which execution may issue.

State of Tennessee
vs. B.D.
Good Wright

In this case came the Assistant 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 the event of his failure to pay or secure all of said fine and costs he will be confined in the county jail or work house until he pay secure or work out all of said fine and costs.

State of Tennessee
Vs. Assault to commit Murder.
Kit Baugus, Vernie Murrell
and Laddie Jarred

In this cause comes the Assistant Attorney General for the State and the defendant in person and by attorney, who being duly charged and arraigned on said indictment plead not guilty.

Thereupon to try the issue joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit, Geo. Hughey, Chesley Vaden, Dave Adams, Morris Ridings, H.M. Allison, Oscar Wallace, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, J.J. Bradly, N.C. Curtis, and W.M. Rollins, who being duly elected, tried and sworn, according to law, and being in charge of their sworn officers, H.F. Ingram and Geo. Wyatt who had been previously legally sworn to attend them, and the proof not being completed said jury was respited by the Court until tomorrow morning at nine o'clock and said jury retired in charge of their sworn officers aforesaid.

State of Tennessee
Vs. Driving car while Drunk.
Neal Inmon

In this case comes the Assistant Attorney General for the State, and the defendant in person and pleads guilty as charged, whereupon the Court assess the penalty and say he shall be confined in the County jail for a period of Thirty days and pay all costs of this cause, and in event of said failure to pay or secure said costs, he will be confined in the County jail until he pay secure or work out all of said costs.

Court then adjourned until tomorrow morning at 9 o'clock

J. M. Martin Judge,

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. J. D. C. MORTON ETIC.

State of Tennessee
vs. Assault to Commit Murder
Kit Baugus, Vernie Murrell
and Laddie Jarred

In this cause comes again the Assistant Attorney General for the State, and the defendants in person and by the Attorney, when the jury heretofore selected and sworn in this cause, to wit: George Hughey, Chesley Vaden, Dave Adams, Morris Ridings, H.M. Allison, Oscar Wallace, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, J.J. Bradlev, N.C. Curtis, H.M. Rollins having returned into open court in charge of their sworn officers, H.F. Ingram, and George Wyatt and having resumed the consideration 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 each of the defendant guilty of an assault with intent to commit voluntary manslaughter as charged in the indictment, and assess and fix the punishment of each at one year in the penitentiary. Whereupon each of the defendants gave notice of a motion for a new trial and the cause is passed pending the filing and hearing of said motion, and the time for the hearing of said motion is fixed for Thursday December 18, 1930, and the defendants are required to execute bond in the sum of One Thousand Dollars each pending said motion and in event of failure to execute said bond defendants will be remanded to jail in Humphreys County Tennessee, pending said motion for a new trial.

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

One against William Anderson and Jess Anderson Cutting and Ruining Timber, which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D., 1930. 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 William Anderson and Jess Anderson heretofore, to wit, on the 12th. day of November 1930 in said County and State, unlawfully trespassed on the lands of W.L. Jackson in the second civil district of said state and county aforesaid, by cutting down and destroying valuable timber thereon, exceeding fifty cents in value, with a view to convert the same to their own use, contrary to the statute and against the peace and dignity of the state, W.C. Howell Assistant Attorney General.

December Term, 1930 The State Vs. William Anderson and Jess Anderson cutting and ruining timber, V.L. Jackson prosecutor subpoena for the State V.L. Jackson, Oee Cullom, Rudolph Moore, W.D. Wright, witnesses sworn by me on this indictment before the Grand Jury December Term 1930 R.H. McKeel Foreman Grand Jury. W.C. Howell Assistant Attorney General. A true Bill R.H. McKeel Foreman Grand Jury.

One against Lawrence Gorden, Drunkness Subpoena for the State H.E. Fisher, Vrs. H.E. Fisher.
One against Clyde Mayberry, Drunkness Subpoena for the State Esq. J.R. Anderson, Jess Bone, Henry Jackson.

One against Grover Evington Drunkness, Subpoena for the State, Willy Varresett, J.W.C. Young,
One against Sam Little Drunkness Subpoena for the State, Dr. W.W. Sladden, Neal Pace, W.A. Buchanan.

One against Bill Lane Drunkness Subpoena for the State Esq. T.O. Simpson, Roy Pinaston, Deas Balthrop.

One against Nealy Inman and Walter Baker, Drunkness Subpoena for the State W.R. Spann, Johnnie Horner, C.E. Page.

One against Walter Burch, Drunkness Subpoena for the State Dr. W.W. Sladden, and Sam Scott.

One against Patterson Murphy age consent which indictment is in words and figures as follows to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to enquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Patterson Murphy heretofore, to wit, on the 17th. day of November 1920, in said County and State, unlawfully and feloniously did carnally know Delilah McClure, a female over the age of twelve years and under the age of twenty one years, the said Patterson Murphy and Delilah McClure not occupying the relation of husband and wife at the time of such carnal knowledge, and the said Delilah McClure not being at the time and before and before the carnal knowledge a bawd, lewd, or kept female, contrary to the statute and against the peace and dignity of the state, W.C. Howell Assistant Attorney General, December Term 1930 The State Vs. Patterson age consent A.L. McClure prosecutor. Subpoena for the State A.L. McClure, Delilah McClure, and Dr. W.W. Slayden. Witnesses sworn by me on this indictment before the Grand Jury December Term 1930 R.H. McKeel Foreman Grand Jury. W.C. Howell Assistant Attorney General A TRUE BILL R.H. McKeel Foreman Grand Jury.

One against Banks Wright tippling which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, December Term of the Circuit Court, A.D. 1930 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 Banks Wright heretofore, to wit: on the 16th. day of November 1930, in the State and county aforesaid, then and there unlawfully did sell and tippie spirituous, malt, vinous, and intoxicating liquors to one John Buchanan and not at that time, nor prior thereto, obtained a license to sell such liquors in such quantities, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State. And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Banks Wright on the day and year aforesaid, in the State and County aforesaid, then and there unlawfully did sell and tippie spirituous, malt, vinous, and intoxicating liquors as a beverage to one John Buchanan within four miles of a schoolhouse, where school is kept, known as Free school-house, located in the 5th. Civil District of said County, and not within the limits of an incorporated town, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State. December Term 1930 The State Vs. Banks Wright, Tippling, Subpoena for the State John Buchanan W.C. Howell Assistant Attorney General R.H. McKeel Foreman Grand Jury. J.L. Hickman, John Petty, J.R. Moore, R.C. Wheeler, J.T. Owens, R.W. Allison, Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.M. Scholes, Charley Trotter.

One against Silas Hatcher Obstructing Road, which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930. 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 Silas Hatcher heretofore, to wit, on the 15th. day of May, 1930, in said County and State and continuing since said time, in the state and county aforesaid, unlawfully obstructed a neighborhood road that has been used as a road by the public for a period of more than twenty years as a road to school, to church, to mill and to burying places, leading from old McEwen and Waverly road to Highway No.1, by cutting trees therein and erecting gates across same thereby rendering the same impassable, contrary to the statutes and against the peace and dignity of the state. W.C. Howell Assistant Attorney General, December Term, 1930 The State Vs. Silas Hatcher Obstructing Road, Subpoena for the State: Joe King, Harley Stringer, and Dee Lohorn, W.C. Howell Assistant Attorney General, R.H. McKeel Foreman Grand Jury J.L. Hickman, John Petty, J.R. Moore,

R.C. Wheeler, J.T. Owens, R.W. Allison, Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.M. Scholes, and Charley Trotter.

One against Eugene McEmurtry Driving Drunk, Subpoena for the State George Pace, Joe Traylor, and John Kilburn, Witnesses sworn by me on this indictment before the Grand Jury December Term, 1930 R.H. McKeel Foreman Grand Jury, W.C. Howell Assistant Attorney General A TRUE BILL R.H. McKeel Foreman Grand Jury.

One against Ike Baker Violating Fish Laws, which indictment is in the words and figures as follows to wit, cast \$172 \$10.00 to \$25.00 imprisonment discretionary. State of Tennessee Humphreys County, December Term of Circuit Court, A.D. 1930. 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 the State aforesaid, upon their oath aforesaid, present that Ike Baker heretofore, to wit, on the 20th. day of September 1930, in said County and State, unlawfully and feloniously did capture, kill and wound fish in the stream of said state and county by means of explosives thrown in said stream in said state and county by defendant contrary to the statutes and against the peace and dignity of the state. And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Ike Baker of said county, on the day and year aforesaid, in the county aforesaid unlawfully did catch and take fish from running streams by means or device, same not being baited hook and line or trotline, contrary to the statute and against the peace and dignity of the state. W.C. Howell Assistant Attorney General, December Term, 1930, The State Vs. Ike Baker Violating Fish Laws Subpoena and for the State Harry Wallace, Bud Barr, John Buck Stewart/Jim Stewart, W.C. Howell Assistant Attorney General, R.H. McKeel Foreman G and Jury J.L. Hickman, J.R. Moore R.C. Wheeler, J.T. Owens, R.W. Anderson, Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.V. Sholes and Charley Trotter.

One against George L. Harrison Carrying a Pistol, which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, December Term of the Circuit Court, A.D. 1930. 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 George L. Harrison heretofore to wit, on the 21st. day of September 1930, in the State and County aforesaid, unlawfully carried a pistol, the same not being an army or navy pistol carried openly in the hand, to the evil example of all others in like case offending and against the peace and dignity of the State, W.C. Howell Assistant Attorney General, December Term, 1930, The State Vs. George L. Harrison Carrying a Pistol Subpoena for the State: J.C. Thomas and George Wyatt, W.C. Howell Assistant Attorney General. A TRUE BILL R.H. McKeel Foreman Grand Jury J.L. Hickman, John Petty, J.R. Moore, R.C. Wheeler, J.T. Owens, R.W. Allison, Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.M. Sholes and Charley Trotter.

One against Flodie Meredith B.D. which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930. 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 the State aforesaid, upon their oath aforesaid, present that Flodie Meredith heretofore, to wit, on the 8th. day of May 1930, in said County and State, unlawfully did possess intoxicating liquors contrary to the statute and against the peace and dignity of the State. December Term 1930 The State Vs. Flodie Meredith B.D. Subpoena for the State, D.B. McCann, Walter McNeill, Tom Harris, and Tom Ferguson A TRUE BILL W.C. Howell Assistant Attorney General. R.H. McKeel Foreman of Grand Jury J.L. Hickman, John Petty, J.R. Moore, R.C. Wheeler, J.T. Owens, R.W. Allison, Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.M. Sholes and Charley Trotter.

One against Henry Danesworth Carrying a Pistol which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930 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 Henry Danesworth heretofore, to wit, on the 21st. day of November 1930, in the State and County aforesaid, unlawfully carried a pistol the same not being an army or navy pistol carried openly in the hand, to the evil example of all others in like case offending, and against the peace and dignity of the State W.C. Howell Assistant Attorney General. December Term 1930. The State VS. Henry Danesworth Carrying a Pistol. Subpoena for the State Hubert Curtis Carral Curtis W.C. Howell Assistant Attorney General. A TRUE BILL R.H. McKeel Foreman Grand Jury J.L. Hickman, John Petty, J.R. Moore R.C. Wheeler, J.T. Owens, R.W. Allison Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.M. Sholes and Charley Trotter.

One against Jesse Wright Tippling, which ^{indictment} is in the words and figures as follows to wit, State of Tennessee Humphreys County, December Term of Circuit Court, A.D. 1930, 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, presents that Jesse Wright heretofore, to wit, on the 22nd., day of November 1930, in the State and County aforesaid, then and there unlawfully did sell and tittle spirituous, malt, vinous, and intoxicating liquors to one John Buchanan and ~~and~~ not, at that time, nor prior thereto, obtained a license to sell such liquors in such quantities, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Jesse Wright on the day and year aforesaid, in the State and County aforesaid, then and there unlawfully did sell and tittle spirituous, malt, vinous, and intoxicating liquors as a beverage to one John Buchanan within four miles of a schoolhouse, where school is kept, known as Free schoolhouse, located in the 5th Civil District of said County, and not within the limits of an incorporated town, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State. December Term 1930, The State VS. Jesse Wright Tippling, Subpoena for the State John Buchanan W.C. Howell Assistant Attorney General. R.H. McKeel Foreman Grand Jury J.L. Hickman, John Petty, J.R. Moore, R.C. Wheeler, J.T. Owens, R.W. Allison, Jas. R. Weatherspoon, E. Johnson, T.W. Coleman, E.L. Pruett, M.M. Sholes and Charley Trotter.

One against St. Patrick Webb Profanity, which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930. 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 St. Patrick Webb heretofore, to wit, on the 4th. day of October 1930 in said County and State, in a public place, and in the presence and hearing of divers good citizens of the State then and there being, unlawfully did utter, publish, speak and say the following gross, scandalous, profane and blasphemous language, to wit, God Dam, etc., to the disturbance of the public peace, to the great scandal and common nuisance of all good citizens then and there being as aforesaid, to the manifest corruption of public morals, to the evil example of all like offenders, and against the peace and dignity of the State. W.C. Howell Assistant Attorney General. December Term, 1930 The State Vs. St. Patrick Webb Profane Language, Joe Traylor Prosecutor. Subpoena for the State: Joe Traylor, Will Walker, Roger Williams, Mrs. Harris Johnson, and Susie Hall, Witnesses sworn by me on this indictment before the Grand Jury, December Term, 1930 R.H. McKeel Foreman Grand Jury, W.C. Howell Assistant Attorney General. A TRUE BILL R.H. McKeel Foreman Grand Jury.

One against Vincent Buchanan and Newt Buchanan Cutting and Ruining Timber State of Tennessee Humphreys County, December Term of Circuit Court, A.D. 1930. 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 Vincent Buchanan and Newt Buchanan heretofore, to wit, on the day of 1930, in said County and State, unlawfully trespassed on the lands of John W. Anderson in the fifth civil district of said state and county aforesaid, by cutting down and destroying valuable timber thereon, exceeding fifty cents in value, with a view to convert the same to their own use. And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Vincent Buchanan and Newt Buchanan, and on divers other days, did unlawfully, knowingly, willfully, and wantonly cut down and destroy valuable timber on the lands of the said John W. Anderson, contrary to the statute and against the peace and dignity of the state. W.C. Howell, Assistant Attorney General. December Term, 1930 The State Vs. Vincent Buchanan and Newt Buchanan Cutting and Ruining Timber, John W. Anderson, Prosecutor, Subpoena for the State John W. Anderson, Will Hooper, ESQ, J.R. Anderson and Roy Buchanan, Witnesses sworn by me on this indictment before the Grand Jury December Term, 1930 R.H. McKeel Foreman Grand Jury. W.C. Howell, Assistant Attorney General. A TRUE BILL R.H. McKeel Foreman Grand Jury.

One against Joe Fields Driving Drunk, which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1930. 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 Joe Fields heretofore, to wit, on the 1st. day of June 1930, in said County and State, unlawfully did drive an automobile on the highways of said state and county, while under the influence of intoxicating liquor contrary to the statute and against the peace and dignity of the state. W.C. Howell, Assistant Attorney General. December Term, 1930. The State Vs. Joe Fields Driving Drunk, Subpoena for the State Dr. W.W. Slayden, Neal Pace, and W.A. Buchanan, Witnesses sworn by me on this indictment before the Grand Jury December Term, 1930 R.H. McKeel Foreman Grand Jury, W.C. Howell Assistant Attorney General. A TRUE BILL R.H. McKeel Foreman Grand Jury.

REPORT OF THE GRAND JURY.

We, the members of the Grand Jury at the December term 1930 of the Circuit of Humphreys County, beg leave to submit the following report to your Honor.

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

We have examined the County Jail and Poor House and find the prisoners and inmates well fed and cared for. But feel that the building of some of the inmates should be repaired. We have examined all bonds required to be examined by us and find them properly executed and good and solvent for the several amounts thereof except one or two guardman bonds should be strengthened and now having completed our labors, we respectfully ask to be discharged for the term. M.M. Sholes, E.L. Pruett, C.W. Trotter, J.T. Owens, E. Johnson, R.W. Allison, Jas. R. Weatherspoon, J.R. Moore, John Petty, J.L. Hickman, T.W. Coleman, R.C. Wheeler and R.H. McKeel Foreman.

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

J. T. Owens-----Judge.

Court met pursuant to adjournment present and presiding to Hon. J.N. G. Morton etc.
State of Tennessee)
VS.) Assault to Commit Murder.
Kit Baugas, Vernie Murrell)
and Laddie Jarred)

In this cause comes the Assistant Attorney General for the State and the defendant in person and by Attorney, when the motion for a new trial heretofore filed in this cause comes on to be heard by the Court, and which motion is as follows:

State of Tennessee)
VS.) Circuit Court, Waverly Tenn.
Kit Baugas, Lattie Jarred)
and Vernie Murrell)

Comes the defendants in this cause, by attorney and moves the Court for new trial, for the following reasons and causes:

-1-

That the evidence in this cause was not sufficient to warrant the verdict.

-2-

That the defendants Murrell and Jarred were some three or four miles from the scene of the crime at the time it was committed as was shown by the proof.

-3-

That the verdict of the jury was not in accordance with the instructions of the Court: that the penalty inflicted was excessive, that the whole case was based upon circumstantial and accumulative evidence that there was no direct proof against the defendants Murrell and Jarred in the record of this case.

And the same being heard by the court and the court being of the opinion that said motion is well taken and same is granted and the defendants are granted a new trial.

State of Tennessee)
VS.) Assault to Commit Murder.
Kit Baugas, Vernie Murrell)
and Laddie Jarred)

In this cause comes the Assistant Attorney General for the state and the defendants in person and by attorney, who being duly charged and arraigned on said indictment plead guilty.

Thereupon to try the issues joined came a Jury of good and lawfull men of Humphreys County, Tennessee, George Hughey, Doss Thompson, Alse Woods, Tom Pullen, Albert Binkley, J.H. Collier, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, W.R. Spann, N.C. Curtis and G.T. Hatcher, who being duly elected, tried and sworn according to law and being in charge of their sworn officers, R.F. Ingram and George WYATT, who had previously been legally sworn to attend them 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 an simple assault as charged in the indictment and assess and fix the punishment of Kit Baugas at four months confinement in the Jail at Waverly in Humphreys County, Tennessee, and assess and fix the punishment of Vernie Murrell at three months confinement in jail at Waverly in Humphreys County, Tennessee, and a fine of fifty dollars, and assess and fix the punishment of Laddie Jarred at three months confinement in jail in Waverly, Humphreys County, Tennessee, and fine of fifty dollars, and that each defendant be required to pay their proportionate part of the cost of this cause.

State of Tennessee)

VS. Larceny

Don McCloud

Assistant

In this case came the Attorney General for the state and the defendant in person who being duly charged and arraigned upon said bill of indictment plead not guilty. Thereupon to try the issue joined came a jury of good and lawful men of Humphreys County to wit: George Hughey, Doss Thompson, E.B. Madden, Tom Pullen, Albert Binkley, J.H. Collier, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, W.R. Spann, N.C. Curtis and G.T. Fatcher who being duly elected, tried and sworn to well and truly try the issue joined according to law who after hearing all the proof argument of counsel and the charge of the court upon their oath do say they find the defendant not guilty. It is therefore ordered, adjudged and decreed by the court that the defendant Don McCloud go hence without day.

State of Tennessee)

VS. Resisting an Officer

Paul Wright

In this case came the Assistant 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 resisting an officer and the said defendant, was arrested and entered into bond with J.M. Reece, P.S. Mayberry as his sureties, which bond is in the words and figures as following to wit: State of Tennessee, Humphreys County, we, Paul Wright agree to pay to the State of Tennessee, Five Hundred and No/100 dollars unless the said Paul Wright appear at the next term of the circuit court of Humphreys county, to be held at the Courthouse in the town of Waverly, on 3rd. Monday in December 1930. of said term to answer the state of Tennessee, for the offense of resisting an officer and do not depart the court without leave.

Paul Wright Principal
J.M. Reece Surety
P.S. Mayberry Surety

Approved

-----Sheriff

This----- day of -----193 by -----Deputy.

And the defendant Paul Wright being solemnly called to come into open court, and answer the State of Tennessee, upon a charge of resisting an officer came not but made default and said J.M. Reece and P.S. Mayberry were also called to come into open court and bring with them the body of the said, Paul Wright according to tenor and effect of their said bond, came not but made default, neither came the defendant Paul Wright nor his said sureties but made default. It is therefore considered by the court that the defendant Paul Wright and J.M. Reece and P.S. Mayberry for their said 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 bonds and it is further ordered by the court Sci. Fa. be issued to the said defendant and his said sureties requiring them to appear at the next term of this court, and show cause if any they have why this judgment should not made final. And further that Alias Capias be issue for the defendant.

State of Tennessee)

VS. Larceny

Neal Winters et al

In this case came the Assistant Attorney General for the state and the defendant in person who being duly charged and arraigned upon said bill of indictment plead not guilty. Thereupon to try the issue joined came a jury of good and lawful men of Humphreys County to wit: J.A. Curtis, Doss Thompson, Alse Woods, Tom Pullen, Albert Binkley, J.H. Collier T.D. Story, W.H. McCaully, J.H.T. Cottham, W.R. Spann, Albert Crockett and W.R. Pewett who being duly elected, tried and sworn to well and truly try the issue joined according to law who after hearing all the proof argument of counsel and the charge of the court upon their oath do say they find the defendants not guilty. It is therefore ordered adjudged and decreed by the court that the defendants Neal Winters et al go hence without day.

State of Tennessee)

VS. Carrying a Razor

Shelt Davis

In this case upon motion of the Assistant Attorney General this case is dismissed upon the defendant pay the costs. It is therefore ordered adjudged and decreed by the court that the state of Tennessee recover of the defendant the costs of this cause for which let execution issue. And in the event of his failure to pay or secure he will be confined in the County Jail until he pay or secure all of said fine and costs.

State of Tennessee)

VS. B.D.

Thomas F. Plant

In this case came the Assistant 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 ~~resisting an officer~~ and the said defendant, was arrested and entered into bond with H.T. Rushing and G.H. Spann as his sureties, which bond is in the words and figures as following to wit: State of Tennessee, Humphreys County, we, Thomas F. Plant agree to pay to the State of Tennessee, Five Hundred Dollars unless the said Thomas F. Plant appear at the next term of the Circuit Court of Humphreys County. to be held at the Courthouse in the town of Waverly, on 3rd. Monday in December 1930, of said term to answer the State of Tennessee B.D. for the offense of ~~resisting an officer~~ and do not depart the court without leave.

Thomas F. Plant Principal
H.T. Rushing Sureties
G.H. Spann Sureties

Approved

-----Sheriff

This----- day of -----1930 by -----Deputy.

And the defendant Thomas F. Plant being solemnly called to come into open court, and answer the State of Tennessee, upon a charge of B.D. came not but made default and said H.T. Rushing and G.H. Spann were also called to come into open court and bring with them the body of the said Thomas F. Plant according to tenor and effect of their said bond, came not but made default, neither came the defendant Thomas F. Plant nor his said Sureties but made default. It is therefore considered by the court that the defendant Thomas F. Plant and H.T. Rushing and G.H. Spann for their said 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 bonds and it is further ordered by the court Sci. Fa. be issued to the defendant and his said sureties requiring them to appear at the next term of this court, and show cause if any they have why this judgment should not be made final. and further that Alias Capias be issue for the defendant.

State of Tennessee)

VS.) Profanity

Heytt Burgess

In this case comes Assistant Attorney General, and the state 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.) Resisting Arrest

EUGene Ethridge et al

In this cause a nolleprosequie is entered as to defendant Eugene Etheridge and it is ordered by the Court that he be held under his present bond to await the action of the Grand Jury at April Term Circuit Court for Humphreys County, Tennessee.

State of Tennessee)

VS.) Profane Language

Eugene Ethridge

In this cause comes the Assistant Attorney General for the state and the defendant in person and by attorney, who, being duly charged and arraigned on said indictment pleads not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: George Hughey, E. Winters, Alse Woods, Tom Pullen Albert Bankley, J.H. Collier, Thomas Bigham, Jessie Fuqua, Jess Robertson, W.R. Spann, H.F. Browning and G.T. Hatcher who being duly elected tried sworn according to law, after hearing all the proof argument of counsel, and the charge of the court upon their oaths do say they find the defendant guilty as charged, in said bill of indictment. Thereupon they assess the punishment and say he shall pay a fine of \$5.00 together with all the cost of this cause, and in the event of his failure to pay or secure all of said fine and costs he will be confined in the county jail or work house until he pay secure or work out all said fines and cost.

State of Tennessee)

VS.) Wilfully and Maliciously Trading Property did not belong to him

Claude Warren

In this case came the Assistant Attorney General, and state 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.

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

J. D. G. Morton ----- Judge

Court met pursuant to adjournment present and presiding the Hon. J.D.G. Morton

State of Tennessee)

VS.) Assault with intent to commit murder in first degree

A.D. Carnell

In this cause comes the Assistant Attorney General for the state and the defendant in person and by attorney, who being duly charged and arraigned on said indictment pleads not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: J.B. Long, Doss Thompson, Fred Marra, Charlie Brown, W.A. Curfin, Thomas Bigham, George Pickard, Walter Wood, Dee Woods, Dock Forster, Ike Johnson and S.E. Hurt who being duly elected, tried and sworn, according to law, and being in charge of their sworn officers D.A. Burch and J.C. Thomas who had been previously legally sworn to attend them, and the proof being completed, argument of counsel heard and charged of court given but not having time to consider of their verdict said jury was respided by the court until tomorrow morning at nine o'clock and said jury retired in charge of their sworn officers aforesaid.

State of Tennessee)

VS.) Carrying a pistol

A.D. Carnell

In this case came the Assistant Attorney General protem for the state, and defendant in person, and by attorney 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 cost then came into open court the defendant and paid the clerk of this court all of said fine and cost.

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

Court then adjourned until tomorrow morning at 9 o'clock

J. D. G. Morton ----- Judge

Court met pursuant to adjournment present and presiding the Hon. J.D.G. Morton Judge

State of Tennessee)

VS.) Assault to commit murder in first degree

A.D. Carnell)

In this cause comes again the Assistant 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: J.B. Long, Doss Thompson, Fred Marrs, Charlie Brown, W.A. Curtis, Thomas Bigham, George Pickard, Walter Wood, Dee Woods, Dock Forster, Ike Johnson, and S.E. Hurt having returned into open court in charge of their sworn officers D.A. Burch and J.C. Thomas and having resumed the consideration of this cause, upon their oath do say that they find the defendant guilty of simple assault as charged in the indictment, and assess and fix his punishment, at a fine of Seventy-five dollars.

State of Tennessee)

VS.) Burglary

Henry Danesworth)

In this cause comes the Assistant Attorney General for the state and the defendant in person and by attorney, who being duly charged and arraigned on said indictment pleads not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: George Hughey, George Pickard, Alse Woods, Tom Pullen, Albert Binkley, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, W.R. Spann, Fred Marrs, and A.L. Jones who being duly elected, tried and sworn, according to law, and being in charge of their sworn officers D.A. Burch who had been previously legally sworn to attend them and having heard the proof in the cause, argument of counsel and the charge of the court, upon their oath do say that they find the defendant guilty of burglary as charged in the indictment, and assess and fix his punishment at three years in the penitentiary.

It is therefore ordered by the court that for the offense of burglary, as charged in the indictment, that the defendant be confined in the state penitentiary at Nashville Tennessee, at hard labor for an indeterminate period of not less than one year nor more than three years, and that he pay the costs and execution may issue for same.

CIRCUIT COURT, HUMPHREYS COUNTY, DECEMBER TERM 1930.

On motion it is ordered by the court, all the attorneys, officers and others present at the time of the making of said motion, concurring, that the court, the members of the bar, officers and those present at the time, do express their regrets at the inability of Gen. John P. Bowman to be present at the court, and that they all are grateful for the recovery of said Gen. Bowman up to the present time, and express their hopes and wishes that the said Gen. Bowman will continue to improve in health and that he may soon be able to be with the court, at the sessions, and that all may have his pleasant associations soon restored. It was further ordered that, all present at the time of said motion concurring, that said Gen. Bowman may have a merry Christmas a happy new year for himself and family and that good health a prosperous future and a happy old age may be his. It was further ordered that this order be spread upon the Minutes of the court and a copy be transmitted to Gen. Bowman; that W.C. Howell, C.W. Turner and J.F. Shannon are appointed a committee to draw up this order. This December 20th. 1930

C.W. Turner
J.F. Shannon
W.C. Howell
Committee

This day came into open Court Mrs. T.C. Bryant and present and read in open court, her account against the State of Tennessee, for boarding the juries in cases of State of Tennessee VS. ~~W.A. Bigham~~ and et al \$28.00, Neal Winters and et al \$21.00, A.D. Carnell \$28.00 and the total is \$77.00 which is allowed by the court, and ordered paid out of the Treasury of the State, of Tennessee, and that the Clerk of this court makeout and certify the same to the Comptroller for payment as the law directs.

State of Tennessee)

VS.) Motion to relax cost
Assault and Battery

Floyd Matlock)

In this case came the Assistant Attorney General, for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs,

State of Tennessee)

VS.) Motion to relax cost
Larceny

Robert Moffield)

In this case came the Assistant Attorney General for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs.

State of Tennessee)

VS.) Motion to relax cost
Manufacturing Liquor

Boyd Slaughter)

Walter Bradley)

In this case came the Assistant Attorney General, for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this Court makeout and certify the same to the County Judge for payment as the law directs.

State of Tennessee)

VS.) Motion to relax cost
B.D.

Theodocia Spicer)

In this case came the Assistant Attorney General, for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs.

Minutes Circuit Court, Humphreys County, December Term 20th day of December 1930

State of Tennessee)
 VS.) Motion to retax cost
 George Allen) Assault and Battery

In this case came the Assistant Attorney General, for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs.

State of Tennessee)
 VS.) Motion to retax cost
 Marcel Matlock) Simple Assault

In this case came the Assistant Attorney General, for the state and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this Court makeout and certify the same to the County Judge for payment as the law directs.

State of Tennessee)
 VS.) Motion to retax cost
 Fred Spencer) Assault

In this case came the Assistant Attorney General, for the state and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs.

State of Tennessee)
 VS.) Motion to retax cost
 Jack Spencer) Assault

In this case came the Assistant Attorney General, for the state and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs.

State of Tennessee)
 VS.) Motion to retax cost
 Melvin Hicks) Public Drunkenness

In this case came the Assistant Attorney General, for the state and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the 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 County Treasury, and that the clerk of this court makeout and certify the same to the County Judge for payment as the law directs.

Minutes Circuit Court, Humphreys County, December Term 20th day of December 1930

State of Tennessee)
 VS.) Murder
 Luther Rhodes &) Motion to retax cost
 Ervin Rhodes)

In this case came the Assistant Attorney General, for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant, for the costs of this suit, that the defendant is wholly insolvent unable to pay the 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 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.) Age Consent
 William Howard Pruett) Motion to retax cost

In this case came the Assistant Attorney General, for the state, and it appearing to the court from the return of the Sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant, for the costs of this suit, that the defendant is wholly insolvent unable to pay the 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 paid out of the State Treasury, and the clerk of this court make out and certify the same to the Comptroller for payment as the law directs.

State of Tennessee)
 VS.)
 Ollie Burgess et al)

In this case came the Assistant Attorney General for the State and the defendant in person and by Attorney and it appearing to the Court from the statement of the Assistant Attorney General made in open Court that the prosecutor, Mrs. Emma Pruett, failed to appear and prosecute said cause. The case is therefore dismissed and the prosecutor is not taxed with the cost of said cause which let execution issue.

State of Tennessee)
 VS.) Malicious Mischief.
 Ollie Burgess et al)

In this case came the Assistant Attorney General for the State and the defendant in person and by Attorney and it appearing to the Court from the statement of the Assistant Attorney General made in open Court that the prosecutor, Mrs. Emma Pruett, failed to appear and prosecute said cause. The case is therefore dismissed and the prosecutor is not taxed with the cost of said cause which let execution issue.

Minutes Circuit Court, Humphreys County, December Term, 20th. day of December 1930.

State of Tennessee)

VS.) Assault with intent to Commit Murder.

Roger Wilbern)

In this cause comes the Assistant Attorney General for the State and defendant in person and by Attorney, who, being duly charged and arraigned on said indictment pleads guilty to simple assault.

Thereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, to wit: George Hughey, Doss Thompson, Alse Woods, Tom Pullen, Albert Binkley, J.H. Collier, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, W.R. Spann, N.C. Curtis and G.T. Hatcher who, being duly elected tried and sworn according to law, and being in charge of their sworn officers, D. B. McCann and Walter McNeal, who had been legally sworn to attend them and the proof being completed argument of counsel and the charge of the Court given, upon their oath do say that they find the defendant guilty of simple assault as charged in the indictment and assess and fix his punishment at six months in jail together with a fine of \$15. 00.

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the Jury the defendant be required to pay a fine of \$15.00 and will serve a term of six months in jail in Waverly, Humphreys County, Tennessee, said Jail sentence being suspended during good behavior. The defendant will pay the costs of this cause for which let execution issue.

State of Tennessee)

VS.) Attempt of H. B.

Melvin Hicks)

In this cause comes the Assistant Attorney General for the State and defendant in person and by Attorney, who, being duly charged and arraigned on said indictment pleads guilty to attempt to commit a felony.

Thereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, to wit: George Hughey, Doss Thompson, Alse Woods, Tom Pullen, Albert Binkley, J.H. Collier, Thomas Bigham, Jessie Fuqua, J.S. Westbrooks, W.R. Spann, N.C. Curtis and G.T. Hatcher, who, being duly elected tried and sworn according to law, and being in charge of their sworn officers, D. B. McCann and Walter Mc Neal, who had previously been legally sworn to attend them and the proof being completed argument of counsel and the charge of the Court given, upon their oath do say that they find the defendant guilty of attempt to commit a felony as charged in the indictment and assess and fix his punishment at six months in jail together with all the costs.

It is therefore ordered, adjudged and decreed by the Court that for the offense as found by the Jury the defendant be required to serve a term of six months in jail in Waverly, Humphreys County, Tennessee, said jail sentence being suspended during good behavior. The defendant will pay the costs of this cause for which let execution issue.

State of Tennessee)

VS.) Driving car while Drunk.

W. E. Mcelmurry)

In this case comes the Assistant Attorney General for the state, and the defendant in person and pleads guilty as charged, whereupon the Court assess the penalty and say he shall be confined in the County jail for a period of thirty days and pay all the costs of this cause, and in event of said failure to pay or secure said costs, he will be confined in the County jail until he pay or work out all of said costs.

Minutes Circuit Court, Humphreys County, December Term 20th. day of December 1930.

Willie Dotson)

Vs.) Circuit Court Waverly Tennessee.

Roy Pingston et al)

In this cause on motion of plaintiff, the cause is dismissed and Ruel L. Roach, who appealed from the magistrate's judgment and M.J. Brennon & Mrs. Violet B. Roach, sureties on his appeal bond, will pay all the costs of this cause, for which execution may issue. The court so orders, adjudges and decrees.

W.J. Hooper)

Vs.) Circuit Court, Waverly Tennessee.

B.T. Pucket)

In this Cause on motion of the defendant the case is dismissed and defendant will pay the costs of this cause, for which execution may issue.

Robert H. Baker)

Vs.) In Circuit Court, Waverly Tennessee.

C.C. Bagwell)

On this day Dec., 12th, 1930, came the parties and their attorneys, and a jury impaneled and sworn of twelve good and lawful men, to try the issue joined in said case and after hearing all the proof introduction both for the plaintiff and the defendant, argument of counsel and the charge of the court the jury returned a verdict in favor of the defendant, in two judgements, and fixed the damage to the property, appropriated for the state highway purposes, in favor of the defendant, in the sum of \$100.75 and \$80.00 for incidental damages by reason of such construction, against Humphreys County, State of Tennessee. It is therefore decreed and adjudged by the court, that the defendant, C.C. Bagwell, is due the sum of \$150.75 and cost except his own witnesses in the case, by damage by the taking of the strip of land described in the petition in this case by the State Highway Department, and interest from July 1st, 1929 at 6%.

It is therefore ordered adjudged and decreed by the Court that all the rights, title and interest in the strip of land hereinafter described of the defendant, C.C. Bagwell be and the same is condemned and the title thereto divested out of the defendant, C.C. Bagwell and be and is vested in the department, of highways and public works of the State of Tennessee and for the use and benefit of the department, of highways and public works and for public purposes. The land herein condemned for highway purposes is located in the 3rd. Civil Dist., of Humphreys County, Tennessee, on Hurricane Creek east of McEwan, Tennessee, and described as follows: A strip of land from station 338/75 to station 352/45-100 in width, extending 50 Ft., on each side of the center line of said proposed Road, all of said strip of land containing 4.035 acres, being the same more or less.

It is therefore ordered by the Court that the defendant, C.C. Bagwell, have and recover of the defendant, Humphreys County, Tennessee, a damage for the land herein condemned and taken for State Highway purposes, the sum of \$150.75 together with all cost except for the defendant, C.C. Bagwell's own witnesses and for the collection of same, and such other necessary and proper steps and process may issue.

Robert H. Baker, Com.)
Vs.
Ed Lehman

In the Circuit Court, Waverly, Tenn.

This case came up for hearing on December 11, 1930 and it appearing to the Court that the defendant, Ed Lehman, had received from Humphreys County the sum of Twenty Five Dollars in full payment for the strip of land taken by the state for highway purposes and hereafter described and for all damages incident thereto.

It is therefore, ordered, adjudged and decreed by the Court that all the rights title and interest to said strip of land, hereafter described be and the same is condemned and the title thereto divested out of the defendant, Ed Lehman, and be and is hereby vested in in the Dep't of Highways and Public Works of the state of Tennessee for the use and benefit of said department and other public purposes.

The land herein condemned for highway purposes is located in the 3rd Civil District of Humphreys County Tennessee on the waters of Hurricane creek, and is described as follows:

A strip of land from station 317/30 to station 324/50, 100' in width, extending 50' on each side of the center line of said proposed road: and a strip of land from station 324/50, to station 325/20, 110' in width extending 60' on the right and 50 on the left of center line of said proposed road: said strips of land containing 1.798 acres, be the same more or less.

Waverly Motor Co.)

Vs.

In Circuit Court of Humphreys County, Tennessee,
December Term 1930.

The Court after hearing argument of counsel in motion for a new trial is pleased to overrule same.

COURT ADJOURNED UNTILL COURT IN COMESES.

JUDGE.

CAPTION APRIL TERM CIRCUIT COURT A.B. 1931.

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, Tennessee, on the 20th day of April it being the 3rd Monday of said month, and the One Thousand Nine Hundred and Thirtyfirst year of our Lord, and the One Hundred and Fifty^{four} year of American Independence. Present and presiding the Hon. J.D.G. Morton Judge of the 9th Judicial District of the State of Tennessee.

Court was opened in due form of law by Walter McNeil, 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 April Term 1931, to appear and to serve as Jurors at this the present term of this court to wit: J.H. Smith, E.W. Swales, Will Fry, Tom Warden, Marton Moran, Rob Warren, H.H. Hambv, Moody Anderson, Charley McMurry, W.L. Cude, M.J. Brennon, Cowen Watkins, Alix May, A.M. Commins, John Glynn, D.C. Vaden, Jim Gunh, Jeff Page, Will Potter, W.H. Willhite, Charlie Burchard, Will Crockett, J.M. Reeca, D.M. Owens.

And it appearing to the Court that the above named parties were regularly summoned by the sheriff of Humphreys County, and that all of said parties so summoned appeared and answered said summon except Charley McMurry which the Court assessed a fine of Twenty Five and No/100--Dollars for failing to appear.

And out of said jurors so summoned the following were selected, as required by law, as Grand Juryman, to wit: Cowen Watkins, Will Crockett, J.M. Reeca, M.J. Moran, Charlie Burchard, R.S. Warren, A.M. Commins, Jim Gunn, D.C. Vaden, J.H. Smith, Tom Warden, W.L. Cude, and R.H. McKeel 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 law directs having been duly elected, tried sworn and charged by the court according to law, retired to their room in charge J.R. Trawlor Deputy Sheriff of Humphreys County, sworn according to law to attend them in considering indictments and presentments.

And out of the remaining number of said jurors so summoned, the following were excused from jury service, by the court, to wit: Will Potter, W.H. Willhite, Will Fry and John Glynn. And the following named persons were summoned by the Sheriff of Humphreys County, and qualified as regular jurors in the stead of the above named excused jurors to wit: John Pearl, Boss Fortner, Frank James, Jim Patrick.

W.C. HOWELL APPOINTED ATTORNEY GENERAL PRO TEMPORE.

WHEREAS, Hon. John B. Bowman, Attorney General for the Ninth Judicial Circuit, of the State of Tennessee, is sick and on that account unable to attend the present term of the Court to perform his duties as such Attorney General and on that account has failed to attend and prosecute according to law; therefore, I, J.D.G. Morton, Judge of said Judicial Circuit, by virtue of the power vested in me, by the Constitution and laws of the State of Tennessee, do hereby appoint W.C. Howell, a regularly licensed attorney of the State of Tennessee engaged in the active practise of his profession in said State, and who possesses all the qualifications required by law, as Attorney General Pro Tempore, for and during this term of Circuit Court for and in the place of the said John B. Bowman, Attorney General, and with all the powers and duties conferred upon him by law by virtue of this appointment.

This appointment of the said W.C. Howell as such Attorney General Pro Tempore is for the April Ter, 1931, of the Circuit Court for Humphreys County, Tennessee. This the 20th., day of April 1931.

J.D.G. Morton, Judge.

State of Tennessee

Humphreys County.

I, W.C.Howell, do solemnly swear that I will perform with fidelity the duties of the office Attorney General Pro Tempore of the Ninth Judicial Circuit for the Circuit Court held for Humphreys County, Tennessee, in Waverly at the April Term 1931, to which I have been appointed by the Hon. J.D.G.Morton, Circuit Court Judge of said Court, and that I will support the Constitution of the United States of America and the Constitution of the State of Tennessee.

I further swear that I have not, directly or indirectly, given, accepted or knowingly carried a challenge in writing or otherwise to any person, being a citizen of the State, since the adoption of the Constitution in 1853 or aided or abetted therein, and that I will not, during my continuance in office, be guilty of either of the acts.

Witness my hand, this the 20th., day of April 1931.

W.C.Howell.

Sworn to and subscribed to before me,
this the 20th., day of April 1931.

L.C.Bohanan, Circuit Court Clerk.

K.L.Pruett

Vs.

J.H.Berryman et al

This cause came on to be heard and was heard this April 20th., 1931 by the Hon. J.D.G.Morton without the intervention of a jury and the Court after hearing the proof of the Plaintiff of the opinion that the Plaintiff had failed to make out his case and gave judgment for the Defendant for costs for which execution may issue.

D.D.Robertson, Receiver
for the McEwen Bank.

Vs.

R.P.Jernigan &
R.W.Jernigan.

Circuit Court, Waverly, Tennessee.

This day came T.R.Meadow and exhibited a note before the Court executed by R.P.Jernigan and R.W.Jernigan to the McEwen Bank, and now due, with a balance due on principal of \$234.70, and \$10.56 due in interest, and \$24.53 due in attorney fees according to the terms of said note; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon, the said T.R.Meadow confessed judgment upon said note for the sum of \$234.70 principal, and \$10.56 interest, and \$24.53 attorney fees, The Court therefore orders, adjudge and decrees that the plaintiff have and recover of the defendants the total sum of \$269.79, in which sum is included the sum of \$24.53 attorney fees for Mack C.Simpson and J.R.Morris who appeared as attorneys for the plaintiff, with interest from date of judgment, and all the costs of this cause for which execution may issue.

D.D.Robertson Rec.
for the McEwen Bank.

Vs.

W.C.Brawner, and
Brawner & Oliver.

Circuit Court, Waverly, Tennessee.

This day came T.R.Meadow and exhibited before the court, the Honorable J.D.G.Morton, Judge, a note executed by W.C.Brawner, and Brawner & Oliver, a partnership composed of W.C.Brawner and J.C.Oliver, now due, for Nine Hundred (\$900.00) Dollars and interest from Sept. 9th, 1925; and also a power of attorney, as authorized by statute in such cases, and proved the same.

Whereupon the said T.R.Meadow confessed judgment upon said note for the sum of Nine Hundred dollars, principal, and Two Hundred Ninety Seven Dollars interest, and One Hundred Nineteen Dollars and Seventy Cents attorneys fee for Mack C.Simpson and J.R.Morris, attorneys of record. The court therefore orders, adjudge and decrees that the plaintiff have and recover of the defendants, W.C.Brawner, and Brawner & Oliver, a partnership composed of W.C.Brawner and J.C.Oliver, \$900.00 principal of said note, and \$297.00 interest, and \$119.70 attorney fee for Mack C.Simpson and J.R.Morris, making a total of \$1316.70, with interest from date of this judgment, and all the costs of this cause, for which execution may issue.

D.D.Robertson Rec.,
for the McEwen Bank.

Vs.

D.W.May, &
Mrs. D.H.May.

Circuit Court, Waverly, Tennessee.

This day came T.R.Meadow and exhibited before the Court, the Hon. J.D.G.Morton, Judge, a note executed by the defendants, D.H.May and Mrs. D.H.May on the 31 day of March, 1928, and now past due, for \$720.00, with a balance due thereon of the principal at this time of \$425.80; and also a power of attorney as authorized by statute in such cases, and proved the same. Whereupon the said T.R.Meadow confessed judgment upon said note against the said defendants for \$425.80 balance principal, and \$47.27 interest, and \$47.31 attorneys fees for Mack C.Simpson and J.R.Morris, attorneys of record.

The Court, therefore, orders, adjudge and decrees that the plaintiff have and recover of the defendants the amounts as confessed, \$425.80 balance of principal, and \$47.27 interest, and \$47.31 attorneys fees, making a total of \$520.28, and all the costs of this cause for which execution may issue.

D.D. Robertson, Rec.,
for the McEwen Bank.

Vs.

V. Y. Rogers.

Circuit Court, Waverly, Tenn.

This day came T. R. Meadow and exhibited before the Court, the Hon. J. D. G. Morton, Judge, a note executed by V. Y. Rogers on the 4th day of February, 1928, and now past due, for Fifteen Hundred (\$1500.00) Dollars; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon the said T. R. Meadow confessed judgment upon said note against the defendant for (\$1500.00, principal, and \$234.50 interest, and \$173.45 attorneys fee for Mack C. Simpson and J. R. Morris, attorneys of record.

The Court, therefore, orders, adjudge and decrees that the plaintiff have and recover of the defendant the amount as confessed, \$1500.00 principal, and \$234.50 interest and \$173.45 attorneys fees, making a total of \$1907.95, and all the costs of this cause for which execution may issue.

D.D. Robertson Rec.)
for the McEwen Bank)
Vs.)
Circuit Court, Waverly, Tenn.
Rogers & Murphree,)
V. Y. Rogers,)
Floyd Murphree.)

This day came T.R. Meadow and exhibited before the Court, the Hon. J.D.G. Morton, Judge, a note, executed by the defendants, Rogers & Murphree, a partnership composed of V.Y. Rogers and Floyd Murphree, and V.Y. Rogers and Floyd Murphree, on February 4th, 1928, and now past due, for Two Thousand (\$2000.00) Dollars; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon the said T. R. Meadow confessed judgment upon the said note against the said defendants for \$2000.00 principal, and \$312.67 interest, and \$231.27 attorneys fees for Mack C. Simpson and J. R. Morris attorneys of record.

The Court, therefore, orders, adjudges and decrees that the plaintiff have and recover of the defendants the amounts as confessed, \$2000.00 principal, and \$312.67 attorneys fees, making a total of \$2543.94, and all the costs of this cause for which execution may issue.

D. D. Robertson Rec.)
for the McEwen Bank.)
Vs.)
Circuit Court, Waverly, Tennessee.
W. B. Murphree, &)
Era Murphree)

This day came R. T. Meadow and exhibited before the court, the Hon. J.D.G. Morton, Judge, a note executed by W. B. Murphree and Era Murphree on Feb. 20, 1928, and now passed due, for One Thousand (\$1000.00) Dollars; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon the said T. R. Meadow confessed judgment upon said note for \$1000.00, principal, and \$137.20 interest, \$113.92 attorneys fees for Mack C. Simpson and J. R. Morris.

The Court, therefore, orders, adjudges and decrees that the plaintiff have and recover of the defendants the amounts as confessed, \$1000.00 principal, and \$137.20 interest, and \$113.92 attorneys fees, making a total of \$1250.72, and all the costs of this cause for which execution may issue.

D. D. Robertson Rec.)
for the McEwen Bank.)
Vs.)

Circuit Court, Waverly, Tenn.
McEwen Dry Goods & Ready to Wear Store,)
J. B. Vigdorth, & A. Rosen.)

This day came T. R. Meadow and exhibited before the Court, the Honorable J. D. G. Morton, Judge, a note executed by the defendants, the McEwen Dry Goods & Ready to Wear Store, and J. B. Vigdorth and A. Rosen, on January 15, 1927, and now past due, for \$1900.00 with a balance now due on said principal of \$1179.05; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon, the said T.R. Meadow confessed judgment against the said defendants upon said note for \$1179.05 balance principal, and \$165.26 interest, and \$134.43 attorneys fees for Mack C. Simpson and J.R. Morris, attorneys of record.

It is therefore, ordered, adjudged and decreed by the court that the plaintiff have and recover of the defendants, the McEwen Dry Goods & Ready to Wear Store, and J.B. Vigdorth and A. Rosen, and each of them, the amounts as confessed, \$1179.05 balance principal, and \$165.26 interest, and \$134.43 attorneys fees, making a total of \$1478.74, and all the costs of this cause for which execution may issue.

D. D. Robertson Rec.)
for the McEwen Bank)
Vs.)
Circuit Court, Waverly, Tenn.
W. B. Murphree, &)
Era Murphree)

This day came T. R. Meadow and exhibited before the Court, the Hon. J. D. G. Morton, Judge, a note executed by the defendants W. E. Murphree and Era Murphree on Feb. 20, 1928 now passed due, for \$810.00 with the balance of principal now due thereupon of \$265.08; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon the said T. R. Meadow confessed judgment upon said note for \$265.08, balance principal, and \$21.34 interest and \$28.64 attorneys fee for Mack C. Simpson and J. R. Morris, attorneys of record.

The Court, therefore, orders, adjudges and decrees that the plaintiff have and recover of the defendants the amounts as confessed, the sum \$265.08 balance principal, and \$21.34 interest, and \$28.64 attorneys fees, making a total of \$315.06, and all the costs of this cause for which execution may issue.

D. D. Robertson Rec.)
for the McEwen Bank)
Vs.)
Circuit Court, Waverly, Tenn.
R. P. Jernigan, &)
R. M. Jernigan)

This day came T. R. Meadow and exhibited before me a note executed by the defendants R. P. Jernigan and R. M. Jernigan, on the 9th day of Jan., 1928, and now passed due, for Five Hundred (\$500.00) Dollars; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon the said T. R. Meadow confessed judgment upon the said note for \$500.00, principal, and \$77.83 interest, and \$57.93 attorneys fees for Mack C. Simpson and J. R. Morris, attorneys of record.

The Court therefore orders, adjudges and decrees that the plaintiff have and recover of the defendants the amount as confessed, \$500.00 principal, \$77.83 interest, and \$57.78 attorneys fees for Mack C. Simpson and J. R. Morris, making a total of \$635.61, and all the costs of this cause for which execution may issue.

D. D. Robertson Rec.)
for the McEwen Bank)
Vs.)
Circuit Court, Waverly, Tenn.
R. P. Jernigan, &)
R. M. Jernigan)

This day came T. R. Meadow and exhibited before the Court, the Hon. J. D. G. Morton, Judge, a note executed by the defendants on the 9th day of Jan., 1928, and now passed due, for the original sum of \$100.00 and with a balance principal now due on said note of \$14.31; and also a power of attorney, as authorized by statute in such cases, and proved the same. Whereupon the said T. R. Meadow confessed judgment upon the said note for \$14.31, Prin., and \$1.04 interest, and \$3.54 attorneys fee for Mack C. Simpson and J. R. Morris.

The Court therefore orders, adjudges and decrees that the plaintiff have and recover of the defendants the amount as confessed, \$14.31 Bal. Prin., and \$1.04 interest and \$1.54 attorneys fee making a total of \$16.89 and all the costs of this cause for which execution may issue.

In the Circuit Court of Humphreys County, Tennessee.
Western Union Telegraph Co.)
Vs.) No. _____

Nashville, Chattanooga & St.)
Louis Railway et al.)

Upon application of both the plaintiff and defendant, it is ordered that this case be restored to the trial docket and thereupon it is further ordered, upon application of the parties and upon admission that the matters in controversy have been settled, that this case be and the same is hereby dismissed and stricken from the docket on cost of plaintiff.

J.D.G. Morton, Judge.

~~This day the Grand Jury met in open court and presented the following indictments and presents~~
~~ments~~

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

J.D.G. Morton, Judge.

Court met pursuant to adjournment prement and presiding the Hon. J.D.G. Morton Judge etc.
This day the Grand Jury came into open Court in a body and presents the following indictments and presentsments.

One against Paul Buchanan, Carrying a Pistol, subpoena for the State D.B. McCann, S.T. Harris and Tom Ferguson.

One against Lester Davis, Carrying a Pistol subpoena for the State C.C. Smith.

One against Eugene Tibbs, Paul Mannon and ^{Allen Raymer} Boyd Raymer H.B.A. Larceny which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, April Term of Circuit Court, A.D., 1931 The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the body of Humphreys County of Humphreys and State aforesaid, upon their oath aforesaid, Eugene Tibbs, Paul Mannon, Boyd Raymer and Allen Raymer heretofore, to wit, on the 30th day of March 1931, in said County and State, unlawfully, feloniously and forcibly did break and enter the mansion house of one J.R. Pierce, in the day time with intent to commit a felony, to wit, a larceny. And the Grand Jurors aforesaid, upon their oath aforesaid, further presents that the said Eugene Tibbs, Paul Mannon, Boyd Raymer and Allen Raymer, on the day and year aforesaid, in the State and County aforesaid, unlawfully, feloniously did take, steal, and carry away one pair pants, ladies purse, three gold rings, one gold watch band, one string pearls, one pair shoes, one fountain pin Seven Dollars of good and lawfull money of the United States in one dollar bills, all of the value of twenty five dollars, and of the goods and chattels of the said J.R. Pierce, with intent to deprive him, the said J.R. Pierce, the true owner thereof and convert the same to their own use, contrary to the statute and against the peace and dignity of the State, W.C. Howell, Attorney General, Pro Tem.

April Term, 1931 The State Vs. Eugene Tibbs, Paul Mannon, Boyd Raymer and Allen Raymer H.B. and Larceny, subpoena for the State J.R. Pierce, Mrs. J.R. Pierce and Wm. A. C. Scott, Witnesses sworn by me on this indictment before the Grand Jury April Term, 1931 R.H. McKeel, Foreman Grand Jury. W.C. Howell Attorney General, Pro Tem a true bill, R.H. McKeel, Foreman Grand Jury.

One against H.M. Cox B.D. subpoena for the State Geo. Pace and J. McReeves

One against Levi Taylor Driving Drunk, which indictment is in the words and figures as follows: State of Tennessee, Humphreys County, April Term of Circuit Court, A.D., 1931 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, presents that Levi Taylor heretofore, to wit, on the 28th day of March 1931, in said County and State, unlawfully did drive an automobile on the public highways of said State and Humphreys County while under the influence of intoxicating liquor contrary to the statute and against the peace and dignity of the State. W.C. Howell, Attorney General Pro Tem.

April Term, 1931 The State Vs. Levi Taylor, Driving Drunk, subpoena for the State; Joe Traylor, Allen Parnell and Geo. Pace Witness sworn by me on this indictment before the Grand Jury April Term, 1931 R.H. McKeel, Foreman Grand Jury, W.C. Howell Attorney General Pro Tem, A True Bill, R.H. McKeel Foreman Grand Jury.

One against Levi Taylor B.D. Which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, April Term of Circuit Court, A.D., 1931 The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charged to enquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, presents that Levi Taylor heretofore, to wit, on the 28th day of March, 1931, in said County and State, unlawfully did possess intoxicating liquors contrary to the statute and against the peace and dignity of the State.

Minutes Circuit Court, Humphreys County, April Term, 21st day of April 1931.

April Term, 1931 The State Vs. Levy Taylor B.D. subpoena for the State Joe Traylor, Geo. Pace and D.B. McCann, W.C. Howell Attorney General Pro Tem A True Bill R.H. McKeel, Foreman Grand Jury J.C. Gunn, A.M. Cummings, D.C. Vaden, M.L. Moran, R.C. Watkins, W.H. Crockett, J.M. Reece, J.F. Warden, R.S. Warren, J.H. Smith, C.P. Burchard and W.L. Cude.

One against Britton Townsend, A.B. which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, April Term of Circuit Court, A.D. 1931

The Grand Jurors for the State of Tennessee, elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, presents that Britton Townsend of said County, heretofore, to wit, on the 17th day of January 1931 with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Lester Davis with a certain knife with the unlawful and felonious intent, then and there, him, the said Lester Davis unlawfully, feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought, to kill and upon him to commit crime and felony of murder in the first degree, against the peace and dignity of the State. W.C. Howell, Attorney General Pro Tem April Term, 1931 The State Vs. Britton Townsend, Lester Davis, Prosecutor, subpoena for the State Lester Davis and C.C. Smith Witnesses by me on this indictment before the Grand Jury, April Term, 1931 R.H. McKeel Foreman Grand Jury. W.C. Howell Attorney General Pro Tem A True Bill, R.H. McKeel Foreman Grand Jury.

One against Lester Davis, Carrying a Pistol, State of Tennessee, Humphreys County, April Term of the Circuit Court, A.D. 1931 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 Lester Davis heretofore, to wit, on the 17th day of January 1931, in the State and County aforesaid, unlawfully carried a pistol, the same not being an army or navy pistol carried openly in the hand, to the evil example of all others in like case offending, and against the peace and dignity of the State.

W.C. Howell, Attorney General, Pro Tem April Term, 1931 The State Vs. Lester Davis, Carrying a Pistol, subpoena for the State C.C. Smith W.C. Howell Attorney General Pro Tem.

A True Bill R. H. McKeel, Foreman Grand Jury, J.C. Gunn, A.M. Cummings, D.C. Vaden, M.L. Moran, R.C. Watkins, W.H. Crockett, J.M. Reece, J.T. Worden, R.S. Warren, J.H. Smith, C.P. Burchard and W.L. Cude.

One against Hooper Daniel, Age Consent, which indictment is in the words and figures as follows to wit, State of Tennessee, Humphreys County, April of Circuit Court, A.D. 1931 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, presents that Hooper Daniel heretofore, to wit, on the 25th day of December 1930, in said County and State, unlawfully, feloniously, and carnally knew Arbie Guthrie, a female, over the age of twelve years and under the age of twenty one years, the said Hooper Daniel and Arbie Guthrie not occupying the relation of husband and wife, at the time of such carnal knowledge, and the said Arbie Guthrie not being, at the time and before said carnal knowledge, a bawd, lewd or kept female, contrary to the statute and against the peace and dignity of the State. W.C. Howell, Attorney General Pro Tem.

April Term, 1931 The State Vs. Hooper Daniel, Age Consent subpoena for the State: Lonnie Guthrie, Arbie Guthrie and Ella Guthrie, Witnesses sworn by me on this indictment before the Grand Jury April Term, 1931 R.H. McKeel Foreman Grand Jury. W.C. Howell Attorney General, Pro Tem. A True Bill R.H. McKeel, Foreman Grand Jury.

Minutes Circuit Court, Humphreys County, April Term 21st day of April 1931.

One Against Don McCloud et al M. Liquor, Etc. which indictment is in the words and figures as follows, to wit, Manufacturing intoxicating liquors and possessing a still, etc.

State of Tennessee, Humphreys County, April Term of Circuit Court, A.D. 1931 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, presents that Don McCloud and Paul Buchanan heretofore, to wit, on the 19th day of March, 1931 in the State and County aforesaid, unlawfully did manufacture intoxicating liquors, to wit, whisky, contrary to the statute and against the peace and dignity of the State. And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Don McCloud and Paul Buchanan, on the day and year aforesaid, in the State and County aforesaid, unlawfully did possess or have in their control a still, apparatus, or part thereof, used or intended to be used for the manufacture of intoxicating liquor, to wit, whiskey, contrary to the statute and against the peace and dignity of the State.

W.C. Howell Attorney General, Pro Tem. No. _____ April Term 1931 The State Vs. Don McCloud and Paul Buchanan T.G. Ferguson Prosecutor, subpoena for the State T.G. Ferguson, D.B. McCann and S.T. Harris W.C. Howell Attorney General, Pro Tem. Witnesses sworn by me to testify before the Grand Jury upon this indictment at April Term, 1931 R.H. McKeel, Foreman Grand Jury. A True Bill R.H. McKeel, Foreman Grand Jury.

One against Harris Johnson A.B. subpoena for the State Magnolia Johnson, Thula Lomax, Melvin Gordon and Amos Swen.

One against Dallas Jackson and Bub Laschuer, Larceny, which indictment is in the words and figures as follows, to wit, State of Tennessee, Humphreys County, April Term of Circuit Court, A.D. 1931 The Grand Jurors for the State of Tennessee, elected, empaneled, sworn, and charged to inquire for the body of the county of Humphreys and State aforesaid, upon their oath aforesaid, presents that Dallas Jackson and Bub Laschuer of said County, heretofore, to wit, on the 24th day of December 1931, in the County aforesaid, unlawfully and feloniously did steal, take and carry away one coon hide, one opossum hide and one rat hide of the value of Three and one-half Dollars, the property of S.E. Dickerson 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. W.C. Howell Attorney-General Pro Tem. And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Dallas Jackson and Bub Laschuer of said County, on the day and year aforesaid, in the County aforesaid, unlawfully and feloniously did receive buy, conceal, and aid in concealing one coon hide, one opossum hide and one rat hide of the value of Three and one-half Dollars, the property of S.E. Dickerson of said County, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, they the said Dallas Jackson and Bub Laschuer then and there knowing the said one coon hide, one opossum hide and one rat hide to have been feloniously stolen, taken, and carried away, and they the said Dallas Jackson and Bub Laschuer intending then and there fraudulantly 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. W.C. Howell Attorney General, Pro Tem. April Term, 1931 The State Vs. Dallas Jackson and Bub Laschuer, S.E. Dickerson Prosecutor, subpoena for the State: S.E. Dickerson, L.W. Slayden, Cliff Hooper, Frank James and Buster Peebles Witnesses sworn by me on this indictment before the Grand Jury, April Term, 1931 R.H. McKeel Foreman Grand Jury, W.C. Howell Attorney General Pro Tem A True Bill R.H. McKeel Foreman Grand Jury.

Minutes Circuit Court, Humphreys County, April Term, 21st day of April 1931.

State of Tennessee)

Vs.

Driving Drunk.

Elvis Collier

In this Case came the Attorney General Pro-Tem for the State and the defendant in person and by attorneys, who being duly charged and arraigned on said bill of indictment pleads not guilty. Thereupon to try the issue joined came a jury of good and law-ful men of Humphreys County, to-wit: W.L.White, Jeff Page, Boss Fortner, Frank James, John Pearl, M.J.Brennon, Bob Hughey, Gilbert Carter, John Miley, H.H.Himby, D.M.Owens and Jim Patrick, who being duly elected tried and sworn according to law, after hearing all the proof argument of counsel, and the charge to the Court upon their oath do say that they cannot agree upon a verdict in this case. It is therefore ordered adjudged and decreed by the Court that a mistrial be entered in this case, and the jury be discharged, and the case continued until next term of this Court.

State of Tennessee)

Vs.

Carrying a Pistol

Walter Miller

In this case came the ~~Assistant~~ ^{Pro-Tem} 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 carrying a pistol and the defendant was arrested and entered into bond with W. E. Wyatt John M. Miller and W. C. Patterson as his sureties, which bond is in words and figures as follows to wit: State of Tennessee, Humphreys County, we, Walter Miller agree to pay to the State of Tennessee, Two Hundred and Fifty Dollars unless the said Walter Miller appear at the next term of the circuit court of Humphreys County, to be held at the Courthouse in the town of Waverly, on ^{Monday} 3rd. / 28 April 1931, of said term to answer the State of Tennessee, for carrying a Pistol and do not depart the court without leave.

Walter Miller Principal
W. E. Wyatt Surety
Jno. M. Miller Surety
W. C. Patterson Surety

Approved

-----Sheriff

This-----day of-----193 by-----Deputy.

And the defendant Walter Miller 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 said W. E. Wyatt Jno. M. Miller and W. C. Patterson were also called to come into open court and bring with them the body of said Walter Miller according to tenor and affect of their said bond, came not but made default, neither came the defendant Walter Miller nor his said surities but made default. It is there fore considered by the court that the defendant Walter Miller and W. E. Wyatt, Jno. M. Miller and W. C. Patterson for their said default do forfeit and pay unto the State of Tennessee, the said sum of Two Hundred and Fifty Dollars according to the tenor and effect of their said bonds and it is further ordered by the court Sci. Pa. be issued to the defendant and his/sureties requiring them to appear at the next term of this court, and show cause if any they have why this judgment should not made final. And further that Alias Capias be issued for the defendant.

State of Tennessee)

Vs.

Going Armed.

George L. Harrison

In this cause comes the Attorney General, Pro Tem for the State and it appearing from the proof introduced in Court that the defendant is dead it is ordered that the case be abated.

Minutes Circuit Court, Humphreys County, April Term 21 day of April 1931

State of Tennessee)

Vs.

Tippling

Jesse Wright

In this case comes the ~~Assistant~~ ^{Pro-Tem} Attorney General, and the state 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.

Tippling

Banks Wright

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

State of Tennessee)

Vs.

Drunkness

Grover Evington

In this case comes the Attorney General, PRO- Tem 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.

Drunkness

Bill Lane

In this case comes the Attorney General Pro Tem and state 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.

Violating Tobacco Tax Law

J. D. Bone

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

State of Tennessee)

Vs.

Wreckless careless driving

Dock Mays (Col.)

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,} go hence without day.

State of Tennessee)

Vs.

Violating Tobacco Tax Law

C. L. Harris

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

State of Tennessee)

Vs.

Abduction

Ray Merrideth et al

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

State of Tennessee)

Vs. Fraudulent disposing of property

Ella Stringer

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

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

State of Tennessee)

Vs. Driving Drunk.

Isaac Crockett

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

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

State of Tennessee)

Vs. Drunkness

Sugg Herbison

In this case came the Attorney General Pro-Tem 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 the event of his failure to pay or secure all of said fine and costs he will be confined in the county jail or work house until he pay or work out all of said fine and costs.

State of Tennessee)

Vs. Drunkness

Tom Ferguson

In this case came the Attorney General Pro-Tem 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 Five Dollars together with all the costs, then came into open court the defendant and paid the clerk of this court all of said fine and cost.

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

State of Tennessee)

Vs. Drunkness

Lawrence Gordon

In this case came the Attorney General Pro-Tem 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 the event of his failure to pay or secure all of said fine and costs he will be confined in the county jail or work house until he pay secuer or work out all of said fine and costs.

State of Tennessee)

Vs. Drunkness

Matt Harrell

In this case came the Attorney General Pro-Tem upon the part of the State

and the defendant in person and plead guilty as charged thereupon the court assess the penalty and say he shall pay a fine of Five dollars together withall the cost, then came into open court C. H. Bramlet and J.F. Cunningham 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 Tenn. recover of the defendant his sureties all of said fine and cost for which execution may issue.

State of Tennessee)

Vs. Moleicious Mischief.

W.A. Lawson

In this case the Attorney General Pro-Tem, for the State and the defende

ant in person who being duly charged and arraigned upon said bill of indictment pleads not guilty. Thereupon to try the issue joined came a jury of good and lawfull men of Humphreys County, to wit: E.W.Sykes, M.M.Anderson, John Bradley, Trim Parker, John Perkins, Tommie Meadow, Johnnie Stanford, J.M.Clements, Orson Fields, J.J.Bradley, Ernest Curtis and L.Robertson who being duly elected, tried and sworn to well and truly try the issue joined according to law who after hearing all the proof argument of counsel and the charge of the Court upon their oath do say they find the defendant not guilty.

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

State of Tennessee)

Vs. Drunkness,

Walter Miller

In this case came Attorney General Pro-Tem 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 drunkenness and the defendant was arrested and entered into bond with W.E.Wyatt, John M.Miller and W.C.Patterson as his sureties, which bond is in the words and figures as follows, to wit: State of Tennessee, Humphreys County, We, Walter Miller agree to pay to the State of Tennessee, Two Hundred and Fifty Dollars unless the said Walter Miller appear at the next term of the Circuit Court of Humphreys County, to be held at the Courthouse in the town of Waverly, on the 3rd. Monday in April 1931, of said term to answer the State of Tennessee, for being drunk and do not depart the Court without leave.

Walter Miller, Principal,
W.E.Wyatt, Surety,
Jno.M.Miller, Surety,
W.C.Patterson, Surety.

Approved

-----Sheriff

This-----day of-----1931-by-----deputy.

And the defendant Walter Miller being solemnly called to come into open Court, and answer the State of Tennessee, upon a charge of Drunkness came not but made default and said W.E.Wyatt, Jno.M.Miller and W.C.Patterson were also called to come into open court and bring with them the body of said Walter Miller according to the tenor and affect of their said bond, came not but made default, neither came the defendant Walter Miller or his said sureties but made default. It is therefore considered by the court that the defendant Walter Miller and W.E.Wyatt And W.C.Patterson for their said default do forfeit and pay unto the State of Tennessee, the said sum of Two Hundred and Fifty Dollars according to the tenor and effect of their said bonds and it is futher ordered by the court that Sci. Fa. be issued to the defendant and his said sureties requiring them to appear at the next term of this court, and show cause if any they have why this judgment should not be made final. And further that Alias Capias be issued for the defendant.

Court then adjourned until Tomorrow morning at 9 O'Clock,

John M. Miller-----, Judge.

Minutes Circuit Court, Humphreys County, April Term, 22nd day of April 1931.

Court met pursuant to adjournment, present and presiding the Hon. J.D. Morton, Judge etc. This day the Grand Jury came into open Court in a body and presents the following indictments and presentments.

One against L.B. Osborne, bad check, which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, April Term of Circuit Court, A.D., 1931.

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, presents that L.B. Osborne heretofore, to wit, on the 9th day of January 1931, in said County and State, unlawfully and feloniously did obtain from Murry Tire Store, a partnership composed of A.J. SAUNDERS, JR., and A.J. SAUNDERS, SR., with fraudulent intent Twenty gallons of gasoline by means of a check of which he the said L.B. Osborne, was the drawer on Forth and First National Bank of Nashville, Tennessee, for the sum of Four Dollars, which said check was presented to the drawee, said bank, and not paid and was not paid by the drawer after seven days notice in writing having been mailed to said L.B. Osborne, his last known address, contrary to the statute and against the peace and dignity of the State.

W.C. Howell, Attorney-General Pro-Tem, April Term, 1931 The State Vs. L.B. Osborne, Bad check, A.J. Saunders/prosecutor, subpoena for the State: A.J. Saunders, Jr. A.J. Saunders, Sr. Witnesses sworn by me on this indictment before the Grand Jury April Term, 1931 R.H. McKeel, Foreman Grand Jury, W.C. Howell, Attorney-General Pro-Tem A True Bill R.H. McKeel, Foreman Grand Jury.

One against L.B. Osborne, bad check, which indictment is in the words and figures as follows, to wit, State of Tennessee, Humphreys County, April Term of Circuit Court, A.D., 1931

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, presents that L.B. Osborne heretofore, to wit, on the 8th day of June 1930, in said County and State, unlawfully and feloniously did obtain from D.J. White with fraudulent intent one Dollar in money and two nights lodging and board by means of a check of which he the said L.B. Osborne, was the drawer on Forth and First National Bank, West End Branch of Nashville, Tennessee, for the sum of Nine dollars, which said check was presented to the drawee, said bank, and not paid and was not paid by the drawer after seven days notice in writing having been mailed to said L.B. Osborne, his last known address, contrary to the statute and against the peace and dignity of the State. W.C. Howell, Attorney-General Pro-Tem April Term, 1931 THE STATE Vs. L.B. Osborne, bad check, D.J. White, prosecutor, subpoena for the State: D.J. White, Mrs. D.J. White and Elmer Oguinn Witnesses sworn by me on this indictment before the Grand Jury April Term, 1931 R.H. McKeel, Foreman Grand Jury W.C. Howell, Attorney-General Pro-Tem A True Bill R.H. McKeel, Foreman Grand Jury.

State of Tennessee)
Vs.) Cutting and Ruining Timber.
William Anderson et al)

In this case came the Attorney General Pro-Tem for the State and the Defendants in person and entered a plea of guilty, as charged in the said bill of indictment thereupon the Court assess the penalty, and say they shall be confined in the County jail for a period of one day, and shall pay all costs of this cause, Thence came into open Court the defendants and paid to the Clerk of this Court all of said costs.

Minutes Circuit Court, Humphreys County, April Term, 22nd day of April 1931

State of Tennessee)

Vs.) B.D.

H.M. Cox)

In this Cause came the Attorney General Pro-Tem

person, and pleads guilty, as charged in said bill of indictment. Whereupon the Court assess his penalty say he shall pay a fine of One Hundred Dollars and all costs of this cause. Thence came the defendant, H.M. Cox, into open Court and paid to the Clerk of this Court all of said fine and costs.

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

THE UNION BANK OF McEWEN, TENNESSEE)

VS.)

CONDEMNATION OF LAND.

J.C. BRANDON, MAGGIE BRANDON AND G.M. COOK.)

Jno. W. Knight, a Justice of the Peace for Humphreys County, Tennessee, filed herewith the following papers and record of the above case.

By Confessed Judgment.

On the following described note. Dated September 20th, 1929, due and payable Sixty days after date to the Union Bank, of McEwen, Tenn., Seventy Five No/100 Dollars A.J. Curtis, being authorized to go before a Court of records or any Justice of the Peace having Jurisdiction over the amount and confessed judgment against the makers and in favor of the holder, in accordance with secs. 4705, 4706, and 4707 Code of Tennessee, Shannon's Edition 1894.

Signed J.C. Brandon,
Maggie Brandon,
G.M. Cook.

Copy of Judgment.

The Union Bank)

Vs.)

Judgment for plaintiff for the amount of \$58.85, and all cost, for which execution may issue. June 26th, 1930.

J.C. Brandon)
Maggie Brandon)
G.M. Cook.)

T.O. Simpson, J.P.

Judgment by confession of A.J. Curtis, as authorized in the note by the maker. Judgment credited \$8.00.

Magistrates Execution.

State of Tennessee, Humphreys County,

To any lawful officer to be executed and returned:

You are hereby commanded, that of the goods and chattels, lands and tenements of J.C. Brandon, Maggie Brandon and G.M. Cook, you shall cause to be made the sum of (\$58.85) Fifty Eight & 85/100 Dollars and cost of suit, to satisfy a judgment which the Union Bank, of McEwen, Tenn., obtained before T.O. Simpson, Justice of the Peace, on the 26th, day of June 1930, against the said J.C. Brandon, Maggie Brandon and G.M. Cook, and such moneys when collected pay to the said Union Bank. Given under my hand and seal this 1st, day of January 1931. Jno. W. Knight, Justice of the Peace.

Levy.

I hereby levy this FI FA on two Lots, in the town of Waverly, Tenn., the one fifth (1/5) undivided interest of said Lots belonging to the said J.C. Brandon and Maggie Brandon, being Nos. 26 and 27 in Block D. Lucas land and Lumber Co. addition to the town of Waverly, Tenn., registered in Book No. 136, filed with the Circuit Court Clerk, Humphreys County, Tenn.

S.T. Harris, Deputy Sheriff.

Filed Jan. 14th, 1931.
L.C. Bohanan, Clerk.

And on motion of the plaintiff, it is ordered by the Court, that the land so levied upon be sold by the Sheriff of Humphreys County, to satisfy the aforesaid judgment of T.O. Simpson, Justice of the Peace, and all cost of this proceedings.

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, 1930, it was adjudged and ordered in the cause Claud Shanks 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 Supreme Court, by such further proceedings 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 our said Court, at office in Nashville, the first Monday of December 1930 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 the--- day of December, 192-- when the following proceedings were had, to wit:

Claud Shanks

Vs.

Humphreys Criminal

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 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 aiding and abetting voluntary manslaughter 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 2 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 be issued to the said Circuit Court of Humphreys County directing that Court to proceed with the collection of the cost 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 the Sheriff of Humphreys County, which will be his authority for delivering the plaintiff-- in error to the Warden or his agent; and also a duly certified copy hereof to the Warden of the penitentiary who will at once proceed to execute this judgment.

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

I, David S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of this Court, pronounced at its December Term, 1930, in the case of Claude Shanks 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 23 day of February 1931, David S. Lansden, Clerk.

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, 1930, it was adjudged and ordered in the cause Scott Shanks 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 Supreme Court, by such further proceedings in your Court as shall effectuate the objects of this order to remand, and attain the end of justice. Witness, David S. Lansden, Clerk of our said Court, at office in Nashville, the first Monday of December, 1930 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-- when the following proceedings were had, to wit:

Scott Shanks

Vs.

Humphreys Criminal

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 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 murder in the first degree 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 the period of his natural life, commencing on the day of his reception at said penitentiary.

It is further ordered by the Court that the plaintiff-- in error be disqualified from holding any office under the State, or giving evidence in the Courts of the State. 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 be issued to the said Circuit Court of Humphreys County directing that Court to proceed with the collection of the cost 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 the Sheriff of Humphreys County, which will be his authority for delivering the plaintiff-- in error to the Warden or his agent; and also a duly certified copy hereof to the Warden of the penitentiary who will at once proceed to execute this judgment.

OFFICE OF THE CLERK OF THE SUPREME COURT OF THE MIDDLE DIVISION OF THE STATE OF TENNESSEE:

I, David 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, 1930, in the case of Scott Shanks 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 23 day of February, 1931 David S. Lansden, Clerk.

State of Tennessee)

Vs.) B.D.

Thos.F.Plant

In this case came the Attorney-General Pro-Tem for the State, and the defendant in person and pleads guilty, as charged, whereupon the court assess the penalty and say he shall pay a fine of One Hundred Dollars with all the cost, then came into open Court Manion Plant and Mrs. Alma Yates, 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 cost for which let execution issue.

State of Tennessee)

Vs.) Sci Fa.

Thos.F.Plant

In this case came the defendants in their own proper person, and the Attorney General Pro-Tem for the State, when the case came on to be and was heard by the Court upon the Sci. Fa. return of the Sheriff thereon, the answer of the defendants, and the motion of the defendants to set aside the forfeiture entered against them, when the Court after hearing and fully considering the same is pleased to and does set aside forfeiture entered at the December Term 1930 of the court, aside, but adjudges the cost of the forfeiture against defendants.

It is therefore considered by the Court that the forfeiture taken and entered against the defendants be and the same is set aside at defendants cost, and that the State of Tennessee recover of the defendants all the cost at using by reason of the taking and setting aside said forfeiture for which let execution issue.

Harry S. Berry, Com.)

Vs.) In Circuit Court, Humphreys County, Tennessee.

Geo. Williams et al)

This cause came on to be heard by the Court without the intervention of a jury, it appearing to the Court that the proper process of law having been served upon the said defendants, and the said defendants did not appear and answer said cause, it is ordered by the plaintiff that the case be and is hereby stricken from the docket and the costs to be paid by the plaintiff, Humphreys County for which execution may issue.

Tom Crawford

Vs.

Humphreys County

Telephone Company

In this cause the matter in controversy having been compromised and settled out of court it is ordered by the Court that this cause be dismissed, and the plaintiff Tom Crawford, will pay the cost of this cause for which execution will issue.

State of Tennessee)

Vs.) Circuit Court, Humphreys County,

Paul Wright &

April Term 1931.

Goad Wright

In the above styled case, the defendants came and moved the Court to quash the indictment against these defendants, and to order their dismissal, upon the following motion made by them to wit:

State of Tennessee)

Vs.) Circuit Court of Humphreys County,

Paul Wright &

April term 1931.

Goad Wright

Come the defendants Paul Wright and Goad Wright and move the court to quash the indictment against them and to dismiss them etc. and for grounds of such motion allege:

1. Because the indictment does not charge that the officer making or attempting to make the arrest was acting under and by the authority of any legal process in his hands so directing such an attempted arrest of Goad Wright, and further because the indictment shows that the offense of resisting an officer was ^{not} denounced by the laws of the state of Tennessee, whereas in fact there is no law so denouncing such an act as is charged against these defendants, and that consequently neither of the defendants have violated any law.

2. The indictment charges that defendants resisted one R.F. Ingram, an officer of Humphreys County in making an arrest, without showing or charging that said R.F. Ingram was such an officer as had the right and power under the law to make any arrest, for aught that appears in the indictment, said R.F. Ingram might have been a Justice of the Peace, a county court clerk, a circuit court clerk, a Trustee, or might have been holding any other office in the county; nothing appearing in said indictment showing that said Ingram was a Constable, deputy sheriff, or sheriff of said county or any other officer clothed with the authority under the law to make arrests.

3. The indictment does not charge any common law offense or attempt to charge the defendants as being guilty of any common law offense (if there be any such denounced by the common law) wherefore, the defendants move the court to quash said indictment and to dismiss these defendants.

J.F. Shannon

Attorney for defendants. Filed 4/22/31 M.C. Bohanan, Clerk.

And upon consideration of said motion by the court, the court doth sustain said motion and dismisses and quashes the indictment and orders that the said defendants go hence etc.

To the action of the Court in quashing the indictment etc., the Attorney General excepts and the State through the Attorney General, prays an appeal to the next Term of Supreme Court of Tennessee, sitting at Nashville, which, appeal the Court grants.

State of Tennessee)

Vs.) Sci Fa.

Paul Wright et al)

In this case the defendants in their own proper person, and the Attorney General, Pro Tem, for the State, when the case came on to be heard by the Court upon the Sci. Fa. return of the Sheriff thereon, the answer of the defendants, and the motion of the defendants to set aside the forfeiture entered against them, when the Court after hearing and fully considering the same is pleased to and does set aside forfeiture entered at the Dec. Term 1930 of the Court, aside, but adjudges

It is therefore considered by the Court that the forfeiture taken and entered against defendants be and the same is set aside, and the defendants go hence etc.

Minutes Circuit Court, Humphreys County, April Term 22nd day of April 1931.

State of Tennessee)
Vs. Violation Age Consent.
Hooper Daniel

In this cause comes the Attorney General, Pro Tem, for the State and the defendant in person and by attorney, who, being duly charged and arraigned on said indictment, pleads not guilty.

Thereupon to try the issues joined came a jury of good and lawfull men of Humphreys County, to wit: Jeff Page, Boss Fortner, H.H.Himby, A.A.Arnold, Jim Patrick, M.J.Brennon, E.W.Sykes, M.M.Anderson, Bob Hughey, W.J.Curtis, John Pearl and N.L.Williams, who, being duly elected tried and sworn according to law, and being in charge of their sworn officers, Does Birch and George Wyatt, who had previously been legally sworn to attend them, after hearing all the proof, argument of counsel and charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment of unlawfully having carnal knowledge of a female over the age of twelve years and under the age of twenty-one years who was not a lewd, bawd or kept female at the time and before the act of carnal knowledge, as charged in the indictment and assess and fix his punishment at three years in the Penitentiary. Whereupon the defendant gave notice of a motion for a New Trial and this cause is past pending the filing and hearing of said motion.

Court then adjourned untill tomorrow morning at 9 O'Clock.

J.D. Morton, Judge.

Minutes Circuit Court, Humphreys County, April Term 23rd day of April 1931.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THR HON. J.D.G. MORTON, JUDGE ETC.
State of Tennessee)
Vs. Violation Age Consent.
Hooper Daniel

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

State of Tennessee)
Vs. In Circuit Court Waverly Tennessee.
Hooper Daniel

Comes the defendant in person, and by attorney, and moves the Court for a new Trial in this cause upon the following grounds.

First

Because the verdict of the Jury is against the weight of the evidence which preponderates in favor of the defendant.

Second

Because the weight of the evidence is against the verdict of the Jury, and in favor of the innocence of the defendant. J.R.Morris, Atty. Filed April 24, 1931. L.C. Bohanan, Clerk. And the same being heard by the Court it is in all things over-ruled. To which action of the Court the defendant excepts.

It is therefore ordered, adjudged by the Court, that for the offense as found by the Jury, the defendant be confined in the State Penitentiary at Nashville, Tennessee, at hard labor for a period of not less than three years nor more than three years and that he pay the costs of this cause for which let execution issue.

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

Thereupon the defendant prayed an appeal to the Supreme Court at Nashville, Tennessee, which appeal is granted and the defendant is allowed thirty days in which to prepare and file his bill of exception. The defendant will execute an appearance bond, as required by law, in the sum of Two Thousand Dollars for his appearance before the Supreme Court at Nashville and in the event/his failure he will be held in the custody of the Sheriff of Humphreys County to await the orders of the Court.