

1442

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Spring Session, 1952

The Grand Jury of said County charge that before the finding of this indictment Hamilton Washington, whose name is to the Grand Jury otherwith unknown, unlawfully and with malice aforethought, did assault James Booth, alias Jimmy Booth, with the intent to murder him,

against the peace and dignity of the State of Alabama.

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

RECORDED

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

Spring Session, 19 52

THE STATE

Vs.

HAMILTON WASHINGTON

INDICTMENT

Assault with Intent to Murder

no Prosecutor.

WITNESSES:

George Hartley

Walter Lewis

1-22-1852

Nelson Grubbs

Taylor Wilkins

Sam Johnson

James Booth

1-22-1852

O. Coley

N. L. Hayles

Lawrence Fountain

GRAND JURY NO. 17-A

A TRUE BILL

W. B. Lapworth Foreman Grand Jury.

Filed in open Court and in the presence of

the Grand Jury on the 26th day of

March, 1952

Alice 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.

Alice J. ... Clerk.

Bail fixed \$ 1000.00

J. J. Madbury, Jr. Judge.

1442

STATE OF ALABAMA

Baldwin County

Case No.

119 *Opinion* No.

3333

The State of Alabama

vs.

In the

Circuit Court of
Baldwin County, Alabama

Martha Washington

Before me, *Alfred W. Cook*, Clerk of the *Circuit* Court of Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, 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 *30* 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 *Smith's Store Taylor Wilkins* Sheriff

Subscribed and sworn to before me this *5* day of *April* 195*2*

Disposition _____ 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

Hamilton
JURY LIST *Washington*

Spring Term, April 14th, 1952

NO. NAME OCCUPATION ADDRESS

- 1 Marshall N. Harris, farmer, Foley
- ~~2 Adrian Swanstrom, clerk, Foley~~ 19²
- ~~3 Richard Hasbenson, farmer, Rosinton~~ 10⁰
- ~~4 James B. Keith, farmer, Magnolia Springs~~ 19²
- ~~5 Floyd A. Gibbs, store manager, Bay Minette~~ 19⁴
- 6 Julius Schwart, farmer, Elberta
- ~~7 J. L. Clark, hardware, Bay Minette~~ 19⁴
- ~~8 Julius Hanberg, clerk, Foley~~ 19⁶
- ~~9 Gavin Hunter, merchant, Fairhope~~ 19⁷
- ~~10 Eugene Reed, defense, Bay Minette~~ 19²
- ~~11 Grover McBride, mechanic, Foley~~ 19¹⁰
- ~~12 Alfred Nelson, plumber, Fairhope~~ 19⁷
- ~~13 Frank M. Wheatley, live stock dealer, Robertsdale~~ 19¹⁷
- ~~14 Julius P. Ulrich, laborer, Elberta~~ 19²
- ~~15 Elroy McKenzie, Sr., farmer, Fairhope~~ 19⁷
- ~~16 Morton D. Cox, contractor, Stockton~~ 19⁴
- 17 G. Leslie Chandler, merchant, Silverhill
- ~~18 G. B. Gavin, fishing camp, Magnolia Springs~~ 19¹⁰
- ~~19 Claude J. Yancey, fisherman, Daphne~~ 19⁴
- 20 Leonard Washington Foley, farmer, Robertsdale
- ~~21 Sidney Chandler, bank clerk, Silverhill~~ 19⁷
- 22 Malcolm Garrett, farmer, Belforest
- ~~23 Sam Caldwell, carpenter, Foley~~ 19⁷
- ~~24 Louis Lacey, dairyman, Loxley~~ 19⁶
- ~~25 Ben F. Hastie, logging supt., Stockton~~
- 26 A. V. Lazzari, Jr., farmer, Belforest
- ~~27 Howard Britton, retired, Magnolia Springs~~ 19⁶
- ~~28 Robert T. Cowles, laborer, Fairhope~~
- ~~29 Frank E. Sanders, banker, Foley~~ 19⁶
- ~~30 Henry Bryars, farmer, Stockton~~ 19¹
- 31 Ira N. Underwood, farmer, Summerdale
- ~~32 Myrton W. Childress, merchant, Foley~~ 19¹⁰
- ~~33 Max Lorenz, Jr., merchant, Gulf Shores~~ 19⁷
- ~~34 Ned Noonan, sign painter, Bay Minette~~ 19³
- 35 Frank Sturma, merchant, Silverhill
- 36 Floyd Ellison, farmer, Rosinton
- ~~37 Bob Young, merchant, Fairhope~~ 19⁴
- ~~38 John H. Childress, farmer, Barnwell~~ 19²
- 39 J. Rufus Sirmon, farmer, Daphne
- ~~40 Curtis Mosley, ship yard, Stapleton~~ 19¹
- ~~41 Ivan Havel, farmer, Silverhill~~ 19⁷
- 42 James Zinner, teacher G. I., Robertsdale
- ~~43 Rufus M. Robinson, farmer, Bay Minette~~ 19¹
- ~~44 Laudie L. Langham, Newport, Bay Minette~~ 19³
- ~~45 Herman Brocht, farmer, Elberta~~ 19¹¹
- 46 Carl Stokes, carpenter, Foley

- ~~24 Louis Lacey, dairyman, Foley S⁶~~
- ~~25 Ben P. Hastie, logging supt., Stockton~~
- 26 A. V. Lazzari, Jr., farmer, Belforest
- ~~27 Howard Britton, retired, Magnolia Springs L⁶~~
- ~~28 Robert T. Cowles, laborer, Fairhope~~
- ~~29 Frank E. Sanders, banker, Foley A⁶~~
- ~~30 Henry Bryars, farmer, Stockton L¹~~
- 31 Ira N. Underwood, farmer, Summerdale
- ~~32 Myrnat W. Childress, merchant, Foley A¹⁰~~
- ~~33 Max Larcuz, Jr., merchant, Gulf Shores S⁵~~
- ~~34 Ned Noonan, sign painter, Bay Minette L³~~
- 35 Frank Sturma, merchant, Silverhill
- 36 Floyd Ellison, farmer, Rosinton
- ~~37 Bob Young, merchant, Fairhope L¹¹~~
- ~~38 Tom H. Childress, farmer, Barnwell L³~~
- 39 J. Rufus Sirmon, farmer, Daphne
- ~~40 Curtis Mosley, ship yard, Stapleton S¹~~
- ~~41 Ivan Havel, farmer, Silverhill S⁷~~
- 42 James Zinner, teacher G. I., Robertsdale
- ~~43 Rufus M. Robinson, farmer, Bay Minette L¹~~
- ~~44 Laudie L. Langham, Newport, Bay Minette S³~~
- ~~45 Herman Blocht, farmer, Elberta S¹¹~~
- 46 Carl Stokes, carpenter, Foley

44
12
313
10
21

S ⁵ ~~XXXX~~ ~~XXXX~~ X ¹⁰

D ⁵ H H H H H ¹⁰ H H H H H +

1442

1442

2493

THE STATE OF ALABAMA,
Baldwin County

Justice Court of T. C. HAND

Precinct No. 4

Bay Minette, Ala.

To Any Sheriff of the State of Alabama:

You are Hereby Commanded to Summon

George Hartley

Walter Lewis

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

20 day of *Dec*, 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 *Hamilton Washington*

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this *20* day of *Dec*, A.D., 195*1*

T. C. Hand
Justice of the Peace, Precinct No. 4

Executed in full, this the

10 day of

Dec, 1951

Jay W. Wilkins
Sheriff

Deputy Sheriff

1442

STATE OF ALABAMA }
BALDWIN COUNTY }

No. 2997

Case No. 2483
The State of Alabama

IN THE Justice COURT OF
BALDWIN COUNTY, ALABAMA

vs. *[Handwritten Name]*
Before me, *[Handwritten Name]* Clerk of the Circuit Court of

Baldwin County, Alabama, personally appeared *[Handwritten Name]*,
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. *[Handwritten Name]*
[Handwritten Name] 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 *2.20* 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 *[Handwritten Location]* Sheriff *[Handwritten Name]*

Subscribed and sworn to before me this *21* day of *Dec* 195 *1*.

Disposition of Case
waved to Grand jury *[Handwritten Signature]* 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 \$ *2.20* 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 *21* day of *Dec*, 195 *1*.
[Handwritten Signature]
Judge of the above named court

Affidavit

1442

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 George Huxley 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 20 Dec 1951 that one Hamilton Washington

unlawfully and with malice aforethought
did assault Walter Lewis with the intent to
murder him.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 20

day of Dec. A. D., 1951

T. C. Hand, J. P.

George Huxley

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY }

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest Hamilton Washington

and bring him

before me to answer the State of Alabama on a charge

assault with intent to murder

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

Witness my hand this 20 day of Dec, 1951

T. C. Hand, J. P.

The State of Alabama,
Baldwin County

JUSTICE COURT OF
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

Hamilton Washington

Witnesses for the State :

George Hartley
Walter Lewis

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Hamilton Washington

Executed this 20 day of Dec 1951

By arresting the within

named Defendant

and placing him

in Jail

Taylor Wilkins Sheriff

George Hartley Deputy Sheriff

THE STATE OF ALABAMA }
Baldwin County }

To Any Sheriff of the State of Alabama:

An indictment having been found against

Hamilton Washington

at the Spring Term, 1952, 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 27th day of March, 1952

Wesley J. Tucker
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 the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19_____

Sheriff of Baldwin County.

NO 1442

CAPIAS

No. 17

THE STATE

vs.

Hamilton Washington

Bail Fixed in This Case in Open Court at

\$ 1000⁰⁰

By Wilbur Washburne
Judge Presiding.

Attest: _____
Clerk.

Executed this 4 day of April, 1952

By arresting the within

named Defendant

Hamilton Washington

and placing him in jail

Walter Walton, Sheriff

Stedham Hall, Deputy Sheriff

4 mi north Stoughton

1442

JAIL 8-2M-2-50

THE STATE OF ALABAMA
Mobile County
Baldwin

We Hamilton Washinton

and L.V. Pierce

C.V. Broadus

agree to pay the State of Alabama One Thousand (1000.00) Dollars

unless the said Hamilton Washinton appear at the

Spring 1952

term of the Circuit Court of Baldwin Mobile County

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

AND WE HEREBY WAIVE ALL RIGHT OF EXEMPTION ALLOWED US UNDER THE CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS TO THE COLLECTION OF THIS BOND IF FORFEITED.

Approved:

The 21 day of Aug., 1952

Jasper Wilkins Sheriff
Deputy

Hamilton Washinton (L. S.)

L.V. Pierce (L. S.)

C.V. Broadus (L. S.)

By L.V. Pierce atty for

THE STATE OF ALABAMA

County of Mobile

Personally appeared Baldwin me,

Baldwin
Sheriff of Mobile County

who, being duly sworn, doth depose and say that _____ is a resident of the State of Alabama, County of Mobile, a householder and freeholder therein and that _____ is worth, exclusive of property exempt from execution, and also over and above all just debts and liabilities, the amount expressed in this undertaking.

Subscribed and sworn to before me, this _____ day of _____, 195_____

Sheriff of Mobile County,
Baldwin

No. _____

THE STATE

VS.

APPEARANCE BOND

Filed _____ day of _____ 195_____

State of Alabama
County of Mobile

I W. H. Holcombe, Sheriff of Mobile County, Alabama hereby certify that the within bond is a good and sufficient bond and if presented to me in Mobile County I would accept same. The Broadus, Pierce, Dickerson Bonding Company is further qualified under Sec. 201 of Act 199 to protect the State or its political ~~rights~~ sub-division on this bail bond.

This the 21st. day of December, 1951.

W. H. Holcombe
W. H. Holcombe, Sheriff of Mobile County, Alabama

1442

JAIL 8-2M-2-50

THE STATE OF ALABAMA }
Mobile County }
Baldwin

We Hamilton Washington

C.V. Broadus and L.W. Pierce

agree to pay the State of Alabama One Thousand (1000.00) Dollars

unless the said Hamilton Washington appear at the

April 14, 1952 at 10:00 A.M. term of the Circuit Court of Baldwin # Mobile County

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

AND WE HEREBY WAIVE ALL RIGHT OF EXEMPTION ALLOWED US UNDER THE CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS TO THE COLLECTION OF THIS BOND IF FORFEITED.

Approved:

The 5 day of April, 1952

Sheriff

Deputy

Hamilton Washington (L. S.)

C.V. Broadus (L. S.)

L.W. Pierce (L. S.)

By C.V. Broadus (att in fact)

THE STATE OF ALABAMA

County of Mobile

Personally appeared before me,

Sheriff of Mobile County

who, being duly sworn, doth depose and say that _____ is a resident of the State of Alabama, County of Mobile, a householder and freeholder therein and that _____ is worth, exclusive of property exempt from execution, and also over and above all just debts and liabilities, the amount expressed in this undertaking.

Subscribed and sworn to before me, this _____ day of _____, 1952

Sheriff of Mobile County, W.H. Holcombe

No. _____

THE STATE

VS.

APPEARANCE BOND.

Filed _____ day of _____ 1952
State of Alabama
County of Mobile

I, W.H. Holcombe, sheriff of Mobile County, Alabama hereby certify that the within bond is a good and sufficient bond and if presented to me in Mobile County, Alabama I would accept same.

This the 5 day of April, 1952.

W.H. Holcombe
W.H. Holcombe, Sheriff of Mobile County, Alabama
By D.C. Hall c.s.

1442

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. 2493.	Vs. Hamilton Lewis.	Assault with intent to murder.

DISPOSITION OF CASE		FEE'S	AMOUNT
Affidavit made and Warrant Issued to	George Bentley.	JUDGE'S FEES	
Returnable	Grand Jury	Warrant at 50c, Affidavit at 25c	75
Witness—For State	George Bentley, Walter Lewis.	Bond at 50c, Sci. Fa. at 50c	
		Witnesses' Recognizances at 25c	
		Subpoena or Notice at 25c	50
		Continuance at 25c	
		Trial of Misdemeanor at \$1.00	
		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, \$4.00; Bond \$1.00; Sci. Fa., 50c	5.00
		Committing, \$4.00; Releasing, \$1.00	4.00
		2 Subpoenas at 25c	1.00
		Day's Board at 30c	2.00
		WITNESS FEES	
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

21 Dec 51 def. requested hearing he wanted to Grand Jury. Bond was set at \$1,000. def being unable to make bond was ordered committed to jail.

21 Dec 51 def. made bond later in day. J. Paul Justice of Peace.

