

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~~ ^{forty} 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~~ 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)

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.

Else 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 & 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

PAGE

COURT THEN MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING HON. DANCY FORT, JUDGE, ETC.

State of Tennessee |
vs. | Age Consent.
Robert Dronney |

In this cause upon the recommendation of the Attorney General for the state it is ordered by the Court that a nolle prosequi enter.

State of Tennessee |
vs. | Forfeiture
Robert Jones |

In this cause it is ordered, adjudged and decreed by the court that same be dismissed when actual costs are paid.

State of Tennessee |
vs. | Mfg. Liquor
Will Burgess |
Harris Bradley |

In this cause on application of the defendant and sufficient reason being shown it is ordered by the court that said cause be continued until the next term of this court.

State of Tennessee |
vs. | A. & B.
Leon Rudins |
Marvin Blackburn |

In this cause upon recommendation of the attorney general for the state it is ordered by the Court that a nolle prosequi enter.

State of Tennessee |
vs. | Forgery
Rosa Nell Warren |

This cause coming on to be heard and it appearing to the court that the defendant is absent from the court it is ordered, adjudged and decreed by the court that said cause be continued until the next term of this court.

State of Tennessee |
vs. | A. & B.
B. W. Ingram |

In this cause the defendant appeared in open court and made payment of \$5.00 on the costs in the cause and it is ordered, that said cause be continued until the next term of this court.

State of Tennessee |
vs. | Gaming
Joe Traylor |

In this cause upon recommendation by the Attorney General for the state it is ordered that a nolle prosequi enter in said cause.

State of Tennessee |
vs. | Larceny
James Collier |

In this cause it appearing that the defendant has not been apprehended it is ordered by the court that an alias capias issue for him.

State of Tennessee |
vs. | Age of consent
Lloyd Matlock |

This cause coming on to be heard and the Attorney General for the state and counsel for the defendant jointly recommend to the court that said cause be continued by consent, whereupon it is ordered by the court that the case be continued until the next term of this court.

State of Tennessee |
vs. | Age of consent
Isadore Davidson |

This cause coming on to be heard when upon recommendation by the Attorney General for the state and counsel for the defense it is ordered by the court that said cause be continued until the next term of this court.

State of Tennessee |
vs. | Forfeiture
Isadore Davidson |
Mrs. J. N. Davidson |

This cause coming on to be heard by the court and sufficient reason being shown it is ordered by the court that said cause be *dismissed on payment of cost* continued until the next term of the court.

State of Tennessee |
vs. | Disposing mortgage property.
O. B. Whitson |

This cause coming on to be heard and upon the application of the defendant and sufficient cause shown it is ordered by the court that the cause be continued until the next term of this court.

State of Tennessee |
vs. | Abortion
Ora Britton |
Princess Silverheel |

This cause coming on to be heard when upon application of the defendant and sufficient cause shown it is ordered by the court that the cause be continued until next term of this court.

State of Tennessee |
vs. | Felonious Assault
Thomas Forrester |

This cause coming on to be heard and it appearing that the defendant has not been apprehended it is ordered that an alias capias issue as to him.

State of Tennessee |
vs. | A. & B.
Horace 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 join came a jury of good and lawful men of Humphreys County, to wit: Herman Daniel, Casey Paqua, Dave Wright, Cal Colman, Sam Bigham, R. P. Holland, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, and William Etheridge who being duly elected, tried and sworn according to law, after hearing all of the proof, argument of counsel and the charge of the court do say upon their oath that they find the defendant guilty of simple assault and fix his fine at \$5.00.

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 \$5.00 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 into custody by the sheriff of Humphreys County and by him confined in the county jail or work house until the same is paid, secured or worked out.

State of Tennessee |
vs. | going Armed.
William Marshall |

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 not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to-wit: Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. P. Holland, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, and William Etheridge, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of counsel and the charge of the court, upon their oath do say that they find the defendant guilty of carrying a pistol the same not being an army or navy pistol carried openly in the hand, as charged in the presentment and assess and fix his fine at the sum of fifty dollars.

It is therefore ordered, adjudged and decreed by the court that, for the offense as found by the jury, the defendant pay or secure a fine of \$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 into custody by the sheriff of Humphreys County and by him confined in the county jail or work house until the same is paid, secured or worked out.

Whereupon the defendant gave a notice of a motion for a new trial and this cause is passed pending filing and hearing of said motion and the defendant is required to give and appearance bond motion and the defendant is required to give an appearance bond for the sum of Two Hundred Fifty Dollars from day to day awaiting the action of the court on this motion and for his appearance before the supreme court at Nashville,

State of Tennessee
vs
Chester Campbell | Public Drunkenness

In this cause the Grand Jury reports no true bill and the defendant is ordered to hence without day.

State of Tennessee
vs
William Davidson | Public Drunkenness

In this cause the Grand Jury reports no true bill and the defendant is ordered to go hence without day.

State of Tennessee
vs
Joe Asher
Joe Samaska | Larceny

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 plead guilty to petit larceny.

Thereupon to try the issues joined, came a jury of good and lawfullmen of Humphreys County, Tennessee, to-wit: Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. P. Holland, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, and William Etheridge who, being duly elected, tried and sworn according to law, and being in charged of their sworn officers, Frank James and D. O. Lee, who had previously been legally sworn to attend them, after hearing all of the proof, argument of counsel and the charge of the court, upon their oath do say they find the defendants each guilty of petit larceny as charged in the indictment and assess and fix the punishment of each 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, each of the defendants be confined in the county jail of Humphreys County, Tennessee or work house of said county for a period of 60 days and that they pay the costs of this cause and be rendered infamous. Let execution for the costs issue. It is ordered by the court that each of the defendants be given credit on the above sentence for the number of days they have been in jail.

STATE OF TENNESSEE
vs
James Banes | H.B.&L.

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
RICHARD CARSINI | Drunk

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
ROY HUGHEY | A. & B.

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
W. F. TURNER | A. & B.

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
CLAUDE INMAN | Selling Liquor

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
DILLIE McGRUDER | A. & B.

In this cause upon application of the defendant and sufficient cause shown it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
BUD HUBBS | Abduction

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

STATE OF TENNESSEE
vs
CECIL KING | A. & B.

In this cause the Grand Jury reports no true bill and it is ordered by the court that the defendant go hence without day.

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

Dancy JUDGE

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HONORABLE DANCY FORT JUDGE, ETC.

STATE OF TENNESSEE
Vs Rape
CLARENCE ELLISON

This cause coming on to be heard and upon application of the defendant and sufficient cause shown it is ordered by the court that said cause be continued until next term of this

STATE OF TENNESSEE
Vs Larceny
BILL LANE

This cause coming on to be heard when upon recommendation of the Attorney General for the State and the attorney for the defendant this cause is ordered to be continued by consent.

STATE OF TENNESSEE
Vs Felonious Assault
GORDON NEWSOME
JIMMIE D. FORTNER

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, plead not guilty.

Thereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, Tennessee, to-wit:- E. T. Plant, Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. F. Holleran, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers-D. U. Lee, David Edney, who had previously been legally sworn to attend them, after hearing all of the proof, argument of counsel and the charge of the court, upon their oath do say that they find each of the defendants guilty of an assault with intent to commit voluntary manslaughter as charged in the indictment and assess and fix the punishment of each at one year in the penitentiary.

It is therefore ordered, adjudged and decreed by the court that, for the offense as found by the jury, each of the defendants be confined in the state penitentiary at Nashville, Tennessee, at hard labor for a period of time of not less than one year nor more than one year and that they pay the costs of this cause for which let execution.

STATE OF TENNESSEE
Vs Forfeiture
JIMMIE D. FORTNER
MRS. J. P. CHALK
J. R. CHALK

It is ordered in this cause that the forfeiture heretofore taken be set aside upon the payment of actual costs, for which let execution issue.

STATE OF TENNESSEE
Vs Possessing Liquor
W. Y. RAINEY
JOHNNIE BINKLEY

In this cause it is ordered upon recommendation of the Attorney General that as to the defendant, Johnnie Binkley a nolle prosequi be entered and as to the defendant, W. Y. Rainey, 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.

Continued on next page

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to-wit:- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. F. Holleran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of counsel and the charge of the court, upon their oath do say that they find the defendant, W. Y. Rainey, guilty of illegally possessing intoxicating liquor as charged in the presentment and assess his fine at the sum of \$100.00.

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 \$100.00 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 into 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 Trespassing
ALICE MATHIS

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

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to-wit:- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. F. Holleran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of the counsel and the charge of the court, upon their oath do say that they find the defendant guilty of an unlawful trespass and they assess her punishment at 30 days in jail and the costs of this cause.

It is therefore ordered, adjudged and decreed by the court that, for the offense as found by the jury, the defendant serve 30 days in the county jail of Humphreys County, Tennessee and pay the costs of this cause for which let execution issue and upon her failure to pay or secure the same she will be taken into custody by the county jail or workhouse until the same is paid, secured or worked out.

STATE OF TENNESSEE
Vs Going Armed
GUY 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 presentment pleads guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to wit- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. F. Holleran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of the counsel and the charge of the court, upon their oath do say that they find the defendant guilty of illegally carrying a pistol, same not being an army or navy pistol carried openly in the hand as charged in the presentment and assess his fine at the sum of \$50.00.

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 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 the same is paid, secured or worked out.

T. E. Box, Administrator
Mrs. Ida M. Box
vs
N. C. & St. L. Railroad Co.

In the Circuit Court
At Waverly, Tennessee

ORDER OF DISMISSAL

In this cause, came the parties in open Court on this the 15th day of April 1940 when Counsel for Plaintiff announced in Court that this case had been compromised and settled by and between the parties and then moved that the case be dismissed. Hereupon the Court is pleased to allow the motion and said case is hereby dismissed and stricken from the docket. The cost in this case is taxed against the Defendants for the collection of which execution may issue.

APPROVED.

JUDGE

J. H. Morris

Roy Carter
Counsel for Plaintiff

Mack C. Simpson

G. H. Whitwell
Counsel for Defendants

T. E. Box, Administrator
Elizabeth Box,
vs
N. C. & St. L. Railroad Co.

In the Circuit Court
At Waverly, Tennessee.

ORDER OF DISMISSAL

In this cause, came the parties in open Court on this the 15th day of April 1940 when Counsel for Plaintiff announced in Court that this case had been compromised and settled by and between the parties and then moved that the case be dismissed. Thereupon the Court is pleased to allow the motion and said case is hereby dismissed and stricken from the docket. The cost in this case is taxed against the Defendants for the collection of which execution may issue.

APPROVED

JUDGE

J. H. Morris

Roy Carter
Counsel for Plaintiff

Mack Simpson

G. H. Whitwell
Counsel for Defendants.

STATE OF TENNESSEE

VS

H. B. & L.

EUGENE TIBBS

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

Thereupon to try the issues joined, came a jury of good and lawful men of Humphreys County, Tennessee, to-wit:- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, M. P. Holloran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. H. Perkins, Geo. Stringer, William Etheridge, who being duly elected, tried and sworn according to law, and being in charge of their sworn officers, E. C. Flowers, Chesley Vaden, who had previously been legally sworn to attend them, after hearing all of the proof, argument of counsel and the charge of the court, upon their oath do say that they find the defendant guilty of housebreaking and larceny as charged in the indictment and assess and fix his punishment at three years in the penitentiary.

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

STATE OF TENNESSEE

VS

Selling a pistol

EUGENE TIBBS

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:- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. P. Holloran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of counsel and the charge of the court upon their oath do say that they find the defendant guilty of illegally selling a pistol as charged in the presentment and assess his fine at the sum of \$100.00.

It is therefore ordered, adjudged and decreed by the court that, for the offense as found by the jury, the defendant pay or secure the fine of \$100.00 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 custody by the sheriff of Humphreys County, Tennessee and by him confined in the county jail or workhouse until the said is paid, secured or worked out. However, it is ordered by the court that this sentence run concurrently with one this day imposed on this defendant for housebreaking and larceny.

STATE OF TENNESSEE

VS

Going Armed.

EUGENE TIBBS

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:- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. P. Holloran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, after hearing all the proof, argument of counsel and the charge of the court upon their oath do say that they find the defendant guilty of illegally carrying a pistol, the same not being an army or navy pistol carried openly in the hand, and assess and fix his punishment at a fine of \$50.00.

It is therefore ordered, adjudged and decreed by the court, for the offense as found by the jury, the defendant pay or secure the 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 custody by the sheriff of Humphreys County, Tennessee and by him confined in the county jail or workhouse until the said is paid, secured or worked out. However, it is ordered by the court that this sentence run concurrently with one this day imposed on this defendant for housebreaking and larceny.

EUNICE STANFIELD

VS

In the Circuit Court, Waverly, Tennessee---April term, 1940

NATHAN STANFIELD

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

And thereupon, this cause coming on to be further and finally heard upon the bill, the judgment pro-confesso, heretofore taken and entered against the defendant, Nathan Stanfield, from all of which, said cause was heard before the Honorable Dancy Fort on the 18th day of April, 1940, and from the oral proof taken in open court. And it satisfactorily appeared to the Court from the proof that the facts charged in the bill are true; that the defendant had failed to provide a home and proper food and clothing for her; and that he was cruel and treated her inhumanely on numerous times, and that he had committed adultery with one Ruby Bagby this year at or near McEwen, Tennessee, where they lived, before the filing of this bill, as charged: and that the complainant is a chaste woman and gave the defendant no just excuse for his misconduct, and had not condoned in the same.

It is therefore, ordered, adjudged, and decreed by the Court that the bonds of matrimony subsist between the complainant and defendant be absolutely and forever dissolved, and that complainant be vested with all the rights and privileges of an unmarried or single woman: and that her maiden name, Eunice Greenwell, be restored to her; and that the defendant pay the cost of this suit, including a reasonable Attys. fee to W. T. Turner solicitor of record, for which execution may issue.

STATE OF TENNESSEE

VS

Possessing Liquor

CLAUD INMAN

This cause coming on to be heard upon application of the defendant and sufficient cause being shown it is ordered by the court that the case be continued until the next term of this court.

Court then adjourned until tomorrow morning at 9:00 o'clock.

JUDGE

COURT MEET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY FORT, JUDGE, ETC.

STATE OF TENNESSEE

VS

Felonious Assault

FLORENCE KILBOURN

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:- Bob May, Sid Cooley, Jug Choate, Carl Hedrick, Cliff Hooper, Cassey Fuqua, Cleo Hedrick, Foster Inkston, Bill Clevinger, Jim Woods, Florence Ridings, Herman Daniel, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, David Edney, Duncan Story, who, had previously been legally sworn to attend them, after hearing all the proof, argument of counsel and charge of the court, upon their oath do say that they find the defendant guilty of an assault with intent to commit voluntary manslaughter as charged in the indictment and assess and fix her punishment at one year in the penitentiary.

It is therefore ordered, adjudged and decreed by the court that, for the offense as found by the jury that the defendant be confined in the state penitentiary at Nashville, Tennessee at hard labor for a period of time of not less than one year nor more than one year and that she pay the costs of this cause for which let execution issue.

STATE OF TENNESSEE

VS

Enticing a female from parents.

PAUL WALLACE
TUPPY FORRESTER

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 to an attempt to commit a felony.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to-wit:- Herman Daniel, Casey Fuqua, Dave Wright, Cal Colman, Sam Bigham, R. P. Holloran, Malcolm Ingram, Walter Woods, Jesse Merideth, J. R. Perkins, Geo. Stringer, William Etheridge, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, T. C. Flowers, Chesley Vaden, who, had previously been legally sworn to attend them, after hearing all the proof, argument of counsel and charge of the court, upon their oath do say that they find each of the defendants guilty of an attempt to commit a felony as charged in the indictment and assess and fix their punishment at four months 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 defendants be confined in the county jail of Humphreys County, Tennessee for a period of time of four months and that they pay the costs of this cause for which let execution issue. As to the defendant Paul Wallace it is ordered that this sentence not take effect until the next term of this court.

STATE OF TENNESSEE

VS

Drunk

CECIL KING

This cause coming on to be heard upon application of the defendant and sufficient cause being shown it is ordered by the court that the case be continued until the next term of this court.

STATE OF TENNESSEE

VS

Manslaughter

CIRT STITT

This cause coming on to be heard when upon agreement by the attorney general for the state and attorneys for the defendant it is ordered by the court that this cause be continued until the next term of this court

STATE OF TENNESSEE

VS

Larceny

SHELL DAVIS
ARTHUR BAKER
ROBERT JONES

This cause coming on to be heard present the attorney general for the state and the defendant in person and by attorney when after due consideration it is ordered by the court that the sentence heretofore imposed on the defendant, Arthur Baker, at the December Term, 1939 of this court of one year in the state penitentiary at Nashville be enforced and that the suspension of said sentence heretofore given by this court is revoked.

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

One against Cecil King, Drunkness, subpoena for the state, Ardell Forester, Mattie Forester, Calvin Moran, Bessie Phillips, Frank James.

One Against Joe Asher and Joe Samaska, Larceny, which indictment is in words and figures as follows to-wit:- State of Tennessee, Humphreys County, April Term of Circuit Court, A. D. 1940. The Grand Jurors for the State of Tennessee, duly elected, empaneled, sworn, and charged to inquire for the body of the County of Humphreys and State aforesaid, upon their oath aforesaid, present that Joe Asher and Joe Samaska heretofore, to wit, on the 8th day of February, 1940, in said County and State, unlawfully, fraudulently and feloniously by contract, procurement did procure possession of ten gallons of gasoline of the value of two dollars and forty-five cents, the property of B. C. Kilgore, said contract and procurement being used merely as the means of procuring possession of said property with intent to make fraudulently appropriation at the time, contrary to the statute and against the peace and dignity of the State of Tennessee.

W. C. Howell
Attorney-General

April Term, 1940 State vs. Joe Asher and Joe Samaska, Larceny, B. C. Kilgore, Prosecutor. Subpoena for the state: B. C. Kilgore, D. O. Lee, Frank James, David Edney. Witnesses sworn by me on this indictment before the Grand Jury April Term, 1940. R. H. McKeel, Foreman Grand Jury. W. C. Howell, Attorney-General.
A true bill. R. H. McKeel, Foreman Grand Jury.

One against Guy Warren, carrying a pistol, Subpoena for the State, Esq. J. MacReeves, David Edney.

One against William Marshall, carrying a pistol, Subpoena for the State: Frank James, D. O. Lee.

One against Eugene Tibbs, Selling pistol, Subpoena of the state, Frank James, Wayne Munn, Nora Turner, Charles Brown.

One against Eugene Tibbs, Carrying a pistol, Subpoena of the state, Wayne Munn, Nora Turner, Charles Brown.

One against Dillie McGruder, Assault and battery, in which indictment is in words and figures as follows: State of Tennessee, Humphreys County. April term of Circuit Court, A. D. 1940. 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 Dillie Hooper of said County, heretofore, to wit, on the 2nd day of February 1940 with force and arms, in the County aforesaid, unlawfully did make an assault upon the body of one Winnie Jenkins, and her, the said Winnie Jenkins, she, the said Dillie Hooper, then 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.

April Term, 1940, The State vs. Assault and Battery. Dillie McGruder, James Jenkins, Prosecutor. Subpoena for the State. James Jenkins, Vennie Jenkins. Witness sworn by me on this indictment before the Grand Jury, April Term, 1940. R. H. McKeel
Foreman Grand Jury.

W. C. Howell
Attorney-General.

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

One against Claud Imman, Bone Dry, Subpoena for the State, Frank James, David Edney. One against Eugene Tibbs, House breaking and Larceny, which indictment is in words and figures as follows: State of Tennessee, Humphreys County. April Term of Circuit Court, A. D. 1940. 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 Eugene Tibbs heretofore, to wit, on the 3rd day of April, 1940, in the said County and State, unlawfully, feloniously and forcibly did break and enter the mansion house of one Nora Turner, in the daytime, with intent to commit a felony, to wit, a larceny.

And the Grand Jurors aforesaid, upon their oath aforesaid, further present that, the said Eugene Tibbs, on the day and year aforesaid, in the state and county aforesaid, unlawfully and feloniously did take, steal, and carry away one pistol of the value of ten dollars, and of the goods and chattels of Charlie Brown, with intent to deprive him, the said Charlie Brown, 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.

And the Grand Jurors aforesaid, upon their oath aforesaid, do further present that the said Eugene Tibbs on the day and year aforesaid, in the state and county aforesaid, unlawfully and feloniously did receive, buy, conceal, and aid in concealing one pistol of the value of ten dollars, the property of Charlie Brown of said county, before then feloniously stolen, taken and carried away by someone, to the grand jury unknown, he the said Eugene Tibbs then and there knowing the said pistol aforesaid to have been feloniously stolen, taken, and carried away and he the said Eugene Tibbs 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 Atty.-General

April Term, 1940, The State vs. H. B. & L. Eugene Tibbs, Nora Turner, Prosecutor, Subpoena for the State, Nora Turner, Tom Chappell, Tye Turner, Price L. McCrary, Wayne Munn, Mrs. Tom Chappell, Charles Brown. Witnesses sworn by me on this indictment before the Grand Jury April Term, 1940. R. H. McKeel Foreman Grand Jury.

W. C. Howell Attorney-General A True Bill.
R. H. McKeel Foreman Grand Jury.

One against Alice Mathis, Misdemeanor, Subpoena for the state, Ed McCloud, David Edney, Willie Mai Johnnijan, Lanky Boose.

One against E. F. Dunnagan, Perjury, which indictment in words and figures as follows: State of Tennessee, Humphreys County. April Term of Circuit Court, A. D. 1940. 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 E. F. Dunnagan, heretofore, to wit, on the 2nd day of February, 1940, in said County and State, unlawfully, feloniously, willfully, maliciously, deliberately, absolutely and corruptly, swore falsely, after having taken lawful oath in a matter of issuing a marriage certificate for marriage of Edward Divinie and Jeanette Brewer, said oath being taken before C. B. Williams, County Court Clerk of Humphreys County, Tennessee, who having authority to issue oath for the purpose of obtaining a marriage license wherein the said E. F. Dunnagan swore as follows: "State of Tennessee--Humphreys County, Personally appeared before me, C. B. Williams, Clerk of the County Court of said County, E. F. Dunnagan, who made oath in due form that Edward Divinnie and Jeanette Brewer are known to him, and that they are each over eighteen(18) years of age. Sworn to and subscribed before me, this 2nd day of February, 1940. E. F. Dunnagan. C. B. Williams, County Court Clerk." And the said Jeanette Brewer was not 19 years of age and the said Defendant well knew said statement was untrue, so the Grand Jurors aforesaid, upon their oath aforesaid, present that on the day and year aforesaid, in the state and county aforesaid and by the means and in the manner and form aforesaid was guilty of felonious deliberate, willful, malicious, absolute and corrupt perjury contrary to the statute and against the peace and dignity of the state of Tennessee.

W. C. Howell Attorney-General

April Term, 1940. The State vs. E. F. Dunnagan, Perjury. Vernon Brewer, Prosecutor. Subpoena For The State: Vernon Brewer. Witnesses sworn by me on this indictment before the Grand Jury April Term, 1940. R. H. McKeel Foreman Grand Jury.

W. C. Howell Attorney-General
A True Bill. R. H. McKeel Foreman Grand Jury.

STATE OF TENNESSEE

VS Larceny. This being case No. 22 on the Criminal docket.
NEWSOME COUCH
ELMER ANDERSON

AND

STATE OF TENNESSEE

VS Larceny. This being case No. 23 on the Criminal docket.
NEWSOME COUCH
ELMER ANDERSON

In the two above styled causes comes the Attorney General for the state and the defendants in person and by attorney, and by an agreement made in open court by the attorney general for the state and the defendants in person and by counsel and approved by the court

it was agreed that said two causes should be tried together and the defendants being duly charged and arraigned in each case on said presentment, each defendant pleads not guilty in each case.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to-wit: Casey Fuqua, Geo. Stringer, R. F. Molloran, Sam Bigham, Oscar Miller, William Etheridge, Herman Daniel, Dave Wright, Cal Colman, Tink Buchanan, Willis Bass, John Brown, who, being duly elected, tried and sworn according to law, and being in charge of their sworn officers, Duncan Story, Nealy Harden, who had previously been legally sworn to attend them, after hearing all of the proof, argument of counsel and the charge of the court, upon their oath do say that they find the defendant, Elmer Anderson, not guilty in each of the causes but they further say upon their oath that they find the defendant, Newsome Couch, guilty of petit larceny in each of the above causes as charged in the presentments in said causes and assess and fix his punishment at one year in the penitentiary in each case.

It is therefore ordered, adjudged and decreed by the court that, the defendant, Elmer Anderson go hence without day in each of said causes and it is further ordered, adjudged and decreed by the court that the defendant, Newsome Couch, be confined in the state penitentiary at Nashville, Tennessee, at hard labor for a period of time of not less than one year nor more than one year in each of said causes and that he pay the costs of each cause for which let execution issue and that he be rendered infamous in each of said causes. It is further ordered, adjudged and decreed by the court that the sentences imposed on the defendant, Newsome Couch, of one year each in the state penitentiary shall run consecutively.

Whereupon the defendant, Newsome Couch, gave notice of a motion for a new trial in each of the above styled causes and the cause is passed pending the filing of said motions and a hearing on same that is set for May 18, 1940. The defendant will give bond in the sum of One Thousand Dollars each in said causes for his appearance before this court from day to day and before the supreme court at Nashville, Tennessee, and upon his failure to do so he will be taken in charge by the sheriff of Humphreys County, Tennessee and by him confined in the county jail to await further orders of this court.

STATE OF TENNESSEE

VS

Curt Stitt
E. F. Dunnagan

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

One against Curt Stitt, Unlawfully Killing of J. W. Ayres, which indictment of words and figures as follows: State of Tennessee, Humphreys County. April Term of Circuit Court, A. D. 1940. 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 Curt Stitt heretofore, to wit, on the 30th day of March, 1940, in said County and State, unlawfully and feloniously did kill J. W. Ayers by driving and operating an automobile on the public roads of said state and county aforesaid wrecklessly, at a speed and in a manner so as to endanger, or be likely to endanger life, limb or property thereby wrecklessly running into said J. W. Ayers who was walking on said highway and so the Grand Jurors aforesaid, upon their oath aforesaid, present that the said Curt Stitt, on the day and year aforesaid, in the state and county aforesaid, and in the manner and the form aforesaid, unlawfully and feloniously did kill the said J. W. Ayers and commit the crime of involuntary manslaughter, contrary

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

W. C. Howell Attorney-General

April Term, 1940. The State vs. Curt Stitt. T. M. Ayers, Prosecutor. Subpoena for the State: T. M. Ayers, Trabue Lewis, T. J. Larkins, W. J. Nolan, Duncan Story, J. C. Meadow, T. R. Westbrooks. Witnesses sworn by me on this indictment before the Grand Jury April Term, 1940. R. H. McKeel Foreman Grand Jury.
W. C. Howell Attorney-General A True Bill
R. H. McKeel Foreman Grand Jury.

PROCEDENDO

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

Whereas in our Supreme Court at Nashville, at its December Term, 1939, it was adjudged and ordered in this cause Rose Nell Warren Vs The State appealed to our said Court from said Circuit Court that the same be remanded thereto for further proceedings and final determination therein.

There are, therefore, To require you, the Court as aforesaid, that you proceed with the execution of this judgment of our Supreme Court, by further proceedings in your Court as shall effectuate the objects of this order to remand, and attain the ends of justice.

Witness, David S. Lansden, Clerk of our said Court, at office in Nashville, the first Monday of December, 1939

SEAL.

David S. Lansden, Clerk

THE STATE OF TENNESSEE, Be it remembered, That at a Supreme Court of Errors and Appeals begun and held at the Capitol, in the City of Nashville on the first Monday of December 193..., it being theday of December, 193..... when the following proceedings were had, to-wit: Rosa Nell Warren Vs State, Humphreys Criminal, case No. 1.

Came the Plaintiff in error in proper person and by council, and also came the Attorney-General on behalf of the State, and this cause was heard on the transcript of the record from the Circuit Court of Humphreys County; and on consideration thereof, the Court is of the opinion that there is no reversible error on the record, and that the judgment of the Court below should be affirmed, and it is accordingly so ordered and adjudged by the Court.

It is therefore ordered by the Court that the Plaintiff in error, for the offense of uttering forged check as charged in the indictment, be delivered to the Warden of the Penitentiary, or his agent, and be by him conveyed to the Penitentiary of the State of Tennessee and there confined at hard labor for a term of not more than one year and one day, commencing on the day of her reception at said Penitentiary.

It is further ordered by the Court that Plaintiff in error be infamous and disqualified from holding any office under this State, or exercising the elective franchise, or giving evidence in the Courts of this State. The plaintiff in error will pay the costs of the cause accrued in this Court and the Court below, and execution may issue from this Court for the costs of the appeal. A procedendo will be issued to the said Circuit Court of Humphreys County directing that Court to proceed with the collection of the costs of the cause accrued herein in the manner provided by law.

The Clerk of his Court will issue a duly certified copy of this judgment to the sheriff of Humphreys County, which will be his authority for delivering the plaintiff in error to the warden or his agent; and also a duly certified copy hereto to the Warden of the

Penitentiary who will at once proceed to execute this judgment.

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

I, David S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of said Court, pronounced at its December Term, 1939, in the case of Rosa Nell Warren Vs The State, as the same appears of record in my office.

In testimony whereof I hereto set my hand and affixed the seal the seal of the Court, at office in the Capitol, at Nashville, on this the 20th day of January 1940.

SEAL.

David S. Lansden, Clerk

PROCEDENDO

STATE OF TENNESSEE, To the Hon. Judge of the Circuit Court of Humphreys County, Holding and presiding at Waverly, Tennessee. Whereas; in the Supreme Court, at Nashville, at its December Term, 1939, it was adjudged and ordered in the cause, Rosa Nell Warren Vs. The State appealed to our said Court from said Circuit Court that the same be remanded thereto for further proceedings and final determination therein.

These are therefore, To require you, the Court as aforesaid, that you proceed with the execution of this judgment of our said Supreme Court, by such further proceedings in your Court as shall effectuate the objects of this order to remand, and attain the ends of justice.

Witness, David S. Lansden, Clerk of our said Court, at office in Nashville, the First Monday of December, 1939.

David S. Lansden, Clerk

THE STATE OF TENNESSEE, Be it remembered, that a Supreme Court of Errors and Appeals, begun and held at the Capitol, in the City of Nashville on the first Monday of December 193...

It being theday of December, 193..... when the following proceedings were had, to-wit: Rosa Nell Warren Vs. The State, Humphreys Criminal, case No. 2.

Came the plaintiff in error in proper person and by council, and also came the Attorney-General on behalf of the State, and this cause was heard on the transcript of the record from the Circuit Court of Humphreys County; and on consideration thereof, the Court is of the opinion that there is no reversible error on the record, and that the judgment of the Court below should be affirmed, and it is accordingly so ordered and adjudged by the Court.

It is therefore ordered by the Court that the plaintiff in error, for the offense of uttering forged check as charged in the indictment, be delivered to the warden on the penitentiary, or his agent, and be by him conveyed to the penitentiary of the State of Tennessee and there confined at hard labor for a term of not more than one year and one day commencing on the day of her reception at said penitentiary.

It is further ordered by the Court that plaintiff in error be infamous and disqualified from holding any office under the State, or exercising elective franchise, or giving evidence in the Courts of this State. The plaintiff in error will pay the costs of the cause accrued in this Court and the Court below, and execution may issue from this Court for the costs of the appeal. A procedendo will be issued to the said Circuit Court of Humphreys County directing that Court to proceed with the collection of the costs of this cause accrued herein in the manner provided by law.

The Clerk of his Court will issue a duly certified copy of this judgment to the Sheriff of Humphreys County, which will be his authority for delivering the plaintiff in error to the warden or his agent; and also a duly certified copy hereto to the warden of the penitentiary who will at once proceed to execute this judgment.

The judgment in this case shall run concurrently with judgment in case No. 1.

I, David S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of said Court, pronounced at its December Term, 1939, in the case of Rosa Nell Warren Vs. The State, as the same appears of record in my office.

In testimony whereof I have hereto set my hand and affixed the seal of the Court at of ice in the Capitol, at Nashville, on this the 20th day of January 1940

Seal.

David S. Lansden, Clerk

STATE OF TENNESSEE

VS.

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE

MARTIN MORAN

The petition in this cause came on to be heard before the Honorable Dancy Fort, Judge, on the 18th day of May 1940, upon the petition filed in this cause and the oral testimony and in fact, the entire record in the cause, when after a hearing of all the facts the Court is of the opinion that the relator, Martin Moran, has failed to sustain the allegations contained in said petition.

It is therefore ordered and adjudged by the Court that the relief prayed for in the said petition be denied and said petition is hereby dismissed.

STATE OF TENNESSEE, EX REL MARTIN MORAN

VS.

FRANK JAMES

JUDGMENT OF THE COURT

This is a habeas corpus proceeding wherein the relator, Martin Moran, asks to be released from the custody of the Sheriff of Humphreys County because of the taxation of certain costs which he claims should not be taxed against him. The ground of the complainant is that the Clerk of the Court did not require the witnesses to claim their ~~xxx~~ attendance in compliance with Section 11975 of the Code. The case was heard on the petition of the relator and the answer of the Sheriff which denied the allegations of the petition. No proof was offered on either side. The law presumes that every official complies with the law fixing his duties and there being no proof to overcome the presumption of the Court is pleased to and doth dismiss the petition at the cost of the relator, Martin Moran, for which let execution may issue. The Sheriff will take custody of the defendant until the costs are paid or secured.

Dancy Fort, Judge

STATE OF TENNESSEE, To the Hon. Dancy Fort, Judge of the Circuit Court of Humphreys County, Holding and Presiding at Waverly, Tennessee: Whereas, in our Supreme Court, At Nashville, at its December Term, 1939 it was adjudged and ordered in the case Porter Head Vs. The State appealed to our said Court from said Circuit Court that the same be

remanded thereto for further proceedings and final determination therein. These are therefore, To require you, the Court as aforesaid, that you proceed with the execution of this judgment of our said Supreme Court, by such further proceedings in your Court as shall effectuate the objects of this order to remand, and attain the ends of Justice. Witness David S. Lansden, Clerk of our said Court,

at office in Nashville, the first Monday of December, 1939.

David S. Lansden, Clerk

THE STATE OF TENNESSEE, Be it Remembered, That a Supreme Court of errors and Appeals begun and held at the Capitol, in the City of Nashville, on the first Monday of December 193....., it being the.....day of December, 193..... when the following proceedings were had, to-wit: Porter Head Vs. The State, Humphreys Criminal. Came the plaintiff in error by council, and also came the Attorney-General on behalf of the State and this cause was heard on the transcript of the record from the Circuit Court of Humphreys County; and upon consideration thereof, the Court is of the opinion that there is no reversible error on the record and that the judgment of the Court below should be affirmed, and it is accordingly so ordered and adjudged by the Court. It is therefore ordered and adjudged by the Court that the State of Tennessee recover of Porter Head the Plaintiff in error, for the use of the County of Humphreys the sum of one cent the fine assessed against him in the Court below, together with the costs of the cause accrued in this Court and in the Court below, and execution may issue from this Court for the cost of the appeal. IT is further ordered by the Court that the plaintiff in error remain in custody of the Sheriff of Humphreys County, until the fine and costs are paid, secured or worked out as required by law, and this cause is remanded to the Circuit Court of Humphreys County, for the execution of this judgment.

I, David S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of said Court at its December Term, 1939 in the cause of Porter Head Vs. The State, (as the same appears of record in my office.

In testimony whereof I have set my hand and affixed the seal of the Court, at office in the Capitol, at Nashville on this the 18th day of May 1940.

SEAL.

David S. Lansden, Clerk.

L.P. Davis

VS.

BREACH OF CONTRACT

W.C. MAYS,
CYNTHIA SMITH

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

THE SERVICE LINES, INC.

VS.

DAMAGE

GEORGE K. TATE, ETAL

In this cause comes the defendant Geo. K. Tate, and by order of the Court Pltff is allowed thirty(30) days to file declaration.

LONNIE BANES

VS.

DAMAGE

H.E. BULLARD,

It is ordered by the Court that this cause is continued until the next term of this Court.

LONNIE BANES

VS.

DAMAGE

H.E. BULLARD
W.T. CARROLL

It is ordered by the Court that this cause is continued until the next term of this court.

LONNIE BANES

VS.

DAMAGE

T.C. FLOWER, ETAL

IT is orderd by the court that this cause is continued until next term.

W.R. HAMILTON, ADM.
JAMES HAMILTON, DEC.

DAMAGE

VS.

CLARENCE KINTPATRICK

In this cause by agreement of parties it is ordered that this cause be continued until the next term of this Court.

MRS THELMA ANDERSON

DAMAGE

VS.

FOWLKS UNDERTAKING CO.

Upon motion of the plaintiff this case is ordered continued until the next term and set for the first day of said term.

MRS BETTIE LUNSFORD

IN THE CIRCUIT COURT OR HUMPHREYS COUNTY, TENNESSEE

VS.

F.W. COOK CO. ETAL

In this cause, it appearing to the Court as evidenced by the signatures of the parties, by their attorneys of record, that all matters in controversy between the Pltff. and Defendants have been compromised and settled, it is so considered by the Court.

It is therefore ordered and adjudged that this suit be, and same is hereby, dismissed, at the costs of the Defendant, for which execution may issue.

Mrs Bettie Lunsford

By J.R. Morris and Roy Carter

W.D. Russell

By Mainer and Couch, Atty's

F.W. Cook, Co.

By Mainer and Couch, Atty's

H.W. Hooper

VS.

Condemnation- Compromised and settled out of Court

R.P. McCarty

In this case by agreement of all parties, this case is compromised and settled out of court.

W.J. THOMPSON, ADM.

VS.

DAMAGE

N.C. & ST. LOUIS R.R.

ORDER OF DISMISSAL

In this cause, came the parties in open Court on this the 15th day of April 1940 when Council for plaintiff announced in Court that this case had been compromised and settled by and between the parties and then moved that the case be dismissed.

Thereupon the Court is pleased to allow the motion and said case is hereby dismissed and stricken from the docket. The cost in this case is taxed against the Defendants for the collection of which execution may issue.

APPROVED.

Roy Carter

J.R. Morris
Council for Pltffs

W..... Whitwell

Mack C. Simpson
Council for Defendants

J.W. TOWNSEND

VS.

IN THE CIRCUIT COURT FOR HUMPHREYS COUNTY, TENNESSEE

A.M.O'GUINN

APRIL TERM 1940.

In the above styled cause, there being two cases of the same style, the Pltff moved the Court to dismiss the petition in each case on the grounds that there was no sufficient bond to support same; whereupon the Court over-ruled the motion and allowed the petitioners in each to execute a certiorari bond in double the amount of the judgment involved, and the case was continued until the next term of this court.

SHERIFF'S BOARD BILL FOR BOARDING PRISONERS CHARGED WITH FELONIES

State of Tennessee vs. Manuell Russell, House breaking and Larceny, 12/12/39, to 2/20/40, 71 days at 75¢ per day\$53.25
 State of Tennessee vs. Rogers Green, Larceny, 12/12/39, to 3/7/40, 87 days at 75¢ per day and 2 turnkeys.....\$67.25
 State of Tennessee vs. Emma Lee Luten, Assault with an ax with intent to committ murder, From 12/12/39 to 4/15/40. 126 days at 75¢ per day.....\$94.50
 State of Tennessee vs. Jesse Rogers, Assault and battery to committ Rape, From 12/12/39 to 12/21/39, 10 days at 75¢ per day and 2 turnkeys.....\$ 9.50
 State of Tennessee vs. Harman, Larceny, 12/13/39 to 2/9/40, 50 days and two turnkeys\$39.50
 State of Tennessee vs. J.B. Buchanan, Larceny, From 12/13/39 to 2/19/40, at 75¢ per day and two turnkeys.....\$46.25
 State of Tennessee vs. Arthur Baker, Larceny, 12/13/39 to 12/18/39, 6 days at 75¢ per day and two turnkeys.....\$ 6.50
 State of Tennessee vs. Shelt Davis, Larceny, From 12/12/39 to 12/31/39, 9 days at 75¢ per day and two turnkeys.....\$ 8.75
 State of Tennessee vs. Robert Jones, Larceny, 12/13/39 to 12/14/39, 2 days at 75 ¢ per day and two turnkeys.....\$ 3.50
 State of Tennessee vs. Issidore Davidson, age of consent, from 12/16/39 to 12/16/39, one days at 75¢ per day and two turnkeys.....\$ 2.75

State of Tennessee vs. Martin Moran, Felonious Assault, 12/26/39 to 2/12/40
49 days at 75¢ per day and two turnkeys.....\$38.75
3 days at 75¢ per day
State of Tennessee vs. Rosa Nell Warren, Forgery, from 1/20/40 to 1/22/40, and
two turnkeys\$ 4.75
State of Tennessee vs. Joe Asher, Larceny, from 2/8/40 to 4/15/40, 68 days
at 75¢ per day and.....\$51.00
State of Tennessee vs. Joe Samaska, Larceny, from 2/8/40 to 4/15/40, 68
days at 75¢ per day\$51.00
State of Tennessee vs. Dillie McGruder, felonious assault from 2/9/40 to 2/14/40
6 days at 75¢ per day..... 4.50
State of Tennessee vs. Alice Mathis, House Breaking from 2/26/40 to 3/22/40, 32
days at 75¢ per day..... 24.00
State of Tennessee vs. Eugene Tibbs, House Breaking and Larceny, from 4/8/40 to
4/15/40, 8 days at 75¢ per day..... 6.00
State of Tennessee vs. Bus Runions, Larceny, from 4/14/40 to 4/15/40, 2 days
at 75¢ per day..... 1.50
State of Tennessee vs. Jimmie D. Fortner, Felonious assault from 4/10/40 to
4/15/40, 6 days at 75¢ per day..... 4.50

REPORT OF GRAND JURY.

We, the members of the Grand Jury for the April Term 1940, of the Circuit Court
for Humphreys County, Tennessee, beg leave to submit the following report to Your
Honor.

We have investigated 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 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
properly executed and good and solvent for the various amounts thereof. And now
having completed our labors we ask to be discharged for the term.

R. H. McKeel, Foreman Grand Jury, Foster Pinkston, J. P. Holloran, W. H. Hooper,
Jesse Gwin, W. L. White, A. L. Guthrie, J. L. Prater, F. W. Sinks, G. C. Davis,
T. L. Carter, Jesse L. Anderson, Robert G. Wyatt.

CITY OF WAVERLY

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

MRS SUMIA CLAXTON, ETAL

In this cause, it appearing to the Court that on Jan. 1st, 1940, the City of
Waverly, Tennessee filed its original petition in this cause in this Court, seeking,
among other things, to condemn a strip of land as a right of way, or a part thereof
within the City of Waverly, for street or highway purposes, over and across the lands of the
Defendants, as described in said Petition.

And it further appears to the Court that a copy of said petition with proper process
has been legally served upon the Defendants.

And it further appears to the Court that the property sought to be condemned as
right-of-way, and hereinafter described has been selected and is needed for public use in
the construction of public street or highway; and that Petitioner is entitled to immediate
possession of the property sought to be condemned.

It is, therefore, ordered, that the Petitioner be, and here by is, given the right
to immediate possession of the strip of land sought to be condemned, which is described as
follows:

A tract of land extending from survey station 997 plus 22 at the Lucas to station
1004 plus 18 at the south side of the public square, being 686 feet long, and bounded on
the sides as follows;

On the south by the lands of Lucas, on the east by the lands of Harris-Haley-York
and or road or street, on the north by the south side of the Waverly Public square,
and on the west by a line west of, parallel to and 30 ft from the center line of said
proposed street as staked out.

Also an easement is required to make such cuts and fills upon the land adjacent to
to the above described right-of-way as be necessary in order to construct a side walk upon
said right-of-way to the grade of the curb of said proposed street.

It appearing to the Hon. Dancy Fort, Circuit Judge, present and presiding at the regular
April Term, 1940 of the Circuit Court for Humphreys County, Tennessee that the business
of said Court requires it to adjourn until Saturday May 18, 1940, that being a date prior
to the time fixed by law for the holding of court by said Judge in any other county in
this judicial circuit, it is therefore ordered by the said Judge that this Court adjourn
until that date.

Thereupon on proclamation of the Sheriff of Humphreys County, the Court was
adjourned until Saturday May 18, 1940.

Dancy Fort Judge

STATE OF TENNESSEE
VS.
NEWSOME COUCH
ELMER ANDERSON

LARCENY, THIS BEING CASE NO. 22ON THE CRIMINAL DOCKET.

AND

STATE OF TENNESSEE
VS.
NEWSOME COUCH
ELMER ANDERSON

LARCENY, THIS BEING CASE NO. 23 ON THE CRIMINAL DOCKET.

In these causes came the attorney-general for the state and the defendant in person and by attorney whereupon the court the defendant's motion for a new trial and after argument of the council the same was overruled and thereupon on motion of defendant the Court re considered the former judgment and ordered that the two sentences run concurrently, whereupon the defendant announced that he would not appeal and did surrender himself unto the custody of the sheriff pending execution of said sentence.

STATE OF TENNESSEE
VS.
WILLIAM MARSHALL

GOING ARMED

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, came on to be heard by the court, which motion being heard by the Court is in all things over-ruled.

STATE OF TENNESSEE
VS.
FLORENCE KILBURN

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

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, came on to be heard by the court, which motion being heard by the Court is in all things overruled.

COURT THEN ADJOURNED UNTIL COURT IN COURSE.

ss

Douglass

Judge

CAPTION AUGUST 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 Court House in the town of Waverly, Tennessee on the 12th day of August 1940, it being the ^{second} Monday of said month, and the One thousand nine Hundred and fortieth year of our Lord, and the One Hundred and sixty-fourth year of the American Independence. Present and presiding the Hon. Nancy Fort, Judge of the 9th 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 of Vinire Facias, showing that that the following named persons were appointed by the County Court, at its July Term 1940, to appear and serve as Jurors at this the present term of Court, to-wit: George W. Claxton, W.R. Lockhart, Edwin Gwin, Colman Grice, Nathan Collier, John P. Timmell, Robert Warner, Mason Merideth, Jesse Robertson, Alden Poyner, Allen Story, J.J. Kelley, W.W. Lane, Herbert Vineyard, Big Bob Holland, Bert Craft, Vester Spann, J.P. Lighttower, Will Norman, W.H. May, Vernon Anderson, Jerome Reeves Jr., Doss Little, Henry Rochelle, C.P. Birchard, and J.P. Woods.

And out of these Jurors so summoned the following were selected, as required by law, as Grand Jurors, to-wit: Doss Little, Bert Craft, R.P. Holland, J.P. Lighttower, A.D. Poiner, W.W. Norman, H.P. Portner, W.H. May, Jerome Reeves Jr., C.W. Claxton, J.P. Rochelle, Allen Story. And R.W. 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 in charge of their sworn officer, Hubert Hadre, Deputy Sheriff of Humphreys County, Sworn according to law to attend them in considering indictments and presentments.

And out of the remaining number of said Jurors so summoned, the following were excused from Jury service by the Court, to-wit: A.V. Anderson, Charles Birchard, Jesse Robertson, and J.J. Kelley. And the following named persons were summoned by the Sheriff of Humphreys County, Tennessee and qualified as regular Jurors in the stead of the above named excused Jurors, to-wit: Vester Spann, W.R. Smith, E.S. Vassell, W.C. Davis, E.L. Collins, Jesse James, and V.P. Smith.

THE SERVICE LINES INC.

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

GEORGE K. TATE, ETAL

On motion of Defendants, this case is continued until the next term of this court.

CITY OF WAVERLY

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

MRS SUSIE CLAXTON, ETAL

In this cause, it appearing to the Court that executions have been filed to the report of the Jury of View, no action is taken on the executions due to the absence and illness of the Attorney of the Plaintiff. This cause is continued until the next term of court.

W.R. HAMILTON, ADM.

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

CLARENCE KIRKPATRICK

THIS cause is continued until the next term of this court on motion of defendant.

A. M. O'GUIN, ETAL

V.S.

J.W.TOWNSEND

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

On motion of the ~~defendant~~ Complainant this cause is continued until the next term of this court.

MRS THELMA ANDERSON

VS.

FOWLER'S UNDERTAKING CO.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

This cause is continued until the next term of court on motion of Complainant.

CHARLES H. TOTTY

VS.

W.C.PACE

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

J.M.Reeves, a Justice of the peace, in and for the county of Humphreys, Tennessee, filed in court the following papers.

WARRANT

State of Tennessee, Humphreys County. To any lawful Officer of said County, You are hereby commanded to summon W.C.Pace a non-resident of the State of Tennessee, to personally appear before me, or some other acting Justice of the Peace for said county to answer the complaint of Charles Totty, in a plea of Debt due by open account. Under \$500.00. Given under my hand and seal, this 1st day of April 1939.

J.M.Reeves, (seal) Justice of the Peace.

Charles Totty, Pltff. vs. W.C.Pace, Def. Issued 1st. day of April 1939. J.M.Reeves J.P. came to hand the same day issued and executed by reading the within warrant to and citing to appear before J.M.Reeves, esq. for trial the 3rd day of April 1939 at 12 O'Clock a.m. W.J.Hooper, C.H.C.

JUDGMENT

Charles Totty Vs. W.C.Pace, In this cause I render Judgment for the Pltff and against the defendant for \$60.00 and 24/100 Dollars and all costs of suit, for which Ie execution issue. This 24th day of June 1939. J.M.Reeves Justice of the Peace.

BILL OF COST

Justice Cost Issued Warrant 50¢, Judgment 75¢, Docketing 25¢, Officers Cost, Serving Warrant \$1.00, Spes \$2.50, Attachment \$2.00. Publisher's Cost \$10.00.

L.C.Bohanan, Clerk
John Rushton, D.C.

ATTACHMENT

STATE OF TENNESSEE |
HUMPHREYS COUNTY | SCT.

Before me J.M.Reeves a Justice of the Peace, in and for the said County and State, this day personally appeared Charles Totty and made oath that W.C.Pace, a nonresident of the State of Tennessee is indebted to him in the sum of Sixty & 24/100 Dollars due by Store account and that the claim is just; and that the said W.C.Pace, a non-resident of the State of Tennessee and residing at Rives, Missouri, is the owner of certain real estate in Humphreys County Tennessee, situated in the 5th Civil District of said County on the waters of Blue Creek of Tennessee River, Bounded on the North by Equitable Life Assurance Society; on the East by Equitable Assurance Society and W.C.Mays; on the South by W.C.Mays; and on the West by the said Equitable Assurance Society, Containing three

acres more or less. He therefore prays Attachment against the said property of the said W.C.Pace. This suit has been commenced by summons of Plaintiff against Defendant upon a warrant before J.M.Reeves, a Justice of the Peace, and the Amount of claim laid in said writing being \$60.24, and that said claim is just. Charles Totty. Sworn to and subscribed before me, this 1st day of April 1939. J.M.Reeves, J.P.
We agree and bind ourselves to pay to W.C.Pace the sum of \$150.00 Dollars.
But the condition of the above Obligation is such, that, whereas, Charles Totty has this day sued out an attachment against the estate of said W.C.Pace the sum of \$60.24, Dollars: Now, should the said Plaintiff prosecute with, or in case of failure, pay the Defendant all costs that may be adjudged against him and also such damages as W.C.Pace may sustain by wrongfully suing out this Attachment, then the obligation to become null and void; otherwise to remain in full force and virtue.
Witness our hands, this the 1st, day of April 1939. Charles Totty
C.G.Dodd.

X ~~LESTER~~ LEVY

The above attached Attachment of which this is a part, Came to hand 1st. day of April 1939, and executed by levying the within attachment on three acres of land in the fifth civil district of said county on the waters of Blue Creek of Tennessee River, Bounded on the North by the Equitable Life Society; on the East by said Equitable Life Assurance Society and W.C. Mays; On the South by W.C.Mays and on the West by said Equitable Life Assurance Society. This 3rd day of April 1939. W.J.Hooper, C.H.C.
And on motion of said Plaintiff by his Atty. It is ordered by the Court that the lands so levied on, be sold by the Sheriff of Humphreys County, Tennessee, to satisfy the Afore-said Judgment of Charles H. Totty taken before J.M.Reeves and against W.C.Pace and the costs of all proceedings.

LESTER E. BULL

VS.

BOUD TOLAND, ETAL

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

On motion of the Defendants this cause is continued until the first day of the next term on which it is set especially for trial.

CECIL FRED KING

VS.

T.J.MOSS TIE COMPANY

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

ORDER APPROVING LUMP SUM SETTLEMENT
UNDER WORKMEN'S COMPENSATION LAW OF
TENNESSEE

This cause came on this day to be heard upon the sworn joint petitioners herein and evidence heard in open court, and it appearing to the Court that the petitioner, Cecil Fred King, was an employee of F.A. Toland, an independent contractor for T.J.Moss Tie Company.

That heretofore on December 22, 1939, petitioner, Cecil Fred King, suffered an accident arising out of and in the course of his employment with F.A.Toland. That as a result of said accident he sustained an indirect inguinal hernia.

That at the time of said injury the weekly wage of petitioner Cecil Fred King was \$10.00.

It further appearing to the Court that the Petitioner, T.J.Moss Tie Company, has accepted this case as a compensable case and heretofore has paid the petitioner Cecil Fred King, nine and fourseventh weeks compensation at the rate of \$5.00 per week and the sum of \$79.00 medical expenses and \$93.85 hospital expenses has been paid by T.J.

Moss Tie Company, petitioner herein.

It further appearing to the Court that the petitioner, Cecil Fred King, and petitioner T.J. Moss Tie Company, are desirous of making a lump sum settlement of any compensation of that may be hereinafter due petitioner, Cecil Fred King, on account of said injury and it appearing to the Court that petitioner, Cecil Fred King, and petitioner T.J. Moss Tie Company, have agreed upon the payment of Cecil Fred King the sum of \$50.00 and the cost of this proceedings.

It further appearing to the Court that said settlement is fair and just, and that all parties desire to settle and compromise said settlement in accordance with the Workmen's Compensation Law of Tennessee.

It is therefore ordered, adjudged, and decreed by the Court that the petitioner, Cecil Fred King, have and recover from the petitioner, T.J. Moss Tie Company, the sum of Fifty (\$50.00) and the cost of this proceedings, for which let execution issue.

Dancy Fort
Judge of the Circuit Court of Humphreys Co.
Tennessee

TO THE CIRCUIT COURT CLERK OF HUMPHREYS
COUNTY, TENNESSEE

You are directed to spread the foregoing order approving lump sum settlement under the Tennessee Workmen's Compensation Law upon the minutes of the Circuit Court of Humphreys Co. Tennessee.

Dancy Fort
Judge of the Circuit Court of Humphreys
County, Tennessee.

RECEIVED OF T.J. MOSS TIE COMPANY, this 21st. day of May, 1940 the sum of Fifty Dollars, in full, final and complete settlement and discharge of the foregoing judgment.

Cecil Fred King.

WITNESSEE

G. BIRD.
MEMPHIS TENN.
EARL D. YATES
By next friend
G. J. YATES,

VS.

R. B. LESTER AND
JACK FORT.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

This cause coming on to be heard before the Hon. Dancy Fort, Judge of the Circuit Court of Humphreys County, Tennessee, on the ____ day of ____, 1940, without the intervention of a Jury, the same being expressly waived by the parties, upon the declaration of the general issue plea of the defendants and the testimony of witnesses in open Court, from all of which and after due consideration thereof, the Court is pleased to find the issue in favor of the Plaintiff and against the defendants and assesses the damages at Three Hundred Dollars (\$300.00). It is therefore ordered, adjudged and decreed by the Court that the Plaintiff have and recover of the defendants the said sum of three Hundred (\$300.00) Dollars, together with the costs of this cause for which let execution 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.

LONNIE BANES

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

H. E. BULLARD

In this cause, on motion of Plaintiff, the Plaintiff is permitted to take a non-suit, and the cause is dismissed without prejudice at the cost of the Plaintiff.

LONNIE BANES

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

T. C. FLOWERS, ETAL

In this cause, on motion of the Plaintiff, the Plaintiff is permitted to take a non-suit, and the cause is dismissed without prejudice at the cost of Plaintiff.

LONNIE BANES

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

H. E. BULLARD, ETAL

In this cause, on motion of Plaintiff, the Plaintiff is permitted to take a non-suit and the cause is dismissed without prejudice at the cost of the Plaintiff.

FRANK SPICER

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

HOBBS WESTERN CO.

This matter came on to be heard before the Hon. Dancy Fort Judge, on the Petition, the waiver of process on the part of the employee, Frank Spicer and his agreement to relief sought, and the said employee having been examined in open Court, it is accordingly ordered that the final settlement agreement under which said employee has been paid the sum of three Hundred Seventy-Five (\$375.00) Dollars, which is a lump sum settlement by agreement of the parties provided in the Workmen's Compensation Act, be and the same is hereby ratified and approved and made the judgment of this Court. The costs of the petition have been paid by petitioner as set in the act. This 13th day of August 1940, Dancy Fort, Jdg. By consent.

Wack Simpson
Atty for Pltff.

W. H. Libby
Atty. Def.

SEARS ROEBUCK & CO.

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

C. B. GRAVES, ETAL

It appearing to the Court that this cause has been settled out of Court the same is dismissed at the cost of the defendants.

AMERICAN NATIONAL BANK
B. A. CALDWELL & CO.

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

W. D. JONES

In this cause due to the non-appearance of both parties for a number of courts, it is ordered by the Court that it be retired.

IDA FULLER, ETAL

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

PAUL JONES

In this case due to the non-appearance of both parties for a number of Courts, it is ordered by the Court that it be retired.

B.A. CALDWELL & CO, ADM.
GEO. FULLER, DEC.

VS.

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

W.D. JONES

In this case due to the non-appearance of both parties for a number of Courts, it is ordered by the Court that this case be retired.

STATE OF TENNESSEE

VS.

RAPE

CLARENCE ELLISON

In this case comes the Attorney-General for the State and the defendant in person and by attorney, when upon motion of defendant due to the illness of Mrs Thomas Ellison, this case is ordered by the court continued until the next term of this Court.

STATE OF TENNESSEE

VS.

LARCENY

BILL LANE

In this case comes the Attorney-General for the State and the Defendant in person and by Attorney, upon recommendation of the Attorney-General, it is ordered that a nolle Prosequi be entered in this case.

STATE OF TENNESSEE

VS.

FORGERY

ROSA NELL WARREN

In this case comes the Attorney-General for the State and it appearing to the Court that the defendant is in the Penitentiary, it is therefore ordered that this cause be continued until next term of Court.

STATE OF TENNESSEE

VS.

AGE

B.W. INGRAM

In this case comes the attorney-General for the State and the defendant in person, and upon defendant's agreement to pay some on cost, it is ordered that this case is continued until the next term of this Court.

STATE OF TENNESSEE

VS.

LARCENY

JAMES COLLIER

In this cause it appearing to the Court that the Defendant has not been apprehended it is ordered by the Court that an alias capias issue for him.

STATE OF TENNESSEE

VS.

AGE OF CONSENT

LOYD MATLOCK

In this case the Attorney-General for the State and the Defendant in person and council for deft. jointly recommend to the court that said cause be continued by consent, whereupon it is ordered by the Court that this cause be continued until the next term of Court.

STATE OF TENNESSEE

VS.

AGE OF CONSENT

ISSADORE DAVIDSON

In this cause upon motion, it is ordered by the Court that a nolle prosequi be entered when cost is paid.

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, and sufficient cause being shown, it is ordered by the Court that this case be continued until the next term of Court.

STATE OF TENNESSEE

VS.

ABORTION

ORA BRITTON AND
PRINCESS SILVERHEEL

In this case comes the Attorney-General for the State and the Defendants by Attorney when upon motion it is ordered 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

THOMAS FORESTER

In this case it appearing to the Court that the Defendant has not been apprehended it is therefore ordered that an alias capias issue for him.

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER

DILLIE MCGRUDER

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 cause upon the payment of the Cost.

STATE OF TENNESSEE

VS.

DRUNKNESS

CECIL KING

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 pleaded not guilty.

Thereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to-wit: E.C. McGuinn, J.F. Woods, W.R. Lackhart, Colman Price, E.L. Vinyard, N.R. Collier, Robert Horner, John Minnell, Vester Swann, W.P. Smith, E.S. Hassell and W.C. Davis. Who being duly elected, tried and sworn according to law, after hearing all of the proof, argument of council, and the charge of the Court, upon their oath do say that they find the defendant guilty as charged in the indictment and assess and fix his punishment at Two and 50/100 (\$2.50) Dollars and the cost.

It is therefore ordered, adjudged and decreed by the court for the offense as found by the jury that the defendant pay or secure a fine of \$2.50 and the cost of this for which is execution issue. and thence come into open court, J.M. King, W.C. Canada and W.W. Norman and entered their names as securities for all this fine and cost.

STATE OF TENNESSEE

VS.

MAN SLAUGHTER

KIRT STITT

In this case comes the attorney-General for the State and the defendant in person, when upon motion, due to the death of Mr. Simpson, it is ordered by the court that this cause is continued until the next term of this court.

STATE OF TENNESSEE

VS.

PERGORY

E.F. DUNAGAN

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

PROSEUDO

STATE OF TENNESSEE, To the Honorable Judge of the Circuit Court of Humphreys County, Holding and Presiding at Waverly, Tennessee: Whereas, in the Supreme Court at Nashville, at its December Term, 1939, it was adjudged and ordered in the cause Porter Head Vs. State of Tennessee appealed to our said Court from said Circuit Court that the same be remanded thereto for further proceedings and final determination therein. These are, therefore, to require you, the Court as aforesaid, that you proceed with the execution of said judgment of our said Supreme Court, by such further proceedings in your Court as shall effectuate the objects of this order to remand, and attain the ends of justice.

Witness, DAVID S. LANSDEN, Clerk of our said Court, at office in Nashville, the first Monday of December, 1939. David S. Lansden, Clerk. SEAL.

THE STATE OF TENNESSEE. Be it remembered, That at a Supreme Court of Errors and Appeals, begun and held at the Capitol, in the City of Nashville, on the first Monday of December, 192.... it being the.....day of December, 192.... when the following proceedings were had, to-wit: Porter Head Vs. The State. Humphreys Criminal. Came the plaintiff--in error by counsel, and also came the Attorney-General on behalf of the State, and this cause was heard on the transcript of the record from the Circuit Court of Humphreys County; and upon consideration thereof, the Court is of opinion that there is no reversible error on the record and that the judgment of the Court below should be affirmed, and it is accordingly so ordered and adjudged by the Court.

It is therefore ordered and adjudged by the Court that the State of Tennessee recover of Porter Head, the plaintiff in error, for the use of the County of Humphreys the sum of one cent the fine assessed against him in the Court below, together with the costs of the cause accrued in this Court and in the Court below, and execution may issue from this Court for the cost of the appeal.

It is further ordered by the Court that the plaintiff in error remain in the custody of the Sheriff of Humphreys County, until said fine and costs are paid, secured or worked out as required by law, and this cause is remanded to the Circuit Court of Humphreys County, for the execution of this judgment.

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

I, David S. Lansden, Clerk of said Court, do hereby certify that the foregoing is a true, perfect and complete copy of the judgment of said Court at its December Term, 1939, in the case of Porter Head Vs. The State, as the same appears of record in my office.

In testimony whereof I have hereto set my hand and affixed the seal of the Court, at office in the Capitol, at Nashville, on this the 18 day of May, 1940.

David S. Lansden, Clerk

SEAL

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

One against Floyd Smith, Assault with intent to commit murder in the first degree, which indictment is in words and figures as follows, to-wit:

STATE OF TENNESSEE | August Term of Circuit Court, A.D. 1940.
HUMPHREYS COUNTY |

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 Floyd Smith of said County, heretofore, to wit, on the 20th day of July 1940 with force and arms, in the County aforesaid, unlawfully, feloniously, wilfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Oliver Lee with a certain knife with the unlawful and felonious intent, then and there, him, the said Oliver Lee unlawfully, feloniously, wilfully, 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, 1940, The State Vs. Floyd Smith, Assault with intent to commit murder in the first degree, Oliver Lee, Prosecutor. Subpoena for the State, Oliver Lee, Dr. J.A. Suss, Ora Lee, Homer Ramsey, Carlton Starn, Robert Hall, Frank James, J.M. Reeves, Witnesses sworn by me on this indictment before the Grand Jury August Term, 1940.

R.H. McKeel, Foreman Grand Jury

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

W.C. Howell, Attorney-General

One against Woodroe Miller, Age of Consent, with indictment is in words and figures as follows, to-wit:

STATE OF TENNESSEE | August Term of Circuit Court, A.D. 1940.
HUMPHREYS COUNTY |

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 Woodroe Miller heretofore, to-wit, on theday of March 1940, in said County and State, unlawfully, feloniously and carnally knew Mildred Lankford, a female, over the age of twelve years and under the age of twenty-one years, the aforesaid Woodroe Miller and Mildred Lankford not occupying the relationship of husband and wife at the time of such carnal knowledge, and the said Mildred Lankford not being at the time and before said carnal knowledge, a lawful, lawful, 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, 1940, The State Vs. Woodroe Miller, Age of Consent, R.L. Lankford, Prosecutor. Subpoena for the State: G.L. Lankford, Mildred (Lankford) Miller, Witnesses sworn by me on this indictment before the Grand Jury August Term, 1940.

R.H. McKeel, Foreman Grand Jury

W.C. Howell, Attorney-General

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

One against John Otto Grosby, Driving Drunk, Subpoena for the State: Trabue Lewis, Bob Choate, T.D. Story, and Frank James.

One against L.J. Cowen, Assault with intent to commit murder, which indictment is in words and figures as follows, to-wit:

STATE OF TENNESSEE | August term of Circuit Court. A.D. 1940
HUMPHREYS COUNTY |

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 L.J. Cowen of said County, heretofore, to wit, on the 29th day of April 1940 with force and arms, in the County aforesaid, unlawfully, feloniously, wilfully, feloniously, premeditatedly, and maliciously, did make an assault upon the body of one Lillian Ingram with an certain knife with the unlawful and felonious intent, then and there her, the said Lillian-Ingram unlawfully, feloniously, wilfully, deliberately, premeditatedly, and of his 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 of, 1940, The State Vs. L.J. Cowen, Assault with intent to commit murder in the first degree. Brown Ingram, Prosecutor. Subpoena for the State: Brown Ingram, Lillian Ingram, J.P. Gibbons, Frank James, James Barnes, Euna Joe Ingram, Edith Durham, Witnesses sworn by me on this indictment before the Grand Jury, August Term 1940.

R.H. McKeel, Foreman Grand Jury

W.C. Howell, Attorney-General

Atrue Bill, R.H. McKeel, Foreman Grand Jury.

One against Clifford Bradley, Driving Drunk, Subpoena for the State; Grady Gray, Mrs Grady Gray, Mrs Mattie McAnless, Viston Duncan, Rudy Stanford.

One against Willie Scaggs, Driving Drunk, Subpoena for the State; Trebue Lewis and D.B. McAnn.

One against Austin Graves, Driving Drunk, Subpoena for the State; Sam Scott, Arnold Adams, J.P. Wright, Frank James, J.P. Travlor.

One against Roy Huchey, Larceny, which indictment is in words and figures as follows, to-wit;

STATE OF TENNESSEE
HUMPHREYS COUNTY August term of the Circuit Court A.D. 1940

Then 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 Roy Huchey of said County heretofore, to-wit, on the 19th day of April 1940, in the County aforesaid, unlawfully and feloniously did steal, take and carry away six shirts of the value of Four Dollars, the property of B. Bennett Company a Corporation 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

August Term, 1940, The State Vs. Roy Huchey, Larceny. H.C. Schomaker, Prosecutor. Subpoena for the State; H.C. Schomaker, Frank Wells, and J.P. Travlor. Witnesses sworn by me on this indictment before the Grand Jury, August Term, 1940.

R.H. McKeel, Foreman Grand Jury

W.C. Howell, Attorney-General

Atrue Bill, R.H. McKeel, Foreman Grand Jury.

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

Signature JUDGE.

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY FORT, JUDGE, ETCC

STATE OF TENNESSEE

VS.

POSSESSING LIQUOR

CLAUD INMAN

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

STATE OF TENNESSEE

VS.

H-B & LARCENY

JOHNIE WALKER

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.

Whereupon to try the issues joined came a jury of good and lawful men of Humphreys County, Tennessee, to-wit: E.C. Quinn, J.F. Woods, W.H. Lackhart, Colman Price, H.L. Vinyard, M.P. Collier, Robert Warner, John Tinnell, Vester Spann, W.W. Smith, E.S. Bassell and W.C. Davis, who, being duly elected tried and sworn, after hearing all the proof, argument of the council and 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 with out day.

~~XXXXXXXXXXXX~~

STATE OF TENNESSEE

VS.

AGE OF CONSENT

WOODROE MILLER

In this cause comes the Attorney-General for the State and the defendant in person when upon motion of the Attorney-General for the State, it is ordered that this case be placed on the retired docket.

STATE OF TENNESSEE

VS.

ASSAULT TO MURDER

JOE PATTERSON

In this cause 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.

ASSAULT WITH AN ICE PECK

NATH GHOLSTON

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

JOHN OTTO CROSSBY

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

STATE OF TENNESSEE

VS.

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

L.J. COWEN

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

Thereupon to try the issues came a jury of good and lawful men of Humphreys County, Tennessee, to-wit: E.C. Guinn, J.P. Woods, W.R. Lockhart, Coleman, Grice, H.L. Vinyard, N.P. Collier, Robert Horner, John Tinnell, Vester Spann, W.R. Smith, E.S. Hesseland W.C. Davis, who, being elected, tried and sworn according to law, and being in charge of their sworn officers, Grady Gray and D.R. McGinn, who, had been previously been sworn legally to attend them, 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 as charged in the indictment and assess and fix his punishment at twenty-one (21) years in the Penitentiary.

It is therefore ordered, adjudged and decreed by the Court that for the offense as found by the Jury that the Defendant be confined in the Penitentiary at Nashville, Tennessee at hard labor for a period of time of not less than twenty-one nor more than twenty-one years. And that he be rendered infamous, And further that he pay the cost of this cause for which let execution issue.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

CLIFFORD BRADLEY

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.

Therefore it is ordered, adjudged and decreed by the Court that for the offense of Driving Drunk the defendant 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 same, he will be taken in custody by the Sheriff of Humphreys County, Tennessee and by him confined in the county jail until same is paid or secured. It is further ordered that the defendant be confined in the county jail for a period of thirty days, however, this jail sentence is suspended during good behavior. It is further ordered that the defendant be deprived of driving a motor vehicle for a period of five months and twenty-nine days.

STATE OF TENNESSEE

VS.

LARCENY

W.C. BRISSETT

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

STATE OF TENNESSEE

VS.

ASSAULT TO MURDER

JNO. H. ANDERSON

In this cause 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.

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

JUDGE.

COURT MET AS SUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY BORT, JUDGE, ETC.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

WILLIE SCAGS

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.

Therefore it is ordered adjudged and decreed by the Court that for the offense of Driving Drunk that defendant pay a fine of Ten (\$10.00) Dollars and the cost of this suit for which let execution issue, and in the event of his failure to pay of secure same he will be taken in custody by the Sheriff of Humphreys County, Tennessee and by him confined in the County jail until same is paid or secured. It is further ordered by the Court that the defendant serve a sentence of thirty days in the County jail, however, this sentence is suspended during good behavior. It is further ordered that the defendant be deprived of the right to drive a motor vehicle for a period of time of five months and twenty-nine days, And it is further ordered that he be given credit for the time (36 days) been in jail.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

AUSTIN GRAVES

In this case comes the Attorney-General for the State and the Defendant in person and by Attorney, when upon Defendant's agreement to plead guilty at the next term of this Court, this cause is continued until next term.

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

One against Roy Hughey, assault and Battery, Subpoena for the State; John Cotham, L.L. McNeil, Sam Scott, Lucian McNabb, Jno. D. Neisler.

One Against Roy Hughey, Driving Drunk, Subpoena for the State, John Cotham, L.L. McNeil, Sam Scott, Lucian McNabb, Jno. D. Neisler.

One against Charlie Brown and Nora Turner, Lewdness, which indictment is in words and figures as follows;

STATE OF TENNESSEE
HUMPHREYS COUNTY

AUGUST TERM OF THE CIRCUIT COURT A.D. 1940

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 Charlie Brown and Nora Turner did on the 16th day of December 1939, and from that time to the filing of this presentment, in said County and State, live and cohabit together as man and wife, they not being married, in lewd acts of fornication and adultery, openly, notoriously, publicly, scandalously, wickedly, and corruptly, to the manifest corruption of the public morals, to the evil example of all others in like cases offending, and against the peace and dignity of the State of Tennessee

W.C. HOWELL, ATTORNEY GENERAL

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY

ROY HUGHEY

In this case comes the Attorney-General for the State and the Defendant by attorney when upon motion due to illness of defendant, this case is continue until the next term of this Court.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

ROY HUGHRY

In this case comes the Attorney-General for the State and the defendant by Attorney when upon motion of the Attorney for defendant due to the illness of defendant, this cause is continued until next term of Court.

STATE OF TENNESSEE

VS.

LARCENY

ROY HUGHRY

In this case comes the Attorney-General for the State and the Defendant by Attorney when upon motion due to the illness of Defendant this case is ordered continued until the next term of this Court.

STATE OF TENNESSEE

VS.

LARCENY

ROY HUGHRY

In this case The Grand Jury returned an indictment marked "Not a True Bill", It is therefore ordered, advised 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

FLOYD SMITH

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

STATE OF TENNESSEE

VS.

POSSESSING A STILL

WILL BURGESS
HARRIS BRADLEY

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

Whereupon to try the issues joined came a jury of good and lawful men of Humphreys County, to-wit: E.C. Quinn, J.F. Woods, W.R. Lockhart, Colman Price, H.L. Vinard, N.R. Collier, Robert Horner, John Tinnell, Vester Spann, W.R. Smith, E.S. Hassell and W.C. Davis. Who, being duly elected, tried and sworn according to law, after hearing all of the proof, argument of counsel 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 \$100.00 each, and the Cost.

It is therefore ordered, advised and decreed by the Court that for the offense as found by the jury that the Defendants pay a fine of \$100.00 each and the cost of this cause for which let execution issue. It is further ordered by the Court that the Fine as to Burgess be suspended on account of his health. Thence came into open Court and J.L. Bradley and entered his name as security for fine and cost as to Harris Bradley and likewise W.D. Patterson entered his name as security for all cost as to defendant Will Burgess.

JAMES CHAPPELL

VS.

PETITION FOR DIVORCE

ALLENE CHAPPELL

This cause came on to be heard on this the 15th day of August 1940, before the Hon. Dancy Fort, Circuit Judge, upon the bill of the Complainant James E. Chappell, and the Pro confesso heretofore entered against the Defendant, and the oral testimony of witnesses examined in open Court.

And it satisfactorily appears to the Court from the proof that the facts charged in the bill are true; that the defendant had wilfully deserted the complainant, without reasonable cause, for more than two whole years prior to the filing of this bill, as was charged in the bill.

Therefore it is ordered, advised and decreed by the Court, that the bonds of matrimony subsisting between the complainant and the defendant be absolutely and forever dissolved, and the complainant be vested with all the rights of an unmarried person.

SHERIFF'S BOARD BILL FOR BOARDING PRISONERS CHARGED WITH FELONIES

State of Tennessee vs. Emma Lee Lutz, Assault to Murder, April 16, 1940 to May 15, 1940, 30 days at 75¢ per day and two turnkeys \$24.50
State of Tennessee vs. Joe Asher, Larceny, 4/16/40 to 4/25/40, 10 days at 75¢ per day \$7.50 and two turnkeys \$2.00 9.50
State of Tennessee vs. Joe Samska, Larceny, 4/16/40 to 4/25/40, 10 days at 75¢ per day \$7.50 and two turnkeys \$2.00 9.50
State of Tennessee vs. Eugene Tibbs, House breaking and Larceny, 4/16/40 to 4/24/40, 9 days at 75¢ per day \$6.75 and two turnkeys \$2.00 8.75
State of Tennessee vs. Jimmie B. Fortner, Assault to murder, 4/16/40 to 4/24/40, 9 days at 75¢ per day 6.75 and two turnkeys \$2.00 8.75
State of Tennessee vs. Arthur Baker, Larceny, 4/16/40 to 4/16/40, one day at 75¢ per day \$0.75 and two turnkeys \$2.00 2.75
State of Tennessee vs. Gus Bunions, Larceny, 4/16/40 to 7/2/40, 79 days at 75¢ per day \$59.50 and two turnkeys \$2.00 60.50
State of Tennessee vs. Robert Jones, Larceny, 4/16/40 to 6/15/40, 61 days at 75¢ per day \$45.75 and two turnkeys \$2.00 47.75
State of Tennessee vs. Gordon Newsome, Assault to murder, 4/17/40 to 4/24/40, 8 days at 75¢ per day 6.00 and two turnkeys \$2.00 8.00
State of Tennessee vs. Alice Mathis, House breaking, 4/17/40 to 4/18/40, 2 days at 75¢ per day \$1.50 and two turnkeys \$2.00 3.50
State of Tennessee vs. Roy Huzhey, Larceny, 4/19/40 to 4/20/40, 2 days at 75¢ per day \$1.50, 2 turnkeys \$2.00 3.50
State of Tennessee vs. Florence Wilburn, Assault to Murder, 4/19/40 to 4/23/40, 5 days at 75¢ per day \$3.75 and 2 turnkeys \$2.00 5.75
State of Tennessee vs. W.C. Brisantire, Larceny, 5/13/40 to 5/14/40, 2 days at 75¢ per day \$1.50 and 2 turnkeys \$2.00 3.50
State of Tennessee vs. Martin Moran, Fine and cost, 5/25/40 to 6/1/40, 8 days at 75¢ per day 6.00 and 2 turnkeys \$2.00 8.00
State of Tennessee vs. Wallace Stages, Larceny, 7/23/40 to 8/2/40, 11 days at 75¢ per day \$8.25 and 2 turnkeys \$2.00 10.25
State of Tennessee vs. John Walker, H-B & Larceny, 7/26/40 to 8/14/40, 20 days at 75¢ per day \$15.00 and 2 turnkeys \$2.00 17.00

(continued)

THE SERVICE LINES, INC.

VS.

DAMAGE

GEORGE F. TATE

This case is ordered continued and set for the first day of next term.

A.M. Quinn, et al

VS.

In the Circuit Court of Humphreys County, Tennessee

J.W. Townsend

This case is ordered continued and set for the first day of the next term.

MRS. THELMA ANDE SON

VS.

DAMAGE

FOULKS AND TAKING CO.

This case is ordered continued and set for the first day of the next term.

KNOX HOOPER

VS.

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE, AT

ROBERT E. MORRIS, ETAL

WAY RLY

It appearing to the Court, as evidenced by the signatures of the parties by their attorneys of record, that all matters in controversy between the plaintiff and the defendant have been compromised and settled, it is so considered by the Court. It is therefore ordered and adjudged that this cause, and same is hereby dismissed at the cost of the defendant.

Atty. for entry.

Jack Simpson
Atty. for Plaintiff.Warner & Crouch & White
Atty. for Defendant.Wilford Grace
Atty. for Plaintiff.Bertie Hooper, by next friend,
KNOX HOOPER

VS.

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE

ROBERT E. MORRIS, ETAL

AT Waverly

On September 8th 1934, came the parties in the proper person and by their attorneys, also a jury of good and lawful men of Humphreys County, Tennessee, to-wit: Benley Peeler, Leander Dotson, Bent Scholes, Ernest Holland, Morris Hendrix, J.F. Hooper, Fred Wadden, W.C. Cooley, Willis Rice, John Collier and Bob Heywood, who being duly sworn to well and truly try the issues joined and to assess the plaintiff's damages, and they, having heard the testimony of the witnesses, the statement of counsel and the charge of the Court, on their oath do say that they find the issues joined in favor of the Plaintiff and by reason of the premises assesses her damages in the sum of \$100.00.

It is therefore ordered and adjudged by the Court that the Plaintiff, Bertie Hooper by next friend Knox Hooper, have and recover of the defendants, Robert E. Morris and E. Eugene Caldwell and J.W. King, the sum of \$100.00, also the costs of this cause for all of which execution may issue.

Upon motion of Jack Simpson, Attorney for the Plaintiff, it is ordered and Adjudged by the Court that a lien be, and the same is, declared upon the judgment of his favor in the amount of \$25.00 which the Court fixed as a reasonable fee for said Attorney for services rendered the plaintiff in this case, and the Clerk is hereby directed to pay said sum of \$25.00 to said attorney, when said judgment be paid in to the Clerk's hands.

(continued)

(Continued)

BERTIE HOOPER, BY NEXT FRIEND,
KNOX HOOPER

VS.

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE
AT Waverly

ROBERT E. MORRIS

And it further appearing to the Court that the next friend, Knox Hooper, is the father and natural guardian of the minor plaintiff, Bertie Hooper, it is ordered the residue of said recovery of said \$75.00 after the payment of Attorney's fee, be paid to the said Knox Hooper as next friend, father and natural guardian, to be used for the maintenance, education and support of said minor plaintiff, upon proper affidavits being furnished.

Atty. for entry

Jack Simpson
Atty. for PlaintiffWarner & Crouch & White
Atty. for Deft.Wilford Grace
Atty. for Plaintiff

MARY AVON WARREN

VS.

IN THE CIRCUIT COURT AT Waverly, TENNESSEE

HERMAN WARREN

In this cause on motion of complainant, and it appears to the Court, that the defendant Herman Warren, has been brought before the Court by non-residence publication, properly made, and that he has failed to appear and make defence to the bill within the time required by law; it is ordered as to him, that the bill be taken as confessed, and the cause set for hearing expert.

The cause then came on to be further heard, upon the bill, the proconfesso and the oral testimony of witnesses had in open Court, when it appeared to the Court, that the defendant had abandoned the complainant, turned her out of doors, refused and neglected to provide for her. And that the defendant was guilty of such cruel and inhuman treatment or conduct towards her, as to render it unsafe and improper for her to be under his dominion and control, or to further cohabit with him.

It is therefore ordered adjudged and decreed by the Court, that the bonds of matrimony subsisting between the complainant and defendant, be dissolved and for nothing held, and that the complainant be and is restored to all the rights and privileges of an unmarried person, and that her maiden name Mary Avon Buchanan, be restored to her.

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

L.P. DAVIS

VS.

IN THE CIRCUIT COURT AT Waverly, TENNESSEE

W.C. Cooley

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

COURT THEN ADJOURNED UNTIL TOMMOROW MORNING AT 9:00'clock

Judge

MARY DAILY
VS.
CHARLES DAILEY

CIRCUIT COURT AT WAVERLY, TENNESSEE

In this cause, on motion of the complainant, and it appearing to the Court, that Charles L. Daily has been served with subpoena to answer and copy of bill, and the defendant and Charles L. Daily has failed to appear and make defense to the bill, within the time required by law; it is ordered as to him, the bill be taken for confessed, and the cause set for hearing ex parte.

The cause then came on further to be heard, upon that bill, the confession, and the oral testimony of witnesses in open court, when it appeared to the Court, that the defendant Charles L. Daily had abandoned the complainant, turned her out of doors and failed and neglected to provide for her, and was guilty of such cruel and inhuman treatment or conduct towards her, as to renders it unsafe and improper for her to cohabit with him and be under his dominion and control.

It is therefore ordered and adjudged and decreed by the Court that the bonds of matrimony now subsisting between the complainant and defendant be dissolved, and for nothing held, and that the complainant, be and is restored all the rights and privileges of an unmarried person and that her name Mary Hughes be restored to her.

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

LESTER E. BULL
VS.
LOYD TOLAND, ETAL

In the Circuit Court at Waverly, Tennessee

This day came the parties by their attorneys and also a jury of good and lawful men of Humphreys County, Tennessee, to-wit: Wade Work, Jim Johnson, Bernie Peeler, Ike Baker, Bert Scholes, Ernest Holland, Harris Hendrix, J.E. Hooper, Fred Madden, W.C. Cooley, Billie Rice, and John Collier.

And at the close of the Plaintiff's evidence, on motion of the Defendant, T.J. Moss, The Company for a direct verdict of not guilty for said Defendant which the Court was pleased to grant and verdict duly rendered.

It is therefore considered that the Defendant, T.J. Moss The Company recover of the Plaintiff, Lester E. Bull and of W.M. Leach as surety on his cost bond and all the cost of this case which might be otherwise taxed said Defendant, for which execution may issue, and that the said T.J. Moss The Company go hence without day.

LESTER E. BULL
VS.
LOYD TOLAND, ETAL

IN THE CIRCUIT COURT AT WAVERLY, TENNESSEE

This cause came on to be heard on the 9th day of December 1940, before the Hon. Nancy Fort, Judge of the Circuit Court for Humphreys County, Tennessee, and a jury of good and lawful men of Humphreys County, Tennessee, to-wit: Wade Work, Jim Johnson, Bernie Peeler, Ike Baker, Bert Scholes, Ernest Holland, Harris Hendrix, J.E. Hooper, Fred Madden, W.C. Cooley, Billie Rice, and John Collier. And the said Jury after hearing all the proof in the case and not having sufficient time to complete the cause the said Jury was respited by the Court until the morning December 10, 1940, at 9:00 o'clock.

And again in this cause came the parties and their attorneys, also the jury heretofore selected and sworn in this cause, to-wit: Wade Work, Jim Johnson, Bernie Peeler, Ike Baker, Bert Scholes, Ernest Holland, Harris Hendrix, J.E. Hooper, Fred Madden,

(continued)

(Continued)

Lester E. Bull
VS.
LOYD TOLAND, ETAL

W.C. Cooley, Billie Rice and John Collier. And after hearing the argument of counsel and the Charge of the Court do say upon their oath that they find the issues joined in favor of the plaintiff and against the defendants, and assess his damages in the sum of One Thousand Dollars.

It is, therefore, ordered, adjudged and decreed by the Court that the plaintiff, Lester E. Bull, have and recover of the defendants, Loyd Toland and Wallace Parnell, the sum of One Thousand Dollars (\$1,000.00) and the costs of this cause, for which execution may issue.

STATE OF TENNESSEE
VS.
ROSA NELL WARREN

FORGERY

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 said cause be continued until the next term of this Court.

STATE OF TENNESSEE
VS.
B.W. INGRAHAM

AS AULT AND BATTERY

In this case comes the Attorney-General for the State and the defendant in person and by Attorney and upon defendant's agreement to pay some on the cost, it is ordered that this case be continued until the next term of this Court. It is further ordered that said cost must be paid by the next term of this Court.

STATE OF TENNESSEE
VS.
J. M. COLLIER

LARCENY

In this cause it appearing to the court that the defendant has not been apprehended it is therefore ordered by the Court that an alias capias issue for him.

STATE OF TENNESSEE
VS.
O.B. WHITSON

DISPOSING OF MORTGAGED PROPERTY

In this case comes the Attorney-General for the State and the defendant by Attorney when upon motion of the Attorney for defendant, it is ordered that this case is continued until the next term of this court, on account of the illness of the Defendant.

STATE OF TENNESSEE
VS.
ORA BRITTON
PRINCESS SILVER HEEL

ABORTION

In this case comes the Attorney-General for the State and it appearing to the Court that this case has been continued a number of times and it is therefore ordered that said case be continued until the next term on this court for the last time.

STATE OF TENNESSEE

VS.

AS SAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

THOMAS FORESTER

In this case comes the Attorney-General for the State and it appearing to the Court that the Defendant has not been apprehended, it is therefore that an alias capias issue for the defendant.

STATE OF TENNESSEE

VS.

POSSESSING LIQUOR

CLAUD INMAN

In this cause comes the Attorney-General for the State and the Defendant in person and upon defendant's agreement to plead guilty at the next term and take a fine of twenty-five (\$25.00) Dollars and all the cost, it is ordered by the Court that this case is continued until the next term of this court.

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

DILLIE MCGRUDER

In this case comes the Attorney-General for the State and the Defendant *in person* when upon motion of the Attorney-General for the State, It is ordered that a nolle prosequi be entered upon the payment of the Cost. (Former order revived)

STATE OF TENNESSEE

VS.

AGE OF CONSENT

ISSADORE DAVIDSON

This cause having been heard at a former term and an order entered at said Term of nolle on payment of cost. Cost not yet paid, it is ordered by the Court that the Sheriff is to take charge of Defendant until cost is paid or secured.

STATE OF TENNESSEE

VS.

Involuntary
MANSLAUGHTER

CIRT STITT

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: Bernie Peeler, Ike Baker, Leander Dotson, Bert Scholes, Ernest Holland, Harris Hendrix, J.C. Hooper, Fred Madden, W.C. Cooley, Billie Rice, John Collier, Bob Haygood, 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 as charged in the indictment and assess and fix his punishment at six months in Jail.

It is therefore ordered adjudged and decreed by the Court that for the offense as found by the Jury that the defendant serve a term of six months in the County Jail of Humphreys County, Tennessee, however that the sentence is suspended during good behavior, and further that he pay the cost of this cause for which execution will issue.

STATE OF TENNESSEE

VS.

ASSAULT WITH INTENT TO COMMIT MURDER IN THE FIRST DEGREE

FLOYD SMITH

In this cause comes the Attorney-General for the State and the Defendant in person and by Attorney, upon motion of the Attorney-General, this cause is continued, due to the absence of Thomas Smith, until the next term of this Court.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

JOHN OTTO CROSSWAY

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 came a jury of good and lawful men of Humphreys County, Tennessee, to-wit: Bernie Peeler, Ike Baker, Leander Dotson, Bert Scholes, Ernest Holland, Harris Hendrix, J.C. Hooper, Fred Madden, W.C. Cooley, Billie Rice, John Collier, and Bob Haygood, 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 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 \$10.00 and the cost of this cause for which execution may issue. It is further ordered that the defendant serve a sentence of thirty days in the County Jail, however this sentence is suspended during good behavior, and that he be deprived of driving a motor vehicle for a period of five months and twenty-nine days, except while on duty with State Highway.

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 as charged in the indictment.

It is therefore ^{ordered} adjudged and decreed by the Court that for the offense of driving an automobile while under the influence of intoxicating liquor as charged in the indictment that the defendant pay a fine of Ten (\$10.00) Dollars and the cost of this cause, and that he be prohibited from driving a motor vehicle in this State for five months and twenty-nine days and further that he serve thirty days in the County Jail of Humphreys County. However the jail sentence is suspended during good behavior. And in the event of his failure to pay or secure said fine and cost he shall be taken in charge by the Sheriff of Humphreys County and by him confined in the County Jail until same is paid, Secured or worked out.

STATE OF TENNESSEE

VS.

ASSAULT AND BATTERY

ROY HUGHEY

In this case comes the Attorney-General for the State and the defendant in person, when upon motion, this case is continued on agreement that a nolle prosequi be entered at the next term of this Court upon payment of the cost.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

ROY HUGHEY

In this case comes the Attorney-General for the State and the Defendant in person when upon motion of the Attorney-General for the State, It is ordered that a nolle prosequi be entered in this case upon payment of the cost in the case hereto fore entered.

STATE OF TENNESSEE

VS.

LARCENY

BUB CROWELL

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

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

One against W.M. Clark, Driving Drunk, Subpoena for the State M.L. Hogan, Frank James, Traub Lewis, and W. C. Howell.

One against J.H. French, Driving Drunk, Subpoena for the State, C.W. Tidwell, Frank James, Traub Lewis, M.L. Hogan, and Esquire J.M. Reeves.

One against Harris Johnson, Larceny, which indictment is in words and figures as follows, to-wit:

STATE OF TENNESSEE
HUMPHREYS COUNTY
December Term of Circuit Court, A.D. 1940

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 Harris Johnson heretofore, to-wit, on the 8th day of October 1940 in said County and State unlawfully and feloniously did enter upon the cultivated lands of one Louis Felts of said County and sever and carry away corn produced and grown on said lands and belonging to Louis Felts and will and Will Walker of the value of two dollars for the purpose and with the intent of depriving the owner thereof contrary to the statute and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

December Term 1940 The State vs. Harris Johnson, Larceny Louis Felts, Prosecutor, Subpoena for the State, Louis Felts, Hester James Worth, Will Walker, Mrs. Will Walker, Roy Danesworth, Lenora Felts. Witnesses sworn by me on this indictment before the Grand Jury December Term 1940. R.H. McKeel Foreman Grand Jury, W.C. Howell, Attorney-General.

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

One Against Connie Bunions, Public Drunkenness, Subpoena for the State, M.L. Hogan, Traub Lewis, and J.M. Reeves.

STATE OF TENNESSEE

VS.

DRIVING DRUNK

BERT BELL

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.

One against Walter Suggs, Driving Drunk, Subpoena for the State M.L. Hogan, Frank James and Traub Lewis.

One against Thomas Littrell, Driving Drunk, Subpoena for the State, Frank James, and Traub Lewis

One Against Bill Simmons, Subpoena for the State, T.C. Flowers, Juanita Turner, Jack Holleran, Maurice Buckner, J.M. Reeves.

One against Brownie Ingram, Assault with intent to commit murder in the first degree, which indictment is in words and figures as follows, to-wit,

STATE OF TENNESSEE
HUMPHREYS COUNTY
December Term of Circuit Court, A.D. 1940.

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 Brownie Ingram of said County, heretofore, to wit on the 25th day of November 1940 with force and arms, in the County aforesaid, unlawfully, feloniously, willfully, deliberately, premeditatedly and maliciously, did make an assault upon the body one C.C. Craft with his fists with the unlawful and felonious intent, then and there him the said C.C. Craft unlawfully, feloniously, willfully, deliberately, premeditatedly and of his malice aforethought, to kill and upon him to commit the crime and felony of murder in the first degree, against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

December Term of 1940, The State vs. Brownie Ingram, Assault with intent to commit murder in the first degree, C.C. Craft, Prosecutor, Subpoena for the State, Mrs. C.C. Craft, Lisle Falk Dr. H.C. Jones, R.D. Spicer, Oliver McCaslon, Raz Lucas.

Witnesses sworn by me on this indictment before the Grand Jury, December Term 1940.

R.H. McKeel, Foreman Grand Jury

W.C. Howell, Attorney-General

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

One against W.E. Clements, Driving Drunk, Subpoena for the State, Frank James, David Edney, Jim Thomas, and Lester Buchanan.

One Against William Whitfield, Drunkenness, Subpoena for the State, David Waliberton, Martin Moore, J.R. Pierce, and Clint Flowers.

COURT THEN ADJOURNED UNTIL TOMMORROW MORNING AT 9 O'CLOCK

Douglass Judge

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

One against Tack Trull, Disturbing public worship, which indictment is in words and figures as follows to-wit,

STATE OF TENNESSEE |
HUMPHREYS COUNTY | December Term of the Circuit Court, A.D. 1940.

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 Tack Trull heretofore, to wit, on the 19th day of November 1940 in the State and County aforesaid, unlawfully and wilfully disquieted an assembly of persons met for educational purposes and entertainment by talking, laughing, profane, discourse, rude, indecent and improper conduct, to the evil example of others in like case offending, and against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

December Term 1940, The State Vs. Tack Trull, Disturbing Worship, Subpoena for the State David Hurlburtin, Martin Moore, J.M. Pierce, and Clint Flowers.

A. True Bill, R.H. McKeel, Foreman Grand Jury, T.A. Quinn, Walter Smith, Walter Breeden, Andy Sheley, J.S. Vestbrooks, A.L. Sharp, W.T. Larkins, J.C. Wilhite, Tom Wheeler, A.W. Chance, J.L. Hushon, and Tom Cannon.

One Against J.C. Jamison and Mrs J.C. Jamison, Assault with intent to commit murder in the first degree, which indictment is in words and figures as follows, to-wit,

STATE OF TENNESSEE |
HUMPHREYS COUNTY | December Term of the Circuit Court, A.D. 1940.

The Grand Jurors for the State of Tennessee, elected, empaneled, sworn and charged to inquire for the County of Humphreys and the State aforesaid, upon their oath aforesaid, present that J.C. Jamison and Mrs J.C. Jamison of said County, heretofore, to wit, on the 3rd day of November 1940 with force and arms, in the County aforesaid unlawfully, feloniously, wilfully, deliberately, premeditatedly, and maliciously, did make an assault upon the body of one Jim Hugh Monsue with a pistol with the unlawful and felonious intent, then and there, him, the said Jim Hugh Monsue unlawfully, feloniously, wilfully, deliberately, premeditatedly, and of his malice aforethought, to kill an upon him to commit the crime and felony of murder in the first degree, against the peace and dignity of the State of Tennessee.

W.C. Howell, Attorney-General

December Term, 1940, The State Vs. J.C. Jamison and Mrs J.C. Jamison, assault with intent to commit murder in the first degree. Jim Hugh Monsue, Prosecutor, Subpoena for the State, Jim Hugh Monsue, W.F. Curtis, Luke Winstead, Riley Curtis, Cleo Hedrick and Joe Stewart.

Witnesses sworn by me on this indictment before the grand jury, December Term, 1940.

R.H. McKeel, Foreman Grand Jury.

W.C. Howell, Attorney-General

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

COURT THEN ADJOURNED UNTIL TOMORROW MORNING AT 9 O'CLOCK

D. McKeel Judge

COURT MET PURSUANT TO ADJOURNMENT PRESENT AND PRESIDING THE HON. DANCY FORT, JUDGE ETC.

CITY OF WAVERLY

VS.

IN THE CIRCUIT COURT OF WAVERLY, TENNESSEE

MRS SUSIE CLAXTON, ETAL

This cause came on to be heard before the Hon. dancy Fort, Judge, on this the 9th day of December 1940, upon the entire record in the cause, when it appeared to the Court:

That the City of Waverly, a Municipal Corporation, brought this suit for the purpose of condemning for public use and for public street and highway purposes a portion of the lands of the Defendants.

That the Defendants, Mrs Susie Claxton, Mrs Wena Ewin Carter, and Mrs Grace Gould own a certain tract of land with house thereon, hereafter described, against which there is a Deed of Trust to secure the Defendant Miss Maggie Tubb in the payment of a note described therein, and in which the defendant Mason Sanders is named Trustee, which Deed of Trust is dated December 30th 1937 and recorded in book-----, Page-----, of the Registrar's Office of Humphreys County, Tennessee, and which lands are bounded as follows;

A tract of land lying and being on the southeast corner of the public square in the town of Waverly, Tennessee, in the Second Civil District of said county and beginning at the southeast corner of said square and running west with the same to a lot now owned by S.B. Parker; thence south 140 feet to Parker's S.E. Corner; thence west 73 feet to the South west corner of said Parker lot; thence north to the beginning; but some kind of right-of-way attaches to the lot on the west side of this lot fully described in a deed to G.W. Buchanan, recorded in Deed Book 15, pages One and Two of the Registrar's Office of Humphreys County, Tennessee.

That the said City of Waverly seeks and has obtained an order heretofore entered in this cause giving it immediate possession of the following described portion of the above described lands: A tract of land extending from survey 997 plus 22 at the boundary lands of Lucas to station 1004 plus 13 at the south side of the public square, being 696 feet long, and bounded on the sides as follows: On the South by the Lands of Lucas, on the east by the lands of Harris-Waley-work and or road of street, on the north by the south side of the Waverly Public square, and on the west by a line west of, parallel to and 30ft. from the center line of said proposed street as taken out.

also an easement is required to make cuts and fills upon the lands adjacent to the above described right-of-way as may be necessary in order to construct a side walk upon said right-of-way to the grade of the curb of said proposed street.

That the parties hereto have agreed upon the value of said strip of land and easement to be paid the Defendants by the City of Waverly, which amount is the sum of \$1250.00, and the defendants will pay the costs.

That a lien exists against said property for the City of Waverly, taxes for the years 1936, in the Amount of \$32.02, for 1937 in the amount of \$29.15; and for 1939 in the amount \$24.50; and for 1939 in the amount of \$24.50; and for 1940 in the amount of \$24.50, making a total of \$134.74; and that there is a lien against said property for the State and County taxes for the years 1939 in the amount of \$26.93; and for 1939 in the amount of \$39.20, and 1940 in the amount of \$37.46 making a total of \$103.59, which amounts may be increased by the addition of penalty and interest.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT:

That the defendants Mrs Susie Claxton, Mrs Wena Ewin Carter and Mrs Grace Gould, for themselves and for the benefit of Miss Maggie Tubbs as her interest may appear, have and recover of the City of Waverly the Sum of \$1250.00 as compensation for the actual