862

THE STATE OF ALABAMA,

Baldwin County.

Circuit Court, FALL Term, 1949

(1)

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

Harford Penn, Jr., alias Eartford Penn, Jr., whose name to the Grand Jury is otherwise unknown, feloniously took one twenty-dollar bill, six ten-dollars bills, three five-dollar bills, and seven one-dollar bills, of the lawful currecy of the United States of America, of the value of one hundred and two dollars, the property of E. N. Nick, alias E. N. Nicks, from his person, and against his will, by violence to his person, or by putting him in such fear as unwillingly to part with the same;

(2)

The Grand Jury of said County further charge that before the finding of this Indictment, Marford Penn, Jr., alias Hartford Penn, Jr., whose name to the Grand Jury is otherwise unknown, feloniously took one hundred dollars in lawful currency of the United States of America, consisting of bills, the number and denomination and a more particular description of which is to the Grand Jury unknown, of the value of one hundred dollars, the property of E. N. Nick, alias E. N. Nicks, from his person, and against his will, by violence to his person, or by putting putting him in such fear as unwillingly to part with the same;

against the peace and dignity of the State of Alabama.

RALPE L. JONES

Solicitor of the Twenty-First Judicial Circuit.

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THE STATE vs.

In the Circuit Court of Baldwin County,

HARTFORD PENN JR.

APRING Term 1948

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	ng been set for trial on the26th k of theSpring			day of said
No.		Occupation	Residence Address	Business Address
1	MARTIN KICKLER	FARMER	ELBERTA	ELBERTA
	KENNETH JOHNSON	A UNDRY	FAIRHOPE	SAME SAME
	G. F. OLSON	PAINTER	ROBERTSDALE	
4	ADAM KOBHLER	FARMER	ELBERTA	SAMB
. 5	FRED DUCK	SHIPYARD	CROSSROADS	SAME
6	RUDOLPH KRUPINSKI	FARMER	FOLEY	SAME
7	JOHN E. LANGHAM	FARMER	ROBERTSDALE	SAME
.8	JOHN ELBERT	LABORER	FOLEY	SANE
9	D D. ARKIE BEECH	FARMER	FOLEY	SAME .
10	JEROME SEAY,	CLERK	SOXLEY	SAME
11	JOHN LAZZARI	FARMER	BELFOREST	SAME
12	WILL MCKEE (NEGRO)	LABORER	BAY MINETTE	SAME
	GROVER C. ARANT	INSURANCE	BAY MINETTE	SAME
	LEATH I. WINDBIGLER	NURSERYMAN	FOLEY	SAME
		LABORER	GATESWOOD	SAME
	QUINCEY WATERS	FARMER	HOLEMAN	
16 17	JIM BAGGETT	FARMER	HOLEMAN	SAME SAME
	ETNER MIKKELSON	FARMER	SIMMERDALE	SAME
	FRANK J. LEUTNER	CLERK	SUMMERDALE	SAME
	CHAS V. MOORE	SHIPBUILDER	MAG. SPGS.	SAME
	DEAN E BUSHNETI	NEWPORT	BAY_WINETTE	The Manual Manual Control of the Con
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	ALOIS HANAK	FARMER	SILVERHILL	
	MARION WILKINS	ENGINEER	BAY MINETTE	
	CECIL TRAWICK	FARMER	STAPLETON	
	CLIFFORD JONES	SHIP YARD	STAPLETON	
27	AYRES LITTLES	BOOKEEPER	BAY MINETTE	
28	A. R. CROMARTIE,	CLERK	BAY MINETTE	
29	GROVER-WOODARD		BAY MINETTE	
30	HERBERT C. ENGLAND	MILLMAN	ROBERTSDALE	
31	HARRY C. PETERSON	REAL ESTATE	ROBERTSDALE	I
32	PAUL R. TETER	ABSTRACTOR	BAY MINETTE	No.
33	CLYDE LITTLE	VECHANIC	BAY MINETTE	
34	c. S. DUBOSE	FARMER	ROBERISDALE	The second secon
35	GUS BERTAGNOLLI	FILLING STA.	DAPHNE	
36	JOHN G. PATE	<u> CLERK</u>	FOLEY	
37	GHS PRESLEY	PARMER	LOTTIE	
38	SEABORN S. BAGGETT	NEWPORT	BAY MINETTE	
39	G. E. GOODEN	REAL ESTATE	FARRHOPE	
<u>40</u>	JAMES C. JCKENZIE	- PEFENSE	BAY MINETTE	i i i i i i i i i i i i i i i i i i i
41	R. C. KEENEY,	REAL ESTATE	FAIRHOPE	
42	LITTLE D. OWNE JR.	WERCHANT	BAY MINETTE	
43	HAROLD SAYE	PARMER	LOXLEY	
44	JULIUS LEE BRYAND	BUTCHER	STOCKTON	
45	J. J. BLACKWELL	<u> </u>	FOLEY	
	FRANK HARJST	FARMER	SILVERHILL	
1.1	CILARENCE V. DRYER	POTTERY	DAPHNE MAC SPCS	
48	RAWLEIGH MCKENZIE	FARMER	MAG. SPGS.	
49	LEONARD WASHINGTON FOLEY	FARMER	ROBERTSDALE	
	HENRY E. PETERSON	DEFENSE	GATESWOOD	
	NOAH W. DEAN	FARMER	LITTE RIVER	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
52	J. W. CLARK JR.	MERCHANT	ROBERTSDALE	

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THE STATE OF ALABAMA
Plaintiff

VS

CRIMINAL
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

HARTFORD PENN, JR., Defendant

WHEREAS, it has been made known to me, FRANCIS HARE, the presiding Judge of the Court, by which an indictment has been returned against HARTFORD PENN, JR., for robbery, a Capital Offense, by a written report of HARRY S. ROWE, M.D., Assistant Superintendent of the Searcy Hospital, at Mt. Vernon, Alabama; that there is reasonable grounds to believe that HARTFORD PENN JR., is presently insane; and it also appears from the papers on file in this case that the said HARTFORD PENN, JR., is now in the charge of the Superintendent of the Alabama State Hospitals, in the Searcy Hospital at Mt. Vernon, Alabama.

NOW therefor, it is ordered that the Superintendent of the Alabama State Hospitals, have the said HARTFORD PENN, JR., placed under observation and examination of himself and two members of his Medical Staff, named by him, constituting a commission on lunacy with the view of determining the mental condition of said Defendant and the existance of any mental disease or defect which would affect his present criminal responsibility or his criminal responsibility at the time of commission of the crime, which was prior to November 3rd, 1943.

Such Defendant, shall remain in the custody of the superintendent of the Alabama State Hospitals and subject to the observation of and examination by such commission of lunacy for such length of time as may be in the judgment of the commission of lunacy be necessary to determine his mental condition so far as it affects his criminal responsibility.

As soon as such commission of lunacy has reached a conclusion, within the time and in the respect as hereinabove set forth as to the mental condition of said Defendant, it shall make a full written report thereof to the Clerk of the Circuit Court in Baldwin County,

Alabama, which report shall be placed on file and accessible to the Court, to the solicitor and to the counsel for Defendant.

The expense of maintaining the Defendant while so confined shall be paid in the same manner as provided by law in the case of persons adjudged to be of unsound mind in accordance with Section 425 of Title 15 of the 1940 Code of Alabama.

Done this the \mathcal{G} day of December, Nineteen Hundred and Forty-Six.

Francis W. Hare, Judge

THE STATE OF ALABAMA plaintiff

VS

HARTFORD PENN, JR., Defendant

ORDER

CRIMINAL
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

VS.

HARTFORD PENN, JR.,
DEFENDANT

WHEREAS, it has been made known to me, FRANCIS HARE, the presiding Judge of the Court, by which an indictment has been returned against HARTFORD PENN, JR., for robbery, a Captial Offense, by a written report of HARRY S. ROWE, M. D., Assistant Superintendent of the Searcy Hospital, at Mt. Vernon, Alabama; that there is reasonable grounds to believe that HARTFORD PENN JR., is presently insame; and it also appears from the papers on file in this case that the said HARTFORD PENN, JR., is now in the charge of the Superintendent of the Alabama State Hospitals, in the Searcy Hospital at Mt. Vernon, Alabama.

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As soon as such commission of lunacy has reached a conclusion, within the time and in the respect as hereinabove set forth as to the mental condition of said Defendant, it shall make a full written report thereof to the Clerk of the Circuit Court in Baldwin County, Alabama, which report shall be placed on file and accessible to the Court, to the solicitor and to the commsel for Defendant.

The espense of maintaining the Defendant while so confined shall be paid in the same manner as provided by law in the case of persons adjudged to be of unsound mind in accordance with Section 425 of Title 15 of the 1940 Code of Alabama.

Done this the 9th day of December, Nineteen Hundred and Forty-Six.

F. W. Hare Francis W. Hare, Judge

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 3rd day of February, 1947

Clerk of Circuit Court

THE STATE OF ALABAMA, Circuit Court, _______ Term, 1943_

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

Hartford Penn, Jr., alias Hartford Penn, Jr., whose name to the Grand Jury is otherwise unknown, felon ously took one twenty-dollar bill, six ten-dollar bills, three five-dollars bills, and seven one-dollar bills, of the lawful currency of the United States of America, of the value of one hundred and two dollars, the property of E. N. Mick, alias E. N. Micks, from his person, and against his will, by violence to his person, or by putting him in such fear as unwi lingly to part with the same;

The Grand Jury of said County further charge that before the finding of this Indictment, Harford Penn, Jr., alias Hartford Penn, Jr., whose name to the Grand Jury is otherwise unknown, felomiously took one hundred dollars in lawful currency of the United States of America, consisting of bills, the number and denomination and a more particular description of which is to the Grand Jury unknowm, of the value of one hundred dollars, the property of E. N. Nick, alias E. N. Nicks, from his person, and against his will, by violence to his person, or by putting him in such fear as unwilling to part with the same;

against the peace and dignity of the State of Alabama.

Ralph L. Jones

Solicitor of the Twenty-first Judicial Circuit.

No. ————	
THE STATE OF ALABAMA, Baldwin County	grand jury no. —5
	A TRUE BILL
Circuit Court	Fred C. Griffin
Term, 194_6	Foreman G
THE STATE Vs.	Filed in open Court and in the
HARTFORD PENN, JR., alias	the Grand Jury on the 3rd
HARTFORD PENN. JR.	Nov.
INDICTMENT	
	R. S. Duck
ROBBERY	Presented in open Court to t
NO Prosecutor.	Judge by the Foreman of the Grant the presence of ———— other Grant
WITNESSES:	the presence of ——— other c
E. N. NICK	· · · · · · · · · · · · · · · · · · ·
W. R. STUART	
A. P. PRUITT	Bail fixed \$
M. H. WILKINS	Επι Πλει ψ
PERCY VAN IDERSTINE	
JIM PAPPAS	
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The Baldwin Times, Bay Minette, Ala.

GRAND JUR	Y NO.	5_		
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Fred C.				
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Filed in open (Court a	ind in	the pr	esence
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Nov	.		, 194	<u> </u>
R. S. Duck				C) -
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				Clerk
Bail fixed \$				Clerk

THE STATE OF ALABAM Baldwin County	lA, To				of Alabama:
		מ	in indictmer	it having t	oeen found against
Sartford 9	Denn	S Jr			
	_	0	4.1°		
at the Term, 194	3 , of the C	ircuit Cour	t of Baldw	in County	, for the offense of
Robbern					
7	-				0 +
you are, therefore, commanded forthwith	to arrest the	said Defe	ndant and co	ommit	kny
to jail, unless give bail	to answer s	aid indictn	ient, and the	at you retu	rn this Writ accord
ing to law.	j			\$ \$	
Dated this 29 day of	James	an	194	.5	
Dated this day of	1			<u> </u>	
			en	J. il	uch
		Ci	erk Cirouit	Court of B	aldwin County.
THE STATE OF ALABAM	[A]		:		
Baldwin County.	· - x , (er Sin di samata			
			A.		, as principal and
We,			:		, as principal and
the other undersigned as sureties, agree to	pay the Sta	ate of Alab	ama ———	· · · · · · · · · · · · · · · · · · ·	
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			~ · · · ~		(Manus 4 Manus
at the Term	of the Circu	it Court of	Baldwin Co	ounty, and	from Term to Term
thereafter until discharged by law, to answer	wer a crimin	al prosecut	ion for the (offense of—	
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1	,				
In signing the above bond we and		ereby waiv	e all legal i	rights of e	exemptions allowed
us by the Constitution and Laws of Alaba	.ma.				
Witness our hands and seals this—	(18	ıv of		, 194	
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	_ (L. s.)				
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,	_ (L. S.)				
Taken and approved	d <i>a</i>	y of	· · · · · · · · · · · · · · · · · · ·	19	4
				Sheriff of	Baldwin County.

CAPIAS

No. 868

THE STATE

Hartford Penn Ja

Bail Fixed in This Case in Open Court at

By Judge Presiding.

Attest J_________

Clerk.

Executed this 14 day of Jel 1948

By arresting the within

named Defendant

and placing him in Jail

Taylor Wilkins Sheriff.

Valle B. Suffin Deputy Sheriff

THE STATE OF ALAB Baldwin County	AMA, To Any Sheriff of the State of Alabama: An indictment having been found against
Harford Penn Jr.	alias Hartford Penn Jr
at the Fall Term, 1	94.3, of the Circuit Court of Baldwin County, for the offense of
Robbe	9177
you are, therefore, commanded forth	with to arrest the said Defendant and commithim
to jail, unless give	e bail to answer said indictment, and that you return this Writ accord-
ing to law.	
Dated this 23rd day of	<u>july</u> 194-6-
	Mullek
	Clerk Circuit Court of Baldwin County.
THE STATE OF ALAB Baldwin County.	AMA, (
Daidwill County.	
We,	as principal and
the other undersigned as sureties, agr	
Dollars, unless the said	appears
at theT	Yerm 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
	and each of us hereby waive all legal rights of exemptions allowed
us by the Constitution and Laws of A	Alabama.
Witness our hands and seals t	this, 194
	(L. S.)
	(L. S.)
	(L. S.)

(L. S.)

_day of-

Taken and approved-

Sheriff of Baldwin County.

75 Dord Man do.
Alias.

CAPIAS

No. -----

THE STATE vs.

Harford Penn Jr.
Alias Hartford Penn Jr.

Bail Fixed in This Case in Open Court at

)_____

Judge Presiding.

Attest :__.

Clerk.

Executed this _ 4 _ day of _ Par 194 Le_

By arresting the within

named Defendant

Hartford Pennyh

and placing him

C & Hond Sheriff

14 1 15 alf Deputy Sheriff.

Market Comment of the Comment of the

THE STATE OF ALABAMA, (Baldwin County

Circuit Court, FALL Term, 194 3.

(1)

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

Harford Penn, Jr., alias Hartford Penn, Jr., whose name to the Grand Jury is otherwise unknown, feloniously took one twenty-dollar bill, six ten-dollar bills, three five-dollar bills, and seven one-dollar bills, of the lawful currency of the United States of America, of the value of one hundred and two dollars, the property of E.N. Nick, alias E.N. Nicks, from his person, and against his will, by violence to his person, or by putting him in such fear as unwillingly to part with the same;

(2)

The Grand Jury of said County further charge that before the finding of this Indictment, Harford Penn, Jr., alias Hartford Penn, Jr., whose name to the Grand Jury is otherwise unknown, feloniously took one hundred dollars in lawful currency of the United States of America, consisting of bills, the number and denomination and a more particular description of which is to the Grand Jury unknown, of the value of one hundred dollars, the property of E.N. Nick, alias E.N. Nicks, from his person, and against his will, by violence to his person, or by putting him in such fear as unwillingly to part with the same;

against the peace and dignity of the State of Alabama.

Solicitor of the Twenty-first Judicial Circuit.

The State of Alabama, BALDWIN COUNTY				
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	Fall		Term, 194	.3.
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	VV	TIMESOI	,D,	
	- E.N.	Nick		
				
	W.R.	Stuart		٠,
	A.P.	Pruitt		· ,
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	A.P. M.H. Percy Jim P	Pruitt Wilkin: Van Io		* 1 2

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GRAND JURY NO. 5	
A TRUE BILL	
Ill Way few	
Boreman Gran	nd Jury.
Filed in open Court and in the pres	ence of th
Grand Jury on the Sal	day o
- Fau , 1943	
(R) ()	Clerk
Presented in open Court to the Judge by the Foreman of the Grand	Jury, i
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Judge by the Foreman of the Grand	Jury, ind Jurors
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Judge by the Foreman of the Grand the presence of the Grand other Grand	Jury, in d Jurors Clerk.
Judge by the Foreman of the Grand the presence of the Grand other Grand	Jury, in d Jurors Clerk.

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

An indictment having been found against

Fall m- 104 Z	of the Oinself	· Court of	Dald-in C		he offeres -
t the Fall. Term, 194_3	-, of the Circuit	Court of	Baldwin Co	ounty, for t.	ne onense o
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ou are, therefore, commanded forthwith	to arrest the said	Defendant	and commit	<u>him</u>	۰
•					
o jail, unless <u>he</u> give bail	to answer said in	dictment,	and that you	return this	Writ-accore
ng to law.					
			9.00		
Dated this 3rd day of day	November.		——19 4 3—		
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	****	Clerk (Circuit Court	of Baldwin	County.
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THE STATE OF ALABAM	ΓΔ)	•			
Baldwin County.	,		*'		
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In signing the above bond we and us by the Constitution and Laws of Alaba Witness our hands and seals this—	each of us hereby ma. day of- (L. S.) (L. S.) (L. S.) (L. S.)	y waive all	or the offense	of exempt.	erm to Ter

this 1 day of Mor , 1943 W. R. STUART, Shariff

CAPIAS

G J 5.

No. -----

THE STATE

Harford Penn Jr.

Alias Hartford Penn. jr

Bail Fixed in This Case in Open Court at

s 00____

Judge Presiding.

ttest: Clerk.

Executed thisde	y of	1949
By arresting the within		- !
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named Defendant	- 1	
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and placing him		
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	·	Sheriff.
		,

... Deputy Sheriff.

JUSTICE COURT OF THE STATE OF ALABAMA, BALDWIN COUNTY BALDWIN COUNTY JUSTICE COURT OF WARRANT OF ARREST av Maril State of Alabama AFFIDAVIT The State of Alabama, Executed this & day of May By arresting the within WITNESSES FOR THE STATE named Defendant & n niers Sortford Venn Jr W. Stuart affinit Percy For Iderstone and placing him in fail MA Wilkin WRStuat Sheriff. Thady Nall Deputy Sheriff.

Defendant, and have you then and

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THE STATE OF	ALABAMA	• >		and the second		
BALDWIN C	OUNTY	9	86	******		9
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To Any Sheriff of the	State of Alab	ama:	ý. Ž			; i
You are hereby c	commanded to S	ummon	72.	Weik	1. Zv.	RX
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personally to be and app	ear before the C	ircuit Court,	to be hol	lden for Bal	dwin Cour	ity, at the

thereof, in Bay Minette, on the day of , 1946, at 8:30 a. m., 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 Hartfack Penn fr

there this Writ, with your endorsement thereon.

Witness my hand this 36th day of nov. A. D. 1946 Ms.R. S. DUCK, Clerk.

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Received in office, 194	ORIGINAL X
Executed this,194	For
By	No. 868 Page
	The State of Alabama,
18ex 12-10-46	Baldwin County,
It art ford in nut venne	OFFE OFFE AND THE
	CIRCUIT COURT
unable to come which	THE STATE
	Vs.
	Hartford Penn Jr.
	STATE SUBPOENA
	Manual Company of the
	Assued this 35th day of
	#81/20 1/17 3 1 3 1 2 1 1 2 1 1 2 1 1
	7700. 3,194 6
C.E. Danet	Clèce J. Duck
Sheriff	Secretaria de la constitución de
in the state of t	

THE STATE OF ALABAMA,	CIRCUIT COURT
BALDWIN COUNTY Ca	b No seNo <i>86.8</i>
To Any Sheriff of the State of Alabama: You are hereby commanded to Summon	
thereof, in Bay Minette, on theday o from day to day of said term, and from term to t	ourt, to be holden for Baldwin County, at the Court House f
there this Writ, with your endorsement thereon.	Defendant, and have you then and

THE STATE OF ALABAMA,	CIRCUIT COURT
	Sub No.
BALDWIN COUNTY	CaseNo. 868 Term Dec. 1946
To Any Sheriff of the State of Alabam You are hereby commanded to Sum	
	tang kitang matalah ayang bilangga dalah kepilanggalah ang perjam
Para florida de la Caracter Directo de Grando de Astorio de Colo	
	nit Court, to be holden for Baldwin County, at the Court Houselay of, 194, at 8:30 a. m., at
from day to day of said term, and from term truth to speak in behalf of THE STATE is	to term thereafter until discharged, to give evidence and to a a prosecution now pending in said Court, wherein the Sta
of Alabama is Plaintiff and Jeant	fail Genn Jr.
	Defendant, and have you then an
there this Writ, with your endorsement ther Witness my hand this day of	

THE STATE OF ALABAMA,	CIRCUIT COURT
BALDWIN COUNTY To Any Sheriff of the State of Alabam	Sub No.————————————————————————————————————
You are hereby commanded to Sum	mon Golffer (Lack)
thereof, in Bay Minette, on thed from day to day of said term, and from term	it Court, to be holden for Baldwin County, at the Court House ay of
there this Writ, with your endorsement there	Defendant, and have you then and eon. A. D. 1946 76 R. S. DUCK, Clerk.

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TO THE HONORABLE F. W. HARE JUDGE OF THE THIRTEENTH JUDICIAL CIRCUIT

Done this the <u>ninth</u> day of <u>December</u> 1946.

H. S. ROWE, ASSISTANT SUPERINTENDENT

See Title 15 Section 125 of the 1940 Code of Alabama.

I he Itale of alabama

Hartford Penn Ju

7 iliet 12-12-46 Olise J. Buch-Clerk IN RE: HARTFORD PENN, JR. CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.

It being made to appear to me, as Judge of said Court, that a Commission of Lunacy called by Doctor W. D. Partlow, Superintendent of the Alabama State Hospital, has reported to the Court that said Hartford Penn, Jr., at the time of said report, on July 17, 1947, was probably mentally abnormal on said date, and probably at the time and date of the commission of the crime with which he is charged, and in the opinion of said Lunacy Commission his mental condition is such that he should continue to be detained in an institution for the insane;

And it appearing that said Hartford Fehn, Jr., while confined to the said Insane Hospital, escaped therefrom on December 28, 1947, and has been recently arrested and is now detained by Taylor Wilkins, as Sheriff of Baldwin County, Alabama;

IT IS THEREFORE, ordered by F. W. Hare, as Judge of said Court that said Hartford Penn, Jr., be committed to the custody of the Alabama State Insane Hospital at Mt. Vernon, Alabama, permanently and that the said Sheriff, Taylor Wilkins, be and he is hereby ordered and directed to convey said Hartford Penn, Jr. forthwith to said Insane Hospital, together with a certified copy of this order.

The Clerk of said Court is ordered and directed to record this order on the minutes of the Court and to issue and deliver to the Sheriff a certified copy thereof.

Dated this 21st day of April, 1948.

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Filed 3-22-48 alice J. Duch cerh

MOBILE COUNTY

TO MRS. ALICE J. DUCK, CLERK OF THE CIRCUIT COURT OF BALDWIN COUNTY, BAY MINETTE, ALABAMA:

Under the provisions of Section 425, Title 15, Code of Alabama 1940, Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, on December 9, 1946 issued an order directing that one (1) Harford Penn, colored, be detained at the Searcy Hospital for Insane, Mt. Vernon, Alabama, for the purpose of observation, study and report of a commission on lunacy, as provided in the section referred to.

There was appointed by me, Doctor Harry S. Rowe, Assistant Superintendent and Doctor A. M. Richards, Assistant Physician to serve with me, thus constituting the commission on lunacy as provided by law for study and report in this case.

This commission desires to submit the following report:

It is our opinion separately and individually and jointly that the said, Harford Penn, was mentally abnormal, mentally irresponsible and abnormal mentally to the extent of being irresponsible at the time of his admission to the Searcy Hospital. Under treatment there has been some improvement but it is our opinion yet that he is suffering of a mental illness known as Dementia Praecox and that he continues mentally irresponsible.

Knowing the history of the development of such conditions, it is highly probable in our opinion that he was mentally abnormal prior to commitment to the Searcy Hospital and probably at the time and date of the crime for which he is charged.

It is our opinion that his mental condition is such that he should continue to be detained in an institution for the insane.

As we render this report we understand that the institution has served the purpose of the committing order of the Court and that the patient is now subject to further order of the Court or the Sheriff of Baldwin County Alabama, as provided in the Act of Legislature referred to.

If it is the wish of the Court that this Defendant be held or detained longer in the Searcy Hospital, it will be necessary for the Court to issue an order for further detention following the date of this report.

Signed and executed in the office of the Searcy Hospital, this the seventeenth day of July 1947.

Respectfully submitted,

W. D. Partlow, M. D., Superintendent

H. S. Rowe, M. D., Assistant Superintendent

A. M. Richards, M. D., Assistant Physician

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THE STATE OF ALABAMA Plaintiff

VS

IN THE CIRCUIT COURT OF BALDWIN COUNTY ALABAMA.

HARTFORD PENN, JR. Defendant

Comes the Defendant by his attorney and for pleas says:

- 1. Not Guilty
- 2. Not Builty by reason of insanity.

Attorney for Defendant

STATE OF ALABAMA Plaintiff

VS

HARTFORD PENN, JR. Defendant

PLEAS



E.G. Rickarby, Jr. Attorney for Defendant

ORIGINAL — DEFENDAN	T SUBPOENA	Baldwin Times, Bay Minette 3 - 24 - 29 - 1M
THE STATE OF ALL	STIR No.	RCUIT COURT
Baldwin Count	Case No. 262	Term, 5 2 2. 1926
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the truth to speak in behalf of THE I	EFENDA	NT in a pro	secution no	w pending	in said	l Court, v	vhere-
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THE STATE OF ALABAMA	f Sub. No.	CIRCUIT COU	IRT
BALDWIN COUNTY	Case No. <u>868</u>	Dec.	- Term, 194 ८
To Any Sheriff of the State of Alabama — Gree			
You are hereby commanded to summon 💯	ertford Penn	, Sv., Dophne, Ol	to appear
at next term of the Circuit Court, on the			
a. m., and to continue from day to day and from te	rm to term thereafter, until	legally discharged, to give evi	dence in behalf
of the DEFENDANT in a cause now pending in said	d court, wherein the State of	! Alabama is Plaintiff and	
Nartford Penn &	E Defend	ant, and this he shall in	ı no wise omit
under the penalty prescribed by law.			
Witness this 5th day of	, 194 6	ie J. Duck	Clerk.
		Printed by The Baldwin T	

THE STATE OF ALABAMA	ς Sub. No. —		CIRCUIT CO	URT
BALDWIN COUNTY	Ĉ Case No. →	969	Lee.	— Term, 194 4
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a. m., and to continue from day to day and from				vidence in behal
of the DEFENDANT in a cause now pending in s		ne State of Alab	ama is Plaintiff and	
_ Hartford Penn &	6 .	Defendant	, and this he shall	in no wise omi
under the penalty prescribed by law.				
Witness this 5th day of		Olece	J. Duck	
			Printed by The Baldwin	Times, Bay Minetto

THE STATE OF ALABAMA	L ∫ Sub. No.————	CIRCUIT COURT
BALDWIN COUNTY	Case No. 868	
o Any Sheriff of the State of Alabama —	Greeting:	
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t next term of the Circuit Court, on the	The day of	ee - 194 6 at 9:00 o'clock
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m., and to continue from day to day and fro f the DEFENDANT in a cause now pending in	om term to term thereafter, until less a said court, where n the State of A	gally discharged, to give evidence in behalf
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THE STATE OF ALABAMA	CIRCUIT COURT				
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to any sheriff of the state of	F ALABAMA:	um di sereng			
You are Hereby Commanded to Su	ummon E. N. NICE	K, W. R. STUART, A. P	PRUITT,		
M. H. WILKINS, PERCY VAN I	DERSTINE, JIM PAI	PAS			

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there this Writ, with your endorsement	thereon	Defendant, and have y	oa men ama		
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	THE STATE OF ALABAMA BALDWIN COUNTY
	Circuit Court
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	HARTFORD PENN JR.
	STATE SUBPOENA
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GRAND JURY SUBPOENA—ORIGINAL	Moore Printing Co., Bay Minette, Ala
THE STATE OF ALABAMA, Baldwin County	No. 5
TO ANY SHERIFF OF THE STATE OF ALABAMA—GRE	
You are hereby commanded to summon E. l. Nicks, W	7. R. Stuart, A. P. Pryitt,
Percy Van Inderstine, M. H. Wilkins	
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to be and appear on the <u>lst</u> day of <u>Nore</u> of said County, at the Court House thereof, then and there to to State of Alabama. Herein fail not, and make due return of this wi	estify and give evidence on behalf of th
Witness my hand this 19th day of Oct.	A D. 194

ORIGINAL No. **GRAND JURY SUBPOENA** I have executed this Subpoena by serving a copy thereof on the following persons, to wit: Moore Printing Co., Bay Minette, Ala.

THE STATE

....vs.

In the Circuit Court of Baldwin County,

Term, 193 46

Venire of the jurors in the above stated cause, names herein stated from No. to No. both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. to No. both inclusive, being the regular jurors drawn and summoned for the second week of the December Term of said Court, the said cause having been set for trial on the 9th day of December 19346, which is a day of said Criminal

o.	of the December To	Occupation	Residence Address	Business Address
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	Melvin Woodard	Mechanic	<u>Yobey</u>	Foley
	Walter H Benton	Fisherman	Folev	Foley
	George Hertel	Farmer	Elberta	Elberta
: .	Peter Malbis	Farmer	Dapline	Dapine
;::	A. Dewey Jackson	Farmer	Lottie	Lottie :
	Lawrence Chillady	Clerk	Robertsdale	Robertsdale
	Harry C Bill. Jr.	Farmer	Loxley	Loxley
	William B Cooper	Farmer	Rosinton	Rosinton
	Fred Ingersoll	Diry	Fairhope	Fairhope
	Young C Hall	Farmer	Bay Minette	Bay Minette !
	J Green Jordan	MGR Store	Bay Minette	Bay Minette
	William C Davison	Farmer	Bay Minette	Bay Minette
1	Roy W Thompson	Carpenter	Bay Minette	Bay Minette
	Newton Beasley	Carpenter	Eay Minette	Bay Minette
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\dashv	Arthur T McGill	Merchant	Perdido	Perdido
-	Harold McGill	Merchant	Perdido	Perdido
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	Edward Carver	Defense		Fòley
-	Elbert B Biggs	Merchant	Stapleton	Stapleton Torder
-	Arthur W Saxe	Frmer	Lowley Pointers	Lowley
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+	Shula McDaniel	Frmer	Robertsdale Foley	Robertsdale Folev
+	William Schneider	Mechanic	·	
\rightarrow	Y Charles Earle	Farmer	Blacksher	Blacksher
+	Vaden McNeil	Farmer	Clear Springs	Clear Springs
+	Charles Head Jr.	Fahanan	Stapleton Tales	Stapleton
+	John T. Hadley	Laborer	Foley Foley	Foley
+	Herron Steadham	Merchant Farmer	Foley To the first term of the	Foley
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.,,,,	John A Elbert Robert F Helton	Carpente:	Foley Foley	- Foley
	Jack J Heilmeier	Mechanic	Foley	Foley
-	R. L. Kirkland Jr.	Timber	Foley	Foley
+	William R Margason	Peace Officer	Foley	Foley
+	Lloyd Sheppard	Farmer	Foley	Foley
-	Anders Andersburg	Farmer	Rosinton	Rosinton
+	Adolph Wigstron	Farmer	Silverhili	Silverhill
+	Herbert H McLein	Rlectrician	Pobertsdale	Robertsdele
1	Arnold Chandler	Defense	Silverhill	Silverhill
	Coleman Armstrons	Salesman	Robertsdale	Ropertsdale
	George Heidelberg	Farmer	Sibverhill "	Silverhill
	James R Stapleton	Farmer	Daphne	Daphne
+	Albert Vitous	Farmer	Silverhill	Silverhill
-	<u>Eddie I. Hiles</u>	<u>Mechanic</u>	Loxley	Loxley

No.	NAME	Occupation	Residence Address	Business Address
53	James C Stapleton	Farmer	Belfroest	Belforest
54	Oscar Shoagland	Merchant	Robertsdale	Robertsdale
55	James J Palmer	Salesman	Robertsdale	Robertsdale
56	Henry Kammerer	Fisherman	TOTAL Cline	We range with the property
57	William L Wingo	Merchant	Robertsdale	Robertsdale
58	Emory Johnson	Millman	Silverhill	Silverhill
59	Alfred M Neumann	Binker	Elberta	Elberta
60	Richard V Peavey	Defense	the state of the s	Folegon
61	Lee Calaway	Seafood	Foley	Foley
62	Elias G McKenzie	Defense	Folev	Foley
63	Bruce Grimes	Farmer	Belforest	Belfroest
64	Angie F Bertolla	Farmer	Belforest	Belforest
65	Jesse H Slaughter	Loging		The state of the s
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