

THE STATE OF ALABAMA,

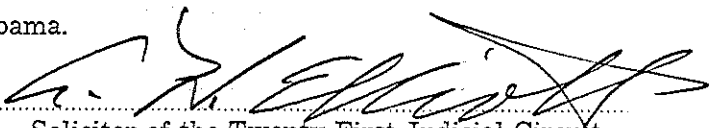
Baldwin County.

Circuit Court, Fall Session ~~Term~~ 1947

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

Joseph William Cook, Whose name is to the Grand Jury unknown, unlawfully, and with malice aforethought, killed James Manley Welch, whose name is to the Grand Jury otherwise unknown, by hitting him with his fists and kicking or stamping him with his feet,

against the peace and dignity of the State of Alabama.


Solicitor of the Twenty-First Judicial Circuit.

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

Fall Session ~~XXXX~~ 1947

THE STATE
Vs.

Joseph William Cook

INDICTMENT

Murder, First Degree
No Prosecutor.

WITNESSES:

Van Byrd ✓

Ted Frazier ✓

Dr. Percy Bryant

Zollie B. Griffin

Henry Quinley ✓

Taylor Wilkins ✓

Dr. Nelson Grubbs ✓

Mrs. D. C. McKinley

D.C. McKinley

Mrs. Ovetta Berry

William Atchison

GRAND JURY NO. 1

A TRUE BILL

Oran Earl
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the *5th* day of
Nov, 1947.

Alice J. Luck 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. Luck
Clerk.

Bail fixed \$ *7500*

Lee M. Goff
Judge

We the jury find the defendant guilty of murder in the second degree as charged in the indictment and fix his punishment at imprisonment in the penitentiary for 20 years .

Harold J. Miller

Foreman.

AFFIDAVIT

STATE OF ALABAMA
BALDWIN COUNTY

In the Justice Court of FRANK P. PROPST

Before me, FRANK P. PROPST, Justice of the Peace

in and for said County, personally appeared, H. 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 July 18 - 1947 that one Joseph William Cook

Did unlawfully and with malice aforethought
did kill J. Marley Welch by beating - kicking
and stamping - & whereby he died
against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 22
day of July A. D., 1947

Frank P. Propst, J. P.

H. F. Hall

WARRANT

THE STATE OF ALABAMA
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to arrest Joseph William Cook
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 20 day of July, 1947
Frank P. Propst, J. P.

MITTIMUS OR COMMITMENT

TO THE JAILER OF BALDWIN COUNTY: THE STATE OF ALABAMA
BALDWIN COUNTY

On complaint of H. F. Hall
charging Joseph William Cook
with the offense of Murder

it appearing that such offense has been committed and that there is sufficient cause to believe that he
has been guilty thereof,
you are therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this 20 day of July, 1947
Frank P. Propst
Justice of the Peace.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

JUSTICE COURT OF
FRANK P. PROPST

NOTARY PUBLIC, Ex-Officio
JUSTICE OF THE PEACE

AFFIDAVIT

THE STATE OF ALABAMA
vs.

Joseph William Cook

WITNESSES FOR THE STATE:

Jollie B. Griffin
Dr. Percy Bryant
H. F. Hall
Henry L. Lingle
Mrs. D. C. McHenry
Mrs. Chell Berry
Mr. D. C. McHenry
Dr. Nelson Grubbs
William Allison

JUSTICE COURT OF
BALDWIN COUNTY
WARRANT OF ARREST

The State of Alabama
vs.

Joseph William Cook

Executed this 20 day of July, 1947

By arresting the within

named Defendant

and placing him

Taylor Wilkins, Sheriff
H. F. Hall, Deputy Sheriff

Criminal Docket No. _____

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

JUSTICE COURT OF
FRANK P. PROPST

NOTARY PUBLIC, Ex-Officio
JUSTICE OF THE PEACE
vs.

Joseph William Cook
FRANK P. PROPST
NOTARY PUBLIC, Ex-Officio
JUSTICE OF THE PEACE

MITTIMUS

THE STATE OF ALABAMA
Baldwin County

I, _____
a Justice of the Peace in and for said State and

County, do and hereby certify that _____

the Defendant, is required to give bail in the sum

of \$ _____ for his appearance at the

194 _____ Term of the _____

Court of _____ County, Ala.

Given under my hand this, the _____

day of _____, 194 _____

_____, J. P.

THE STATE OF ALABAMA }

~~Mobile~~ County
Baldwin/

We Joseph William Cook

C.V. EVANS

and CATHERINE I. EVANS

agree to pay the State of Alabama Seven Thousand Five Hundred Dollars

unless the said Joseph William Cook appear at the

Next Term 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 Murder

AND WE HEREBY WAIVE ALL RIGHT OF EXEMPTION ALLOWED US UNDER THE
CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS TO THE COLLECTION OF
THIS BOND IF FORFEITED.

Approved:

The 11 day of Aug, 1947
Taylor Wilkins Sheriff
Deputy

Joseph William Cook (L. S.)
C.V. Evans by C.O. D. Larson (att in fact) (L. S.)
Catherine I. Evans by C.O. D. Larson (att in fact) (L. S.)

THE STATE OF ALABAMA
County of Mobile }

Personally appeared before me, _____, Sheriff of Mobile County

who, being duly sworn, doth depose and say that _____ is a resident of the State of Alabama, County of Mobile, a
householder and freeholder therein and that _____ is worth, exclusive of property exempt from execution,
and also over and above all just debts and liabilities, the amount expressed in this undertaking.

Subscribed and sworn to before me, this _____

day of _____, 194 _____

Sheriff of Mobile County.

No. _____

THE STATE

VS.

APPEARANCE BOND

Filed _____ day of _____ 194 _____

STATE OF ALABAMA)
(
COUNTY OF MOBILE)

I, W.H. Holcombe, Sheriff of
Mobile County, Alabama, hereby,
certify that the within bond is
a good and sufficient bond and
if offered to me in Mobile
County, I would accept same.

This the 11th day of August 1947

W.H. Holcombe
W.H. HOLCOMBE, Sheriff of
Mobile County, Alabama

AFFIDAVIT

Defendants Ex / FRANK P. PROPST

STATE OF ALABAMA,
BALDWIN COUNTY

In the Justice Court of

NOTARY PUBLIC, Ex-Officio
JUSTICE OF THE PEACE

FRANK P. PROPST

Before me,

NOTARY PUBLIC, Ex-Officio
in and for said County, personally appearedduly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said County, on
or about July 20-1947 that one Joseph William CookDid unlawfully and with Malice aforethought
killed J. Manley Welch by stamping, beating and
kicking him. Whereby he died.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 20

day of July

A. D. 1947

J. P.

Zollie B. Griffin

WARRANT

THE STATE OF ALABAMA,
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY. GREETINGS:

You are hereby commanded to arrest

Joseph William Cook

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

20

day of

July

1947

J. P.

No. 176 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

JUSTICE COURT OF
FRANK P. PROPST

NOTARY PUBLIC, Ex-Officio
JUSTICE OF THE PEACE

AFFIDAVIT

THE STATE OF ALABAMA
vs.

Joseph William Cook

WITNESSES FOR THE STATE:

Dr. Percy Bryant
Zollie B. Griffin
H. F. Hall
Henry Dwinley
Taylor Welkins
Mr Nelson Stubbs

JUSTICE COURT OF
BALDWIN COUNTY
WARRANT OF ARREST

The State of Alabama
vs.

Joseph William Cook

Executed this 19 day of July, 1947

By arresting the within

named Defendant

and placing him in Jail

Taylor Welkins, Sheriff

H F Hall, Deputy Sheriff

THE STATE OF ALABAMA,
BALDWIN COUNTY

Justice Court of

Precinct No. 7

Frank P. Probst

Bay Minette, Ala.

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Hereby Commanded to Summon

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

5th - 9th day of August, 1947, 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 Joseph William Cook.

of Alabama is Plaintiff and Joseph William Cook Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 1st day of July, A.D. 1941

A. D. 1941
Frank P. Forst
 Justice of the Peace, Precinct No. _____

Executed in full, this the

4 day of

Aug, 1947

Taylor Walburn
Sheriff.

H. F. Hall
Deputy Sheriff.

WITNESS FOR DEFENSE OF JAMES B. BURDEAUX

1. MR. STEELE
2. MR. COLWELL
3. MR. COBB
4. MR. MARTIN CROSBY
5. MR. JOHN DENIM, ATT WHEATLEYS STORE
6. ISAJAH WORREL, IN BUTLER COUNTY
7. MR. JERRY EDDINS
8. MR. HENRY MCHENRY
9. MR. LAMAR NORRELL
10. MRS. MAMIE BURDEAUX, WIFE
11. MR. BRYAN JERNIGAN
12. MRS. JERE EDINS
13. CHARLES EDINS.

Witnesses
to be subpoenaed
if Burdett
is indicted

Is John Denham
Is Bryan Ferguson
7th State witness.

THE STATE OF ALABAMA, {

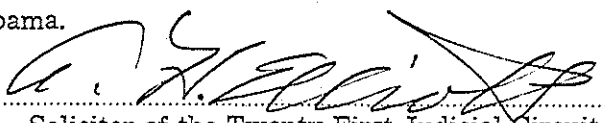
Baldwin County. }

Circuit Court, Fall Session ~~Term~~ 1947

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

James Robert Burdeaux, whose name is to the Grand Jury otherwise unknown, unlawfully and with malice aforethought killed Lewis Nichols, alias Louis Nichols, by hitting him with an axe, but without premeditation or deliberation,

against the peace and dignity of the State of Alabama.


Solicitor of the Twenty-First Judicial Circuit.

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

Fall Session ~~XXXX~~ 194 7

THE STATE

Vs.

James Robert Burdeaux

INDICTMENT

Murder, Second Degree

No

Prosecutor.

WITNESSES:

Lee Jernigan

Sallie Mae Nichols

Dr. W. C. Holmes

Martin Crosby

Bryant Jernigan

GRAND JURY NO. 2

A TRUE BILL

Frank Gore

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 8th day of

Nov

, 1947.

Alice J. Luck, 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. Luck
Clerk.

Bail fixed \$2,500⁰⁰

James Robert Burdeaux
Judge.

THE STATE OF ALABAMA, }
Baldwin County.

SUB. No. _____

CIRCUIT COURT

Case No. 919Term, Fall1937

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

Sallie Mae Nichols
Lives about 3 miles from Chapman Ala.

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 20th day of Dec 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 STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and James Robert Budhouse

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 13 day of Nov A.D., 1937.Alvin S. Duck, Clerk.

Received in office 11-14 1937

Executed this 29 Nov 1937

By _____

ORIGINAL

For _____

No. 919 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

THE STATE

vs.

James Robert Burdick

STATE SUBPOENA

Issued this 13th day of

Nov 1937

Alvin J. Duck

Clerk.

J E Kent
Sheriff.
Butler Co

THE STATE OF ALABAMA

Circuit
COUNTY COURT

Baldwin County.

SUB NO. _____

Case No. 919Term, Fall, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Bryan Jernigan, Mammie
Burdeaux, C.S. Steel, William Polk, Lamar
Norrell, Henry Mc Henry, John H. Edwards
Mr. Caldwell, Bill McCall, Mrs. Jere Eddins
Chas. Eddins, Buck Smith, Dock Mc Ruffiepersonally to be and appear before the ^{County} Court, to be holden for Baldwin County, at the CourtHouse thereof, in Bay Minette, on the 2nd day of Dec, 1940, at 9:00 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 James Robert BurdeauxDefendant, and have you then and
there this Writ, with your endorsement thereon.Witness my hand this 13 day of Nov A. D., 1940R. S. DUCK, Clerk

Received in office 11-14, 1947.

Executed this 11-24, 1947.

By Serving in full

ORIGINAL

For _____

No. 919 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

~~Circuit~~
County Court

THE STATE
Vs.

James Robert Burdett

STATE SUBPOENA

Issued this 13 day of

Nov, 1940

Alice J. Resch
Clerk.

Taylor Watkins
1407 1st St Sheriff.
P.S.

THE STATE OF ALABAMA,
Baldwin County }

No. 2

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You are hereby commanded to summon

Mrs. Robert Burdett ✓Cecil ChasonBryant Jernigan ✓Martin Crosby ✓

to be and appear on the 3rd day of Nov, 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 13 day of Oct, A. D., 1947Alice J. Welch Clerk.

45-0 1220
 75
 400 5-25
 670
 45-0
 3120
 75
 35
 87
 6
 430
 800
 1120
 1195

Boeing 1917

ORIGINAL

No. 2

GRAND JURY SUBPOENA

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

Boeing serving in full

this 27 day of Oct, 1947

Taylor W. Perkins, Sheriff

Moore Printing Co., Bay Minette, Ala.

B. D. Cobb. D 5

THE STATE OF ALABAMA,

CIRCUIT COURT

BALDWIN COUNTY

Sub No. _____

Case No. 919

Term Fall, 1947

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon

Mr. W. C. Jordan

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 December, 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 James Robert Burdick

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

Witness my hand this 13 day of Nov A. D. 1947 R. S. Duck, Clerk.

THE STATE OF ALABAMA,

CIRCUIT COURT

BALDWIN COUNTY

Sub No. _____

Case No. 919Term Fall, 1947

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon Mrs. Robert Burdeauk,
Cecil Chason, Bryant Jennigan, Martin Crosby,
Mr. W. C. Holmes, Lillian Mae Ashcraft,
Lee Jennigan, Mr. S. C. Jordan

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 December, 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

James Robert Burdeauk

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

Witness my hand this 13 day of Nov, A. D. 1947R. S. DUCK, Clerk.

Received in office 11-14, 1947

Executed this 11-24, 1947

By -serving copy on

Mr Robert Burdette

Cecil Chason

Bryant Furnigan

Martin Crosby

Dr. Holmes

See Furnigan

Taylor Wilkins

1st J. Hall

D.S.

Sheriff

ORIGINAL

For _____

No. 919 Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT

THE STATE
Vs.

James Robert Burdette

STATE SUBPOENA

Issued this 13 day of

Nov, 1947

Alice J. Duck

Clerk.

THE STATE OF ALABAMA,
Baldwin County

Justice Court of T.M. Moss

To Any Sheriff of the State of Alabama:

Precinct No. 14, Ala.

You are hereby commanded to summon Martin Crosby, Mrs. Robert Burdeaux,
Cecil Chason, Byrant Jernigan And Mrs. L.D. Nichols

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
9 day of May 10:00 AM, 1947, 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

Robert Burdeaux

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

Witness my hand this 6 day of May, A. D. 1947

T.M. Moss
Notary Public and ex-officio J. P.

Executed in full, this the

8th

day of

May, 1947

Taylor Wilkins
Sheriff.

B. D. Cobb
Deputy Sheriff.

A. JAVIT

MOORE PRINTING CO., DAY MINETTE, ALA.

STATE OF ALABAMA, {
BALDWIN COUNTY }

In the Justice Court of

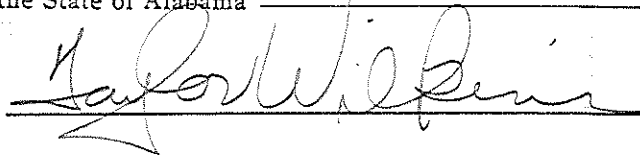
Before me, T.M. MOSS

in and for said County, personally appeared Taylor Wilkins 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 May 4, 1947 that one Robert Burdeaux

Murder

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 9
day of May A. D. 1947
J. P.



WARRANT

STATE OF ALABAMA {
BALDWIN COUNTY }

TO ANY LAWFUL OFFICER OF SAID COUNTY, Greetings:

You are hereby commanded to arrest Robert Burdeaux

and bring him
before me the State of Alabama on a charge

Murder

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

Witness my hand this 9 day of May 1947

J. P.

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

James Robert Burdette

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

Murder, Second 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 5th day of November 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. 2

THE STATE

vs.

James Robert Burdoux

Bail Fixed in This Case in Open Court at

\$ 2,500.00

By Joe M. Pelham Jr.
Judge Presiding.

Attest: Alice J. Hucks
Clerk.

Executed this 6 day of Nov 1947

By arresting the within

named Defendant

and placing him in jail

Taylor Wilkins Sheriff.

Zellie B. Griffin Deputy Sheriff.

No Miles

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA.	<i>Murder</i>
No.	Vs.	
	<i>Robert Burdett</i>	

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to	Judge's Fees	
Returnable	Warrant at 50c, Affidavit at 25c.....	75
Witness—for State	Bond at 50c, Sci Fa at 50c.....	50
<i>Mrs. Robert Burdett</i>	Witnesses' Recognizances at 25c.....	1.00
<i>Cecil Chason</i>	Subpoena or notice at 25c.....	1.00
<i>Brigante Jernigan</i>	Continuance at 25c.....	1.50
<i>Martin Crosby</i>	Trial of Misdemeanor at \$1.00.....	25
	Mittimus at 25c.....	1.00
	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 \$2.00 Bond, \$1.00, Sci Fa 50c.....	
	Committing \$1.00, Releasing \$1.00.....	
	Subpoenas at 25c Day's Board at 30c.....	
<i>Trial - Found Guilty, Bond</i>	Witness Fees	
<i>over to Grand Jury -</i>	Days at 50c.....	
<i>Bond Set @ \$500.00</i>	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c.....	
	Subpoenas at 25c.....	
	Executing Subpoenas.....	

9/9