

1258

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, FALL Session, 1950

The Grand Jury of said County charge that before finding this indictment Oscar Montgomery, whose name is to the Grand Jury otherwise unknown, unlawfully and with malice aforethought, did assault Willie Mack, with the intent to murder him,

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

FALL SESSION Term, 1950.....

THE STATE

Vs.

OSCAR MONTGOMERY

INDICTMENT

ASSAULT WITH INTENT TO MURDER

No. Prosecutor.

WITNESSES:

WILLIE MACK

Robert Nelson

Bernice Dennison

H.F. Hall

Edleigh Steadham

RECORDED

STL. T

GRAND JURY NO. 12

A TRUE BILL

Oris Gilledge
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the *6th* day of
Nov, 1950.

W. J. ... 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. J. ... Clerk.

Bail fixed \$ *10,000.00*

J. J. ... Judge.

AFFIDAVIT

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STATE OF ALABAMA, {
BALDWIN COUNTY. }

In the Justice Court of T. C. H A N D

Before me, T. C. H A N D, Justice of the Peace 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 27 June 1950 that one Oscar Montgomery
unlawfully and with malice aforethought
did assault Willie Mack, with the intent to
murder him.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 27

day of June, A. D. 1950
H. F. Hall, J. P.

WARRANT

STATE OF ALABAMA, {
BALDWIN COUNTY. }

To any lawful officer of said County, Greetings:

You are hereby commanded to arrest Oscar Montgomery
and bring him

before me to answer the State of Alabama on a charge
Assault to Murder.

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

Witness my hand this 27 day of June, 1950
H. F. Hall, J. P.

RECORDED

No. 1201 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

JUSTICE COURT OF
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

Oscar Montgomery

WITNESSES FOR THE STATE:

Willie Mack
Robert Nelson
Bernice Dennison
David Jewell
H. F. Hall
Edleigh Stebbins

Justice Court of
Baldwin County

WARRANT OF ARREST

The State of Alabama
vs.

Oscar Montgomery

Executed this 27 day of June 1930

By arresting the within

named Defendant

and placing him

in Jail

Taylor Mulkins, Sheriff

Stebbins Hall, Deputy Sheriff

Gulf Breeze 100 miles

201

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

Willie Mack, Robert Nelson
Prince Dennis, David Powell, H. F. Hall

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

30 day of *June*, *10 A.M.*, 19*50*, 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 *Oscar Montgomery* Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this *27* day of *June*, 19*50* D. 19*50*

Justice of the Peace, Precinct No. 4

Executed in full, this the

27 day of

June July, 1950

Taylor Wilkins
Sheriff.

W. J. Hall
Deputy Sheriff.

GRAND JURY SUBPOENA — ORIGINAL

THE STATE OF ALABAMA, }
Baldwin County

No. 12

TO Any Sheriff of the State of Alabama — Greetings:

You are hereby commanded to summon

Willie Mack

Robert Nelson

Bernice Dennison

D. F. Hall

Edleigh Steadman

to be and appear on the 30 day of Oct. Nov. 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 10-5-56 day of Oct. A. D., 1950

Alvin D. Bush Clerk

✓

ORIGINAL

No. 12

GRAND JURY SUBPOENA

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

Willie Grack
Robert Nelson
Bernice Hemison
W. F. Habel
Alvin S. Thompson

A To M.

this 18 day of Oct 1945

Taylor Webb, Sheriff

W. J. Jackson

BALDWIN COUNTY SHERIFF'S OFFICE

OFFENSE REPORT

COMPLAINANT Robert Nelson CASE No. _____
 ADDRESS Shell House State PHONE _____
 OFFENSE Assault on Murky REPORTED BY Robert Nelson ADDRESS _____
 PLACE OF OCCURENCE Hotel Cal. Quarter at Gulf Shores Hotel BEAT No. _____
 REPORT RECEIVED BY _____ AT 9:30 P. M. DATE 6-27-50 19 _____ HOW _____
 DATE AND TIME COMMITTED 6-27-50 9:30 PM OFFICER ASSIGNED _____
 PERSONS ATTACKED Willie Mack cut with knife by Oscar Montgomery
 PROPERTY ATTACKED _____
 HOW ATTACKED By cutting him with a pocket knife
 MEANS OF ATTACK _____
 OBJECT OF ATTACK _____
 TRADE MARK _____
 VEHICLE USED _____
 PERSONS ARRESTED Oscar Montgomery No. 6-27-50 No. _____

DETAILS OF OFFENSE (STATE FULLY ALL OTHER CIRCUMSTANCES AND ITS INVESTIGATION)

I hereby report the assault on Willie Mack by cutting him with a knife at the above time and place by Oscar Montgomery. According to witness Willie Mack a colored drunkard was wanting to fight. According to Oscar Montgomery's statement he was drinking and was asked to go home by one Robert Nelson, manager of the place who could see that there might be trouble there if the cutting occurred. The cutting took place in the back of the place where Willie Mack lives.

THIS OFFENSE IS DECLARED:

- UNFOUNDED ()
- CLEARED BY ARREST ()
- EXCEPTIONALLY CLEARED ()
- INACTIVE (NOT CLEARED) ()

SIGNED H. E. Hill DATE 6-27-50
 INVESTIGATING OFFICER
 SIGNED Edhigh Steadham DATE 6-27-50
 CHIEF OR COMMANDING OFFICER

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. <i>1201</i>	Vs.	
	<i>Oscar Montgomery</i>	<i>Assault to Murder</i>

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to <i>H. F. Hall.</i>	JUDGE'S FEES	
	Returnable <i>Grand Jury.</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—For State <i>Willie Walker</i>	Bond at 50c, Sci. Fa. at 50c	
	<i>Robert Nelson</i>	Witnesses' Recognizances at 25c	
	<i>Bennie Dennis</i>	6 Subpoena or Notice at 25c	<i>1.50</i>
	<i>David Powell.</i>	Continuance at 25c	
	<i>H. F. Hall.</i>	Trial of Misdemeanor at \$1.00	
	<i>Edleigh Sturham</i>	Mittimus at 25c	<i>25</i>
<i>30 June 50</i>	<i>Def. appeared before me and requested that hearing be waived to Grand Jury. The Court granted def. request and he was ordered held without bond.</i>	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, \$4.00; Bond \$1.00; Sci. Fa., 50c	<i>4.00</i>
		Committing, \$1.00; Releasing, \$1.00	<i>2.10</i>
		6 Subpoenas at 25c Day's Board at 30c	<i>3.00</i>
		WITNESS FEES	<i>10.00</i>
		1 Days at 50c	<i>50</i>
		1 " 50c	<i>50</i>
		1 " 50c	<i>50</i>
		1 " 50c	<i>50</i>
		1 " 50c	<i>50</i>
		1 " 50c	<i>50</i>
		1 " 50c	<i>50</i>
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	
	<i>J. L. Hall</i> <i>Justice of Peace</i>		

8521