

*Staten*

● ORIGINAL

No. 28

**GRAND JURY SUBPOENA**

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

*By serving - 10-30-40*

*Hattie Knight*

*B.D. Cobb*

*W.W. Duckworth*

this 21st day of Oct, 1940

*C.E. Barrett*, Sheriff

THE STATE OF ALABAMA,  
BALDWIN COUNTY

No. 28

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:


You are hereby commanded to summon Willie Johnson Unable to Locate

if to be found in your county, at the instance of the State of Alabama, to appear before the Circuit Court of Baldwin County, at the Court House thereof, in said County, on the 6th day of November, 194 5, and from day to day thereafter, until discharged, to give evidence and the truth to speak before the Grand Jury of said county, concerning certain matters to be investigated by the said Grand Jury.

Herein fail not, and have you then and there this Writ.

Witness my hand this 27th day of Oct., A. D., 194 5.

Attest:

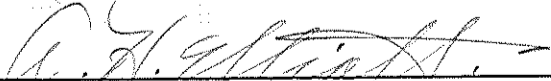
 Clerk

THE STATE OF ALABAMA, {  
Baldwin County }

Circuit Court, Fall Session Term, 194 5

The Grand Jury of said County charge that before the finding of this indictment Milton Stallworth, whose name to the Grand Jury is otherwise unknown, did, in the night time, with intent to steal, break into and enter an inhabited dwelling house which was occupied by Hattie Knight, a person lodged therein,

against the peace and dignity of the State of Alabama.



Solicitor of the Twenty-first Judicial Circuit.

The State of Alabama,

BALDWIN COUNTY

CIRCUIT COURT

Fall Session Term, 1945

THE STATE vs.

Milton Stallworth

INDICTMENT

Burglary, First Degree No. Prosecutor.

WITNESSES:

Hattie Knight

Wallie Johnson

B. D. Cobb

W. R. Duckworth

GRAND JURY NO. 28

A TRUE BILL

Wm Dyer Foreman Grand Jury.

Filed in open Court and in the presence of the

Grand Jury on the 7th day of March, 1945

R. B. DeLoach Clerk

Presented in open Court to the presiding Judge by the Foreman of the Grand Jury, in the presence of other Grand Jurors.

R. B. DeLoach Clerk.

Bail fixed \$

Judge.

We the jury find the defendant Milton Stallworth guilty of burglary and fix his punishment at imprisonment in the State Penitentiary for a period of five years

We above Foreman.

THE STATE OF ALABAMA, }  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Milton Stallworth

at the Fall Term, 1945, of the Circuit Court of Baldwin County, for the offense of

Burglary, 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 7th day of November 1945

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.

799

**CAPIAS**

No. 28

THE STATE  
vs.

MILTON STALLWORTH

Bail Fixed in This Case in Open Court at

\$ \_\_\_\_\_

By \_\_\_\_\_  
Judge Presiding.

Attest: R.S. Duck  
Clerk.

Executed this 8 day of Nov 1942

By arresting the within

named Defendant

and placing him in jail

C. E. Gunn Sheriff.

W. D. Taylor Deputy Sheriff.

THE STATE OF ALABAMA,

CIRCUIT COURT

BALDWIN COUNTY

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

Case No. 799

Term December, 194 5

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon <sup>e</sup> Hattie Knight, Willie Johnson

B D. Cobb, and W. R. Duckwoth.

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 3rd day of December, 194 5, 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 Milton Stallworth

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 19th day of November, A. D. 194 5

R. S. DUCK, Clerk.

Received in office 11-19, 1945

Executed this Nov 20th, 1945

By Shering

Hattie Knight

B.D. Cobb

W.R. Duckworth

Willie Johnson unable to find

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

C. B. Barrett Sheriff

WRS

ORIGINAL

For \_\_\_\_\_

No. 799 Page \_\_\_\_\_

The State of Alabama,  
Baldwin County.

CIRCUIT COURT

THE STATE  
Vs.

MILTON STALLWORTH

STATE SUBPOENA

Issued this 19th day of

November  
1945

R. S. Duck

Clerk.



**THE STATE OF ALABAMA,**

**CIRCUIT COURT**

**BALDWIN COUNTY**

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

Case No. 799

Term Dec

, 1945

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon Willie Johnson

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 30 day of December, 1945, 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 Melvin Stallworth

there this Writ, with your endorsement thereon.

Defendant, and have you then and

Witness my hand this 19 day of Nov

A. D. 1945

R. S. DUCK, Clerk.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN THE JUSTICE COURT OF

*John R. Davis*

Before me,

*John R. Davis*

in and for said County personally appeared

*Hattie Knight*

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

*Oct 6<sup>th</sup> 1945*

, that one

*Milton Stallworth with intent to steal unlawfully  
broke into and entered the dwelling house  
of Hattie Knight*

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

*7* day of *Oct*

A. D. 19*45*

*Hattie Knight*

*John R. Davis* J. P.

THE STATE OF ALABAMA,  
Baldwin County

TO ANY LAWFUL OFFICER OF SAID COUNTY, Greetings:

You are hereby commanded to arrest

*Milton Stallworth*

and bring *him* before *me*

the State of Alabama on a charge

*unlawfully breaking and  
entering a dwelling -*

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

Witness my hand this

*7* day of *Oct*, 19*45*

*John R. Davis*

J. P.

ocket-10-8-45

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

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

JUSTICE COURT OF

*John R. Davis*

**THE STATE**  
vs.

*Milton Stallworth*

**WARRANT AND AFFIDAVIT**

WITNESSES FOR THE STATE

*Hattie Knight (Col-Foley)*

*Willie Johnson (in jail) Col "*

*But Cobb*

*W.R. Duckworth Rob*

*I have executed  
this writ by arresting  
the within named  
defendant  
Milton Stallworth  
and placing him in jail Oct 7<sup>th</sup> 1945  
C. R. Barrett Sheriff*

THE STATE  
VS.

In the Circuit Court of Baldwin County,

MILTON STALLWORTH

FALL SESSION.

~~XXXX~~, 1945

Venire of the jurors in the above stated cause, names herein stated from No. 0 to No. 1 both inclusive, being the special jurors drawn in open Court by the presiding Judge, in said cause, and the other names, from No. 2 to No. 6b, both inclusive, being the regular jurors drawn and summoned for the Second week of the Fall Session, ~~XXXX~~ of said Court, the said cause having been set for trial on the 3rd day of December, 1945, which is a day of said second week of the Fall Session, ~~XXXX~~ of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
1	Gordon Childress	Cattle Grower	Foley	Foley
2	Mack Moore	Merchant	Magnolia Springs	Magnolia Springs
3	Owen Eubanks	Mechanic	Bay Minette	Bay Minette
4	Willie R. Cooper	Farmer	Rosinton	Rosinton
5	Ort H. Ertzinger	Real Estate	Bay Minette	Bay Minette
6	Allen Denham	Defense	Robertsdale	Robertsdale
7	Thomas J. Davidson	Merchant	Bay Minette	Bay Minette
8	Virgil McMillan	Farmer	Bay Minette	Bay Minette
9	Charles E. Gantt	Millman	Little River	Little River
10	Blaine Dickman	Salesman	Bay Minette	Bay Minette
11	Herman L. Taylor	Mechanic	Bay Minette	Bay Minette
12	Cecil L. Gebhart	Defense	Foley	Foley
13	Eugene E. Calloway	Seafood Dealer	Foley	Foley
14	Jersey Rezek	Farmer	Silverhill	Silverhill
15	William C. Orsborne	Laborer	Foley	Foley
16	Hans Lindoerfor	Defense	Elberta	Elberta
17	Morris Tatlor	Butcher	Bay Minette	Bay Minette
18	Joe Krauss	Farmer	Elberta	Elberta
19	Henry S. Skipper	Farmer	Loxley	Loxley
20	Charles S. Mathews	F.S. Admin.	Robertsdale	Robertsdale
21	Norman A. Racine	Laborer	Robertsdale	Robertsdale
22	John R. Montgomery	Merchant	Foley	Foley
23	Ernie Beverly	Defense	Robertsdale	Robertsdale
24	Pete Sellers	Naval Stores	Bay Minette	Bay Minette
25	Pat White	Clerk	Robertsdale	Robertsdale
26	Elmer V. Lovell	Salesman	Silverhill	Silverhill
27	Fred Cousins	Fisherman	Foley	Foley
28	Herman Dooce	Farmers	Elberta	Elberta
29	George H. Carr	Farmer	Foley	Foley
30	John J. Fiddler	Farmer	Silverhill	Silverhill
31	Morgan A. Lovell	Dairyman	Loxley	Loxley
32	John Gottler	Farmer	Elberta	Elberta
33	Williamsden Lenz	Defense	Elberta	Elberta
34	Dennis B. Howell	Barber	Bay Minette	Bay Minette
35	Robert Linden	Salesman	Silverhill	Silverhill
36	William H. Burmeister	Livestock	Fairhope	Fairhope
37	George Stewart	Farmer	Foley	Foley
38	Leonard J. Hooper	Accountant	Bay Minette	Bay Minette
39	Arthur Stenzil	Furniture	Fairhope	Fairhope
40	Dan C. Hays	Farmer	Foley	Foley
41	Preston Fulford	Seafood	Bon Secour	Bon Secour
42	Vaden McNeil	Farmer	Clear Springs	Clear Springs
43	J. Douglas Waters	Farmer	Gateswood	Gateswood
44	Morris Dye	Farmer	Robertsdale	Robertsdale
45	Wiley Bishop	Farmer	Fairhope, R.F. D.	Fairhope, R. F. D.
46	Young A. Cox	Merchant	Stockton	Stockton
47	Elwood G. Poos	Oil Agent	Robertsdale	Robertsdale
48	George H. Baldwin	Produce Dealer	Robertsdale	Robertsdale
49	Americo G. Allegri, Jr.	Bookkeeper	Loxley	Loxley
50	Thomas V. Abercrombie	Farmer	Robertsdale	Robertsdale
51	Hurley Ard	Farmer	Robertsdale	Robertsdale
52	George Folk	Insurance	Foley	Foley

No.	NAME	Occupation	Residence Address	Business Address
53	Leland Eiland	Millman	Bay Minette	Bay Minette
54	Roy Davis	Barber	Bay Minette	Bay Minette
55	Edward Lyrene	Farmer	Silverhill	Silverhill
56	Mack Aylin	Forester	Bay Minette	Bay Minette
57	Sim Stevens	Salesman	Bay Minette	Bay Minette
58	Harry Nelson	Merchant	Magnolia Springs	Magnolia Springs
59	Kenneth Johnson	Laundry	Fairhope	Fairhope
60	Ray Survant	Linesman	Foley	Foley
61	Thomas E. Mitchell	Mgr. Loan Agency	Bay Minette	Bay Minette
62				
63				
64				
65				
66				
67				
68				
69				
70				
71				
72				
73				
74				
75				
76				
77				
78				
79				
80				
81				
82				

I hereby certify that the foregoing is a correct list of the venire in the case of the State vs. \_\_\_\_\_

Milton Stallworth charged with

Burglary, First Degree; that the names of jurors from

No. 0 to No. 1, both inclusive, are the special jurors drawn by the presiding Judge, in open Court, and that the names of jurors from No. 2 to No. 61, both inclusive, is a correct list of the regular jurors drawn and summoned for the 2<sup>nd</sup> week of the Fall Session Term, 1945, 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 14 day of Nov. 1945

*H. C. Garritt*

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 14 day of

Nov., 1945, upon Milton Stallworth

the Defendant \_\_\_\_\_

*H. C. Garritt*

Sheriff.

**The State of Alabama**  
Baldwin County

**CIRCUIT COURT**

LIST of JURORS and COPY of INDICTMENT

**STATE**

vs.

MILTON STALLWORTH

THE STATE OF ALABAMA,  
Baldwin County

Circuit Court, Fall Session, 194 5

The Grand Jury of said County charge that before the finding of this indictment  
Milton Stallworth, whose name to the grand Jury is otherwise  
unknown, did, in the night time, with intent to steal, break into and  
enter an inhabited dwelling house which was occupied by Hattie Knight  
a person lodged therein

against the peace and dignity of the State of Alabama.

A.H. Elliott.

Solicitor of the Twenty-first Judicial Circuit.

The State of Alabama,  
BALDWIN COUNTY  
CIRCUIT COURT

Fall Session, Term, 1945

THE STATE  
vs.  
Milton Stallwoth

INDICTMENT

Burglary, First Degree

no Prosecutor.

WITNESSES:

Hattie Knight

Willie Johnson

B.D. Gobb.

W.R. Duckworth

GRAND JURY NO. \_\_\_\_\_

A TRUE BILL

~~XXXXXX~~ Mr. Dryer

Foreman Grand Jury.

Filed in open Court and in the presence of the

Grand Jury on the 7th day of

November, 1945

R.S. 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.

R.S. Duck.  
Clerk.

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

Judge.