

State of Tennessee

Vs.

B.D.

R.E.Bunch

In this case came the Attorney General, Pro tem, for the State and the defendant in person and by attorney, who, being duly sworn and assigned on said indictment pleads guilty. Thereupon to try the issues joined came a jury of good and law ful men of Humphreys County, Tennessee, to wit; Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey and J.D. Parker, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the counsel and charge of the Court, upon their oath do say they find the defendant guilty as charged in the indictment and assess and fix his fine at One Hundred Dollars.

It is therefore ordered, adjudged and decreed by the Court, that for the offense as found by the jury the defendant pay a fine of One Hundred (\$100.00) Dollars with all the costs of this cause.

And it is further ordered by the Court, that the fine be suspended on payment of cost, thence came the defendant R.E. Bunch into open court and paid to the clerk of this court all of cost of this suit.

State of Tennessee

VS.

Transporting

W.J. Jamison &  
Jesse Bird

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

State of Tennessee

Vs.

Driving Drunk.

Frank Anderson

In this case the fine and cost has been paid here tofore, and the jail sentence is suspended until next term of this court.

State of Tennessee

VS.

Disturbing assembly

Bill Durham

In this case came the Attorney General, Pro tem, for the State and the defendant in person and pleads guilty as charged in the indictment, thereupon the Court assess the penalty and say he shall pay a fine of twenty dollars together with all the costs of this cause for which let execution issue.

THIS DAY THE GRAND JURY CAME INTO OPEN COURT IN A BODY AND PRESENTS THE FOLLOWING INDICTMENTS AND PRESENTMENTS, TO WIT:

One against Tom Danesworth, Murder, which indictment is in the words and figures as follows State of Tennessee, Humphreys County, August Term of the Circuit Court, A.D. 1933. 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 Tom Danesworth heretofore, to wit, on the 17th day of May 1933, in the State and County aforesaid, unlawfully, willfully, deliberately, premeditatedly, and maliciously made an assault upon the body of one Henry Danesworth with a shot gun inflicting deep, dangerous, and mortal wounds, from and on account of which he, the said Henry Danesworth died; and so the Grand Jurors aforesaid, upon their oaths aforesaid, present and say that the said Tom Danesworth, on the day and year aforesaid, by the means and in the manner aforesaid, and in the State and County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought, did kill and murder him, the said Henry Danesworth, and commit the crime of murder in the first degree, to the evil example of all others likewise offending, and against the peace and dignity of the State, of Tennessee. W.O. Howell, Attorney General, Pro tem, August Term 1933, The State VS. Tom Danesworth Murder, Walter McNeil Prosecutor, Subpoena for the State; J.C. Haygood, Willie Smith, Tawt Patrick, Leona Curtis, E. Johnson, Minnie Johnson, E.T. Curtis, R.G. Haygood, Walter McNeil, J.S. Westbrook, Roy Pinkston, J.D. Hooper, Clint Richardson, W.O. Howell Attorney General, Pro Tem Witnesses sworn by me to testify before the Grand Jury upon this indictment at August Term, 1933, R.H. McKeel Foreman Grand Jury, A true bill R.E. McKeel Foreman Grand Jury.

One against Max Thompson and Harris Mosley, Larceny, which indictment is in the words and figures as follows to wit; State of Tennessee Humphreys County, August Term of Circuit A.D., 1933, 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 Max Thompson and Harris Mosley, heretofore, to wit, on the 13th day of June 1933, in said County and State, unlawfully, feloniously and forcibly did break and enter the business house of one, W.W. Glover, 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 Max Thompson and Harris Mosley, on the day and year aforesaid, in the State and County aforesaid, unlawfully and feloniously did take, steal, and carry away eighteen sacks of Country Gentlemen smoking tobacco, eighteen sacks of R.J.R. smoking tobacco, chewing tobacco, three pocket knives, candy, shotgun shells, cold cream, salmon and chewing gum, all of the value of eleven dollars, and of the goods and chattels of the said W.W. Glover, with intent to deprive him, the said W.W. Glover, the true owner thereof and convert the same to their own use. And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Max Thompson and Harris Mosley of said County, on the day and year aforesaid, in the county aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing eighteen sacks of Country Gentlemen smoking tobacco, eighteen sacks of R.J.R. Smoking tobacco, chewing tobacco, three pocket knives, candy, shotgun shells, cold cream, salmon and chewing gum, all of the value of eleven dollars, the property of W.W. Glover of said county, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, by the said Max Thompson and Harris Mosley then and there knowing the said property aforesaid to have been feloniously stolen, taken

and carried away, and they the said Max Thompson and Harris Mosley intending then and there fraudulently to deprive the owner thereof, contrary to the statute and against the peace and dignity of the State of Tennessee. W.C.Howell, Attorney General, Protem, August Term 1933 The State Vs. Max Thompson and Harris Mosley, Larceny, W.W. Glover Prosecutor, W.W. Glover, D.B.McCann, J.S.Westbrook Joe Traylor. Witnesses sworn by me on this indictment before the Grand Jury August Term, 1933, R.H.McKeel, Foreman Grand Jury W.C.Howell Attorney General, Protem, A TRUE BILL R.H. McKeel Foreman Grand Jury.

One against Dug Taylor and Thedica Spicer, Jack Burns, B.D., Subpoena for the State D.B.McCann, and J.S.Westbrooks, Joe Traylor, Trent Westbrooks, ~~Sharia McGrunder~~, One against Charlie McGruder, Abduction, with indictment is in the words and figures as follows to wit: State of Tennessee Humphreys County, August term of Circuit Court, A.D. 1933, 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 Charlie McGruder heretofore, to wit, on the 21st., day of July 1933, in said County and State, unlawfully and feloniously did take Dillie Hooper, a female, from her father and mother, namely Will Hooper and Minnie Bell Hooper, who had legal charge of her without the consent of said parents aforesaid, for the purpose of concubinage contrary to the statute and against the peace and dignity of the State of Tennessee. W.C.Howell, Attorney General, Pro tem, August Term, 1933, the State Vs. Charlie McGruder, Abduction, Will Hooper Prosecutor, Subpoena for the State: Will Hooper, W.H. Crafton, Mrs. W.H.Crafton Dillie Hooper, Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1933 R.H.McKeel, Foreman Grand Jury W.C.Howell Attorney General Pro tem, A TRUE BILL R.H.McKeel Foreman Grand Jury.

One against Charlie McGruder, lewdness, Subpoena for the State, Will Hooper, W.H.Crafton Mollie Crafton and Dillie Hooper.

One against R.R.Noel, D.D., Subpoena for the State, Sam Scott, Jim Westbrook, C.O.Brown, R.A.Pendgraph.

One against Melvin Rollins, George King, Robert Maynard alias Henry Jackson, Alias, H.B. and Larceny, which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1933, 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 Melvin Rollins, George King, Robert Maynard alias Henry Jackson, heretofore to wit on the 26th day of April 1933, in said County and State, unlawfully, feloniously and forcibly did break and enter the business house of one W.W.Hickman, 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 Melvin Rollins, George King, Robert Maynard alias Henry Jackson, on the day and year aforesaid, in the state and county aforesaid, unlawfully, feloniously did take and carry away three pistols rifles, smoking tobacco, chewing tobacco, candy cakes, loaf bread, flashlight, shirts, handkerchiefs, all the value of twenty dollars, and of the goods and chattels of one the <sup>said</sup> W.W.Hickman with intent to deprive him, the said W.W.Hickman, the true owner thereof and convert the same to their own use.

And the Grand Jurors aforesaid upon their oath aforesaid, do further present that the said Melvin Rollins, George King, Robert Maynard, Alias Henry Jackson, of said county, on the day and year aforesaid, in the county aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing three pistols, rifles, smoking tobacco

chewing tobacco, candy, cakes, loaf bread, flashlights, shirts, handkerchiefs, all of the value of twenty dollars, the property of W.W.Hickman of said county before then feloniously stolen, taken and carried away by someone unknown to the Grand Jury, they the said Melvin Rollins, George King, and Robert Maynard alias Henry Jackson, themand there knowing the said property aforesaid to have been feloniously stolen and carried away, and they the said Melvin Rollins, George King, and Robert Maynard, alias Henry Jackson, intending then and there fraudulently to deprive the owner thereof, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the state of Tennessee. W.C.Howell, Attorney General, Pro tem, August Term 1933, The State vs. Melvin Rollins, George King, and Robert Maynard, alias Henry Jackson, H.B. Larceny, W.W.Hickman Prosecutor, Subpoena for the State; W.W.Hickman, Sam Scott, Walter McNeil, T.R.Westbrooks, D.B.McCann, J.S.Westbrook, Dee Hedge, Esq. J.M.Reeves, and Joe Traylor, Witnesses sworn by me on this indictment before the Grand Jury August Term, 1933, R.H.McKeel, Foreman Grand Jury, W.C. Howell Attorney General, Pro tem, A TRUE BILL R.H.McKeel Foreman Grand Jury.

John A. Davis,

VS.

Southern Bell Telephone  
& Telegraph Company

In the Circuit Court,  
Sitting at Waverly,  
Humphreys County, Tenn.

The above named defendant, Southern Bell Telephone & Telegraph Company, by its attorney, presented in open Court its petition for the removal of this suit from this Court to the District Court of the United States, for the Nashville Division of the Middle District of Tennessee, and also a bond with good and sufficient surety in the penalty of \$500.00, conditioned as required by the Act of Congress in such cases made and provided; and this being at or before the time said defendant is required by the law of the State of Tennessee, or a rule of this Court, to answer or plead to the declaration of this suit.

It is ordered, adjudged and decreed by the Court that said petition be filed, that said bond, which had been duly proven in open Court, be accepted, that this be removed from this Court to the District Court of the United States for the Nashville Division of the Middle District of Tennessee, that the Clerk of this Court forthwith transmit to that Court a full, true and perfect copy of the record in this suit, duly verified according to law and that no further proceeding be had in this suit in this Court.

Court then adjourned until tomorrow morning at 8:00 O'Clock

*J. G. Moxton*

COURT MET PURSUANT TO ADJOURNMENT PRESENT A PRESIDING THE HON. JUDGE MORTON, JUDGE, ETC. THIS DAY THE GRAND JURY CAME INTO OPEN COURT AND PRESENTED THE FOLLOWING INDICTMENTS AND PRESENTMENTS TO WIT:

One against L.J. Cowen, larceny, which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1933. 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 L.J. Cowen, heretofore, to wit, on the 29th day of May 1933, in said County and State, unlawfully, feloniously, and forcibly did break and enter the business house of one T.C. Miller, 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 L.J. Cowen, on the day and year aforesaid, in the state and county aforesaid, unlawfully and feloniously did take, steal, and carry away five one hundred pounds sacks of sugar all of the value of twenty-five dollars, and of the goods and chattels of the said T.C. Miller with intent to deprive him, the said T.C. Miller, the true owner thereof and convert the same to his own use.

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said L.J. Cowen of said county, on the day and year aforesaid, unlawfully and feloniously did receive buy, conceal, and aid in concealing five one hundred pound sacks of sugar of the value of twenty-five dollars, the property of T.C. Miller of said county, before then feloniously stolen, taken and carried away by someone, to the Grand Jury unknown, he the said L.J. Cowen then and there knowing the said sugar aforesaid to have been feloniously stolen, taken, and carried away, and he the said L.J. Cowen intending then and there fraudulently to deprive the owner thereof, contrary to the statute and against the peace and dignity of the State of Tennessee, W.C. Howell, Attorney General, Pro tem, August Term, 1933 the State Vs. L.J. Cowen H.B. & Larceny, T.C. Miller Prosecutor, SUBPOENA FOR THE STATE: T.C. Miller, Sam Scott, D.B. McCann, J.S. Westbrook, Walter McNeil, Will Napier, Grady Spann, Frank Anderson, and Esq. J.M. Reeves. Witnesses sworn by me on this indictment before the Grand Jury August Term, 1933 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.J. Cowen, Barren Subpoena for the State T. R. Westbrook, R.F. Ingram, W.H. Hamm, D.B. McCann, Barney Nash, Amos Ewing.

One against Jimmie Dunn, Reece Castleman, Manufacturing intoxicating liquors and possessing a still, ETC. State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1933. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charged to inquire for the County of Humphreys and the State aforesaid, upon their oath aforesaid, present the Jimmie Dunn, and Reece Castleman heretofore to wit, on the 11th day of August, 1933 in the State and County aforesaid, unlawfully did manufacture intoxicating liquors, to wit, whiskey, contrary to the statute and against the peace and dignity of the State of Tennessee.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Jimmie Dunn, and Reece Castleman, 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 liquors, to wit, whiskey, contrary to the statute and against the peace and dignity of the State of Tenn. W.C. Howell, Attorney General, Pro tem. August Term 1933, The state Vs. Jimmie Dunn, & etc. Reece Castleman, M. Liquors, etc. Subpoena for the same Roy Rinkston, T.R. Westbrook, J.S. Westbrook, W.A. Beck, W.C. Howell, Attorney General Pro tem.

A true Bill R.H. McKeel, Foreman Grand Jury, G.W. Waggoner, E.F. Crowell, D.M. Long, J.A. Wright, W.H. Batton, G.A. McMillon, O.C. Wallace, W.C. Kilgore, C.E. Gwin, N.H. Hardin, John Lagon, and J.M. Dotson.

One against Roy Hughes, Drunkenness, Subpoena for the State, J.S. Westbrook, T.R. Westbrook, Charles Porch, Sam Scott, Joe Traylor, George Bowman, J.M. Reeves, Click Wilson.

One against Joe Plant, Age Consent, which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1933. 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 Plant heretofore, to wit, on the 23rd day of February 1933, in said County and State, unlawfully, feloniously and carnally knew Irene Sharp a female, over the age of twelve years and under the age of twenty-one years, the said Joe Plant and Irene Sharp not occupying the relation of husband and wife, at the time of such carnal knowledge, and the said Irene Sharp 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 of Tennessee, W.C. Howell, Attorney General, Pro Tem. August Term 1933, the State Vs Joe Plant, Age Consent, Otto Sharp Prosecutor, Subpoena for the State: Otto Sharp, Irene Sharp, Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1933 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.

Age of consent.

Joe Thompson

In this case 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 lawful men of Humphreys County, to wit: Jesse Anderson, Ed Lehman, John Bradley Jr., Russell McCandless, Anderson Brown, Wess Athey, Tom Wheeler, Boss Fortner, T.D. Story, A.L. Peggall, J.O. Ledbetter, C.S. Forrest, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers R.F. Ingram, and W.B. Clavinger, who had previously been legally sworn to attend them, and after hearing all the proof and the argument of counsel and the charge of the Court but not having sufficient time to consider of their verdict said Jury was respited by the Court until tomorrow morning at half past eight o'clock and said Jury retired in charge of their sworn officers aforesaid.

State of Tennessee

Vs.

Age of consent.

Charlie Tilson.

In this case 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 lawful men of Humphreys County, to wit: Jesse Anderson, Vester Spann, Luther Morrison, L.R. Dotson, J.D. Parker, L.H. Johnson, Walter Anderson, Will Summers, Jim Wilhite J.S. Perkins, Phil Lagon, and C.S. Forrest, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, J.C. Thomas, and D.C. Baathrop, who had previously been 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.

B.D.

Dee Hedge

In this case came the Attorney General pro tem for the state and the defendant in person, who, duly charged and arraigned, on said indictment pleads guilty. Thereupon to assess the defendant punishment came a jury of good and lawful men of Humphreys County, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phil Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey, J.D. Parker, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say they find the defendant guilty of possessing intoxicating liquors as charged in the indictment and fix and assess his fine at the sum of One Hundred Dollars. It is therefore ordered, adjudged and decreed by the Court, for the offense as found by the jury the defendant pay or secure a fine of One Hundred Dollars, and cost of this cause for which let execution issue.

Then it is further ordered by the Court that the fine be suspended until the next term of this court.

And in the event of his failure to pay or secure all of the cost he shall be confined in the County Jail or Workhouse of Humphreys County Tennessee, until he pay or secure or work out all of said cost.

State of Tennessee

vs.

B.D.

Leon Ruons

In this case came the Attorney General, Pro Tem, for the State 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 dismissed and go thence without day.

Neal Weatherspoon, Admr.  
Alice Weatherspoon, deod.

vs.

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

M. B. Nickell and  
Hugh Nickell

Compromise Judgment

In this case upon motion of the Attorneys for the plaintiff, and by the consent of the Attorneys for the defendants had and announced in open Court at this the August term of this Court 1932, and by agreement of all the parties, the Court without the intervention of a jury, hereby renders judgment in this case for the sum of Three Thousand Dollars (\$3,000.00) against the defendant Hugh Nickell, and in favor of the Pltff. Neal Weatherspoon Administrator of Alice Weatherspoon, deod, together with all the costs of the case for the negligent killing of the deceased by the defendant Hugh Nickell on April 15th 1930, in Hickman County Tennessee, and for all of which execution may issue.

State of Tennessee

vs.

Age consent.

Hosie Chappel

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, 1932, it was adjudged and ordered in the cause Hosie Chappel 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. Lanaden, Clerk of our said Court, at office in Nashville, the first Monday of December, 1932,

David S. Lanaden, Clerk.

Seal,

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 1932, it being the day of December, 1932, when the following proceeding were had to wit:

Hosie Chappel vs. The State, Humphreys Criminal Case 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 so ordered and adjudged by the Court. It is therefore ordered by the Court that the plaintiff in error, for the offense of violation of the age of consent, as charged in the indictment, be delivered to the Warden of the penitentiary, or his agent, and be by him conveyed to the penitentiary of the State of Tennessee and there confined at hard labor for a term of not more than 5 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 in 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. Lanaden, 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, 1932, in the case of Hosie Chappel 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 11 day of April 1933,

Seal,

David S. Lanaden, Clerk.



State of Tennessee)

Vs.

Age of Consent.

Charlie Tilsen

In this case came the Attorney General, Pro tem for the State and the defendant in person and by attorneys when the Jury heretofore selected and sworn in this case, to wit: Jesse Anderson, Vester Spann, Luther Morrison, L.E. Dotson, J.D. Parker, L.H. Johnson, Walter Anderson, Will Summers, Jim Wilhite, J.S. Perkins, Phil Lagan, and C.S. Forrest, having returned into open Court in charge of their sworn officers J.C. Thomas and D.C. Boikthrop, and having resumed consideration of this cause whereupon the defendant withdraws his plea of "not guilty" and pleads guilty to the charges of said indictment, and said jury after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say that they find the defendant guilty of having had sexual intercourse of a female under twentyone years of age and above twelve years of age and said female not being at the time a lewd, bawd or kept female and the relation of husband and wife not existing between the defendant and said female at the time of said intercourse as charged in the indictment and assess and fix his punishment at three years in the Penitentiary.

It is therefore ordered, adjudged and decreed 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 time 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.

It is further ordered, adjudged and decreed by the Court that upon the payment or securing of the costs in this cause by the defendant that the sentence to imprisonment be suspended during good behavior.

State of Tennessee)

Vs.

Final Judgment.

Charlie Koons et al.)

In this cause on motion of the Attorney General, Pro tem for the State it appearing to the Court that a forfeiture was taken against the defendant and his Bondsmen Dr. J.L. Edwards and Geo. W. Meux at April Term of this court 1933, and a Scire Facias ordered and issued and it appearing to the Court that said Scire Facias was legally issued and served on said sureties Dr. J.L. Edwards and Geo. W. Meux requiring them to appear at August term of this Court 1933 and show cause why final judgment should be taken on said forfeiture of Five Hundred Dollars and said parties failing to appear and show cause as aforesaid said forfeiture of Five Hundred Dollars is made final and it is ordered, adjudged and decreed by the Court that the State of Tennessee recover for the use and benefit of Humphreys County, of said sureties Dr. J.L. Edwards and Geo. W. Meux the sum of Five Hundred Dollars and the costs of this forfeiture for all of which let execution issue.

Court then adjourned until tomorrow morning at 8:30 O'Clock

.....*J. D. Morton*..... Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.

State of Tennessee)

Vs.

Assault and Battery with intent to commit Murder.

Francis Malone

In this case came the Attorney General, Pro tem for the State and the defendant in person, and by attorney when the Court that this defendant was convicted at the Dec., term of Court 1932 and order placed upon the minutes of this court. It is therefore ordered, adjudged and decreed by the Court that the former order entered at the December term of Court 1932 be the same is revived and the case is continued until the next term of this court on account of the health of the defendant.

State of Tennessee)

Vs.

Age of Consent.

Eugene Petty

In this case came the Attorney General, Pro tem for the State and defendant in person, and by attorney whereby the Attorney General states to the Court that he desires to prosecute the case no further and he hereby recommends a nolle. upon payment of the costs.

It is therefore ordered, adjudged, and decreed by the Court that the case be nolle and the defendant pay the cost of this cause for which let execution issue.

Thereof came into open Court J.L. Petty, H. H. Hopper and R.W. Allison, and entered their names as sureties this costs.

State of Tennessee)

Vs.

Driving Drunk.

Jim Baird

In this case came 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 guilty. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit, Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phil Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess. Cathey and J.D. Parker, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say they find the defendant guilty as charged in the indictment and assess and fix his punishment at thirty days in jail and also a fine of Ten Dollars. 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 Ten Dollars and will serve a term of thirty days in jail in Waverly, Humphreys County, Tennessee, and will pay the costs of this cause for which let execution issue.

It is further ordered by the Court, that the defendant be prohibited from driving an automobile for a period of six months and in the event he should do so, he will be taken in charge and be further confined for a period of Four months.

It is further ordered by the Court, that the jail sentence be suspended during good behavior and the defendant shall report to the Judge of the Criminal Court at Memphis, Tennessee, at each term of Court for one year.

State of Tennessee)

Vs.

W.J. Jamison

*Final Judgment*  
Transporting.

In this cause on motion of the Attorney General, Pro Tem for the State it appearing to the Court that a forfeiture was taken against the defendant and his Bondsmen R.L. Jamison, and Joe Chambers, at the April Term of this Court 1933, and a Scire Facias ordered and issued and it appearing to the Court that said Scire Facias was legally issued and served on said sureties R.L. Jamison and Joe Chambers requiring them to appear at August term of this Court 1933 and show cause why final judgment should be taken on said forfeiture of Five Hundred Dollars and said parties failing to appear and show cause as aforesaid said forfeiture of Five Hundred Dollars is made final and it is ordered, and adjudged and decreed by the Court that the State of Tennessee recover for the use and benefit of Humphreys County, of said sureties R.L. Jamison and Joe Chambers the sum of Five Hundred Dollars and the costs of this forfeiture for all of which let execution issue.

State of Tennessee)

Vs.

J.P. McCoy

Murder.

In this case 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 lawful men of Humphreys County, Tennessee, to wit, Jesse Anderson, A.L. Regal, J.W. Groce, J.L. Parker, Anderson Brown, Wess Gathey, Elmo Smith, Jim Wilhite, Russel Rudolph, Vester Spann, Phil Lagan, and C.S. Forrest, who, being duly elected and sworn according to law, and in charge of their sworn officers R.F. Ingram and J.R. Fraylor, who had previously been legally sworn to attend them after hearing all of 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 be discharged and go hence without day.

State of Tennessee)

Vs.

Joe Thompson

Age of Consent.

In this cause comes again the Attorney General, Pro Tem, for the State and the defendant in person and by attorney, when the Jury heretofore selected and sworn in this cause, to wit, Jesse Anderson, Ed Lehman John Bradley, Russel McCandless, Anderson Brown, Wess Gathey, Tom Wheeler, Ross Fortner, T.D. Story, A.L. Regal, J.O. Lebbetter and C.S. Forrest, having returned into open Court in charge of their sworn officers R.F. Ingram and W.B. Olexenger, and having resumed consideration of this cause, and having heard all of the Proof, argument of counsel and the charge of the Court, upon their oath do say they find the defendant guilty of having had unlawful sexual intercourse with female over the age of twelve years and under the age of twenty-one years who was not a lewd, bawd, or kept female and the relation of husband and wife not at the time existing between the defendant and said female, as charged in the indictment and assess and fix his punishment at three years in the penitentiary.

It is therefore ordered, adjudged and decreed 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 time not less than three years nor more than three years and that he pay the costs of this cause for which let execution issue,

Court then adjourned until tomorrow morning 8:00 O'Clock.

*James M. ...* Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.

State of Tennessee

Vs. Attorney.

Tom Curtis

In this case came 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 lawful men of Humphreys County Tennessee, to wit, J.W. Groce, A.L. Regal, Russel Rudolph, Jesse Anderson, Sid Williams, Jip White, Halden Waggoner, Jim Miller, Phil Lagan, Bill Durham, Jim Thompson, and Frank Baker, who, being duly elected tried and sworn according to law, and in charge of their sworn officers D.A. Burch and Tom Ferguson, who had previously been legally sworn to attend them after hearing all of 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 be discharged and go hence without day.

State of Tennessee

Vs. Larceny.

Max Thompson &  
Harrie Mosley

In this cause came 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 guilty to petit larceny. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit, Jim White, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wesa Cathey and J.D. Parker, who, being duly elected tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say that they find the defendant guilty of Petit Larceny as charged in the indictment and assess the punishment of ~~up to~~ at three years in State Training and Agricultural School for boys at Nashville, Tennessee, it appearing from the proof that said defendants are under seventeen years of age. It is therefore ordered, adjudged and decreed by the Court for the offense as found by the Jury, the defendants Max Thompson and Harrie Mosley be confined at the State Training and Industrial School for boys at Nashville, Tennessee, for a period of not more than One year and that they pay the costs of this cause for which let execution issue. It appears that Tom Thompson of Waverly, Tennessee, is the father of Max Thompson, and that Max Thompson lives his father, and that Harrie Mosley lives with his father, Bink Mosley, of Waverly, Tennessee.

Court then adjourned until tomorrow morning at 8:30 O'Clock.

..... Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. JOD.G. MORTON, JUDGE, ETC

Hilda Martin

Vs.

Earl Martin

In the Circuit Court,  
At Waverly, Tennessee.

Upon motion of the petitioner by attorney, this case is dismissed at petitioner's cost, which has been paid by the petitioner.

Orson Fields & Co. for the use of  
Mrs. W.C. Mays.

Vs.

B.F. Lesoure et al

In Circuit Court at Waverly, Tennessee.

This cause came on to be heard and was heard before the Honorable J.D.G. Morton, Judge, on the 19th, day of August, 1933, with out the intervention of a jury, when it appeared to the Court that the cause was appealed from Magistrate's Court, that appeal was prayed for, but no bond was executed, or oath taken, and the motion of plaintiff, the Court is pleased to confirm the judgement of the Magistrate, and decree that the property described in the replevin writ, to wit, one cow known as the Cappa cow, and her calf, a heifer, is the property of the plaintiff. The defendants will pay the cost of the appeal. The Court so orders, adjudges and decrees.

Fred Lightfritz

Vs.

Elois Lightfritz

In the Circuit Court,  
At Waverly, Tennessee.

Case  
Order Pro Confesso

In this cause on motion of complainant, and it duly appearing to the Court that the defendant, Elois Lightfritz has been regularly served with subpoena to answer complainant's bill and that she has failed to appear and make defense to the bill within the time required by law, it is ordered that as to the defendant, complainant's bill be taken as confessed and the cause set for hearing ex parte.

# DECREE

The cause then came on to be heard further, by Judge J.D.G. Morton, upon the bill of complaint, pro confesso heretofore taken against the defendant, and the oral testimony of witnesses examined in open Court.

And it satisfactorily appeared to the Court from the proof that the facts charged in the bill are true, that the defendant had committed adultery with one Charlie Stacks, on or about April 14th, 1933 and at various other times before and after said date, and after her marriage to the complainant and before the filing of the bill, as charged, and that the complainant is a chaste man, and gave defendant no cause or just excuse for her said misconduct, and has not condoned the same.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the complainant and defendant be absolutely and forever dissolved and that complainant be vested with all the rights of an unmarried person and that he pay the costs of this cause. It is so ordered, adjudged and decreed by the Court.

Mary Louise Hays )  
 Vs. ) In the Circuit Court,  
 Roy Hays. ) At Waverly, Tennessee.

In this cause on motion of complainant, and it duly appearing to the Court that the defendant, Roy Hays, has been regularly served with subpoena to answer the complainant's bill, and that the defendant has failed to appear and make defense to said bill within the time required by law; it is ordered that as to the defendant, complainant's bill be taken as confessed, and the cause set for hearing ex parte.

DECREE

And the cause came on to be heard before the Honorable J.D.G. Morton, Judge upon complainant's bill, the pro confesso heretofore taken against the defendant, the oral testimony of witnesses examined in open Court and the compromised agreement, entered into on the 13th day of July, 1933, between the complainant, Mary Louise Hays, and the defendant, Roy Hays, which agreement and the settlement of alimony is as follows:

Mary Hays )  
 Vs. ) Circuit Court, Waverly, Tennessee.  
 Roy Hays )

The petitioner, Mary Hays, and the defendant, Roy Hays, have entered into the following agreement, and make the following stipulations:

That upon the petitioner procuring a divorce, the matter of alimony and property rights are compromised and settled as follows: the defendant, Roy Hays, agree to pay to his wife, Mary Hays, the sum of One Hundred Eighty Dollars as alimony, the same to be paid in monthly payments of Ten Dollars per month, until the whole of said sum is paid, provided, the defendant may have twenty four months from the date of the divorce decree to fully pay the said sum of One Hundred Eighty Dollars; upon payment in full of said amount it shall bein full and complete satisfaction of all property rights that the petitioner, Mary Hays, may now have or hereafter have in any property belonging to her said husband.

Petitioner, Mary Hays, agrees to accept said sum in full settlement and satisfaction of all her marital rights in her said husband's property, and acquits him for any liability or responsibility he might have reason of their marriage.

It is agreed between the parties hereto that each party will go their respective way, and in no manner harass, embarrass, or undertake to injure the other by word or deed.

It is further agreed between the parties that this agreement may be made a part and incorporated in the decree of the Court in this cause. This the 13th day of July, 1933.

Mary Hays

Roy Hays

And it satisfactorily appeared to the court from the bill and the proof that the facts charged in the bill are true; that the defendant is guilty of such cruel and inhuman treatment or conduct toward petitioner, as renders it unsafe and improper for her to cohabit with him and be under his dominion and control. That he has abandoned her, turned her out of doors and refused and neglected to provide for her. It is further ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the complainant and the defendant be absolutely and forever dissolved, and that complainant be vested with all the rights of an unmarried woman, and that her maiden name, Mary Louise Hooper, be restored to her. It is further ordered and decreed by the Court that this cause be retained on the docket, and the amounts stipulated to be paid as alimony to the complainant, as set out in the agreement between the parties, made a part of this decree, be collected by the

Clerk of the Court, and paid over to the complainant, as the same may be paid to said Clerk, and in case of a failure to make such payments, as provided herein, such other and further orders and decrees may be made in the case upon proper application of the complainant. It is further ordered, adjudged and decreed by the Court that all the costs of the cause, outside of the Six Dollars, heretofore paid by the complainant into Court, will be paid by the defendant, Roy Hays, for which execution may issue.

Lillian Clemmons )  
 Vs. ) In the Circuit Court.  
 Willie Clemmons ) At Waverly, Tennessee.

ORDER PRO CONFESSO

In this cause, on motion of complainant, and it duly appearing to the Court that the defendant Willie Clemmons, has been regularly served with subpoena to answer complainant's bill more than five days before the convening of this Court, and has failed to appear and make defense to the bill within the time required by law, it is ordered that as to him complainant's bill be taken as confessed and the case set for hearing ex parte.

DECREE

The cause came on further to be heard before the Honorable J.D.G. Morton, Judge, upon the bill of complaint of Lillian Clemmons, the pro confesso heretofore taken against the defendant, and the oral testimony of witnesses examined in open Court. And it satisfactorily appeared to the Court from the bill and the proof that the facts charged in the bill are true; that the defendant has willfully deserted the complainant without a reasonable cause for more than two whole years before the filing of the bill as charged. That he had abandoned her turned her out of doors and refused and neglected to provide for her.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the complainant and the defendant be absolutely and forever dissolved and that complainant be vested with all the rights of an unmarried woman, and that the custody of Mary Ellen Clemmons, the only child of the complainant and defendant, be and is decreed to the complainant, Lillian Clemmons, free from the interference or management of the defendant, Willie Clemmons.

It is further ordered by the Court that the costs of the cause, including the Six Dollars paid into Court by the complainant, as provided by law, be and is adjudged against the defendant, for all of which let execution issue.

J.B. Bunnell )  
 Vs. ) Final Judgment  
 H.P. Hudson & )  
 J.O. Hudson )

This case came on to be heard and was heard before the Hon. J.D.G. Morton, Judge, on the August 19th 1933, without the intervention of a jury, and after hearing the proof in the case the Court finds that the plaintiff had no notice of the suit or judgment, and the motion to dismiss the petition is overruled. The Court further finds that the Statute of Limitation had not run when the first warrant was taken out suing on this note, and that the defendants, H.P. Hudson and J.O. Hudson made a new promise to pay said note before the Statute of Limitation had run. The Court further finds that the defendants, H.P. Hudson and J.O. Hudson are indebted to the plaintiff J.B. Bunnell on said note sued on in this case as balance due thereon.



Principal and interest in the sum of Nine Hundred and Seventeen Dollars and Eighty cents (\$917.80).

It is therefore ordered and adjudged by the Court that the plaintiff J.B. Bunnell have and recover of the defendants, H.P. Hudson and J.O. Hudson, the sum of Nine Hundred and Seventeen Dollars and Eighty cents (\$917.80) and the costs of this case for all of which execution will issue.

Willie Mai Johnigan  
Vs.  
William Johnigan

In the Circuit Court,  
At Waverly, Tennessee.

# ORDER PRO CONFESSE

This cause on motion of complainant and it duly appearing to the Court that the defendant, William Johnigan has been regularly served with subpoena to answer the complainant's bill, and the defendant has failed to appear and make defense to the bill within the time required by law, it is ordered that as to him complainant's bill be taken as confessed and the cause set for hearing the ex parte.

# DECREES

This cause came on to be heard further before the Honorable J.D.G. Morton, Judge, upon the bill of complainant, the pro confesso heretofore taken against the defendant and the testimony of witnesses examined in open Court.

And it satisfactorily appeared to the Court from the bill and from the proof that the facts charged in the bill are true; that the defendant had abandoned the complainant turned her out of doors, refused and neglected to provide for her; that he has wilfully deserted her without reasonable cause for more than two whole years before the filing of the petition.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the complainant and the defendant be absolutely and forever dissolved and that complainant be vested with all the rights of an unmarried woman.

The Court so orders, adjudges and decrees. It is further ordered by the Court that the costs of this cause, including the six dollars heretofore paid the Court by the complainant, be and the same is adjudged against the defendant, for all of which execution may issue.

State of Tennessee  
Vs.

J.T. Lovett, et al.

This came on to be heard before the Honorable J.D.G. Morton, Judge, without the intervention of a jury upon the records and the motion of the complainant by his counsel of record, for an order of sale (Venditioni Exponas) and it appearing to the Court that complainant obtained before J.A. McMillan, a Justice of the Peace, for Dickson County, Tennessee, on July the 12th, 1930, a judgment against the defendants T.R. Street, J.T. Lovett, W.M. Street and Sam Street, in the amount of \$202.17, and the costs and it further appearing to the Court that on July 7th 1933, a certified execution was issued to Humphreys County, by the said J.A. McMillan, which certified execution together with the certificate attached is in fact and in figures as follows: State of Tennessee, Dickson County, to any lawful officer to execute and return: You are hereby commanded, that of the goods and chattels, lands and tenements of T.R. Street, J.T. Lovett, W.M. Street and Sam Street, you cause to be made the sum of two hundred and two dollars and seventeen cents (\$202.17) and the costs hereon endorsed, to satisfy a judgment which Bank of Charlotte obtained before J.A. McMillan, Justice of the Peace, on 12th day of July, 1930 against the said T.R. Street, J.T. Lovett, W.M. Street and Sam Street and such money, when collected, pay to the said Bank of Charlotte given under my hand, this day of July 7th 1933, J.A. McMillan Justice of the Peace, State of Tennessee, Dickson County, I, Lee Mathis, Jr., Clerk of the County Court of Dickson County, do hereby certify that J.A. McMillan, whose genuine signature appears to the foregoing instrument is, and was at the time of signing the same, an acting Justice of the Peace in and for said County, duly elected and qualified and that all of his official acts are entitled to full faith and credit as such, and J.A. McMillan, who rendered the judgment, was, at the time of the rendition of the same, and acting Justice of the Peace in and for said County, duly elected and qualified, and all of his official acts are entitled to full faith and credit as such.

Witness my hand and seal of said Court, at office in Charlotte  
this 7th day of July 1933, Lee Mathis, Clerk.

Magistrate's Execution Docket of J.A. McMillan, Bank of Charlotte Vs. J.T. Lovett, et al.  
Judgment 12 day of July 1930 issued 7 day of July 1933, Judgment (\$202.17 Officers' cost \$3.00, Justice's cost \$3.00 J. McReeves J.P. .50, Levy \$2.00, Justice's cost: Issuing warrant \$1.00, judgment \$0.75, docketing 25¢, issuing execution \$1.50, certificate 50¢ officer's cost serving warrant \$3.00, came to hand same day issued and there is no property to be found in my county I therefore levy this execution on the undivided interest of J.T. Lovett as in description attached Roy Pinkston D.S. Filed this July 11, 1933, L.C. Bohanan, Clerk,  
and that on July 7th 1933, J. McReeves issued an execution on said certified execution, which execution issued by J. McReeves, is in facts and figures as follows: State of Tennessee, Humphreys County. To any lawful officer to execute and return: Whereas, on the twelfth (12th) day of July, 1930, in the county of Dickson, and State of Tennessee before J. A. McMillan an acting justice of the peace of said county of Dickson, a judgment was rendered in favor of Bank of Charlotte, of Charlotte, Tennessee, and against T.R. Street, J.T. Lovett, W.M. Street and Sam Street, in the amount of two hundred and two (\$202.17) dollars and seventeen cents and costs of suit; and, whereas, an execution was issued thereon for two hundred and two (\$202.17) dollars and seventeen cents on the 7 day of July, 1933, by the said J.A. McMillan, which execution has come into my hands, in pursuance of section

of the 1932 Official Code of Tennessee, accompanied by the certificate of Lee Mathis, Jr. clerk of the county court of said county of Dickson, that said J.A. McMillan was, at the time of the rendition of said judgment an acting of the peace of said county of Dickson, and the said J.A. McMillan, was at the time of the issuance of said execution an acting justice of the peace of said county of Dickson: You are therefore commanded that of the goods and chatte ls, lands and tenements of the said T.R. Street, J.T. Lovett, W.M. Street and Sap Street, you cause to be made the aforesaid sum of two hundred and two (\$202.17) dollars and seventeen cents, together with lawful interest thereon, and also the costs hereon indorsed, and that you make due return of this writ.

Witness my hand, the 7 day of July, 1933.

J. McReeves.  
Justice of the Peace.

which execution was returned into Circuit Court, leved on the 2 undivided interest of J.T. Lovett in and to the following described real property to wit: a tract or piece of land lying in the 3rd civil district of Humphreys County, Tennessee, lying on the north side of the old stage road and bounded as follows: On the north side by Ethridge on the south by Long, on the east by Dotson and the west by Ethridge, containing 40 acres more or less, which return is in the words and figures as follows: Came to hand the same day issued I made diligent search, and there is no personal property or effects to be found in my County subject to levy under this fi. fa. I therefore leved the within execution on the 2 undivided interest of J.T. Lovett, in and to the following described real property, to wit: A tract or parcel of land lying in the 3rd Civil District of Humphreys County, Tennessee, lying on the North side of the old stage road and bounded as follows: On the North by Ethridge, on the South by Long, on the East by Dotson, on the west by Ethridge, containing 40 acres more or less, valued by the tax assessor at \$200.00. July the 10, 1933 Roy Pinkston, D.S. and it further appearing to the Court that the said certified execution was returned, the said J. McReeves took the Circuit Court on July 11, 1933, it is therefore ordered, adjudged and decreed that the said one half interest undivided interest of the said J.T. Lovett, in and to the above described tract of land be sold and the proceeds of said sale be applied, first to the payment of the cost of this cause and second, to the satisfaction of complainant judgment, and that any residue left after the satisfaction of the above judgment be paid to the defendant J.T. Lovett.

Humphreys County Tenn.

Vs.

George Stedronsky,

In the Circuit Court, Waverly, Humphreys  
County Tennessee.

Decree

This cause came on to be heard further at this the August term of court, 1933, and was heard before the Honorable J.D.G. Morton, judge, etc, upon the whole record in the cause, and the pro confesso heretofore taken in the cause, and upon the report of the Jury of View made on the 12th day of June 1933, which report of the Jury of View is as follows:-

Humphreys County

Vs.

George Stedronsky

State of Tennessee, Humphreys County.

We, as a jury of (5) Five who have viewed and assessed the value of the above land in the ownership of George Stedronsky and consider the value of the land at \$10.00 and at a fair price. This 12th day of June 1933.

This 12th day of June 1933.

J. F. Bibbons

W.L. Roberts

W.W. Gatlin

V.V. Rogers

Geo. E. Stringer.

And said report of the Jury of View being unexpected to, is in all things confirmed by the Court. It is therefore ordered adjudged and decreed by the Court, that the defendant have and recover of the petitioner, Humphreys County as damages for the taking of the land condemned and described in the petition filed in the cause and herein set out the sum of Ten Dollars (\$10.00) with interest from date of this decree, together with the costs of the cause, amounting in all at this date the sum of Thirty & 50/100 dollars (\$30.50).

It is therefore ordered adjudged and decreed by the Court, that all the right, title and interest in the strip of land described hereinafter, and the same is condemned and the title thereto divested out of the defendant George Stedronsky and vested in the petitioner, Humphreys County Tennessee, for public road purposes.

The land so taken is described as follows:- Situated in the 1st Civil District of Humphreys County Tennessee, and being a part of Highway No. 13, north of Waverly:-

- (1) A strip of land extending from Station 155 x 50, to station 157 x 50, 445 ft long and 80 feet wide, bounded on each side by a line parallel to and at all points 40 feet distant from the center line of said proposed road.
- (2) A strip of land extending from station 157 x 50 to station 165 x 50, 800 feet long and 115 feet wide, bounded on the right side by a line parallel to and at all points 75 feet distant from the center line of the proposed road and on the left side by a line parallel to and at all points 40 feet distant from said center line.
- (3) A strip of land extending from station 165 x 50 to station 172 x 50 700 feet long and 80 feet wide, bounded on each side by a line parallel to and at all points 40 feet distant from the center line of the proposed road.
- (4) A strip of land extending from station 172 x 50 to station 175 x 50, 100 feet long and 85 feet wide, bounded on the right side by a line parallel to and at all points 40 feet distant from the center parallel to and at all points 45 feet distant from said center line.
- (5) A strip of land extending from station 175 x 50 to station 185 x 50, 2,000 feet long and 80 feet wide, bounded on each side by a line parallel to and at all points 40 feet distant from the center line of said proposed road.
- (6) A strip of land extending from station 185 x 50 to station 200 x 50, 150 feet long and 75 feet wide, bounded on the right side by a line parallel to and at all points 40 feet distant from the center line of said proposed road and on the left side by a line parallel to and at all points 55 feet distant from said center line.
- (7) A strip of land extending from station 200 x 50 to station 203 x 50, 250 feet long and 80 feet wide, bounded on each side by a line parallel to and at all points 40 feet distant from the center line of said proposed road.
- (8) A strip of land extending from station 203 x 50 to station 205 x 50, 200 feet long and 110 feet wide, bounded on the right side by a line parallel to and at all points 70 feet distant from the center line of said proposed road and on the left side by a line parallel to and at all points 40 feet distant from the center line.
- (9) A strip of land extending from station 205 x 50 to station 223 x 50, 1850 feet long and 80 feet wide, bounded on each side by a line parallel to and at all points 40 feet distant from the center line of said proposed road.
- (10) A strip of land extending from station 223 x 50 to station 224 x 50, 100 feet long and 90 feet wide, bounded on the right side parallel to and at all points 50 feet distant from the center line of said proposed road and on the left side by a line parallel to and at all points 40 feet distant from said center line.
- (11) A strip of land extending from station 224 x 50 to station 226 x 50, 115 feet long and 80 feet wide, bounded on the right side by a line parallel to and at all points 40 feet distant from the center line of said proposed road, and on the left side by a line parallel to and at all points 75 feet distant from said center line.
- (12) A strip of land extending from station 226 x 50 to station 241 x 50, 1500 feet long and 80 feet wide, bounded on each side by a line parallel to and at all points 40 feet distant from the center line of said proposed road.

(13) A strip of land extending from Station 241-00 to Station 244-00, 300 feet long and 85 feet wide; bounded on the right side by a line parallel to and at all points 45 feet distant from the center line of said proposed road and on the left side by a line parallel to and at all points 400 feet distant from said center line.

Humphreys County }  
 Vs. } Circuit Court, Humphreys County,  
 A. C. Dobbins et al } Tennessee.

This case came on to be heard at this the August term of court 1933 before the Honorable J. D. G. Morton, Judge, and was heard upon the whole record in the cause and the proconfesse heretofore taken in the cause, and also upon the report of the jury of view is on the 12th day of June 1933, which report of the jury of view is as follows:

Humphreys County }  
 Vs. } State of Tennessee, Humphreys County.  
 A. C. Dobbins et al }

As, as the Jury of Five (5) who viewed the A. C. Dobbins lands and have assessed the value of the land as a fair price of \$350.00 for the land and consider it as its value in money.  
 This 12th day of June 1933.

J. F. Gibbons  
A. L. Roberts  
Sec. E. Stringer  
V. Y. Rogers  
W. W. Gatlin.

Which report of the jury of view is confirmed by the court, and is ordered by the court that the defendant A. C. Dobbins and Della Dobbins recover of Humphreys County, Tennessee as damages caused by the taking of the strip of land here in after described the sum of \$350.00 with 6% interest from date of this judgment, together with all the costs of this cause.

It is therefore ordered, adjudged and decreed by the Court, that all the rights title and interest in the strip of land described in the petition of this cause and here after described, be and the same is condemned, and the title thereto divested out of the defendants A. C. Dobbins and Della Dobbins and vested in the petitioners Humphreys County, Tennessee, for public road purposes.

The land so taken is described as follows: situated in the first civil district of Humphreys County, Tennessee on Richland Creek, the strip of land described being and extending from station 240X33 to Station 300X82, 2043 feet long and 80 feet wide; bounded on each side by a line parallel to and at all points 40 feet distant from the center line of said proposed road.

C. W. Daniel }  
 Vs. } Damage.  
 J. G. Raines et al }

Came the parties, and came a jury of good and lawful men, c/o wit; Jesse Anderson, A. L. Regal, J. D. Parker, Luther Morrison, Anderson Brown, Elmo Smith, Vester Spann, Jim Wilhite, Halden Waggoner, Roy Pinkston, Wess Cathey, and C. S. Forrest, who being tried and sworn the truth to speak upon the issues joined, upon their oath do say they find the issues in favor of the defendants.  
 It is therefore considered by the Court that the defendants recover of the plaintiff the costs of this suit and go hence.

J. P. Cowen & Son }  
 Vs. } In Circuit Court Waverly, Tennessee.  
 Mrs. W. E. Long }

This case is settled out of Court and costs paid by the plaintiff.

Russell McCandless }  
 Vs. } Condemnation  
 G. A. Boatman et al }

In this case came the plaintiff with the court of record from the Justice of the Peace Court for condemnation and order of sale, with a levy on the property of G. A. Boatman, the Court so orders a Condemnation and order of sale, after which the defendant, G. A. Boatman came into court and paid to the clerk of this court all of said judgment and costs, the case therefore goes off the docket and defendant released of this judgment and costs.

D. E. Harris }  
 Vs. } Condemnation  
 W. B. Clivenger }

In this case came the plaintiff with the court of record from the Justice of the Peace Court, for condemnation and order of sale, the court dismissed the cause at the costs of the plaintiff D. E. Harris on account of papers being irregular.  
 It is therefore ordered, adjudged and decreed by the Court that the cause be dismissed and Plaintiff D. E. Harris be taxed with the costs for which let execution issue.

State of Tennessee

Vs.

Driving Drunk.

Paul Westbrook

In this case came the Attorney General, pro tem for the state and the defendant in person who, being duly charged and arraigned on said indictment pleads guilty. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey, and J.D. Farker, who, being duly elected tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say they find the defendant guilty as charged in the indictment and assess and fix his punishment at Thirty days in jail and also a fine of Ten Dollars. 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 Ten Dollars and will serve a term of thirty days in the Jail at Waverly, Humphreys County, Tenn. and will pay the costs of this cause for which let execution issue. It is further ordered by the Court, that the jail sentence be suspended until next term of this court upon the defendant paying or securing said fine and costs. It is further ordered by the Court, that the defendant be prohibited from driving an automobile for a period of Six months and in the event he should do so, he will be taken in charge and be further confined for a period of four months.

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

One against Femeel Waynick, Drunkenness subpoena for the State; H.T. Smith and Mrs. H.T. Smith.

One against Bob Taylor Wiggins, Drunkenness subpoena for the State; Charles H. Tottv, Ernest Morris, John Wiggins and Charley Hickman.

One against George Mosley, Carrying Pistol subpoena for the State; Connie Story, Russell Story, Marion Story, Robert Farley and Marvin Watts.

One against Brownie Ingram, A. & B. subpoena for the State; Fannie Miller, Alice Banes and John Ingram.

One against Woodroe Harrington, Drunkenness subpoena for the State; L.H. Dobbins and Maxey Sharp.

One against Hunter Blackwell, Drunkenness subpoena for the State; H.T. Smith, Mrs. H.T. Smith, Fred Coleman and Ellis Winstead.

One against Ivon Adkins, Carrying Pistol subpoena for the State; W.M. Cathey, Esq. Gilbert Carter and Henry Hooper.

One against George Mosley. Carrying a pistol, which indictment is in the words and figures as follows: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1933, The Grand Jurors for the State of Tennessee, elected empaneled, sworn and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that George Mosley heretofore, to wit, on the 28th day of July, 1933, in the County aforesaid, unlawfully and feloniously did steal, take and carry away one thirty two caliber smith and wesson pistol, of the value of Twenty Dollars, the property of Syl Brake of said County, then and there being found, contrary to the form of the statute in such cases made and provided 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 George Mosley 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 thirty-two caliber Smith and Wesson Pistol of the value of twenty Dollars, the property of Syl Brake of said County, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown he said George Mosley then and there knowing the said pistol to have been feloniously stolen, and taken away and he the said George Mosley intending then and there fraudulently to deprive the owner thereof, contrary to the form of the statute in such cases and provided, and against the peace and dignity of the State of Tennessee W.C. Howell, Attorney General, Pro tem. August Term, 1933 The State Vs. George Mosley, Largoey, Syl Brake Prosecutor, Subpoena for the State Syl Brake, Katie Brake, and Jack Brake, Witnesses sworn by me on this indictment before the Grand Jury August Term 1933, R.H. McKeel, Foreman Grand Jury W.C. Howell, Attorney General Pro tem, A true bill R.H. McKeel Foreman Grand Jury. One against David Potter, Perjury, which indictment is in the words and figures as follows: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1933.

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 David Potter heretofore, to wit, on the 10th day of August 1933, in said County and State, unlawfully, feloniously, maliciously, deliberately, absolutely, and corruptly swore falsely to a certain matter as follows: A lawsuit or trial wherein Ray Durham was prosecutor and Joe Thompson was defendant, said defendant, Joe Thompson being tried in a criminal case on a charge of having unlawful sexual intercourse with a female over twelve years of age and under twenty-one years of age, namely, Maudie Durham, without said Joe Thompson and Maudie Durham occupying the relations of husband and wife at the time of said sexual intercourse and the said Maudie Durham not being at the time of said sexual intercourse a lewd, bawd, or kept female, said cause was pending at the August Term 1933 in the Circuit Court at Waverly, Tennessee, before the Honorable J.D.G. Morton, Judge of the Ninth Judicial Circuit of the state of Tennessee, duly elected by the qualified voters thereof and commissioned by the Governor of the state, and the said lawsuit or trial being within the jurisdiction of the said Court, wherein it became and was material to inquire whether or not the said Maudie Durham had had sexual intercourse with any other than defendant Joe Thompson before had sexual intercourse with said defendant Joe Thompson, and it became necessary and was material to ask David Potter if he had sexual intercourse with Maudie Durham the said David Potter being then and there sworn by L.C. Bohanan, Clerk of the said Circuit Court, under the direction and by command of the said J.D.G. Morton, Judge, the said clerk having lawful authority to administer oaths on the Holy Evangelist of Almighty God, the truth to speak, the whole truth and nothing but the truth on said trial, when, having been first sworn, the said David Potter unlawfully, feloniously, willfully, deliberately, absolutely and corruptly swore as follows: that he had known Maudie Durham for some time prior to September 13, 1931, and that he has come with her and in answer to the inquiry asked of him he said that he did not know whether he had had intercourse with the said Maudie Durham and that he did not remember whether or not he had had sexual intercourse with the said Maudie Durham, which said swearing was maliciously, feloniously, willfully, deliberately, absolutely and corruptly false, and the said David Potter, then and there well knew the same to be false in point of fact when he deposed to it and so the Grand Jurors aforesaid, upon their oath aforesaid, do present and say that the said David Potter, on the day and year aforesaid, do present and say that the said David Potter, on the day and year aforesaid, in the manner and form as aforesaid, and by the means



of the false swearing aforesaid, was guilty of feloniously, wilful, deliberate, malicious absolute and corrupt perjury, contrary to the statute and against the peace and dignity of the State of Tennessee. W.C. Howell, Attorney General, Pro tem, August Term, 1933

The State Vs. David Potter, Perjury, Ray Durham Prosecutor, Subpoena for the State:

Ray Durham, D.B. McGann and L.C. Bohanan, Witnesses sworn by me on this indictment before the Grand Jury August Term, 1933 R.H. McKeel, Foreman Grand Jury W.C. Howell Attorney General, Pro Tem A true Bill R.H. McKeel Foreman Grand Jury.

## REPORT OF GRAND JURY.

We, the members of the Grand Jury at the August Term 1933 of the Circuit Court of Humphreys County, beg leave to submit the following report to Your Honor:

We have diligently inquired and true presentment made of all offenses given us in charge by Your Honor or otherwise brought to our knowledge. We have examined the County Jail and County Poor House and find the prisoner and inmates well fed and cared for.

We have examined all bonds required to be examined by us and find them properly executed and good and solvent for the several amounts thereof, and now having completed our labor, we respectfully ask to be discharged for the term. R.H. McKeel, Foreman of Grand Jury C.E. Quinn, E.T. Crowell, Oscar Wallace, F.M. Dotson, W.C. Kilgore, W.H. Patton, John Lagan, G.E. McMillon, J.W. Waggoner, Nealy Hardin, J.C. Wright and David Long.

Court then adjourned until Monday morning at 8:00 O'clock,

..... J.D. Morton ..... Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT & PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.

State of Tennessee }  
VS. } Murder.  
June Waggoner }

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 lawful men of Humphreys County, to wit: Beasley Mathis, Bud Hall, Walter Smith, A.A. Arnold, Dan Dodd, Jim Fentress Ray Wheeler, J.W. Greenwell, T.L. Carter, Wess Gathay, J.L. Qualls, & Harris Collier, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, D.S. Burch and R.G. Ferguson who had previously been legally sworn to attend on them, and the proof not being completed said jury was respited by the Court until tomorrow morning at half past eight o'clock and said jury retired in charge of their sworn officers aforesaid.

Court then adjourned until tomorrow at 8:00 O'clock,

..... J.D. Morton ..... Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT & PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.  
State of Tennessee  
Vs. Murder.  
June Waggoner

In this cause comes again the Attorney General, pro tem, for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Beasley Mathis, Bud Hall, Walter Smith, A.A. Arnold, Dan Dodd, Jim Fentress, Ray Wheeler, J.W. Greenwell, T.L. Carter, Wess Cathey, J.L. Qualls and Harris Collier, having returned into open Court in charge of their sworn officers D.A. Burch and T.G. Ferguson and having resumed consideration of this cause and the proof not being complete said Jury was again respited by the Court until tomorrow morning at half past eight o'clock and said jury retired in charge of their sworn officers aforesaid.

Court then adjourned until tomorrow morning at 8:00 o'clock.

*J.D.G. Morton* Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT & PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.  
State of Tennessee  
Vs. Murder.  
June Waggoner

In this cause comes again the Attorney General, pro tem for the state and the defendant in person and by attorney, when the Jury, heretofore selected and sworn in this cause, to wit: Beasley Mathis, Bud Hall, Walter Smith, A.A. Arnold, Dan Dodd, Jim Fentress, Ray Wheeler, J.W. Greenwell, T.L. Carter, Wess Cathey, J.L. Qualls and Harris Collier having returned into open Court in charge of their sworn officers D.A. Burch and T.G. Ferguson and having resumed consideration of this cause, after hearing all of the proof, argument of counsel and the charge of the Court, upon their oath do say they find the defendant guilty of murder in the first degree with mitigating circumstances as charged in the indictment and assess and fix his punishment at thirty years in the penitentiary.

It is therefore ordered, adjudged and decreed 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 an indeterminate period of time of not less than twenty nor more than thirty years and that he pay the costs of this cause, for which let execution issue.

Whereupon the defendant gave notice of motion for a new trial and this cause is past pending the filing and hearing of said motion. And it is ordered by the Court that said motion for a new trial be filed August 30, 1933.

State of Tennessee  
Vs. Larceny.  
Monroe Crafton

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 guilty to petit larceny.

Whereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, to wit: Jim White, Elmo Smith, Vester Spann, Luther Harrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, J.S. Forrest, Jesse Anderson, Wess Cathey, and J.D. Parker who, being elected, tried and sworn according to law, and being in charge of their sworn officers, Frank Ingram and Joe Graylor 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 they find the defendant guilty of petit larceny as charged in the indictment and assess and fix his punishment at one year in the Penitentiary. It is therefore ~~ordered~~ adjudged and decreed 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 time of not less than one year nor more than one year and one day and that he pay the costs of this cause for which let execution issue and that defendant be rendered infamous.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.  
 State of Tennessee }  
 Vs. } Petit Larceny.  
 Monroe Crafton }

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 guilty to Petit Larceny. Thereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Carhey and H.D. Parker, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, R.F. Ingram and Joe Traylor 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 they find the defendant guilty of petit larceny as charged in the indictment and assess and fix his punishment at one year in the Penitentiary.

It is therefore, ordered, adjudged, and decreed 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 time of not less than one year nor more than one year and one day and that he pay the costs of this cause for which let execution issue and that defendant be rendered infamous.

It is further ordered, adjudged and decreed by the Court that this sentence run concurrently with one this day pronounced by this Court sentencing this defendant to serve one year in the said Penitentiary.

State of Tennessee }  
 Vs. } Murder.  
 Tom Dancs }

In this cause comes again 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 lawful men of Humphreys County, to wit: Vernon Brewer, Jimmie Wilhite, M.C. Mimms, G.W. Anderson, R.T. Mitchell, Rex Plant, G.N. Branch, Author Jones, Harvy Bogard, J.D. Forrester, Sam Moore and E.A. Toland, who, being elected, tried and sworn according to law, and being in charge of their officers, Geo. Wyatt and J.C. Thomas, who had previously been legally sworn to attend them, and the proof not being completed said jury was respite by the Court until tomorrow morning at half past eight o'clock and said jury retired in charge of their sworn officers aforesaid.

Court then adjourned until tomorrow morning at 8:30 O'clock.

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

COURT MET PURSUANT TO ADJOURNMENT PRESENT & PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.  
 Mrs. C.E. Sweatt }  
 Vs. }  
 Hub Hammons }

In this cause on the \_\_\_ day of April 1933, the defendant Hub Hammons moved the Court that this cause be dismissed for the want of a prosecutor, she having failed to appear to prosecute this cause, when upon the prosecutor or plaintiff, Mrs. C.E. Sweatt was called to come into Court and prosecute this cause, but came not, whereupon the court sustained the motion of the defendant Hub Hammons to dismiss the plaintiff cause.

It is therefore ordered and adjudged by the court that this cause be dismissed and the costs of the said cause be taxed against the plaintiff Mrs. C.E. Sweatt and the surties on her cost and attachment bond.

On motion of the defendant Hub Hammons on August 24th, 1933 this order is made now for then.

State of Tennessee }  
 Vs. } Embezzlement.  
 J. A. Adams }

In this cause upon motion of the Attorney General, pro tem, acting for the state and it appearing that an indictment was returned by this Grand Jury at the August term 1932 of the Court and that at the April term 1933 said cause was by the Court upon motion of the Attorney General, pro tem referred to the Grand Jury it is ordered, adjudged and decreed by the Court that the indictment returned by the Grand Jury at the August term 1933 of this Court be nollad.

State of Tennessee }  
 Vs. } Murder.  
 Tom Dancs }

In this cause comes again the Attorney General, pro tem, for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Vernon Brewer, Jimmie Wilhite, M.C. Mimms, G.W. Anderson, R.T. Mitchell, Rex Plant, G.N. Branch, Author Jones, Harvy Bogard, J.D. Forrester, Sam Moore and E.A. Toland having returned into open Court in charge of their sworn officers Geo. Wyatt and J.C. Thomas, and having resumed the consideration of this cause but not having time to complete the hearing of the proof the jury was again respite by the Court until tomorrow morning at half past eight o'clock and said jury retired in charge of their officers aforesaid.

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

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

COURT MET PURSUANT TO ADJOURNMENT PRESENTING PRESIDING THE HON. J. D. G. MORTON, JUDGE, ETC.

State of Tennessee

Vs.

B. D.

Dug Taylor Thedocia  
Spicer & Jack Burns

In this case came the Attorney General, pro tem for the State and defendants in person and by attorney, who, being duly charged and arraigned on said indictment to try to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A. L. Regal, Phill Lagan, Halden Waggoner, C. S. Forrest, Jesse Anderson, Wess Cathey and J. D. Parker, who, duly elected, tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court upon their oath do say they find the defendants each of them guilty as charged in the indictment and assess and fix their punishment as to a fine of One Hundred Dollars each, and as to Thedocia Spicer Ninety days in Jail.

It is therefore ordered, adjudged and decreed by the Court, that for the offense as found by the Jury the defendants each be required to pay or secure a fine of One Hundred Dollars (\$100.00) and Thedocia Spicer will serve a term of Ninety days in the County Jail or workhouse of Humphreys County, Tennessee, also the defendants each will pay the costs of this cause for which let execution issue, and in the event of their failure to pay or secure all of said fine and costs they shall be confined in the aforesaid County Jail or workhouse until they pay, secure or work out all of said fine and costs.

State of Tennessee

Vs.

Larceny.

Levy Smith

In this case the Grand Jury returned an indictment 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.

A. &amp; B.

Ray/Rughey

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

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

State of Tennessee

Vs.

A. D.

C. H. Aycock

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

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

State of Tennessee

Vs.

Murder.

Tom Danesworth

In this case comes again the Attorney General, pro tem for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Vernon Brewer, Jimmie Wilhite, M. C. Mims, G. W. Anderson, R. T. Mitchell, Rex Plant, G. N. Branch, Author Jones, Harvey Bogard, J. D. Forrester, Sam Moore and E. A. Toland, having returned into open Court in charge of their sworn officers Geo. Wyatt and J. C. Thomas and having resumed the consideration of this cause and heard all the proof, argument of counsel and the charge of the Court but not having sufficient time to consider of their verdict said jury is resited again by the Court until tomorrow at half past eight o'clock and said jury retired in charge of their officers aforesaid.

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

*J. D. G. Morton* Judge.



COURT MET PURSUANT TO ADJOURNMENT PRESENT &amp; PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.

State of Tennessee }

Vs. }

Murder.

Tom Danesworth }

In this cause comes again the Attorney General, pro tem, for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Vernon Brewer, Jimmie Wilhite, M.C. Mimms, G.W. Anderson, R.T. Mitchell, Rex Plant, G.N. Branch, Arthur Jones, Harvey Bogard, J.D. Forrester, Sam Moore and E.A. Toland, having returned into open Court in charge of their sworn officers Geo. Wyatt and J.C. Thomas and having resumed the consideration of this cause, having heretofore heard all of the proof, the argument of counsel and the charge of the Court, upon their oath do say that they find the defendant guilty of Involuntary Manslaughter as charged in the indictment and assess and fix his punishment at sixty days in the County Jail.

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the Jury, the defendant be confined in the County Jail of Humphreys County, Tennessee, for a period of sixty days and that he pay the costs of this cause for which let execution issue and upon further consideration it is ordered, adjudged and decreed by the Court that the jail sentence of sixty days be suspended until the next term of this court and that the defendant go without bond.

State of Tennessee }

Vs. }

Embezzlement.

J.A. Adams }

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 lawful men of Humphreys County to wit: Anderson Brown, D.C. Bolthrop, Luther Morrison, Wess Cathey, Jesse Anderson, Henry Johnson, Halden Waggoner, Bill Black, C.S. Forrest, Tom Wheeler, Roy Tate and Moze Frazee, who, being duly elected tried and sworn according to law, and being in charge of their sworn officers, J.R. Traylor and R.F. Ingram who had previously been legally sworn to attend them, and the proof not being completed and this being Saturday evening said Jury was respite by the Court until Monday morning August 28th, 1933 at nine o'clock and said jury retired in charge of their sworn officers aforesaid.

Court then adjourned until Monday morning at 9:00 O'clock.

*J.D.G. Morton* Judge,

COURT MET PURSUANT TO ADJOURNMENT PRESENT &amp; PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.

State of Tennessee }

Vs. }

Embezzlement.

J.B. Adams }

In this cause comes again the Attorney General, pro tem, for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Anderson Brown, D.C. Bolthrop, Luther Morrison, Wess Cathey, Jesse Anderson, Henry Johnson, Halden Waggoner, Bill Black, C.S. Forrest, Tom Wheeler, Roy Tate and Moze Frazee, having returned into open Court in charge of their sworn officers J.R. Traylor and R.F. Ingram, 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 the defendant guilty of willfully converting to his own use and benefit moneys that were assets of the estate of W.M. Adams, deceased, and which the defendant held as executor as charged in the indictment and assess and fix his punishment at one year in the Penitentiary.

Whereupon the defendant gave notice of a motion for a new trial and this cause is fast pending the filing and hearing of said motion.

State of Tennessee }

Vs. }

Larceny.

Charlie McGruder }

In this case came the Attorney General, pro tem, for the state and the defendant in person and pleads guilty as charged in the indictment, thereupon the Court assess the penalty and say he shall pay a fine of five Dollars together with all the costs of this cause, for which let execution issue.

State of Tennessee }

Vs. }

Felony.

Noah Lee }

In this case came 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 lawful men of Humphreys County, Tennessee, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey and J.D. Praker, who, being duly elected tried and sworn according to law after hearing all of 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 be discharged and go hence without day.

State of Tennessee }

Vs. }

Driving Drunk.

B.L. Thompson }

This case is continued by the State on account of absence of Mathis.

State of Tennessee

Vs.

Sci Fa

John Dodd et al

In this case came the defendant in thier 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, to answer of the defendant, and the motion of the defendant to set aside the forfeiture entered against him, when the Court after hearing and fully considering the same is pleased to and does set aside forfeiture entered at the April Term 1933 of the Court, aside but adjudged the costs of the forfeiture against the defendant.

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

State of Tennessee

Vs.

Driving Drunk

John Diviney

This case is continued on account of absence of H.E. Mathis.

State of Tennessee

Vs.

B.D.

Tom Curtis

In this case came 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 pleaded not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: J.H. Warden, A.L. Regal, J.D. Parker, Fred Madden, T.L. Carter, Ose Quinn, Elmo Smith, J.L. Qualls, Jim Wilhite, J.I. Ridings, Phill Lagan, and Walter Pruett, who, being duly elected tried and sworn according to law, and the proffant being completed the jury was respited by the Court until tomorrow morning at nine o'clock.

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

*J. H. Warden* Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT &amp; PRESIDING THE HON. J.D.G. MORTON, JUDGE, ETC.

State of Tennessee

Vs. Curtis

B.D.

Tom Curtis

In this cause comes again the Attorney General, pro tem, for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: J.H. Warden, A.L. Regal, J.D. Parker, Fred Madden, T.L. Carter, Ose Quinn, Elmo Smith, J.L. Qualls, Jim Wilhite, J.I. Ridings, Phill Lagan and Walter Pruett, having returned into open Court and having resumed 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 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.

Larceny

Roy Hughey

In this case came the Attorney General Pro Tem, for the State and State's to the Court that he desires to prosecute the case no further.

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

State of Tennessee

Vs.

Manufacturing liquor

Hubert Curtis et al

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

State of Tennessee

Vs.

Driving Drunk

John Dodd

In this case 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 lawful men of Humphreys County, Tennessee, to wit: Arthur Jones, J.A. Lehman, W.D. Patterson, Holden Waggoner, W.H. Jones, Wess Cathey, G.S. Forrest, Jesse Anderson, Luther Morrison, Vester Spann, Anderson Brown and Skace Elswick, who, being duly elected, tried and sworn according to law, 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 be discharged and go hence without day.

State of Tennessee

Vs.

B.D.

Ben L. Thomson

This case is continued by the State on account of absence of Mathis.

State of Tennessee

Vs.

Driving Drunk

B.P. McMabb

In this case came 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 lawful men of Humphreys County, Tennessee, to wit; Elmo Smith, A.L. Regal, Jim Wilhite, Halden Waggoner, Phill Lagan, Wess Cathey, C.S. Forrest, Jesse Anderson, J.D. Parker, Luther Morrison, Vester Spann and Anderson Brown, who, being duly elected, tried and sworn according to law, 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 be discharged and go hence without day.

State of Tennessee

Vs.

Driving Drunk

Hal Stricklin

This case is continued by the State until the next term of this Court.

State of Tennessee

Vs.

Bad Check.

Henry Marcum et al

This case is continued by consent of both Attorneys for State and defendants.

State of Tennessee

Vs.

Bad Check.

Henry Marcum et al

This case is continued by consent of both Attorneys for State and Defendants.

State of Tennessee

Vs.

Carrying a Pistol.

Henry Marcum et al

In this case came the Attorney General, pro tem, for the state 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 defendants be dismissed and go hence without day.

State of Tennessee

Vs.

B.D.

Hershel Cooley

It is ordered by the Court that an alias be issued for the defendant in this case.

State of Tennessee

Vs.

B.D.

Lee Ingram

This case is continued by the State until the next term of this Court.

State of Tennessee

Vs.

Sci Fa

P.K. Wilson

It is ordered by the Court that a Alias Sci Fa be issued for the defendant in this case.

State of Tennessee

Vs.

B.D.

Bud Binkley &  
Sarah Binkley

This case is continued on account of absence of Jesse Beals, until next term of Court.

State of Tennessee

Vs.

Carter Simpson

This case is continued by consent of both Attorneys for the State and defendant.

State of Tennessee

Vs.

Age Consent

Joe Plant

This case is continued by consent of both Attorneys for the State and defendant.

State of Tennessee

Vs.

Manufacturing Liquor

Jimmie Dunn &  
Hecce Castleman

This case is continued on plea of guilty as to both defendants punishment to be assessed at next term of this Court.

State of Tennessee

VS.

D.D.

R.R. Noe

In this case came the Attorney General, pro tem for the State 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.

Abduction

Charlie McGruder

In this case came 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 lawful men of Humphreys County, Tennessee, to wit: J.D. Parker, Jim Wilhite, C.S. Forrest, Halden Waggoner, Phill Lagan, Elmo Smith, Wess Cathey, Jesse Anderson, A.L. Regal, Luther Morrison, Vester Spann and Anderson Brown, who, being duly elected tried and sworn according to law 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 and decreed

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

State of Tennessee

Vs.

Incest

Floyd Livingston

This case is continued by the State until the next term of this

Court.

State of Tennessee

Vs.

Sci Fa

Ray Patterson

In this case came the defendant 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, to answer of the defendant, and the action of the defendant to set aside the forfeiture entered against him, when the Court after hearing and fully considering the same is pleased to and does set aside forfeiture entered at the April Term 1933, of the Court, aside but adjudged the costs of the forfeiture against the defendant.

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

State of Tennessee

Vs.

Trespass

John B. Madden

In this case 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 lawful men of Humphreys County, to-wit: W.O. Simpson, Vernon Brewer, Jim Wilhite, Halden Waggoner, Phill Lagan, Elmo Smith, Wess Cathey, Jesse Anderson, A.L. Regal, Luther Morrison, Vester Spann, and W.H. Jones, who, being duly elected, tried and sworn according to law, and the proof not being completed the jury was respited by the Court until tomorrow morning at nine o'clock.

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

..... Judge.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. J. D. G. MORTON, JUDGE, ETC.

State of Tennessee

Vs.

Trespass.

John B. Madden

In this case comes again the Attorney General, pro tem, for the state and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: W.O. Simpson, Vernon Brewer, Jim Wilhite, Halden Waggoner, Phill Lagan, Elmo Smith, Wess Cathey, Jesse Anderson, A.L. Regal, Luther Morrison, Vester Spann, and W.H. Jones, having returned into open Court and having resumed consideration of this cause after hearing all the proof, argument of the counsel and the Charge of the Court, upon their oath do say that they find the defendant guilty trespassing on the private lands of others and cutting and removing timber therefrom and appropriating same as charged in the indictment and assess and fix his punishment at a fine of fifty dollars. It is therefore ordered, adjudged and decreed by the court that, for the offense as found by the jury, the defendant pay or secure a fine of fifty dollars and the costs of this cause and an execution for the costs of this cause may issue but the fine of fifty dollars is, suspended by the Court until the next term of this Court.

State of Tennessee

Vs.

Reckless Driving

Clyde Stephens

This cause came on to heard and was heard on August 30, 1933 upon the defendant's plea in abatement to the indictment in this cause and the Court, after hearing proof on the said plea was of the opinion that defendant's plea was well taken. It is therefore, ordered by the Court that defendant's plea in abatement be sustained and that the indictment in this cause be abated and the cause dismissed.

State of Tennessee

Vs.

Petit Larceny

L.J. Coen

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 guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey and J.D. Parker, who being duly elected tried and sworn according to law, and being in charge of their sworn officers R.F. Ingram and J.C. Thomas who had previously been legally sworn to attend them, after hearing all the proof, argument of the counsel and the charge of the Court, upon their oath do say that they find the defendant guilty of petit larceny as charged in the indictment and assess and fix his punishment at one year in the Penitentiary.

It is therefore ordered, adjudged and decreed 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 time of not less than one year nor more than one year and a day and that he pay the costs of this cause for which let execution issue and that the defendant be rendered infamous.



State of Tennessee

Vs.

Possessing Intoxicating Liquor.

L.J. Cowen

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 guilty. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey and J.D. Parker, who being duly elected, tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say that they find the defendant guilty of illegally possessing intoxicating liquor as charged in the indictment and assess and fix his fine at one hundred dollars.

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the jury, the defendant pay or secure a fine of one hundred dollars and the costs of this cause for which let execution issue, but it is ordered, adjudged and decreed by The Court that this fine shall run concurrently with one this day entered against this defendant on a charge of petit larceny.

State of Tennessee

Vs.

B.D.

Emmitt Seay & Jim  
Hugh Moneult

In this case came 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 lawful men of Humphreys County Tennessee, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey, and J.D. Parker, who being duly elected, tried and sworn according to law, 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 be discharged and hence without day.

State of Tennessee

Vs.

Drunkness

Roy Hughey

In this case came 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 lawful men of Humphreys County, Tennessee, to wit: Wess Cathey, Elmo Smith, Allen Murphree, Halden Waggoner, Phill Lagan, Vester Spann, C.S. Forrest, Jesse Anderson, A.L. Regal, Luther Morrison, and J.D. Parker, and Anderson Brown, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment and assess and fix his fine at Twenty Five Dollars.

It is therefore ordered, adjudged and decreed by the Court, that for the offense as found by the jury the defendant pay a fine of Twenty Five Dollars (\$25.00) Dollars with all the costs of this cause.

State of Tennessee

Vs.

Housebreaking and Robbery.

Melvin Rollins, Geo. King and  
Robert Maynard Alias Henry  
Jackson.

In this cause comes the Attorney General, pro tem, for the state and the defendants, and each of them in person and by attorney, who, being duly charged and arraigned on said indictment, each of the defendant, Melvin Rollins, George King and Robert Maynard alias Henry Jackson pleads guilty to the offense of husebreaking. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: Jim Wilhite, Elmo Smith, Vester Spann, Luther Morrison, Anderson Brown, A.L. Regal, Phill Lagan, Halden Waggoner, C.S. Forrest, Jesse Anderson, Wess Cathey and J.D. Parker, who being duly elected, tried and sworn according to law, and being in charge of their sworn officers, J.R. Traylor and D.A. Burch, 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 defendant guilty of house-breaking as charged in the indictment and assess and fix the punishment of Melvin Rollins and Robert Maynard alias Henry Jackson, at three years each in the Penitentiary but it appearing from the proof in the cause that the defendant George King is under sixteen years of age is ordered by the Court that he be remanded to the Juvenile Court of Humphreys County, Tennessee, for trial in said Court,

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the Jury, the defendants Melvin Rollins and Robert Maynard Alias Henry Jackson be confined in the State Penitentiary at Nashville, Tennessee, at hard labor for a period of time of not less than three years nor more than three years and that they pay the costs of this cause for which let execution issue.

State of Tennessee

Vs.

Murder

June Waggoner

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 case, came on to be heard by the Court and which motion is as follows:

State of Tennessee

Vs.

Murder.

June Waggoner

Comes the defendant in person and by his attorneys and moves the Court for a new trial in this case upon the following grounds:-

- (1) Because the preponderance of the evidence is against the verdict of guilt and is in favor of the innocence of the defendant.
- (2) Because the greater weight of the evidence is in behalf of the innocence of the defendant and against the verdict of the jury finding the defendant guilty.
- (3) Because the State failed to prove beyond a reasonable doubt that the defendant was in Humphreys County on the night of the killing alleged in the indictment, and because there is no proof that the the defendant was ever out of Benton County and in Humphreys County on the night of the killing or that the killing even occurred in Humphreys County.
- (4) Because the conviction was had on circumstantial evidence and the chain of evidence was incomplete and broken in many respects, there being no evidence or

circumstance to show beyond a reasonable doubt that the defendant was ever in Humphreys County on the night of the killing, but strong and convincing proof that the deceased crossed the Tennessee River into Humphreys County at Trotters Ferry with no one accompanying him, coming into Humphreys County on the night of the killing.

(5) Because of newly discovered evidence in substance as follows: That it can be proven by John Wyley Fowlkes that the deceased car was seen on the Johnsonville road between Hw. No. 1 and Johnsonville between nine and ten o'clock in his car on the night of the killing in company with two other men, one of the men wearing a big broad brimmed hat, and the man in the middle between the driver and the broadbrimmed hat man seemingly drunk.

(6) Because Fred Garner and Loyd Tibbs, when the deceased crossed the River at Trotters Landing and stopped his car just off the ferry boat in Humphreys County purchased a pint of liquor or more from the deceased which he took out of the rumble seat or back end of the car which was opened up to get the liquor out and there was no one covered up in the rumble seat of the deceased car at the time he crossed the river into Humphreys County on the night of the killing.

(7) Because at a point at and near the iron bridge across Indian Creek in Humphreys County where the State undertook to show bloodstains on the bridge and on the ground near the bridge and where some money was found, it can be shown by Vernon Brewer and nine other witnesses, the nine other witnesses being negroes, that a day or so after the killing and before these supposed bloodstains were found by the officers investigating the case, these negro witnesses were rabbit hunting, killed and dressed a number of rabbits on or near this bridge where a lot of blood was spilled, and were engaged in shooting traps where the small change in silver money was proved to have been found by the state witnesses.

(8) Because it can be shown by Noah Lea that he had an engagement and agreement with the deceased Presson that he, Presson would meet Lea across the river in Humphreys County at Johnsonville on the night of the killing for the purpose of procuring a boat to go into Kentucky after a load of whiskey.

None of the newly discovered testimony set out in paragraphs numbered (5) (6) (7) (8) as above shown was known by the defendant or his attorneys at the time of the trial, but has been learned of since the trial, and will be produced on the hearing if the motion for a new trial is granted.

And said motion being heard by the Court is in all things over-ruled. To which action of the court the defendant accepts.

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 accepts. 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 exceptions. There being no motion for bail the defendant is ordered by the Court to be held in custody of the sheriff of Humphreys County, Tennessee, to await the orders of the Supreme Court at Nashville Tennessee.

To which verdict of the Jury and action of the Court thereon defendant excepts, and gives notice of motion for new trial which motion the Court orders to be filed during the present August Term of Court, and to be heard on August 30, 1933, which motion for a new trial was filed on the 28th. day of August, 1933, and is in the words and figures as follows:

S.H. Davis	}	In the Circuit Court at Waverly, Humphreys County, Tennessee.
Vs.		
J. M. Bone		

In this cause, the Defendant moves the Court to set aside the verdict of the Jury, and grant him a new trial because of the reasons and errors as follows:

I

Because the verdict of the jury in assessing the sum of \$44.50 as damages, and costs of the case against the Defendant, and in favor of the Plaintiff, is against the preponderance of the evidence, the evidence preponderating in favor of the Defendant.

II

Because the Plaintiff failed to make out a case for damages against the Defendant by the weight of the proof, the Plaintiff himself, stating and proving that he had his truck on the right side of the road at the time of the accident, and such the jury of the Plaintiff being given in charge to the Jury by the Court.

III

Because the Court erred that the Plaintiff had a right under the law to drive any kind of an automobile, bulging out, with jaggling wheels, and in any other condition on the highway, on the right side, in the middle or the left side, or anywhere on the highway.

IV

Because the Court erred in charging the Jury that the Plaintiff or anyone else could move a house along the highway with out posting signs or watchers for traffic, and not be negligent for so doing, and thus the Jury was misled by the Court in the Charge.

V

Because the Court erred in failing to charge that certain circumstances would mitigate the damages, if any, under the law.

And which motion was heard by the Court on the 30th day of August, 1933, and was by the Court overruled, and judgment pronounced upon the verdict of the Jury; and to which action of the Court in overruling said motion for new trial the Defendant excepts.

The Defendant then moved the Court in arrest of judgment, which motion is likewise overruled by the Court, and to which action of the Court the Defendant excepts.

Thereupon the Defendant prayed an appeal of the case to the next term of the Court of Appeals at Nashville, Tennessee, which appeal was by the Court granted, upon the Defendant entering into bond for costs of the appeal in the sum of Two Hundred Fifty (250.00) Dollars, or taking the oath as provided by the law in such cases, and the Defendant will be allowed thirty (30) days from Wednesday, August 30, 1933, within which to perfect said appeal and file his Bill of Exception in the cause. The Court orders, adjudge and decrees.

State of Tennessee

Vs.

B.D.

Will Chance

Motion to retax cost

In this case came the Attorney General, pro tem for the State and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the Defendant for the cost of this suit that the defendant is wholly insolvent unable to pay the cost of this suit, or any part thereof. So it is 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 make out and certify the same to the County Judge for the payment as the law directs.

State of Tennessee

Vs.

B.D.

Frank White

Motion to retax cost

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

State of Tennessee

Vs.

B.D.

Frank Anderson

Motion to retax cost

In this case came the Attorney General, pro tem, 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 paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

Carrying a Pistol

John Wilson

Motion to retax cost

In this case came the Attorney General, pro tem for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

B.D.

Herman Edwards

Motion to retax cost

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is 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 make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

Carrying a Pistol

E.B. Malone

Motion to retax cost

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

State of Tennessee

Vs.

B.D.

Robert A. Green

Motion to retax cost

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

B.D.

Joah Howe

Motion to retax cost

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this Court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge as the law directs.

State of Tennessee }  
 Vs. }  
 Josh Howe

B.D.  
 Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee }  
 Vs. }  
 Noah Lea

B.D.  
 Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee }  
 Vs. }  
 Marvin Blackburn

Driving Drunk  
 Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee }  
 Vs. }  
 Lurie Wheatley

B.D.  
 Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee }  
 Vs. }  
 O. G. Berryman

A. & B.  
 Motion to retax costs

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

State of Tennessee }  
 Vs. }  
 Carl Wilson

Mis. d.  
 Motion to retax costs

In this case came the Attorney General, pro tem, 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 make out and certify the same to the County Judge as the law directs.

State of Tennessee }  
 Vs. }  
 Leonard Tucker

Drunkness  
 Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee }  
 Vs. }  
 Earl Spencer

Drunkness  
 Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this Court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this court make and certify the same to the County Judge for payment as the law directs.



State of Tennessee

Vs.

A. &amp; B.

Will Hogan

Motion to retax costs

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

State of Tennessee

Vs.

Drunkness

Nelsie Ingram

Motion to retax costs

In this case came the Attorney General, pro tem, for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this Court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

Drunkness

J.D. Wright

Motion to retax costs

In this case came the Attorney General, pro tem, 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 and that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and the clerk of this court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

A. &amp; B.

Clarence Nickell

Motion to retax costs

In this case came the Attorney General, pro tem, 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 and that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

A. &amp; B.

Thadocia Spicer

Motion to retax costs

In this case came the Attorney General, pro tem, 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 and that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury and that the Clerk of this court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

A. &amp; B.

Carl Wilson

Motion to retax costs

In this case came the Attorney General, pro tem 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 and that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

Drunkness

Jones Banes et al.

Motion to retax costs

In this case came the Attorney General, pro tem, 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 and that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the County Treasury, and that the Clerk of this Court make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee

Vs.

Age of Consent

Hosie Chappel

Motion to retax costs

In this case came the Attorney General, pro tem, 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 and that the defendant is wholly insolvent unable to pay the cost of this suit or any part thereof. So it is therefore ordered, adjudged and decreed by the Court that the cost accrued upon the part of the State be allowed and <sup>ordered</sup> paid out of the Treasury of the State 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

H.B. &amp; Larceny

Motion to retax costs

Less Crafton &  
Dude Moran

In this case came the Attorney General, pro tem for the state and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of this court against the estate of the defendant for the cost of this suit that the defendant is wholly insolvent, unable to pay the cost of this suit or any part thereof.

So it is therefore ordered, adjudged and decreed by the Court, that the cost accrued upon the part of the State be allowed and ordered paid out of the Treasury of the State and that the clerk of this court make out and certify the same to the Comptroller for payment as the law directs.

## SHERIFF'S BOARD BILL FOR BOARDING PRISONERS CHARGED WITH FELONIES.

This day came Walter McNeill 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. Less Crafton H.B. & Larceny Apr. 26, 1933, to April 28th, 1933, 3 days at 60¢ per day \$1.80, 2 turn keys \$2.00,	\$3.80
State of Tennessee Vs. Dude Moran, H.B. & Larceny Apr. 26th 1933, to Apr. 28th 1933, 3 days at 60¢ per day \$1.80, 2 turn keys \$2.00	\$3.80
State of Tennessee Vs. Jesse Edwards, Transporting Liquor, Apr. 26th. 1933 to May 3rd. 1933, 8 days at 60¢ per day \$4.80, 2 turn keys \$2.00,	6.80
State of Tennessee Vs. Joseph Edwards, Transporting Liquor, Apr. 26th 1933, to May 3rd. 1933, 8 days at 60¢ per day \$4.80, 2 turn keys \$2.00	6.80
State of Tennessee Vs. Leon Runions, Age of Consent, Apr. 26th, 1933, to Apr. 26 1933, 1 day at 60¢ per day 60¢ 2 turn keys \$2.00,	2.60
State of Tennessee Vs. Melvin Rollins, H.B. & Larceny, Apr. 26th. 1933 to Aug. 31st, 1933, 66 days at 75¢ per day \$49.50, 66 days at 60¢ per day \$39.60,	86.10
State of Tennessee Vs. Odell King, H.B. & Larceny, Apr. 26th 1933, to Aug. 31st, 1933, 62 days at 75¢ per day \$46.50, 66 days at 60¢ per day \$39.60,	86.10
State of Tennessee Vs. Robert Maynard, H.B. & Larceny, Apr. 26th, 1933, to Aug. 31st, 1933, 62 days at 75¢ per day \$46.50, 66 days at 60¢ per day \$39.60	86.10
State of Tennessee Vs. Harrie Mosley, H.B. & Larceny, June 13th, 1933, to June 17th, 1933, 5 days at 60¢ per day \$3.00, 2 turn keys, \$2.00,	5.00
State of Tennessee Vs. Max Thompson, H.B. & Larceny, June 13th, 1933 to June 22nd. 1933, 10 days at 60¢ per day \$6.00, 2 turn keys \$2.00	8.00
State of Tennessee Vs. June Waggoner, Manslaughter, July 16th, 1933, to Aug. 31, 1933, 47 days at 75¢ per day \$35.25,	35.25
State of Tennessee Vs. Monroe Crafton, H.B. & Larceny, July 21, 1933 to Aug. 31st, 1933, 42 days at 75¢ per day	31.50
State of Tennessee Vs. Maxie Thompson, H.B. & Larceny, Aug. 16, 1933 to Aug. 31, 1933, 16 days at 75¢ per day	12.00
State of Tennessee Vs. Harrie Mosley, H.B. & Larceny, Aug 16, 1933, to Aug. 31st, 1933, 16 days at 75¢ per day	12.00
State of Tennessee Vs. L.J. Cowen, Larceny, Aug. 30, 1933 to Aug. 31, 1933 2 days at 75¢ per day \$1.50,	1.50

State of Tennessee vs. Allie Lashlee, Witness, Aug 13, 1933 to Aug. 19,

1933, 7 days at 75¢ per day \$5.25, 2 turn keys \$2.00

\$7.25

State of Tennessee Vs. Glendell Chester, Witness, July 29th 1933, to Aug.

23, 1933, 26 days at 75¢ per day \$19.50, 2 turn keys \$2.00

21.50

State of Tennessee Vs. Joe Thompson, Age of Consent, Aug. 30, 1933, to Aug.

31, 1933, 2 days

1.50

## WALTER McNEIL'S BOARD BILL FOR BOARDING JURIES AS FOLLOWS:

This day came into open court Walter McNeill and present and read in open court his account against the State of Tennessee, for boarding jury in case of State against Ray Patterson, which amount is \$7.00 for boarding the jury in case of State against Charlie Tilsen, which amount is \$21.00, For boarding the jury in case of State against Joe Thompson, which amount \$26.00, For boarding the jury in case of State against Tom Curtis, which amount is \$7.00, For boarding jury in case of State against June Waggoner, which amount is \$56.00, For boarding jury in case of State against Tom Danesworth, which amount is \$77.00, For boarding jury in case of State against J.A. Adams, which amount is \$14.00 And which amount is allowed by the Court, and ordered paid out of the State Treasury, of State of Tennessee, and that the Clerk of this Court make out and certify the same to the Comptroller of the Treasury for payment as the law directs.

Court then adjourned until Sept. 20th 1933.

..... *W. McNeill* ..... Judge