

1246

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court, FALL Session, 1950

The Grand Jury of said County charge that before finding this indictment Ernest R. Martin, whose name is to the Grand Jury otherwise unknown, unlawfully and intentionally, but without malice, killed John T. Gill by running over him or hitting him with a motor vehicle,

against the peace and dignity of the State of Alabama.

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

RECORDED

No. ....

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

SPRING SESSION Term, 1950

THE STATE

Vs.

ERNEST R. MARTIN

INDICTMENT

MANSLAUGHTER 1st

No Prosecutor.

WITNESSES:

TAYLOR WILKINS

F.E. SMITH

Cpl AR PHILLIPS

GRAND JURY NO. 5

A TRUE BILL

*Osie Pilledge*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 6th day of

Nov, 1950.

*Alvin J. Leach*, Clerk.

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

the presence of 17 other Grand Jurors.

*W. H. ...*  
Clerk.

Bail fixed \$ 700~~00~~

*Jefair J. Mosley, Jr.*  
Judge.

AFFIDAVIT

Printed by Moore Printing Co.

STATE OF ALABAMA,  
BALDWIN COUNTY.

In the Justice Court of T. C. HAND

Before me, T. C. HAND, Justice of the Peace

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 22 July 1950 that one Ernest R. Martin unlawfully, but without malice, or the intention to kill, killed John Thelious Bill by negligently running over him on hitting him with a motor vehicle.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 23

day of July, A. D. 1950

T. C. Hand, J. P.

Taylor Wilkins

WARRANT

STATE OF ALABAMA,  
BALDWIN COUNTY.

To any lawful officer of said County, Greetings:

You are hereby commanded to arrest Ernest R. Martin

and bring him

before me to answer the State of Alabama on a charge of manslaughter

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

Witness my hand this 23 day of July, 1950

T. C. Hand, J. P.

No. 1240

Page \_\_\_\_\_

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

JUSTICE COURT OF

**T. C. HAND**

**AFFIDAVIT**

THE STATE OF ALABAMA,  
vs.

Ernest R. Martin

WITNESSES FOR THE STATE:

F. E. Smith  
Jaylar Wilkins

Justice Court of  
Baldwin County

**WARRANT OF ARREST**

The State of Alabama  
vs.

Ernest R. Martin

Executed this 23 day of July 1950

By arresting the within

named Defendant

Ernest R. Martin

and placing him

in jail

Jaylar Wilkins, Sheriff

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

O mi

STATE OF ALABAMA    §  
COUNTY OF BALDWIN   §

To Whom It May Concern:

I, Alice J. Duck, Clerk of the Circuit Court in and for the said County and state, do hereby certify that Ernest R. Martin has been sentenced in this court by Hon. Telfair J. Mashburn, Jr. for 12 months and sentenced suspended and defendant placed on probation for 2 years.

I further certify that this releases the bond of Ernest R. Martin.

Witness my hand and seal this 8th day of December, 1950.

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Clerk, Circuit Court.  
Baldwin County, Alabama

2x0

THE STATE OF ALABAMA  
BALDWIN COUNTY

JUSTICE COURT OF T. C. HAND  
Precinct 4, Bay Minette, Ala.

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

*F. E. Smith*

*Jayles Williams,*

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the  
27 day of July 10 AM, 1950, 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 Ernest R. Martin

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

Witness my hand this 23 day of July, A. D. 1950

*[Signature]*

Justice of the Peace, Precinct No. 4

Executed in full, this the

28 day of

July, 1950

Taylor Wilkins  
Sheriff.

H. F. Hall  
Deputy Sheriff.

HEADQUARTERS & HEADQUARTERS SQUADRON  
AIR PROVING GROUND  
Eglin Air Force Base, Florida

20 November 1950

Mr. Kenneth Cooper  
Office of Circuit Solicitor  
28th Judicial Circuit  
Bay Minette, Alabama

Dear Mr. Cooper,

Reference our meeting 13 November 1950 concerning Ernest R. Martin who is being charged with manslaughter.

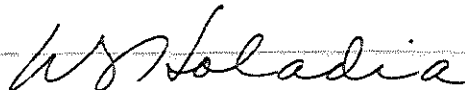
It was my understanding that you would consider changing the charge from 1st degree to 2nd degree with suspended sentence of 12 months providing Mrs. Gill was satisfied.

Mrs. Gill was visited on 13 November 1950 as you suggested by Cpl Martin and myself. Other than the normal greetings and goodbye, she said practically nothing. Her brother was present and did the talking for her. I do not remember his name other than Mr. Gill but I do remember him saying that he played baseball with you and he also mentioned some political differences which of course is of no concern here but I mention this so that you will know to whom I am referring. Mr. Gill stated that before any amount was agreed upon, he would like to discuss it with the doctor and attorney. Mr. Gill also stated that he would phone you by 17 November 1950 and relate the details.

Mr. Gill phoned me on 17 November 1950 and advised that Mrs. Gill would be willing to settle for \$5,000.00, and asked that I so inform Cpl Martin. Martin states that he cannot pay her more than \$1,000.00. I have asked Martin to advise his attorney, Mr. Chason, and see if Mrs. Gill will settle for \$1,000.00.

I will keep you informed of any late developments.

Sincerely,



W. G. HOLADIA  
Major, USAF  
Commanding



COMMISSIONER  
STATE POLICE  
ALBANY, N. Y.

*[Handwritten signature]*

Albany, N. Y.

I have been advised that you are interested in the following information:

12 46

On 12/12/46

On 12/12/46, the following information was received from the New York State Department of Social Services, Albany, New York:

The following information was received from the New York State Department of Social Services, Albany, New York, on 12/12/46:

It was ascertained that the following information was received from the New York State Department of Social Services, Albany, New York, on 12/12/46:

The following information was received from the New York State Department of Social Services, Albany, New York, on 12/12/46:

Very truly yours,

Commissioner  
State Police  
Albany, New York

12/12/46

Very truly yours,  
Commissioner  
State Police  
Albany, New York

THE STATE OF ALABAMA }  
Baldwin County }

We, Ernest Ray Martin \_\_\_\_\_, as  
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of \_\_\_\_\_  
Seven Hundred \_\_\_\_\_ DOLLARS  
unless the said Ernest Ray Martin \_\_\_\_\_ appear at the  
Free Term, 1950 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  
Manslaughter \_\_\_\_\_

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 consti-  
tution 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.

Ernest Ray Martin \_\_\_\_\_ (Seal)  
[Signature] \_\_\_\_\_ (Seal)  
\_\_\_\_\_  
\_\_\_\_\_ (Seal)

Taken and approved this the 24 day of July, 1950  
Toyld W. Walker \_\_\_\_\_, Sheriff  
By [Signature] \_\_\_\_\_, Deputy Sheriff

RECORDED

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

**THE STATE OF ALABAMA**  
BALDWIN COUNTY

\_\_\_\_\_ COURT

**SHERIFF'S OFFICE**

**THE STATE**

VS.

**Sheriff's Appearance Bond**

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

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

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

GRAND JURY SUBPOENA — ORIGINAL

THE STATE OF ALABAMA, }  
Baldwin County

No. 5

TO Any Sheriff of the State of Alabama — Greetings:

You are hereby commanded to summon

*Taylor Wilkins*  
*F. E. Smith*  
*Cpl. Phillips*

to be and appear on the 30 day of October 1950 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 10th day of Oct. A. D., 1950

*Alvin J. Dusk* Clerk.

✓

*He patrol*

ORIGINAL

No. 5

**GRAND JURY SUBPOENA**

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

*J. E. Smith*  
*Cpl Phillips*

this 14 day of Oct 1950

*Taylor Wilkin*, Sheriff  
*W. F. Wall*

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

ATTORNEYS	CASE	CHARGE
Kenneth Cooper	THE STATE OF ALABAMA	
No. 1240	Vs.	
John Cheson	Ernest R. Mester	Manslaughter

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to <i>Taylor Wilkins</i>	<b>JUDGE'S FEES</b>	
	Returnable <i>Grand Jury</i>	Warrant at 50c, Affidavit at 25c	75
	Witness—For State <i>J.E. Smith</i>	Bond at 50c, Sci. Fa. at 50c	50
	<i>Taylor Wilkins</i>	Witnesses' Recognizances at 25c	
		Subpoena or Notice at 25c	50
		Continuance at 25c	
27 July 50	Def. was brought before me and requested hearing be waived to Grand Jury. Bond was set at \$1,000. Def. being unable to make bond was ordered committed to jail.	Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	25
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	
		Execution of costs at 25c	
		<b>CONSTABLE'S FEES</b>	
		Subpoena or Notice at 25c	
		Carrying Defendant before Justice, each mile for himself and guard at 10c	
		Arrest, 50c	
		<b>SHERIFF'S FEES</b>	
28 July 50	John Cheson appeared in my Court and requested that the def be allowed to post a \$700 cash bond. The Court granted his request and accepted the bond.	Arrest, \$1.00; Bond \$1.00; Sci. Fa., 50c	4.00
		Committing, 50c; Releasing, \$1.00	2.10
		Subpoenas at 25c Day's Board at 30c	1.00
		<b>WITNESS FEES</b>	
		Days at 50c	50
		" 50c	50
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		<b>DEFENDANT'S COSTS</b>	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

*J. Hard*  
Justice of Peace

1246