

June 22, 1951

Received of Alice French

1. folding table with benches

2. 2 red chairs

3. 2 blue chairs

4. Blue Umbrella Stand

this 22nd of June 1951

Gertrude W. Jeffries

STATE OF ALABAMA

V.

CALLA MAI TANNER

§
§
§
§
§

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

NO.

TO ALICE J. DUCK, CLERK OF SAID COURT:

You are hereby directed to turn over to Mrs. Gertrude Jefferies, the complaining witness in the above styled cause, the following pieces of furniture:

Exhibit "1", large table

Exhibits "2" and "3", long benches

Exhibits "4" and "5", small benches

Exhibit "10", umbrella stand

Exhibits "7", "8", "11" and "12", chairs; and

You are further ordered to take receipt from Mrs. Jefferies for the same.

Done this 22nd day of June, 1951.

Julian A. Madlibewitz
Judge

STATE OF ALABAMA,
BALDWIN COUNTY

IN THE JUSTICE COURT OF

Precinct 14

Before me,

M.R. Howell, J.P.

in and for said County, personally appeared Mrs J.M. Jeffries 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 29-th that one Mrs Garner

was in possession of stolen property, which
was identified as the property of Mrs J.M.
Jeffries

_____ against the peace and dignity of the State of Alabama _____

Sworn to and subscribed before me this 29

day of May A. D. 1949

M.R. Howell, J. P.

Mrs. J. M. Jeffries

No. -----

Page -----

THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT OF

A F F I D A V I T

THE STATE OF ALABAMA

vs.

WITNESSES FOR THE STATE:

LAW OFFICES
HOLBERG, TULLY AND ALDRIDGE

SUITE 631-636 - FIRST NATIONAL BANK BLDG.

P. O. BOX 47

MOBILE 1, ALABAMA

RALPH G. HOLBERG, JR.
ALBERT J. TULLY
HENRI M. ALDRIDGE

Dec.
23rd,
1949

Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: STATE OF ALABAMA VS. CALLA MAI TANNER

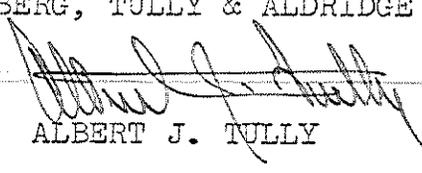
Dear Mrs. Duck:

This will confirm my telephone conversation with Mr. Kenneth Cooper today in which we have agreed upon hearing our motion to quash the indictment in the above entitled cause January 10, 1950, at 10:00 A.M. We shall be glad, therefore, if you will issue the subpoenas requested by us in our letter to you of November 29, 1949.

With every good wish for the very merriest of Christmases and a New Year filled with health, happiness and prosperity, I remain

Very sincerely yours,

HOLBERG, TULLY & ALDRIDGE

By: 

ALBERT J. TULLY

AJT/g

LAW OFFICES
HOLBERG, TULLY AND ALDRIDGE
SUITE 631-636 - FIRST NATIONAL BANK BLDG.
P. O. BOX 47
MOBILE 1, ALABAMA

RALPH G. HOLBERG, JR.
ALBERT J. TULLY
HENRI M. ALDRIDGE

Nov.
29th,
1949

Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: STATE OF ALABAMA VS. CALLA MAI TANNER

Dear Mrs. Duck:

Enclosed herewith we are handing you the original and one copy of a motion to quash the indictment in the above entitled matter. We shall be glad if you will file this motion for us, serving a copy upon the Solicitor, Mr. Kenneth Cooper.

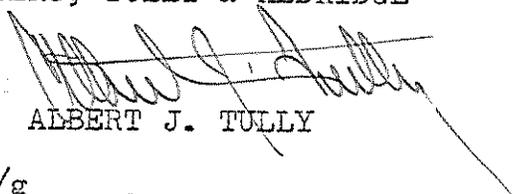
We are not yet advised as to the date of the hearing of this motion and are today corresponding with Mr. Cooper offering to agree with him on a date and time for the hearing. As soon as the date of the hearing shall have been fixed, we shall be glad if you will issue subpoenas to several witnesses to attend this hearing. One of the witnesses

1. will be Mr. George Brown, foreman of the Grand Jury, who, we believe, resides at Foley, Alabama. Another member of
- 2 - the Grand Jury was a Mr. Kruger, of the Foley Butane Company, Foley, Alabama, and we should like to have him subpoenaed as a witness. Will you also issue a subpoena
3. to Alice J. Duck, Clerk of the Court, duces tecum all records, dockets and other written evidence of the subpoena and appearance of witnesses before the Grand Jury in connection with case No. 53.

We shall be most grateful for your continued courtesies to us. Meanwhile, with all good wishes, we remain

Very sincerely yours,

HOLBERG, TULLY & ALDRIDGE

By: 
ALBERT J. TULLY

AJT/g

encl. 2

The State of Alabama,

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Beisig Duck

at the instance of the self, if he should be found in your County, personally to be and appear before the Circuit Court of Baldwin County at the present term thereof, to be holden at the Court House in Bay Minette, to wit: on the 10th day of Jan, 1940 at _____, and to bring with him and produce at the time and place aforesaid, to be used

as evidence ~~Receipts, docket and subpoena of witness~~ (here describe it), and then and there testify and the truth to speak concerning all and singular those things of which he may have knowledge, or the said instrument of writing doth import of, and concerning, and concerning a certain suit now pending and undetermined in said Court, wherein _____

State of Ala - Plaintiff and Callie Mari Gannett

Defendant. And this he shall in nowise omit, under penalties of what the law directs, and shall have you, then and there this writ with your endorsement thereon in what manner you have executed same.

Witness my hand, this 27th day of Dec, 1949

Beisig Duck
Clerk.

Executed 12-28 1949
by serving copy of within Summons and
Complaint on

Alice Quack

Jayla Wilkins Sheriff
H. F. Hall Deputy Sheriff

No. 1157

THE STATE OF ALABAMA
Baldwin County

State of Ala

Plaintiff.

VS. SUBPOENA DECUS TECUM

Callie Mae Jannet

Defendant.

CIRCUIT COURT

WITNESSES:

Alice J. Quack

SET FOR TRIAL

day of _____, 19

THE STATE OF ALABAMA

CIRCUIT COURT

Baldwin County.

SUB. No. _____

Case No. 1157

Term, July, 1939

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Mr. George Brown, July
Mr. Hubert
Go July Burtner

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 June, 1939 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 Cecile Mai Turner

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

Witness my hand this 2nd day of June A. D., 1939.

R. S. DUCK, Clerk.

Received in office 12-28, 1939

Executed this 12-29, 1939

By Serving in full

ORIGINAL

For _____

No. 1157 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court

THE STATE

Vs.

Carrie Mae Tanner

STATE SUBPOENA

Issued this 27th day of

dec, 1939

Taylor Wilkins
W. F. Hall Sheriff.

Benjamin Clerk.

THE STATE OF ALABAMA, }
Baldwin County.

No. 7

TO Any Sheriff of the State of Alabama — Greetings:

You are hereby commanded to summon Mrs. F. M. Jefferies, Mrs. Gates
2915 Clairmont Ave. Birmingham, Ala.

to be and appear on the 27th day of March 1945 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 13th day of March A. D., 1945

Alice J. Duck Clerk.

Baldwin Pa
9 89 ✓

ORIGINAL

No. 7

GRAND JURY SUBPOENA

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

[Empty lines for names]

this 16 day of March 1940
Dan Moore, Sheriff

Moore

GRAND JURY SUBPOENA
COUNTY OF WYOMING

TO THE GRAND JURORS OF THE COUNTY OF WYOMING

Moore

THE STATE OF ALABAMA, }
BALDWIN COUNTY

We, Callie Mai Tanner, as principal and
the undersigned Ronald Lander and Anel Gallaway
as sureties, agree to pay the State of Alabama the sum of Five Hundred DOLLARS
unless the said Callie Mai Tanner appears at the
Fall Term, 1949 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

Persecuting & Concealing Stolen Property
and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other
process for collection of debt, by constitution of the State of Alabama, and we hereby severally certify that
we have property over and above all debts and liabilities to the amount of the above bond.

Callie Mai Tanner (Seal)
Ronald Lander (Seal)
Anel Gallaway (Seal)
_____ (Seal)

Taken and approved this the 9 day of June, 1949
Paulo Walker Sheriff
_____, J. P.

By W. F. Hall D.S.; Constable

No.-----

The State of Alabama,
BALDWIN COUNTY

Howell's Court

SHERIFF'S OFFICE

THE STATE
VS.

APPEARANCE BOND

Amount of Bond, \$-----

Filed, -----, 194-----

----- Clerk

RECORDED

STATE OF ALABAMA
VS.
CALLA MAI TANNER

§ IN THE CIRCUIT COURT OF
§ BALDWIN COUNTY, ALABAMA
§ NO. _____

Comes now Calla Mai Tanner, the defendant in the above entitled proceeding, and respectfully moves the Court to quash the indictment heretofore returned in this proceeding and as grounds therefor says as follows:-

1. Defendant says that before this indictment was returned she was required to attend and appear before the same Grand Jury that returned said indictment and to give evidence touching the offense charged against her, without her consent, and that she was thus deprived of her Constitutional rights in connection with the matters set out in said indictment.

2. Defendant says that on a day prior to the time that this indictment was found by the Grand Jury and returned to the Court, this defendant was subpoenaed and compelled to attend and appear before the said Grand Jury to give evidence in the case wherein she was charged with the offense of receiving stolen property, and that said defendant did so appear before said Grand Jury and was then and there required to make statements in answer to their interrogatories touching the crime charged against her and in relation to and in connection with the matters charged in said indictment, and defendant says that she was not advised by the Solicitor in charge of said Grand Jury of her Constitutional rights, and that at the time she was so compelled to testify concerning said matters the Solicitor in charge of said Grand Jury and the said Grand Jury well knew that the defendant was charged with and suspected of the crime named in the indictment. And defendant says that, after she was so compelled to testify

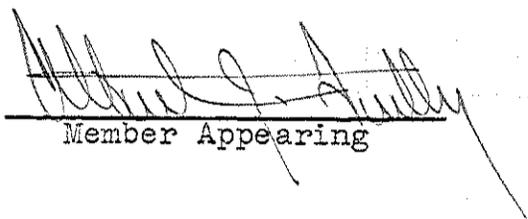
in said matter, the said Grand Jury returned this indictment against her.

WHEREFORE, defendant moves that said indictment be quashed and she be permitted to go hence.

CALLA MAI TANNER

By: HOLBERG, TULLY & ALDRIDGE
Attorneys for defendant

By:


Member Appearing

FILED

NOV 30 1949

ALICE J. DUCK, Clerk

THE STATE OF ALABAMA,
BALDWIN COUNTY

Before me, M. R. Howell J.P.
personally appeared Robert J. Carlisle

who, being duly sworn, deposes and says that he has probable cause for believing and does believe that

Certain personal property removed from
the premises of Mrs M Jeppies on the Canal
without her permission is now located
at Bear Point on premises identified by
a sign as "Mrs Janner"

Robert J. Carlisle

Sworn to and subscribed before me this 29 day of May, A. D. 1949

M. R. Howell, J. P.

Search Warrant

The State of Alabama, Baldwin County:

TO THE SHERIFF OR ANY CONSTABLE OF SAID COUNTY:

Proof by affidavit having been made this day before me, by Robert J. Carlisle
that he has probable cause for believing and does believe that personal property

of Mrs M Jeppies removed from her
house on the Canal is now located on
property identified by a sign as "Mrs Janner"

You are hereby commanded, in the day time, ^{at night} to make immediate search on the ~~premises~~ of Property of Mrs Janner, his residence, barn, or other outhouses
on his premises or within the curtilags thereof.

for the following property: iron work table, bench, chair, iron
table, wood, yard work and any other property
belonging to Mrs Jeppies

and if you find the same or any part thereof, to bring it forthwith before me, at my office at _____

Dated the 29 day of May, 1949

M. R. Howell, J. P.

P. 382

STATE OF ALABAMA
Baldwin County

Affidavit and Writ for Search
Warrant

JUSTICE COURT OF

EXECUTED BY

5-29-49

Searching the premises
of Mrs. J. J. ... and
finding the ...
described property
about 8 p.m. - 5-29-49

J. J. ... Sheriff
W. F. Hall

[Faint handwritten notes and signatures in the right margin, including names like "J. J. ..." and "W. F. Hall" repeated vertically.]

AFFIDAVIT

STATE OF ALABAMA,
BALDWIN COUNTY

In the Justice Court of PRECINCT 14

Before me, M.R. HOWELL, J.P.

in and for said County, personally appeared MRS F.M. JEFFERIES 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 29th 1949 that one Mrs CALLA MAI TANNER

DID BUY, RECEIVE, CONCEAL, OR AID IN CONCEALING, THIRTY-FIVE PIECES
OF HOUSEHOLD GOODS (DESCRIBED ON ATTACHED EXHIBIT #1) OF THE VALUE OF
EIGHT HUNDRED DOLLARS (\$800.00), THE PERSONAL PROPERTY OF MRS F.M.
JEFFERIES., KNOWING THAT IT WAS STOLEN, AND NOT HAVING THE INTENT TO
RESTORE IT TO THE OWNER, AGAINST THE PEACE AND DIGNITY OF THE STATE
OF ALABAMA

Sworn to and subscribed before me this 29th

day of May A. D. 1949

M. R. Howell J.P.

Mrs. F. M. Jeffries

THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT OF

AFFIDAVIT

THE STATE OF ALABAMA

vs.

WITNESSES FOR THE STATE:

Mrs F. M. Jefferson
Dwight Steele
Mr Redding
Mrs Cater
H. F. Hall
Edleigh Steadham

THE STATE OF ALABAMA,
Baldwin County

} Circuit Court, FALL Session, 1949

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

CALLA MAI TANNER, whose name is to the Grand Jury otherwise, unknown, did buy, receive, conceal, or aid in concealing one green spread of the value of \$3.00, one rose colored bed spread of the value of \$3.00, one blue and white quilt of the value of \$15.00, one oil lamp of the value of \$15.00, one oil lamp on metal stand of the value of \$15.00, one clear water pitcher of the value of \$8.00, one China water pitcher with Holland designs of the value of \$2.00, one small circular flower tray of the value of \$1.50, one dipper of the value of \$10.00, one armadillo basket of the value of \$5.00, one vase of the value of \$1.00, one blue glass of the value of \$5.00, one miniature dinner bell of the value of \$2.00, one silver nut bowl of the value of \$25.00, one cat-shaped foot scraper of the value of \$8.00, one toby jug of the value of .75¢, one miniature lamp of the value of \$2.50, three ash trays of the value of \$1.00, one antique clock of the value of \$25.00, one large table with two short benches and two long benches to match of the value of \$250.00, one smoking stand of the value of \$10.00, one blue chair of the value of \$12.00, one lamp of the value of \$15.00, three rocking chairs of the value of \$18.00, one cushion of the value of \$1.00, one basket of the value of \$2.00, one brown marble slab of the value of \$25.00, one red split hickory chair of the value of \$12.00, one round umbrella table of the value of \$10.00, one blue urn of the value of \$10.00, one buoy flower pot of the value of \$5.00, one iron table with marble and glass top of the value of \$35.00, two wicker rocker chairs of the value of \$15.00, the personal property of Mrs. F. M. Jefferies, knowing that it was stolen, and not having the intent to restore it to the owner,

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

FALL Session, 194 9

THE STATE
Vs.

CALLA MAI TANNER

INDICTMENT

RECEIVING OR CONCEALING STOLEN GOODS
No Prosecutor.

WITNESSES:

MRS F. M. JEFFERIES

MRS F. J. CATES

HERMAN CALLOWAY

DWIGHT STEELE

MR CARLISLE

MR REDDING

H. F. HALL

EDDIEIGH STEADHAM

MRS CARLISLE

GRAND JURY NO. 53

A TRUE BILL

George Brown
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 3rd day of
NOVEMBER, 194 9

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 \$ 500.00

Judge.

RECORDED

STATE OF ALABAMA }
BALDWIN COUNTY }

N^o 1248

Case No. Howell
The State of Alabama
vs.

IN THE Justice COURT OF
BALDWIN COUNTY, ALABAMA

Cora Mae Tanner

Before me, M. R. Howell, Clerk of the Circuit Court of
Baldwin County, Alabama, personally appeared Jay Walker,
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. 100
Cora Mae Tanner in the above mentioned court, in executing the warrant
of arrest or in arresting the said defendant, I or one of my duly authorized deputies, traveled 100
miles by the most direct route to the point of arrest and return, and I am entitled to mileage at ten cents
per mile to be taxed as costs in the case.

Point of Arrest

Bear Point

Jay Walker
Sheriff

Subscribed and sworn to before me this 4 day of June, 1949

Disposition of Case

Clerk Circuit Court

After considering the above affidavit made by the sheriff of Baldwin County, Alabama, I, as the trial
Judge of said court, do hereby approve the claim for mileage in the sum of \$ 10.00 incurred in the
making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the
clerk of the court to tax the said sum as part of the costs in said case.

This the 8th day of June, 1949.

M. R. Howell, J. C.
Judge of the above named court

M. R. HOWELL
JUSTICE OF THE PEACE, PRECINCT 14
Foley, Alabama

Sheriff's Fees.
Executing search warrant by night \$2.00
Serving warrant 4.00
Bond 1.00
" Four Summons. 2.00
100 miles @ 10¢ 10.00
Witness Fees. 2.50
Appearance Bond to Grand Jury. 1.00
\$22.50

Mr Cooper
Dear Sir: I am mailing you transcript
in the Calla Mai James. Case. you have
the affidavit and warrants. If there
is any thing else I can do, please let
me hear from you.
Yours truly,
M. R. Howell

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	<i>Receiving & Concealing Stolen Property.</i>
No.	Vs. <i>Callie Mai Garner</i>	

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>Sheriff</i>	JUDGE'S FEES Warrant at 50c, Affidavit at 25c.....	<i>75</i>
Returnable <i>June 9th 1949.</i>	Bond at 50c, Sci. Fa. at 50c.....	
Witness—For State	Witnesses' Recognizances at 25c.....	
<i>Mrs J M Jeffries ✓</i>	3 Subpoena or Notice at 25c.....	<i>75</i>
<i>Mrs Carter ✓</i>	Continuance at 25c.....	
<i>Hermow Calloway ✓</i>	Trial of Misdemeanor at \$1.00.....	<i>1.00</i>
<i>Dwight Steele ✓</i>	Mittimus at 25c.....	
<i>Mr Carlisle ✓</i>	Judgment on Forfeited Bond at 25c.....	
<i>Mrs Carlisle ✓</i>	Taking Bond, etc., on Appeal at \$1.00.....	
<i>Mr Redding ✓</i>	Execution of costs at 25c.....	<i>10</i>
<i>Mrs Redding ✓</i>	CONSTABLE'S FEES Subpoena or Notice at 25c.....	
<i>Haw Hall ✓</i>	Carrying Defendant before Justice, each mile for himself and guard at 10c	
<i>Edleigh Steadham ✓</i>	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	
	WITNESS FEES Days at 50c.....	
 50c.....	
 50c.....	
 50c.....	
 50c.....	
 50c.....	
 50c.....	
	DEFENDANT'S COSTS Witnesses' Recognizance at 25c.....	
	Subpoenas at 25c.....	
	Executing Subpoenas.....	
<p><i>As Trial Judge I believe the Defendant Guilty. The Case is being over to Fall Term of the Grand Jury.</i></p> <p align="right"><i>M. K. Howell, J.P.</i></p>		

1151