

1990

INDICTMENT

Baldwin Times - 600 - 6 - 50

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court, Fall Session, 1951

The Grand Jury of said County charge that before finding this indictment Robert C. Phillips, whose name is to the Grand Jury otherwise unknown, unlawfully and with malice aforethought, did assault Francis Irwin, with the intent to murder him,

against the peace and dignity of the State of Alabama.

*William R. Hunter*  
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

RECORDED

No. ....

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

Fall Session..... Term, 1951....

THE STATE

Vs.

ROBERT C. PHILLIPS

INDICTMENT

Assault with Intent to Murder  
No Prosecutor.

WITNESSES:

Lamar Irwin..... 1-72-4.35  
Frances Irwin  
B. D. Cobb..... 1-72-4.35  
Frank Osborne..... 1-72-4.35  
E. R. Delorme..... 1-80-40.75  
T. E. Simms  
Henley Ott  
Ernest Diamond..... 1-  
Idell Franklin..... 1-72-4.35  
Ed Shaffers  
Frank Irwin..... 1-90-5.25

GRAND JURY NO. ....47.....

A TRUE BILL

Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 19<sup>th</sup> day of  
Oct., 1951.

Alice J. Neuch, 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. Neuch, Clerk.

Bail fixed \$500.00

Julius G. Maddux, Jr., Judge.

We the Jury find the  
Defendant guilty of  
Assault & Battery and  
fix his fine at \$500.00

Foreman  
Bob Young

THE STATE OF ALABAMA, }

Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Robert C. Phillips

at the Fall Term, 1945 of the Circuit Court of Baldwin County, for the offense of

assault with intent to murder

you are, therefore, commanded forthwith to arrest the said Defendant and commit

to jail, unless \_\_\_\_\_ give bail to answer said indictment, and that you return this Writ according to law.

Dated this 10<sup>th</sup> day of June, 1945

W. J. H. H. H.  
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.

Acacia  
**CAPIAS**

No. 144 D

**THE STATE**  
vs.

Robert A. Phillips

Bail Fixed in This Case in Open Court at

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

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

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

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 194 \_\_\_\_\_

By arresting the within

named Defendant

\_\_\_\_\_

\_\_\_\_\_

and placing him \_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

1440

Bay Minette, Ala.,

June 27, 1945

To the Sheriff of

Cullman County,

Cullman, Alabama.

I enclose herewith

Miss [unclear] [unclear] [unclear]  
C. Phillips Cullman, Ala.

Please serve and return as early as possible.

Taylor Williams  
Sheriff, Baldwin County, Alabama.

(If not found in your county please advise promptly giving information as to present location, if possible)

1440

SHERIFF'S APPEARANCE BOND—WITH WAIVER.

Code 1923-3375

THE STATE OF ALABAMA

Baldwin  
CULLMAN COUNTY

We Robert C. Phillips and his surities

agree to pay to the

State of Alabama One Thousand Dollars (\$1000.00) DOLLARS

unless the said Robert C. Phillips appears at the next

session of the Circuit Court of said County, and from session to session thereafter, until discharged by law, to answer

an Indictment Found

against Robert C. Phillips

in said Court for the offense of Assault With Intent To Murder

And we, and each of us hereby waive all rights of claim of exemption we or either of us now or may hereafter have, under the Constitution and laws of the State of Alabama. We hereby severally certify that we have property free from all incumbrances, to the full amount of the above bond.

Witness our hand and seals, this 3 day of April, 1952

Taken and approved.

This 7 day of May, 1952, X Robert C. Phillips (L. S.)

X A. A. Jones (L. S.)

X Sheriff J. F. Wilkins (L. S.)

RECORDED

STATE OF ALABAMA.)

Cullman, Ala.

I hereby certify that I have examined the liabilities of the within named sureties, and find them to be sufficient for the purpose of this bond, and would at once issue this certificate.

This the 3 day of

Jan 1952  
W.C. Wood  
Sheriff of Cullman County.

No. ....

THE  
STATE OF ALABAMA

CULLMAN COUNTY  
Baldwin

CIRCUIT COURT

THE STATE OF ALABAMA

vs.

Robert C. Phillips

Sheriff's Appearance Bond With  
Waiver

Approved....., 19.....

Sheriff Cullman County.

SURETIES

Amount, \$.....

THE CULLMAN DEMOCRAT

*State vs. Herbert P. Phillips*

# JURY LIST

Spring Term, April 14th, 1952

NO.	NAME	OCCUPATION	ADDRESS
<del>1</del>	<del>Marshall N. Harris</del>	<del>farmer</del>	<del>Foley</del>
<del>2</del>	<del>Adrian Swanstrom</del>	<del>clerk</del>	<del>Foley</del> <i>191</i>
<del>3</del>	<del>Richard Harbinson</del>	<del>farmer</del>	<del>Rosinton</del>
<del>4</del>	<del>James E. Keith</del>	<del>farmer</del>	<del>Magnolia Springs</del> <i>191</i>
<del>5</del>	<del>Floyd A. Gibbs</del>	<del>store manager</del>	<del>Bay Minette</del>
<del>6</del>	<del>Julius Schwart</del>	<del>farmer</del>	<del>Eiberta</del> <i>191</i>
<del>7</del>	<del>J. L. Clark</del>	<del>hardware</del>	<del>Bay Minette</del>
<del>8</del>	<del>Julius Hanberg</del>	<del>clerk</del>	<del>Foley</del> <i>192</i>
<del>9</del>	<del>Gavin Hunter</del>	<del>merchant</del>	<del>Fairhope</del> <i>56</i>
<del>10</del>	<del>Eugene Reed</del>	<del>defense</del>	<del>Bay Minette</del>
<del>11</del>	<del>Crover McBride</del>	<del>mechanic</del>	<del>Foley</del> <i>192</i>
<u>12</u>	Alfred Nelson	plumber	Fairhope
<del>13</del>	<del>Frank M. Wheatley</del>	<del>live stock dealer</del>	<del>Robertsdale</del>
<del>14</del>	<del>Julius P. Ulrich</del>	<del>laborer</del>	<del>Eiberta</del> <i>193</i>
<del>15</del>	<del>Eloy McKenzie, Sr.</del>	<del>farmer</del>	<del>Fairhope</del>
<u>16</u>	Morton D. Cox	contractor	Stockton
<del>17</del>	<del>G. Leslie Chandler</del>	<del>merchant</del>	<del>Silverhill</del>
<u>18</u>	G. B. Gavin	fishing camp	Magnolia Springs
<del>19</del>	<del>Claud J. Yancey</del>	<del>fisherman</del>	<del>Daphne</del> <i>52</i>
<u>20</u>	Leonard Washington Foley	farmer	Robertsdale
<del>21</del>	<del>Stanley Chandler</del>	<del>bank clerk</del>	<del>Silverhill</del> <i>51</i>
<del>22</del>	<del>Malcolm Garrett</del>	<del>farmer</del>	<del>Belforest</del>
<del>23</del>	<del>Sam Caldwell</del>	<del>carpenter</del>	<del>Foley</del> <i>193</i>
<u>24</u>	Louis Lacey	dairyman	Loxley
<del>25</del>	<del>Ben F. Hastic</del>	<del>logging supt.</del>	<del>Stockton</del>



- (26) A. V. Lazzari, Jr., farmer, Belforest
- ~~27 Howard Britton, retired, Magnolia Springs 107~~
- ~~28 Robert T. Cowles, laborer, Fairhope~~
- ~~29 Frank E. Sanders, banker, Foley 124~~
- ~~30 Henry Bryars, farmer, Stockton 325~~
- (31) Ira N. Underwood, farmer, Summerdale
- ~~32 Myratt W. Childress, merchant, Foley~~
- ~~33 Max Larenz, Jr., merchant, Gulf Shores 38~~
- (34) Ned Noonan, sign painter, Bay Minette
- (35) Frank Sturma, merchant, Silverhill
- ~~36 Floyd Ellison, farmer, Rosinton 104~~
- (37) Bob Young, merchant, Fairhope
- (38) John H. Childress, farmer, Barnwell
- (39) J. Rufus Sirmon, farmer, Daphne
- ~~40 Curtis Moeley, ship yard, Stapleton 53~~
- ~~41 Ivan Havel, farmer, Silverhill 126~~
- ~~42 James Zinner, teacher G. I., Robertsdaie 57~~
- ~~43 Rufus M. Robinson, farmer, Bay Minette 125-~~
- ~~44 Laudie L. Langham, Newport, Bay Minette 54~~
- ~~45 Herman Blocht, farmer, Elberta 125-~~
- ~~46 Carl Stokes, carpenter, Foley 126~~

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## ORDER FOR WITNESSES

In The Circuit Court of ~~Cullman~~ County, Alabama  
Baldwin

State Of Alabama

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

vs.

Plaintiff

Date Case Set April 15, 195 2

Hobart Phillips

Defendant

To the Clerk of said Court:

Please summon for the

DEFENDANT  
~~XXXXXXXX~~

the following witnesses:

HANCEVILLE CAB CO.  
HANCEVILLE, ALA.

Hubert Whittaker

at

~~XXXXXXXXXXXXXXXXXXXX~~  
Cullman County, Alabama

at

at

WARREN BROS. STORE

Clifford Davis

at

~~XXXXXXXXXXXXXXXXXXXX~~ Cullman

at

County, Alabama (HANCEVILLE)

at

at

at

at

at

at

at

This 3rd. day of April, 195 2Marvin H. GalinAttorney for Defendant.  
~~XXXXXXXX~~

§.....

**THE STATE OF ALABAMA**  
**CULLMAN COUNTY**

**CIRCUIT COURT**

State Of Alabama

vs.

Hobart Phillips

**ORDER FOR WITNESSES**

Issued....., 195.....

THE STATE OF ALABAMA,  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

ROBERT C. PHILLIPS

at the FALL Term, 1945, of the Circuit Court of Baldwin County, for the offense of

ASSAULT WITH INTENT TO MURDER

you are, therefore, commanded forthwith to arrest the said Defendant and commit HIM

to jail, unless FD give bail to answer said indictment, and that you return this Writ according to law.

Dated this 19th day of October 1945

*[Signature]*  
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.

1440  
Cullman  
RECORDED

NO 1440

# CAPIAS

No. 47

THE STATE  
vs.

HOBERT C. PHILLIPS

Bail Fixed in This Case in Open Court at

~~\$7500~~ \$1000 00

By Delvin J. Markburn  
Judge Presiding.

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

Executed this 3 day of April 1942

By arresting the within

named Defendant

Robert C. Phillips

and placing him in Jail

W. E. Wadley Sheriff.

W. E. Wadley Deputy Sheriff.