

1990

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, Fall Session, 1951

The Grand Jury of said County charge that before finding this indictment Hobert C. Phillips, whose name is to the Grand Jury otherwise unknown, unlawfully and with malice aforethought, did assault Francis Irwin, with the intent to murder him,

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

[Handwritten notes and signatures in the left margin, including names like 'W. R. Fenter' and 'Solicitor of the Twenty-Eighth Judicial Circuit']

against the peace and dignity of the State of Alabama.

William R. Fenter
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

Fall Session Term, 1951.....

THE STATE

Vs.

HOBERT C. PHILLIPS

INDICTMENT

Assault with Intent to Murder

No Prosecutor.

WITNESSES:

Lamar Irwin 1-72-4135

Frances Irwin

B. D. Cobb 1-72-4135

Frank Osborne 1-72-4135

E. R. Delorme 1-800-4073

T. E. Simms

Henley Ott

Ernest Diamond 1-

Idell Franklin 1-14-4135

Ed Shaffers

Frank Irwin 1-90-5125

RECORDED

GRAND JURY NO. 47

A TRUE BILL

W. Hammond
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 19th 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 \$~~750.00~~
~~500.00~~

Jeffrey M. DeBerry, Jr.
Judge.

We the Jury find the
Defendant Guilty of
Assault & Battery and
fix his fine at \$50.00

Foreman
Bob Young

THE STATE OF ALABAMA,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:
An indictment having been found against

Robert C. Phillips

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

assault with intent to murder

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

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

Dated this 10th day of June, 1945

W. J. Hester
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.

Ann's
CAPIAS

No. 144 D

THE STATE

vs.

Hubert A. Phillips

Bail Fixed in This Case in Open Court at

\$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Executed this _____ day of _____, 194 _____

By arresting the within

named Defendant

and placing him _____

_____, Sheriff

_____, Deputy Sheriff

1440

Bay Minette, Ala., Jan 27, 1945

To the Sheriff of Cullman County,

Cullman, Alabama.

I enclose herewith

Miss [unclear] [unclear]
[unclear] - [unclear] Ala.

Please serve and return as early as possible.

[Signature]

Sheriff, Baldwin County, Alabama.

(If not found in your county please advise promptly giving information as to present location, if possible)

1440

SHERIFF'S APPEARANCE BOND—WITH WAIVER.

Code 1923-3375

THE STATE OF ALABAMA

Baldwin
CULMAN COUNTY

We Robert C. Phillips and his surities

agree to pay to the

State of Alabama One Thousand Dollars (\$1000.00) DOLLARS

unless the said Robert C. Phillips appears at the next session of the Circuit Court of said County, and from session to session thereafter, until discharged by law, to answer

an Indictment Found

against Robert C. Phillips

in said Court for the offense of Assault With Intent To Murder

And we, and each of us hereby waive all rights of claim of exemption we or either of us now or may hereafter have, under the Constitution and laws of the State of Alabama. We hereby severally certify that we have property free from all incumbrances, to the full amount of the above bond.

Witness our hand and seals, this 3 day of April, 1952

Taken and approved.

This day of 52 x A.A. Jones (L. S.)

Sheriff. 76 (L. S.)

Robert C. Phillips (L. S.)
Robert Phillips (L. S.)
A.A. Jones (L. S.)
76 (L. S.)

RECORDED

STATE OF ALABAMA

Cullman, Ala.

I hereby certify that I have examined the abilities of the within named subject, and find them to be sufficient for the amount of this bond, and would attach a return to my return.

This is the 3 day of

April 1952

W.C. Waldrop
Sheriff of Cullman County.

No.

THE
STATE OF ALABAMA

CULLMAN COUNTY
Baldwin

CIRCUIT COURT

THE STATE OF ALABAMA

vs.

Robert C. Phillips

Sheriff's Appearance Bond With
Waiver

Approved....., 19.....

Sheriff Cullman County.

SURETIES

Amount, \$.....

*State vs Hubert
P. Phillips*

JURY LIST

Spring Term, April 14th, 1952

NO. NAME OCCUPATION ADDRESS

- ~~1 Marshall N. Harris, farmer, Foley~~
- ~~2 Adrian Swanstrom, clerk, Foley~~ *191*
- ~~3 Richard Harhinson, farmer, Rosinton~~
- ~~4 James E. Keith, farmer, Magnolia Springs~~ *197*
- ~~5 Floyd A. Gibbs, store manager, Bay Minette~~
- ~~6 Julius Schwart, farmer, Elberta~~ *191*
- ~~7 J. L. Clark, hardware, Bay Minette~~
- ~~8 Julius Hanberg, clerk, Foley~~ *192*
- ~~9 Gavin Hunter, merchant, Fairhope~~ *56*
- ~~10 Eugene Reed, defense, Bay Minette~~
- ~~11 Grover McBride, mechanic, Foley~~ *192*
- 12 Alfred Nelson, plumber, Fairhope
- ~~13 Frank M. Wheatley, live stock dealer, Robertsdale~~
- ~~14 Julius P. Ulrich, laborer, Elberta~~ *193*
- ~~15 Elroy McKenzie, Sr., farmer, Fairhope~~
- 16 Morton D. Cox, contractor, Stockton
- ~~17 G. Leslie Chandler, merchant, Silverhill~~
- 18 G. B. Gavin, fishing camp, Magnolia Springs
- ~~19 Claud J. Yancey, fisherman, Daphne~~ *52*
- 20 Leonard Washington Foley, farmer, Robertsdale
- ~~21 Sidney Chandler, bank clerk, Silverhill~~ *51*
- ~~22 Malcolm Garrett, farmer, Belforest~~
- ~~23 Sam Caldwell, carpenter, Foley~~ *193*
- 24 Louis Lacey, dairyman, Loxley
- ~~25 Ben F. Hastie, logging supt., Stockton~~
- 26 A. V. Lazzari, Jr., farmer, Belforest
- ~~27 Howard Britton, retired, Magnolia Springs~~ *197*
- ~~28 Robert T. Cowles, laborer, Fairhope~~
- ~~29 Frank E. Sanders, banker, Foley~~ *194*
- ~~30 Henry Bryars, farmer, Stockton~~ *35*
- 31 Ira N. Underwood, farmer, Summerdale
- ~~32 Mynatt W. Childress, merchant, Foley~~
- ~~33 Max Larenz, Jr., merchant, Gulf Shores~~ *38*
- 34 Ned Noonan, sign painter, Bay Minette
- 35 Frank Sturma, merchant, Silverhill
- ~~36 Floyd Ellison, farmer, Rosinton~~ *194*
- 37 Bob Young, merchant, Fairhope
- 38 John H. Childress, farmer, Barnwell
- 39 J. Rufus Sirmon, farmer, Daphne
- ~~40 Curtis Mosley, ship yard, Stapleton~~ *53*
- ~~41 Ivan Havel, farmer, Silverhill~~ *196*
- ~~42 James Zimmer, teacher G. I., Robertsdale~~ *57*
- ~~43 Rufus M. Robinson, farmer, Bay Minette~~ *195*
- ~~44 Laudie L. Langham, Newport, Bay Minette~~ *54*
- ~~45 Herman Blocht, farmer, Elberta~~ *195*
- ~~46 Carl Stokes, carpenter, Foley~~ *196*

46
24
3 12 2
7

- ~~23 Sam Caldwell, carpenter, Foley 19~~
- 24 Louis Lacey, dairyman, Loxley
- ~~25 Ben P. Hastie, logging supt., Stockton~~
- 26 A. V. Lazzari, Jr., farmer, Belforest
- ~~27 Howard Britton, retired, Magnolia Springs 197~~
- ~~28 Robert T. Cowles, laborer, Fairhope~~
- ~~29 Frank B. Sanders, banker, Foley 194~~
- ~~30 Henry Bryars, farmer, Stockton 325~~
- 31 Ira N. Underwood, farmer, Summerdale
- ~~32 Mynatt W. Childress, merchant, Foley~~
- ~~33 Max Larenz, Jr., merchant, Gulf Shores 38~~
- 34 Ned Noonan, sign painter, Bay Minette
- 35 Frank Sturma, merchant, Silverhill
- ~~36 Floyd Ellison, farmer, Rosinton 194~~
- 37 Bob Young, merchant, Fairhope
- 38 John H. Childress, farmer, Barnwell
- 39 J. Rufus Sirmon, farmer, Daphne
- ~~40 Curtis Mosley, ship yard, Stapleton 53~~
- ~~41 Ivan Havel, farmer, Silverhill 196~~
- ~~42 James Zimmer, teacher G. I., Robertsdate 57~~
- ~~43 Rufus M. Robinson, farmer, Bay Minette 192~~
- ~~44 Laudie L. Langham, Newport, Bay Minette 54~~
- ~~45 Herman Blocht, farmer, Elberta 195~~
- ~~46 Carl Stokes, carpenter, Foley 196~~

46
24
3 22
7

S XXXXX XXX

D HHHHH HH

1440

1440

ORDER FOR WITNESSES

In The Circuit Court of ~~Cullman~~ ^{XXXXXX} County, Alabama
Baldwin

State Of Alabama

No. _____

vs.

Plaintiff

Date Case Set April 15, 195 2

Hobart Phillips

Defendant

To the Clerk of said Court:

Please summon for the

~~XXXXXX~~ DEFENDANT
~~XXXXXX~~

the following witnesses:

Hubert Whittaker

at

HANCEVILLE CAB CO.
HANCEVILLE, ALA.

at

Cullman County, Alabama

at

WARREN BROS. STORE

Clifford Davis

at

~~Cullman (city)~~ Cullman

at

County, Alabama (HANCEVILLE)

at

at

at

at

at

at

at

This 3rd. day of April, 195 2

Marvin H. Galis

Attorney for Defendant.
~~XXXXXX~~

\$ _____

THE STATE OF ALABAMA
CULLMAN COUNTY

CIRCUIT COURT

State Of Alabama

vs.

Hobart Phillips

ORDER FOR WITNESSES

Issued _____, 195_____

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

ROBERT C. PHILLIPS

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

ASSAULT WITH INTENT TO MURDER

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.

1440
Cullman

RECORDED

701440

CAPIAS

No. 47

THE STATE

vs.

HOBERT C. PHILLIPS

Bail Fixed in This Case in Open Court at

~~\$7500~~ \$1000 00

By J. J. M. M. M.
Judge Presiding.

Attest : _____
Clerk.

Executed this 3 day of April 1942

By arresting the within

named Defendant

Hobert C. Phillips

and placing him in jail

W. L. Waldrop Sheriff.

J. H. Waldrop Deputy Sheriff.