

Affidavit

Printed by Moore Ptg. Co.

STATE OF ALABAMA, {
Baldwin County.

In the Justice Court of T. C. HAND

Before me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared Roy Watkins who, being
duly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said County, on
or about October 27, 1951 that one Ben Ezell unlawfully

and with malice aforethought did assault
Roy Watkins with the intent to murder
him.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 30

day of November A. D., 1951

T. C. Hand, J. P.

Roy Watkins

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest Ben Ezell

and bring him

before me to answer the State of Alabama on a charge

assault to murder

and have you then and there this writ with your return thereon

Witness my hand this 30 day of Nov, 1951

T. C. Hand, J. P.

Mittimus or Commitment

To the Jailer of Baldwin County: {

The State of Alabama,
Baldwin County.

On complaint of _____

charging _____

with the offense of _____

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

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

Dated this _____ day of _____, 195____

Justice of the Peace.

The State of Alabama,

Baldwin County

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,

vs.

Witnesses for the State :

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Executed this 30 day of Nov 1951

By arresting the within

named Defendant

and placing him

Sheriff

Deputy Sheriff

The State of Alabama,

Baldwin County.

Justice Court of

T. C. HAND

The State of Alabama,
vs.

MITTIMUS

The State of Alabama,
Baldwin County.

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

the Defendant, is required to give bail in the sum
of \$ _____ for his appearance at the
19 _____ Term of the _____
Court of _____ County, Ala.

Given under my hand this the _____
day of _____, 19 _____,
J. P.

Affidavit

Printed by Moore Ptg. Co.

STATE OF ALABAMA, {
Baldwin County.

In the Justice Court of J. J. Ganus.

J. J. Ganus, N. P. & Ex-Off. J. P.

Before me, _____, Justice of the Peace

in and for said County, personally appeared Roy Watkins. who, being
duly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said County, on
or about October, 27th 1951. that one Ben Ezell,

Did commit the offense of Assault to Murder, in Robertsdale.
Baldwin County, Alabama.

_____ against the peace and dignity of the State of Alabama _____

Sworn to and subscribed before me this 30th

day of October. A. D., 1951

J. J. Ganus, J. P.

Roy Watkins

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest Ben Ezell

and bring Him

before T. C. Hand at his office in Bay Minette, Ala. to answer the State of Alabama on a charge
Arresting arrest, and
Of Assault to Murder.

_____ and have you then and there this writ with your return thereon _____

Witness my hand this 30th day of October. 1951

J. J. Ganus, J. P.

No. 2453

Page _____

The State of Alabama,

Baldwin County

JUSTICE COURT OF

T. C. Hand

AFFIDAVIT

THE STATE OF ALABAMA,

vs.

Ben Ezell.

Witnesses for the State:

Roy Watkins,	W. M.
Otis Marshall,	W. M.
Mrs. Otis Marshall,	W. F.
Roy Kinard,	W. M.
Dennis Erickson.	W. M.

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

BEN EZELL

Executed this 14 day of Nov 1951

By arresting the within

named Defendant

and placing him

In Jail
Lyle Wilkins, Sheriff

Deputy Sheriff

Houseway 60 mi

STATE OF ALABAMA }
BALDWIN COUNTY }

Nº 2977

Case No.

2453

IN THE

Justice

COURT OF

The State of Alabama

BALDWIN COUNTY, ALABAMA

vs.

Before me,

J. C. Ward

Clerk of the Circuit Court of

Baldwin County, Alabama, personally appeared
who being duly sworn deposes and says:

Jay Lee Williams

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs.

Ben Egzell

in the above mentioned court, in executing the warrant

of arrest or in arresting the said defendant, I or one of my duly authorized deputies, traveled 60 miles
by the most direct route to the point of arrest and return, and I am entitled to mileage at ten cents per mile
to be taxed as costs in the case.

Point of Arrest

Mobile Co. Jail

Jay Lee Williams

Sheriff

Subscribed and sworn to before me this

11 day of

Dec

1951

Disposition of Case

Turned over to Grand Jury

Clerk Circuit Court

After considering the above affidavit made by the sheriff of Baldwin County, Alabama, I, as the trial
Judge of said court, do hereby approve the claim for mileage in the sum of \$ 6.00 incurred in the
making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the
clerk of the court to tax the said sum as part of the costs in said case.

This the

30

day of

Nov

1951

J. C. Ward

Judge of the above named court

THE STATE OF ALABAMA, {
Baldwin County

We, Ben Ezell, as
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
Five Hundred DOLLARS
unless the said Ben Ezell appears at the
next Term, 1952 of the Grand Jury Court of Baldwin County, Alabama
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense
of Assault with intent to murder

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-
ing personal property from levy and sale under execution or other process for the collection of debt by con-
stitution or laws of the State of Alabama, and we hereby severally certify that we have property over
and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of
\$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the

 day of 195

Ben Ezell L. S.
R. H. Thompson L. S.
J. J. Egan L. S.

 Baldwin County, Ala.

 L. S.

Taken and approved this 30 day of Nov 1952

Jay W. Webb Sheriff
By , Deputy Sheriff

The State of Alabama,

Baldwin County

Justice Court of

Precinct No.

J. J. Gann
9th Robertsdale Ala.

To Any Sheriff Of The State Of Alabama:

You are hereby commanded to summon

John Phillips
personally to be and appear before the Justice Court, to be holden for Baldwin County, at my
office, on the *24th* day of *Nov.* 19*27*
and from day to day of said term, and from term to term thereafter until discharged, to give
evidence and the truth to speak in behalf of The Defendant in a prosecution now pending in said
Court, wherein the State of Alabama is Plaintiff and *Ben E. Bell*

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this

23

day of

Nov.

A. D., 19*27*

J. J. Gann

Notary Public and Ex-officio J. P.

THE STATE OF ALABAMA, }
Baldwin County

JUSTICE COURT OF J. J. GANUS
PRECINCT No. 9, ROBERTSDALE, ALA.

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon Ray Watkins, Otis Marshall
Mrs Otis Marshall, Ray Kitar & Dennis Erickson
personally to be and appear before the Justice Court; to be holden for Baldwin County, at my office on the
24th day of November 1947, and
from day to day of said term and from term to term thereafter until discharged, to give evidence and the
truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State
of Alabama is Plaintiff and Ben Egell
Defendant, and have you then and
there this Writ, with your endorsement thereon.

Witness my hand this 17 day of Nov. A. D., 1947
J. J. Ganus
JUSTICE OF THE PEACE, PRECINCT 9

THE STATE OF ALABAMA,
Baldwin County

We, Ben Eyelf, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five hundred DOLLARS unless the said Ben Eyelf appears at the Nov 24 Term, 1951 of the Justice Court Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of assault with intent to murder.

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the

_____ day of _____ 195_____

-----Baldwin County, Ala.

Taken and approved this the 15 day of July 1957

X Ben Fyler L.S.

Amos Garrett L. S.

J. J. Gell L. S.

223 L. S.

_____ day of Nov 1957
[Signature] Sheriff
 By _____, Deputy Sheriff

2453

3

THE STATE OF ALABAMA,

BALDWIN COUNTY

To Any Sheriff of the State of Alabama:

Justice Court of

J. H. Hand

Precinct No

4, Bay Minette Ala.

You Are Hereby Commanded to Summon

Joe Brock,

John Phillips

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

30

day of

Nov

2 PM

19

57

, and from day to day of said

term and from term to term thereafter until discharged; to give evidence and the truth to speak in behalf of

THE DEFENDANT in a prosecution now pending in said Court, wherein the State of Alabama is Plain-

tiff, and

Ben Egell

your endorsement thereon.

Witness my hand this

30

day of

Nov

19

57

J. H. Hand

NOTARY PUBLIC AND EX-OFFICIO J. P.

Executed in full, this the

30 day of

Nov, 1951

Taylor Wilburn
Sheriff.

H F Hall
Deputy Sheriff

2453

THE STATE OF ALABAMA,
Baldwin County

Justice Court of

Precinct No. 4

9

Shland

Bay Mattie Ala.

To Any Sheriff of the State of Alabama:

You are Hereby Commanded to Summon

Mr. Otis Marshall, Ray Watkins, Otis Marshall, Ray Kinard, Dennis Erickson

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

30 day of *Nov.* *2 P.M.*, 195*1*, and from day to day of said term, and from term to term thereafter, until discharged, to give evidence and the truth to speak in behalf of THE STATE, in a prosecution now pending in said Court, wherein the State of Alabama is

Plaintiff and

Ben Zell

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this

30

day of

Nov.

A.D., 195

O. Land
Justice of the Peace, Precinct No. 4

Executed in full, this the

30 day of

Nov, 1951

Taylor Wilbourn
Sheriff

H. F. Hall
Deputy Sheriff

Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

ATTORNEYS		CASE	CHARGE
No. <u>2453.</u>		THE STATE OF ALABAMA	
		Vs.	
		<u>Bew Egell</u>	<u>Assault to murder</u>
DISPOSITION OF CASE			
Affidavit made and Warrant Issued to <u>Roy Watkins</u>			
Returnable <u>Grand Jury.</u>			
Witness—For State <u>Roy Watkins, Otis Marshall</u>			
<u>Mr Otis Marshall, Roy Kinard</u>			
<u>Alvinis Erickson</u>			
<u>30 Nov 1951.</u>	<p>After hearing evidence in case <u>Op. was ordered bound over to</u> <u>Grand Jury. Bond was set at</u> <u>\$500.00.</u> <u>cy. Posted bond acceptable to Court.</u></p>		
<p><u>P. J. Kinard</u> <u>Justice of Peace.</u></p>			
FEEES			
JUDGE'S FEES			
Warrant at 50c, Affidavit at 25c			<u>75</u>
Bond at 50c, Sci. Fa. at 50c			
Witnesses' Recognizances at 25c			
8 Subpoena or Notice at 25c			<u>2.00</u>
Continuance at 25c			
Trial of Misdemeanor at \$1.00			
Mittimus at 25c			<u>.25</u>
Judgment on Forfeited Bond at 25c			
Taking Bond, etc., on Appeal at \$1.00			
Execution of costs at 25c			
CONSTABLE'S FEES			
Subpoena or Notice at 25c			
Carrying Defendant before Justice,			
each mile for himself and guard at 10c			
Arrest, 50c			
SHERIFF'S FEES			
Arrest, \$4.00; Bond \$1.00; Sci. Fa., 50c			<u>5.00</u>
Committing, \$1.00; Releasing, \$1.00			<u>2.10</u>
8 Subpoenas at 25c			<u>4.00</u>
Day's Board at 30c			<u>1.00</u>
Witness Fees			<u>6.00</u>
mileage, 1.00 mile			<u>1.00</u>
Days at 50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
50c			<u>.50</u>
DEFENDANT'S COSTS			
Witnesses' Recognizance at 25c			
Subpoenas at 25c			
Executing Subpoenas			

Grand Jury
no 14

Case No. *2453 2272*

Justice Court of

T. C. HAND

Bay Minette, Ala.

The State

VS.

Ben Ezell

CHARGE :

Assault to Murder

DISPOSITION:

Bound Over to

Grand Jury

Bond set at

\$500.00

30 Nov 1951.

Moore Printing Co.

W. Bell