

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

State of Tennessee

Vs.

Housebreaking and Larceny

Wade Edwards, Boyd L. Edwards,  
Roy Turner, Edie Chappell, &  
Leonard Winn.

In this cause comes the Attorney General, for the state and the defendants in person and by Attorney, when the jury, heretofore selected and sworn in this cause, to wit: Roy Turner, Carlos Binkley, W.T. Hughey, Cleve Bradford, Bob Hughey, Walter McNeill, Geo. Claxton, John Spence, Ray Long, Ned Traylor, Richard Stewart and Luther Morrison, having returned into open court in charge of their sworn officers T.D. Story and L.A. Burch, and having resumed the consideration of the this cause and having heard the proof but not having time to hear the argument of counsel and the charge of the court said jury is adjourned by the court until tomorrow morning at eight o'clock and said jury again retired in charge of their sworn officers aforesaid.

State of Tennessee

Vs.

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Wade Edwards, Boyd L. Edwards,  
Roy Turner, Edie Chappell,  
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In this cause comes again the Attorney General for the state and the defendants in person and by Attorney, when the jury, heretofore selected and sworn in this cause, to wit: Roy Turner, Carlos Binkley, W.T. Hughey, Cleve Bradford, Bob Hughey, Walter McNeill, Geo. Claxton, John Spence, Ray Long, Ned Traylor, Richard Stewart and Luther Morrison, having returned into open court in charge of their sworn officers T.D. Story and L.A. Burch and having resumed the consideration of this cause, after hearing all of the proof but not having time to hear argument of counsel and the charge of the court said jury was again respited by the Court until tomorrow morning at eight o'clock and said jury retired in charge of their sworn officers aforesaid.

State of Tennessee

Vs.

Housebreaking and Larceny

Wade Edwards, Boyd L. Edwards,  
Roy Turner, Edie Chappell,  
Leonard Winn.

In this cause comes again the Attorney General for the State and the defendants in person and by Attorney, when the jury, heretofore selected and sworn in this cause, to wit: Roy Turner, Carlos Binkley, W.T. Hughey, Cleve Bradford, Bob Hughey, Walter McNeill, Geo. Claxton, John Spence, Ray Long, Ned Traylor, Richard Stewart, and Luther Morrison, having returned into open court in charge of their sworn officers T.D. Story and L.A. Burch, and having resumed consideration of this cause and having heard all the proof but not having time to hear argument of counsel and the of the court said jury was again respited by the Court until tomorrow morning at eight o'clock and said jury retired in charge of their sworn officers aforesaid.

State of Tennessee

Vs.

H.B. &amp; Larceny

Boyd White

state.

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

State of Tennessee

Vs.

H. D.

Harris Bradley

court.

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

State of Tennessee

Vs.

H. D.

Albert Hughey  
W.W. Holland

un til the next term of this court.

This case is continued by both the Attorneys for the state and defense

State of Tennessee

Vs.

H. D.

Boyd White

next term of this court.

This case is continued for the defendant to plead guilty at the

State of Tennessee

Vs.

Transporting

J.D. Jamison  
Jesse Bird

until the next term of this court.

This case is continued on account of absence of defendant Jesse Bird

State of Tennessee

Vs.

H. D.

Jesse Bone

and go hence without day.

The Grand Jury returned an indictment marked not a true bill.

State of Tennessee

Vs.

Driving Drunk

L.C. McCain

General, and the defendant in person and by attorney, when upon motion of the defendant

This cause coming on to be heard, present for the state the Attorney General, and the defendant in person and by attorney, when upon motion of the defendant it is ordered adjudged and decreed by the court that the order entered in the cause at the April term 1935, of this court be revived, which order is in the words and figures as follows:

State of Tennessee

Vs.

Driving Drunk

L.C. McCain

In this case came the Attorney General for the state and the defendant in person, who, being duly charged and arraigned on said indictment pleads guilty. Thereupon the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Baxter Hemby, W.L. Latimer, W.H. McCauley, G.M. Wyatt, Neely Daniel, Homer Phebus, Nelson Daniel, D.N. Wright, Roy Burns, C.N. Harris, E.J. May and Robert Peeler, 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 serve a term of thirty days in the County Jail in Weverly; Humphreys County, 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 the next term of this court upon the defendant paying or securing said fine and costs. It is also 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 confine for a period of four months.

State of Tennessee

vs. Edith Warency

the charge

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Ray Long, W.H. May, Bob Choate, Jim Hightower, Bob Holland, Geo. Claxton, E.W. Nix, Preston Steed, Ned Traylor, Luther Morrison, Roy Turner and J.D. Parker, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, T.D. Story 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 the ~~and the~~ defendant not guilty of the matters charged in the indictment. It is therefore ordered, adjudged and decreed by the court that the defendant go hence without day.

State of Tennessee

vs. Assault to murder

E.J. Cowen

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: Preston Steed, J.D. Parker, E.W. Nix, W.H. May, Bob Bruce, J.P. Shannon, Tom Mitchell, Lawrence Gullum, N.C. Curtis, Tom Wheeler, Bob Choate, and Jim Hightower, who, being duly elected, tried and sworn according to law, and being charge of their sworn officers, T.D. Story and D.A. Burch, deputy sheriffs for Humphreys County, who had previously been legally sworn to attend them and having heard all the testimony, argument of counsel and the charge of the Court but having time to consider of their verdict said jury was respited by the Court until tomorrow morning at eight O'Clock and said jury retired in charge of their sworn officers aforesaid.

State of Tennessee

vs.

Assault to Murder

Claude Box

In this cause comes the Attorney General 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, Tenn., to wit: Ray Long, W.H. May, Bob Choate, Jim Hightower, Bob Holland, Geo. Claxton, E.W. Nix, Preston Steed, Ned Traylor, Luther Morrison, Roy Turner and J.D. Parker, who, being duly elected tried and sworn according to law, and being in charge of their sworn officers, T.D. Story and D.A. Burch, who had 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 the defendant guilty of an assault with intent to commit voluntary manslaughter 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 that he pay the costs of this cause for which let execution issue.

State of Tennessee

vs.

xxxxxxx and  
Larceny

Arthur Tinnell &  
H.C. Hopper

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Ray Long, Bob Choate, Jim Hightower, Bob Holland, George Claxton, E.W. Nix, Preston Steed, Ned Traylor, Luther Morrison, Roy Turner and J.D. Parker, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers D.A. Burch and T.D. Story, deputy sheriffs for Humphreys County, 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 defendants and each of them guilty of trespass as charged in the indictment and assess their punishment and each of them thirty days in jail.

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the jury the defendants and each of them be confined in the County jail of Humphreys County, Tennessee, for a period of time of thirty days and 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 the defendants and each of them shall be confined in the County jail or workhouse of Humphreys County, Tennessee, until they pay, secure or work out all of said fine and costs.

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

*[Signature]*, Judge

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

State of Tennessee

Vs.

Wade Edwards, Boyd L. Edwards,  
W. C. Turner, Odie Chappel &  
Leonard Winn.

Housebreaking and Larceny

In this cause comes again the Attorney General for the State and the defendants in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Roy Turner, Carlos Binkley, W.T. Hughey, Cleve Bradford, Bob Hughey, Walter McNeil, Geo. Claxton, John Spence, Ray Long, Ned Traylor, Richard Stewart and Luther Morrison, having returned into open Court in charge of their sworn officers, T.D. Story and D.A. Burch, and having resumed the consideration of the cause having heard all the proof, argument of counsel and the charge of the court, upon their oath do say that they find the defendants Leonard Winn and Wade Edwards not guilty of the matter alleged in the indictment and upon their oath the jury says that they find the defendants Boyd L. Edwards, Odie Chappel and W.C. Turner guilty of petit larceny as charged in the indictment and assess and fix the punishment of each of these defendants at ninety days in jail. It is therefore ordered, adjudged and decreed by the court that for the offense as found by the jury that the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel each be confined in the County Jail or Work House of Humphreys County, Tenn., for ninety days and that the defendants pay the costs of this cause for which let execution issue. It is ordered, ~~xxx~~ adjudged and decreed by the court that each of the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel be rendered infamous. The defendants Wade Edwards and Leonard Winn will go hence without day.

Whereupon the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel gave notice of a motion for a new trial and the cause is passed pending the filing and hearing of said motion and the defendants are given until Saturday August 24, 1935, to file said motion,

State of Tennessee

Vs.

Wade Edwards, Boyd L. Edwards,  
W. C. Turner, Odie Chappel &  
Leonard Winn.

Housebreaking and Larceny

In this cause comes again the Attorney General for the State and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Roy Turner, Carlos Binkley, W.T. Hughey, Cleve Bradford, Bob Hughey, Walter McNeil, Geo. Claxton, John Spence, Ray Long, Ned Traylor, Richard Stewart and Luther Morrison, and having resumed the consideration of this cause, having heard all the proof, argument of counsel and the charge of the court upon their oath do say that they find the defendants Leonard Winn and Wade Edwards not guilty and that they find the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel each guilty of petit larceny as charged in the indictment and assess and fix the punishment of each of these three defendants at ninety day jail.

It is therefore ordered adjudged and decreed by the court that for the offense as found by the jury that the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel each be taken in custody by the Sheriff of Humphreys County, Tennessee, and by him confined in the County Jail or Work House for ninety days and that the defendants pay the costs of this cause for which let execution issue, and that the defendant Boyd L. Edwards, W.C. Turner and Odie Chappel each rendered infamous.

Whereupon the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel gave notice of a motion for a new trial and this case is passed pending the filing and hearing of said motion and the defendants are given until Saturday August 24, 1935 in which to file said motion.

State of Tennessee

Vs.

Wade Edwards, Boyd L. Edwards,  
W. C. Turner, Odie Chappel &  
Leonard Winn.

House-breaking and Larceny

In this cause comes again the Attorney General for the State and the defendant in person and by attorney, when the jury, heretofore selected and sworn in this cause, to wit: Roy Turner, Carlos Binkley, W.T. Hughey, Cleve Bradford, Bob Hughey, Walter McNeil, George Claxton, John Spence, Ray Long, Ned Traylor, Richard Stewart, and Luther Morrison, having returned into open Court in charge of their sworn officers T.D. Story and D.A. Burch, and having resumed the consideration of this cause, having heard all the proof, argument of counsel and the charge of the Court, upon their oath do say that they find the defendants Boyd L. Edwards, W.C. Turner and Odie Chappel guilty of Grand Larceny as charged in the indictment and assess and fix the punishment of each of the defendants at three years in the Penitentiary. The Jury finds the defendants Leonard Winn and Wade Edwards not guilty.

It is therefore ordered, adjudged and decreed by the Court that for the offense as found by the jury, that each of the defendants <sup>Boyd L. Edwards, W.C. Turner and Odie Chappel,</sup> 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 the defendants pay the costs of this cause for which let execution issue, and that each of the defendants be rendered infamous. The defendants Leonard Winn and Wade Edwards will go hence without day.

Whereupon the defendants gave notice of a motion of a new trial and this cause raised and the defendants are allowed until Saturday August 24, 1935, in which to file said motion. The defendants Boyd L. Edwards, W.C. Turner and Odie Chappel will each execute an appearance bond in the sum of Three Thousand Dollars for his appearance at this Court from day to day pending the hearing of said motion, for a new trial and in the event of the failure of any to execute said bond as required by law the defendant so failing will be taken in custody by the Sheriff of Humphreys County, Tennessee, and by him confined in the County Jail of Humphreys County to await the order of the Court.

State of Tennessee

Vs.

L.J. Cowen

Assault to Murder

In this cause comes the Attorney General for the State and the defendant in person and by attorney, when the Jury, heretofore selected in this cause to wit: Preston Steed, J.D. Parker, E.W. Nix, W.H. May, Eoh Bruce, J.F. Shannon, Tom Mitchell, Lawrence Cullum, M.C. Curtis, Tom Wheeler, Bob Choate and Jim Hightower, ~~xxx~~ having returned into open court in charge of their sworn officers T.D. Story and D.A. Burch who had previously been selected to attend them and having entered into consideration of this cause and having heard all the proof in the cause, argument of counsel and the charge of the Court upon their oath do say they find the defendant guilty of an assault with intent to commit murder in second degree 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 an indeterminate period of time of not less than one year nor more than three years, and that they pay the costs of this cause for which let execution issue.

Whereupon the defendant gave notice of a motion for a new trial and this cause is passed pending the filing and hearing of said motion and defendants are required to file their motion by Saturday August 24, 1935.

Mary Alma Wright

Vs.

Paul Wright

IN THE CIRCUIT COURT WAVERLY TENNESSEE. AUG. TERM.

In this cause, it appearing to the Court that the Def. Paul Wright, has been regularly served with subpoena to answer the Compl.'s bill, and that the Def. Wright has failed to appear and make a defense to said bill, as required, by law, and the rules of the Court; it is therefore ordered, as to the said, Def.'s bill be taken for confessed and set for hearing ex parte.

And thereupon, this cause coming on to be further and finally heard upon the bill, the judgment pro-confesso, heretofore taken and entered against the defendant on this the 15th day of August, 1935, before Judge Morton, the oral proof 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 willfully deserted the Complainant without a reasonable cause, that defendant had left the complainant without a home or means of support, left her at the mercy of the world or her parents who were poor people and unable to provide means of her support-completely abandoned the Complainant without a just or reasonable cause.

It is therefore ordered and adjudged and decreed by the Court that the bonds of matrimony subsisting between Complainant and Defendant be absolutely and forever dissolved, and that Complainant be vested with all the rights and privileges of an unmarried or single woman, and that her maiden name, Mary Alma Curtis, be restored to her, all of which is so ordered and made the decree of the Court.

Winifred E. Ridings

Vs.

Walter D. Ridings

ORDER OF PRO CONFESSO.

In this cause, it duly appearing to the Court that the defendant Walter D. Ridings has been regularly served with subpoena to answer the complainant's bill, and made a party to complainant's and said Walter D. Ridings has failed to appear and make defense to said bill, within time required by law, it is ordered as to him, complainant's bill be taken as confessed, and that cause set for hearing ex parte.

Winifred E. Ridings

Vs.

Walter D. Ridings

DECREE OF DIVORCE.

This cause came on to be heard on the 16th day of August, 1935, before Judge J. D. Morton, upon the bill of complainant, Winifred E. Ridings, and the pro confesso heretofore entered against the defendant Walter D. Ridings, 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 become so habitual in his drinking and abusive toward the complainant, that he is guilty of such cruel and inhuman treatment toward her, as rendered it unsafe and improper for her to cohabit with him, and under his dominion and control.

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 and privileges of an unmarried woman, and that her maiden name, Winifred E. Lore be restored to her.

State of Tennessee

Vs.

Helmut Grosshans

Passing Bad Check.

In this cause comes the Attorney General, for the state and the defendant in person and by attorney, who, being duly charged and arraigned on said indictment, pleads guilty to passing bad check. Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee to wit: Ray Long, W.H. May, Bob Choate, Jim Hightower, Bob Holland, Geo. Claxton, E.W. Mix, Preston Steed, Ned Traylor, Luther Morrison, Roy Turner and J.D. Parker, who, being duly elected tried and sworn according to law, and being in charge of their sworn officers D.A. Burch and T.D. Story, who had previously been lawfully 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 passing a bad check as charged in the indictment and assess his punishment at Thirty days in the County Jail.

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the jury and the defendant be confined in the County Jail of Humphreys County, Tenn. for a period of time of Thirty days and pay the costs of this cause for which let execution issue and that defendant be rendered infamous.

State of Tennessee

Vs.

Turk Turbville

Drunkness

Motion to retax costs

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

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

State of Tennessee

Vs.

L.W. Hogan

Gaming

Motion to retax costs

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

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

State of Tennessee

Vs.

Cap Wright

Drunkness

Motion to retax costs

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



State of Tennessee

Drunkness

Vs.

Motion to retax costs.

Grafton Barrow

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

State of Tennessee

Drunkness

Vs.

Motion to retax costs

Noel Snow

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

State of Tennessee

Drunkness

Vs.

Motion to retax costs

Nat. Coleston

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

J. M. Madden

Vs.

In the Circuit at Tabor, Tennessee.

J.M. Bone

Order dismissing at Defts costs.

This case was compromised and settled out of court, and upon motion and by agreement of parties, the defendant J.M. Bone is taxed with all the costs of the case for which let execution issue.

Court then adjourned until Sept. 2, 1935, at 9:00 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 with intent to commit murder in 1st degree.

Rudolph Ross

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tenn., to wit: R.S. Warren, Stanley Hassell, Bob Choate, Oscar Miller, Jesse James, Jim Woods, J.R. Anderson, W.H. May, Robert Hughey, Ray Long, Jim Hightower, and Boss Carnell, who, being duly elected tried and sworn according to law, and being in charge of their sworn officers, T.L. Story and D.A. Burch, who had been previously been legally sworn to attend them, and the proof not being completed said jury was respited by the court until tomorrow morning at 9:00 O'Clock and said jury retired in charge of their sworn officers aforesaid.

Court then adjourned until tomorrow at 9:00 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 to commit murder

Rudolph Ross )

In this cause comes again the Attorney General, for the state and the defendant in person, and by attorney, when the jury heretofore selected and sworn in this cause, to wit: R. S. Warren, Stanley Hassell, B. Choate, Oscar Miller, Jesse James, Jim Woods, J.R. Anderson, W.H. May, Robert Hughey, Ray Long, Jim Hightower, and Dora Carnell, having returned into open court in charge of their sworn officers T.D. Story and D.A. Burch and having resumed the 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 of assault to commit voluntary manslaughter as charged in the indictment and fix his punishment at one year in the State 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 Tenn., at hard labor for an indeterminate time of not less than one year nor more than one year, and that he pay the costs of this cause for which let execution issue.

State of Tennessee )

Vs. )

H.B. &amp; Larceny

Jack Forrest, Stella Forrest,  
Willie Brown, Hazel Brown,  
and W.B. Curtis )

In this cause comes the Attorney General, for the State and the defendants in person and by attorney when in this cause the selection of a jury was begun, but not having time to complete the selection of said jury the jurors who were in the panel were respited by the Court until tomorrow morning at eight o'clock, and said jury retired in charge of the sworn officers T.D. Story and D.A. Burch who had previously been selected and sworn to attend said jurors.

Court then adjourned until tomorrow morning at 8:00 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. )

H.B. and Larceny

Jack Forrest, Stella Forrest,  
Willie Brown, Hazel Brown &  
W.B. Curtis )

In this cause comes the Attorney General, for the state and the defendants in person and by Attorney, who, being duly charged and arraigned on said indictment all the defendants plead not guilty. Thereupon to try the issues joined came a Jury of good and lawful men of Humphreys County, Tennessee, to wit: Bob Hughey, J.C. Thomas, Helden Wagner, Earl Rooker, W.H. Warden, Bill Anderson, Robert Hughey, W.T. Hughey, J.O. Prichard, Dalton Bell and Rato. Holland, who, being duly elected tried and sworn according to law and being in charge of their sworn officers T.D. Story and D.A. Burch 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 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.G. Morton Judge.

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

State of Tennessee

Vs.

H.B. &amp; Larceny

Jack Forrest, Stella Forrest,  
Willie Brown, Hazel Brown &  
W.B. Curtis

In this cause comes again the Attorney General, for the State and the defendants in person and by Attorney, when the Jury heretofore selected and sworn in this cause, to wit: Bob Hughey, J.C. Thomas, Halden Waggoner, Earl Rooker, W.B. Warden, Bill Anderson, Robert Hughey, W.T. Hughey, J.O. Priokard, Dalton Bell and Hatch Holland, having returned into open court in charge of their sworn officers T.D. Story and B.A. Burch, and having resumed consideration of this cause, after hearing all the proof, argument of counsel and charge of the Court, upon their oath do say that they find the defendants Stella Forrest, Willie Brown and W.B. Curtis, guilty of petit larceny as charged in the indictment and assess and fix the punishment of each of these defendants at one year in the Penitentiary, and the Jurors, upon their oath say they find the defendants, Jack Forrest and Hazel Brown, not guilty.

It is therefore ordered, adjudged and decreed by the court, that for the offense as found by the jury the defendants Stella Forrest, Willie Brown and W.B. Curtis, each 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 that these defendants pay the costs of this cause for which let execution issue and it is ordered by the court that the defendants Jack Forrest and Hazel Brown go hence without day. Whereupon the defendants gave notice of a motion for a new trial and this cause is passed pending the filing and hearing of said motion. Each of the defendants will execute an appearance bond, as required by law, in the sum of Two Thousand Dollars for their appearance from day to day before this court to await the orders of the court.

State of Tennessee

Vs.

Rape

Jim Gargus

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

Whereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Homer Batton, D.O. Lee, Frank Carroll, Roy Turner, A.L. Pruett, D.O. Sutton, J.R. Pierce, S.V. Pruett, C.W. Guinn, J.W. Cunningham, L.W. Richardson and E.J. Sherrod, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers T.D. Story and B.A. Burch who had previously been legally sworn to attend them, and the proof not being completed, said jury was respite by the court until tomorrow at 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 AND PRESIDING THE HON. J. D. G. MORTON, JUDGE, ETC.

State of Tennessee

Vs.

Rape

Jim Gargus

In this cause comes again the Attorney General for the State and the defendant in person, and by attorney, when the jury heretofore selected and sworn in this cause, to wit: Homer Batton, D.O. Lee, Frank Carroll, Roy Turner, A.L. Pruett, D.O. Sutton, J.R. Pierce, S.V. Pruett, C.W. Guinn, J.W. Cunningham, L.W. Richardson and E.J. Sherrod having returned into open court in charge of their sworn officers T.D. Story and B.A. Burch, 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 unlawfully and feloniously carnally knowing and abusing Gaynelle Alley, a female, under the age of twelve years, as charged in the indictment and assess and fix his punishment at twenty years in the penitentiary.

It is therefore ordered, adjudged and decreed by the court that for the offense as found by the jury that the defendant be confined in the State Penitentiary at Nashville Tennessee at hard labor for a period of time of twenty years, and that he be rendered infamous and that he pay the costs of this cause for which let execution issue.

J.C. Choate, Admr.,

Vs.

In the Circuit Court of Humphreys County, Tenn.

Humphreys County, et al.

This cause came on to be heard on motion of plaintiff supported by affidavit and for change of venue, and being heard on said motion and affidavits and oral proof in open court the court is pleased to and does overrule said motion. The Court orders, adjudges and decrees that the costs of said motion be paid by each party, and which cost was incurred at his instance.

State of Tennessee

Vs.

Drunkness

Bill Moore

Motion to retax costs

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

State of Tennessee

Vs.

Drunkness

Bill Moran

Motion to retax costs

In this case came the Attorney General, for the State and it appearing to the court from the return of the sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant and 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 make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee)

Misc.

Vs.

Motion to retax costs

Wyley Steward

In this case came the Attorney General, for the state and it appearing to the court from the return of the sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant and that the defendant is wholly insolvent unable to pay the costs of this cause 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)

Drunkness

Vs.

Motion to retax costs

Johnnie Warden

In this case came the Attorney General, for the state and it appearing to the court from the return of the sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant and that the defendant is wholly unable to pay the costs of this cause 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 make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee)

Misc.

Vs.

Motion to retax costs

J. P. Estman

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

State of Tennessee)

B. &amp; N.

Vs.

Motion to retax costs

D. L. Raymer

In this case came the Attorney General, for the state and it appearing to the court from the return of the sheriff, upon an execution issued to him by the clerk of this court that the defendant is wholly insolvent unable to pay the costs of this cause 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 make out and certify the same to the County Judge for payment as the law directs.

State of Tennessee)

Petit Larceny

Vs.

Motion to retax costs

Glenn Charrell

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

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

State of Tennessee)

Gaming

Vs.

Motion to retax costs

Willie Hogan

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

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

State of Tennessee)

Drunkness

Vs.

Motion to retax costs

Pat Webb

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

State of Tennessee)

B. &amp; N.

Vs.

Motion to retax costs

Claude Box

In this case came the Attorney General, for the State and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of the Circuit Court that the defendant is wholly insolvent unable to pay the costs of this cause or any part thereof.

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

August

State of Tennessee)

Vs.

Mfg. Liquor

Motion to retax costs

Joe Ledbetter

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

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

State of Tennessee)

Vs.

B.D.

Motion to retax costs

R.D. McCain

In this case came the Attorney General for the State, and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the clerk of this court that the defendant is wholly insolvent, unable to pay the costs of this cause or any part thereof.

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

State of Tennessee)

Vs.

B.D.

Motion to retax costs

Howard Haygood

In this case came the Attorney General for the State, and it appearing to the Court from the return of the sheriff, upon an execution issued to him by the Clerk of the court that the defendant is wholly insolvent, unable to pay the costs of this cause or any part thereof.

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

State of Tennessee)

Vs.

B.D.

Motion to retax costs

George Smith

In this case came the Attorney General for the State, and it appearing to the Court from the return of the Sheriff, upon an execution issued to him by the clerk of this court that the defendant is wholly insolvent, unable to pay the costs of this cause or any part thereof.

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

August

State of Tennessee)

Vs.

B.D.

Motion to retax costs

R.R. Rainwater

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

State of Tennessee)

Vs.

B.D.

Motion to retax costs

Tom Wright

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

So it is therefore ordered, adjudged and decreed by the court that the costs accrued 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.

Motion to retax costs

Ira Simmons

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

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

State of Tennessee)

Vs.

Lewdness

Motion to retax costs

Boyd White

In this case came the Attorney General, for the state and it appearing to the court from the return of the sheriff, upon an execution issued to him by the clerk of this court against the estate of the defendant and that the defendant is wholly insolvent unable to pay the costs of this cause 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. }

Cleeve Bigham }

B.D.

Motion to retax costs

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

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

State of Tennessee }

Vs. }

Joe Hatcher }

B.D.

Motion to retax costs

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

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

State of Tennessee }

Vs. }

Liabel Paule }

Larceny

Motion to retax costs

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

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

State of Tennessee }

Vs. }

Amos Hutcheson }

Transporting

Motion to retax costs

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

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

State of Tennessee }

Vs. }

William Jenkins  
James C. Mays }

Larceny

Motion to retax costs

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

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

State of Tennessee }

Vs. }

Riley Turner }

Larceny

Motion to retax costs

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

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

State of Tennessee }

Vs. }

Johnnie Burns }

Transporting

Motion to retax costs

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

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

State of Tennessee }

Vs. }

Odie Chappell, Wade Edwards,  
Boyd L. Edwards, W.C. Turner  
and Leonard Winn. }

Housebreaking and Larceny

In this case comes again the Attorney General for the state and the defendants Odie Chappell, Boyd L. Edwards, and W.C. Turner 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.

In the Circuit Court at Waverly.

Odie Chappell  
Wade Edwards  
W.C. Turner

In this cause and within Geo. Moore is prosecutor come the defendants

and moved the court for a new trial and for grounds of their motion say:-

First:- The evidence fails to show the guilt of the defendants beyond a reasonable doubt. There was no evidence whatever showing that each of these defendants participated in the breaking of the houses, or that there were circumstances so indicated. There was no evidence to show that at the time the seeds were purchased from Chappell that they had knowledge that the seeds were stolen property. And no evidence that they had any such knowledge until long after the last date of sale and until the defendant Chappell and at their home on the 20th of December, 1934, so informed them. The theory of the defendants that they were innocent persons is supported by the testimony, that they paid defendant Chappell \$5.00 for the first two bags of seed and that thereafter they paid him two cents per pound for all the seed received from them that in except in one instance the seeds were reclaimed at their expense and sold at four cents per pound, the evidence is that except in one instance the money was brought to Chappell after sale except the first \$5.00 purchase and paid over to Chappell and except the purchase where \$51.00 was registered to Chappell and which registration he received. These defendant's theory is supported by the testimony of disinterested witnesses notably Leonard Winn, who testified in company with defendant W.C. Turner when a man resembling Chappell assisted in loading the seed from or on Chappell's premises. The theory of these defendants is further supported by the testimony of Jim Winn, that on the 1st day of December, 1934, he was in the home of Chappell with defendant Turner at the end of a hunting trip when defendant Chappell stated to defendant Turner as testified by the said Jim Winn that on a certain date he could furnish him another considerable quantity of the seed in question in this case. The only evidence against this proof is that of the defendant Chappell and his wife, who of course were interested. There is no proof in this cause that the defendants Wade Edwards and W.C. Turner at the time of their transaction knew that the seeds were stolen and such circumstances in no instance are inconsistent with their innocence. It is true that on occasions but not all occasions the seeds were purchased at night. These defendants explained that circumstances that Chappell told them he was in debt and did not want it known that he had the seed subject to levy and this testimony is not contradicted in any way questioned by Chappell or any other witness.

It is respectfully submitted that these defendants should be granted a New Trial.

Howard E. BrownW. F. Turner  
Attorneys for Defendants

Filed Aug. 17, 1935

L.C. Bohanan  
Circuit Court Clerk

And the same being heard by the Court it is all things over-ruled.

State of Tennessee

Vs.

Housebreaking and Larceny

Odie Chappell, Wade Edwards,  
Boyd L. Edwards, W.C. Turner  
Leonard Winn

In this cause comes again the Attorney General for the state

and the defendants Odie Chappell, Boyd L. Edwards and W.C. Turner in person and by Attorney, when motion for a new trial, heretofore filed in the cause, came on to be heard by the Court, and which motion is as follows:

State of Tennessee

Vs.

In the Circuit Court at Waverly.

Odie Chappell  
Wade Edwards  
W.C. Turner

In this cause and wherein J.S. Fortner is prosecutor come the defend-

ants and moved the Court for a new trial and for grounds of their motion say:-

First:- The evidence fails to show the guilt of the defendant beyond a reasonable doubt. There was no evidence whatever showing that each of these defendants participated in the breaking of the houses, or that there were circumstances so indicated. There was no evidence to show that at the time the seeds were purchased from Chappell that they had any knowledge that the seeds were stolen property. And no evidence that they had any such knowledge until long after the last date of sale and until the defendant Chappell and at their home on the 20th of December, 1934, so informed them. The theory of the defendants that they were innocent persons is supported by the testimony, that they paid defendant Chappell \$5.00 for the first two bags of seed and that thereafter they paid him two cents per pound for all the seed received from them that in except in one instance the seeds were reclaimed at their expense and sold at four cents per pound, the evidence is that except in one instance the money was brought to Chappell after sale except the first \$5.00 purchase and paid over to Chappell and except the purchase where \$51.00 was registered to Chappell and which registration he received. These defendant's theory is supported by the testimony of disinterested witnesses notably Leonard Winn, who testified in company with defendant W.C. Turner when a man resembling Chappell assisted in loading the seed from or on Chappell's premises. The theory of defendants is further supported by the testimony of Jim Winn, that on the first day of December, 1934, he was in the home of Chappell with defendant Turner at the end of a hunting trip when defendant Chappell stated to defendant Turner as testified by the said Jim Winn that on a certain date he could furnish him another considerable quantity of the seed in question in this case. The only evidence against this proof is that of the defendant Chappell and his wife, who of course were interested.

There is no proof in this cause that the defendants Wade Edwards and W.C. Turner at the time of their transaction knew that the seeds were stolen and such circumstances in no instance are inconsistent with their innocence. It is true that on occasions but not on all occasions the seeds were purchased at night. These defendants explained that circumstance that Chappell told them he was in debt and did not want it known he had the seed subject to levy and this testimony is not contradicted or in any way questioned by Chappell or any other witness. It is respectfully submitted that these defendants should be granted a New Trial.

Howard BrownW. F. Turner  
Attorneys for Defs.

Filed Aug. 17, 1935

L.C. Bohanan, Clerk

And the same being heard by the court it is in all things over-ruled.

State of Tennessee

Va.

Oddie Chappel, Wade Edwards,  
Boyd L. Edwards, W.C. Turner  
And Leonard Winn.

Housebreaking and Larceny

In this cause comes again the Attorney General for the state and the defendants Oddie Chappel, Boyd L. Edwards and W.C. Turner in person and by Attorney, when the motion for a new trial, heretofore filed in this cause, came on to be heard by the court, which motion is as follows:

State of Tennessee

Va.

Oddie Chappel, Wade Edwards,  
Boyd L. Edwards, W.C. Turner  
And Leonard Winn.

In the Circuit Court at Waverly.

In this cause and wherein L.W. Post is prosecutor come the defendants and moved the Court for a new trial and for grounds of their motion say:-

First:- The evidence fails to show the guilt of the defendants beyond a reasonable doubt. There was no evidence whatever showing that each of these defendants participated in the breaking of the houses, or that there were circumstances so indicated.

There was no evidence to show that at the time the seeds were purchased from Chappel that they had any knowledge that the seeds were stolen property. And no evidence that they had any special knowledge until long after the last date of sale and until the defendants Chappel and at their home on the 20th day of December, 1934 so informed them.

The theory of the defendants that they were innocent persons is supported by the testimony, that they paid defendant Chappel \$5.00 for the first two bags of seed and that thereafter they paid him two cents per pound for all the seed received from them that except in one instant the seeds were reclaimed at their expense and sold at four cents per pound; the evidence is that except in one instance the money was brought to Chappel after sale except the first \$5.00 purchase and paid over to Chappel and except the purchase where \$1.00 was registered to Chappel and which registration he received. These defendant's theory is supported by the testimony of disinterested witnesses notably Leonard Winn, who testifies in company with defendant W.C. Turner when again resembling Chappel assisted in loading the seed from or on Chappel's premises. The theory of these defendants is further supported by the testimony of J.I. Winn, that on the 1st day of December, 1934, he was in the home of Chappel with defendant Turner at the end of a hunting trip when defendant Chappel stated to defendant Turner as testified by the said Jim Winn that on a certain early date he could furnish him another considerable quantity of the seed in question in this case. The only evidence against this proof is that of the defendant Chappel and his wife, who of course were interested. There is no proof in this cause that the defendants Wade Edwards and W.C. Turner at the time of their transaction knew that the seeds were stolen and such circumstances in no instance are inconsistent with their innocence. It is true that on occasions but not all occasions the seeds were purchased at night. These defendants explained that circumstance that Chappel told them he was in debt and did not want it known he had the seed subject to levy and this testimony is not contradicted or in any way questioned by Chappel or any other witness. It is respectfully submitted that these defendants should be granted a new trial.

Howard Brown

W.F. Turner  
Attorneys for Defendants.

Filed Aug. 27, 1935

L.C. Bohanan, Clerk

And the same being heard by the Court is in all things over-ruled.

State of Tennessee

Va.

Boyd Edwards et al.

In the Circuit Court at Waverly Tenn.,

To his Honor, J.D.G. Morton, Judge.

Petitioners Boyd Edwards and W.C. Turner, defendants and convicted in this cause, pray the court to suspend sentence, and parole them under the authority, terms, and conditions of Chapter 76 Acts of 1931, they to pay or secure the costs, Petitioners show to the Court that their conviction rest on circumstantial evidence, and that the circumstances are not inconsistent with their innocence. They further show to the Court that on the trial these defendants were fair with the state, Court and jury, having waived objection to evidence had and obtained by an invalid search warrant. They further show to the Court that their good character was on trial supported by testimony of unimpeachable witnesses. And it is in evidence that they of mature years were never arrested before.

Respectfully submitted this Sept. 7th. 1935

Howard Brown

W.F. Turner  
Attys for Defts.

Amended; It is further insisted on the part of Boyd Edwards and W.C. Turner that they both have crops in Giles County, Tennessee, that their attention is needed in said crops that they may be taken care of, gathered and marketed not only for their benefit but for their wives and minor children's support, they both being very poor men and no provisions for the support of their families other than the said crops.

The said Boyd Edwards has a wife and four small children wholly dependent upon him for support, and the same condition is to the family of said W.C. Turner but he only has one child born of tender years, but that his wife is now pregnant and that the child is to be born some time in December of this year.

Therefore under these conditions defendants appeal to the merits of the court in the foregoing petition.

Brown and Turner Attys, for Defts.

State of Tennessee

Va.

Boyd L. Edwards,  
W.C. Turner, Oddie Chappel

In these cases, upon motion petition of defendants, and in

view of the proven good character of all of the defendants, it is ordered that the jail sentences imposed in two cases be served concurrently and it is further ordered, that, upon defendants consenting thereto the sentence to the Penitentiary for three years hereto fore imposed will be suspended at the pleasure of the Court, upon defendants, after having served the jail sentences imposed, paying the costs of the case, and executing appearance bonds of \$1000.00 for their appearance on the first day of each term of Court until released by order of the Court, and upon consent of the defendants, that at any time term of court hereafter for a term not exceeding three years from this term, the Court may at the discretion of the Court, and at the pleasure of the Court, revoke the order suspending sentence to the Penitentiary, and commit the defendants- or each or any of them to the Penitentiary to serve the term of sentence heretofore imposed, without further proof, or notice to the defendants, and the defendants present in open court, in person and by attorney, agree to the above order.

C. N. Simpson, Admr.

Vs.

D.L. Moody, doing business  
under the name, West Tenn-  
essee Transfer Company

In the Circuit Court at Waverly Tennessee.

On motion of the Plaintiff, this cause is continued to the next term of this Court. It is further ordered by the Court that due to the fact that this cause has been continued for a long time, the parties are required to prepare and try the case at the next term of Court, or the cause will be dismissed.

J.F. Daniel

Vs.

Orson Field, Admr. of  
estate of A.J. Field.

In the Circuit Court at Waverly Tennessee.

In this cause, it appearing to the Court that the Plaintiff has been enjoined by writ of injunction his suit in this Court, the cause is rendered to the Chancery Court for necessary proceedings therein. The clerk will carry out his orders of the Chancery Court with reference to this cause.

Gorden Moore

Vs.

Pearl Moore.

In the Circuit Court at Waverly, Tennessee.

In this cause, on motion of complainant, and it duly appearing to the Court that the defendant, Pearl Moore, has been regularly brought before the Court and made a party to the complainant's bill, by publication duly made, and that the said Pearl Moore has failed to appear and make defense to said bill within the time required by law, it is ordered that the complainant's bill be taken as confessed, and the cause set for hearing ex-parte. And the cause came on further to be heard before the Honorable J.D.G. Morton, Judge, on this the 6th day of September, 1935, upon the bill of the complainant, Gorden Moore, and the judgment pro-confesso heretofore entered against the defendant, and the oral testimony 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 willfully deserted the complainant, without a reasonable cause, for more than two whole years before the filing of the bill, as charged, and that complainant gave the defendant no just cause or excuse for her misconduct, and has not condoned same. 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 person. Complainant will pay the costs of this cause for which let execution may issue.

Diggs Motor Company

Vs.

J.T. Mathis and  
Eveready Motor Co.

In the Circuit Court at Waverly, Tennessee.

This cause came on to be heard before the Honorable J.D.G. Morton, Judge, on this the 6th day of September, 1935, without the intervention of a jury, when, after hearing the testimony offered by both complainant and defendant, the court finds from the proof that the defendant, Eveready Motor Company, has a lien upon the said automobile which lien existed at the time the said automobile was replevied from defendant by plaintiff, for repairs made on said automobile; that the said Eveready Motor Company had no notice at the time the repairs were made that plaintiff or anyone else claimed title to the automobile, and that defendant never relinquished possession of said automobile except

by replevin in this suit and that the repairs made enhanced the value of the property, and that the said Eveready Motor Company held the automobile for the payment of these repairs from the time it was placed in possession by J.T. Mathis until it was taken from them by replevin instituted by plaintiff, and that the repair bill on said automobile for which lien exists amounts to the sum of Ninety Two Dollars (92.00).

It is therefore ordered, that the defendant, Eveready Motor Company, have and recover of the plaintiff, Diggs Motor Company, and B.F. Diggs, R.F. Aden, and E.P. Orr, sureties on the replevin bond, the sum of Ninety Two Dollars (92.00) which may be discharged by returning the said to the said defendant, and that the defendant further recover of the plaintiff and the said sureties on the replevin bond the costs of this cause, which let execution issue.

Diggs Motor Company

Vs.

J.T. Mathis and  
Eveready Company

Come the plaintiff, Diggs Motor Company, and moves the Court to grant it a new trial in this cause, for the following reasons:

1. There is no evidence to support the judgment of the Court.
2. The judgment of the Court is contrary to the law and evidence.
3. The Court erred in rendering judgment in favor of Ever Ready Motor Company and against the plaintiff, Diggs Motor Company, for Ninety-two (92.00) Dollars and the costs of the cause.
4. The Court erred in holding that the Ever ready Motor Company had a lien on the automobile replevied in this cause for certain repairs made to said automobile.

R.H. -----  
Attorney for Plaintiff.

Diggs Motor Company

Vs.

J. T. Mathis and  
Ever Ready Motor Co.

This day came the parties by their Attorneys and argued the plaintiff's motion for a new trial, and after argument of the Attorneys, the Court is of the opinion that said motion was not well taken and the same is by the Court overruled and disallowed. To the action of the court in overruling plaintiff's motion for a new trial, it excepts and prays and is granted an appeal to the next term of the Court of Appeals at Nashville, Tennessee, which motion is by the Court, allowed upon plaintiff executing appeal bond as required by law, and upon motion of plaintiff, it is allowed thirty (30) days in which to file said appeal bond, prepare its bill of exceptions and otherwise perfect its said appeal. On motion of plaintiff, it is ordered by the Court that said motion for a new trial be filed and made a part of the record in this cause.

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 8:00 O'CLOCK

*J.D.G. Morton*, JUDGE.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. J.D.G. MORTON, JUDGE ETC.  
 Landon Taylor, Supervisor  
 Vs.  
 Arthur D. Bowen, et al

In the Circuit Court, Waverly, Tennessee.

ORDER PRO CONFESSO

In this case on motion of petitioner, and it duly appearing to the Court that the defendants in the above styled case viz: Arthur D. Bowen, Mildred M. Bowen, W.R.H. Bowen, and Altie Bowen have been regularly brought before the Court and made parties to the petition in this case by service of subpoena and copy and up until this the last day of the August Term, 1935 of this Court, they have failed to appear and make defense to the petition within the time required by law; It is therefore ordered as to them, that the petition be taken as confessed, and the cause set for hearing ex parte.

Landon Taylor, Supervisor  
 Vs.  
 Arthur D. Bowen, et al.

In the Circuit Court, Waverly, Tennessee.

This cause came on to be heard before the Honorable J. D. G. Morton on this the last day of the August term, 1935, upon the whole record of the cause, including the Pro Confesso heretofore taken and upon motion of solicitors for petition it is ordered by the Court that an writ of inquiry issued by the Clerk of this Court to the sheriff of Humphreys County, Tennessee, who after giving proper notice will summons a jury of view according to law, to ascertain and report to this Court the damages occasioned by the taking of the land for public use for a new river channel bed in this case, the Court so orders, adjuges, and decrees.

Landon Taylor, Supervisor  
 Vs.  
 Arthur D. Bowen, et al.

In the Circuit Court, Waverly, Tennessee.

In this case it appearing to the Court that on August 7th., 1935, Humphreys through its Road Supervisor, Landon Taylor, filed an original petition in this Court seeking a condemnation of a strip of land as a right-of-way for a river bed, or change of Buffalo River near Martin Ford bridge to a new bed for the purpose of straightening said river, over and across a tract of land belonging to the defendant in the 5th. Civil District of Humphreys County Tenn., about fourteen (14) miles south of Waverly and to save from destruction Martin Ford bridge across said river and the public road at that point. The tract of land over which a portion of State Highway No. 13 passes, and where said change is sought is fully described and set out in mortgage book No. 17, page 525, Register's Office, Humphreys County, Tennessee, reference to which is here made for the particular boundaries of the said land, and it appearing to the court that that portion of the above described tract of land sought to be condemned as and for the purpose of changing Buffalo River to the new channel so as to protect said bridge and highway and as needed and necessary for same, is described in detail as follows:

The centerline of the sought change, beginning at a stake at the mouth of Camp Branch, on the south side of Buffalo River. Said stake in south 8 degrees west, 850 feet from the west cen of the Martin Ford Bridge across said Buffalo River, and runs then south 1100 feet to a stake on the east bank of Buffalo River. The west boundary line beginning at an iron stake 75 feet west of the beginning stake in the center line; runs then south and parallel with the center line 1100 feet to a stake on the east bank of Buffalo river. The east boundary line beginning at an iron stake on the bank of said river, 75 feet east of the beginning corner of the center line, running then south and parallel with the center line

running then south and parallel with the center line 1150 feet to a stake; then south 5 degrees east 250 feet to a stake on the bank of Buffalo River; making a strip of land about 1100 feet in length by 150 feet in width and containing 4 acres, more or less. And it further appearing to the court that proper notice has been made for all of said defendants according to law, and that pro confesso against the defendant Arthur D. Bowen, Mildred M. Bowen, W.R.H. Bowen, and Altie Bowen has been taken and entered, and the other defendants have answered, and that the property that is sought to be condemned as a right of-way for said river bed herein before described has been selected and is needed and necessary for the public use and as for a part of said public road and bridge and for the prevention of the destruction thereof. And it further appearing to the Court that the Petitioners for the use of Humphreys County Highway is entitled to the immediate possession of the property sought to be condemned; It is therefore, ordered, and adjudged that the said Petitioners be and is given the right to the immediate possession of the strip of land sought to be condemned as a right-of-way for said river bed as hereinbefore described, and on application of the petitioner, if necessary, the Clerk of this Court, will issue a writ of possession putting the petitioner in possession on the above described strip of land. All other matter are reserved by the Court.

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

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



Court met pursuant to adjournment present & presiding the Hon. J.D.G. Morton, Judge, etc.

Upon the motion of the Attorney General for the state, and it appearing to the court upon the testimony of witnesses examined in open court and the admission of D.M. Owen and it appearing that the said D.M. Owen is a member of the Grand Jury for the August Term 1935, of the Circuit Court now in session and it appearing to the Court that said D.M. Owen since his qualification as a member of said Grand Jury has been guilty of conduct unbecoming of a Grand Jury and for this reason said D.M. Owen is discharged as a Grand Juror and Bob Holland is appointed by the Court to serve in his place and stead as a Grand Jury for the remainder of the present Term of this Court.

It appearing to the Court at this the August Term 1935, that Bob Holland who qualified as a member of the petit Jury for said term has heretofore, by the Court, been appointed as a Grand Juror and for that reason is no longer a member of said petit Jury and it is ordered by the Court that Richard Stewart, who possesses the necessary qualification for a juror be and is appointed by the Court as a regular member of the petit Jury for the remainder of the present term.

#### REPORT OF THE GRAND JURY

We, the members of the Grand Jury for the August Term 1935, of the Circuit Court for Humphreys County beg leave to submit the following report to your Honor.

We have diligently inquired and true presentment made of the matters given us in charge by your Honor or otherwise brought to our knowledge. We have examined the County Jail and Poor House and find the inmates well fed and cared for, except one room at the Poor house needs repair. The Jury recommends improvement in the sanitation of the jail especially the toilet. We have examined all bonds required by law to be examined and find them properly executed and good and solvent for the several amounts thereof. And now having completed our labors for the term we respectfully ask to be discharged for the term. R.H. McKee, Foreman, R.P. Holland, M.J. Bolthrop, J.J. Robertson, Ollie Brown, A.R. Woody, R.L. Richardson, Doss Oguinn, J.B. McCrary, A.D. Carnell, T.E. Stringer and H.F. Durham.

#### SHERIFF'S BOARD BILL STATE PRISONERS

State of Tennessee Vs. Amos Hutchinson, Transporting Liquor, Apr. 21, 1935 to May 3, 1935, 13 days at 75¢ per day \$9.75, 2 turnkeys \$2.00,	\$11.75
State of Tennessee Vs. Leonard Wynn, Housebreaking & Larceny Apr. 21, 1935, August 14, 1935, 116 days at 75¢ per day \$87.00 2 turnkeys \$2.00	\$89.00
State of Tennessee Vs. Johnnie Burns, Transporting Liquor, Apr. 21, 1935 to May 3, 1935, 13 days at 75¢ per day \$9.75 2 turnkeys \$2.00	\$11.75
State of Tennessee Vs. Marvin Blackburn, Larceny of Auto, May 5, 1935 to Aug. 22, 1935, 110 days at 75¢ per day \$82.50, 2 turnkeys \$2.00	\$84.50
State of Tennessee Vs. L.J. Cowen, Attempt to Murder, May 5, 1935, to Aug. 22, 1935 110 days at 75¢ per day \$82.50 2 turnkeys \$2.00	\$84.50
State of Tennessee Vs. Claude Box, Attempt to Murder, June 3, 1935 to Aug. 22, 1935, 81 days at 75¢ per day \$60.75, 2 turnkeys \$2.00	\$62.75
State of Tennessee Vs. Clarence Nickels, Housebreaking & Larceny July 23, 1935, to Aug. 22, 1935, 31 days at 75¢ per day \$22.25, 2 turnkeys \$2.00	\$24.25
State of Tennessee Vs. Bill Simmons Housebreaking & Larceny, July 23, 1935 to Aug. 22, 1935, 31 days at 75¢ per day \$22.25, 2 turnkeys \$2.00	\$24.25
State of Tennessee Vs. Willie Ross, Age of Consent, Aug. 15, 1935 to Aug. 30, 1935. 18 days at 75¢ per day \$13.50, 2 turnkeys \$2.00	\$15.50
State of Tennessee Vs. Oliver Pulley, Age of Consent, Apr. 22, 1935 to Apr. 25, 1935, 2 days at 75¢ per day \$1.50, 2 turnkeys \$2.00	\$3.50
State of Tennessee Vs. Helmet Goodhams, Fraud, June 15, 1935 to Aug. 16, 1935, 63 days at 75¢ per day \$47.25, 2 turnkeys \$2.00	47.25
State of Tennessee Vs. Arthur Tinsell, Larceny, July 3, 1935 to Aug. 16, 1935, 45 days at 75¢ per day \$33.75,	33.75
State of Tennessee Vs. L.V. Hopper, Larceny, July 3, 1935 to Aug. 16, 1935, 45 days at 75¢ per day \$33.75,	33.75
State of Tennessee Vs. Odie Chappel, H.B. & Larceny, Aug. 16, 1935 to Aug. 16, 1935, 1 day 75¢, 2 turnkeys \$2.00	2.75
State of Tennessee Vs. Boyd L. Edwards, H.B. & Larceny, Aug. 16, 1935 to Aug. 19, 1935, 4 days at 75¢ per day \$3.00, 2 turnkeys \$2.00	5.00
State of Tennessee Vs. W.C. Turner, H.B. & Larceny, Aug. 16, 1935 to Aug. 20, 1935, 5 days at 75¢ per day \$3.75, 2 turnkeys \$2.00	5.75
State of Tennessee Vs. Charlie Carter, Attempt to Murder, Aug. 26, 1935 to Aug. 29, 1935, 4 days at 75¢ per day \$3.00, 2 turnkeys \$2.00	5.00
State of Tennessee Vs. Cass Carter, Attempt to Murder, Aug. 26, 1935 to Aug. 29, 1935, 4 days at 75¢ per day \$3.00, 2 turnkeys \$2.00	5.00
State of Tennessee Vs. V.C. Bell, Attempt to Murder, August 27, 1935 to Aug. 27, 1935, 1 day 75¢, 2 turnkeys \$2.00	2.75
State of Tennessee Vs. Jim Gargus, Rape, June 14, 1935 to Sept. 7, 1935, 66 days at 75¢ per day \$49.50, 2 turnkeys \$2.00	\$51.50
State of Tennessee Vs. Stella Forrest, H.B. & Larceny, Sept. 5, 1935 to Sept. 7, 1935, 3 days at 75¢ per day \$2.25	2.25
State of Tennessee Vs. Willie Brown, H.B. & Larceny, Sept. 5, 1935 to Sept. 7, 1935, 3 days at 75¢ per day \$2.25	2.25
State of Tennessee Vs. W.C. Curtis, H.B. & Larceny, Sept. 5, 1935 to Sept. 7, 1935, 3 days at 75¢ per day \$2.25	2.25

Court then adjourned until court in course

*J. D. G. Morton* Judge.

## CAPTION DECEMBER TERM CIRCUIT COURT A. D. 1935

State of Tennessee)  
Humphreys County }

Be it remembered that a Circuit Court was opened and held in and for the County of Humphreys at the Court house in the town of Waverly, Tennessee, on the 9<sup>th</sup> day of December it being the second Monday of said month, and the One Thousand Nine Hundred and thirty fifth year of our Lord, and the One Hundred and sixtieth year of American Independence. Present and presiding the Hon. J. D. G. Morton, Judge of the Ninth Judicial District of the State of Tennessee.

Court was opened in due form of law by J. S. Westbrook, Sheriff of Humphreys County, Tenn., and by him was returned into open Court a writ of Venire Facias, showing that the following named persons were appointed by the County Court, at its October Term 1935, to appear and to serve as jurors at this the present term of Court, to wit; ~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXX~~ Scott Smith, Columbus Lattimer, Revo Summers, C. E. Guinn, Paul Carter, H. L. Rogers, Walter Woods, J. A. Fortner, Alton Poiner, W. L. White, D. C. Daniel, Tom Coleman, C. R. Horner, Della Dolton, John James, Elmo Pickard, John Gunn, John McMurtry, Emmitt May, Vester Brann, Bert Braden, Eddie Little, E. R. Downey, Albert Capps.

And it appearing to the Court that, the above named parties were regularly summoned by the said sheriff of Humphreys County, and that all parties so summoned appeared and answered said summons.

And out of said jurors so summoned the following were selected, as required by law, as Grand Jurymen, ~~XXXXXX~~ Vester Span; W. L. White, Bert Braden, Albert Capps, Alton Poiner, Revo Summers, C. A. Lattimer, John Gunn, D. C. Daniel, Elmo Pickard, Walter Woods and C. E. Guinn, and R. H. McKel having been appointed as Foreman of the Grand Jury at a former term of this court, the said Grand Jury is in all things as the law directs having been duly elected, tried, and sworn and charged by the Court according to law, retired to their room in charge of their sworn officer Clayton Watts, Constable of Humphreys County, sworn according to law to attend them in considering indictments and presentments.

And out of the remaining number of said jurors so summoned, the following were excused from jury service by the Court, to wit; Paul Carter, John James, E. R. Downey, Tom Coleman, and the following named persons were summoned by the sheriff of Humphreys County, and qualified as regular jurors in the stead of the above named excused jurors, to wit; Barnett Peeler, Marion Mims, J. R. Perkins, S. R. Betty, Carroll Curtis, R. L. Hamilton,

C. N. Simpson

Vs.

D. L. Woody, doing business  
under the name of West Tennessee  
Transfer Company

In the Circuit Court at  
Waverly, Tennessee.

This cause came on to be heard on this the 9<sup>th</sup> day of December, 1935, before the Honorable J. D. G. Morton, Judge, when it appeared to the Court that this cause had been on the docket for several years, and that neither the plaintiff nor his attorney were present, and the defendant was insisting upon trial, the Court orders that the plaintiff be and is hereby permitted to take a nonsuit in the suit without prejudice. The plaintiff and sureties on his cost bond will pay the costs of the cause for which execution may issue.

Mrs Emma Graves, Next  
Friend of Mildred Graves  
Vs.  
G.L. Raney & W.Y. Raney

In Circuit Court, at  
Waverly, Tennessee.

This case was heard on this Monday the first day of the Dec.  
Term of the Circuit Court 1935, before the Hon. J.D.G. Morton, Judge, without the inter-  
vention of a Jury, and upon statements of the case by Attorneys for the Plaintiff and the  
defendants, and after due consideration thereof by the Court, the Court doth hereby render  
judgment in favor of the plaintiff and against the defendants in the sum of Three Hundred  
Fifty Dollars (\$350.00) and all the costs of the case, for which execution may issue.

O.K. for Entry

J.R. Morris  
Atty for Pltff.

Mack C. Simpson  
Atty. for Defts.

Lucille Chance

Vs

Barnhart Mercantile  
Co. et al.

In Circuit Court at  
Waverly, Tennessee.

Order Dismissing

This case is compromised and settled out of Court as follows:-

Mrs. Lucille Chance

Vs.

Barnhart Mercantile Co  
et al.

Circuit Court at Waverly, Tennessee

By agreement of the parties to this suit, this case is settled  
out of Court as follows:-

Upon payment to J.R. Morris, Atty for Plaintiff by the defendants of the sum of One Hundred  
Dollars, and the Court costs, which are not to exceed Ten Dollars against the defendants,  
all sum above Ten Dollars to be paid by the plaintiff, this case is compromised and settled,  
and a proper order dismissing the case as aforesaid, will be entered at the December term  
1935, of this Court.

This agreement is mailed to Gilbert Davis, Johnsonville Tennesseean employe of the  
defendant, who will sign same, and return to J.R. Morris, Waverly Tennessee, with check  
attached, reserving a copy hereof for his files. This 17th October 1935.

Lucille Chance,

By J.R. Morris Atty

Barnhart Mercantile Co,

By G.C. Davis, Mgr.

It is therefore ordered by the Court that the case be and is dismissed, and the defendants  
will pay the costs not to exceed \$10.00, and any balance of costs, will be paid by the  
plaintiff for all of which execution may issue, against the plttf Lucille Chance, and her  
sureties on her costs bond, Viz Jno Diviney E.T. Crowell, Geo M. Stricklin and Grady Chance,  
and the defendants Carrie Burns and Barnhart Mercantile Co.

Landon Taylor, Supervisor,

Vs.

Arthur D. Bowen et al.

In Circuit Court, at Waverly Tennessee,

ORDER DISMISSING

In this case came the plaintiff by attorney, and moves the Court for dismissal of this  
case, without prejudice, which motion the Court is pleased to allow, and the case is  
dismissed at the plaintiff's costs, for which execution may issue.

Neely Dreaden

Vs.

Dallas Jackson

In the Circuit Court at Waverly, Tennessee

This cause came on to be heard on this the 9th day of December, 1935, before the Honorable  
J. D. G. Morton, Judge, without the intervention of a jury, upon the entire record in the  
cause, when it appeared to the Court that the said Neely Dreaden instituted an unlawful  
detainer suit in Magistrate's Court in Humphreys County for the possession of a certain  
dwelling house described in said warrant, and that on the trial before the Magistrate,  
judgment was rendered in favor of plaintiff, and from this judgment the defendant Dallas  
Jackson, appealed, but has failed to prosecute his appeal in this Court.

It is therefore ordered, adjudged and decreed by the Court that the judgment of the Mag-  
istrate is in all things confirmed, and that the plaintiff, Neely Dreaden is entitled  
to the possession of the house and lot described in the warrant, for which writ of posses-  
sion may issue, if necessary. The defendant, Dallas Jackson, will pay the costs of this  
cause for which execution may issue.

C.M. Fowlkes, Administrator  
Of B.S. Duncan, Deceased

Vs.

J.N. Duncan and Maggie Duncan

Condemnation of land.

Circuit Court Humphreys County, Tenn.

December 1935, Term.

W.C. Pace, a Justice of the Peace of Humphreys County, Tenn., and the successor in office  
of W.W. Pace, filed here in Court the following papers:

MAGISTRATE'S WARRANT

State of Tennessee, Humphreys County, To any lawful officer within said County:

You are hereby commanded to summon Willie M. Duncan, Luther L. Duncan, Maggie Duncan &  
J.N. Duncan to personally appear before me, or some other acting Justice the Peace for  
said County, to answer the complaint of C.M. Fowlkes, Administrator of B.S. Duncan Dec.  
in a plea of debt due by note to be filed on day of trial under \$100.00.  
Given under my hand and seal, this 30 day of Dec. 1935.

J. Mo. Reeves (Seal)  
Justice of the Peace.

Plaintiff

C.M. Fowlkes, Admr. of B.S. Duncan/Vs. Will M. Duncan et al Defendants. Issued 30 day of  
Dec. 1935 J. Mo. Reeves J.P. Came to hand the same day issued, and executed by reading the  
within warrant to Mrs. Maggie and Mr. J.N. Duncan and citing them to appear before W.W.  
Pace, Esq., for trial the 11. day of Jan. 1936 at one o'clock P.M.

R.F. Ingram D.S.H.C.

JUDGMENT

C.M. Fowlkes, Admr. of Berry Duncan, Decd. Vs. Will Duncan et al. In this cause I render  
judgment for the plaintiff and against the defendants for Nine Hundred Sixty & 2/100  
Dollars and all costs of suit, for which execution may issue. This 25th day of Jan. 1936

Filed Dec. 5, 1935 L. C. Bohanan, clerk.

Justice of the Peace

## MAGISTRATE'S EXECUTION

State of Tennessee, Humphreys County, To any lawful officer to execute and return:  
 You are hereby commanded, that if the goods and chattels, lands and tenements of J.M. Duncan and Maggie Duncan, you cause to be made the sum of Nine Hundred Sixty and 02/100... Dollars and ..... Cents, and cost of suit, to satisfy a judgment which C.M.Fowlkes, Admr. of B.S.Duncan Deed. Estate obtained before W.W.Pace, Justice of the Peace, on the 25...day of Jan... 1934, against the said J.M.Duncan and Maggie Duncan and such moneys, when collected, pay to the said C.M.Fowlkes, Admr. of B.S.Duncan Deed, Estate  
 Given under my hand and seal, this 5...day of Dec., 1935

W.C.Pace.....(Seal)  
 Justice of the Peace.

C.M.Fowlkes, Admr., B.S.Duncan Deed. Estate Pltff. Vs. J.M.Duncan Maggie Duncan Deft.  
 Judgment 25...day of Jan.. 1934 Issued 5...day of Dec..1935 W.C.Pace J.P.

Filed Dec. 5, 1935.	Judgment.....\$960.02
L. C. Bohanan, Clerk	Officer's Fee 2.00
	Justice's " 3.25
	Interest 43.20

## OFFICER'S RETURN

Search made by me and no personal property of the defendants to be found in my County,  
 I levy this execution upon all the right, title, interest, claim and demand that the ~~same~~ defendants have in a tract of land situated in the old 4th, new 5th civil district of Humphreys county, Tenn., on Clear Creek, and known as the Wyley Little land, and bounded as follows: Beginning on a white oak running south east 65 poles to a black oak; thence south to a formerly Henry McGruder's south east corner; thence north west 35 poles to two sweetgums running with McGruder's line; thence south west 56 poles to a stake, McGruder's corner to the old original line; thence west 38 poles to a stake, the old original corner; thence north east 100 poles to the beginning, containing by estimation 60 acres more or less  
 This December 4th, 1935.

T. B. Westbrook  
 D. Sheriff.

And on motion of the plaintiff, it is ordered by the Court that the land so levied on be sold by the sheriff of Humphreys County, Tenn., to satisfy the aforesaid judgment of W.W.Pace, now W.C.Pace, justice, and also the costs of this proceeding.

Humphreys County etc.

Vs.

In the Circuit Court at Waverly, Tennessee.

R. D. Spicer et al

In this cause, the complainant moved the Court to appoint a guardian ad litem for Robert D. Spicer, one of the defendants, and it appearing to the Court that the said Robert D. Spicer is a minor, and duly in Court by services of process and that he has no general guardian, the Court appointed Mack C. Simpson, a solicitor of the Court, guardian ad litem of the said Robert D. Spicer to defend this suit for him; and the said Mack C. Simpson in open court accepted said appointment.

Humphreys County etc.

Vs.

In the Circuit Court at Waverly, Tennessee.

Jack Coleman et al.

In this cause, the complainant moved the Court to appoint a guardian ad litem for Elizabeth King and John Doe King, the defendants, and it appearing to the Court that the said Elizabeth King and John Doe King are minors, and duly in Court by services of process, and that they have no general guardian, the Court appointed Mack C. Simpson, a solicitor of the court, guardian ad litem of the said Elizabeth King and John Doe King, to defend them in this suit, and the said Mack C. Simpson in open Court accepted said appointment.

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

*[Signature]*, Judge

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

State of Tennessee

Vs.

B.D.

Howard Shanks

In this cause comes the Attorney General, for the state and 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; Barnett Peeler, Emmitt May, Eddie Little, Carroll Curtis, Marion Mimms, J.A. Fortner, S.R. Betty, Della Dalton, H.L. Rogers, C.R. Horner, J.R. Perkins and John McMurtry, 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 a fine of One Hundred Dollars together with all the costs for which let execution issue.

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

State of Tennessee

Vs.

D. D.

H.C. McCain

This cause coming on to be heard, present for the state the Attorney General, and the defendant in person and by attorney, when upon motion of the defendant it is ordered adjudged and decreed by the court that the order entered in the cause at the August Term 1935, of this court be ~~revised~~ which order is in the words and figures as follows:

State Of Tennessee

VS.

D. D.

H.C. McCain

In this case came the Attorney General 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 Tennessee, to wit, Baxter Hemby, W.L. Latimer, W.H. McCaulley, G.W. Wyatt, Neely Daniel, Homer Phabus, Nelson Daniel, D.N. Wright, Roy Burns, C.N. Harris, S.J. May, and Robert Peeler, 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 serve a term of Thirty days in the County Jail in Waverly, Humphreys County, and will pay the cost of this cause for which let execution issue.

It is further ordered by the Court that the jail sentence be suspended until the next term of this court upon the defendant paying or securing said fine and costs. It is also 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.

State of Tennessee

Vs.

Carrying Pistol

Theo. Spicer

In this cause comes the Attorney General 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; C.R. Horner, John McMurtry, Della Dalton, H.L. Rogers, Emmitt May, J.A. Fortner, Scott Smith, Eddie Little, Barnett Peeler, Marion Mimms, J.R. Perkins, S.R. Betty, Carroll Curtis and R.L. Hamilton, 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 illegally carrying a pistol and assess and fix his punishment at 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 for which let execution issue and upon his failure to pay or secure same he will be taken in custody by the sheriff of Humphreys County, Tennessee, and by him confined in the County Jail or Workhouse until same is paid secured or worked out.

State of Tennessee

Vs.

Possessing Liquor

Tom Wright

In this cause comes the Attorney General for the state and the defendant in person and by attorney, who, being 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; Scott Smith, Carroll Curtis, Emmitt May, Barnett Peeler, Della Dalton, S.R. Betty, J.A. Fortner, Marion Mimms, John McMurtry, J.R. Perkins, C.R. Horner, H.L. Rogers, 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 say they find the defendant guilty of illegally possessing intoxicating liquor as charged in the indictment and assess and fix his punishment at a fine of 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 Dollars and the costs of this cause for which let execution issue and that in addition to the above fine and costs that the defendant serve sixty days in jail, said jail sentence to be suspended during good behavior. In the event of the failure of the defendant to pay the One Hundred Dollars fine and costs, he will be taken in custody by the sheriff of Humphreys County, Tennessee, and by him confined in the County Jail or Work house until same is paid, secured, or worked out. Thence came into open Court W.W. Norman and R.H. Sturt and entered their names as sureties for all of this fine and costs for which let execution issue.



State of Tennessee)

Vs.

B. D.

Boyd White

In this cause comes the Attorney General for the State and the defendant in person and by attorney, who, being duly charged and arraigned on said presentment, pleads guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit; C.R. Horner, John McMurtry, Della Dolton, H.L. Rogers, Emmitt May, J.A. Fortner, Scott Smith, Eddie Little, Barnett Peeler, Marion Mimms, J.R. Perkins, S.R. Betty, who, being legally selected, 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 presentment and assess and fix his punishment at One Hundred Dollars.

It is therefore ordered, adjudged and decreed by the Court that for the offense by the defendant the jury the defendant pay or secure a fine of One Hundred Dollars and the costs of this cause for which let execution issue, and in the event of his failure to pay or secure same he will be taken in custody by the sheriff of Humphreys County, Tennessee, and by him confined in the County Jail until same is secured, paid or worked out.

State of Tennessee)

Vs.

C. W.

George Ragan

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: C.R. Horner, John McMurtry, Della Dolton, H.L. Rogers, Emmitt May, J.A. Fortner, Scott Smith, Eddie Little, Barnett Peeler, Marion Mimms, J.R. Perkins and S.R. Betty, 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 dismissed and go hence without day.

State of Tennessee)

Vs.

B. D.

Albert Hughey &  
W.K. Holland

This case is continued by the defendants until the next term of this Court, it is therefore ordered, adjudged and decreed.

State of Tennessee)

Vs.

B. D.

Harris Bradley

This case is continued on agreement for the defendant to plead guilty at the next term of this court, it is therefore ordered, adjudged and decreed.

State of Tennessee)

Vs.

B. D.

J.L. Adkins

This case is continued on agreement for the defendant to plead guilty at the next term of this court, it is therefore ordered, adjudged and decreed.

State of Tennessee)

Vs.

D. D.

Earl Spencer

In this case came the Attorney General 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, Tenn., to wit; C.R. Horner, John McMurtry, Della Dolton, H.L. Rogers, Emmitt May, J.A. Fortner, Scott Smith, Eddie Little, Barnett Peeler, Marion Mimms, J.R. Perkins and S.R. Betty, 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 day 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 day in the County Jail in 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 the next term of this court upon the defendant paying said fine and costs.

It is also 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.

Thence came into open court Eveready Motor Co. per W.W. Napier and entered their names as surety for all of this fine and costs.

State of Tennessee)

Vs.

B. D.

John W. Fowlkes

In this cause comes the Attorney General for the State and the defendant in person and by attorney, who, being duly charged and arraigned on said presentment, pleads guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit; C.R. Horner, John McMurtry, Della Dolton, H.L. Rogers, Emmitt May, J.A. Fortner, Scott Smith, Eddie Little, Barnett Peeler, Marion Mimms, J.R. Perkins and S.R. Betty, who, being legally selected, 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 illegally possessing intoxicating liquor as charged in the presentment and assess and fix his punishment 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, and in the event of his failure to pay or secure same he will be taken in custody by the sheriff of Humphreys County, Tennessee, and by him confined in the County Jail until the same is secured, paid or worked out.

State of Tennessee)  
Vs.  
John W. Fowlkes

C.W.

In this cause comes the Attorney General for the State and the defendant in person and by attorney, who, being duly charged and arraigned on said presentment pleads guilty.  
Thereupon to try the issues joined came a Jury of Good and lawful men of Humphreys County, Tenn., to wit: C.R. Horner, John McMurtry, Della Bolton, H.L. Rogers, Emmitt May, J.A. Fortner, Scott Smith, Eddie Little, Barnett Peeler, Marion Mims, J.H. Perkins, and S.R. Betty, who, being legally selected, tried and sworn according to law, after hearing all the proof, argument of counsel and charge of the Court, upon their oath do say they find the defendant guilty as charged in the presentment and assess and fix his punishment at 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 for which execution may issue, and in the event of his failure to pay or secure same he will be taken in custody by the sheriff of Humphreys County, Tennessee, and by him confined in the County Jail until same is secured, paid or worked out.

State of Tennessee)  
Vs.  
James C. Mays

Reckless Driving

This case is continued by the defendant until the next term of this Court, it is ordered, adjudged and decreed.

State of Tennessee)  
Vs.  
W.O. Hodge

B.D.

In this cause comes the Attorney General 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 hence without day.

State of Tennessee)  
Vs.  
Carter Simpson

Bastardy

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

#### ALIAS CASES

State of Tennessee Vs. W.J. Jamison, P.K. Wilson, Ernest Durham, Ray Melideth, Hunter Blackwell, Osby Baker, Nettie Ingram, Imogene Parrish, Perry Madison, C.N. Brown, Edgar Wheeler, Nathan Sanders, Clarence Booth, Noah Smith, E.C. Neal,

State of Tennessee)  
Vs.  
Jessie Bird

Transporting

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

THIS DAY THE GRAND JURY CAME INTO OPEN COURT IN A BODY AND PRESENTS THE FOLLOWING INDICTMENTS AND PRESENTMENTS.

One against B. Lowery, Assault with intent to commit murder in the first degree, which indictment is in the words and figures as follows: to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1935, 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 B. Lowery of said County, heretofore, to wit, on the 21st day of September 1935 with force and arms, in the County aforesaid, unlawfully, willfully, deliberately, premeditatedly, and maliciously, did make and assault upon the body of one A.B. Bryant with a certain knife with the unlawful and felonious intent, then and there, him, the said A.B. Bryant unlawfully, feloniously, willfully, deliberately, premeditatedly, and of his malice aforethought, to kill and upon him to commit the crime and felony of murder in the first degree, against the peace and dignity of the State of Tennessee, W.C. Howell, Attorney General. December Term, 1935 The State Vs. B. Lowery Assault with intent to commit murder in the first degree, A.B. Bryant Prosecutor, Subpoena for the State A.B. Bryant, E.J. Work, Dan McCord, John Deck, Ridley Williams, Dr. J.A. Sugg, Elder Titke and W.J. Watkins, Witnesses sworn by me on this indictment before the Grand Jury December Term, 1935, R.H. McKeel Foreman Grand Jury, W.C. Howell, Attorney General, A True Bill R.H. McKeel, Foreman Grand Jury.

One against J.L. Druen and Lucille Druen, B.D., which indictment is in the words and figures as follows: State of Tennessee, Humphreys County, December Term of Circuit Court, A.B. 1935, 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 J.L. Druen and Lucille Druen heretofore, to wit, on the 24th day of August, 1925, in said County and State, unlawfully did possess intoxicating liquor contrary to statute and against the peace and dignity of the state of Tennessee, December Term, 1935 The State Vs. J.L. Druen and Lucille Druen, B.D. Subpoena for the state J.S. Westbrook, T.R. Westbrook, T.D. Story, D.B. McCann, and D.A. Birch, W.C. Howell, Attorney General. A True Bill R.H. McKeel Foreman Grand Jury A.S. Carns, D.C. Daniel, J.T. Gunn, B.E. Braden, E.C. Pickard, W.L. White, Vester Spann, C.A. Latimer, W.D. Woods, C.E. Guinn, T.R. Summers and A.D. Pogner.

One against Walter Lehman, B.D. which indictment is in the words and figures as follows: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D., 1935, The Grand Jurors for the state of Tennessee, duly elected, empaneled, sworn and charged to inquire for the body of Humphreys and State aforesaid, upon their oath aforesaid, present that Walter Lehman, heretofore, to wit, on the 29th day of September, 1935, in said County and State, unlawfully did possess intoxicating liquors contrary to the statute and against the peace and dignity of the State of Tennessee. December Term, 1935, The State Vs. Walter Lehman, B.D. Subpoena for the state T.R. Westbrook, D.A. Birch, T.D. Story, and J.R. Wilsford, W.C. Howell, Attorney General, A True Bill, A.L. Capps, D.C. Daniel, J.T. Gunn, B.E. Braden, E.C. Pickard, W.L. White, Vester Spann, C.A. Latimer, W.D. Woods, C.E. Guinn, T.R. Summers, A.D. Poyner.

One against Walter Lehman, M. Liquor. Which indictment is in the words and figures as follows to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1935, 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, present that Walter Lehman heretofore ~~as~~ <sup>on</sup> the 29th day of September, 1935 in the State and County aforesaid, unlawfully did manufacture intoxicating liquors, to wit Whiskey, contrary