

1511

(1511)

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Fall Session, 1952

The Grand Jury of said County charge that before the finding of this indictment HOWARD PHILLIPS, JR., whose name is to the Grand Jury otherwise unknown, with intent to steal, broke into and entered the shop or store of W. F. Hawie, known as The Fairhope Casino, in which goods, wares, merchandise, or money, things of value, were kept for use, sale or deposit,

against the peace and dignity of the State of Alabama.

WILLIAM R. LAUTEN
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

Fall Session, 19 52

THE STATE

Vs.

HOWARD PHILLIPS, JR.

INDICTMENT

Burglary, Second Degree and Grand
Larceny No Prosecutor.

WITNESSES:

W. F. Hawie

H. F. Hall

GRAND JURY NO. 14

A TRUE BILL

John S. Evans
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16th day of
Oct., 1952.

Archie J. French, Clerk

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

the presence of 17 other Grand Jurors.

Archie J. French
Clerk.

Bail fixed \$ 500⁰⁰

J. J. Maslibury, Jr.
Judge.

CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA } To Any Sheriff of the State of Alabama:
 Baldwin County

An indictment having been found against

Howard Phillips Jr.

at the Fall Term, 1952, of the Circuit Court of Baldwin County, for the offense of

Burglary, 2nd degree & Grand Larceny

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 16th day of Oct, 1952

Benjamin A. Smith
 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 the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____

 (L. S.)

 (L. S.)

 (L. S.)

 (L. S.)

Taken and approved _____ day of _____, 19_____

 Sheriff of Baldwin County.

no 1517

CAPIAS

No. 14

THE STATE

vs.

Howard Phillips Jr.

Bail Fixed in This Case in Open Court at

\$ 50000

By J. Mashburn Jr.
Judge Presiding.

Attest: Deirdre J. Hensley
Clerk.

Executed this 20 day of Oct, 1921

By arresting the within

named Defendant

and placing him in jail

Taylor Melburn, Sheriff

W. F. Hall, Deputy Sheriff

0 miles

THE STATE OF ALABAMA,

Baldwin County

We, Howard Phillips, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five Hundred - 500⁰⁰ DOLLARS unless the said Howard Phillips Jr appears at the next Term, 1952 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 2nd Degree

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.

Taken and approved this the 20 day of Oct. 1952Taylor Wilkins, SheriffBy W.D. Taylor, Deputy SheriffHoward Phillips Jr L. S.Alfred Hadley L. S.Henry Hadley L. S.Leche Bryan L. S.William H. H. H. L. S.

AFFIDAVIT

Printed by Moore Ptg. Co.

1511
The 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 George Hartley 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 May, 1952 that one Howard Phillips, Jr.

did, in the nighttime, with intent to steal, break into and enter a building
in possession of W. F. Hawie, known as the Cascino, in Fairhope, and
used as a place of amusement in which soft drinks, cigarettes and other mer-
chandise were had for sale.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 17

day of June A. D., 1952

, J. P.

George Hartley

WARRANT

THE STATE OF ALABAMA,
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Howard Phillips, Jr.

and bring him
before me to answer the State of Alabama on a charge
Burglary, First Degree

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

Witness my hand this 17 day of June, 1952

T. C. Hand, J. P.

No. 3213

Page _____

State of Alabama,

Baldwin County

Justice Court of

T. C. HAND

AFFIDAVIT

The State of Alabama,

vs.

HOWARD PHILLIPS, JR.

Witnesses for the State:

H. F. Hall
Leon Gibson
George Hartley
Joe Dickman
W. F. Hawle

Justice Court of
BALDWIN COUNTY

Warrant of Arrest

THE STATE OF ALABAMA,
vs.

HOWARD PHILLIPS, JR.

Executed this 27 day of June 1952

By arresting the within

named Defendant

and placing him

In Jail

Lybe W. Harris, Sheriff
George Hartley, Deputy Sheriff
O'Inch

3213

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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

*H. F. Hall, Leon Gibson,
Mrs. Bartley, Joe Dickman, W. F. Harvie*

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

21 day of *June*, 19*52*, 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 Phillips, Jr.

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

Witness my hand this *17* day of *June*, A. D. 19*52*

J. J. Lued
Justice of the Peace, Precinct 4

Executed in full, this the

20 —

day of

June

, 1952

Taylor Williams
Sheriff.

George Gantley
Deputy Sheriff.

THE STATE OF ALABAMA,
BALDWIN COUNTY

We, Howard Phillips Jr., as
principal, and undersigned as sureties, agree to pay **THE STATE OF ALABAMA**, the sum of
Five Hundred (\$500.00) DOLLARS
unless the said Howard Phillips Jr. appears at the
Nxt Term, 1952 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 Burglary.

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-
ing personal property from levy and sale under execution or other process for the collection of debt by con-
stitution 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.

Howard Phillips Jr.
J. S. Standard L. S.
Leshie Bryan L. S.
Henry Hadley L. S.
J. L. Phillips L. S.
W. L. Phillips

Taken and approved this the 21 day of May 1952

Lawson McPherson, Sheriff

By W. D. Taylor, Deputy Sheriff

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

ATTORNEYS	CASE	CHARGE
No. <i>3213.</i>	THE STATE OF ALABAMA Vs. <i>Howard Phillips Jr.</i>	<i>Burglary 1st degree.</i>

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>Geo. Hartley.</i>	JUDGE'S FEES	
Returnable <i>Grand Jury.</i>	Warrant at 50c, Affidavit at 25c.....	<i>.75</i>
Witness—For State <i>H. F. Hall, Leon Gibson</i>	Bond at 50c, Sci. Fa. at 50c.....	
<i>Geo. Hartley, Joe Vickman,</i>	Witnesses' Recognizances at 25c.....	
<i>W. F. Lawrie.</i>	<input checked="" type="checkbox"/> Subpoena or Notice at 25c.....	<i>1.25</i>
	Continuance at 25c.....	
	Trial of Misdemeanor at \$1.00.....	
	Mittimus at 25c.....	<i>.25</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, \$1.00; Bond \$1.00; Sci. Fa., 50c....	<i>5.00</i>
	Committing, \$2.00; Releasing, \$1.00.....	<i>2.00</i>
	<input checked="" type="checkbox"/> Subpoenas at <i>50c</i> Day's Board at 30c.....	<i>2.50</i>
	WITNESS FEES	
	Days at 50c.....	<i>50</i>
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	" 50c.....	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c.....	
	Subpoenas at 25c.....	
	Executing Subpoenas.....	

21 June 52

def. requested hearing be waived to Grand Jury. Bond was set at \$500.00. def posted bond.

*D. J. Lawrie
Justice of Peace.*

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