

1902

The State of Alabama,
Baldwin County.

} Circuit Court, FALL Session, 1954.

The Grand Jury of said County charge that before finding this indictment

Bessie ~~Smith~~, alias Child ~~Smith~~, whose name is to the Grand Jury otherwise unknown, unlawfully, and with malice aforethought, killed Monroe Brown, alias Monroe Brown, Jr., alias Little Monroe Brown, alias Man Brown, by shooting him with a shotgun,

against the peace and dignity of the State of Alabama.

Kenneth Cooper
Solicitor of the Twenty-Eighth Judicial Circuit.

No. _____

The State of Alabama
Baldwin County.

Circuit Court

FALL SESSION ~~1953~~ 1954
Febr, 1954

The State

vs.

BESSIE SMITH, alias

CHILD SMITH.

INDICTMENT

MURDER, 1st Degree

No. Prosecutor

WITNESSES:

R. J. GRANGER

J. D. HORNE

M. P. BROWN

LOUVERNE JONES

ELLEI ROBBINS

WILLIE SANDERS

GEORGE AUSTIN

GRAND JURY NO. 21

A TRUE BILL

W. H. Duff

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 14 day of

Sept, 1954

A. 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.

A. J. ...
Clerk.

Bail fixed \$ _____

Judge.

*We the jury find
the defendant guilty
of manslaughter in
the first degree -
Sentence her to 7 years
in the penitentiary
W. H. Duff*

1902

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:

J. D. Horn, R. J. Granger, Ellie Robins, Mike Jones,

You are hereby Commanded to Summon

M. P. Brown, Ellie Marshall, William Sanders,

William Sanders, Mazie Lee Cooper, Minnie Lee Green, George Austin, m Louverne Jones Syrs Old.

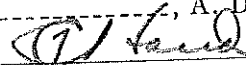
personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

11 day of June 10 A. M., 1954, 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

Bessie Smith

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

Witness my hand this 9 day of June, A. D., 1954.



Justice of the Peace

Executed in full, this the

10

day of

June

, 1954

Taylor Wilkins
Sheriff

J. H. Harn
Deputy Sheriff

AFFIDAVIT

1902

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 appearedJ. D. Horn 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 _____ 6 June 1954 _____ that one _____ Bessie Smith
unlawfully, and with malice aforethought, killed Monroe Brown Jr., by shooting him
with a single barrel shot gun.

_____ against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this _____ 7 _____

day of _____ June _____, A. D., 1954

T. C. Hand

_____, J. P.

J. D. Horn

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County. Greetings:

You are hereby commanded to arrest _____ Bessie Smith _____

_____ and bring her
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 _____ 7 _____ day of _____ June _____, 19 54.

T. C. Hand

_____, J. P.

The State of Alabama,
Baldwin County

JUSTICE COURT OF

T. C. HAND.

A F F I D A V I T

The State of Alabama,
vs.

Bessie Smith

Witnesses for the State:

- J. D. Horn ✓
- R. J. Granger ✓
- Ellie Robins
- Mike Jones
- M. P. Brown ✓
- Ellie Marshall
- William Sanders
- Mazie Lee Cooper
- Minnie Lee Green
- George Austin
- Louverne Jones-8 yrs.

Witnesses for the Defense

- Mary Liza Jones
- Mary Alice Jackson

Moore Printing Co., Bay Minette, Ala.
Henry Jackson

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
Vs.

Bessie Smith

Executed this 6th day of June 1957

By arresting the within

named Defendant

and placing ^{her} ~~him~~

in jail

Taylor Wilkins, Sheriff

[Signature], Deputy Sheriff

Wm. N. [Signature]

1902

THE STATE OF ALABAMA,
BALDWIN COUNTY

Justice Court of T. C. Hand
Precinct No Bay Minette, Ala.

To Any Sheriff of the State of Alabama:

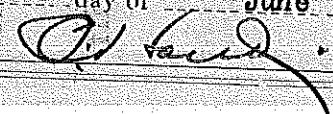
You Are Hereby Commauded to Summon Mary Liza Jones, Mary Alice Jackson

Henry Jackson

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
11 day of June 10 A.M. 1954, 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 DEFENDANT in a prosecution now pending in said Court, wherein the State of Alabama is Plain-
tiff, and Bessie Smith

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

Witness my hand this 9 day of June 1954



NOTARY PUBLIC AND EX-OFFICIO J. P.

Executed in full, this the

10

day of

June, 1954

Jaylor Watkins
Sheriff.

J. D. Horn

Deputy Sheriff

JURY LIST

State 15
Bessie Smith

Fall Term, September 27th, 1954

NO.	NAME	OCCUPATION	ADDRESS
1	Joe T. Worcester	farmer	Fairhope S1
2	Louis Jurkewich	farmer	Rabon S1
3	E. C. Johnson	logging	Bay Minette S1
4	M. D. Drinkard	dairy	Bay Minette S1
5	Frank A. Kucera, Jr.	farmer	Silverhill S1
6	Charlie Zehner	inspector	Bay Minette S1
7	John William Spaulding	truck driver	Foley
8	Ossie V. Morris	farmer	Gateswood
9	Hugh S. Metcalf, Sr.	farmer	Foley
10	Charles E. Cantt	millman	Little River S2
11	Sibley B. Richerson	clerk	Stockton S2
12	G. M. Mills	turpentine	Magnolia Springs S2
13	William E. Boykin	laborer	Robertsdale S2
14	Herman Dodge	merchant	Elberta S2
15	John M. Dukes	restaurant	Foley
16	Henry C. Crawford, Jr.	farmer	Belforest S3
17	Cecil Vinson	laborer	Stapleton S3
18	Norman McInnis	Supt. Mill Co.	Stockton S3
19	Bud Sheria	laborer	Elsanor S3
20	George H. Baldwin	produce dealer	Robertsdale S10
21	Mike Kaiser, Jr.	farmer	Elberta S10
22	Roy Norris	sea food dealer	Bon Secour S10
23	Julius Schwart	farmer	Lillian S10
24	Ben C. Gates	M. P. dealer	Foley S10
25	George Dycon	farmer	Fairhope S4
26	M. O. Berglin	merchant	Fairhope S5
27	Dan C. Hayes	farmer	Foley
28	Elbert E. Killion	carpenter	Foley S10
29	Jesse Porter	insurance	Foley
30	McNeil Bush	merchant	Stapleton S10
31	Elbert M. Rhodes	farmer	Summerdale
32	Orlando J. Mancini	farmer	Bay Minette S10
33	William C. Mayo	fisherman	Foley
34	W. D. Mitchell	laborer	Seminole S10
35	Walter L. Hammond	merchant	Robertsdale S10
36	Roy E. Dawson	live stock dealer	Robertsdale
37	Erick Lauder	carpenter	Foley
38	Heurlin Parker	farmer	Bon Secour
39	Owen Eubanks	mechanic	Bay Minette S5
40	Verdis Verlon Hudson	liquid carriers	Bay Minette S10
41	John Gottfer	farmer	Elberta S10
42	Lovick Allen	inn keeper	Gulf Shores
43	C. M. Coghlan	farmer	Latham S10
44	I. B. Byrd	farmer	Stapleton S10
45	William C. Osborne	laborer	Foley
46	Litcher Davis	electrician	Foley S10
47	WILLIAM LINDSAY	DEPARTMENT	ELBERTA S10
48	WALTER D. ANACKEN	DAIRY & FARMER	POINT CLEAR S10

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Grand Jury
No. 21. 1902 *GJ-21*
No 1902
Case No. *6245* *7383*

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

The State
VS.

Bessie Smith

CHARGE:

Murder

DISPOSITION

Waived Grand Jury
Bond set \$2000
syllabus. unable to make bond
was ordered committed to jail
11 June 14

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Bessie Smith, alias Chick Smith

at the Fall Term, 1954, 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 her

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

Dated this 14th day of Sept, 1954

W. J. [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 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.

CAPIAS

No. 21

The State

vs.

Bessie Smith

Miss Child Smith

Bail fixed in this Case in Open Court at

\$ _____

By _____
Judge Presiding

Attest: _____
Clerk.

Executed this 15 day of Sept, 1904

By arresting the within

named Defendant

and placing him in jail

Jaybe Wilkins, Sheriff

J. H. Brown, Deputy Sheriff

omi.

1902

The State of Alabama,

vs.

No. 1902

BESSIE SMITH, alias CHILD SMITH

On this the 20th day of September, 1935, the Defendant, being in open Court in person, and it being made known to the Court that the Defendant in this case is indicted for a capital offense and that he is unable to employ counsel, it is ordered by the Court that Ernest M. Bailey, who is a regularly licensed attorney practicing in this Court, be, and he is hereby appointed counsel for the Defendant in this case.

On this the 20 day of September, 1935, the Defendant being in open Court in person, and attended by his counsel, is duly and legally arraigned upon the indictment, and for his plea thereto says that she is not guilty

On this 20 day of September, 1935, in the cause of the State of Alabama against Bessie Smith, alias Child Smith wherein the Defendant is charged with the offense of Murder, first degree the Defendant in person being then and there in open Court and attended by his counsel, the following proceedings were had and orders made in open Court in the presence of the Defendant and his counsel:

It is ordered and adjudged by the Court that the 28 day of September, 1935, it being Tuesday of the Second Week of this Term of the Court, be and the same is hereby fixed for the date of the trial of this cause, and that the Sheriff of this Court summons 62 persons in this cause, including those persons drawn on the regular juries for the second week of this term of this Court.

It is ascertained and adjudged by the Court that 60 persons have been drawn on the regular juries for the said Second Week of this Term of this Court. And the Court ordered that the legal jury box of this County be brought into open Court, and the Court ascertained and adjudged that said order had been obeyed, and that said box was, in open Court, well shaken. The Court then and there in open

Court, publicly drew from the said jury box the names of 2 persons, the same being the number of persons required, with the regular juries drawn for the Second Week of this Term of this Court, to make the number of persons the Sheriff was commanded to summons in this cause by order of the Court hereinbefore set forth. The Clerk of the Court, in the presence of the Court, immediately made a list of the names drawn by the Court from the jury box in this cause. And it is ordered and adjudged by the Court that the said Clerk forthwith issue a mandate to the Sheriff of this County, commanding him to summons said persons whose names the Court drew from the jury box in this cause and the regular jurors drawn for the Second Week of this Term of this Court to appear in this Court as jurors in this cause at the Court House of this county at 9 o'clock on Tuesday morning of the Second Week of this Term of this Court, the same being the 28 day of September 1935

It is ordered and adjudged by the Court that the Sheriff of this County forthwith serve on the Defendant a list of the names drawn in this cause by the Court from the jury box, and a list of the names of all the jurors drawn for the Second Week of this Term of this Court, together with a copy of the indictment in this cause.

1902

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. <u>6245</u>	Vs. <u>Bessie Smith</u>	<u>Murder</u>

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <u>J. D. Horn</u>	Judge's Fees	
Returnable <u>Grand Jury</u>	Warrant at 50c, Affidavit at 25c	.75
Witness—for State <u>J. D. Horn, R. J. Granger,</u>	Bond at 50c, Sci Fa. at 50c	
<u>Ellie Robins, Mike Jones,</u>	Witnesses' Recognizances at 25c	
<u>M. P. Brown, Ellie Marshall,</u>	11 Subpoenas or notice at 25c	2.75
<u>William Sanders, Mozia Lee Cozys,</u>	Continuance at 25c	
<u>Minnie Lee Breen, George Austin</u>	Trial of Misdemeanor at \$1.00	
<u>Lawrence Jones & Co. all.</u>	Mittimus at 25c	.25
witnesses for defendant:	Judgment on Forfeited Bond at 25c	
<u>Mary Liza Jones</u>	Taking Bond, etc., on Appeal at \$1.00	
<u>Mary Alice Jackson, Henry Jackson</u>	Execution of costs at 25c	
<u>wanted to Grand Jury</u>	Constable's Fees	
<u>Bond set at \$2,000.00</u>	Subpoena or Notice at 25c	
<u>def. being unable to make bond was</u>	Carrying Defendant before Justice	
<u>ordered n-committed to jail.</u>	each mile for himself and guard at 10c	
<u>Ad Lared.</u>	Arrest 50c	
	Sheriff's Fees	
	Arrest \$2.00, Bond \$1.00, Sci Fa. 50c	4.00
	Guard \$2.00, Finger Printing 10c	2.10
	11 Subpoenas at 50c, Mileage	5.50
	<u>mileage</u> Witness Fees	7.00
	<u>Re committed to jail</u> Days at 50c	2.00
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Defendant's Costs	
	3 Witnesses' Recognizance at 25c	.75
	3 Subpoenas at 50c	1.50
	Executing 6 Subpoenas	

1902