

(888)

THE STATE OF ALABAMA,  
Baldwin County }

No. 9

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You are hereby commanded to summon John Durin, John K. Durin  
Jae Perdus, H. F. Hall, Julio Carti  
D. W. Nelson

to be and appear on the 15<sup>th</sup> day of April, 1947, before the Grand Jury of said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this 1<sup>st</sup> day of April A. D., 1947

Alice J. Duck Clerk.

*Balfant*

ORIGINAL

No. 9

**GRAND JURY SUBPOENA**

I have executed this Subpoena by serving a copy thereof on the following persons, to-wit:

- John J. Davis*
- John F. Davis*
- Joe Perdue*
- H. F. Hall*
- Julius Corto*
- Dr. Nelson Grubbs*

this 9 day of April, 1947

*Taylor Wilkins*, Sheriff

Moore Printing Co., Bay Minette, Ala.

*H. F. Hall*

THE STATE

VS.

JOHN HENRY PERDUE

In the Circuit Court of Baldwin County,

Spring Session ..... Term, 1934

Venire of the jurors in the above stated cause, names herein stated from No. 53 to No. 57 both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. 1 to No. 52, 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 2nd day of May 1934, which is a day of said Criminal week of the Spring Term of said Court, to-wit:

| No. | NAME                 | Occupation       | Residence Address | Business Address |
|-----|----------------------|------------------|-------------------|------------------|
| 1   | R. A. Hale, Jr       | Plumber          | Robertsdale       | same             |
| 2   | James W. Cyphers     | Postal Clerk     | Foley             | same             |
| 3   | W. J. Hastings       | Laborer          | Summerdale        | same             |
| 4   | Ben J. Griffin       | Farmer           | Summerdale        | same             |
| 5   | Charles E. Gantt     | Millman          | Little River      | same             |
| 6   | M. Ivan Jensen       | Farmer           | Summerdale        | same             |
| 7   | Roy Holmes           | Teacher          | Bay Minette       | same             |
| 8   | A. D. Stapleton      | Farmer           | Loxley            | same             |
| 9   | Everett M. Gidmumson | Farmer           | Loxley            | same             |
| 10  | Quinton J. Cooper    | Farmer           | Robertsdale       | same             |
| 11  | W. R. Cooper         | Farmer           | Robertsdale       | same             |
| 12  | J. C. Grimes         | Produce Man      | Loxley            | same             |
| 13  | William Lenz         | Defense          | Elberta           | same             |
| 14  | J. Nick Sawyer       | Salesman         | Magnolia Springs  | same             |
| 15  | George K. Page       | Clerk            | Robertsdale       | same             |
| 16  | Albert Boone         | Mechanic         | Foley             | same             |
| 17  | Rudolph Doering      | Tire Vulcanizing | Foley             | same             |
| 18  | Joe Durant           | Newport          | Bay Minette       | same             |
| 19  | Hugh S. Metcalf, Sr. | Farmer           | Foley             | same             |
| 20  | Joe Krauss           | Farmer           | Elberta           | same             |
| 21  | Julio Corte          | Farmer           | Belforest         | same             |
| 22  | Aaron E. Gill        | Oil Truck Driver | Foley             | same             |
| 23  | E. C. Callaway       | Fisherman        | Bon Secour        | same             |
| 24  | Edward Carver        | Farmer           | Bon Secour        | same             |
| 25  | John A. Callaway     | Fishing          | Foley             | same             |
| 26  | George O. Gill       | Clerk            | Foley             | same             |
| 27  | August H. Mueller    | Contractor       | Foley             | same             |
| 28  | Harry Still          | Merchant         | Bay Minette       | same             |
| 29  | Brady Powell         | Newport          | Bay Minette       | same             |
| 30  | Woodrow Bryant       | Farmer           | Stockton          | same             |
| 31  | Charlie Barnett      | Farmer           | Belforest         | same             |
| 32  | Thomas Hadley        | Stock Grower     | Foley             | same             |
| 33  | Lewis Cooper         | Retired          | Foley             | same             |
| 34  | B. W. Anderson       | Farmer           | Silverhill        | same             |
| 35  | H. T. Childress      | Merchant         | Loxley            | same             |
| 36  | Ted McGowan          | Mechanic         | Bay Minette       | same             |
| 37  | C. S. Childress      | Farmer           | Robertsdale       | same             |
| 38  | Edward P. Moravec    | Brookley Field   | Robertsdale       | same             |
| 39  | James S. Minchew     | Laborer          | Robertsdale       | same             |
| 40  | Chas. H. Matthews    | Farmer           | Robertsdale       | same             |
| 41  | Jack D. Taylor       | Merchant         | Bon Secour        | same             |
| 42  | Dougal Tylor         | Laborer          | Bay Minette       | same             |
| 43  | Alma Vines           | Mechanic         | Bay Minette       | same             |
| 44  | Ben Sowell           | Mechanic         | Bay Minette       | same             |
| 45  | Derrile Stuart       | Cement Mfg.      | Bay Minette       | same             |
| 46  | Bill Stuart          | Laborer          | Bay Minette       | same             |
| 47  | Ted Fraser           | Plumber          | Bay Minette       | same             |
| 48  | Lloyd A. Ballard     | Radio Repair     | Bay Minette       | same             |
| 49  | Raymond McMillan     | Farmer           | Stockton          | same             |
| 50  | John R. Montgomery   | Merchant         | Foley             | same             |
| 51  | Roland Killcreas     | Laborer          | Stockton          | same             |
| 52  | Bill Stewart         | Printer          | Bay Minette       | same             |

| No. | NAME                  | Occupation   | Residence Address | Business Address |
|-----|-----------------------|--------------|-------------------|------------------|
| 53  | Clarence M. Underwood | Farmer       | Summerdale        | same             |
| 54  | G. W. Robertson       | Farmer       | Bay Minette       | same             |
| 55  | Sim Stevens           | Salesman     | Fairhope          | same             |
| 56  | John Bitto            | Farmer       | Elberta           | same             |
| 57  | Harry Nelson          | Postal Clerk | Bay Minette       | same             |
| 58  |                       |              |                   |                  |
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| 81  |                       |              |                   |                  |
| 82  |                       |              |                   |                  |

I hereby certify that the foregoing is a correct list of the venire in the case of the State vs. John Henry Perdue charged with Murder, First Degree; that the names of jurors from No. 53 to No. 57, both inclusive, are the special jurors drawn by the presiding Judge, in open Court, and that the names of jurors from No. 1 to No. 52, both inclusive, is a correct list of the regular jurors drawn and summoned for the SECOND week of the SPRING Term, 1947, 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 the indictment in this case.

Witness my hand this 19th day of APRIL 1947 Raynor Wilkins  
 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 April, 1947, upon John Henry Perdue the Defendant Raynor Wilkins Sheriff.

|   |   |                     |  |
|---|---|---------------------|--|
| <b>The State of Alabama</b><br>Baldwin County | <b>CIRCUIT COURT</b><br>LIST of JURORS and COPY of INDICTMENT | <b>STATE</b><br>vs. |  |
|---|---|---------------------|--|

THE STATE OF ALABAMA,

CIRCUIT COURT

BALDWIN COUNTY

Sub No. \_\_\_\_\_

Case No. 888

Term Spring, 1947

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon John Irwin John E. Irwin, Joe Perdue

H. F. Hall

*Julius Carter*

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 2nd day of May, 1947, 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 JOHN HENRY PERDUE

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

Witness my hand this 8th day of April A. D. 1947 Mrs R. S. DUCK, Clerk.

Received in office 4-21, 1947

Executed this 4-23, 1947

By Ballie Griffin

*Executed By Serving  
the Written Within  
in full*

ORIGINAL

For \_\_\_\_\_

No. 888 Page \_\_\_\_\_

The State of Alabama,  
Baldwin County.

CIRCUIT COURT

THE STATE  
Vs.

JOHN HENRY PERDUE

STATE SUBPOENA

Issued this 18th day of

April, 1947

Sheriff

Clerk.

*Taylor Wilkins*

*Ballie B. Griffin D.S.*

THE STATE OF ALABAMA, {  
Baldwin County }

To Any Sheriff of the State of Alabama:

An indictment having been found against

John Henry Perdue

at the Spring Term, 1947, of the Circuit Court of Baldwin County, for the offense of

Murder, First 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 according to law.

Dated this 16th day of April, 1947

Alice J. Duck  
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 Alabama.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_

\_\_\_\_\_  
Sheriff of Baldwin County.

**CAPIAS**

No. 9

THE STATE  
vs.

John Henry Perdue

Bail Fixed in This Case in Open Court at

\$ 500.00

By J. W. Hurd  
Judge Presiding.

Attest: Alice J. Rucke  
Clerk.

Executed this 16th day of April 1947

By arresting the within

named Defendant

John Henry Perdue

and placing him in jail

Layton Wilkins Sheriff.

Deputy Sheriff.



THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 888

Term. Spring 1937

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon—

Eli Andrews PT 1, Honoraville, Ala

Charles Lewis " " " "

Spout Frost " " " "

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 2<sup>nd</sup> day of May, 1937, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and John Henry Purdue

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

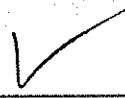
Witness my hand this 26 day of April A. D., 1937 W. S. Duck W. S. DUCK, Clerk.

Received in office 4-26, 1937

Executed this April 20, 1937

By Serving a

copy of writure  
on each of writure  
named witnesses



ORIGINAL

For Crenshaw Co.

No. 888 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE

Vs.

John Henry Purdue

STATE SUBPOENA

Issued this 26 day of

April, 1937

L. F. How  
By L. F. How Sheriff.  
W. S.

Alis J. Neuch  
Clerk.

THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 988

Term. Spring, 1937

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Mr. R. E. Jones Jr. (A.P.C. Investigator) Greenville Ala  
Mr. W. M. Harrison E. Stus, P.H. " "  
Mr. Powell Orment " "  
Emanuel Halley

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 9th day of May, 1937, 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 DEFENDANT in a prosecution now pending in said Court, where-  
 in the State of Alabama is Plaintiff and John Henry Purdue

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

Witness my hand this 26 day of April A. D., 1937. Alight  
 R. S. DUCK, Clerk.

Received in office 4-28-, 1937

Executed this 4-30, 1937

By \_\_\_\_\_

*Serving all  
named persons*

ORIGINAL

For \_\_\_\_\_

No. 888 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE  
Vs.

*John Henry Perdue*

STATE SUBPOENA

Issued this 26 day of

April, 1937

*J. E. Keat*  
Sheriff

*Alice J. Hensch*  
Clerk.

**THE STATE OF ALABAMA,  
Baldwin County**

Circuit Court Spring Session ~~Term~~ 1947

The Grand Jury of said County charge that before the finding of this indictment John Henry Perdue, whose name is to the Grand Jury otherwise unknown, unlawfully, and with malice aforethought, killed Prop Roper, whose name is to the Grand Jury otherwise unknown, by striking him with a stick,

CHARGE NO. 0

*S. D. ...*

*...*

*...*

*...*

*...*

*...*

*[Large handwritten scribbles]*

against the peace and dignity of the State of Alabama.

*[Signature]*  
Solicitor of the Twenty-first Judicial Circuit.

No. \_\_\_\_\_

**THE STATE OF ALABAMA,  
Baldwin County**

**Circuit Court**

Spring Session Term 1947

THE STATE  
Vs.

John Henry Perdue

**INDICTMENT**

Murder, First Degree  
No. \_\_\_\_\_ Prosecutor.

WITNESSES:

John E. Irwin

Joe Perdue

H. F. Hall

Julio Costi

Dr. Nelson Grubbs

GRAND JURY NO. 9

A TRUE BILL

*E. Duoman*

Foreman Grand Jury.

Filed in open Court and in the presence of

the Grand Jury on the 16 day of

April, 1947

*Alice J. Leuch*, 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. Leuch*  
Clerk.

Bail fixed \$ \_\_\_\_\_

\_\_\_\_\_  
Judge.

*The the jury find the defendant  
guilty of ~~murder~~ the  
first degree and fix the  
punishment in the penitentiary  
for ten years*

*Wm. B. Hill*  
*Duoman*

*RECORDED*

AFFIDAVIT

STATE OF ALABAMA }  
BALDWIN COUNTY }

In the Justice Court of

C.W. Hamilton

Before me,

A Justice Peace

in and for said County, personally appeared J. 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 Dec 1<sup>st</sup> 1946 that one John Henry Perdue

did assault to murder Prop Roper by hitting over the head with a stick

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 1<sup>st</sup>  
day of Dec, A. D. 1946

C.W. Hamilton

J. P.

J. F. Hall

WARRANT

THE STATE OF ALABAMA }  
BALDWIN COUNTY }

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to arrest

John Henry Perdue

and bring

him

before

me

to answer the State of Alabama on a charge

assault with a stick to murder

Prop Roper

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

Witness my hand this

1

day of

Dec

1946

C.W. Hamilton

J. P.

BALDWIN COUNTY

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

JUSTICE COURT OF

*C. W. Hamilton*

**AFFIDAVIT**

THE STATE OF ALABAMA  
vs.

*John Henry Perdue*

WITNESSES FOR THE STATE:

*John Irvie*  
*John E. Irvie*  
*Joe Perdue*  
*H. J. Hall*

JUSTICE COURT OF  
**BALDWIN COUNTY**

**WARRANT OF ARREST**

The State of Alabama  
vs.

*John Henry Perdue*

Executed this 1 day of Dec., 1946

By arresting the within

named Defendant

and placing him in jail

*C. E. Garrett*, Sheriff

*H. J. Hall*, Deputy Sheriff



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

| ATTORNEYS      | CASE  | CHARGE                      |
|----------------|---|-----------------------------|
| No. <i>728</i> | THE STATE OF ALABAMA<br>vs.<br><i>John Henry Perdue</i> | <i>Assault &amp; murder</i> |

|  | DISPOSITION OF CASE   | FEES  | AMOUNT  |
|--|---|---|---|
|  | Affidavit made and Warrant issued to<br>Returnable<br>Witness—for State<br><i>John Irwin</i><br><i>John C. Irwin</i><br><i>Doc Perdue</i><br><i>A. J. Hall</i><br><br><i>L. C. Hamilton, Justice of Peace</i><br><i>precinct 4 certified I heard to</i><br><i>evidence in this case if the</i><br><i>opinion he should be bond</i><br><i>\$2000.00</i><br><br><i>C. H. Hamilton</i> | JUDGE'S FEES<br>Warrant at 50c Affidavit at 25c .....<br>Bond at 50c Sci Fa at 50c .....<br>Witnesses' Recognizances at 25c .....<br>Subpoena or notice at 25c .....<br>Continuance at 25c .....<br>Trial of Misdemeanor at \$1.00 .....<br>Mittimus at 25c .....<br>Judgment on Forfeited Bond at 50c .....<br>Taking Bond, etc. on Appeal at \$1.00 .....<br>Execution for Costs at 25c .....<br>CONSTABLE'S FEES<br>Subpoena or Notice at 25c .....<br>Carrying defendant before Justice,<br>each mile for himself & guard at 10c .....<br>Arrest 50c .....<br>SHERIFF'S FEES<br>Arrest \$2.00 Bond \$1.00 Sci Fa 50c .....<br>Committing \$1.00 Releasing \$1 00 .....<br>Subpoenas at 25c Days's Board at 30c .....<br>WITNESSES FEES<br>Days at 50c .....<br>" 50c .....<br>" 50c .....<br>" 50c .....<br>" 50c .....<br>" 50c .....<br>" 50c .....<br>DEFENDANT'S COSTS<br>Witnesses' Recognizance at 25c .....<br>Subpoenas at 25c .....<br>Executing Subpoenas ..... | 7.5<br>1.00<br>1.00<br>2.50<br>3.00<br>3.50<br>7.10<br>2.00<br>1.00<br>7.10 |

