

1357

1278

THE STATE OF ALABAMA  
BALDWIN COUNTY

JUSTICE COURT OF T. C. HAND  
Precinct 4, Bay Minette, Ala.

To Any Sheriff of the State of Alabama:  
You Are Hereby Commanded to Summon

*Taylor Wilkins* *H. F. Hall*  
*Orlando Barner*

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

*25* day of *Sept* *10* *1950*, 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 *Leroy Davis*

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

Witness my hand this *18* day of *Sept*, A. D. *1950*

*T. C. Hand*

Justice of the Peace, Precinct No. 4

Executed in full, this the

15 day of  
Sept, 1950

Taylor Wilkins  
Sheriff.

W. A. Wall  
Deputy Sheriff.

GRAND JURY SUBPOENA — ORIGINAL

THE STATE OF ALABAMA, }  
Baldwin County

No. 57

TO Any Sheriff of the State of Alabama — Greetings:

You are hereby commanded to summon Ida Davis

Orlando Barnes

Taylor Wilkins

H. F. Hall

to be and appear on the 1st day of November 1950 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 10th day of Oct A. D., 1950

Miss J. Ruck Clerk.

12. 11

No. 57

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

Ida Warr ✓  
Wanda Warr  
Taylor Warr ✓  
W. W. W. ✓  
J. W. W. ✓

this 14 day of Dec 1945

Taylor K. Walburn, Sheriff

State of Alabama,

Dr.

To Taylor WilkinsSheriff of Baldwin County,For removal of Leroy Davisfrom Harrison County to jail in Baldwin CountyDate or dates of removal, Sept. 16 1950To Taylor Wilkins Sheriff, 1 days, at \$3.00 per day, \$ 3 00To Gauard,        days, at \$2.00 per day,              

DATE	TO WHOM PAID	FOR WHAT PAID		
Sept. 16	Mileage for Sheriff's car	at 5¢ per mile to		
	Biloxi, Mississippi and return, 186 miles		9	30
			12	30

The State of Alabama, {  
Baldwin CountyI, Alice J. Duck Clerk

of the Circuit Court in and for said County, do hereby certify that the case against Leroy Davis was pending in and triable before said Circuit Court at the time he was arrested for the offense charged, and that the fees have been reported to and docketed by me this        day of        19      .

Clerk.

The State of Alabama, {  
Baldwin CountyPersonally appeared before me, Taylor Wilkins

       Sheriff of Baldwin County, who, being duly sworn, says the above account for the sum of \$12.30 Dollars is correct; that he has never received the same or any part thereof; that he had no. guard .. employed; that said account embraces, aside from per diem for self or deputy and guard, only actual necessary traveling expenses, and that without any unnecessary delay the nearest route usually traveled was followed from Baldwin County to the jail in Harrison, Miss. County.

Sheriff.

Sworn to and subscribed before me this 17 day of August 1951.

Judge of Probate.

Mr.        of       

is hereby authorized to receipt for the Auditor's Warrant in payment of this account, and collect the same from the State Treasurer.

Sheriff.

AUDITOR'S OFFICE, Montgomery, Ala.,        19      

Received the Auditor's Warrant on the State Treasurer in full payment of the above account.

1278

State of Alabama,

County.

SHERIFF'S ACCOUNT  
FOR  
Removal of Prisoner

Leroy Davis

STATE OF ALABAMA

IN THE CIRCUIT COURT

VERSUS

OF

LEROY DAVIS,

BALDWIN COUNTY,

ALABAMA.

Defendant.

Comes the defendant by attorney, and for plea says:

The State ought not further to prosecute this indictment against him because:

1. The indictment is an attempt to charge the defendant with burglary in the first degree, yet there is not a sufficient description of the dwelling house which the defendant is alleged to have entered.

2. The indictment charges that the defendant entered a dwelling house in which "Ida Davis" was lodging. The defendant says that the name "Ida Davis" does not sufficiently identify the person there residing, and the defendant stands ready to verify that "Ida Davis" is the name of the defendant's own wife, who is and was before the finding of the indictment lodging in the defendant's own home, and that therefore the defendant is not sufficiently apprised of what he is to defend.

3. For if the indictment were not quashed, and the defendant were acquitted on a trial of the merits of the case, he could be put in jeopardy a second time for the same offense, or a second time punished for the same cause. The dwelling in which the defendant is alleged to have entered is not sufficiently identified to protect the defendant from such double jeopardy.

And this the defendant is ready to verify, and prays judgment that he be discharged.

*William R. Fawcett*  
ATTORNEY FOR DEFENDANT.

STATE OF ALABAMA, |  
BALDWIN COUNTY. |

Before me, a Notary Public in and for said county in said State, personally appeared LEROY DAVIS, who being by me first duly sworn thereto, deposes and says that he is the defendant in the above cause, that the facts alleged in the above plea are true and correct to the best of his knowledge and belief.

\_\_\_\_\_  
AFFIANT.

Sworn to and subscribed before me this 25th day of November, 1950.

\_\_\_\_\_  
Notary Public, Baldwin Co., Ala.

STATE OF ALABAMA

VERSUS

LEROY DAVIS,  
Defendant.

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY,

ALABAMA.

Comes the defendant by attorney, and for plea says:

The State ought not further to prosecute this indictment against him because:

1. The indictment is an attempt to charge the defendant with burglary in the first degree, yet there is not a sufficient description of the dwelling house which the defendant is alleged to have entered.

2. The indictment charges that the defendant entered a dwelling house in which "Ida Davis" was lodging. The defendant says that the name "Ida Davis" does not sufficiently identify the person there residing, and the defendant stands ready to verify that "Ida Davis" is the name of the defendant's own wife, who is and was before the finding of the indictment lodging in the defendant's own home, and that therefore the defendant is not sufficiently apprised of what he is to defend.

3. For if the indictment were not quashed, and the defendant were acquitted on a trial of the merits of the case, he could be put in jeopardy a second time for the same offense, or a second time punished for the same cause. The dwelling in which the defendant is alleged to have entered is not sufficiently identified to protect the defendant from such double jeopardy.

And this the defendant is ready to verify, and prays judgment that he be discharged.

*William R. Turner*  
ATTORNEY FOR DEFENDANT.

STATE OF ALABAMA,    |  
BALDWIN COUNTY.       |

Before me, a Notary Public in and for said county in said State, personally appeared LEROY DAVIS, who being by me first duly sworn thereto, deposes and says that he is the defendant in the above cause, that the facts alleged in the above plea are true and correct to the best of his knowledge and belief.

*Leroy Davis*  
AFFIANT.  
*mark*

Sworn to and subscribed before me this 25th day of  
November, 1950.

*Ara S. Noland*  
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA

IN THE CIRCUIT COURT

FOR

THE COUNTY OF

JEFFERSON

ALABAMA

IN THE MATTER OF

THE ESTATE OF

JOHN W. BROWN, DECEASED

vs. JAMES H. BROWN, ADMINISTRATOR

COMES NOW the Defendant, James H. Brown, and for his heirs

and assigns, and moves the Court for an order

that the Plaintiff, John W. Brown, be appointed

administrator of the estate of John W. Brown, deceased.

And the Defendant moves the Court for an order

that the Plaintiff, John W. Brown, be appointed

administrator of the estate of John W. Brown, deceased.

And the Defendant moves the Court for an order

that the Plaintiff, John W. Brown, be appointed

administrator of the estate of John W. Brown, deceased.

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And the Defendant moves the Court for an order

that the Plaintiff, John W. Brown, be appointed

administrator of the estate of John W. Brown, deceased.

And the Defendant moves the Court for an order

that the Plaintiff, John W. Brown, be appointed

administrator of the estate of John W. Brown, deceased.

Filed: November 25, 1950  
Jeffery F. Mablebrook, Jr.  
Judge

AFFIDAVIT

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 H. F. Hall 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 9 Sept 1950 that one Leroy Davis did in the night time, with intent to steal break into and enter an inhabited dwelling which was occupied by Ida Davis a person lodging there in. And carried away one radio and a 20 gauge single barrel shot gun.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

day of

Sept

A. D., 19

50

J. P.

WARRANT

STATE OF ALABAMA, {  
BALDWIN COUNTY }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

Leroy Davis

and bring

him

before

me

to answer the State of Alabama on a charge

Burglary

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

Witness my hand this

15

day of

Sept

, 19

50

G. F. Hall

J. P.

RECORDED

No. 1357

Page \_\_\_\_\_

THE STATE OF ALABAMA

Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,

vs.

Leroy Davis

Witnesses for the State:

Ida Davis  
Orlando Barnes  
John Wilkin  
H. F. Hall

Justice Court of  
Baldwin County

WARRANT of ARREST

The State of Alabama,  
vs.

Leroy Davis

Executed this 17 day of Sept 1950

By arresting the within

named Defendant

Leroy Davis

and placing him

In Jail

John Wilkin, Sheriff

Deputy Sheriff

O mi

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court, FALL Session, 1950

The Grand Jury of said County charge that before finding this indictment Leroy Davis, whose name is to the Grand Jury otherwise unknown, did, in the nighttime, with intent to steal, break into and enter an inhabited dwelling, which was occupied by Ida Davis, a person lodged therein,

against the peace and dignity of the State of Alabama.

*Kenneth Cooper*  
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No. ....

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

FALL SESSION ~~XXXX~~, 1950

THE STATE

Vs.

LEROY DAVIS

INDICTMENT

BURGLARY, 1st DEGREE

No. Prosecutor.

WITNESSES:

IDA DAVIS

ORLANDO BARNES

H.F. HALL

TAYLOR WILKINS

GRAND JURY NO. 51

A TRUE BILL

*Will Gullett*  
Foreman, Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 6<sup>th</sup> day of  
Nov, 1950.

*Alvin J. ...*, Clerk.

Presented in open Court to the presiding  
Judge by the Foreman of the Grand Jury, in

the presence of 17 other Grand Jurors.

*Alvin J. ...*  
Clerk.

Bail fixed \$ 5000.00

*Julian J. Mansberry Jr.*  
Judge.

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

ATTORNEYS	CASE	CHARGE
No. 1357	THE STATE OF ALABAMA	
	Vs.	
	Leroy Davis	Burglary.

	DISPOSITION OF CASE	FEE'S	AMOUNT
	Affidavit made and Warrant Issued to H. F. Hall	JUDGE'S FEES	
	Returnable Grand Jury.	Warrant at 50c, Affidavit at 25c	75
	Witness—For State J. L. Davis	Bond at 50c, Sci. Fa. at 50c	
	Orlando Baines	Witnesses' Recognizances at 25c	
	Jaylor Wilkins	Subpoena or Notice at 25c	100
	H. F. Hall.	Continuance at 25c	
25 Sept 50	Def. was brought before me and requested hearing he wanted to Grand Jury. Bond was set at \$750.00.	Trial of Misdemeanor at \$1.00	
	Def. being unable to make bond was ordered committed to jail.	Mittimus at 25c	25
		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, \$2.00; Bond \$1.00; Sci. Fa. 50c	4.00
		Committing, \$1.00; Releasing, \$1.00	2.10
		Subpoenas at 150 Day's Board at 30c	2.00
		WITNESS FEES	
		Days at 50c	50
		" 50c	50
		" 50c	50
		" 50c	50
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

At said  
Justice of Peace

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