

1002

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, Spring Session, 194⁵³

The Grand Jury of said County charge that before finding this indictment EUGENE GARNER, whose name is to the Grand Jury otherwise unknown, feloniously took, to-wit, two twenty-dollar bills and one ten-dollar bill in lawful United States currency, of the value of, to-wit, fifty dollars, the property of Walter B. Blackmon, from his person, and against his will, by violence to his person, 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 EUGENE GARNER, whose name is to the Grand Jury otherwise unknown, feloniously took, to-wit, two twenty-dollar bills and one ten-dollar bill in lawful United States Currency, of the value of, to-wit, fifty-dollars, the property of Walter B. Blackmon, from his person, and against his will, by putting him in such fear as unwillingly to part with the same.

against the peace and dignity of the State of Alabama.

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

No.

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

Circuit Court

Spring Term, 19453..

THE STATE
Vs.

EUGENE GARNER

INDICTMENT

Robbery
Prosecutor.

WITNESSES:

Walter Blackmon

GRAND JURY NO. 45A

A TRUE BILL

Robert E. Stapleton
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 12th day of
March, 19453...

Alice J. Duck 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. Duck
Clerk.

Bail fixed \$ 2000.00

H. M. Hall
Judge.

1400

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Spring Session, 1953

The Grand Jury of said County charge that before the finding of this indictment EUGENE GARNER, whose name is to the Grand Jury otherwise unknown, feloniously took, to-wit, two twenty-dollar bills and one ten-dollar bill in lawful United States currency, of the value of, to-wit, fifty dollars, the property of Walter B. Blackmon, from his person, and against his will, by violence to his person, 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 EUGENE GARNER, whose name is to the Grand Jury otherwise unknown, feloniously took, to-wit, two twenty-dollar bills and one ten-dollar bill in lawful United States currency, of the value of, to-wit, fifty dollars, the property of Walter B. Blackmon, from his person, and against his will, by putting him in such fear as unwillingly to part with the same,

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..53....

THE STATE

Vs.

EUGENE GARNER

INDICTMENT

Robbery

No Prosecutor.

WITNESSES:

Walter Blackmon

*We the Jury find
the defendant
not guilty*

Sam Prescott

GRAND JURY NO. *45a*

A TRUE BILL

Robert E. Stapleton
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the *12th* day of
March, 195*3*.

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 \$ *2000⁰⁰*

Wm Lee
Judge.

1602

STATE OF ALABAMA

Baldwin County

Case No.

4244

No.

4100

The State of Alabama
vs.

In the Justice Court of
Baldwin County, Alabama

Before me, J. C. Sand, Clerk of the Justice 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 11 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 Jilbama Sheriff Taylor Wilkins

Subscribed and sworn to before me this 11 day of Feb 1953

Disposition Warrant Grand Jury Clerk J. C. Sand 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 \$ 10.00 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 13 day of Feb 1953 J. C. Sand
Judge of the above named court

1602

CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA }
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

EUGENE GARNER

at the SPRING Term, 1953, of the Circuit Court of Baldwin County, for the offense of

Robbery

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 12th day of March, 1953

Alvin J. ...

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.

RECORDED

CAPIAS

No. 45 A

THE STATE

vs.

EUGENE GARNER

Bail Fixed in This Case in Open Court at

\$ 2000⁰⁰

By HUBERT M. HALL
Judge Presiding.

Attest: _____
Clerk.

Executed this 13 day of March, 1953

By arresting the within

named Defendant

and placing him in jail

Joyce R. Welkins, Sheriff

H F Hall, Deputy Sheriff

5 miles

AFFIDAVIT

1602

Printed by Moore Printing 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 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 24 January 1953 that one Eugene Garner
feloniously took FIFTY DOLLARS (\$50.00) in U. S. Currency from WALTER B. BLACKMAN
against his will by violence to his person.

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 26

day of January, A. D., 19 53

T. C. Hand

, J. P.

H. F. Hall

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Eugene Garner

and bring him

before me to answer the State of Alabama on a charge

Robbery

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

Witness my hand this 26 day of January, 19 53.

T. C. Hand

, J. P.

No. _____

Page _____

The State of Alabama,
Baldwin County

Justice Court of

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
VS.

EUGENE GARNER

Witnesses for the State:

H. F. Hall ✓

Edleigh Steadham

Walter B. Blackman ✓

Executed the 7th day of February
1953 by arresting the within
defendant and placing him in
Jail.

Taylor Wilkins, Sheriff

Pete Sellers
By: Pete Sellers

Printed by Moore Printing Co.

Justice Court of

Baldwin County

WARRANT OF ARREST

THE STATE OF ALABAMA,
VS.

EUGENE GARNER

Executed this 31 day of Jan. 1953

By arresting the within

named Defendant

Eugene Garner

and placing him

in the Escambia County jail

Pensacola, Fla.

W. J. Kelson Sheriff
Constable Dist. #2
Escambia County, Fla.
Deputy Sheriff

4244

1602

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 Commaned to Summon

H. F. Hall

Edleigh Steadham, Walter B. Blackman

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

13 day of Feb

1952

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

Eugene Garner

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

Witness my hand this 31 day of Jan

A. D. 1953
D. L. Laid

Justice of the Peace, Precinct 4

10 Feb

Executed in full, this the

10 day of

Feb, 1953

Glen Wilkin
Sheriff.

Pat Deane
Deputy Sheriff.

side Eugene Garner

JURY LIST

Second Week — Spring Session

NO.	NAME	OCCUPATION	ADDRESS
1	LUBBERT V. STREET	Farmer, Point Clear	5¹
2	WILLIAM COLLINS	Fisherman, Foley	5¹¹
3	K. E. WELFORD, P.M.A.	Bay Minette	
4	ELIAS G. MCKENZIE	Defense, Foley	10⁴
5	LAWRENCE NELSON	Fisherman, Bon Secour	
6	DONALD CAIN	Jeweler, Bay Minette	
7	C. F. ECHOLS	Teacher, Bay Minette	5⁶
8	JULIUS LEE BRYANT	Butcher, Stockton	10⁴
9	NEILSON HURLEY	Farmer, Foley	10⁸
10	DEN E. SIMS	Merchant, Daphne	10²
11	DENNIS B. HOWELL	Clerk, Bay Minette	10
12	BERNARD KASISIN	Electrician, Florida	
13	LESLIE BYE	Brookley Field, Robertsdale	10⁹
14	DANA DAVIS	Merchant, Daphne	10²
15	CLYDE WATERS	Farmer, Bay Minette	5⁹
16	HERSHAL GUTHRIE	Farmer, Bon Secour	5⁹
17	PENEY COX	Paper Wood, Stockton	10¹¹
18	WINDELL HARDY	Insurance, Bay Minette	5⁸
19	JOSEPH WESLEY	Clerk, Silverhill	10⁶
20	ALBERT M. REDD	Manager REA, Foley	5²
21	W. M. GULLEDGE	Farmer, Robertsdale Rt.	5¹²
22	PERRY PRESCOTT	Sea Food Ins., Bay Minette	
23	WALLACE L. GREEN	Foreman Newport, Bay Minette	10¹⁰
24	EDWARD CARVER	Farmer, Bon Secour	5¹
25	MARTIN C. CROSBY	Retired Druggist, Foley	10¹⁰
26	DONALD E. HASTINGS	Farmer, Rosinton	5¹⁰
27	WILLIAM SIMMONS	Merchant, Fairhope	
28	LAWRENCE E. CALLAWAY	Fisherman, Bon Secour	
29	W. A. GOER	Mechanic, Fairhope	10⁸
30	JESS GANN	Fisherman, Bon Secour	5²
31	D. C. MELHON	Merchant, Fairhope	
32	NOLAN NEAL	Labor, Fairhope	5³
33	LAMAR McBRIDE	Mechanic, Foley	
34	ELMER LINDELL	Filling Station, Silverhill	10¹¹
35	GEORGE BROWN	Paper Carrier, Foley	
36	NOAH BESMONDO	Farmer, Summerdale	10⁵
37	GEORGE E. FULLER	Theatre Operator, Fairhope	10¹
38	PERRY HEAD	Farmer, Stapleton	
39	HENRY McALLISTER	Farmer, Rosinton	10⁹
40	WELBUR RICHESON	Postal Clerk, Bay Minette	10³
41	SIDNEY CAMERON	Restaurant Clerk, Foley	10⁶
42	ALBERT FAULK	Merchant, Foley	10⁵
43	H. B. CORRETT	Grocery, Bay Minette	10¹
44	R. N. STANTON	Farmer, Robertsdale	10⁷
45	ALVA LANGHAN	Farmer, Robertsdale	10⁷
46	CECIL MILLER	Salesman, Foley	
47	ELLIS SPIVY	Farmer, Eleasnor	
48	GILBERT BEECH	Farmer, Foley	10³
49	W. J. HASTINGS	Laborer, Summerdale	
50	SHERMAN R. HINOTE	Butcher, Robertsdale	

State ++++++

Dept HHHHH HHHHH H

12
22

1602
THE STATE

vs.

In the Circuit Court of Baldwin County,

EUGENE GARNER

Spring

Session, 19 53

Venire of the jurors in the above stated cause, names herein stated from No. 1 to No. 5, both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. 6 to No. 65, both inclusive, being the regular jurors drawn and summoned for the second week of the Spring Term of said Court, the said cause having been set for trial on the 24th day of March 19 53, which is a day of said second week of the Spring Term of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
1	Alva Langan	Farmer	Robertsdale	Same
2	Cecil Miller	Salesman	Foley	
3	Ellis Spivy	Farmer	Eleashor	
4	Gilbert Beech	Farmer	Foley	
5	W. J. Hastings	Laborer	Summerdale	same
6	Luther V. Street	Farmer	Point Clear	
7	William Collins	Fisherman	Foley	
8	C. J. Long	Mechanic	Foley	
9	O. E. Middleton	Knuch Driver	Loxley	
10	K. E. Welford	P. M. A.	Bay Minette	
11	Elias G. McKenzie	Defense	Foley	
12	Carl Lenz	Mechanic	Elberta	
13	Lawrence Nelson	Fisherman	Bon Secour	
14	Calvin Childress	Farmer	Summerdale	
15	B. J. Simmis	Hardware	Belforest	
16	Donald Cain	Jeweler	Bay Minette	
17	C. F. Echols	Teacher	Bay Minette	
18	Julius Lee Bryant	Butcher	Stockton	
19	Neilson Hurley	Farmer	Foley	
20	Alton B. Hankins	Farmer	Foley	
21	Clarence Biland	Mill	Bay Minette	
22	Ben E. Sims	Merchant	Daphne	
23	Dennis B. Howell	Clerk	Bay Minette	
24	Herbert Baskin	Flagmaster	Perdido	
25	Leslie Bye	Brookleyfield	Robertsdale	
26	Dana Davis	Merchant	Daphne	
27	Clyde Waters	Farmer	Bay Minette	
28	D. J. Giacomelli	Flowergrower	Foley	
29	Hershal Guthrie	Farmer	Bon Secour	
30	Percy Cox	Paperwood	Stockton	
31	Sherman R. Hinote	Butcher	Robertsdale	
32	Windell Hardy	Insurance	Bay Minette	
33	Joseph Wesley	Clerk	Silverhill	
34	Angie F. Bertolla	Farmer	Belforest	
35	Albert M. Redd	Mang. R. E. A.	Foley	
36	W. M. Gullledge	Farmer	Robertsdale	
37	Perry Prescott	Sea Food ins.	Bay Minette	
38	Wallace L. Green	Forman N. Port	Bay Minette	
39	Edward Carver	Farmer	Bon Secour	
40	Martin C. Crosby	Ret. Druggist	Foley	
41	J. Dougal Crosby	Surpentine	Bay Minette	
42	Donald E. Hastings	Farmer	Rosinton	
43	William Simmons	Merchant	Fairhope	
44	Lawrence E. Dallaway	Fisherman	Bon Secour	
45	A. J. Engel	Farmer	Summerdale	
46	A. R. Bonton	Mechanic	Fairhope	
47	Fredrick Pierce	Farmer	Fairhope	
48	W. A. Goer	Mechanic	Fairhope	
49	Frank Dusek Sr.	Mechanic	Lillian	
50	Jess Gann	Fisherman	Bon Secour	
51	D. C. Melhon	Merchant	Fairhope	
52	Nolan Neal	Laborer	Fairhope	

No.	NAME	Occupation	Residence Address	Business Address
53	Lemar McBride	Mechanic	Foley	
54	Elmer Lindell	Filling Sta.	Silverhill	
55	Autrey Steadham	Carpenter	Foley	
56	George Brown	Papercarrier	Foley	
57	Noah Resmondo	Farmer	Summerdale	
58	George E. Fuller	Theatre Oper.	Fairhope	
59	Perry Head	Farmer	Stapleton	
60	Henry McAllister	Farmer	Rosinton	
61	Wilbur Richerson	Postal Clerk	Bay Minette	
62	Sidney Cameron	Rest. Clerk	Foley	
63	Albert Faulk	Merchant	Foley	
64	H. B. Corbett	Grocery	Bay Minette	
65	R. N. Stanton	Farmer	Robertsdale	
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I hereby certify that the foregoing is a correct list of the venire in the case of the State vs. Eugene Garner charged with Robbery; that the names of jurors from No. 1 to 5, both inclusive, are the special jurors drawn by the presiding Judge, in open Court, and that the names of jurors from No. 6 to No. 65, both inclusive, is a correct list of the regular jurors drawn and summoned for the Second week of the Spring Term, 1953, of the Circuit Court of Baldwin County, Alabama. I further certify that the foregoing copy of the indictment is a true and correct copy of the indictment in this case.

Witness my hand this 17th day of March, 1953.

Taylor Wilkin
Sheriff Baldwin County, Ala.

Executed by serving a copy of the indictment and a correct list of the jurors in this case, on this the 19th day of March, 1953, upon Eugene Garner the Defendant.

Taylor Wilkin Sheriff.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

List of Jurors and Copy of Indictment

STATE

vs.

1602

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. 4244	Vs.	
	Eugene Garner	Robbery.

Disposition of Case	Fees	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 H. F. Hall, Edleigh Stebbins	Bond at 50c, Sci Fa at 50c	
Walter D. Blackman.	Witnesses' Recognizances at 25c	75
	3 Subpoena or notice at 25c	
	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 \$2.00 Bond, \$1.00, Sci Fa 50c	4.00
	Committing \$1.00, Releasing \$1.00 P. 10.	2.00
	3 Subpoenas at 25c. Day's Board, at 30c	1.50
	Witness Fees 100m	10.00
	Re. Committed Days at 50c	4.00
	" " 50c	
	" " 50c	50
	" " 50c	50
	" " 50c	50
	" " 50c	
	" " 50c	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c	
	Subpoenas at 25c	
	Executing Subpoenas	

13, 5c.

if required hearing be issued to Grand Jury.
 Bond was set at \$2,000.00
 sup being made to make bond was
 denied committed to jail.

O. J. Laird
 Justice of Peace

1602

1602

1602

1602

Faint, illegible handwriting covering the page, possibly bleed-through from the reverse side.