

STATE OF TENNESSEE

VS

CARRYING A PISTOL

MELVIN (PETE) HICKS

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 issue joined came a jury of good and lawful men of Humphreys County, Tennessee to wit: Osber Potter, Jack Yates, Walter Harris, Jim Brake, Ace Greenville, Bobby Woods, Bobby Rumsey, Clifford Marsette, Gordon Pullen, Jesse Taylor, and Clyde Watts, Who being duly elected, tried and sworn, according to law, after hearing all the proof, argument of the council and charge of the Court, upon their oath say they find the defendant guilty as charged in the indictment and fix his punishment at \$50.00 Fine and all the cost of this cost for which execution may issue.

It is therefore ordered, adjudged and decreed by the Court that the defendant pay or secure a fin of \$50.00 and all cost of this suit. and in the event of his failure to pay or secure said fine and cost, he shall be taken in custody of the Sheriff and by him confined in the county Jail until same is paid or secured. It is futher ordered by the Court that the defendant be given credit for the time spent in jail.

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'Clock

JUDGE

COURT MET PURSUANT TO ADJOURNMENT, PRESENT AND PRESIDING THE HON. DNACY FORT, JUDGE ETC.  
STATE OF TENNESSEE

VS

LARCENY

SHELT DAVIS  
ARTHUR BAKER  
ROBERT JONES

In this cause came the Attorney-General for the State and the Attorney for defendant, when upon motion of the Attorney for defendant, due to the illness of arthur Baker, It is ordered by the Court that this cause be continued until next term of Court.

STATE OF TENNESSEE

VS

RAPE

CLARENCE ELLISON

In this cause came the Attorney-General for the State and the defendant in person and by attorney, when upon agreement of both parties, this cause is ordered continued until next term of this court.

STATE OF TENNESSEE

VS

LARCENY

BILL LANE

In this cause came the Attorney-General for the State and the defendant in person and by Attorney, upon consent consent of both parties this cause is continued until next term of this court.

STATE OF TENNESSEE

VS

FORGERY

ROSA NELL WARREN

In this cause came the Attorney-General for the State and the defendant in person and by Attorney when upon motion of defendant and her statment made in open Court that she intends to plead guilty at the next term of Court, and take a year in the Penitentiary, concurrently with a sentence given at the April term of Court 1939, It is ordered, adjudged and decreed by the Court that this case be continued until the next term of this court.

STATE OF TENNESSEE

VS

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

ARTHUR BAKER

In this cause came the Attorney-General for the State and the Attorney for the defendant, upon motion of the Attorney for the defendant, due to the illness of the defendant, Arthur Baker, It is ordered, adjudged and decreed by the Court that this case be continued until the next term of this court.

STATE OF TENNESSEE

VS

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

FLORENCE KILBURN

In this cause came the Attorney-General for the State and the defendant in person and by attorney and upon motion of the defendant, due to the illness of Joe Kilburn, It is ordered, adjudged and decreed by the Court that this case be continued until the next term of this Court.

STATE OF TENNESSEE  
VS  
ROGERS GREEN

LARCENY

IN this cause came the Attorney-General for the State and the defendant in person and by Attorney, who, being duly charged and arraigned on said indictment pleads guilty. Thereupon to try the issue joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Osber Potter, Jack Wates, Walter Harris, Jim Brake, Ace Greenville, Bobbie Woods, Bobbie Rumsey, Clifford Marsette, Gordon Pulte n, Jesse Taylor, and Clyde Watts, who being duly elected, tried and sworn according to law, after hearing all the proof, argument of the council and charge of the Court, upon their oath say they find the defendant guilty as charged in the indictment and fix his punishment at six months in the County Jail and all cost of this suit.

It is therefore ordered, adjudged and decreed by the Court that for the offense as found by the jury, that the defendant serve a sentence of six months in Jail and that he pay the cost of this cause for which execution may issue.

This day the Grand Jury came into open Court in a body and presented the following indictments and presentations:

One against Rogers Green, Larceny which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939.

The Grand Jurors for the State of Tennessee, elected empaneled, sworn and charged to inquire for the body of Humphreys and the State aforesaid, upon their oath aforesaid, present that Rogers Green heretofore, to wit, on the 14th day of July 1939, in County aforesaid, unlawfully and feloniously did steal, take and carry away two roles barbed fencing wire of the value of Eight dollars, the property of George Tate of said County, then and there being found, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

And the Grand Jurors aforesaid, upon their oath aforesaid present that the said Rogers Green of said County, on the day and year aforesaid, in the County aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing two roles barbed fencing wire of the value of eight dollars, the property of George Tate of said County, before then feloniously stolen, taken and carried away, by some one, to the Grand Jury unknown, he the said Rogers Green then and there knowing the said wire aforesaid to have been feloniously stolen, taken, and carried away, and he the said Rogers Green intending then and there fraudulently to deprive the owner thereof, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

August Term, 1939

State of Tennessee  
vs  
Rogers Green

Larceny

George Tate, Prosecutor. Subpoena for the State; George Tate, Will Hooper, Jake Mays, Roy Hays, and Carter Simpson, Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1939, R.H. McKeel, Foreman Grand Jury.

W.C. Howell, Attorney-General.

A True Bill, R.H. McKeel, Foreman Grand Jury.

STATE OF TENNESSEE  
VS  
MOLLIE BUCHANAN  
RICHARD PARROTT

PERJURY

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is therefore ordered, adjudged and decreed by the Court, that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
MOLLIE BUCHANAN  
JOE BIRCHETT

CONSPIRACY

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
THOMAS FORESTER

ASSAULT WITH INTENT TO COMMIT MURDER

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is therefore ordered, adjudged, and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
MURRELL LASHLEE  
HUBERT WIGGINS

LARCENY OF MONEY

In this cause the Grand Jury returned an indictment marked "Not a True Bill". It is ordered, adjudged, and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
VINNIE JINKINS

ARSON

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
CONNIE RUNIONS  
LEON RUNIONS

ASSAULT AND BATTERY

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is ordered, adjudged and decreed by the Court that the Defendant be dismissed and go hence without day.

This day the Grand Jury Came into open Court and presented the following indictments and presentations.

One against Austin Graves, Driving Drunk, which indictment is in words and figures as follows; to wit: State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939, The Grand Jurors for the State of Tennessee, duly elected, empaneled and sworn, and in charge to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Austin Graves heretofore, to wit, on the 13th day of June 1939, in said County and State, unlawfully did drive an automobile on the public highways of the State and County aforesaid while under the influence of intoxicating liquor contrary to the statute and against the peace and dignity of Tennessee.

W.C. Howell, Atty. General.

August Term, 1939, The State Vs Austin Graves, Driving Drunk, Subpoena for the State; Jim Stewart, Frank James, David Edney Connie Runions, Walter Jones, John Kilburn, Walter Marchbanks and L.P. Quinn.

W.C. Howell Attorney-General

A True Bill, R.H. McKeel, Foreman Grand Jury, R.F. Ingram, W.C. Cantrel, Sam Harbison, J.C. Bell, Ben James, R.L. Parker, W.O. Hemby, Sil Cuthis, T.M. Colman, W.E. McKlemurry, Fred Prichard, and W.W. Elsworth.

One against Manuel Russell, Larceny, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Manuel Russell heretofore, to wit, on the 18th day of June 1939, in the County aforesaid, unlawfully and feloniously did steal, take and carry away on wrist watch and one pair men's overalls of the value of twenty dollars, the property of Dorsey Hooper and Bulah Hooper of said County, then and there being found, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Manuel Russell of said County, on the day and year aforesaid, in the County aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing one wrist watch and one pair of men's overalls of the value of twenty dollars, the property of Dorsey Hooper and Bulah Hooper, of said County, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, he the said Manuel Russell then and there knowing the said property aforesaid to have been feloniously stolen, taken and carried away, and he the said Manuel Russell intending then and there fraudulently to deprive the owner thereof, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General.

August Term 1939, The State Vs Manuel Russell, Dorsey Hooper, Prosecutor, Subpoena for the State; Dorsey Hooper, Eunice Mays, Grace Goodrich, Elenor Rivers and Bulah Hooper, Witnesses sworn by me on this indictment before the Grand Jury, August Term 1939.

R.H. McKeel, Foreman Grand Jury

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Foreman Grand Jury.

One against Herman Warren and Jess Buchanan, Housebreaking and Larceny, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County.

August Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Herman Warren and Jess Buchanan, heretofore, to wit, on the 2nd day of June 1939, in said County and State, unlawfully, feloniously and forcibly did break and enter the henhouse of one J.E. Green, of said County with intent to commit a felony, to wit, a larceny, and the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Herman Warren and Jess Buchanan, on the day and year aforesaid, in the State and County aforesaid, unlawfully and feloniously did take, steal, and carry away eight chickens all of the value of five dollars, and of the goods and chattles of the said J.E. Green, with intent to deprive the owner, the said J.E. Green, the true owner thereof and convert the same to their own use,

Contrary to the statute and against the peace and dignity of the State of Tennessee.

And the Grand Jurors aforesaid upon their oath aforesaid, further present that the said Herman Warren and Jess Buchanan, on the day and year aforesaid, in the State and County aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing eight chickens, of the value of five dollars, the property of J.E. Green of said County, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, they the said Herman Warren and Jess Buchanan and there knowing the said property aforesaid to have been feloniously stolen, taken, and carried away, and they the said Herman Warren and Jess Buchanan intending then and there fraudulently to deprive the owner thereof, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

August Term, 1939, The State Vs Herman Warren and Jesse Buchanan, Housebreaking and Larceny, Frank James, Prosecutor, Subpoena for the State; Frank James, Ose Craft, J.E. Green, Paul Johnson, Scud Conaster, Arthur Baker, and Carl Hedrick. Witnesses sworn by me on this indictment before the Grand Jury August Term, 1939.

R.H. McKeel, Foreman Grand Jury

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel Foreman Grand Jury.

One against Ora Britton, alias, Chief Eagle Feather, and Princess Silver Heel, Abortion, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County. April Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Ora Britton (alias Chief Eagle Feather) and Princess Silver Heel, whose other name is unknown to the Grand Jury, heretofore, to wit, on the \_\_\_\_ day of April 1938, in the said County and State, unlawfully and feloniously did administer to one Anna Maud Sharp, a woman pregnant with child, medicine, drug or substance with intent to destroy said child and did thereby destroy such child before its birth, the administering of said medicine, drug or substance not being done with a view to preserve the life of the mother, the said Anna Maud Sharp, contrary to the statute and against the peace and dignity of the State of Tennessee. And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Ora Britton (alias Chief Eagle Feather) and Princess Silver Heel, whose other name is unknown to the Grand Jury, on the day and year aforesaid, in the State and County aforesaid, unlawfully and feloniously did use and employ a certain instrument suitable for the purpose of producing an Abortion on Anna Maud Sharp, a woman pregnant with child, by inserting said instrument into the genital organs of said Anna Maud Sharp, with intent to destroy the child and did thereby destroy said child before its birth, the use and employment of said instrument not being to preserve the life of the mother, the said Anna Maud Sharp, contrary to the statute and against the peace and dignity of the State of Tennessee.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Ora Britton (alias Chief Eagle Feather) and Princess Silver Heel, whose other name is unknown to the Grand Jury, on the day and year aforesaid unlawfully and feloniously did administer medicine, drug or other substance to one Anna Maud Sharp, who was a woman pregnant with child, with intent to procure the miscarriage of the said Anna Maud Sharp, the administering of said medicine, drug or other substance as aforesaid not to preserve the life of the mother, Anna Maud Sharp, contrary to the statute and against the peace and dignity of the State of Tennessee.



And the Grand Jury aforesaid, upon their oath aforesaid, further present that the said Ora Britton (Alias Chief Eagle Feather) and Princess Silver Heel, whose other name is unknown to the Grand Jury, on the day and year aforesaid, in the state and County aforesaid, unlawfully and feloniously did employ a certain instrument suitable for the purpose of producing an abortion on the person of Anna Maud Sharp, a pregnant woman, by inserting said instrument into the genital organs of the said Anna Maud Sharp with intent to procure a miscarriage by her the said Anna Maud Sharp, the use of said instrument not being with a view to preserve the life of the said Anna Maud Sharp, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General.

April Term 1939, The State Vs Ora Britton ( Alias Chief Eagle Feather) and Princess Silver Heel, whose other name is unknown to the Grand Jury, Subpoena for the State; Adeline Box, Woodrow Wilson, Anna Maud Sharp, Ernest Dunagan,

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Foreman Grand Jury, W.A. Russell, W.F. Larkins, Morris Gatlin, E.D. Hooper, L.A. Jarred, J.R. Fields, Pete Warden, Philip Legan, L.H. Jones, Vester Spann, Colman Geice, and W.T. Little.

One against Emma Lee Luten, Assault to Commit murder in the First Degree, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Emma Lee Luten of said County, heretofore, to wit, on the 28th day of May 1939 with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, premeditatedly and maliciously, did make an assault upon the body of on Irene Burns with a certain ax with the unlawful and felonious intent, then and there her, the said Irene Burns unlawfully, feloniously, willfully, deliberately, premeditatedly, and of her malice aforethought, to kill and upon her 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

August Term, 1939, The State Vs Emma Luten, assault with intent to commit murder in the first degree. John G. Burns, Prosecutor, Subpoena for the State: John G. Burns, Irene Burns Alice Nash, Leukie Boose, J.A. Slayden, Geo. Tate, Wittenesses sworn by me on this indictment before the Grand Jury, August Term 1939,

R.H. McKeel, Foreman Grand Jury  
W.C. Howell, Attorney General

A True Bill, R.H. McKeel Foreman Grand Jury.

STATE OF TENNESSEE

VS

DRIVING DRUNK

AUSTIN GRAVES

In this cause came the Attorney-General for the State and the defendant in person and by Attorney, when upon Defendant's statement in open Court that he intends to plead guilty at the next term of this Court, It is ordered by the Court that this case be continued until next Term of Court.

STATE OF TENNESSEE

VS.

HOUSEBREAKING AND LARCENY

MANUEL RUSSELL

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: Osber Potter, Jack Yates, Walter Harris, Jim Brake, Ace Greenville, Bobbie Woods, Bobbie Rumsey, Clifford Mardette, Gordon Pullan, Jesse Taylor, and C.R. Watts. who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the Council and charge of the Court, upon their oath do say they find the defendant guilty as charged in the indictment and assess and fix his punishment at six months in the County Jail.

It is therefore ordered, adjudged and decreed by the Court that the defendant be confined in the County Jail of Humphreys County, Tennessee, for a period of six months and that he pay the cost of this cause for which let execution issue.

STATE OF TENNESSEE

VS

LARCENY

HERMAN WARREN  
JESSEE BUCHANAN

In this cause came the Attorney-General for the State and the defendant in person and by Attorney, when upon Defendant's statement in open Court that they intend to plead guilty at the next term of this Court, It is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE

VS

ABORTION

ORA BRITTON (ALIAS CHIEF EAGLE FEATHER)  
PRINCESS SILVER HEEL.

In this case came the Attorney-General for the State and the Attorney for defendant, when upon motion of Attorney for defendant, due to the illness of defendant, It is ordered by the Court that this Case be continued until next term of this Court.

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'CLOCK

JUDGE.



STATE OF TENNESSEE

VS

LARCENY- GUILTY 5 YEARS IN THE PENITENTIARY

MOY(MOONEY) INGRAM

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit: Jesse Taylor, Gordon Pullen, W.C. Gooley, Jack Yates, John Lehman, Harm Lomax, Bobby Rumsey, Mel Curtis, Clifford Marrsett, Osber Potter, John Davis, and J.R. Pierce. who, being duly elected, tried and sworn according to law and being in charge of their sworn officers, Doss Balthrop, and J.C. Thomas. After hearing all the proof, argument of the Council and charge of the Court upon their oath say they find the defendant guilty as charged in the indictment and assess and fix his punishment at Five years in the Penitentiary at Nashville, Tennessee.

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 Penitentiary at Nashville, Tennessee, at hard labor for an indeterminate period of time of not less than one nor more than five years and that he pay the cost of this cause for which execution issue.

STATE OF TENNESSEE

VS

MFG. LIQUOR

WILL BURGESS  
HARRIS BRADLEY

In this case came the Attorney-General for the State and the defendant in person and by Attorney, when upon of the defendant, Harris Bradley, It is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE

VS

ASSAULT AND BATTERY

LEON RUNIONS  
MARVIN BLACKBURN

In this case came the Attorney-General for the State and the defendant, Leon Runions, in person and by Attorney, when upon motion, It is ordered by the Court that this case be continued as to Leon Runions. It is further ordered that an alias be issued as to Marvin Blackburn.

STATE OF TENNESSEE

VS

ASSAULT AND BATTERY

B.F. INGRAM

In this case came the Attorney-General for the State and the defendant in person and by attorney, and with consent of both Attorney's for the State and the defendant, It is ordered that this case be continued until next term of this Court.

STATE OF TENNESSEE

VS

PROMOTING GAMING

JOE TRAYLOR

In this case came the Attorney-General for the State and the Defendant in person and by Attorney, and with consent of both Attorney's, for the State and the defendant, It is ordered by the Court that this case be continued until next term of Court.

STATE OF TENNESSEE

VS

DRIVING DRUNK

MZLOOLM DOWDEN

In this case came the Attorney-General for the State and the Defendant in

person and by Attorney, when upon motion of the Attorney-General for the State, It is ordered by the Court that a Nolle Prosequi be entered in this case.

STATE OF TENNESSEE

VS

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

GORDON NEWSOM  
JIMMIE D. FORTNER

In this case came the Attorney-General for the State and the defendant in person when upon motion of defendants, It is ordered that this case be continued until next term of Court.

This day the Grand Jury came into open court in a body and presented the following indictment, to wit;

One against Gordon Newsom and Jimmie D. Fortner and said indictment is in words and figures as follows;

State of Tennessee, Humphreys County.

August Term of Circuit Court, A. D. 1939. 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 Gordon Newsom and Jimmie D. Fortner of said County, heretofore, to wit, on the 22 day of May 1939 with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Moody Lofton with a certain stick with the unlawful and felonious intent, then and there, him, the said Moody Lofton 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.

August Term, 1939, The State Vs. Gordon Newsom and Jimmie D. Fortner. Moody Lofton, Prosecutor. Subpoena for the State: Moody Lofton, Wyley Ham, Mel Curtis, Doss Little. Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1939.

A true bill, R. H. McKeel, Foreman Grand Jury.

R. H. McKeel, Foreman  
Grand Jury.  
W. C. Howell, Attorney-General.

STATE OF TENNESSEE

VS

LARCENY

JAMES COLLIER

In this case coming on to be heard and it appearing to the Court that the defendant has not been apprehended and upon motion of the Attorney-General, it is ordered that as Alias Capias be issued for the defendant.

STATE OF TENNESSEE

VS

AGE OF CONSENT

LOYD MATLOCK

In this case coming on to be heard and it appearing to the Court that the defendant has not been apprehended and upon motion of the Attorney-General, it is ordered that an Alias-Capias be issued for the defendant,

COURT THE ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'CLOCK

*W. C. Howell* JUDGE

STATE OF TENNESSEE  
VS  
MOY(MOONEY) INGRAM

LARCENY- GUILTY 5 YEARS IN THE PENITENTIARY

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to wit; Jesse Taylor, Gordon Pullen, W.C. Woodley, Jack Yates, John Lehman, Harm Lomax, Bobby Rumsey, Mel Curtis, Clifford Marrsett, Osber Potter, John Davis, and J.R. Pierce, who, being duly elected, tried and sworn according to law and being in charge of their sworn officers, Doss Balthrop, and J.C. Thomas. After hearing all the proof, argument of the Council and charge of the Court upon their oath say they find the defendant guilty as charged in the indictment and assess and fix his punishment at five years in the Penitentiary at Nashville, Tennessee.

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 Penitentiary at Nashville, Tennessee, at hard labor for an indeterminate period of time of not less than one nor more than five years and that he pay the cost of this cause for which execution issue.

STATE OF TENNESSEE  
VS

MFG. LIQUOR

WILL BURGESS  
HARRIS BRADLEY

In this cause came the Attorney-General for the State and the defendant in person and by Attorney, when upon of the defendant, Harris Bradley, It is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE  
VS

ASSAULT AND BATTERY

LEON RUNIONS  
MARVIN BLACKBURN

In this case came the Attorney-General for the State and the defendant, Leon Runions, in person and by Attorney, when upon motion, It is ordered by the Court that this case be continued as to Leon Runions. It is further ordered that an alias be issued as to Marvin Blackburn.

STATE OF TENNESSEE  
VS

ASSAULT AND BATTERY

B.W. INGRAM

In this case came the Attorney-General for the State and the defendant in person and by attorney, and with consent of both Attorney's for the State and the defendant, It is ordered that this case be continued until next term of this Court.

STATE OF TENNESSEE  
VS

PROMOTING GAMING

JOE TRAYLOR

In this case came the Attorney-General for the State and the Defendant in person and by Attorney, and with consent of both Attorney's, for the State and the defendant, It is ordered by the Court that this case be continued until next term of Court.

STATE OF TENNESSEE  
VS

DRIVING DRUNK

MELCOLM DOWDEN

In this case came the Attorney-General for the State and the Defendant in

person and by Attorney, when upon motion of the Attorney-General for the State, It is ordered by the Court that a Nolle Prosequi be entered in this case.

STATE OF TENNESSEE  
VS

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

GORDON NEWSON  
JIMMIE D. FORTNER

In this case came the Attorney-General for the State and the defendant in person when upon motion of defendants, It is ordered that this case be continued until next term of Court.

This day the Grand Jury came into open court in a body and presented the following indictment, to wit;

One against Gordon Newson and Jimmie D. Fortner and said indictment is in words and figures as follows;

State of Tennessee, Humphreys County.

August Term of Circuit Court, A. D. 1939. 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 Gordon Newson and Jimmie D. Fortner of said County, heretofore, to wit, on the 22 day of May 1939 with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Woody Lofton with a certain stick with the unlawful and felonious intent, then and there, him, the said Woody Lofton 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.

August Term, 1939, The State Vs. Gordon Newson and Jimmie D. Fortner. Woody Lofton, Prosecutor. Subpoena for the State: Woody Lofton, Wyley Ham, Mel Curtis, Doss Little. Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1939.

A true bill, R. H. McKeel, Foreman Grand Jury.

R. H. McKeel, Foreman  
Grand Jury.  
W. C. Howell, Attorney-  
General.

STATE OF TENNESSEE  
VS

LARCENY

JAMES COLLIER

In this case coming on to be heard and it appearing to the Court that the defendant has not been apprehended and upon motion of the Attorney-General, it is ordered that an Alias Capias be issued for the defendant.


STATE OF TENNESSEE  
VS

AGE OF CONSENT

LOYD MATLOCK

In this case coming on to be heard and it appearing to the Court that the defendant has not been apprehended and upon motion of the Attorney-General, it is ordered that an Alias-Capias be issued for the defendant,

COURT THE ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'CLOCK

 JUDGE

STATE OF TENNESSEE  
VS  
EMMA LEE LUTEN

ASSAULT AND BATTERY

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee to wit: Jesse Taylor, Gordon Pullen, Jack Yates, Walter Harris, W.C. Cooley, John Lehman, Bobbie Rumbey, Monroe Vaden, Clifford Mardette, Ralph Hooper, John Davis, and J.R. Pierce. who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the council and charge of the Court, upon their oath do say that they find the defendant guilty of assault and Battery and leave the punishment to the Court.

It is therefore ordered, adjudged and decreed by the Court that for the offense as found by the Jury, that the defendant pay a fine of (\$50.00) Fifty Dollars and all cost of this suit for which execution will issue, and in the event of her failure to pay said fine and cost she shall be taken in custody of the Sheriff of Humphreys County, Tennessee and by him confined in the County Jail until same is paid or secured.

It is further ordered by the Court that she serve a sentence of six months in the County Jail, it is further ordered that this sentence be suspended when said fine and cost is paid.

STATE OF TENNESSEE  
VS  
OSCAR COCHRAN  
JAMES POTTER

VIOLATING STOCK LAW.

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
OSCAR COCHRAN  
JAMES POTTER

LARCENY OF LIVE STOCK

In this case the Grand Jury returned an indictment marked "Not a True Bill". It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

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

One against Harold Morrison and Howard Haygood, Larceny, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939.

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 Harold Morrison and Howard Haygood heretofore, to wit, on the 16th., day of August, 1939 in said County and State, unlawfully and feloniously did take, steal, and carry away on Ford Automobile of the value of seventy-five dollars, and of the goods and chattels of Raymond Matlock, of said County, with intent to deprive him, the said Raymond Matlock, the true owner thereof and convert the same to their own use, contrary to the statute and against the peace and dignity of the State of Tenn.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present that the said Harold Morrison and Howard Haygood, on the day and year aforesaid in the

State and County aforesaid, unlawfully and feloniously did take the automobile belonging to Raymond Matlock without the consent of the said Raymond Matlock, the owner of said automobile, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Atorney-General.

August Term 1939, The State vs. Harold Morrison and Howard Haygood, Larceny. Ramond Matlock, Prosecutor, Subpeona for the State: Ramond Matlock, Roy Cunningham, D.O. Lee, and Lottie Cunningham. Witnesses sworn by me on this indictment before the Grand Jury August Term 1939.

R.H. McKeel, Forman Grand Jury  
W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Forman Grand Jury.

One against Harold Morrison and Howard Haygood, Housebreaking and Larceny, which indictment is in words and figures as follows, to wit: State of Tennessee Humphreys County. August Term of Circuit Court A.D. 1939. 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 Harold Morrison and Howard Haygood heretofore, to wit, on the 16th day of August 1939 in said County and State unlawfully, and forcibly, did break and enter the business house of one, Roy Cunningham, of said County, with intent to commit a felony, to wit, a Larceny.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present, that the said Harold Morrison and Howard Haygood, on the day and year aforesaid in the State and County aforesaid unlawfully and feloniously did take, steal, and carry away ten dollars of good and lawful money of the United States, cigars, tobacco, carton cigarettes, chewing gum, tooth brushes, pencils, show strings, matches, handkerchiefs, needles, face powder, gloves, pickles, socks, deoderant, knives, clothes pens, snuff, bread, suspenders, shirts, all of the value of seventy dollars, and of the goods and chattels of the said Roy Cunningham, with intent to deprive him, the said Roy Cunningham, the true owner thereof and convert the same to their own use, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

August Term, 1939. The State vs Harold Morrison and Howard Haygood, Housebreaking and Larceny, Roy Cunningham, Prosecutor, Subpeona for the State: Roy Cunningham, Frank James, D.O. Lee, G.P. Merideth, Lottie Cunningham, and Raymond Matlock. Witnesses sworn by me on this indictment before the Grand Jury August Term 1939.

R.H. McKeel, forman Grand Jury  
W.C. Howell, Attorney-General

A True Bill. R.H. McKeel forman Grand Jury.

One against Queen Parnell, Reckless Driving, which indictment is in words and figures as follows; to wit: State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, and sworn and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Queen Parnell heretofore, to wit, on the 2nd day of July 1939, in said County and State, unlawfully did drive an automobile upon the public roads of the State and County aforesaid carelessly in a wilfull and wanton disregard of the rights and safety of others, without due caution and circumspection at a speed and in a manner so as to indanger or like to indanger persons and property, contrary to the statute and against the peace and dignity of the state of Tennessee.

W.C. Howell, Attorney-General



August Term, 1939, The State vs Queen Parnell, Reckless Driving, Subeona for the State; Arnold Adams, William Brake Arthur Lee Hodge, James Baker, Frank James, Lehman Woods, and D.O. Lee.

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Forman of Grand Jury. R.F. Ingram, W.C. Cantrell, Sam Harbison, J.C. Bell, T.M. Colman, Ben James, R.L. Parker, W.O. Hemby, Sil Curtis, W.E. McKlemurry, Fred Prichard, and W.W. Elswick.

One Against W.Y. Raney and Johnnie Binkley, Bone Dry, which indictment is in words and figures as follows; State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charged to enquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that W.Y. Raney and Johnnie Binkley heretofore, to wit; on the 13th day of May 1939, 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. ~~And that the Grand Jurors aforesaid, present that the State of Tennessee, do hereby~~

August Term, 1939, The State vs W.Y. Raney and Johnnie Binkley, Bone Dry, Subeona for the State; Frank James, David Edney,

W.C. Howell, Attorney General

A True Bill, R.H. McKeel, forman Grand Jury.

R.F. Ingram, W.C. Cantrell, Sam Harbison, J.C. Bell, T.M. Colman, Ben James, R.L. Parker, W.O. Hemby, Sil Curtis, W.E. McKlemurry, and Fred Prichard, W.W. Elswick.

One Against Walter Jackson, Carrying a Pistol, which indictment is in words and figures as follows; State of Tennessee, Humphreys County. August Term of the Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Walter Jackson heretofore, to wit, on the 16th day of July 1939, in the State and County aforesaid, unlawfully carried a pistol, the same not being an army or navy pistol carried openly in the hand, to the evil example of all others in like case offending, and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General.

August Term 1939, The State vs Walter Jackson, Subeona for the State; Bruce Williams, L.L. Stanfield, and E.C. Flowers,

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Forman Grand Jury. R.F. Ingram, W.C. Cantrell, Sam Harbison, J.C. Bell, T.M. Colman, Ben James, R.L. Parker, W.O. Hemby, Sil Curtis, W.E. McKlemurry, Fred Prichard, and W.W. Elswick.

One Against Isadore Davidson, Age of Consent, which indictment is in words and figures as follows, to wit, State of Tennessee, Humphreys County. August Term of the Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, and sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Isadore Davidson Heretofore, to wit, on the 17th day of July 1939, in said County and State, unlawfully, feloniously and carnally knew Dorothy Ellison, a female, over the age of twelve years and under the age of twenty-one years, the said Isadore Davidson and Dorothy Ellison not occupying the relationship of husband and wife, at the time of such carnal knowledge, and the said Dorothy Ellison not being, at the time and before said carnal knowledge, a bawd, lawd, or kept female, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

August Term, 1939. The State vs Isadore Davidson, Age of Consent, Charley Ellison, Prosecutor. Subeona for the State; Charley Ellison, Dorothy Ellison, Charlie Carnell, Calence Felts, Witnesses sworn by me on this indictment before the Grand Jury August Term, 1939. R.H. McKeel, Forman Grand Jury. W.C. Howell Attorney-General.

A True Bill, R.H. McKeel, forman Grand Jury.

One against Rosa Nell Warren, Bone Dry, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County, August Term of Circuit Court, A.D. 1939. 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 Rosa Nell Warren heretofore, to wit, on the 11th day of August, 1939 in said County and State, unlawfully, did possess intoxicating liquors as follows, to wit, thirty-nine <sup>one</sup>/<sub>half</sub> pints in bottles and one gallon in jug, all being unstamped with stamps issued by either the commissioner of Finance and Taxation of the State of Tennessee or by the United States; and also twenty-three one-half pints bottles and ten pint bottles of "Bottled in Bond" intoxicating liquor with United States Stamps on same, the said Rosa Nell Warren had not at the time or prior thereto obtained a license from the commissioner of Finance and Taxation of the State of Tennessee to manufactor, import, bottle, keep, give away, furnish, possess, transport, sell or deliver, such intoxicating liquor, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

August Term, 1939, The State vs. Rosa Nell Warren, Subeona for the State; Frank James, Junius Carroll, David Edney, and Frank Wells.

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Forman Grand Jury, R.F. Ingram, W.C. Cantrell, Sam Harbison, J.C. Bell, T.M. Colman, Ben James, R.L. Parker, W.O. Hemby, Sil Curtis, W.E. McKlemurry, Fred Prichard, and W.W. Elswick.

One against Rosa Nell Warren, Tippling, which indictment is in words and figures as follows, to wit, State of Tennessee, Humphreys County. August Term of the Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Rosa Nell Warren heretofore, to wit, on the 11th day of August, 1939, in the State and County aforesaid, then and there unlawfully did sell and tipple spirituous, malt, vinous, and intoxicating liquors to one Junis Carroll and had not, at that time, nor prior thereto, obtained a license to sell liquors in such quantities, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of Tennessee.

August Term 1939. The State Vs. Tippling--Procuring Liquor. Rosa Nell Warren. Subeona for the state: Junis Carroll, Frank James, David Edney, Frank Wells, W. C. Howell, Attorney-General. A True bill. R. H. McKeel, Foreman Grand Jury. R. F. Ingram, W. C. Cantrell, Sam Harbison, J. C. Bell, Ben James, R. L. Parker, W. O. Hemby, Sil Curtis, W. E. McKlemurry, T. W. Coleman, Fred Prichard, W. W. Elswick.

One against Thomas Forester, Assault with intent to commit Murder, which indictment is in words and figures as follows, to wit. State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Thomas Forester of said County, heretofore, to wit, on the 25th day of March 1939 with force and arms, in the County aforesaid,

unlawfully, feloniously, wilfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Jones Banes with a certain poker with the unlawful and felonious intent, then and there, him, the said Jones Banes 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

August Term, 1939, The State Vs. Thomas Forester, Assault with intent to Commit Murder in the First Degree, Jones Banes, Prosecutor, Subpoena for the State; Jones Banes, Frank James, David Elnay, Casey Rice, Mrs. Jones Banes, and Bill Moran. Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1939.

R.H.McKeel, Foreman Grand Jury.

W.C.Howell, Attorney-General

A True Bill, R.H.McKeel, Foreman Grand Jury,

One against Paul Wallace and Tuffy Forester, Felony, which indictment is in words and figures as follows, to wit, State of Tennessee, Humphreys County. August Term of Circuit Court A.D.1939. 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 Paul Wallace and Tuffy Forester heretofore, to wit, on the 7th day of August 1939, in said County and State, unlawfully, and feloniously did take and entice one Edith Pearl Greenville, a female, from her father and Mother, namely George Greenville and Ella Greenville, who had charge of her without the consent of said father and mother aforesaid, for the purpose of prostitution, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General.

August Term, 1939. The State VS Paul Wallace and Tuffy Forester, Felony, George Greenville, Prosecutor. Subpoena for the State; George Greenville, Edith Pearl Greenville, Ella Greenville, Dona Bass. Witnesses sworn by me on this indictment before the Grand Jury August Term. 1939.

R.H.McKeel, Foreman Grand Jury.

W.C. Howell, Attorney-General

A True Bill, R.H.McKeel, Foreman Grand Jury.

One against Newsome Couch and Elmer Anderson, Larceny, which indictment is in words and figures as follows, to wit, State of Tennessee, Humphreys County. August Term of Circuit Court, A.D. 1939. 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 Newsome Couch and Elmer Anderson of said County, heretofore, to wit, on the 23rd day of April 1939, in the County aforesaid, unlawfully and feloniously did steal, take and carry away two steers of the value of Sixty-five Dollars the property of Emmitt Choate of said County, then and there being found, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General.

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Newsome Couch and Elmer Anderson of said County, on the day and year aforesaid, in the County aforesaid, unlawfully, feloniously did receive, buy, conceal, and aid in concealing two steers of the value of Sixty-five Dollars, the property of Emmitt Choate of said County, before then feloniously stolen, taken and carried away by some one,

to the Grand Jury unknown, they the said Newsome Couch and Elmer Anderson then and there knowing the said two steers aforesaid to have been stolen, taken, and carried away, and they the said Newsome Couch and Elmer Anderson intending then and there fraudulently to deprive the owner thereof, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General

August Term 1939, The State Vs Newsome Couch and Elmer Anderson, Larceny, Subpoena for the State; Emmitt Choate, A.A.Woods, Chaslie Sanders, John M. Seabolt, Gilbert Davis, Dennis Warren, Bill Bumpus, Henry Rochell, Tom Coke, Walter McClure, Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1939.

W.C.Howell, Attorney-General.

A True Bill, R.H.McKeel, Foreman Grand Jury. Clint Bell, W.C.Cantrell, Sam Harbison, T.W.Colman, R.L. Parker, W.O.Hemby, Sil Curtis, W.E.McKlemurry, Fred Prichard, W.W. Elswick, and T.O. Simpson.

One against Newsome Couch and Elmer Anderson, Larceny, which indictment is in words and figures as follows, to wit, State of Tennessee, Humphreys County. August Term of Circuit Court, A.D.1939. 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 Newsome Couch and Elmer Anderson heretofore, to wit, on the 23rd day of April 1939, in the County aforesaid, unlawfully and feloniously did steal, take and carry away on calf of the value of fifteen Dollars, the property of L.L. Shipp of said County, then and there being found, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General.

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Newsome Couch and Elmer Anderson of said County, on the day and Year aforesaid, in the County aforesaid, unlawfully, feloniously did receive, buy, conceal, and aid in concealing on calf of the value of fifteen Dollars, the property of Mrs.L.L.Shipp of said County, before then feloniously stolen, taken and carried away by some one, to the Grand Jury unknown, they the said Newsome Couch and Elmer Anderson then and there knowing the said calf aforesaid to have been feloniously stolen, taken, and carried away, and they the said Newsome Couch and Elmer Anderson intending then and there fraudulently to deprive the owner thereof, contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General

August Term, 1939, The State of Tennessee, Vs Newsome Couch and Elmer Anderson, Subpoena for the State; Mrs L.L.Shipp, Henry Rochell, Emmitt Choate, Charlie Sanders, Dennis Warren, John M. Seabolt, Allen Story, Bill Bumpus, Gilbert Davis, Tom Coke, Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1939.

W.C.Howell, Attorney-General.

A True Bill, R.H.McKeel, Foreman Grand Jury. W.C.Cantrell, Clint Bell, Sam Harbison, T.W.Colman, Ben James, R.L.Parker, W.O.Hemby, Sil Curtis, W.E.McKlemurry, Fred Prichard, W.W.Elswick, T.O.Simpson.

One against O.B.Whitson, Disposing of Mortgaged Property, which indictment is in words and figures as follows, to wit, State of Tennessee, Humphreys County. April Term of Circuit Court, A.D.1939. 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 O.B.Whitson heretofore, to wit, on the .....day of ....., 1939, in said County and State being the

maker of a registered mortgage, duly executed to Springfield Production Credit Association a Corporation, on stored crops; 600 bushel corn, 4 tons legume hay, 1938 crops; undivided 2/3 interest in all crops 100 acres corn, undivided 1/2 interest in 100 acres lesp. seeds, 30 acres wheat, 30 acres soybeans then growing on date of mortgage on February 21, 1938 or thereafter grown or which may be planted and expected to mature within one year from the date of said mortgage and cultivated on premises set out in said instrument; also one mare mule, 3 years old, weighing 1000 lbs., black brown nose, One mare mule, 2 years old, weighing 950, dark steel gray; one mare mule 3 years old, weighing 1050 lbs, dark steel gray; one mare mule, 3 years old, weighing 1050, lbs, dark bay-brown nose; 2 mixed cows, 4 years old weighing 750 lbs., one light and one dark; 4 mixed heifers, 10 months old, weighing 300 lbs, mixed colors, 4 mixed steers, 10 months old weighing 300 lbs, mixed colors; 12 Hampshire ewes, 3 years old, weighing 140 lbs, Hampshire; 4 Hampshire lambs, 2 weeks old; 1 mixed ram, 3 years old, mixed; 23 mixed pigs, 6 months old, weighing 90 lbs, mixed in colors; 3 mixed sows, 3 years old, weighing 250 lbs. 1 black, 1 red, and 1 spotted; 1 white faced calf, 8 years old, weighing 320 lbs, white faced; 6 heifers, 18 months old, weighing 333 lbs, mixed; 3 white faced, 3 years; 1 tractor-ser. no W11693; 1 Avery tractor disc harrow; 1 tractor plow; 3 breaking plows; 2 disc; 1 corn planter; 2 drills, 1 tractor cultivator, 5 cultivators; 1 shop mad harrow; 2 wagons, 1 Tennessee, 1 Mitchell; harness; 1 new combine; 1 set shop tools; 1 L.H.C. stalk cutter; 1 moline mower; 1 John Deere rake; 4 plows; 3 L.H.C. scratchers; 4 brown double shovels, together with all increase and addition and accretion to the live stock above including the wool from sheep and all feed used in maintaining and fattening said livestock, all on the farm of Jessie L. Hyatt. This Mortgage being dated February 21, 1938, and recorded in mortgage book no. 23, at page 224 in the register's office of Humphreys County, Tennessee, and executed to secure the payment of note for fifteen hundred dollars due February 21 1939, unlawfully and feloniously did dispose of said property so conveyed and described in and covered by the conveyance above set out, with the purpose of depriving the Springfield Production Credit Association, a corporation aforesaid the mortgagee of the same, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Atorney-General.

August Term, 1939. The State Vs O.B. Whitson, Disposing of mortgaged property. J.F. Rushing, Prosecutor, Subpoena for the State. J.F. Rushing, Tom Cannon, J.R. Morris, Ellis Hand, and Frank James. Witnesses sworn by me on this indictment before the Grand Jury August Term, 1939. R.H. McKeel, Foreman Grand Jury.

W.C. Howell, Attorney-General

A True Bill, R.H. McKeel, Foreman Grand Jury.

STATE OF TENNESSEE  
VS  
NEWSOME COUCH

LARCENY

In this case the Grand Jury returned an indictment "Marked not a True Bill" It is therefore ordered, adjudged, and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
J.F. MERIDETH

RECKLESS DRIVING

In this case the Grand Jury returned an indictment marked "not a True Bill". It is therefore ordered, adjudged, and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
LUTHOR KING, ETAL

WHIPPING AUDREY COOLEY

In this case the Grand Jury returned an indictment marked "not a True Bill". It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
QUEEN PARNELL

RECKLESS DRIVING

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 issued joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit; Jesse Taylor, W.C. Cooley, Walter Harris, Jack Yates, Ace Greenville, Gordon Pullen, Bobby Rumsey, Monroe Vaden, John Lehman, Osher Potter, C.R. Watts, and Jesse Horner. who, being duly elected after hearing all the proof, argument of the council, and charge of the Court, upon their oathsay that they find the defendant not guilty of the matters in the indictment charged. It is therefore ordered adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS  
W.Y. RANEY  
JOHNNIE BINKLEY

BONE DRY

In this case came the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the defendants, It is ordered by the Court that this cause be continued until next term of this Court.

STATE OF TENNESSEE  
VS  
WALTER JACKSON

CARRYING A PISTOL

In this case came the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the defendant, it is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE  
VS  
ISADORE DAVIDSON

AGE OF CONSENT

In this case came the Attorney-General for the State and the defendant in person and by Attorney, upon consent of both parties for the State and the defendant, It is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE  
VS  
O.B. WHITSON

DISPOSING OF MORTGAGED PROPERTY

In this case came the Attorney-General for the State and the defendant in person and by Attorney, upon consent of both parties for the State and the Defendant, It is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE  
VS  
ROSA NELL WARREN

BONE DRY

In this case came the Attorney-General for the State and the defendant in



person and by Attorney, when upon motion of the Attorney for defendant. It is ordered by the Court that this case be continued until next term of this Court.

STATE OF TENNESSEE

VS

DRUNKENNESS

MELVIN HICKS

In this case the Grand Jury returned an indictment marked "not a True Bill". It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE

VS

HOUSEBREAKING AND LARCENY

HAROLD MORRISON  
HOWARD HAYGOOD

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 guilty.

Thereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Jesse Taylor, W.C. Cooley, Walter Harris, Jack Yates, Ace Greenville, Gordon Pullen, Bobby Rumsey, Monroe Vaden, John Lehman, Osber Potter, C.R. Watts, and Jesse Horner. Who, being duly elected, tried and sworn according to law and being in charge of their sworn officers, Dosse Balthrop and Jim Thomas, who had previously been legally sworn to attend them, after hearing all the proof, argument of council, and charge of the Court upon their oath do say that they find the defendants guilty of Housebreaking and larceny as charged in the indictment and assess and fix their punishment at three years in the penitentiary for Howard Haygood and in the State Training and Agricultural School for Harold Morrison.

It is therefore ordered, adjudged and decreed by the Court that, for the offense as found by the jury, the defendant, Howard Haygood 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 it appearing to the Court that the defendant, Harold Morrison was under 18 years of age at the time said offense was committed, it is ordered, adjudged and decreed by the Court that as to him that for the offense as found by the jury, he be confined in the State Training and Agricultural School for boys for a period of not more than three years.

STATE OF TENNESSEE

VS

LARCENY

HAROLD MORRISON  
HOWARD HAYGOOD

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 pleads guilty.

Thereupon to try the issue joined, came a jury of good and lawful men of Humphreys County, Tennessee, to wit: Jesse Taylor, W.C. Cooley, Walter Harris, Jack Yates, Ace Greenville, Gordon Pullen, Bob Rumsey, Monroe Vaden, John Lehman, Osber Potter, C.R. Watts, and Jesse Horner. who, being duly elected, tried and sworn according to law and being in charge of their sworn officers, Dosse Balthrop and Jim Thomas, who previously been legally sworn to attend them, after hearing all the proof, argument of council and charge of the Court, upon their oath do say that they find each of the defendants guilty of petit larceny as charged in the indictment and assess and fix the punishment of Howard Haygood at one year in the State Penitentiary and assess and fix the punishment

of Harold Morrison at one year in the State Training and Agricultural School.

It is therefore ordered, adjudged and decreed by the Court that for the said offense as found by the jury, the defendant, Howard Haygood 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 five years and that this sentence run consecutively with one heretofore pronounced against him on this date for three years in the State Penitentiary for Housebreaking and larceny. And it is further ordered, adjudged and decreed by the Court that for the offense as found by the jury the defendant, Harold Morrison, who was under 18 years of age at the time of said offense was committed, be confined in the State Training and Agricultural School for boys for a period of one year but this sentence as to Harold Morrison is to run concurrently with on heretofore pronounced against him on this day for three years for housebreaking and larceny. The defendant Howard Haygood is rendered infamous and the defendants will pay the cost of this cause for which let execution issue.

MRS HOLLAND GARY

VS

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

JOHN HORNER AND  
ROBERT HORNER

On the 14th day of August, 1939, came the parties, and their Attorneys and a jury of good and lawful men, to wit: W.C. Cooley, Bob Rumsey, J.R. Pierce, John Davis, Osber Potter, Clifford Marsett, Monroe Vaden, Jim Brake, Ace Greenville, Walter Harris, Jack Yates, and Jesse Taylor. who, being duly elected, empaneled and sworn to well and truly try the issues joined between the Plaintiff, Mrs. Holland Gary and the defendants, John Horner and Robert Horner, upon appeal from the judgment of a Justice of the Peace in favor of the plaintiff, Mrs. Holland Gary, and against the defendants, John Horner and Robert Horner, and after hearing the evidence and argument of the Council, there not being sufficient time to complete the trial on this day, the Court adjourned until the following day, to wit, August 15, 1939, at 9:00 o'clock A.M.

MRS HOLLAND GARY

VS

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE

JOHN HORNER  
ROBERT HORNER

BE IT REMEMBERED that on this 15th day of August, 1939, came the parties, their Attorneys and the jury of yesterday's respite, and the hearing of the cause was resumed.

After hearing all of the evidence, and argument of the Council on the preceding day and then the charge of the Court on this day, the Jury retired for consideration, and after deliberation, returned into the Court and did say upon their oath that they find the issues joined in favor of defendant, John Horner, and that they further find the issues joined in favor of plaintiff, Mrs. Holland Gary, and against the defendant, Robert Horner, and the said jury assessed her damages against the said defendant, Robert Horner, in the sum of One Hundred Dollars (\$100.00).

It is therefore considered by the Court that the defendant, John Horner, have and recover judgment in his favor and that the cause as to him be hence dismissed.

It is further considered by the Court that the plaintiff, Mrs. Holland Gary, have and recover of the defendant, Robert Horner, the sum of One Hundred Dollars (\$100.00) together with all cost of the cause, including the costs in the Justice of the Peace Court and of this appeal, and that judgment for said costs be also rendered against ..... Suraties, on the appeal bond of the defendant, Robert Horner for all of which let execution issue.

Upon motion of the Attorneys of record for the plaintiff and defendants, they each and all are allowed until the 17th day of August, 1939, in which to prepare and file motions for new trial in this cause.

STATE OF TENNESSEE

VS IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE

JOHN HORNER AND  
ROBERT HORNER

On this the 14th day of August, 1939, came the parties, their attorneys and a jury of good and lawful men, to-wit: W.C. Cooley, Bob Rumsey, J.R. Pierce, John Davis, Osber Potter, Clifford Marsette, Monroe Vaden, Jim Brake, Ace Greenville, Walter Harris, Jack Yates, Jess Taylor, who, were duly elected, empaneled and sworn to well and truly try the issues joined between the plaintiff, Mrs. Holland Gary and the defendants, John Horner and Robert Horner, upon appeals from his judgment of a Justice of the Peace in favor of the plaintiff, Holland Gary, and against the defendants, John Horner and Robert Horner, and after hearing the evidence and argument of counsel, there not being sufficient time to complete the trial on this day, the Court adjourned until the following day, to-wit, August 15th, 1939, at 9:00 o'clock A.D.

HOLLAND GARY

VS IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE

JOHN HORNER  
ROBERT HORNER

BE IT REMEMBERED THAT ON THIS the 15th day of August, 1939, came the parties, their Attorneys and the jury of yesterday's respite, and the hearing of the cause was resumed.

After hearing all the proof, argument of Counsel on the preceeding day and then the charge of the Court on this day, the jury retired for consideration, and after deliberation, returned into open Court and did say upon their oath that they find the issues joined in favor of the defendant, John Horner, and that they further find the issues joined in favor of plaintiff, Holland Gary, and against the defendant, Robert Horner, and the said Jury assessed his damages against the said defendant, Robert Horner, in the sum of Two-hundred and Forty-six Dollars (\$246.00).

It is therefore considered by the Court that the defendant, John Horner, have and recover judgment in his favor and that the cause as to him be hence dismissed.

It is further considered by the Court that the plaintiff, Holland Gary, have and recover of the defendant, Robert Horner, the sum of Two Hundred Forty-six Dollars (\$246.00) together with all costs of the cause, including the costs in the Justice of the Peace court and of this appeal, and that judgment for said costs be also rendered against \_\_\_\_\_ sureties on the appeal bond of defendant, Robert Horner, for all of which let execution issue.

Upon motion of the attorneys of record for the plaintiff and defendants, they each and all are allowed until the 17th day of August, 1939, in which to prepare and file motions for new trial in this cause.

Holland Gary and Mrs. Holland Gary,

Vs:

In the Circuit Court  
for Humphreys County, Tenn.

John Horner, and Robert Horner

In this cause comes Robert Horner and John Horner and moves the Court for a new trial on the following grounds:

That the evidence shows by the testimony of Holland Gary that when he was 50 yards away, 150 feet, he saw the Horner car swerve to the left at an angle of 45 to 50 degrees;

and that his car was making approximately 15 miles per hour, and that the Horner car was making approximately 60 miles an hour. If that testimony is dependable the Horner car would have been out of line with the Gary car long prior to the collision. This is the testimony of Plaintiff Holland Gary, on cross examination he refused to answer questions put to him relative to this testimony.

The Court erred in charging that on the return trip from "ashville the defendant Robert Horner procured a negro, Jack Coleman to drive the car, and the said Jack Coleman was driving the car at the time of the accident. It was not Robert Horner but Clint Jones who put the negro in Horner's car and advised Horner that the negro was a capable and competent driver.

The Court erred in charging the jury that while John Horner was the owner of the car and the only theory from which John Horner could be liable that the defendant Robert Horner was acting as his agent, and further charging if his father procured the negro to drive the car without the knowledge and consent of John Horner, the negro was not the agent of John Horner. This predicated upon the theory that an agent cannot appoint an agent.

The Court further erred in charging as to Robert Horner if he procured the negro to drive the car, and the negro was under his control, then he would be responsible for the negligence of the negro because he had appointed the negro as agent to drive the car.

The theory of the defendants is as he charged the Court that the Plaintiff Holland Gary was approximate cause of the accident. If you believe that theory to be true it would be your duty to find for defendants.

The Court erred in charging if the negligence of the negro driver who was servant and agent of Robert Horner was approximate cause of accident then the Plaintiff could recover from the Defendant Robert Horner, but not from the defendant John Horner. The Court further erred in charging if the negligence of Plaintiff Holland Gary was the approximate cause of the accident then the Plaintiffs could not recover, and if the negligence of negro driver and the negligence of plaintiff Holland Gary concurred to approximate cause the accident the Plaintiff Holland Gary could not recover, but the Plaintiff Mrs. Holland Gary could recover because she was the guest or passenger of her husband.

The undisputed testimony in the case put on by the Horners is that this accident occurred instantly. That neither driver had an opportunity to prevent the accident. That each driver was guilty of contributory negligence. The Court erred in failing to give special request on behalf of Robert Horner which is as follows:

Holland Gary

Vs: In the Circuit Court for Humphreys County, at Waverly

John Horner, and  
Robert Horner

Mrs. Holland Gary:

Vs: In the Circuit Court for Humphreys County, at Waverly.

John Horner, and  
Robert Horner.

Gentlemen of the jury, the Court charges you:

If you find from the proof that at the time of the accident in question in this case, the defendant, Robert Horner, was not the owner of the car that struck the Gary car; that said car was not being operated in any business of the defendant, Robert Horner, nor on any mission for the said Robert Horner, and if you find that the car that struck the Gary car was not then and there driven by the said Robert Horner, and was not under

his dominion and control your verdict must be in favor of the defendant, Robert Horner.

REFUSED,  
FORT, JUDGE

We insist this special request should have been given from the fact the car was operated on a mission for its owner, John Horner, that Robert Horner was not the owner of the car nor being operated in any business, nor on any mission for the said Robert Horner.

We insist that Robert Horner and John Horner should be granted a new trial in this case.

Howard Brown  
Mack Simpson, Attys for  
Defendants.

Holland Gary

Vs.

In the Circuit Court for Humphreys County, at Waverly.

John Horner, and  
Robert Horner

Mrs. Holland Gary;

Vs. In the Circuit Court for Humphreys County, at Waverly.

John Horner, and  
Robert Horner

Gentlemen of the jury, the Court charges you:

If you find from the proof that at the time of the accident in question in this case, the defendant, Robert Horner, was not the owner of the car that struck the Gary car; that said car was not being operated in any business of the defendant, Robert Horner, nor on any mission for the said Robert Horner, and if you find that the car that struck the Gary car was not then and there driven by the said Robert Horner, and was not under his dominion and control your verdict must be in favor of the defendant, Robert Horner.

REFUSED  
Fort, Judge

OVIE MILLER MURRELL

Vs.

IN THE CIRCUIT COURT AT WAVERLY  
TENNESSEE

HARVELL MURRELL

In this cause on motion of petitioner and it duly appearing to the Court that Harvell Murrell, the defendant has been regularly served with subpoena to answer the petition, and up to this Friday August 18th 1939, has failed to appear and make defense to the petition as required by law; it is ordered as to him the petition be taken as confessed and the case set for hearing ex-parte.

And the case coming on further to be heard upon the petition, the Pro-Confesso and the oral testimony of Witnesses had in open Court when it appeared to the Court from the proof that the defendant was guilty of such cruel and inhuman treatment of conduct toward the petitioner as renders it unsafe and improper for her to cohabit and be under his dominion and control.

It is therefore ordered, adjudged, and decreed by the Court, that the bonds of matrimony now subsisting between the petitioner and the defendant be absolutely and forever dissolved and the petitioner freed from the obligations thereof, and that she be restored to all the rights and privileges of an unmarried person, and that the defendant be enjoined from coming about her or in any manner molesting her or interfering with her.

It is further ordered that the defendant pay all the costs of this case for which execution may issue.

Ruth Bone

Vs:

In the Circuit Court at  
Waverly, Tennessee

L. C. Bone

This cause came on to be heard before the Honorable Dancy Fort, Judge, on this the 18th day of August 1939, and it duly appearing to the Court that the Defendant L. C. Bone, has been duly brought into Court by service of process, and that he has failed to appear and make defense to Complainant's bill in the time required by law; it is, therefore, ordered that the bill be taken as confessed and the cause set for hearing ex-parte.

The cause came on further to be heard before the Honorable Dancy Fort, Judge, on this the 18th day of August 1939, upon the whole record in the cause including Complainant's bill, the subpoena to answer, and the Sheriff's return thereon, and the judgement pro confesso heretofore taken against the defendant, and the oral testimony of witnesses examined in open court.

It satisfactorily appeared to the Court from the proof that the facts charged in the bill are true; that the Defendant's conduct toward Complainant, and the treatment of her has been cruel and inhuman; and that he willfully deserted complainant, has failed and refused to provide for her and their young daughter, now about two years old, without a reasonable cause; that the Complainant gave the Defendant no just cause or excuse for his misconduct; and that she has not condoned the same.

It is, therefore, ordered, 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 of an unmarried person; and that her maiden name, Ruth Watson be restored to her.

It is further, ordered, adjudged and decreed by the Court that Complainant have the exclusive possession and custody of their little girl Wayna Bone, now about two years old, free from any interference on the part of the Defendant, and he is enjoined from exercising any control over the said child.

The Defendant will pay the costs in this cause for which execution may issue.

LONNIE BANES

Vs

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

T.C. FLOWERS, ETAL

By agreement of parties this cause is continued until the next term of Court.

LONNIE BANES

Vs

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

H.E. BULLARD  
W.T. CARROLL

By agreement of parties this cause is continued until the next term of Court.

LONNIE BANES

Vs

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

H.E. BULLARD

By agreement of parties this cause is continued until the next term of Court.



MRS MANYE YATES  
VS  
EMMERSON YATES

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

IN this cause the complainant moves the Court for a judgment proconfesso against the defendant Emerson Yates, and it duly appearing to the Court that said defendant is in Court by publication requiring him to appear and defend on the 2nd Monday in Aug. 1939, and that he failed to make any defense to complainant's bill as required by the rules of this Court, it is therefore ordered and decreed by the Court that said bill be taken for confesso, and the cause set for hearing ex parte as to him.

This cause came on to be further and finally heard on the record on this the 18th day of August 1939, before the Hon. Dancy Fort, Judge, upon the bill of complainant, Mrs Manye Yates, the pro-confesso heretofore entered against the defendant, and the oral testimony of witnesses examined in open Court.

And it satisfactorily appeared to the Court from all the proof that the facts charged in the bill are true, that the defendant had deserted the complainant without a just or reasonable cause, that he had failed to support her and her minor children; that he had failed to provide her, the complainant, with the proper food, clothing, home and that he was cruel and had broken the criminal laws of the state and that the complainant is a chaste woman and that complainant gave defendant no just cause for said willful desertion and has not condoned in same.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the complainant and defendant be absolutely dissolved forever, and the complainant be vested with all the rights and privileges of an unmarried, or single woman. It is further ordered and decreed that defendant pay to W.F. Turner, Solicitor, of record, the sum of \$25.00 as solicitor for complainant, including the cost of suit, also that he pay to the complainant the sum of \$20.00 per month, or pay same to the Court for benefit of complainant and the minor children, namely: Kenneth Yates, William Howard Yates, Bettie Rachel Yates and an unborn child at the filing of this bill, who was born <sup>on</sup> about the 1st. of July, 1939, named....., and that she have the exclusive management and control of said above named children. It is also ordered and decreed that said amounts be paid regularly each month, and that said cause be retained in court in order that said decree be enforced, by either party, and that said injunction be made perpetual as to the custody and control of said children, that an execution may issue at the demand of complainant any time that this decree be enforced, during the minority of said above named children.

MACYE FIELDS  
VS  
JIM FIELDS

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause, on motion of plaintiff and it appearing to the Court, from the return of the Sheriff on the Subpoena to answer that he was unable to find Jim Fields, the defendant, and returns the subpoena to answer without service, It is ordered that the clerk issue another subpoena to answer.

LEHMAN WOODS  
VS  
S.E. ANDERSON

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

On motion of plaintiff, Lehman Woods, this cause was dismissed at Plaintiff's cost, the judgment of the Magistrate below is reversed and the cause dismissed, for all of which cost, execution may issue.

PEARL WHITE  
VS  
BOYD WHITE

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause, it duly appearing to the Court, that the defendant, Boyd White, has been regularly brought into Court, by service of subpoena and has been made a party of this cause, and has made no defense, but is in default, It is ordered, on motion of complainant that as to said defendant the bill be taken for confessed, and set for hearing ex parte.

PEARL WHITE  
VS  
BOYD WHITE

DECREE FOR DIVORCE IN CIRCUIT COURT AT WAVERLY, TENNESSEE

This cause came on to be heard on the 17th day of August, 1939, before Judge, Dancy Fort, upon the bill of the complainant, Pearl White, and the proconfesso order heretofore entered against the defendant, Boyd White, and the oral testimony of witnesses examined in open Court.

It satisfactorily appeared to the Court from all the proof that the facts charged in the complainant's bill are true; that the defendant had wilfully abandoned the complainant and turned her out of doors and refused or neglected to provide for her and her minor children, without a just or reasonable cause and that the defendant is guilty of such cruel and inhuman treatment toward her as rendered cohabitation unsafe and improper for her to be under his dominion and control, and that the complainant is a suitable and proper person to have the care and custody of the minor children.

It is therefore, ordered, adjudged and decreed by the Court, that the bonds of matrimony now subsisting between the complainant and the defendant be absolutely and forever dissolved, and that the complainant be vested with all the rights of an unmarried woman, and that the exclusive custody of J.B. White Jr., Peggie White, and Tommie White, the three minor children of the parties, is committed to the complainant.

DORTHY PATRICK  
VS  
E.R. PATRICK

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause the complainant moved the Court for a judgment pro-confesso against the defendant, E.R. Patrick, and it duly appearing to the Court, that the proper process has been served on said defendant to appear and defend on the 2nd Monday in August, 1939 and that he failed to make defense to complainant's bill as required by the rules of said Court, it is therefore ordered and decreed by the Court, that said bill be taken for confessed, and the cause set for hearing ex-parte as to him.

And this cause coming on to be further and finally heard on the record on this the 18th day of August, 1939 before the Hon. Dancy Fort, Judge, Presiding upon the bill of complainant, Dorothy Patrick, the pro-confesso heretofore entered against the defendant E.R. Patrick, and the oral testimony of witnesses examined in open Court.

And it satisfactorily appearing to the Court from all the facts charged in the bill are true, that the defendant had deserted the complainant and failed or neglected to provide means of support for the complainant, was cruel to her, and that said desertion and failure to provide was not condoned in by complainant, and that she gave him no just or reasonable cause for said failure according to the terms and allegations of the bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony subsisting between the complainant and defendant be absolutely and forever dissolved and for nothing held, and that the complainant, Dorothy Patrick, be vested with all the

rights and privoages of an unmarried or single woman, and that her maiden name, Miss Dorothy Trotter, be restored to her. That he pay the cost of this suit for which execution will issue.

L.P.DAVIS

VS

W.C.MAYS & MRS. CYNTHIA SMITH

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

By agreement of parties this cause was continued until the next term of this Court.

MRS CYNTHIA SMITH

VS

L.P.DAVIS, Y.H.DAVIS  
AND CLAUD DAVIS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

#### CONDEMNATION

#### NOTE

\$36.00

Waverly, Tennessee. 10/20/1937

On Jan. 1st, 1939 after date, we or either of us promise to pay to the order of Mrs. Cynthia A. Smith, thirty-six and 00/100.....Dollars for value received at the CITIZENS BANK OF WAVERLY, Waverly, Tennessee.

Both makers and endorsers of this note severally and jointly waive demand, notice of non-payment and protest. In the event suit is brought upon this note, we, both makers and endorsers, agree to pay 10 per cent attorney's fee to be included in the judgment rendered for collection of same. This note is given for rent for 1938 on the OBryan house and garden. Due 1/1/1939

L.P.Davis

Y.H.Davis

Claud Davis

#### BACK OF NOTE

12/24/1937- Cr 50 percent 32 hours--1.60  
6/15/1938- Cr 50 percent 4-12 days work 2.50  
6/21/1938- Cr 50 percent 1 day ----- 1.00

#### MAGISTRATE'S WARRANT.

State of Tennessee, Humphreys County, TO ANY LAWFUL OFFICER WITHIN SAID COUNTY:

You are hereby commanded to summon L.P.Davis, Y.H.Davis and Claud Davis to personally appear before me, or some other Acting Justice of the Peace for said County, to answer the complainant of CYNTHIA A. SMITH, in a plea of debt due by note(attached) Under \$100.00. Given under my hand and seal this 24th day of June 1939. J.Mc.Reeves.

#### BACK OF WARRANT

NO. 536 Magistrate's Warrant.

Cynthia Smith, Pltff.

vs

L.P.Davis, Deft.  
Y.H.Davis, and  
Claud Davis

Issued 24th day of June 1939, J.Mc Reeves J.P., Came to hand the same day issued, and executed by reading the within warrant to L.P.Davis, Y.H.Davis and Claud Davis and citing them to appear before J. Mc Reeves, Esq. on trial the first day of July 1939, at 12 P.M. David Edney, D.S.

#### Judgment

Mrs. Cynthia Smith...Vs L.P.Davis, Y.H.Davis, and Claud Davis.

In this cause I render Judgment for the Plaintiffs and against the Defendants for Thirty-eight... 55/100 Dollars and all costs of suit, for which execution issue. This first day of July.....1939. J.mc Reeves .... Esq.

#### MAGISTRATE'S EXECUTION

State of Tennessee, Humphreys County.

TO ANY LAWFUL OFFICER TO EXECUTE AND RETURN: You are commanded that of the goods and chattles, lands and tenants of L.P.Davis, Y.H.Davis. You cause to be made the sum of thirty-eight....Dollars and 55/100 cents, and the cost of this suit, to satisfy a Judgment which Mrs Cynthia Smith obtained before J.Mc Reeves, .....Justice of the Peace. on the first day of July 1939, against L.P.Davis, Y.H.Davis and Claud Davis. and such moneys, when collected, pay to the said Mrs Cynthia Smith.

Given under my hand and seal, this 5th day of July 1939.

J.Mc Reeves..... Seal  
Justice of the Peace.

#### BACK OF EXECUTION

NO 536.

MAGISTRATE'S EXECUTION. Reeves Docket;

Mrs Cynthia Smith, Pltff.

vs

L.P.Davis, Y.H.Davis, and Claud Davis, Deft.

Judgment first day of July 1939. Issued 5th day of July, 1939, J.Mc Reeves...J.P.

Judgment .....\$38.55  
Officers Fee 3.00  
Justice's Fee 2.50

#### LEVY

Finding no personal to satisfy this execution, I have this day levied this execution upon the following tract of land situated in the Fifth Civil district of Humphreys County, near Cuba Landing, as the property of W.C(Claud) Davis;

Beginning on T.M.Buchanan's South east corner, running North 100 poles more or less to a red oak in T.M.Buchanan's line. Thence Southeast 12 poles to a red oak. Thence south 90 poles to a stake in W.H. McRuders North boundry line west 7 poles to a beginning. containing four acres more or less. Frank James, Sheriff.

This the 7. th day of July 1939. Docket No. 566, July 1st, 1939.

Mrs Cynthia A. Smith.

vs

L.P.Davis, Y.H.Davis, and Claud Davis.

Judgment for plaintiff and against defendants for \$38.55 and cost of suit for which execution will issue July 1st, 1939; J.Mc Reeves J.P. Returning Officer; David Edney, Pl Pa Frank James.

And on motion of Plaintiff, it is ordered, adjudged and decreed by the Court, that the lands so levied upon be and the same are hereby condemned, and that said lands be sold by the Sheriff of Humphreys County, Tennessee, or any lawful officer of said County, p provided by law, for cash, to satisfy said judgment and all costs of the cause.

MARGIE DAVIDSON

VS

WILLIAM DAVIDSON

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this case came the parties and by Attorneys, when upon motion of Attorney for Pltff. this cause is ordered continued until the next term of this Court.

DELPHIA ADAMS  
VS  
ARNOLD ADAMS

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause on motion of petitioner, and duly appearing to the court that Arnold Adams the Defendant has been regularly served with subpoena to answer the petition, and up to this Friday, August 18th, 1939, has failed to appear and make defense to the petition as required by law; It is ordered that as to him the petition be taken as confessed and the cause set for hearing ex-parte.

And the cause coming on further to be heard upon the petition, the pro-confesso and oral testimony of witnesses had in open Court when it appearing to the Court, that the defendant was guilty of such cruel and inhuman treatment or conduct toward the petitioner as rendered it unsafe and improper for her to cohabit and be under his dominion and control.

It is therefore ordered, adjudged, and decreed that the bonds of matrimony now subsisting between the petitioner and the defendant be absolutely and forever dissolved and for nothing held, and petitioner be restored to all the rights and privileges of an unmarried person.

It is further ordered by the Court that the defendant shall pay all the costs of this cause, for which let execution issue.

J.L. TINNELL  
VS  
GENEVA TINNELL

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause the complainant moved the Court for a judgment pro-confesso against the defendant, Geneva Tinnell; and it duly appearing to the Court that said defendant is duly before the Court by service of process requiring her to appear and make defense on the 2nd Monday in August, 1939 and that she has failed to make any defence to complainants bill as required by the rules of said Court, it is therefore, ordered and decreed by the Court, that said bill be taken for confessed, and the cause be set for hearing ex-parte as to her.

This cause came on to be further and finally heard before the Court on record on this the 18th day of August, 1939, before the Hon. Dancy Fort, Judge, Presiding, upon the bill of complainant, J.L. Tinnell, the pro-confesso heretofore entered against the defendant, and the oral testimony of the witnesses examined in open Court. And it satisfactorily appeared to the Court from all the proof that the facts charged in the bill are true, that the defendant had wilfully deserted the complainant for more than two whole next preceeding the filing of the bill without a just or reasonable cause, that said desertion was not caused by the fault of complainant and that he did not condone in same.

It is therefore, ordered, adjudged, and decreed by the Court that the bonds of matrimony subsisting between the complainant, J.L. Tinnell, and the defendant, Geneva Tinnell, be absolutely and forever dissolved, and the complainant be vested with all the rights and privileges of an unmarried or single man, all of which, is so ordered by the Court, and that he pay the cost of suit, for which execution may issue.

STATE OF TENNESSEE  
VS  
JOE THOMPSON

CARRING A PISTOL.

In this case came the Attorney-General for the State and the Defendant in person and by Attorney, who, being charged and arraigned on said indictment, pleads guilty.

Thereupon to try the issues joined, came a jury of good and lawful men to wit; Osber Botter, Jack Mates, Walter Harris, Jim Brake, Ace Greenville, Bobbie Woods, Bobbie Rumsey, Clifford Marsette, Gordon Fullen, Jesse Taylor, C.R. Watts, and Monroe Vaden. who being duly elected, tried and sworn according to law, after hearing all the proof, argument of the counsel and charge of the Court, upon their oath say they find the defendant guilty as charged in the indictment and the Jury sees fit to nolle said suit upon the payment of the costs. It is therefore ordered by the court the Court that the defendant pay or secure said costs in this case for which let execution issue. and in the event of his failure to pay or secure said costs he will be taken in custody of the Sheriff of Humphreys County and by him confined in the County Jail until same is paid.

W.R. HAMILTON, ADMR.  
VS  
CLARENCE KIRKPATRICK

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

This cause is continued, on motion of Plaintiff until the next term of this Court.

MRS. J. B. BELL  
VS  
L.K. DEASON

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause, the Plaintiff is given until the next term of Court in which to file declaration.

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

State of Tennessee vs. Jake Smith, Murder, April 18th, 1939, to May 13th, 1939. 26 days at 75¢ per day and two turn keys.....	\$21.50
State of Tennessee vs. Rosa Nell Warren, Forgery, April 19th, 1939 to April 19, 1939. 1 day at 75¢ per day and two turnkeys.....	\$2.75
State of Tennessee vs. Harold Stewart, Larceny, April 20th, 1939 to April 22th, 1939, 3 day and two turnkeys.....	\$4.25
State of Tennessee vs. Emma Lee Luten, Assault to Commit Murder, May 28th, to June 4th, 1939, 8 days at 75¢ per day and two turnkeys \$2.00, .....	\$8.00
State of Tennessee vs. Jess Buchanan, Larceny, June 3rd, 1939 to June 4th, 1939, 2 days at 75¢ per day and two turn keys \$2.00.....	\$3.50
State of Tennessee vs. Herman Warren, Larceny, June 3rd, 1939 to June 8th, 1939, 6 days at 75¢ per day and two turn keys \$2.00.....	\$6.50
State of Tennessee vs. Mannuell Russell, Larceny, July 3rd, 1939 to August 14th, 1939, 43 days at 75¢ per day <del>and two turnkeys</del> .....	\$32.25
State of Tennessee vs Rogers Green, Larceny, July 15 th, 1939 to August 14th, 1939. 31 days at 75¢ per day .....	\$23.25
State of Tennessee vs. Florence Kilburn, assault to commit Murder, May 18th, 1939 to May 19th, 1939, 2 days and 75¢ per day and two turnkeys \$2.00.....	\$3.50



## REPORT OF THE GRAND JURY

We the members of the Grand Jury for the August Term 1939, 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 all matters given us in charge by Your Honor or otherwise brought to our attention. We have examined the County Jail and poor House and find the inmates well fed and cared for.

We have examined all bonds required by law to be examined by us and find them good and solvent for the various amounts thereof, except the bond of W.J. Hooper, whose bond for Constable is not good, in our opinion, and properly executed. And having finished our labors for the Term we respectfully asked to be dismissed for the Term.

R.H. McKeel, Foreman,  
T.O. Simpson  
W.C. Cantrell  
R.L. Parker  
Sill Curtis  
T.W. Colamn  
W.O. Hemby  
W.W. Elswick  
Ben James  
Sam Harbison  
J.C. Ball and  
A.E. McKlemmery

COURT THEN ADJOURNED UNTIL COURT IN COURSE

*Dancy Ford* JUDGE

## CAPTION DECEMBER TERM OF CIRCUIT COURT A.D. 1939

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 Courthouse in the town of Waverly, Tennessee on the 11th day of December 1939, it being the second Monday of said month, and the One thousand nine hundred and thirty-ninth year of our Lord, and the one hundred and sixty-fourth year of the American Independence, Present and presiding the Hon. Dancy Fort, Judge of the ninth Judicial District of the State of Tennessee.

Court was opened in due form of law by Frank James, Sheriff, of Humphreys County, Tennessee and by him returned into open Court a writ *Vinire Facias*, showing that the following named persons were appointed by the County Court, at its October Term 1939, to appear and serve as Jurors at this the present term of Court, to wit: W.S. Smith, Carl Ridings, Morris Aydelotte, J.R. Madden, E.D. Hooper, W.S. Miller, H.L. Rogers, H.M. Plant, Jim Meechan, John Holleran, Doyle King E.J. Work, Jesse Rice, H.D. Bruce, Charlie Smith, Jim Thompson, James Stanfield, John McMurtry, Odis Legan, W.D. Smith, Thomas Parnell, Arthur Bowen, Long Daniel, Allen McClure, and J.W. Townsend.

And out of these Jurors so summoned the following were selected, as required by law, as 2 Grand Jurors, to wit: Jim Meechan, Carl Ridings, W.S. Miller, Doyle King, H.L. Rogers, H.M. Plant, Arthur Bowen, Jim Thompson, Jesse Rice, Long Daniel, John Holleran, and Allen McClure. And R.H. McKeel Having been Appointed Foreman of the Grand Jury at a former term of this Court, the said Grand Jury is in all things as the law directs having been duly elected, tried and sworn and charged by the Court according to law, retired to their room in charge of their sworn officer, Chesley Vaden, a 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: E.D. Hooper and W.D. Smith, Odis Legan, and H.D. Bruce. 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: W.W. White, Guy McMillan, G.S. Olliford, L.H. Lomax and R.C. Wheeler.

Intoxicating liquors taken in raid on Rosa Nell Warren's place in Waverly, Tennessee, Humphreys County, Aug 10, 1939.

39 1/2 pints of bootleg unstamped liquor.  
1 Gal. glass jug of bootleg unstamped liquor.  
23 1/2 pints of Govt. and State liquor, Stamped, brand "Old John".  
10 full and one broken pints of "Old John" stamped Whiskey.

State of Tennessee vs Waddell Lucas Jnr Whiskey taken in search warrant on Jan. 10, 1939 the following brands of intoxicating liquors.

76 pints of Old Log Cabin whiskey.  
22 pints of White Swan Dry Gin.  
5 pints " Seagrams Seven Crown whiskey.  
10 pints " Yellow Stone whiskey.  
1 pint " Old Quaker Gin.  
2 1/2 pints " First Call whiskey.

Whiskey taken from Rosa Nell Warren on March 16th, 1939, as follows;

67 1/2 pints Sycamore Springs Brand whiskey,  
9 pints T.B. Rippy Brand whiskey,

Whiskey taken from W.Y. Raney's pool room on May 13th, 1939.

19 pints of Arcadia Club whiskey,  
15 pints " Pride of Nelson whiskey,  
4 pints " Silver Wedding Dry Gin.

raid made on Marvin Lashless place with search warrant on the night of April 15th, 1939. in this raid two pints of whiskey was taken brand. old log cabin. one pint bottle in addition about half full of whiskey brand not known about two and half pints in all.

liquor on hand in custody of the Sheriff awaiting the order of the Court, that is no longer held for evidence, as the cases have all been disposed of.

This 13th day of Dec., 1939.

Frank James, Sheriff

To the Sheriff of Humphreys County you are hereby directed to destroy the intoxicating liquor described in the above report.

12-14-39

Dancy Fort, Circuit Judge

This order carried out on Jan. 2nd, 1940 officers executing order. signed

Frank James, Sheriff  
David C. Edney, D.D.S.  
Trabue Lewis, D.D.S.

HUMPHREYS COUNTY

VS.

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, WAVERLY, TENNESSEE

K.W. LUCAS, ETAL

In this cause, on motion of petitioner, and it appearing that the cause has been compromised and settled out of Court, the same is hereby dismissed. The Petitioner, Humphreys County will pay the cost in this cause.

ANNIE LEE HAND

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

HOMER HAND

PROCONFESSO AND FINAL DECREE

In this case, on motion of the Petitioner, and it duly appearing to the Court that the defendant, Homer Hand has been regularly brought before the Court, and made a party to the petitioner, by publication according to law, it is therefore ordered as to him, the petition be taken as confessed, and the case set for hearing ex parte as to him.

The case was further heard upon the petition, the proconfesso and oral testimony of witnesses in open court, from all of which it appeared to the Court, that the Defendant was guilty of such cruel and unhuman treatment of the petitioner, his wife, as renders it unsafe and improper for her to cohabit and be under his dominion and control.

That the defendant had offered such indignities to her person as to render her condition intolerable, and thereby forced her to withdraw from him.

It is therefore, ordered, adjudged and decreed by the Court, that the bonds of Matrimony now subsisting between the petitioner and the defendant, be and is forever dissolved and the petitioner restored to all the rights and privileges of an unmarried person.

It is ordered that the defendant pay the cost of this cause, for which execution may issue.

E.G. WOOLWINE

VS.

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, WAVERLY, TENNESSEE

J.F. MERIDETH

This day came the parties by their attorneys, and presented the demurrer of the defendant to the declaration, and it appearing to the Court that the ground of demurrer mentioned and set forth in said demurrer is well assigned, and that said declaration is not sufficient in law; it is therefore ordered by the Court that said demurrer be sustained, and that this suit be dismissed; That the defendant, J.F. Merideth, recover of the Pltff., E.G. Woolwine, all the costs of this cause for which execution will issue; and the defendant go hence without day.

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'CLOCK

*Dancy Fort*  
JUDGE

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY FORT, JUDGE  
STATE OF TENNESSEE

VS.

AGE OF CONSENT

ROBERT DRONEY

In this case came the Attorney-General for the State and the defendant in person and by Attorney, upon motion of the defendant, It is ordered by the court that this case be continued until the next term of this Court.

STATE OF TENNESSEE

VS.

RAPE

CLARENCE ELLISON

In this case came the Attorney-General for the State and the defendant in person and by Attorney, upon motion of the defendant, It is ordered by the Court that this case be continued until the next term of this Court.

STATE OF TENNESSEE

VS.

LARCENY

BILL LANE

In this case came the Attorney-General for the state and the defendant in person and by Attorney, upon consent of both parties, for the state and the defendant, this case is ordered continued until next term of this Court.

STATE OF TENNESSEE

VS.

COMMON LAW MISDEMEANOR

PORTER HEAD

In this case 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: J.W. Townsend, Charlie Smith, E.J. Work, Thomas Parnell, John McKurtry, W.S. Smith, Morris Adelotte, Jim Standfield, W.W. White, Guy McMillian, C. S. Olliford, R.H. Lomax, and R.C. Wheeler. Who being duly elected, tried and sworn according to the law, after hearing all of the proof, argument of counsel, and the charge of the Court, upon their oath do say that they find the defendant guilty of unlawfully, publicly and scandalously cursing, swearing and threatening violence to the person of C.R. Watts in a public place, to-wit: at Trotters Landing Ferry in Humphreys County, Tennessee and otherwise acting in a manner productive of a breach of the peace, as charged in the indictment.

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 cent and the cost of this cause for which let execution issue, and in the event of his failure to pay or secure the 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.

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

STATE OF TENNESSEE

VS.

MOTION FOR NEW TRIAL

PORTER HEAD

In this cause comes again the Attorney-General for the State and the defendant in person and by Attorney, when the motion for new trial, heretofore filed in this cause, is

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

STATE OF TENNESSEE

VS.

MOTION FOR NEW TRIAL

PORTER HEAD

Comes the defendant, Porter Head, and moves the Court to set aside the verdict heretofore entered against him in this cause and grant him a new trial on the following grounds:

- (1) The verdict is contrary to the law and the facts.
- (2) The evidence preponderates in favor of the defendant's innocence and against his guilt.
- (3) There is no evidence to support the verdict.
- (4) The Court erred in overruling defendant's motion to quash the indictment of presentment.
- (5) The Court erred in overruling defendant's plea of former acquittal and former Jeopardy.

Filed Dec. 12, 1939  
L. C. Bohanan, Circuit Clerk  
Jno. Rushton, D. C.

B. H. Hagey  
Attorney for defendant

And the same being heard by the Court it is in all things overruled. To which action of the Court the defendant accepts.

Thereupon the defendant moved in arrest of Judgment which motion is likewise overruled by the Court and to which action of the Court the defendant accepts.

Thereupon the defendant prayed an appeal to the Supreme Court at Nashville, Tennessee, which appeal is granted and defendant is allowed thirty days in which to prepare and file his bill of exceptions. The defendant will execute an appearance bond as required by law, in the sum of Five Hundred (\$500.00), Dollars for his appearance before this Court from day to day until this cause is disposed of and in the event of his failure he will be held in custody of the Sheriff of Humphreys County to await the orders of the Court.

STATE OF TENNESSEE

VS.

MANUFACTURING LIQUOR

WILL BURGESS  
HARIS BRADLEY

In this case comes the Attorney-General for the State and the defendant in person and by Attorney, when upon Motion of the defendant Bradley, due to the illness of Bradley's Father, this case is continued until the next term of this Court.

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY

LEON RUNIONS  
MARVIN BLACKBURN

In this case comes the Attorney-General for the State and defendant in person and by Attorney, when upon motion, It is ordered by the Court that this case be continued as to Leon Runions. It is further ordered that as Alias be issued as to Marvin Blackburn.

STATE OF TENNESSEE

VS.

FORGERY

ROSA NELL WARREN

In this case comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the Attorney-General, the order entered in this cause at the December Term, 1939, is ordered to be revived and entered for this term.

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY

B.W. INGRAM

In this cause comes the Attorney-General for the state and the defendant in person and by Attorney, when upon motion of the Attorney-General for the State, it is ordered adjudged and decreed by the Court that a nolle prosequi be entered in this case, upon the payment of the cost.

STATE OF TENNESSEE

VS.

PROMOTING GAMING

JOE TRAYLOR

In this cause comes the Attorney-General for the state and the defendant in person and by Attorney, when upon motion of the defendant, it is ordered, adjudged and decreed by the Court that this cause be continued until the next term of this court.

STATE OF TENNESSEE

VS.

LARCENY

JAMES COLLIER

This cause coming on to be heard and it appearing to the Court that the defendant has not been apprehended and upon motion of the Attorney-General, It is ordered that an alias capias be issued as to the defendant.

STATE OF TENNESSEE

VS.

DRUNKNESS

JOHN JONES

In this cause comes the Attorney-General for the State and the defendant in person and by attorney, when upon motion of the Attorney-General for the State, it is ordered by the Court that a nolle prosequi be entered in this cause.

STATE OF TENNESSEE

VS.

AGE OF CONSENT

LOYD MATLOCK

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon consent of both parties, the Attorney-General for the state and the defendant in person, It is ordered & adjudged and decreed by the Court that this cause be continued until the next term of this court.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

AUSTIN GRAVES

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. It is therefore ordered, adjudged and decreed by the Court that for the offense of Driving Drunk, the defendant, Austin Graves, pay or secure a fine of Ten (\$10.00) Dollars and the cost of this cause for which let execution issue, and in the event of his failure to pay or secure said fine and cost, he will be taken in custody of the Sheriff of Humphreys County, Tennessee, and by him confined in the county Jail or workhouse until same is paid, secured, or worked out. And thence came into open Court, T.A. Toland and Mrs Emma Graves and entered their names as securities for all this fine and cost. of thirty days. It is further ordered by the Court that he serve a sentence in the County Jail, but is suspended during good behavior. Also that he be deprived of driving a motor driven vehicle for a period of five months and twenty-nine days.



STATE OF TENNESSEE

VS.

CARRYING A PISTOL

WALTER JACKSON

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

Thereupon to try the issues joined a jury of good and lawful men of Humphreys County, Tennessee, to-wit: J.W. Townsend, Charlie Smith, E.J. Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W. White, Guy McMillian, and C.S. Olliford, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of the Council and charge of the Court, upon their oath do say that they find the defendant guilty of illegally carrying a pistol, and assess his fine 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 \$50.00 and the costs of this cause for which let execution issue and in the event of his failure to pay or secure the same, he will be taken in the custody of the Sheriff of Humphreys County, Tennessee, and there by him confined in the County Jail or Workhouse, until same is paid, secured or worked out.

STATE OF TENNESSEE

VS.

DUNE DRY

W.Y. RANEY  
JOHNNIE BINKLEY

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: J.W. Townsend, Charlie Smith, E.J. Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W. White, Guy McMillian, and C.S. Olliford. Who, being duly sworn according to law, after hearing all the proof, argument of the Council and charge of the Court, upon their oath do say that the find the defendant, Raney, guilty as charged in the indictment and fix his punishment a one-hundred (\$100.00) Dollars and the cost of this suit.

It is therefore ordered, adjudged and decreed by the Court that for the Jury, the defendant, W.Y. Raney, pay or secure a fine of One Hundred (\$100.00) Dollars and the cost of this suit. It is further ordered by the Court that said fine and cost be suspended until the next term of this court. It is further ordered by the Court that a nolle prosequi be entered as to Johnnie Binkley and that he go hence without day.

STATE OF TENNESSEE

VS.

DISPOSING OF MORTGAGED PROPERTY

O.B. WHITSON

In this case comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of defendant, It is ordered, adjudged and decreed by the Court that this cause be continued until the next term of this Court.

STATE OF TENNESSEE

VS.

ABORTION

ORA BRITTON  
PRINCESS SILVERHEEL

In this case comes the Attorney-General for the State and the defendant in person and by attorney, when upon motion of the defendants, it is ordered, adjudged and decreed that this case be continued until the next term of this court,

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

THOMAS FORESTER

This cause coming on to be heard and it appearing to the Court that the defendant has not been apprehended and upon motion of the Attorney-General, It is ordered by the Court that an alias capias be issued as to the defendant.

STATE OF TENNESSEE

VS.

INTISING A FEMALE

PAUL WALLACE  
THOMAS FORESTER

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the defendant, it is ordered by the Court that this case be continued until the next term of this Court.

STATE OF TENNESSEE

VS.

LARCENY

NEWSOME COUCH  
ELMER ANDERSON

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the defendant, Newsome Couch, and it appearing to the Court that Mildred Knight is a material witness for the said Newsome Couch and is ill and unable to attend court at this term, it is ordered by the Court that the said cause be continued until the next term of said Court, and it is further ordered by the Court that defendant may be permitted to take the deposition of the said Mildred Knight upon legal notice given the Attorney-General and said deposition so taken to be read as evidence in behalf of the defendants on a trial of this cause.

STATE OF TENNESSEE

VS.

LARCENY

NEWSOME COUCH  
ELMER ANDERSON

Is ordered by the Court that the same order be entered in this case as heretofore entered for the offense of Larceny.

STATE OF TENNESSEE

VS.

LARCENY

GEO. MCCLINTON

In this case the Grand Jury returned an indictment "marked not a true Bill" It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE

VS.

LARCENY OF LIQUOR

JOE PARKER

In this case the Grand Jury returned an indictment "marked not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

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

One against Leroy Williams, Housebreaking and Larceny, which indictment is in words and figures as follows, to wit: State of Tennessee, Humphreys County, December Term of Circuit Court, A.D. 1939. The Grand Jury for the State of Tennessee, duly elected empaneled, Sworn and charged to inquire for the body to the County of Humphreys and the state afore-

-said, upon their oath aforesaid, present that Leroy Williams heretofore, to wit, on the 18th day of November, 1939, in the said County and State, unlawfully, feloniously and forcibly did break and enter the business house of one, Steve Page, of the said County, with the intent to commit a felony, to wit; a larceny, contrary to the statute and against the peace and dignity of the State of Tennessee.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present, that the said Leroy Williams, on the day and year aforesaid, in the State and County aforesaid, unlawfully and feloniously did take, steal and carry away twenty-six Dollars of good and lawfully money of the United States of the value of Twenty-six Dollars, and of the goods and chattles of the said Steve Page, with the intent to deprive him, the said Steve Page, the true owner thereof and convert the same to his own use, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney General

December Term, 1939, The State vs, Leroy Williams, House breaking and Larceny, Steve Page, Prosecutor. Subpoena for the State: Steve Page, Sam Scott, Frank James, David Edney, Luke Winstead, Witnessed sworn by me on this indictment before the Grand Jury December Term, 1939.

R.H.McKeel, Forman Grand Jury

W.C.Howell, Attorney General.

A true Bill R.H.McKeel, Forman Grand Jury.

One Against Leroy Williams, Carrying a Pistol, which indictment is in words and figures as follows, to-wit: State of Tennessee, Humphreys County. December Term of the Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Leroy Williams heretofore, to-wit: on the 13th day of November 1939, in the State and County aforesaid, unlawfully carried a pistol, the same not being an army or navy pistol carried openly in the hand, to the evil example of all others in like case offending, and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney General

December Term 1939. The State Vs. Leroy Williams, Subpoena for the State: Sam Scott, Frank James, David Edney, Luke Winstead.

W.C.Howell, Attorney General

A true Bill, R.H.McKeel, Forman Grand Jury, J.N.Rice, W.S.Miller, John Holleran, H.N. Plant, A.L.McClure, Doyal King, J.C.Meecham, Long Daniel, A.D.Bowen, Carl Hidinge, xxx Jim Thompson, and H.L.Rogers.

One against Horace Williams, Assault and Battery and Affray, which indictment is in words and figures as follows to wit; State of Tennessee, Humphreys County. December Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected empaneled, sworn, and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Horace Williams of said County heretofore, to wit, on the 11th day of November 1939, with force and arms, in the County aforesaid, unlawfully did make an assault upon the body of one Leroy Moran and him, the said Leroy Moran he, the said Horace Williams the and there did cruelly beat, wound, bruise, and otherwise maltreat, against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General.

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Horace Williams aforesaid and the said Leroy Moran aforesaid (the last named of whom, to wit, the said Leroy Moran is not here indicted), on the day and year aforesaid, unlawfully did fight together in a public place, to wit, on the street in the Town of Waverly, Tennessee, near the Hotel Dixieland and the Grand Jurors aforesaid, upon their oath aforesaid, do say that they, the said Horace Williams and the said Leroy Moran in the manner and by the means aforesaid, did commit and make an affray, to the great disturbance of the public peace and great terror and alarm of all of the State then and there passing and repassing, and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General.

December Term, 1939, The State vs. Horace Williams, Frank James, prosecutor, Subpoena for the State: Frank James, James Banes, Leroy Moran, and Robert Lee Huffman, Witnesses sworn by me on this indictment before the Grand Jury, December Term, 1939.

R.H.McKeel, Forman Grand Jury.

W.C.Howell, Attorney-General.

A true Bill, R.H.McKeel, Forman Grand Jury.

One against Jesse Rogers (a.k.a. Dr. Robinson), assault to Rape, which indictment is in words and figures as follows; to wit; State of Tennessee Humphreys County. December Term of Circuit Court, A.D. 1939. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn and charged to inquire for the body of the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that Jesse Rogers (a.k.a. Dr. Robinson) heretofore, to wit, on the 22nd day of September 1939, in the said County and State, unlawfully and feloniously did commit an assault and battery upon Mary Lucas, a female over the age of twelve years with the intent, forcibly and against her will, to have unlawful carnal knowledge of her, the said Mary Lucas, contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C.Howell, Attorney-General

December Term, 1939. The State Vs. Jesse Rogers (a.k.a. Dr. Robinson), Mary Lucas, Prosecutor, Subpoena for the State: Mary Lucas, Joe Traylor, Sina Lucas, Juanita Lucas, Frank James, and Ida Beach. Witnesses sworn by me on this indictment before the Grand Jury December Term, 1939. R.H. McKeel, Forman Grand Jury.

W.C.Howell, Attorney-General

A True Bill, R.H. McKeel, Forman Grand Jury.

STATE OF TENNESSEE

VS.

Keeping a Gambling house

WHISKEY HOGAN

In this case the Grand Jury returned an indictment marked "Not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS. LARCENY  
BETE HICKS

In this case the Grand Jury returned an indictment marked "Not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS. DRIVING DRUNK  
PETE HICKS

In this case the Grand Jury returned an indictment "Marked not a True Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS. BONE DRY  
EDGAR DAVIDSON

In this case the Grand Jury returned an indictment marked "not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS. DRIVING DRUNK  
JOE C. KNIGHTEN

In this case the Grand Jury returned an indictment marked "not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS. DRIVING DRUNK  
HENRY HALE JR.

In this case the Grand Jury returned an indictment marked "not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

STATE OF TENNESSEE  
VS. LARCENY  
J.C. KNIGHT  
EDWARD DANLEY

In this case the Grand Jury returned an indictment marked "not a true Bill", It is therefore ordered, adjudged and decreed by the Court that the defendant be dismissed and go hence without day.

W.J. THOMPSON, ADM  
VS. DAMAGE  
N.C. & ST. L. R.R.

By agreement of parties this cause is continued until the next term of this Court, and set for the first day of said term.

T.E. BOX, ADM  
ELIZABETH BOX, DEC  
VS. DAMAGE  
N.C. & ST. L. R.R.

By agreement of parties this cause is continued until the next term of this Court, and set for the first day of said term.

T.E. BOX, ADM  
IDA M. BOX, DEC.  
VS. DAMAGE  
N.C. & ST. L. R.R.

By agreement of parties this case is continued until the next term of this Court, and set for the first day of said term.

LONNIE BANES  
VS. DAMAGE  
H.E. BULLARD

By agreement of parties this case is continued until the next term of this Court.

LONNIE BANES  
VS. DAMAGE  
H.E. BULLARD  
W.T. CARROLL

By agreement of parties this case is continued until the next term of this Court.

LONNIE BANES  
VS. DAMAGE  
T.C. FLOWERS

By agreement of parties this case is continued until the next term of this Court.

W.R. HAMILTON, ADM  
VS. DAMAGE  
CLARENCE KIRKPATRICK

By agreement of parties this case is continued until the next term of this Court.

MRS BETTIE LUNSFORD  
VS. DAMAGE  
P.W. COOK CO, & ETAL

By agreement of parties this case is continued until the next term of this Court.

J.M. SPENCE  
VS. DAMAGE  
FRANK JAMES

\* In this case comes the defendant in person, when upon motion, it is ordered, adjudged and decreed by the Court that this case be dismissed for want of prosecution.

L.P. DAVIS  
VS. BREACH OF CONTRACT  
W.C. MAYS  
CYNTHIA SMITH

By agreement of parties this case is continued until the next term of this Court.

CLARENCE MARSETTE  
VS. CONDEMNATION  
ROY MCCRARY

This case was compromised and settled out of Court, and the defendant is taxed with the cost.

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'CLOCK

*Daniel J. Hall* Judge



COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY FORT, JUDGE, ETC.  
STATE OF TENNESSEE  
VS.  
GOING ARMED  
LEROY WILLIAMS

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: J.W. Townsend, Charlie Smith, E.J. Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W. White, Guy McMillan, and C.S. Olliford, who being duly elected, tried and sworn according to law, after hearing all of the proof, argument of council and charge of the Court, upon their oath do say that they find the defendant guilty of illegally carrying a pistol, and assess his fine at \$50. dollars.

It is therefore ordered, adjudged and decreed by the Court, that for the offense as found by the Jury, the defendant pay of secure a fine of \$50.00 and the cost of this cause for which let execution issue, and in the event of his failure to pay or secure the same he will be taken into the custody by the Sheriff of Humphreys County, Tennessee, and by him confined in the County Jail or workhouse, until the same is paid, secured or worked out.

STATE OF TENNESSEE  
VS.  
HOUSEBREAKING AND LARCENY  
LEROY WILLIAMS

Comes the Attorney-General on the part of the State, and the defendant in proper person, who, being arraigned at the bar of the Court, and charged on the bill of indictment, pleads Guilty to the same, and for his trial puts himself upon the country, and the Attorney-General doth the like, when to try the issue of traverse joined between the State of Tennessee and the Defendant, Leroy Williams, there came a jury of good and lawful men of Humphreys County, to wit: J.W. Townsend, Charlie Smith, E.J. Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W. White, Guy McMillan and C.S. Olliford, who, being elected, tried and sworn, well and truly to try said issue of traverse joined between the State of Tennessee and the defendant, Leroy Williams, a true deliverance make, and a true verdict render according to the law and evidence, who upon their oath do say that the defendant is guilty in manner and form, as charged in the bill of indictment, and the affix the term of his imprisonment in the Jail and Penitentiary House of the State to the period of five (5) years. Whereupon the Court proceeds to pass sentence, which is that the defendant, Leroy Williams, be taken by the Sheriff of Davidson County, at his earliest convenience, and conveyed to the Jail and Penitentiary House of this State and delivered to the keeper thereof, to be confined therein at hard labor for a period of five (5) years, That he be rendered infamous and incapable of giving evidence in any of the Courts of this State, or of exercising the privilege of the elective franchise; that he pay the cost of this prosecution for which execution will issue.

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 9:00 O'CLOCK

*Dancy Fort* JUDGE

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY FORT, JUDGE ETC.  
STATE OF TENNESSEE  
VS.  
LARCENY  
SHELT DAVIS  
ARTHUR BAKER AND  
ROBERT JONES

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, each defendant pleads not guilty.

Thereupon to try the issues joined comes a jury of good and lawful men of Humphreys County, Tennessee, to wit: J.W. Townsend, Charlie Smith, E.J. Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W. White, Guy McMillan, C.S. Olliford. Being in charge of their sworn officers D.O. Lee and----- Curtis, after hearing all of the proof, the charge of the Court and argument of the Council, upon their oath do say that they find each of the defendants guilty of petit larceny as charged in the indictment and assess and fix the punishment of defendant, Shelt Davis, at two years in the penitentiary and assess and fix the punishment of the defendant, Arthur Baker, at one year in the penitentiary, and assess and fix the punishment of the defendant, Robert Jones, at 60 days in the County Jail.

It is therefore ordered, adjudged, and decreed by the Court that for the offense as found by the jury that the defendant, Shelt Davis, be confined in the State Penitentiary at Nashville, Tennessee, at hard labor, for a period of not less one year nor more than two years; that the defendant Arthur Baker be confined in said State Penitentiary at Nashville, Tennessee, at hard labor for a period of not less than one year nor more than one year; and that the defendant, Robert Jones, be confined in the county Jail of Humphreys County, Tennessee for a period of time of 60 days; that all three of said defendants be rendered infamous and that they pay the cost of this cause for which let execution issue.

Thereupon the defendant, Robert Jones, moved the Court for a new trial and this cause is passed pending the filing and hearing of said motion.

STATE OF TENNESSEE  
VS.  
LARCENY  
SHELT DAVIS  
ARTHUR BAKER AND  
ROBERT JONES

This cause came on to be heard on the motion of the defendant, Robert Jones, for a new trial. Present for the State the Attorney-General and the defendant, Robert Jones, in person and by Attorney, when the motion for a new trial heretofore filed in this cause came on to be heard by the Court and which motion is as follows:

STATE OF TENNESSEE  
VS.  
IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE, DECEMBER TERM 1939.  
SHELT DAVIS, ET AL

#### MOTION FOR NEW TRIAL

Comes Robert Jones one of the defendants in the above styled case in person and by Attorney and moves the Court for a new trial as to him upon the following grounds:-

1st.

Because there is no proof in the record to sustain a verdict of guilty as to this defendant.

2nd.

Because the greater weight of the evidence is against the verdict of guilty as to Jones and preponderates in favor of his innocence.

III.

Because the weight of the proof disclosed no corroboration of the statement of the defendant Baker that Jones knew all about or heard the conversation between he and Davis arranging to steal the tires in question; as a conviction should not be had on the testimony of an accomplice without corroboration.

IV.

Because the Court erred over the objections of the defendant Jones permitting the State to prove by oral testimony and by the minutes of the Court in substance that at a former term Davis was given a year sentence and Jones freed of any crime and a reputation by Davis as to his agreement to take a years sentence without participation therein of Jones by which action of the Court the defendant Jones was again placed in jeopardy on a second trial for the same offence of which he had been acquitted.

J.R.Morris, Attorney.

And the same being heard by the court it is in all things overruled. To which action of the Court the defendant excepts.

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

Thereupon the defendant prayed an appeal to the Supreme Court at Nashville, Tennessee, which appeal is granted and the defendant is allowed thirty days in which to prepare and file his bill of exceptions. The defendant will execute an appearance bond, as the law requires, in the sum of one Thousand (\$1000.00) Dollars for his appearance before this Court from day to day and before the Supreme Court at Nashville and in the event of his failure he will be held in the custody of the Sheriff of Humphreys County to await the orders of the Court.

TO THE HONORABLE DANCY FORT, HOLDING COURT, WAVERLY, TENNESSEE, DECEMBER TERM 1939

STATE OF TENNESSEE

VS. IN THE CIRCUIT COURT, AT WAVERLY, TENNESSEE

SHELT DAVIS, ETAL

Comes the defendant, Arthur Baker, and petitions Your Honor, after the said Baker was convicted and sentenced to serve a term of one year in the State Penitentiary at Nashville, Tennessee, At the December Term of this Court, After having plead guilty to petit larceny before the Court.

Petitioner states that at the time of said theft and on the trial of said case, both co-defendants were at all times trying to saddle the whole theft on him, and while he realizes he was guilty of the charge of procuring the tires and casings for co-defendant, Shelt Davis, and the fact the said Davis was the sole and main cause of defendant taking the tires, and the further fact, he was hired to get them for him, Davis, and the further fact the said Watson recovered his casings and has got the full benefit of them and the value of same since they were taken for the co-defendants Davis, he feels like he should have some considerations in the premises, considering all the facts and circumstances which developed in the case.

It is further fact that the petitioner is a very poor man with a wife and four small children who will be at the mercies of the people, without food, clothing and if forced to serve the time in the penitentiary his children will be deprived of food, clothing, school facilities, in fact a broken home and his family needs his support so badly. And another fact petitioner is an unhealthy man, has rheumatism very badly, prostrated glands from which he was confined in the hospital for several weeks during and after the last term of this Court, and also, he has been having epileptic fits for several years, sometimes so badly that he is in a manner dead for hours at a time, and while not excuseable for this fact, he was persuaded to drink until drunk or almost so, before he was persuaded to procure the tires for Davis, and the fact his wife and children was almost on starvation, he accepted the money and procured the tires for Davis. Petitioner states that this is the only trouble he has ever been in and the fact he was charged of committing a felony in the act of Assault and battery on the person of \_\_\_\_\_ Haley and acquitted at this term of this Court, should go to his credit instead of discredit, however, bad he hated about the affray, he still feels and knows himself that he was not guilty as charged in the indictment, altho, he tried to protect himself and no further.

Petitioner, Baker, promises the Court, if granted a suspended sentence, he will not give the Court or the law any trouble, or cause them to regret this favor, or lenency shown him in the premise. Therefore, petitioner hereby asks that his sentence be suspended from term to term during the time he is forced to serve his sentence, or thereafter, for which, your petitioner, will ever pray.

State of Tennessee  
Humphreys County

Arthur Baker, after being sworn, makes oath that the statements made in his foregoing petition are true in substance and fact.

Sworn to and subscribed before me,  
this 14th day of December 1939.

Arthur Baker  
Petitioner

L.C. Bohanan Clerk

John Rushton D.C.

STATE OF TENNESSEE

VS.

SHELT DAVIS  
ROBERT JONES  
ARTHUR BAKER

In this case appearing to the court that the jury convicted the defendant, Arthur Baker, of petit larceny and sentenced him to one year in the penitentiary.

And it further and it further appearing to the court that the defendant, Arthur Baker in his testimony told the truth and pleaded guilty. And on account of physical disabilities the public does not require that he shall suffer the disgrace of imprisonment at hard labor in the penitentiary.

It is therefore adjudged and decreed by the court that the sentence of the said Baker be suspended until the next term of this Court.

The prisoner will be given an appearance bond to appear at the next term of this court and from time to time until he is discharged, and a copy of this order together with a copy of the indictment will be forwarded to the commissioner of institutions as required by Section 11,923 of the Tennessee Code of 1932.

Dancy Fort, Judge.

STATE OF TENNESSEE

VS.

ASSAULT WITH A KNIFE WITH INTENT TO COMMIT MURDER

ARTHUR BAKER

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: J.W.Townsend, Charlie Smith, E.J.Work, Thomas Parnell, John McMurtry, W.S.Smith, J.R.Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan, and C.S. Olliver, who, being duly selected, tried and sworn and in charge of their sworn officers, D.O.Lee and Curtis, who had previously been legally sworn to attend them. After hearing all the proof, argument of the council and the charge of the Court, upon their oath do say that they find the defendant not guilty of the matters as charged in the indictment.

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

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

FLORENCE KILBURN

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the defendant, It is ordered by the Court that this case be continued until the next term of this Court.

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY

GORDON NEWSOME  
JIMMIE D. FORTNER

In this cause comes the Attorney-General for the State and the Defendant, Jimmie D. Fortner, being solemnly called to come into Court as he was required to do to answer the State of Tennessee on an indictment pending here for A.&B., according to the terms of the bond, came not but made default, and his bondsmen, Mrs J.R. Chalk and J.R.Chalk, being solemnly called to come into Court and bring with them the body of Jimmie D.Fortner, came not but made default.

It is therefore ordered by the Court that the State of Tennessee have and recover of the defendant, Jimmie D.Fortner and his sureties, J.R.Chalk and Mrs J.R.Chalk, the sum of Five Hundred, (\$500.00) Dollars in according to the terms of the bond unless they show good cause to the contrary and that alias issue for Jimmie D.Fortner.

As to the defendant, Gordon Newsome, the cause is continued by consent.

STATE OF TENNESSEE

VS.

AGE OF CONSENT

ISSADORE DAVIDSON

In this cause comes the Attorney-General for the State and the defendant, Issadore Davidson, being solemnly called to come into Court as he was required to do to answer the State of Tennessee on an indictment pending here for Age of Consent, according to the terms of his bond, came not but made default, and his bondsmen, Mrs J.N.Davidson, being solemnly called to come into Court and bring with her the body of Issadore Davidson, came not but made default.

(continued)

It is therefore ordered by the Court that the State of Tennessee have and recover of the defendant, Issadore Davidson and his sureties, Mrs J.N.Davidson, in the sum of Five Hundred, (\$500.00), Dollars in according to the terms of the bond unless they show good cause to the contrary and that alias issue for Issadore Davidson.

STATE OF TENNESSEE

VS.

ASSAULT WITH ~~KNIFE~~ WITH INTENT TO COMMIT RAPEDR. ROBINSON  
(alias JESSE ROGERS)

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: J.W.Townsend, Charlie Smith E.J.Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R.Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan, and C.S. Olliford, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the Council and charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment and fix his punishment at One year in the Penitentiary at Nashville, Tennessee.

It is therefore ordered adjudged and decreed by the Court, that the defendant, that for the offense as found by the jury, the defendant serve a sentence of One Year in the Penitentiary at Nashville, Tennessee, at hard labor, That he be rendered infamous and incapable of giving evidence in any of the Courts of this State; That he be deprived of the right to vote; That he pay the cost of this cause for which let execution issue.

STATE OF TENNESSEE

VS.

TIPPLING AND PROCURING LIQUOR

ROSA NELL WARREN

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the Attorney-General, It is ordered adjudged and decreed by the Court that a nolle Prosequi be entered in this cause and the defendant go hence without day.

STATE OF TENNESSEE

VS.

BONE DRY

ROSA NELL WARREN

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, to wit: J.W.Townsend, Charlie Smith, E.J.Work, Thomas Parnell, John McMurtry, W.S.Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan and C.S.Olliver, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of Council and charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment and assess and fix her punishment at a fine of One Hundred Dollars (\$100.00) and thirty days in Jail.

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 or secure a fine of One Hundred Dollars (\$100.00) and serve a term of thirty days in the County Jail or Workhouse, and further that the defendant pay the cost of this cause for which execution will issue.

Thence came into



STATE OF TENNESSEE

VS.

ASSAULT WITH A KNIFE WITH INTENT TO COMMIT MURDER

ARTHUR BAKER

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: J.W.Townsend, Charlie Smith, E.J.Work, Thomas Parnell, John McMurtry, W.S.Smith, J.R.Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan, and C.S. Olliver, who, being duly selected, tried and sworn and in charge of their sworn officers, D.O.Lee and Curtis, who had previously been legally sworn to attend them. After hearing all the proof, argument of the council and the charge of the Court, upon their oath do say that they find the defendant not guilty of the matters as charged in the indictment.

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

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

FLORENCE KILBURN

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the defendant, It is ordered by the Court that this case be continued until the next term of this Court.

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY

GORDON NEWSOME  
JIMMIE D. FORTNER

In this cause comes the Attorney-General for the State and the defendant, Jimmie D. Fortner, being solemnly called to come into Court as he was required to do to answer the State of Tennessee on an indictment pending here for A.&B., according to the terms of the bond, came not but made default, and his bondsmen, Mrs J.R. Chalk and J.R.Chalk, being solemnly called to come into Court and bring with them the body of Jimmie D.Fortner, came not but made default.

It is therefore ordered by the Court that the State of Tennessee have and recover of the defendant, Jimmie D.Fortner and his sureties, J.R.Chalk and Mrs J.R.Chalk, the sum of Five Hundred, (\$500.00) Dollars in according to the terms of the bond unless they show good cause to the contrary and that alias issue for Jimmie D.Fortner.

As to the defendant, Gordon Newsome, the cause is continued by consent.

STATE OF TENNESSEE

VS.

AGE OF CONSENT

ISSABORE DAVIDSON

In this cause comes the Attorney-General for the State and the defendant, Issadore Davidson, being solemnly called to come into Court as he was required to do to answer the State of Tennessee on an indictment pending here for Age of Consent, according to the terms of his bond, came not but made default, and his bondsmen, Mrs J.N.Davidson, being solemnly called to come into Court and bring with her the body of Issadore Davidson, came not but made default.

(continued)

It is therefore ordered by the Court that the State of Tennessee have and recover of the defendant, Issadore Davidson and his sureties, Mrs J.N.Davidson, in the sum of Five Hundred, (\$500.00), Dollars in according to the terms of the bond unless they show good cause to the contrary and that alias issue for Issadore Davidson.

STATE OF TENNESSEE

VS.

ASSAULT WITH ~~INTENT TO COMMIT~~ INTENT TO COMMIT RAPEDR. ROBINSON  
(alias JESSE ROGERS)

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: J.W.Townsend, Charlie Smith E.J.Work, Thomas Parnell, John McMurtry, W.S. Smith, J.R.Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan, and C.S. Olliford, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the Council and charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment and fix his punishment at One year in the Penitentiary at Nashville, Tennessee.

It is therefore ordered adjudged and decreed by the Court, that the defendant, that for the offense as found by the jury, the defendant serve a sentence of One Year in the Penitentiary at Nashville, Tennessee, at hard labor, That he be rendered infamous and incapable of giving evidence in any of the Courts of this State; That he be deprived of the right to vote; That he pay the cost of this cause for which let execution issue.

STATE OF TENNESSEE

VS.

TIPPLING AND PROCURING LIQUOR

ROSA NELL WARREN

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon motion of the Attorney-General, It is ordered adjudged and decreed by the Court that a nolle Prosequi be entered in this cause and the defendant go hence without day.

STATE OF TENNESSEE

VS.

BONE DRY

ROSA NELL WARREN

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, to wit: J.W.Townsend, Charlie Smith, E.J.Work, Thomas Parnell, John McMurtry, W.S.Smith, J.R. Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan and C.S.Olliver, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of Council and charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment and assess and fix her punishment at a fine of One Hundred Dollars (\$100.00) and thirty days in Jail.

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 or secure a fine of One Hundred Dollars (\$100.00) and serve a term of thirty days in the County Jail or Workhouse, and further that the defendant pay the cost of this cause for which execution will issue.

Thence came into

STATE OF TENNESSEE  
VS.

HOUSE BREAKING AND LARCENY

HERMAN WARREN AND  
JESS BUCHANAN

In this case 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: J.W.Townsend, Charlie Smith, E.J.Work, Thomas Parnell, John McMurtry, W.S.Smith, J.R.Madden, Norris Adelotte, Jim Stanfield, W.W.White, Guy McMillan, and C.S.Olliver, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the Council and charge of the Court upon their oath do say that they find the defendants guilty as charged in the indictment and assess and fix their punishment at four months in the County Jail or workhouse.

It is therefore ordered by the Court that for the offense as found by the Jury that the defendants be confined in the County Jail or workhouse for a period of Four Months and that they pay the cost of this cause for which let execution issue, It is further ordered that this sentence be suspended after serving thirty days, and that they be rendered infamous.

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY AND AFFRAY

HORACE WILLIAMS

In this cause comes the Attorney-General for the State and the defendant in person and by Attorney, when upon defendants agreement to plead guilty at the next term of this Court. It is ordered adjudged and decreed by the Court that this cause be continued until the next term of this Court.

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

State of Tennessee v. Mannuell Russell, House breaking and Larceny, Aug. 15, 1939 to Dec. 11, 1939, 119 days at 75¢ per day and no turnkeys .....	\$89.25
State of Tennessee vs. Rogers Green, Larceny, Aug. 15, 1939 to Dec. 11, 1939, 119 days at 75¢ per day .....	89.25
State of Tennessee Vs. Boyd Johnson, Larceny, Aug. 15, 1939 to Sept. 3, 1939, 20 days at 75¢ per day and 2 turn keys .....	17.00
State of Tennessee Vs. Harrold Morrison, H&B Larceny, Aug. 16, 1939 to Aug. 21, 1939, 6 days at 75¢ per day and two turn keys .....	6.50
State of Tennessee Vs. Haward Haygood, H.B. Larceny, Aug. 16, 1939 to Aug. 21, 1939, 6 days at 75¢ Per day and 2 turn keys .....	6.50
State of Tennessee vs. Roy (Moony) Ingram, Larceny, Aug. 16, 1939 to Aug. 21, 1939, 6 days at 75¢ per day and 2 turn keys .....	6.50
State of Tennessee Vs. Emma Lee Luten, Assault to commit Murder, Aug. 18, 1939 to Dec. 11, 1939, 116 days at 75¢ per day .....	97.00
State of Tennessee Vs. Paul Wallace, Age of Consent, Aug. 23, 1939 to Aug 25, 1939, 3 days at 75¢ per day and two turn keys .....	4.25
State of Tennessee vs. Tuffy Forester, Age of Consent, Aug 23, 1939 to Aug 28, 1939, 3 days at 75¢ per day and two turnkeys .....	7.25
State of Tennessee Vs. Jesse Rogers, Assault to Rape, Sept 22, 1939, to Dec 11, 1939, 81 days at 75¢ per day .....	60.75
State of Tennessee vs. Leroy Williams, H.B. Larceny, Nov. 18, 1939 to Dec. 11, 1939, 24 days at 75¢ per day .....	18.00

## REPORT OF GRAND JURY DECEMBER TERM 1939

We, the members of the Grand Jury for the December Term 1939, of the Circuit Court for Humphreys County, Tennessee, beg leave to submit the following report to your Honor.

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

We have examined the County Jail and County Poor House. At the County Jail we find that a new stove is needed and recommended that it be procured at once. At the County Poor House we find conditions very bad. The sanitary condition of the bed clothing is a deplorable and in need of immediate attention. Other conditions at this institution shows a lack of attention. We earnestly urge that this situation be brought to the attention of the proper authorities and that immediate steps be taken to bring about general cleaning up at that place.

We have examined all bonds by law to be examined by us and find them executed and good and solvent for the amounts with the exception of the bond of W.J.Hooper, Constable in the fifth Civil district. W don't think his bond is sufficiently secured to make it good. We are informed that previous Grand Juries have made this complaint and their recommendations have not been carried out. We recommend that this bond be strengthened by other and better securities.

R.H.McKeel, Foreman of Grand Jury.  
Jim Thompson,  
H.N.Plant,  
A.L.McClure,  
J.C.Weecham,  
John Holleran,  
A.D.Bowen,

Jesse Rice,  
Long Daniel,  
Doyal King,  
Carl Ridings,  
W.S.Miller and  
H.L.Rogers.

R.J.MORRIS, EXECUTOR

VS

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

LIZZIE MORRIS, ETAL

On this day came the parties, by their Attorneys, and also came a jury of good and lawful men of Humphreys County, Tennessee to -wit: J.W.Townsend, Charlie Smith, E.J.Work, Thomas Parnell, John McMurtry, W.S.Smith, J.R.Madden, Norris Adelotte, Jim Stanfield, W.W. White, Guy McMillan, and C.S.Olliver. Who, being duly sworn to try the issues joined between the parties., on their oath do say that they find the issues in favor of the Plaintiff: and that the Paper mentioned and described in the declaration is the last Will and testament of the W.M.Morris, deceased. It is therefore considered that the paper writing mentioned and described in the declaration is the last will and testament of the said W.M.Morris, deceased; and it is ordered that the Clerk of this Court send a transcript of the record in this cause, in this Court, to the County Court of Humphreys County together with the original Will, to be there recorded.

It is ordered that the Plaintiff R.J.Morris pay the costs of the cause for which execution will issue.

COURT THEN ADJOURNED UNTIL COURT IN COURSE

*Samuel T. Smith, Judge*

CAPTION APRIL TERM OF CIRCUIT COURT A.D. 1940

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 Courthouse in the town of Waverly, Tennessee on the 15th day of April 1940, it being the third Monday of said month, and the One thousand nine hundred and ~~forty-ninth~~ <sup>forty</sup> year of our Lord, and the one hundred and sixty-fourth year of the American Independence. Present and presiding the Hon. Dancy Fort, Judge of the ninth Judicial District of the State of Tennessee.

Court was opened in due form of law by Frank James, Sheriff, of Humphreys County, Tennessee and by him was returned into open Court a writ Vinire Facias, showing that the following named persons were appointed by the County Court, ~~the~~ <sup>the</sup> January Term 1940, to appear and serve as Jurors at this the present term of Court, to wit; J.H. Pearl, Henry Hooper, Sam Bigham, Tuck Carter, Fount Sinks, Jesse Guinn, Gilbert Davis, Joe Frater, Will White, Walter Harris, Jesse Anderson, Forester Pinkston, J. Pat Holland, R.P. Holland, D.K. May, Cal Calman, J.C. Fuqua, D.N. Wright, Jack Larkins, Hugh Cannon, Herman Daniel, Roscoe Rochelle, W.T. Patterson, Jno. W. Anderson, Albert Guthrie and Robert Wyatt.

And out of these Jurors so summoned the following were selected, as required by law, as Grand Jurors, to wit: Fount Sinks, Jesse Anderson, Gilbert Davis, Albert Guthrie, Will White, J. Pat Holland, Henry Hooper, Jesse Guinn, Robert Wyatt, Forester Pinkston, Joe Frater and Tuck Carter. And R.H. McKeel having been appointed Foreman of the Grand Jury at a former term of this Court, the said Grand Jury is in all things as the law directs having been duly elected, tried and sworn and discharged by the Court according to law, retired to their room in charge of their sworn officers; Chesley Vaden, a 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; J.H. Pearl, Jno. W. Anderson, Walter Harris, W. T. Patterson, Hugh Cannon, Kinch May, Roscoe Rochelle and Jack Larkins, 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; Malcolm Ingram, Walter Woods, Jesse Merideth, J.R. Perkins, Geo. Stringer and William Ethridge,

City of Waverly, Tenn

Vs.

Mrs. Susie Claxton, et als

In the Circuit at Waverly Tennessee

## ORDER APPOINTING JURY OF VIEW

In this cause, on motion of Complainant, it is ordered that a jury of view composed of J.L. Carnell, D.B. McCann, H.M. Turner, T.C. Miller and J.A. Slayden be empaneled, sworn etc. as directed by law and be carried by the sheriff upon said lands, and view same, and assess the damage, as provided by law, and report their action in the premises to the next term of this Court.

All other matters are reserved.

Elese Wilson

Vs.

Lee Wilson

Court  
Circuit at Waverly, Tennessee

In this cause, comes the complainant, this day by her Solicitor, and moves that she be allowed to dismiss the bill, It is therefor ordered by the Court, that the bill in this cause be dismissed.

Mrs. J. B. Bell

Vs.

L. T. Deason et al.

In the Circuit Court at Waverly Tennessee

In this cause it appearing to the Court that all matters in controversy between the parties have been compromised and settled, it is accordingly ordered, adjudged and decreed that this be and the same is dismissed at the cost of the defendant, L.T. Deason.

This April 13th, 1940.

Meek C. Simpson

Attorney for Plaintiff.

Prabue, Hume, Davis &amp; Gale

Attorneys for Defendant.

Wily Mayberry

Vs.

Nick Mulliniks

In the Circuit Court at Waverly, Tennessee

In this cause, it appears to the Court, that heretofore judgement was entered in favor of Nick Mulliniks against Wily Mayberry as Principal, and P.S. Mayberry and K.C. Hobbs as sureties on the bond of the said Wily Mayberry, for the sum of \$157.50 with interest from June 6th, 1936, and the costs of the cause; and that the said K.C. Hobbs surety on said bond, has paid the said judgement and costs; therefore, on motion of the said K.C. Hobbs, judgement is hereby rendered in favor of the said K. C. Hobbs against the said Wily Mayberry for the sum of \$157.50 with interest from June 6th, 1936, and all the costs of this cause paid by the said K.C. Hobbs, with interest from date of payment, for all of which execution may issue. And further on motion of the said K.C. Hobbs against P.S. Mayberry for equal contribution of the above amount paid by the said K.C. Hobbs in principal, interest and costs, for Wily Mayberry, and for all of which execution may issue.

COURT ADJOURNE UNTILL AT TOMORROW MORING AT 9:00 O'CLOCK

Dancy Fort

JUDGE