

1382

STATE OF ALABAMA }  
BALDWIN COUNTY }

Nº 2768

Case No. 224  
The State of Alabama  
vs.

IN THE Justice COURT OF  
BALDWIN COUNTY, ALABAMA

Sharon Simpson  
Before me, J. C. [unclear], Clerk of the Circuit Court of  
Baldwin County, Alabama, personally appeared [unclear],  
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. [unclear]  
[unclear] 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 8 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 [unclear]  
4 mi. S. of [unclear] Sheriff  
Subscribed and sworn to before me this 19 day of Sept 1951

Disposition of Case \_\_\_\_\_  
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 \$ \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_, 195\_\_\_\_\_.

Judge of the above named court

**INDICTMENT**

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**THE STATE OF ALABAMA**  
**Baldwin County.**

Circuit Court, Fall Session, 195 <sup>1</sup>

The Grand Jury of said County charge that before the finding of this indictment Theodore Simpson, whose name is to the Grand Jury otherwise unknown than as stated, unlawfully and intentionally, but without malice, killed Theo O. Etheridge, by running a motor truck into another motor truck and proximately causing the latter motor truck to run over the said Theo O. Etheridge, against the peace and dignity of the State of Alabama.

2. The Grand Jury of said County further charge that before the finding of this indictment Theodore Simpson, whose name is to the Grand Jury otherwise unknown than as stated, unlawfully and intentionally, but without malice, killed Theo O. Etheridge, by striking him with a motor truck, against the peace and dignity of the State of Alabama.

3. The Grand Jury of said County further charge that before the finding of this indictment Theodore Simpson, whose name is to the Grand Jury otherwise unknown than as stated, unlawfully and intentionally, but without malice, killed Theo O. Etheridge, by driving a motor truck in a southerly direction into or upon another motor truck proceeding in a northerly direction, causing the latter motor truck to strike a Mercury automobile proceeding in a southerly direction in which the said Theo O. Etheridge was riding, in such a manner as to wreck the said Mercury automobile and thereby caused the death of said Theo O. Etheridge,

against the peace and dignity of the State of Alabama.

WILLIAM R. LAUTEN  
Solicitor of the Twenty-Eighth Judicial Circuit.

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RECORDED

No. ....

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

Fall Session, 19...51...

THE STATE

Vs.

THEODORE SIMPSON

INDICTMENT

Manslaughter, 1st Degree

No Prosecutor.

WITNESSES:

Taylor Wilkins

J. D. Horn

Douglas Plowman

Charles M. McGowan

Roy Emaons

C. B. Joiner

Harvey Smith

George White

Arthur Harville, Jr.

J. F. Hammond

Dr. James B. Thomas

GRAND JURY NO. 43

A TRUE BILL

*W. K. Hammond*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 19<sup>th</sup> day of

Oct., 1951

*Alice J. Neuch*, Clerk

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

the presence of 17 other Grand Jurors.

*Alice J. Neuch*  
Clerk.

Bail fixed \$ ~~500.00~~

*Jeffery J. Mashberry, Jr.*  
Judge.

*We the jury find  
the defendant not  
guilty.  
Jury Foreman  
J. van W. Howell*

2241

THE STATE OF ALABAMA,

Justice Court of T. C. HAND

Baldwin County

Precinct No. 4

Bay Minette, Ala.

To Any Sheriff of the State of Alabama:

*J. F. Hammond, Curtis (jr.) Harville, Taylor, Wilkins, J. D. Horn, Asinger, Plowman*

You are Hereby Commanded to Summon

*Charles M. Mc Sawin, Ray Emmons, C. B. Jones, Harvey Smith, Geo. White*

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

*25* day of *Sept*

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

*Theodore Simpson*

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this

*20*

day of

*Sept*

A.D., 195

*T. C. Hand*

Justice of the Peace, Precinct No. 4

Executed in full, this the

21 day of

Sept, 1951

Taylor Wilkins  
Sheriff

Deputy Sheriff

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:  
Baldwin County } An indictment having been found against

THEODORE SIMPSON

at the FALL Term, 1945, of the Circuit Court of Baldwin County, for the offense of

MANSLAUGHTER, 1st DEGREE

you are, therefore, commanded forthwith to arrest the said Defendant and commit HIM

to jail, unless HE give bail to answer said indictment, and that you return this Writ according to law.

Dated this 19th day of October 1945

*[Signature]*  
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }  
Baldwin County }

We, \_\_\_\_\_, as principal and

the other undersigned as sureties, agree to pay the State of Alabama \_\_\_\_\_

Dollars, unless the said \_\_\_\_\_ appears

at the \_\_\_\_\_ Term of the Circuit Court of Baldwin County, and from Term to Term

thereafter until discharged by law, to answer a criminal prosecution for the offense of \_\_\_\_\_

In signing the above bond we and each of us hereby waive all legal rights of exemptions allowed us by the Constitution and Laws of Alabama.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_\_

\_\_\_\_\_  
Sheriff of Baldwin County.



Affidavit

Printed by Moore Ptg. Co.

STATE OF ALABAMA, {  
Baldwin County.

T. C. HAND

In the Justice Court of \_\_\_\_\_

T. C. HAND

Before me, \_\_\_\_\_, Justice of the Peace

in and for said County, personally appeared TAYLOR WILKING 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 17 September, 1951 that one Theodore Simpson

unlawfully and intentionally but without malice, killed Theo O. Etheridge  
by negligently operating a truck and as result of such negligence  
Theo O. Etheridge was killed.

\_\_\_\_\_ against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 17

day of September A. D., 1951

\_\_\_\_\_, J. P.

*Taylor Wilking*

Warrant

STATE OF ALABAMA, {  
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest Theodore Simpson

\_\_\_\_\_ and bring him

before me to answer the State of Alabama on a charge

Manslaughter

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

Witness my hand this 17 day of September, 1951

*P. J. Sandy*, J. P.



The State of Alabama,  
Baldwin County

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,  
vs.

THEODORE SIMPSON

Witnesses for the State :

TAYLOR WILKINS

J.D. HORN

Justice Court Of  
Baldwin County

WARRANT of ARREST

The State of Alabama,  
vs.

THEODORE SIMPSON

Executed this 17 day of Sept. 1951

By arresting the within

named Defendant

*Theodore Simpson*

and placing him

in Jail.

*Taylor Wilkins*, Sheriff

\_\_\_\_\_, Deputy Sheriff

*4 mi So of B.M.  
8 mi*

# State vs Theodore Simpson

JURY LIST

<del>1.</del>	<del>Marshall N. Harris</del>	<del>Farmer</del>	<del>Foley</del>	<del>S 10</del>
<del>2.</del>	<del>Richard Harrison</del>	<del>Farmer</del>	<del>Foley</del>	<del>S 1</del>
3.	Richard Harrison	Farmer	Rosinton	
4.	James N. Keith	Farmer	Mag. Springs	
<del>5.</del>	<del>Floyd A. Gibbs</del>	<del>Store Manager</del>	<del>Bay Minette</del>	<del>S 10</del>
<del>6.</del>	<del>Julius Schwart</del>	<del>Farmer</del>	<del>Elberta</del>	<del>S 10</del>
<del>7.</del>	<del>J. L. Clark</del>	<del>Hardware</del>	<del>Bay Minette</del>	<del>S 5</del>
<del>8.</del>	<del>Julius Hanson</del>	<del>Clerk</del>	<del>Foley</del>	<del>S 7</del>
9.	Garvin Hunter	Merchant	Fairhope	
<del>10.</del>	<del>Eugene Reed</del>	<del>Defense</del>	<del>Bay Minette</del>	<del>S 5</del>
<del>11.</del>	<del>Stover McBride</del>	<del>Mechanic</del>	<del>Foley</del>	<del>S 8</del>
<del>12.</del>	<del>Alfred Nelson</del>	<del>Plumber</del>	<del>Fairhope</del>	<del>S 7</del>
<del>13.</del>	<del>Frank H. Whitley</del>	<del>Live Stock Dealer</del>	<del>Robertsdale</del>	<del>S 4</del>
<del>14.</del>	<del>Julius P. Ulrich</del>	<del>Laborer</del>	<del>Elberta</del>	<del>S 9</del>
15.	Alroy McKensie Sr.	Farmer	Fairhope	
<del>16.</del>	<del>Morton B. Cox</del>	<del>Contractor</del>	<del>Stockton</del>	<del>S 2</del>
<del>17.</del>	<del>G. Leslie Chandler</del>	<del>Merchant</del>	<del>Silverhill</del>	<del>S 7</del>
<del>18.</del>	<del>G. B. Gavin</del>	<del>Fishing Camp</del>	<del>Magnolia Spgs.</del>	<del>S 11</del>
19.	Claude J. Yancey	Fisherman	Dapine	
20.	Leonard Washington Foley	Farmer	Robertsdale	
21.	Sidney Chandler	Bank Clerk	Silverhill	
<del>22.</del>	<del>Malcolm Garrett</del>	<del>Farmer</del>	<del>Balforest</del>	<del>S 4</del>
<del>23.</del>	<del>Sam Caldwell</del>	<del>Carpenter</del>	<del>Foley</del>	<del>S 11</del>
<del>24.</del>	<del>Louis Lacey</del>	<del>Barlyman</del>	<del>Loxley</del>	<del>S 11</del> <i>Stace</i>
<del>25.</del>	<del>Ben F. Hattie</del>	<del>Logging Supt.</del>	<del>Stockton</del>	<del>S 5</del>
<del>26.</del>	<del>A. V. Lazzari Jr.</del>	<del>Farmer</del>	<del>Balforest</del>	<del>S 6</del>
<del>27.</del>	<del>Howard Britton</del>	<del>Retired</del>	<del>Magnolia Spgs.</del>	<del>S 2</del>
<del>28.</del>	<del>Robert T. Cowles</del>	<del>Laborer</del>	<del>Fairhope</del>	<del>S 8</del>
<del>29.</del>	<del>Frank B. Summers</del>	<del>Banker</del>	<del>Foley</del>	<del>S 3</del>
<del>30.</del>	<del>Henry Bryers</del>	<del>Farmer</del>	<del>Stockton</del>	<del>S 7</del>
<del>31.</del>	<del>Ira H. Underwood</del>	<del>Farmer</del>	<del>Summersdale</del>	<del>S 1</del>
<del>32.</del>	<del>Wynatt W. Childress</del>	<del>Merchant</del>	<del>Foley</del>	<del>S 3</del>
33.	Max Larena Jr.	Merchant	Gulf Shores	
<del>34.</del>	<del>Med Rosman</del>	<del>Sign Painter</del>	<del>Bay Minette</del>	<del>S 8</del>
<del>35.</del>	<del>Frank Sturms</del>	<del>Merchant</del>	<del>Silverhill</del>	<del>S 4</del>
36.	Floyd Ellison	Farmer	Rosinton	
<del>37.</del>	<del>Bob Young</del>	<del>Merchant</del>	<del>Fairhope</del>	<del>S X</del>
38.	John H. Childress	Farmer	Barnwell	





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