

1033

THE STATE OF ALABAMA,

Baldwin County.

Circuit Court, Fall Session Term, 194 8

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

Virginia Grinstead and Clarence Morris alias Clarence Norris, whose names are to the Grand Jury otherwise unknown, feloniously took one Ten Dollar Bill, of the lawful currency of the United States of America, of the value of Ten Dollars, the property of Ben Bishop, 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.

A. H. ELLIOTT  
Solicitor of the Twenty-First Judicial Circuit.

No. ....

**THE STATE OF ALABAMA,**  
**BALDWIN COUNTY**

**Circuit Court**

Fall Session ~~Term~~ 1948

**THE STATE**  
Vs.

Virginia Grinstead and

Clarence Morris

**INDICTMENT**

Robbery

no

Prosecutor.

**WITNESSES:**

Ben Bishop

Mrs. Ina Marshall

W. A. Sawyer

Ben Kucera

Mrs. W. A. Sawyer

Taylor Wilkins

GRAND JURY NO. 13

A TRUE BILL

V. O. McMILLAN

Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 4th day of  
Nov., 1948.

ALICE J. 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.

ALICE J. DUCK

Clerk.

Bail fixed \$.....

Judge.

Bail for Virginia Grinstead  
fixed at \$500.00 by agreement.

F. W. HARE

REPRODUCED FROM ORIGINAL FILED IN BALDWIN COUNTY CLERK'S OFFICE

# Jury List For December Session, 1948

NO.	NAME	OCCUPATION	RESIDENCE
<del>1</del>	<del>BROOKS BUSH, SR.</del>	<del>School Bus Driver, Crossroads</del>	<del>S</del>
<del>2</del>	<del>HAROLD STUART</del>	<del>Presser, Bay Minette</del>	<del>S</del>
<del>3</del>	<del>R. HAROLD AGEE</del>	<del>Merchant, Foley</del>	<del>D</del>
<del>4</del>	<del>GEORGE A. LYRENE</del>	<del>Farmer, Silverhill</del>	<del>D</del>
<del>5</del>	<del>J. C. WINN</del>	<del>Farmer, Summerdale</del>	<del>D</del>
<del>6</del>	<del>GUST RIEMER</del>	<del>Farmer, Elberta</del>	<del>D</del>
<del>7</del>	<del>GEORGE K. PAGE</del>	<del>Clerk, Robertsdale</del>	<del>S</del>
8	R. N. STANTON	Farmer, Robertsdale	
<del>9</del>	<del>BARNETT B. LARRIMORE</del>	<del>Merchant, Robertsdale</del>	<del>S</del>
<del>10</del>	<del>NORMAN McENNIS</del>	<del>Supt. Mill Co., Stockton</del>	<del>D</del>
<del>11</del>	<del>WILTON A. KACINE</del>	<del>Clerk, Robertsdale</del>	<del>S<sup>2</sup></del>
12	JACK JONES	Merchant, Bay Minette	
<del>13</del>	<del>JAMES T. BRADLEY</del>	<del>Merchant, Bay Minette</del>	<del>D</del>
<del>14</del>	<del>JOHN SCHENK</del>	<del>Farmer, Elberta</del>	<del>D</del>
<del>15</del>	<del>JULIUS P. ULRICH</del>	<del>Laborer, Elberta</del>	<del>D</del>
<del>16</del>	<del>ROBERT GREEN</del>	<del>Shipyard, Fairhope</del>	<del>S</del>
<del>17</del>	<del>AXEL RUNDQVIST</del>	<del>Insurance, Silverhill</del>	<del>D</del>
<del>18</del>	<del>ARTHUR SIMON</del>	<del>Farmer, Delforest</del>	
19	MALVERN IRWIN	Farmer, Gateswood	
<del>20</del>	<del>GILBERT COOPER</del>	<del>Farmer, Rosinton</del>	<del>D</del>
<del>21</del>	<del>TED W. COOPER</del>	<del>Farmer, Rosinton</del>	<del>D</del>
<del>22</del>	<del>CHARLES J. EBERT</del>	<del>Real Estate, Foley</del>	<del>D</del>
<del>23</del>	<del>ALTON E. HANKINS</del>	<del>Farmer, Rosinton</del>	
24	FLOYD BOONE	Farmer, Gateswood	
25	J. C. MORRIS	Farmer, Gateswood	
<del>26</del>	<del>HENRY E. YENNE</del>	<del>Farmer, Point Clear</del>	<del>S</del>
<del>27</del>	<del>RALPH GANTT</del>	<del>Farmer, Little River</del>	<del>D</del>
<del>28</del>	<del>Y. A. COX, JR.</del>	<del>Store Work, Stockton</del>	<del>S</del>
<del>29</del>	<del>JOHN BLOCHT</del>	<del>Farmer, Elberta</del>	<del>D</del>
<del>30</del>	<del>BRUCE WILLIS</del>	<del>Forester, Midlin</del>	<del>D</del>
<del>31</del>	<del>MARVIN BERGLIN</del>	<del>Creamery, Fairhope</del>	<del>S</del>
32	HANNIS HEAD	Ship Yard, Stapleton	
<del>33</del>	<del>JACK ROBERTSON</del>	<del>Farmer, Bay Minette</del>	<del>D</del>
34	J. ARTHUR BRYARS	Farmer, Stockton	
35	GRADY FAIRCLOTH	Merchant, Magnolia Springs	
<del>36</del>	<del>VIRGIL V. RHODES</del>	<del>Farmer, Bay Minette</del>	<del>D</del>
<del>37</del>	<del>BLAINE DICKMAN</del>	<del>Farmer, Bay Minette</del>	<del>D</del>
38	CHESTER A. STAPLETON	Merchant, Bay Minette	
39	WILLIAM A. MILLER	Barber, Bay Minette	
40	PIERCE HOLMES	Electrician, Stockton	
<del>41</del>	<del>ORRIS COGHLAN</del>	<del>Stockman, Tensaw</del>	<del>D</del>
<del>42</del>	<del>FRANCIS B. SMITH</del>	<del>Merchant, Tensaw</del>	<del>S</del>
43	DOCK GANEY	Farmer, Tensaw	
<del>44</del>	<del>J. CLEO BOOTHE</del>	<del>Carpenter, Fairhope</del>	<del>S</del>
<del>45</del>	<del>WOODROW BISHOP</del>	<del>Farmer, Fairhope</del>	<del>D</del>

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12  
3

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D. H H H H H H H H H H

State vs. Virginia Grinstead

THE STATE OF ALABAMA, }  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:  
An indictment having been found against

VIRGINIA GRINSTEAD

at the NOV. Term, 1948, of the Circuit Court of Baldwin County, for the offense of

ROBBERY

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 accord-  
ing to law

Dated this 4th day of Nov., 1948.

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 al-  
lowed 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. 13

**THE STATE**  
vs.

**VIRGINIA GRINSTEAD**

Bail Fixed in This Case in Open Court at

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

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

Attest: \_\_\_\_\_  
Clerk.

Executed this 8 day of Nov, 1948

By arresting the within

named Defendant

and placing him in jail

Laylor Wickins, Sheriff

Zacarie B. Griff, Deputy Sheriff

THE STATE OF ALABAMA,

vs.

VIRGINIA GRINSTEAD

No. 1035

On this the 1st day of December, 1948, 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 C. Lehair Thompson, who is a regularly licensed attorney practicing in this Court, be, and he hereby appointed counsel for the Defendant in this case.

On this the 1st day of December, 1948, 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

Not Guilty

On this 1st day of Dec., 1948, in the cause of the State of Alabama against VIRGINIA GRINSTEAD

wherein the Defendant is charged with the offense of ROBBERY 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 7th day of Dec., 1948, 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 72 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 71 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 62 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 herein-before 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 7th day of December, 1948.

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.

AFFIDAVIT

IN THE JUSTICE COURT OF  
FRANK P. PROPST

STATE OF ALABAMA,  
BALDWIN COUNTY

FRANK P. PROPST, Justice of the Peace

Before me,

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 11-1948 that one Virginia Gunstead

feloniously took \$10.00 - the property of Ben Bishop  
from his person, and against his will, by violence  
to his person or putting him in such fear as to unwilling  
to part with same against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 11

day of July A. D. 1948

Frank P. Propst, J. P.

H. F. Hall

WARRANT

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commaded to arrest Virginia Gunstead

and bring her

before me to answer the State of Alabama on a charge

Robbery

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

Witness my hand this 11 day of July 1948

Frank P. Propst, J. P.

No. 115-5

Page \_\_\_\_\_

**THE STATE OF ALABAMA**

BALDWIN COUNTY

JUSTICE COURT OF  
FRANK P. PROPST

**AFFIDAVIT**

THE STATE OF ALABAMA  
vs.

Virginia Gunstead

WITNESSES FOR THE STATE:

Ben Bishop  
mas. Marshal  
W.A. Sawyer  
cons. W.A. Sawyer  
Ben Kucherik

JUSTICE COURT OF  
**BALDWIN COUNTY**

**WARRANT OF ARREST**  
**THE STATE OF ALABAMA**

vs.

Virginia Gunstead

Executed this 10 day of July, 1948

By arresting the within

named Defendant

and placing him

her in jail

Taylor Wilkins ..... Sheriff  
Zollie B. Griffin Deputy Sheriff  
Asdale 50 miles



THE STATE OF ALABAMA  
Baldwin County

We, Virginia Grinstead, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of \$1,000.00

One Thousand 00/100 DOLLARS

unless the said Virginia Grinstead appear at the Fall Term, 1948 of the Grand Jury Court of Baldwin County, Alabama, and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Robbery

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt, by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, Baldwin County, Ala.

Virginia Grinstead (Seal)  
A. J. Harvey (Seal)  
Alice J. Harvey (Seal)  
Roy J. Shales (Seal)

Taken and approved this the 9th day of October 1948

Taylor Watkins, Sheriff  
By Joe Diebman Deputy Sheriff

1235  
1845

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

The State of Alabama,  
BALDWIN COUNTY

\_\_\_\_\_ COURT

SHERIFF'S OFFICE

The State  
vs.

*Virginia Shindler*

Sheriff's Appearance Bond

Amount of Bond, \$ \_\_\_\_\_

Filed \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_, Clerk

*[Faint handwritten notes]*

1033

*1114 Bond*  
*Countdown*

19. The Court charges the jury that although there may be no probability of the innocence of the defendant, yet, if there is in the minds of the jury a reasonable doubt of his guilt, it is the duty of the jury to give him the benefit of the doubt and acquit him.

*Given  
F. W. Hare  
Judge*

*Remuneration  
F. M. Face  
Judge*

18. The Court charges the jury that you are not authorized to find a verdict of guilty on the testimony of a single witness, if you have a reasonable doubt of the truth of his statement.

15. The Court charges the jury that if a conviction in this case depends upon the testimony of a single witness; and if the jury have a reasonable doubt as to the truthfulness of the testimony of such witness, they cannot convict the defendant.

*Given*  
*J. W. Hare*  
*Judge*

Winn  
L. W. Hare  
Judge

10. The Court charges the jury that the innocence of defendant is presumed until ~~his~~ guilt is established by the evidence in all the material aspects of the case beyond a reasonable doubt, to a moral certainty, and it may also be said that evidence of guilt must be strong and cogent, and, unless it is so strong and cogent as to show that defendant is guilty to a moral certainty, defendant should be acquitted.

*Review  
with  
Judge*

11. The Court charges the jury that the defendant enters into this trial with a presumption of innocence, and this is a fact in the case, which must be considered with all the evidence, and should not be disregarded.

*Lincoln  
St. Hare  
Judge*

2. The Court charges the jury that if there is one single fact proved to the satisfaction of the jury which is inconsistent with the defendant's guilt, this is sufficient to raise a reasonable doubt, and the jury should acquit *here*



W. H. H. H.  
S. H. H. H.  
Judge

12. The Court charges the jury that there is a legal presumption of innocence which is to be regarded as a matter of evidence by the jury to the benefit of which the accused is entitled, and as a matter of evidence it attends the defendant until his guilt is, by the evidence, placed beyond a reasonable doubt.

13. The Court charges the jury that the humane provision of the law is that every one charged with crime is presumed to be innocent, and this presumption goes with him as a shield for his protection throughout the entire trial until the state removes it by satisfying evidence of such character as to establish his guilt to a moral certainty.

*Handwritten:*  
Kramer  
1941  
Judge

*Handwritten signature*

1. The Court charges the jury that, if the jury, upon considering all the evidence, have a reasonable doubt about the defendant's guilt, arising out of any part of the evidence, they should find him not guilty.

*Winn  
F. W. Hare  
Judge*

7. The Court charges the jury that the burden is upon the state, and it is the duty of the state to show, beyond a reasonable doubt and to the exclusion of every other reasonable hypothesis every circumstance necessary to show that the defendant is guilty; and, unless the state has done that in this case, it is your duty, gentlemen of the jury, to render a verdict of not guilty.

5. The Court charges the jury that defendant cannot be convicted in this case unless each and every juror is not only reasonably satisfied from the evidence of defendant's guilt, but if satisfied from the evidence, and the evidence alone, beyond all reasonable doubt, and to a moral certainty, of his guilt.

*Kevin  
Hare  
D. H. Hare  
Judge*

*Simon  
Stewart  
Judge*

8. The Court charges the jury that the burden is on the state to convince you of defendant's guilt to the exclusion of every reasonable doubt, and by evidence that overcomes the presumption of fact, that the law surrounds the defendant with, that he is innocent of crime.

9. The Court charges the jury that the legal presumption of innocence is to be regarded by the jury in every case as a matter of evidence, to the benefit of which the accused is entitled; and, as a matter of evidence, it attends the accused until his guilt is, by the evidence, placed beyond a reasonable doubt.

*Senior  
Mr. Harl  
Judge*

3. The Court charges the jury that the expression that the jury must find the defendant not guilty "unless the evidence against him should be such as to exclude to amoral certainty every hypothesis but that of his guilt of the offense imputed to him," and that "evidence for the state should be so convincing as to lead the minds of the jury to the conclusion that the accused cannot be guiltless," are but strong expressions of the full measure of proof which the law exacts before it will sanction a conviction of a criminal offense, all of which only means that the jury must be convinced beyond a reasonable doubt.

*Handwritten note:*  
The Court's charge is correct.



Given  
F. W. Hare  
Judge

6. The Court charges the jury that if there is, from the evidence, a reasonable probability of defendant's innocence, the jury should acquit the defendant.

THE STATE

VS.

VIRGINIA GRINSTEAD

In the Circuit Court of Baldwin County,

December Term, 1938

Venire of the jurors in the above stated cause, names herein stated from No. 1 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. 71, both inclusive, being the regular jurors drawn and summoned for the Second week of the Fall Session Term of said Court, the said cause having been set for trial on the 7th day of December 1938, which is a day of said Second week of the Fall Session Term of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
1	WILLIAM RUFFLES SR.	PLUMBING	FAIRHOPE	FAIRHOPE
2	CARL LENZ	MECHANIC	ELBERTA	SAME
3	BROOKS BUSH, SR.	SCHOOL BUS DR.	CROSSROADS	SAME
4	ARCHIS McMILLAN	LOGGING	STOCKTON	SAME
5	HENDON HUXFORD HURLEY	MECHANIC	DAPHNE	SAME
6	GROVER WOODARD	RAILROAD	BAY MINETTE	SAME
7	HAROLD STUART	PRESSER	BAY MINETTE	SAME
8	R. HAROLD AGEE	MERCHANT	FOLEY	SAME
9	GEORGE A. LYRENE	FARMER	SILVERHILL	SAME
10	J. C. WYWN	FARMER	SUMMERDALE	SAME
11	GUST RIEMER	FARMER	ELBERTA	SAME
12	GEORGE K. PAGE	CLERK	ROBERTSDALE	SAME
13	R. N. STANTON	FARMER	ROBERTSDALE	SAME
14	BARNETT B. LARRIMORE	MERCHANT	ROBERTSDALE	SAME
15	NORMAN McENNIS	SUPT. MILL	STOCKTON	SAME
16	WILTON A. RACINE	CLERK	ROBERTSDALE	SAME
17	JACK JONES	MERCHANT	BAY MINETTE	SAME
18	JAMES T. BRADLEY	MERCHANT	BAY MINETTE	SAME
19	JOHN SCHENK F	FARME	ELBERTA	SAME
20	JOE WHITE	FARMER	LOXLEY	SAME
21	JULIUS P. ULRICH	LABORER	ELBERTA	SAME
22	JOHN E. LINGBERG	FARMER	SUMMERDALE	SAME
23	JAMES <del>WELSH</del> WELSH	LABORER	FOLEY	SAME
24	HAROLD BOONE,	SALESMAN	LOXLEY	SAME
25	ADOLPH WIGSTROM	FARMER	SILVERHILL	SAME
26	ROBERT GREEN <del>XXXXXXXX</del>	SHIP YARD	FAIRHOPE	SAME
27	JAMES C. GRAHAM	RETIRED	MAGNOLIA SPRINGS	SAME
28	AXEL RUNDQUIST	INSURANCE	SILVERHILL	SAME
29	ARTHUR SIRMON	FARMER	BELFOREST	SAME
30	MALVERN IRWIN	FARMER	GATESWOOD	SAME
31	GILBERT COOPER	FARMER	ROSINTON	SAME
32	TED W. COOPER	FARMER	ROSINTON	SAME
33	JOSEPH R. KROB	FARMER	SILVERHILL	SAME
34	CHARLES J. ELBERT	REAL ESTATE	FOLEY	SAME
35	ALTON B. HANKINS	FARMER	ROSINTON	SAME
36	HERBERT H. McLAIN	ELECTRICIAN	ROBERTSDALE	SAME
37	FLOYD BOONE	FARMER	GATESWOOD	SAME
38	J. C. MORRIS	FARMER	GATESWOOD	SAME
39	LEONARD E. GROVER	FARMER	DAPHNE	SAME
40	HENRY E. YENNE	FARMER	POINT CLEAR	SAME
41	RALPH GANTT	FARMER	LITTLE RIVER	SAME
42	Y. A. COX JR.	SHORE WORK	STOCKTON	SAME
43	EDWARD HABLEY	SCHOOL BUS	ELBERTA	SAME
44	JOHN BLOCHT	FARMER	ELBERTA	SAME
45	BRUCE WILLIS	FORESTER	MELIN	SAME
46	E. H. GOODEN	POSTAL CLERK	FAIRHOPE	SAME
47	MARVIN BERGLIN	CREAMERY	FAIRHOPE	SAME
48	OTTO BROWN	EXPERM. FARM.	FAIRHOPE	SAME
49	HANNIS HEAD	SHIP YARD	STAPLETON	SAME
50	LESLIE DEAN	SHIP YARD	STAPLETON	SAME
51	JACK ROBERTSON	FARMER	BAY MINETTE	SAME
52	J. ARTHUR BRYARS	FARMER	STOCKTON	SAME

No.	NAME	Occupation	Residence Address	Business Address
53	GRADY PATRICIOTH	MERCHANT	FAIRHOPE	SAME
54	VIRGIN V. RHODES	FARMER	BAY MINETTE	SAME
55	WARREN WILCOX	FARMER	ROSINTON	SAME
56	J. R. WILSON	AUTO DEALER	BAY MINETTE	SAME
57	BLAINE DICKMAN	FARMER	BAY MINETTE	SAME
58	JACK PAGE	CLERK	BAY MINETTE	SAME
59	JAMES LINDSEY	REAL ESTATE	BAY MINETTE	SAME
60	ARTHUR HARTSHORN	FARMER	FAIRHOPE	SAME
61	CHESTER A. STAPLETON	MERCHANT	BAY MINETTE	SAME
62	HOWARD CONVERSE	POTTER	FAIRHOPE	SAME
63	WILLIAM A. MILLER	BARBER	BAY MINETTE	SAME
64	PIERCE HOLMES	ELECTRICIAN	STOCKTON	SAME
65	ORRIS COGHLAN	STOCKMAN	TENSAW	SAME
66	DOCK GANEY	FARMER	TENSAW	SAME
67	FRANCIS B. SMITH	MERCHANT	TENSAW	SAME
68	E. K. MILES	BUS DRIVER	LITTLE RIVER	SAME
69	EDWARD MILES	PAPER MILL	LITTLE RIVER	SAME
70	WM. COLLINS	FISHERMAN	FOLEY	SAME
71	J. CLBO BOOTHE	CARPENTER	FAIRHOPE	SAME
72	WOODROW BISHOP	FARMER	FAIRHOPE	SAME
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I hereby certify that the foregoing is a correct list of the venire in the case of the State vs. Virginia Grinstead charged with Robbery; that the names of jurors from No. 1 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. 21, both inclusive, is a correct list of the regular jurors drawn and summoned for the second week of the fall Term, 1948, 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 3 day of Dec 1948  
Taylor Wickins  
 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 3 day of Dec, 1948, upon Virginia Grinstead the Defendant

Taylor Wickins Sheriff.

<b>The State of Alabama</b> Baldwin County	<b>CIRCUIT COURT</b>	LIST of JURORS and COPY of INDICTMENT	<b>STATE</b> vs.
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THE STATE OF ALABAMA, }  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:  
An indictment having been found against

CLARENCE MORRIS

at the NOV. Term, 1948, of the Circuit Court of Baldwin County, for the offense of

ROBBERY

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 4th day of Nov., 1948

*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. 13

**THE STATE**

vs.

**CLARENCE MORRIS**

Bail Fixed in This Case in Open Court at

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

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

Attest: \_\_\_\_\_  
Clerk.

Executed this 4 day of Nov, 1948

By arresting the within

named Defendant

and placing him in jail

Taylor Wilkins, Sheriff  
Zollie B. Griffin Deputy Sheriff

THE STATE OF ALABAMA, }  
Baldwin County.

CIRCUIT COURT

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

Case No. 1033 Term, Dec. 1948

To Any Sheriff of the State of Alabama :

You are Hereby Comanded to Summon BEN BISHOP, MRS. INA MARSHALL,

W. A. SAWYER, BEN KUBERA, MR. S W. A. SAWYER, TAYLOR WILKINS,

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 17<sup>th</sup> day of DECEMBER 1948, 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 CLARENCE MORRIS

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 15<sup>th</sup> day of NOV. A.D., 1948.

*Mrs.* R. S. DUCK, Clerk.

11-27-48

Received in office 11-27 1938

Executed this 11-29 1938

By Henry in full

*Robert L. Barmwell*

V

ORIGINAL

For \_\_\_\_\_

No. 1033 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

THE STATE

vs.

CLARENCE MORRIS

STATE SUBPOENA

Issued this 15<sup>th</sup> day of

NOV. 18 1948

*Henry in full*  
Clerk.

*Taylor Wilson*  
*H. H. Hall*  
Sheriff.

THE STATE OF ALABAMA }  
BALDWIN COUNTY.

No. 18

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are hereby commanded to summon Ben Bishop, Mrs. Marshall,  
W. A. Sawyer, Ben Kusera

to be and appear on the 1st day of November, 1948, 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 the 7 day of Oct., 1948

Alice J. Duck Solicitor  
clerk



*Robert Dale  
Barnwell*

ORIGINAL

No. *18*

**GRAND JURY SUBPOENA**

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

*By serving in full*

this *22* day of *Oct* 19*24*

*Taylor K. Williams* Sheriff

*OK 7 14 all*  
*P.S.*

**THE STATE OF ALABAMA,**

BALDWIN COUNTY

Justice Court of FRANK P. PROPST, Notary  
Public, Ex-Officio Justice of the Peace. Precinct 4,  
Bay Minette, Alabama

To Any Sheriff of the State of Alabama:  
You Are Hereby Commanded to Summon

Ben Bishop Mrs Marsh

W. A. Sawyer Ben Kuehner

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

30 day of July 10<sup>30</sup> AM, 1918, 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 Clarence Morris

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 15 day of July, A.D. 1918

Frank P Propst

Justice of the Peace, Precinct No. 4

Executed in full, this the

30 day of

July, 1948

Taylor Wilkins  
Sheriff.

Zoeie B. Griffin  
Deputy Sheriff.

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. J. 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 11-1948 that one Clarence Morris

feloniously took \$10.00 the property of Ben Bishop from his  
and against his will by violence to his person or  
putting him in such fear as unwillingly to part  
with same

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 11

day of July A. D. 1948  
Frank P. Propst, J. P.

H. J. Hall

WARRANT

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commaded to arrest Clarence Morris

and bring him

before me to answer the State of Alabama on a charge

Robbery

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

Witness my hand this 11 day of July, 1948  
Frank P. Propst, J. P.

**THE STATE OF ALABAMA**

BALDWIN COUNTY

JUSTICE COURT OF  
FRANK P. PROPST

**AFFIDAVIT**

THE STATE OF ALABAMA  
vs.

*Clarence Morris*

WITNESSES FOR THE STATE:

*Ben Bishop*  
*Mrs. Marshall*  
*W a Sawyer*  
*Ben Kuchera*

JUSTICE COURT OF  
**BALDWIN COUNTY**

**WARRANT OF ARREST**  
**THE STATE OF ALABAMA**

vs.

*Clarence Morris*

Executed this 10 day of July, 1948.

By arresting the within

named Defendant

and placing him in jail

*Taylor Williams*....., Sheriff

*Zelie B. Griffin*..... Deputy Sheriff

*Rsdale 50 miles*

THE STATE OF ALABAMA,

Baldwin County.

Circuit Court, Fall Session Term 1948

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

are Virginia Grinstead and Clarence Morris alias Clarence Norris, whose names to the Grand Jury ~~are~~ otherwise unknown, feloniously took one Ten Dollar Bill, of the lawful currency of the United States of America, of the value of Ten Dollars, the property of Ben Bishop, from his person, and against his will by violence to his person, or by putting in such fear as unwillingly to part with the same,

against the peace and dignity of the State of Alabama.

A. E. Elliott  
Solicitor of the Twenty-First Judicial Circuit.

No. ....

**THE STATE OF ALABAMA,  
BALDWIN COUNTY**

**Circuit Court**

Term, 194.....

~~Fall Session~~ ~~XXXX~~ 0

THE STATE

Vs.

VIRGINIA GRINSTEAD and

CLARENCE MORRIS

**INDICTMENT**

No. Prosecutor.

WITNESSES:

Ben Bishop

Mrs. Ina Marshall

W. A. Sawyer

Ben Kucera

Mrs. W. A. Sawyer

Taylor Wilkins

GRAND JURY NO. 13

A TRUE BILL

V. O. McMiller Foreman Grand Jury.

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

4th

, 194.....

Nov

8

, Clerk.

Presented in open Court to the presiding  
Judge by the Foreman of the Grand Jury, in

the presence of ..... other Grand Jurors.

17

Alice J. Duck Clerk.

Bail fixed \$.....

Judge.

THE STATE

VS.

VIRGINIA GRINSTEAD

In the Circuit Court of Baldwin County,

December Term, 1938

Venire of the jurors in the above stated cause, names herein stated from No. 1 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. 71, both inclusive, being the regular jurors drawn and summoned for the Second week of the Fall Session Term of said Court, the said cause having been set for trial on the 7th day of December 1938, which is a day of said Second week of the Fall Session Term of said Court, to-wit:

No.	NAME	Occupation	Residence Address	Business Address
1	WILLIAM RUFFLES SR.	PLUMBING	FAIRHOPE	FAIRHOPE
2	CARL LENZ	MECHANIC	ELBERTA	SAME
3	BROOKS BUSH, SR.	SCHOOL BUS DR.	CROSSROADS	SAME
4	ARCHIE McWILLIAN	LOGGING	STOCKTON	SAME
5	BENDON HUXFORD HURLEY	MECHANIC	DAPHNE	SAME
6	GROVER WOODARD	RAILROAD	BAY MINETTE	SAME
7	HAROLD STUART	PRESSER	BAY MINETTE	SAME
8	R. HAROLD AGEE	MERCHANT	FOLEY	SAME
9	GEORGE A. LYBENE	FARMER	SILVERHILL	SAME
10	J. C. WYNN	FARMER	SUMMERDALE	SAME
11	GUST RIEMER	FARMER	ELBERTA	SAME
12	GEORGE K. PAGE	CLERK	ROBERTSDALE	SAME
13	R. N. STANTON	FARMER	ROBERTSDALE	SAME
14	BARNETT B. LARRINGORE	MERCHANT	ROBERTSDALE	SAME
15	NORMAN McENNIS	SUPT. MILL	STOCKTON	SAME
16	WILTON A. RAGINE	CLERK	ROBERTSDALE	SAME
17	JACK JONES	MERCHANT	BAY MINETTE	SAME
18	JAMES T. BRADLEY	MERCHANT	BAY MINETTE	SAME
19	JOHN SCHENK F	FARMER	ELBERTA	SAME
20	JOE WHITE	FARMER	LOXLEY	SAME
21	JULIUS P. ULRICH	LABORER	ELBERTA	SAME
22	JOHN E. LINGBERG	FARMER	SUMMERDALE	SAME
23	JAMES WELSH WELSH	LABORER	FOLEY	SAME
24	HAROLD BOONE,	SALESMAN	LOXLEY	SAME
25	ADOLPH WIGSTROM	FARMER	SILVERHILL	SAME
26	ROBERT GREEN McLELLAN	SHIP YARD	FAIRHOPE	SAME
27	JAMES C. GRAHAM	RETIRED	MAGNOLIA SPRINGS	SAME
28	AXEL RUNDQUIST	INSURANCE	SILVERHILL	SAME
29	ARTHUR SIMON	FARMER	BELFOREST	SAME
30	MALVERN IRWIN	FARMER	GATESWOOD	SAME
31	GILBERT COOPER	FARMER	ROSINTON	SAME
32	TED W. COOPER	FARMER	ROSINTON	SAME
33	JOSEPH R. KROB	FARMER	SILVERHILL	SAME
34	CHARLES J. ELBERT	REAL ESTATE	FOLEY	SAME
35	ALTON B. HANKINS	FARMER	ROSINTON	SAME
36	HERBERT H. McLAIN	ELECTRICIAN	ROBERTSDALE	SAME
37	FLOYD BOONE	FARMER	GATESWOOD	SAME
38	J. C. MORRIS	FARMER	GATESWOOD	SAME
39	LEONARD E. GROVER	FARMER	DAPHNE	SAME
40	HENRY E. YENNS	FARMER	POINT CLEAR	SAME
41	RALPH GANTT	FARMER	LITTLE RIVER	SAME
42	F. A. COX JR.	SCORE WORK	STOCKTON	SAME
43	EDWARD HADLEY	SCHOOL BUS	ELBERTA	SAME
44	JOHN BLOCHT	FARMER	ELBERTA	SAME
45	BRUCE WILLIS	FORESTER	MUELLER	SAME
46	E. H. GOODEN	POSTAL CLERK	FAIRHOPE	SAME
47	MARVIN BERGLIN	CREAMERY	FAIRHOPE	SAME
48	OTTO BROWN	EXPERM. FARM.	FAIRHOPE	SAME
49	HARRIS HEAD	SHIP YARD	STAPLETON	SAME
50	LESLIE DEAN	SHIP YARD	STAPLETON	SAME
51	JACK ROBERTSON	FARMER	BAY MINETTE	SAME
52	J. ARTHUR BEYARS	FARMER	STOCKTON	SAME



No.	NAME	Occupation	Residence Address	Business Address
53	CRADY FAIRCLOTH	MERCHANT	FAIRHOPE	SAME
54	VIRGIE V. RHODES	FARMER	BAY MINETTE	SAME
55	WARREN WILCOX	FARMER	ROSINTON	SAME
56	J. R. WILSON	AUTO DEALER	BAY MINETTE	SAME
57	BLAINE DICKMAN	FARMER	BAY MINETTE	SAME
58	JACK PAGE	CLERK	BAY MINETTE	SAME
59	JAMES LINDSEY	REAL ESTATE	BAY MINETTE	SAME
60	ARTHUR HARTSHORN	FARMER	FAIRHOPE	SAME
61	CHESTER A. STAPLETON	MERCHANT	BAY MINETTE	SAME
62	HOWARD CONVERSE	POTTER	FAIRHOPE	SAME
63	WILLIAM A. MILLER	BARBER	BAY MINETTE	SAME
64	PIERCE HOLMES	ELECTRICIAN	STOCKTON	SAME
65	ORRIS GOSHLAN	STOCKMAN	TENSAW	SAME
66	DOCK CANBY	FARMER	TENSAW	SAME
67	FRANCIS B. SMITH	MERCHANT	TENSAW	SAME
68	E. K. MILES	BUS DRIVER	LITTLE RIVER	SAME
69	EDWARD MILES	PAPER MILL	LITTLE RIVER	SAME
70	W. COLLINS	FISHERMAN	POLEY	SAME
71	J. CLEO BOOTE	CARPENTER	FAIRHOPE	SAME
72	WOODROW BISHOP	FARMER	FAIRHOPE	SAME
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. \_\_\_\_\_ charged with \_\_\_\_\_; that the names of jurors from No. \_\_\_\_\_ to No. \_\_\_\_\_, both inclusive, are the special jurors drawn by the presiding Judge, in open Court, and that the names of jurors from No. \_\_\_\_\_ to No. \_\_\_\_\_, both inclusive, is a correct list of the regular jurors drawn and summoned for the \_\_\_\_\_ week of the \_\_\_\_\_ Term, 193\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_

\_\_\_\_\_  
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 \_\_\_\_\_ day of \_\_\_\_\_, 193\_\_\_\_, upon \_\_\_\_\_ the Defendant \_\_\_\_\_ Sheriff.

<p style="text-align: center;"><b>The State of Alabama</b> Baldwin County</p> <p style="text-align: center;"><b>CIRCUIT COURT</b></p> <p style="text-align: center;">LIST of JURORS and COPY of INDICTMENT</p>	<p style="text-align: center;"><b>STATE</b> vs.</p>
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THE STATE OF ALABAMA,

VS.

CLARENCE MORRIS

No. 1033

On this the 4th day of Nov., 1948, 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 C. L. THOMPSON, 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 4th day of Nov., 1948, 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 he is not guilty

On this 4th day of Nov., 1948, in the cause of the State of Alabama against CLARENCE MORRIS

wherein the Defendant is charged with the offense of ROBBERY 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 7th day of Dec., 1948, 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 72 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 71 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 1 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 herein-before 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 7th day of Dec., 1948

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.

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	<i>Robbery</i>
No.	Vs.	
	<i>Clarence Morris</i>	

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>H.F. Ball</i>	<b>JUDGE'S FEES</b>	
Returnable <i>Justice Court</i>	Warrant at 50c, Affidavit at 25c.....	75
Witness—For State <i>Ben Bishop</i>	Bond at 50c, Sci. Fa. at 50c.....	
<i>Mrs. Marshall, W.G. Sawyer</i>	Witnesses' Recognizances at 25c.....	
<i>Ben Kucheris</i>	Subpoena or Notice at 25c.....	100
<i>from the witness in this court</i>	Continuance at 25c.....	
<i>I bound the defendant on to the</i>	Trial of Misdemeanor at \$1.00.....	100
<i>action of the Grand Jury Fall</i>	Mittimus at 25c.....	25
<i>Term Circuit Court under \$1500</i>	Judgment on Forfeited Bond at 25c.....	
<i>bond</i>	Taking Bond, etc., on Appeal at \$1.00.....	
	Execution of costs at 25c.....	
	<b>CONSTABLE'S FEES</b>	3.00
	Subpoena or Notice at 25c.....	
	Carrying Defendant before Justice,	
	each mile for himself and guard at 10c	
	Arrest, 50c.....	
	<b>SHERIFF'S FEES</b>	4.00
	Arrest, \$2.00; Bond \$1.00; Sci. Fa., 50c.....	
	Committing, \$1.00; Releasing, \$1.00.....	1.00
	Subpoenas at 25c Day's Board at 30c.....	2.00
	<b>WITNESS FEES</b>	2.00
	Days at 50c.....	5.00
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	<b>DEFENDANT'S COSTS</b>	
	Witnesses' Recognizance at 25c.....	
	Subpoenas at 25c.....	
	Executing Subpoenas.....	

*Frank P. Probst J.P.*

*President of Baldwin Co*

1033