

Case No
4639

1694

The State of Alabama, }
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

Handwritten initials

*CD
5/14/53*

To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon

14/11/53

Jack Seales, **Douglas E. Moncrief**

Dr. Nelson Grubbs

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

15 day of **May** **10 AM**, 195**3**

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

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

Witness my hand this **11** day of **May**

A. D. 195**3**

Handwritten signature

Justice of the Peace, Precinct No. 4

Executed in full, this the 14th day of May, 1953

W. H. Wakeombe Sheriff

H. B. Sandlin Deputy Sheriff

More Bernsten

RECEIVED
MAY 12 1953

4639

1694

The State of Alabama, }
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

esd.

To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon

D. W. Walters

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
15 day of May 10 AM, 1952, 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

James Milton Davis

there this Writ, with your endorsement thereon.

Defendant, and have you then and

Witness my hand this 14 day of May

May

A. D. 1952

D. Hand

Justice of the Peace, Precinct No. 4

Executed in full, this the

14

day of

May, 1953

Yash Wilkin
Sheriff

Pat Seer
Deputy Sheriff

1694

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, FALL Session, 1953

The Grand Jury of said County charge that before finding this indictment James Milton Davis, whose name is to the Grand Jury otherwise unknown, unlawfully, and with malice aforethought, killed Dewey Wesley Everett, by shooting him with a pistol,

ON YOUR VERDICT

THE GRAND JURY

has returned this indictment against James Milton Davis, whose name is to the Grand Jury otherwise unknown, unlawfully, and with malice aforethought, killing Dewey Wesley Everett, by shooting him with a pistol, against the peace and dignity of the State of Alabama.

Witness my hand and seal of office this 1st day of October, 1953.

James M. Cooper

Solicitor of the Twenty-Eighth Judicial Circuit.

against the peace and dignity of the State of Alabama.

James M. Cooper
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

FALL SESSION Term, 1953

THE STATE

Vs.

JAMES MILTON DAVIS

INDICTMENT

MURDER, 1st Degree
No. Prosecutor.

WITNESSES:

- Jack Seals *4.22.53*
- Douglas E. Moncrief *4.22.53*
- Cliff Eddins
- Dr Nelson Grubbs
- D.W. Walters
- Taylor Wilkins
- Fred Thrasher

GRAND JURY NO. 16

A TRUE BILL

Clyde W. Gitt
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the *16th* day of
September, 1953

Archie 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.

Archie J. ... Clerk.

Bail fixed \$ *3000*
W. M. ... Judge.

*We the jury find the defendant
guilty of manslaughter in
the 1st degree and fix the
punishment as 5 years
suspended sentence.*

A. Dewey Jackson
Foreman

1094

STATE OF ALABAMA

VS.

JAMES M. DAVIS

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA. AT LAW, CRIMINAL SIDE
NO. 1694

ORDER DISCHARGING DEFENDANT:

It being made to appear to the Court that the defendant, in the above entitled cause, James M. Davis, has satisfactorily fulfilled all conditions of the order of probation and suspension of execution of sentence made in his case on October 3, 1953;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the said Defendant, James M. Davis, be and he is hereby discharged.

The Clerk will enter this order on the minutes of the Court.

Dated this 24th day of January, 1957.

Hubert M. Hance

Judge, 28th Judicial Circuit of Alabama.

FILED

JAN 30 1957

ALICE J. HANCE, CLERK

1694

Minute Bk. 10
Page 318

State of Alabama
vs
James M. Davis
No. 1694

RECEIVED OF
 JAMES M. DAVIS
 THE SUM OF
 \$ 100.00
 FOR
 FINE
 PAID
 BY
 JAMES M. DAVIS
 TO
 THE
 CLERK OF THE
 SUPERIOR COURT
 OF
 THE
 COUNTY OF
 MOBILE
 ALABAMA
 THIS
 10TH
 DAY
 OF
 APRIL
 1900

1694

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. H. 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 _____ 8 May 1953 _____ that one _____ James Milton Davis _____
unlawfully, and with malice aforethought, killed Dewey Wesley Everett., by shooting
him with a ~~gun~~ pistol.

_____ against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this _____ 8 _____

day of _____ May _____, A. D., 19 53 _____

_____, J. P.

H. H. Hall

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County. Greetings:

You are hereby commanded to arrest _____ James Milton Davis _____

_____ and bring him

before _____ me _____ to answer the State of Alabama on a charge

Murder

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

Witness my hand this _____ 8 _____ day of _____ May _____, 19 53 _____

_____, J. P.

T. C. Hand

No. _____ Page _____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
VS.

JAMES MILTON DAVIS

Witnesses for the State:

H. F. Hall
Taylor Wilkins ✓
Dr. Nelson Grubbs ✓
Jack Jones ✓
Douglas E. Moncrief ✓
Cliff Eddins ✓
S. W. Walters ✓

Justice Court of

Baldwin County

WARRANT of ARREST

THE STATE OF ALABAMA,
VS.

JAMES MILTON DAVIS

Executed this 8 day of May 1953

By arresting the within

named Defendant

and placing him

in jail

Taylor Wilkins, Sheriff

H. F. Hall, Deputy Sheriff

Suzemore Landry

1694

STATE OF ALABAMA }
Baldwin County

Case No. 4639 No. 4295

The State of Alabama
vs.
James W. Taylor

In the Justice Court of
Baldwin County, Alabama

Before me, J. C. Ward, 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 17 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 Wetmore Sheriff

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

Disposition Bound to Grand Jury 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 \$ 1.70 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 15 day of May 1953

J. C. Ward
Judge of the above named court

Appearance Bond

1694

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County

We, James Milton Davis, as

principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of

Three Thousand DOLLARS

unless the said James Milton Davis appears at the

next Term, 1953 of the Grand Jury Court of Baldwin County, Alabama

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

Murder

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the

_____ day of _____, 1953

_____ Baldwin County, Ala.

James Milton Davis L. S.

[Signature] L. S.

BROADUS, PIERCE & DICKERSON
BONDING COMPANY L. S.

[Signature] L. S.

Taken and approved this the 15 day of May, 1953

Taylor W. Wilkins, Sheriff

By [Signature], Deputy Sheriff

No. _____

The State of Alabama,
Baldwin County.

_____ Court

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 195

_____, Clerk

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
Baldwin County }

An indictment having been found against

James Milton Davis

at the Fall Term, 1953, of the Circuit Court of Baldwin County, for the offense of
Murder, 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 accord-
ing to law.

Dated this 17th day of September, 1953

Eric 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.

7001694

CAPIAS

No. 76

THE STATE

vs.

JAMES MILTON DAVIS

Bail Fixed in This Case in Open Court at

\$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Red Jernigan

Whittier

Executed this 17 day of Sept, 1953

By arresting the within

named Defendant

and placing him in jail

Ray W. Wilkins, Sheriff

Steadman Hall, Deputy Sheriff

W. H. Co. five

1694

The State of Alabama, {
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

sg.

To Any Sheriff of the State of Alabama:

You are hereby Comanded to Summon H. F. Hall, Taylor Wilkins

Cliff Eddins

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

15 day of May 10 AM, 1953, 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

James Milton Davis

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

Witness my hand this 11 day of May, A. D. 1953.

[Signature]

Justice of the Peace, Precinct No. 4

Executed in full, this the

15 day of

May, 1953

Taylor Wilkin
Sheriff

R. A. See
Deputy Sheriff

11694

State of New York James Milton Davis
JURY LIST

Fall Term, September 28th, 1953

NO. NAME OCCUPATION ADDRESS

- ~~1 Otto Moore, farmer, Fairhope 101~~
- ~~2 J. F. Morgan, farmer, Robertsdale 104~~
- 3 Chas. O. Bill, Standard Oil Co., Robertsdale
- 4 Willie Amos, clerk, Robertsdale
- ~~5 Richard Doering, automobile dealer, Foley~~
- ~~6 C. C. Cook, Clerk of Ch. C., Foley 103~~
- ~~7 J. M. Ponder, merchant, Fairhope~~
- ~~8 Fred Ingersoll, dairy, Fairhope~~
- ~~9 Jerry Volorucky, farmer, Robertsdale 59~~
- 10 Virgil V. Rhodes, Jr., dairyman, Bay Minette
- ~~11 Jesse Owen Stimpson, Jr., carpenter, Fairhope 102~~
- 12 A. C. Bryant, electrician, Bay Minette
- ~~13 Herron Steadham, merchant, Foley 108~~
- ~~14 Claude Cooper, farmer, Rosinton 109~~
- ~~15 John Crawford, inn keeper, Gulf Shores 101~~
- ~~16 Alex Trione, dry cleaner, Daphne 108~~
- ~~17 M. C. Cooper, carpenter, Robertsdale 101~~
- 18 A. Dewey Jackson, farmer, Lottie
- 19 Roy Mikkelson, farmer, Summerdale
- ~~20 Walter Jersild, quick freeze, Foley 107~~
- ~~21 Ernest H. Holmes, parts man, Bay Minette 107~~
- ~~22 Melton Moss, auto dealer, Foley 31~~
- ~~23 John L. Herron, auto sales, Bay Minette 101~~
- ~~24 Ellis Steadham, navy yard, Foley 103~~
- 25 James A. Thomas, railroad, Foley
- 26 Joe Pittman, defense, Gateswood
- ~~27 Ross Dennis, fisherman, Bon Secour 52~~
- ~~28 Miley Thames, farmer, Robertsdale 107~~
- 29 John Young, radio, Bay Minette
- ~~30 Harold Stuart, presser, Bay Minette 313~~
- 31 George Dophilippi, farmer, Daphne
- ~~32 C. W. Moses, salesman, Robertsdale~~
- ~~33 Ralph Gault, farmer, Little River 1012~~
- ~~34 Henry Crawford, merchant, Fairhope 514~~
- ~~35 Robert Thompson, clerk, Foley 52~~
- ~~36 Joe Heidelberg, Jr., farmer, Silverhill 103~~
- ~~37 Ed Overton, Colonial Inn, Fairhope~~
- ~~38 Joe Allegri, hardware, Belleforest 102~~
- ~~39 Leo A. Kuffski, fisherman, Bon Secour 53~~
- ~~40 William Nall, farmer, Bon Secour 54~~
- 41 ~~Travis Bonner~~ Travis Bonner, farmer, Elsanor
- ~~42 Stanley Langer, machinist, Robertsdale 55~~
- ~~43 Melvin M. Woodard, mechanic, Foley~~
- ~~44 Duncan J. Beech, farmer, Foley 102~~
- ~~45 C. T. Lipscomb, farmer, Foley 512~~
- ~~46 James Campbell, farmer, Rosinton 105~~
- ~~47 Albert Flowers, farmer, Bon Secour~~
- ~~48 Marvin Stanton, farmer, Rosinton 59~~
- ~~49 R. P. Long, farmer, Foley 1011~~
- ~~50 John Norris, Jr., farmer, Foley 31~~
- ~~51 Deval Laurent, laborer, Foley 37~~
- ~~52 Alvin A. Irwin, farmer, Gateswood 102~~
- ~~53 Clarence Moore, farmer, Fairhope 1011~~
- 54 Percy Pollard, salesman, Robertsdale
- ~~55 Joseph Dusek, Jr., defense, Lillian 104~~
- ~~56 James S. Minchew, laborer, Robertsdale~~
- ~~57 Sam R. Havel, farmer, Robertsdale~~
- ~~58 John P. ...~~
- ~~59 ...~~
- ~~60 ... 106~~
- ~~61 ...~~
- ~~62 ... 106~~
- ~~63 ...~~
- ~~64 ... 106~~

S XXXX XXXX XXXX

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1694

STATE OF ALABAMA

Baldwin County

} *Capias*
Case No. 16

No. 4697

The State of Alabama
vs.

In the Circuit Court of
Baldwin County, Alabama

James Milton Jones

Before me, Alice Duck, Clerk of the Cir 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, or one of my duly authorized deputies, traveled 60 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 Mobile to Sea *J. G. Wilkins* Sheriff

Subscribed and sworn to before me this 18 day of Sept 1953

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

1694

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

Attorneys	Case	Charge
No. <i>4639</i>	THE STATE OF ALABAMA,	
<i>Stone & Crason</i>	Vs.	
	<i>James Milton Davis</i>	<i>Murder</i>

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <i>H. F. Hall</i>	Judge's Fees	
Returnable <i>Grand Jury.</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
Witness—for State <i>H. F. Hall.</i>	Bond at 50c, Sci Fa. at 50c	
<i>Joyce Wilkins,</i>	Witnesses' Recognizances at 25c	
<i>Mr. Nelson Gussner.</i>	<i>7</i> Subpoenas or notice at 25c	<i>1.75</i>
<i>Jack Seales</i>	Continuance at 25c	
<i>Douglas E. Moncrief</i>	Trial of Misdemeanor at \$1.00	
<i>Cliff Edkins.</i>	Mittimus at 25c	<i>.25</i>
<i>S. W. Walters.</i>	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	<i>5.00</i>
	Guard \$2.00, Finger Printing 10c	<i>2.10</i>
	Subpoenas at 50c, Mileage	<i>3.00</i>
	Witness Fees	<i>1.70</i>
	Re. Commitment	<i>2.00</i>
	Days at 50c	<i>50</i>
	Days at 50c	<i>50</i>
	Days at 50c	<i>50</i>
	Days at 50c	<i>50</i>
	Days at 50c	<i>50</i>
	Days at 50c	<i>50</i>
	Defendant's Costs	<i>50</i>
	Witnesses' Recognizance at 25c	
	Subpoenas at 50c	
	Executing Subpoenas	

15 May 53

*after hearing evidence in case
 it was returned over to Grand
 Jury.*

*Bond was set at \$3,000.00
 def unable to make bond was
 ordered committed to jail.*

15 May 53

def. later made bond.

D. J. Searcy

1694

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