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"In this book -- Commissioner[']s Warrants -- Capias from W. F. Couch" : A Collection Guide

Nelson Poynter Memorial Library. Special Collections and University Archives.

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**“In this book—Commissioner[`]s Warrants—
Capias from W.F. Couch”**

A Collection Guide by

Justin Whitney

Archives Assistant

**Special Collections and Archives
Nelson Poynter Memorial Library
University of South Florida St. Petersburg**

22 February 2007

Introduction to the Collection

Wanita M. Scroggs, Esq., an attorney admitted to the Florida Bar and librarian at Stetson University College of Law, donated this book of writs of *capias* (book of arrest warrants) to Special Collections and Archives of the Nelson Poynter Memorial Library in November 2004.

Among the witnesses and issuers of warrants was E[verett] E. Johns, who later perished in the line of duty on December 6, 1905 from a gunshot wound near Fernandina while serving as a chief deputy in Nassau County. Johns had previously served as sheriff of Bradford County. His sons—Everett Markley and Charley Eugene—both held office representing Bradford County in the Florida senate; Charley E. Johns also was acting governor of Florida from 1953 through 1955.

Preservation Note

While preservation measures may slow the physical deterioration of archival materials, these steps cannot prevent damage from occurring. Please report any tears or other damage (including excessive wear on the bound volume's spine) so that library staff may take appropriate preservation or conservation measures. Protective gloves must be worn when handling this book. While no restrictions limit access to this collection, library staff will evaluate photocopying or digitization requests on an individual basis to ensure the long-term preservation of this unique collection. Patrons using this collection must adhere to copyright and fair-use guidelines and provide proper citation of sources appearing in their research.

Provenance of the “In this Book” Volume

This collection falls under the Local and Regional History provenance of the Special Collections and Archives department, Nelson Poynter Memorial Library, USF St. Petersburg.

Scope and Contents

The contents occupy one bound volume (approximately 0.10 linear foot). No restrictions inhibit access to this collection. The cover has a vibrant, perhaps Old Western or Native American, design, with hundreds of black, red and white crescents with the curved end to the left overlain upon each other. Pasted onto the cover is a quarter sheet of paper with a jagged edge showing where it was ripped haphazardly. On this torn page is written a title:

“In this book—Commissioners Warrants—Capias from W.F. Couch”

LOOSELEAF PAGES

Between the cover and the first page of the book are four looseleaf pages.

The first looseleaf page is unlined and bears some notes in handwriting unlike any other in the rest of the book. Presumably, these lines were written by someone who came into possession of the book some time after it had served its original purpose. The writer speaks of a house, a family, and some justice-related topics. They read as follows:

“where came from—Wood land Planta— near Pavo— B.O., B.J., + Kelly Wood— all dead

Mrs. Kelly Wood gave it.

When built - 1880s of hard cypress - bad luck to paint - orig brick chimney
housed 1st telephone in Pavo
open only on [Saturdays] unless emergency.

—
bought everything there, also marry,
de. [defendants?] came wk'ly, issued warrants for jurors
woodrider - over all employees was clerk - stayed in store"

The second looseleaf page is the first of three lined pages and written in a style consistent with the rest of the pages in the book. At the top is scrawled, "List of [Petit?] Jurors for December Term 1893". A list of names follows with a county following each name. The counties include Suwannee, Ocala, Jefferson, Marion, Alachua, St. Johns, Duval, Hamilton, Levy, Gadsden, Bradford, and Leon. A note says, "All the above were served before November 25 1893."

The second lined looseleaf page reads as follows: "List: Special Venue [Petit?] Juror Drawn December 21st 1893". Ten jurors represent Jacksonville. W.A. [Bours?] is signed at the bottom.

The final lined looseleaf page reads as follows: "List: Special Venue of Jurors drawn December 4 1893"; "Term [?] 1893". Under "Petit" are listed jurors representing Duval and Hamilton counties. Under "Grand" are jurors representing Duval County.

TITLE PAGE:

"Commissioners Docket from page 2 to 76"
"WF [G?] Couch Warrants from 76 page to 151"

BODY:

Most of the pages in the book are unused. Each page in the book is organized into rows and columns. Each row represents a particular warrant. The columns have the following headings: *Warrant; By Whom Issued; Where Issued; Name of Defendant; When Issued; When Served; When Returned; By Whom Served; Service.*

The first section of the book, the Commissioners Docket, starts at May 21, 1891 and ends on December 15, 1891. From May 21 up to November 12, the warrants are issued in Jacksonville and Ocala. The servers of warrants during this period include Dep. D.M. Rodiffer, Deputy C.B. Rogers, Roy P. Moody, and S.E. Rowe. From November 12 to December 15, the warrants are issued in Pensacola. Servers of warrants during this period include R.P. Whorton, S.J. Mathews, and Geo[rge] W. Arras. Witnesses and issuers of warrants are listed together and include Philip Walter, Cha[rles] Adams, E.E. Johns, DU Fletcher, B.B. Garrison, U.S.G, and Dep. W.W. Potter.

The second section of the book, US [...] Court Warrants, starts on page 76. Dates range from November 13 to December 12. Warrants are issued by W.W. Potter, listed first as Clerk and later as U.S. Comm. Geo. W. Arras is listed as the server of the warrants.

Defendants are usually listed individually, but sometimes in pairs. In one case, four members of the same family, the Sapps, are listed together. They are charged with distilling, a common charge. Other charges include assault and battery, smuggling, selling liquor without a license, breaking into P.O., federal charges of desertion, perjury, and trespassing on public land.

Under "Services" are listed various tasks undertaken in locating defendants, transporting them to courts, feeding them, housing them, and conducting them through the justice system. Fees are

listed beside each service and tallied. \$47 is one of the more expensive totals. Many are around \$4. Typical fees for particular services are as follows:

Summoning witnesses	\$0.50
Breakfast at Newnansville Prison	\$0.25
Admittance	\$2.00
Committing Defendant	\$0.50
Discharge on bond	\$0.50
Attendance of Deputy Arras before Commission	\$2.00
Serving 3 subpoenas for plaintiffs	\$1.50
Supper at DeFuniak	\$0.50
Serving two warrants:	\$2.00

Travel expenses are included among fees. For a law enforcement agent such as a deputy traveling alone by train, the fee was generally 6 cents per mile. However, when traveling with prisoners, the fee for each person including the deputy increased to 10 cents per mile. Typical entries are as follows:

Lake City to Fish White (21 miles)	\$1.26
LaCrosse to Jacksonville (98 miles)	
With Prisoner	\$19.60
Pensacola to Marianna (136 miles)	
Alone:	\$8.16
With Prisoner:	\$27.20
Pensacola to around Garyville (115 miles)	
Alone	\$6.90
With Prisoner	\$23.00
Horse, 1 day	\$2.00
Horse and buggy, 1 day	\$2.00