

Case No
4639

1094
The State of Alabama,
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

CD 584
To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon

143
Jack Seales, Douglas E. Moncrief

14617
Dr. Nelson Grubbs

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
15 day of May 10 AM, 1953, 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

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

Witness my hand this 11 day of May A. D. 1953

Justice of the Peace, Precinct No. 4

The State of Michigan County of <i>Way</i>	Executed in full, this the <i>14</i> day of <i>May</i> , 1953	at the City of <i>Way</i>
<i>W. H. Hale</i>	<i>H. B. Sander</i>	Sheriff
<i>More</i>	<i>Bea</i>	Deputy Sheriff
The State of Michigan County of <i>Way</i>	Executed in full, this the <i>14</i> day of <i>May</i> , 1953	at the City of <i>Way</i>

RECEIVED
MAY 12 1953
RECEIVED

4639 1694

The State of Alabama, {
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

Ed.

To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon

L. W. Walter

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
15 day of May 10 AM, 1952, 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

James Milton Davis

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

Witness my hand this 14 day of May, A. D. 1952.

O. J. Lued
Justice of the Peace, Precinct No. 4

Executed in full, this the

14

day of

May

, 1953

Gayle Wilkin

Sheriff

Pat Seeler

Deputy Sheriff

THE STATE OF ALABAMA, }
Baldwin County. } Circuit Court, FALL Session, 1953

The Grand Jury of said County charge that before finding this indictment
James Milton Davis, whose name is to the Grand Jury otherwise unknown,
unlawfully, and with malice aforethought, killed Dewey Wesley Everett, by
shooting him with a pistol,

GRAND JURY NO.

1/10/53

in session at the Court House of Baldwin County, Alabama, on the 10th day of January, 1953.

to wit: James Milton Davis, who is otherwise known as James Milton Davis, Jr.

charged with the crime of murder in the first degree.

against the peace and dignity of the State of Alabama.

and that the Grand Jury of said County do hereby return this indictment against the said James Milton Davis, Jr.

in accordance with the provisions of the Constitution and the laws of the State of Alabama.

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and that the Grand Jury of said County do hereby return this indictment against the said James Milton Davis, Jr.

in accordance with the provisions of the Constitution and the laws of the State of Alabama.

against the peace and dignity of the State of Alabama.

Lenneth Cooper
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

FALL SESSION Term, 1953.....

THE STATE

Vs.

JAMES MILTON DAVIS

INDICTMENT

MURDER, 1st Degree
No. Prosecutor.

WITNESSES:

Jack Seals

Douglas E. Moncrief

Cliff Eddins

Dr Nelson Grubbs

D.W. Walters

Taylor Wilkins

Fred Thrasher

GRAND JURY NO. 16

A TRUE BILL

Clyde H. Gitt
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16th day of
September, 1953.....

Deirdre, Clerk.

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

the presence of 17 other Grand Jurors.

Deirdre, Clerk.

Bail fixed \$ *3000*

W. M. Lee
Judge.

*We the jury find the defendant
guilty of manslaughter in
the 1st degree and fix the
punishment as 5 years
suspended sentence.*

A. Dewey Jackson
Foreman

1694
STATE OF ALABAMA

VS.

JAMES M. DAVIS

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA. AT LAW, CRIMINAL SIDE
NO. 1694

ORDER DISCHARGING DEFENDANT:

It being made to appear to the Court that the defendant, in the above entitled cause, James M. Davis, has satisfactorily fulfilled all conditions of the order of probation and suspension of execution of sentence made in his case on October 3, 1953;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the said Defendant, James M. Davis, be and he is hereby discharged.

The Clerk will enter this order on the minutes of the Court.

Dated this 24th day of January, 1957.

Hubert M. Hall
Judge, 26th Judicial Circuit of
Alabama.

FILED

JAN 30 1957

CLERK OF COURT

1694

Minute Bk. 10

Page 318

State of Alabama
vs

James M. Davis

No. 1694

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 H. H. 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 8 May 1953 that one James Milton Davis
unlawfully, and with malice aforethought, killed Dewey Wesley Everett, by shooting
him with a ~~gun~~ pistol.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 8
day of May, A. D., 19 53
J. P.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County. Greetings:

You are hereby commanded to arrest James Milton Davis

and bring him
before me to answer the State of Alabama on a charge

Murder

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

Witness my hand this 8 day of May, 19 53

J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
VS.

JAMES MILTON DAVIS

Witnesses for the State :

H. F. Hall

Taylor Wilkins ✓

Dr. Nelson Grubbs. ✓

Jack Seal ✓

Angus E. Moncrief ✓

Cliff Eddins.

D. W. Walters.

Justice Court of
Baldwin County

WARRANT of ARREST

THE STATE OF ALABAMA,
VS.

JAMES MILTON DAVIS

Executed this 8 day of May 1953

By arresting the within

named Defendant

and placing him

Taylor Wilkins, Sheriff

H. F. Hall, Deputy Sheriff

Seizure of Land

1694
STATE OF ALABAMA

Baldwin County

Case No.

4639

No.

4295

The State of Alabama

vs.

In the

Justice Court of
Baldwin County, Alabama

James M. Wilkins
Before me, J. C. Stand, Clerk of the Justice Court of
Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, 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 12 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

Seemore Henderson Wilkins Sheriff

Subscribed and sworn to before me this

11

day of

May1953

Disposition

Bound to GrandJ. C. Stand Clerk Circuit Court

jury.
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 \$ 1.20 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

15

day of

May1953J. C. Stand
Judge of the above named court

Appearance Bond

1694

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County

We, James Milton Davis, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Three Thousand DOLLARS
unless the said James Milton Davis appears at the
next Term, 1953 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

Murder

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 constitu-
tion 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 15 day of May, 1953

By James Milton Davis L. S.
Broadus Pierce & Dickerson L. S.
BONDING COMPANY L. S.
By Harold J. [Signature] L. S.
Taylor W. Wilkins, Sheriff
By W. H. Hall, Deputy Sheriff

CAPIAS 1694

Moore Printing Co.,

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

James Milton Davis

at the Fall Term, 1952, of the Circuit Court of Baldwin County, for the offense of
Murder, 1st Degree

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 accord-
ing to law.

Dated this 17th day of September, 1952

Alvin J. Newkirk
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.

MD1694

CAPIAS

No. 76

THE STATE

vs.

JAMES MILTON DAVIS

Bail Fixed in This Case in Open Court at

\$

By Judge Presiding.

Attest: Clerk.

Red Jernigan

W. Butler

Executed this 17 day of Sept, 1953

By arresting the within

named Defendant

and placing him in Jail

L. W. Wilkins, Sheriff
Shadhorn, Deputy Sheriff

Mobil Co fine

4639

1694

29.

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, Taylor Wilkins

Cliff Eddins

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

15 day of May 10 AM, 1953, 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

James Milton Davis

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

Witness my hand this 11 day of May, A. D. 1953.

T. C. Hand
Justice of the Peace, Precinct No. 4

Executed in full, this the

15-

day of

May

, 1953

Taylor Walker

Sheriff

R. L. Seese

Deputy Sheriff

1694

State of Ill. vs. James Milton Davis

JURY LIST

Fall Term, September 28th, 1953

NO. NAME OCCUPATION ADDRESS

- ~~1 Otto Moore, farmer, Fairhope~~ 1010
- ~~2 J. T. Morgan, farmer, Robertsdale~~ 1034
- 3 Chas. O. Bill, Standard Oil Co., Robertsdale
- 4 Willie Amos, clerk, Robertsdale
- ~~5 Richard Doering, automobile dealer, Foley~~
- ~~6 C. C. Cook, Clerk of Ch. C., Foley~~ 103
- ~~7 J. M. Ponder, merchant, Fairhope~~
- ~~8 Fred Ingersoll, dairy, Fairhope~~
- ~~9 Jerry Wolorucky, farmer, Robertsdale~~ 109
- 10 Virgil V. Rhodes, Jr., dairyman, Bay Minette
- ~~11 Jesse Owen Stempson, Jr., carpenter, Fairhope~~ 1012
- 12 A. C. Bryant, electrician, Bay Minette
- ~~13 Herron Steadham, merchant, Foley~~ 109
- ~~14 Claude Cooper, farmer, Rosinton~~ 109
- ~~15 John Crawford, inn keeper, Gulf Shores~~ 1011
- ~~16 Alex Trione, dry cleaner, Daphne~~ 108
- ~~17 M. C. Cooper, carpenter, Robertsdale~~ 103
- 18 A. Dewey Jackson, farmer, Lottie
- 19 Roy Mikkelson, farmer, Summerdale
- ~~20 Walter Jersild, quick freeze, Foley~~ 107
- ~~21 Ernest H. Holmes, parts man, Bay Minette~~ 101
- ~~22 Melton Moss, auto dealer, Foley~~ 101
- ~~23 John L. Herron, auto sales, Bay Minette~~ 101
- ~~24 Ellis Steadham, navy yard, Foley~~ 103
- 25 James A. Thomas, railroad, Foley
- 26 Joe Pittman, defense, Gateswood
- ~~27 Ross Bennis, fisherman, Bon Secour~~ 102
- ~~28 Miley Phames, farmer, Robertsdale~~ 107
- 29 John Young, radio, Bay Minette
- ~~30 Harold Stuart, presser, Bay Minette~~ 103
- 31 George Dophilippi, farmer, Daphne
- ~~32 C. W. Moses, salesman, Robertsdale~~
- ~~33 Ralph Gantt, farmer, Little River~~ 1012
- ~~34 Henry Crawford, merchant, Fairhope~~ 104
- ~~35 Robert Thompson, clerk, Foley~~ 106
- ~~36 Joe Heidelberg, Jr., farmer, Silverhill~~ 103
- ~~37 Ed Overton, Colonial Inn, Fairhope~~
- ~~38 Joe Allegri, hardware, Belforest~~ 102
- ~~39 Leo A. Kuffski, fisherman, Bon Secour~~ 103
- ~~40 William Nail, farmer, Bon Secour~~ 104
- 41 Travis Bonner, farmer, Elsanor
- ~~42 Stanley Langer, machinist, Robertsdale~~ 105
- ~~43 Melvin W. Woodard, mechanic, Foley~~
- ~~44 Duncan J. Beech, farmer, Foley~~ 102
- ~~45 O. E. Lipscomb, farmer, Foley~~ 102
- ~~46 James Campbell, farmer, Rosinton~~ 105
- ~~47 Albert Flowers, farmer, Bon Secour~~
- ~~48 Marvin Stanton, farmer, Rosinton~~ 109
- ~~49 R. F. Long, farmer, Foley~~ 1010
- ~~50 John Norris, Jr., farmer, Foley~~ 1011
- ~~51 Deval Laurent, laborer, Foley~~ 107
- ~~52 Alvin A. Irwin, farmer, Gateswood~~ 102
- ~~53 Clarence Moore, farmer, Fairhope~~ 1011
- 54 Percy Pollard, salesman, Robertsdale
- ~~55 Joseph Dusek, Jr., defense, Lillian~~ 104
- ~~56 James S. Minchew, laborer, Robertsdale~~

S XXXX XXXX XXXX

D HHHHH HHHHH HHHH

Doc 4040 11/11/12

2nd of Nov 11/11/12

James Smith

James Smith
James Smith

Spec of Nov 12 James Smith

10th Nov 11/11/12

1694
STATE OF ALABAMA

Baldwin County

Case No. 16

No. 4697

The State of Alabama

vs.

In the Circuit

Court of
Baldwin County, Alabama

Before me, Alice Duck, Clerk of the Circuit Court of
Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, in the above mentioned court, in
executing the warrant of arrest or in arresting the said defendant, or one of my duly authorized deputies,
traveled 60 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 Mobile Co Jail Sheriff T. J. Wilkins

Subscribed and sworn to before me this 18 day of Sept 1953

Disposition _____ 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 \$_____ 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 _____ day of _____ 195____

Judge of the above named court

1694

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

Attorneys	Case	Charge
No. <u>4639</u>	THE STATE OF ALABAMA,	
<u>Stone &</u>	Vs.	
<u>Cheson</u>	<u>James Milton Davis</u>	<u>Murder</u>

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <u>H. F. Hall</u>	Judge's Fees	
	Returnable <u>Grand Jury</u>	Warrant at 50c, Affidavit at 25c	<u>75</u>
	Witness—for State <u>H. F. Hall</u>	Bond at 50c, Sci Fa. at 50c	
	<u>Jay Lee Wilkins,</u>	Witnesses' Recognizances at 25c	
	<u>Mr. Nelson Gibbs,</u>	<u>7</u> Subpoenas or notice at 25c	<u>6.75</u>
	<u>Jack Seales</u>	Continuance at 25c	
	<u>Douglas E. Manning</u>	Trial of Misdemeanor at \$1.00	
	<u>Cliff Eddins</u>	Mittimus at 25c	<u>.25</u>
	<u>A. W. Walters</u>	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	<u>5.00</u>
		Guard \$2.00, Finger Printing 10c	<u>2.10</u>
		Subpoenas at 50c, Mileage <u>3.00</u>	<u>3.00</u>
		Witness Fees <u>1.70</u>	<u>1.70</u>
		Re. Commitment Days at 50c	<u>2.00</u>
		Days at 50c	<u>50</u>
		Days at 50c	<u>50</u>
		Days at 50c	<u>50</u>
		Days at 50c	<u>50</u>
		Days at 50c	<u>50</u>
		Days at 50c	<u>50</u>
		Defendant's Costs <u>50</u>	<u>50</u>
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

15 May 52

after leaving evidence in case
 def was bonded over to Grand
 Jury.

Bond was set at \$3,000.00
 as unable to make bond was
 ordered committed to jail.

15 May 52

def. later made bond.

Q. Land

1694