

THE STATE OF ALABAMA, }  
Baldwin County.

No. 52

TO Any Sheriff of the State of Alabama — Greetings:

You are hereby commanded to summon Andy McGorby, Wash McGorby, Hattie McGorby,  
Riley Gaston, Bessie Osborne, W. M. Nettles & Albert Nettles

to be and appear on the 5th day of November 1946 before the Grand Jury of  
said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State  
of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this 14th day of Oct. A. D., 1946

R. L. Tucker Clerk.

*Tairpoph*

ORIGINAL

No. 52

GRAND JURY SUBPOENA

I have executed this Subpoena by serving  
a copy thereof on the following persons,  
to-wit:

*Analy Mc Corby*  
*Wash Mc Corby*  
*Hattie Mc Corby*  
*Riley Gaston*  
*Bessie Osborne*  
*W M Nettles*  
*Albert Nettles*

this 23 day of Oct 194 4

C. E. Garrett, Sheriff

*H F Hall Deputy Sheriff*

APPEARANCE BOND

THE STATE OF ALABAMA,

BALDWIN COUNTY

We, Martin Emerson

as principal and

the undersigned

as sureties, agree to pay the State of Alabama, the sum of Two Hundred fifty.....DOLLARS

unless the said Martin Emerson

appears at the

next term ### 46

Circuit

Term, 193

of the

Court of Baldwin County, Alabama

and from term thereafter until discharged by law, to answer a criminal prosecution for the offense of Assault and battery with deadly weapon

and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for collection of debt, by constitution of the State of Alabama, and we hereby severally certify that we have property over and above all debts and liabilities to the amount of the above bond.

Martin Emerson (Seal)

Walter St. Radcliffe (Seal)

W. J. Gregory (Seal)

..... (Seal)

Taken and approved this the 8th. day of October

1946

###

Howard Ruge

Recorder

J. P.

By ..... Constable.

No. \_\_\_\_\_

**The State of Alabama,**  
BALDWIN COUNTY

CIRCUIT

Court

**SHERIFF'S OFFICE**

**THE STATE**

VS.

**Martin Emerson**

**APPEARANCE BOND**

Amount of Bond, \$ **250.00**

Filed, \_\_\_\_\_, 193

Clerk

HOWARD RUGE, Mayor

J. H. TITUS, Chief of Police

R. C. YOHN, Clerk

THERESA LAZZARI, Asst. Clerk

ALDERMEN:

W. O. Keeble

J. H. Bennett

C. A. Gaston

H. P. Kamper

J. O. Stimpson

# TOWN OF FAIRHOPE

Phone 4791

*Fairhope, Alabama*

'ON MOBILE BAY'

## COPY OF DOCKET

Hearing held 9-30-46.

Defendant: Martin Emerson

Charge: Assault and battery with dangerous weapon.

Evidence of seven complainants witnesses that Emerson struck Shep Powers with screw driver. Emerson admitted striking him, allegedly after he had attempted to have another negro put a screw driver owned by Emerson, put in his (Power's) truck and after he had ordered him from the premises, etc. Officers were not present at time.

Bound to Circuit Court (or Grand Jury)

Bond in amount of 250.00, mittimus and warrant attached.

### Witnesses for complainant:

Andy McCorby, Montrose

Wash McCorby, Daphne

Hattie McCorby, Daphne

Riley Gaston, Montrase

Bessie Osborne, Daphne

Wm Nettles, Fairhope

Albert Nettles, Fairhope

### Witnesses for defendant:

R.M. Acord, Fairhope, Ala.

W.O. Robinson, Fairhope

Howard Ruge, Recorder

MITTIMUS.

Moore Ptg. Co.

The State of Alabama {  
Baldwin County

TO THE JAILER OF BALDWIN COUNTY:

On the examination of Martin Emerson

charged with the offense of Assault ### and battery with deadly weapon

it appearing that such offense has been committed, and that there is sufficient cause to believe that

Martin Emerson

..... has been guilty  
thereof, you are therefore commanded to receive him into your custody, and detain him until he is  
legally discharged.

Dated this the 8th. day of October 1946. 19 .....

.....  
Recorder, Town of Fairhope I. P.

Criminal Docket No. \_\_\_\_\_

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**  
Baldwin County.

~~#####~~

**Recorder's Court Fairhope, Ala.**

The State of Alabama,  
vs.

**Martin Emerson**

**MITTIMUS**

**The State of Alabama,**  
Baldwin County.

**Howard Ruge, Recorder &**

I,

a Justice of the Peace, in and for said State  
and County, do hereby certify that \_\_\_\_\_

**Martin Emerson**


the Defendant, is required to give bail in the  
**Two Hundred Fifty**  
sum of \_\_\_\_\_ Dollars

for his appearance at the **Circuit**

19\_\_\_\_ Term of the \_\_\_\_\_  
Court of **Baldwin** County, Ala.

Given under my hand, this the **8th.**

day of **October** 19 **46**

  
**Recorder & Ex-officio J.P.**

# Complaint for Offense Against Municipal Ordinances

THE STATE OF ALABAMA,  
Baldwin County.  
Town of Fairhope

PERSONALLY appeared before me, Howard Ruge  
Recorder of the Town of Fairhope, Alabama, Rev. Shuf. Powers  
who, on being sworn; doth depose and say that on to-wit:  
the 28 day of Sept 1946 and within the police jurisdiction of the Town  
of Fairhope, Alabama, Martin Emerson  
violated section \_\_\_\_\_ of the ordinances of said Town by \_\_\_\_\_

Assault and beat Rev Shuf Powers  
with a deadly weapon

wherefore he prays for a warrant for the arrest of the said  
Martin Emerson  
Rev Shuf Powers Complainant  
Sworn to and subscribed before me  
this 28th day of Sept 1946  
Recorder of the Town of Fairhope

## Warrant

THE STATE OF ALABAMA,  
County of Baldwin.  
Town of Fairhope,

To the Town Marshal or to any Police Officer  
of the Town of Fairhope

COMPLAINT, on oath, having been made before me that the offense of violating section  
\_\_\_\_\_ of the ordinances of the Town of Fairhope Assault and  
beat as described in the above affidavit, has been committed, and accusing  
Martin Emerson  
thereof, you are therefore commanded forthwith to arrest and bring him before the  
Recorder of the Town of Fairhope.

Dated the 28 day of Sept 1946  
Recorder of the Town of Fairhope.



HOWARD RUGE, Mayor

J. H. TITUS, Chief of Police

R. C. YOHNN, Clerk

THERESA LAZZARI, Asst. Clerk

ALDERMEN:

W. O. Keeble

J. H. Bennett

C. A. Gaston

H. P. Kamper

J. O. Stimpson

# TOWN OF FAIRHOPE

Phone 4791

*Fairhope, Alabama*

'ON MOBILE BAY'

October 10, 1946.

Mr. R. S. Duck, Circuit Clerk  
Bay Minette, Alabama.

Friend Bob:

Enclosed find warrant, mittimus and bond executed for the appearance of Martin Emerson of Fairhope, at Bay Minette, when the proper time arrives.

Have included names of witnesses for both sides. Emerson is a white man and Shep Powers is a negro, residing at Montrose.

If anything further is needed, feel free to call on me.

With kindest regards.

  
Howard Ruge

P.S.: It just occurred to me that as the defendant has made satisfactory bond for his appearance, when directed, that the enclosed mittimus is not necessary. If so, please destroy it.

H.R.