

1098

The State of Alabama, {  
Baldwin County }

We, Ernest Howard Winchester, as

principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of One thousand dollars & no DOLLARS

unless the said Ernest Howard Winchester appears at the Springer Term, 1954 of the Circuit Court of Baldwin County, Alabama

and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Burglary

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 \_\_\_\_\_, 195\_\_\_\_\_

\_\_\_\_\_ Baldwin County, Ala.

Ernest H. Winchester L. S.

Ernest Winchester L. S.

BROADUS, PIERCE & DICKERSON

BONDING COMPANY

By: Harold Puse L. S.

Taken and approved this the 23 day of Feb. 1954

J. M. Taylor, Sheriff

By J. M. Taylor, Deputy Sheriff

STATE OF ALABAMA, )  
Plaintiff, )  
Vs. )  
HOWARD WINCHESTER, )  
Defendant )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

CRIMINAL DIVISION

Case No. 1098

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Comes now your petitioner, Kenneth Cooper, Solicitor, 28th  
Judicial Circuit, Baldwin County, Alabama, and respectfully shows unto  
Your Honor that,

(1) On March 23, 1949, the Defendant, Howard Winchester, was in-  
dicted by the Grand Jury of this County for the offense of burglary, 2nd  
degree;

(2) That the Clerk of this Court, Mrs Alice J. Duck, on March 24,  
1949, issued a capias for arrest of the Defendant, Howard Winchester;

(3) That the said charge of burglary, 2nd degree, was "continued"  
on the docket book of this Honorable Court from the Spring Session, 1949,  
until the Fall Session, 1949;


(4) That the said charge was "continued" at the 1949 Fall  
Session of this Court, to-wit, on December 1, 1949;

(5) That at the Spring Session, 1950, to-wit on April 4, 1950,  
this Court granted leave to withdraw and file the said charge of Burglary,  
2nd degree, against the said Defendant, Howard Winchester, because the  
said defendant was in the federal penitentiary in Atlanta, Georgia;

(6) That Taylor Wilkins, Sheriff of Baldwin County, Alabama,  
on February 12, 1954, made a return on the capias against said Defendant,  
Howard Winchester, by placing him in jail;

(7) That Defednant, Howard Winchester, was granted bail in the  
amount of \$1000.00, on February 23, 1954, amount of said bond having been  
reduced from \$3000.00 by order of this Honorable Court.

The premises considered, your petitioner, Kenneth Cooper,  
respectfully prays that this Honorable Court make an order reinstating  
the case in order that the ends of justice may be met.

  
Circuit Solicitor

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT

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

Case No. 1098

Term Spring, 19450

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon Roy Moyer, Taylor Wilkins, A. F. Adams

Rex Downey.

*Rex Downey*

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 10th day of April, 19450, at 10:00 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 STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and HOWARD WINCHESTER

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

Witness my hand this 1st day of April A. D. 19450 Mrs. R. S. DUCK, Clerk.

Received in office -----, 194

Executed this -----, 194

By -----

ORIGINAL

For -----

No. 1098 ----- Page -----

The State of Alabama,  
Baldwin County.

CIRCUIT COURT

THE STATE  
Vs.

HOWARD WINCHESTER

STATE SUBPOENA

Issued this 1st ----- day of

April ----- 1940

Sheriff

Clerk.

STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

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

Case No. 1098

Term Spring, 1942

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon

Ray Moyer

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 10<sup>th</sup> day of April, 1942, at 10:30 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 Howard Winchester

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 1st day of April A. D. 1942

ALICE J. DUCK, Clerk.

STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

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

Case No. 1098

Term Spring, 1950

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon \_\_\_\_\_

Ingram 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 10<sup>th</sup> day of April, 1950, at 10:00 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 STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Howard Winchester

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

Witness my hand this 1<sup>st</sup> day of April A. D. 1950

ALICE J. DUCK, Clerk.

STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

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

Case No. 1098

Term Spring, 1942

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon

A. F. Adams

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 10<sup>th</sup> day of April, 1942, at 10:00 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 STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Howard Winchester

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

Witness my hand this 12<sup>th</sup> day of April A. D. 1942

ALICE J. DUCK, Clerk.

STATE OF ALABAMA,

CIRCUIT COURT

Baldwin County

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

Case No. 1098

Term Spring, 1957

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to Summon

Ray Lowrey

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 10th day of April, 1957 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 STATE in a prosecution now pending in said Court, wherein the STATE OF ALABAMA is Plaintiff and Harward Winchester

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 1st day of April A. D. 1957

Alice J. Duck, Clerk.



THE STATE OF ALABAMA,  
Baldwin County

} Circuit Court, --Spring-- Session, 194\_9

The Grand Jury of said County charge that before the finding of this indictment  
Howard Winchester, whose name is to the Grand Jury otherwise unknown, with  
intent to steal, broke into and entered the drugstore of Roy Moyer, in which goods,  
merchandise, or clothing, things of value, were kept for use, sale, or deposit,

against the peace and dignity of the State of Alabama.

*Kenneth Cooper*  
Solicitor of the Twenty-eighth Judicial Circuit.

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

THE STATE OF ALABAMA,  
Baldwin County

Circuit Court

Spring Session, 1949

THE STATE  
Vs.

Howard Winchester

INDICTMENT

Burglary, 2nd degree

NO Prosecutor.

WITNESSES:

ROY MOYER

A. F. ADAMS

TAYLOR WILKINS

REX DOWNEY

GRAND JURY NO. 48

A TRUE BILL

*Frank J. Peterson*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 23rd day of  
March, 1949

*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 \$ ~~500.00~~  
~~3000.00~~

*Jefair J. Madbury, Jr.*  
Judge

*2/23/49 Bail reduced  
from \$3000.00 to \$1000.00  
Sheriff authorized to release  
defendant upon parent's  
bond of \$1000.00 to be  
approved by Sheriff  
10/23/49 Judge*

IN THE FULTON COUNTY SUPERIOR COURT

In Re: Extradition of Ernest Howard Winchester

To the State of Alabama

WAIVER

I, Ernest Howard Winchester, having been informed by the undersigned Judge of the Superior Court of the Atlanta Judicial Circuit of the charges against me and of my rights under the Uniform Criminal Extradition Act, do hereby waive said rights and consent to be returned to the State of Alabama.

This the 12th day of February, 1954

Ernest H. Winchester

ORDER

Ernest Howard Winchester, having been brought before the Court, and he having been informed by the Court of his rights under the Uniform Criminal Extradition Act, and he having waived said rights and all other procedure incidental to extradition proceedings by the attached writing executed and subscribed by him in my presence.

NOW THEREFORE, it is ordered and directed that said Ernest Howard Winchester be delivered forthwith to George Crawford, a duly accredited agent of said demanding State, together with a certified copy of this order and attached writing, for the purpose of returning said Ernest Howard Winchester to said demanding State to be there dealt with as provided by law. Ordered further that a certified copy of this order and attached writing be forwarded to the office of the Governor of Georgia to be filed therein, and the original thereof be filed by the Clerk of this Court.

This the 12th day of February, 1954

Virlyn B. Moore  
Judge, Superior Court,  
Atlanta Judicial Circuit

I, Carlos Hopkins, Deputy Clerk of the Fulton County Superior Court, do hereby certify that the attached is a true and correct copy of the waiver and order in the matter of the extradition of Ernest Howard Winchester to the state of Alabama, the original of which is on file and of record in my office.

This the 12 day of Feb, 1954

(Seal)

Carlos Hopkins  
Deputy Clerk, Superior Court,  
Fulton County

THE STATE OF ALABAMA,  
Baldwin County

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

Howard H. Inchester

at the Spring Term, 1949, of the Circuit Court of Baldwin County, for the offense of

Burglary, 2nd 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 24 day of March, 1949

Alice J. Dorick  
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.

1090

**CAPIAS**

No. 48.

**THE STATE**

vs.

Howard H. Incheater

Bail Fixed in This Case in Open Court at

\$3000 <sup>00</sup> ~~XX~~

By Jefferson J. Washburn  
Judge Presiding.

Attest: Alice J. Duch  
Clerk.

Executed this 12 day of Feb, 1954

By arresting the within

named Defendant

and placing him in jail

J. W. Wilkins Sheriff

\_\_\_\_\_, Deputy Sheriff

Om

160502

**FOREIGN**