

1710

INDICTMENT

Baldwin Times - 600 - 6 - 50

THE STATE OF ALABAMA,

Baldwin County.

Circuit Court, FALL Session, 1953

The Grand Jury of said County charge that before finding this indictment Verlis Berry Safford, whose name is to the Grand Jury otherwise unknown, unlawfully and with malice aforethought, killed Ruth Baker by cutting her with a knife, but without premeditation or deliberation,

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, 1953....

THE STATE

Vs.

VERLIS BERRY SAFFORD

INDICTMENT

MURDER, 2nd Degree
no. Prosecutor.

WITNESSES:

Peter Hamilton 4.35

Martin Crews

W.W. Thomas 4.25

Dr Nelson Grubbs

H.F. Hall

Floyd Phillips

ELESSIE MAE BRADLEY

WILLIE MCKINLEY

EMMA LEE CLEMON

MARYJANE SMITH

FLORENCE DRAKES

EARNEST SIPEA

GRAND JURY NO. 18

A TRUE BILL

Clyde H. Little

Foreman Grand Jury.

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

Archie 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 French, Clerk.

Bail fixed \$1000⁰⁰

W. H. Bee, Judge.

We the Jury find the
negligent fault &
manslaughter in the
first degree as charged
in the indictment and
for her punishment at
15 years in the Penitentiary

Jose L. Potter
The Baldwin Times Foreman

1710
Return to the
Heftin Estate

KC

5004
THE STATE OF ALABAMA, }

BALDWIN COUNTY }

To Any Sheriff of the State of Alabama:

Justice Court of

Precinct No

T.C. / hand

Box 111111

Ala.

You Are Hereby Commanded to Summon

W. W. Thompson

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
28 day of July 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 DEFENDANT in a prosecution now pending in said Court, wherein the State of Alabama is Plain-
tiff, and

Vernis Perry Safford

your endorsement thereon.

Defendant, and have you then and there this Writ, with

Witness my hand this

23 day of

July

1952

NOTARY PUBLIC AND EX OFFICIO J. P.

0121

Executed in full, this the

24 day of

July, 1953

Ray B. Milburn
Sheriff.

W. F. Hall
Deputy Sheriff

1110
STATE OF ALABAMA

Baldwin County

Case No.

5006

No.

4586

The State of Alabama

vs.

In the

Justice Court of
Baldwin County, Alabama

Julius Henry Dafford
Before me, *J. C. Dafford*, 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 70 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 *Europe* *Joseph A. Wilkins* SheriffSubscribed and sworn to before me this 22 day of July 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

1710

5006
The State of Alabama, {
Baldwin County.

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

Dr. Wilson
Kubba

To Any Sheriff of the State of Alabama:

You are hereby Commanded to Summon

H. F. / Tell - Lloyd Phillips

Peter Hamilton, Martin Crews, Thomas W. Williams, Jr.
personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

28 day of *July*, 195*3*, 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

Verlie Bern Bayford
there this Writ, with your endorsement thereon.

Witness my hand this *23* day of *July*

Defendant, and have you then and

A. D., 195*3*

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

Executed in full, this the

24 day of

July, 1953

Tapscott Wilkins

Sheriff

W. F. Hall

Deputy Sheriff

Appearance Bond

1710

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County

We, Verlie Berry Safford, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
One Thousand DOLLARS
unless the said Verlie Berry Safford appears at the
Sept Term, 1953 of the County 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 in 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____

X Verlie Safford L. S.

H. R. Hall L. S.

Arthur Mannick L. S.

_____ Baldwin County, Ala.

_____ L. S.

Taken and approved this the

_____ day of

1953

Sept
John Wilkins Sheriff
By _____, Deputy Sheriff

CAPIAS

1710

Moore Printing Co.,

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Verlis Berry Safford

at the Fall Term, 1953, of the Circuit Court of Baldwin County, for the offense of

Murder, 2nd 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 according to law.

Dated this 17th day of September, 1953.

Archie J. Luck
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.

Fairhope
CAPIAS

No. 18

THE STATE

vs.

VERLIS BERRY SAFFORD

Bail Fixed in This Case in Open Court at

\$ 1000.00

By H. M. Hall
Judge Presiding.

Attest: Alice J. Duck
Clerk.

Executed this 23rd day of Sept, 1953

By arresting the within

named Defendant

and placing him

Taylor Wilkins, Sheriff

_____, Deputy Sheriff

The State of Alabama, {
Baldwin County

We, Vellis Berry Safford, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
One Thousand DOLLARS
unless the said Vellis Berry Safford appears at the
Face 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

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 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

29 day of July, 1953

Frank Wood
Notary Public, Baldwin County, Ala.

Taken and approved this the 31st day of July, 1953

Vellis Berry Safford S.
Willie R. Parrish S.
Arthur Mannick L. S.
W. N. Harrison S.
Prince E. Griffin S.
J. W. [unclear] Sheriff
By _____, Deputy Sheriff

AFFIDAVIT

Printed by Moore Printing Co.

1710
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. 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 16 July 1953 that one Verlis Berry Safford
unlawfully, and with malice aforethought, killed Ruth Baker, by
cutting and stabbing her with a knife.

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 16

day of July, A. D., 1953

G. J. King, J. P.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Verlis Berry Safford

and bring her

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 16 day of July, 1953

G. J. King, J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF
T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

VERLIS BERRY SAFFORD

Witnesses for the State:

H. F. Hall ✓
Floyd Phillips
Peter Hamilton ✓
Martin Crews
~~Thomas W. Williams~~
Dr. Fair,

W. W. Thomas ✓
Dr. Nelson Grubbs ✓

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
vs.

VERLIS BERRY SAFFORD

Executed this 16 day of July 1953

By arresting the within

named Defendant

and placing him

Taylor Welborn Sheriff
Steadham & Hall Deputy Sheriff
Fairhope

STATE OF ALABAMA,

Plaintiff,

Vs.

LURTON LEWIS HEFLIN,

Defendant

IN THE CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA.

CRIMINAL DIVISION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

Comes the Plaintiff, State of Alabama, on the relation of Kenneth Cooper, Circuit Solicitor, 28th Judicial Circuit, and as grounds for the order and relief hereinafter sought and prayed for, respectfully represents unto the Court as follows:

1. The defendant is confined in the Atlanta Federal Penitentiary, Atlanta, Georgia, and is awaiting trial upon an indictment returned by the Grand Jury of Baldwin County, Alabama, at the Spring Session, 1954, wherein he is charged with the offense of murder in the first degree, a capital felony, for the alleged homicide of one Leroy E. Miller, which said indictment is presently pending on the docket of this Honorable Court, and which cause has been set and now stands for trial in said Court on the 1st day of October, 1954, at 9:00 A.M.

2. One PATSY RUTH HORNBECK, presently in confinement as a prisoner in the United States Federal Reformatory, Alderson, West Virginia, is an essential, necessary and indispensable witness for the State of Alabama upon the trial of this cause.


3. The State of Alabama, by Kenneth Cooper, Circuit Solicitor for this Court, on the basis of the aforesaid statement expects to show by the testimony of the said PATSY RUTH HORNBECK that the Defendant did participate in the said alleged homicide and is guilty of the offense as charged in the indictment.

4. For as much as the said PATSY RUTH HORNBECK is in custody and confined as aforesaid, it becomes necessary that the Plaintiff, in order to proceed with the trial of said Defendant, apply through appropriate means to procure her attendance as witness upon said trial, the said PATSY RUTH HORNBECK not being amenable to the ordinary process of subpoena by reason of her confinement.

WHEREFORE, THE PREMISES CONSIDERED, the Plaintiff prays that Your Honor will cause to be forthwith issued the writ of habeas corpus ad testificandum, to be executed and served upon the person or persons having custody of said PATSY RUTH HORNBECK, commanding and requiring that they produce the body and person of said PATSY RUTH HORNBECK before this Honorable Court not later than 9:00 A.M., on October 1st, 1954, and from time to time and day to day thereafter, in order that she may be available for the trial of this case.

And the Plaintiff prays for such other, further, different and general and incidental orders, writs, and process as will secure to him the necessary compulsory attendance of the said PATSY RUTH HORNBECK.

Done this 13th day of September, 1954.


Circuit Solicitor

1710
STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA
CRIMINAL DIVISION

ORDER FOR ISSUANCE OF WRIT OF HABEAS CORPUS AD TESTIFICANDUM

The petition of Kenneth Cooper, Circuit Solicitor, 28th Judicial Circuit, coming on to be heard by the Court, and it appearing that PATSY RUTH HORNBEEK is now confined in the United States Federal Reformatory, at Alderson, West Virginia, and in the custody of the warden of said institution by order of a Federal Court as a result of conviction for a federal offense, and that it is desired by the Circuit Solicitor that said individual be removed to Bay Minette, Alabama, for use as a witness at 9:00 A.M., October 1, 1954, to give testimony concerning the alleged unlawful killing of Leroy E. Miller;

Now, therefore, it is ORDERED, ADJUDGED AND DECREED by the Court that a writ of habeas corpus ad testificandum be issued from this Court to William H. McGINNIS, United States Marshal for the Southern District of West Virginia, Charleston, West Virginia, and to the Warden, United States Reformatory, NINE KINSELLA, at Alderson, West Virginia, requiring the said Marshal to take the body of PATSY RUTH HORNBEEK from the custody of the Warden of said institution, and bring her to Bay Minette, Alabama, and detain her in the custody of said Marshal at Mobile, Alabama, until she has given testimony before this Court in the case of State of Alabama vs. Lurton Lewis Heflin, Defendant.

Done at Bay Minette, Alabama, this 13th day of September, 1954.

Hubert W. Heflin

Circuit Judge

1710
STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA
CRIMINAL DIVISION

TO THE WARDEN OF
UNITED STATES FEDERAL REFORMATORY,
ALDERSON, WEST VIRGINIA,

AND

WILLIAM H. MCGINNIS, UNITED STATES
MARSHAL, SOUTHERN DISTRICT OF WEST
VIRGINIA, CHARLESTON, WEST VIRGINIA.

GREETINGS:

WE COMMAND YOU, the Warden of United States Federal Reformatory, Alderson, West Virginia, to deliver and surrender the body of PATSY RUTH HORNBECK, now detained in said institution and in your custody or under your control, as it is said, to William H. McGinnis, United States Marshal for the Southern District of West Virginia, Charleston, West Virginia, for him to do as herein commanded; and

The said William H. McGinnis, United States Marshal for said District, is hereby commanded, upon receiving the body of the said PATSY RUTH HORNBECK, from the custody of said Warden, to bring the body of said PATSY RUTH HORNBECK, under safe and secure conduct, to Mobile, Alabama, and to then retain her in the custody of said Marshal until such time as the said PATSY RUTH HORNBECK may be brought before the Circuit Court at Bay Minette, Alabama, to give testimony in a case now pending in this

Court, and have you then and there this writ, *and return to said Patsy Ruth Hornbeck to the U.S. Federal Reformatory, Alderson, W. Va.*
Done this 12th day of September, 1954.

Hubert M. Hall

Circuit Judge, 28th Judicial
Circuit.

ATTEST:

Archie J. Black
Clerk, Circuit Court

1710
STATE OF ALABAMA,

IN THE CIRCUIT COURT OF BALDWIN COUNTY,

Plaintiff,

ALABAMA.

Vs.

CRIMINAL DIVISION

LURTON LEWIS HEFLIN,

Defendant.

PETITION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE HUBERT M. HALL, JUDGE, 28th JUDICIAL CIRCUIT, BALDWIN
COUNTY, ALABAMA:

Comes the Plaintiff, State of Alabama, on the relation of Kenneth Cooper, Circuit Solicitor for the 28th Judicial Circuit, and as grounds for the order and relief hereinafter sought and prayed for, respectfully represents unto the Court as follows:

That the defendant, LURTON LEWIS HEFLIN, is confined in the Federal Penitentiary, Atlanta, Georgia, and that an indictment was returned by the Grand Jury of Baldwin County, Alabama, at the Spring Session, 1954, wherein the said LURTON LEWIS HEFLIN was charged with the offense of murder, first degree, a capital felony, for the alleged homicide of one Leroy E. Miller, which indictment is presently pending in this Honorable Court, and which case has been set and now stands for trial in this Court on the first day of October, 1954, at 9:00 A.M.

For as much as the said LURTON LEWIS HEFLIN is in custody and confinement as aforesaid, it becomes necessary that the Plaintiff, in order to proceed with the trial of said Defendant, apply through appropriate means to procure his attendance as Defendant upon said trial, the said LURTON LEWIS HEFLIN not being amenable to the ordinary process of subpoena by reason of his confinement.

WHEREFORE, THE PREMISES CONSIDERED, the Plaintiff prays that Your Honor will cause to be forthwith issued the writ of habeas corpus ad prosequendum, to be executed and served upon the person or persons having custody of said LURTON LEWIS HEFLIN, commanding and requiring that they produce the body and person of said LURTON LEWIS HEFLIN before this Court not later than 9:00 A.M., on the 24th day of September, 1954, and from time to time and day to day thereafter, in order that he may be available for the trial of this case.

1710

And Plaintiff prays for such other, further, different and general
and incidental orders, writs and process as will secure to him the necessary
compulsory attendance of the Said LURTON LEWIS HEFLIN.

Done this 13th day of September, 1954.

Kenneth Cooper

Circuit Solicitor

1710
STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

CRIMINAL DIVISION

ORDER FOR ISSUANCE OF WRIT OF HABEAS CORPUS AD PROSEQUENDUM

The petition of Kenneth Cooper, Circuit Solicitor, 28th Judicial Circuit, coming on to be heard by the Court, and it appearing that LURTON LEWIS HEFLIN is now confined in the Federal Penitentiary at Atlanta, Georgia, and in the custody of the warden of said institution by direction of the Federal Court for the Northern District of Alabama as a result of conviction for a federal offense in said Court, and that it is desired by the Circuit Solicitor that said individual be removed to Bay Minette, Alabama, for arraignment at 9:00 A.M., September 24th, 1954, on a charge of murder, 1st degree, for the alleged unlawful killing of Leroy E. Miller, and for disposition of said case, either by plea or trial;

Now, therefore, it is ORDERED, ADJUDGED AND DECREED by the Court that a writ of habeas corpus ad prosequendum be issued from this Court to the Marshal for the Northern District of Georgia, Atlanta, Georgia, and to the Warden, Atlanta Federal Penitentiary, Atlanta, Georgia, requiring the said Marshal to take the body of the said LURTON LEWIS HEFLIN from the custody of the Warden of said institution, and bring him to Bay Minette, Alabama, and detain him in the custody of said Marshal at Mobile, Alabama, until he is brought before this Circuit Court at Bay Minette, Alabama, for arraignment in said case, and for disposition thereof either by plea or trial.

Done at Bay Minette, Alabama, this 13th day of September, 1954.

Robert M. Hall

Circuit Judge.

1710
STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

CRIMINAL DIVISION.

TO THE WARDEN OF
ATLANTA FEDERAL PENITENTIARY,
ATLANTA, GEORGIA,

AND

TO THE UNITED STATES MARSHAL FOR
THE NORTHERN DISTRICT OF GEORGIA,
ATLANTA, GEORGIA.

GREETINGS:

WE COMMAND YOU, the Warden of Atlanta Federal Penitentiary, Atlanta, Georgia, to deliver and surrender the body of LURTON LEWIS HEFLIN, now detained in said institution and in your custody or under your control, as it is said, to the United States Marshal for the Northern District of Georgia, for him to do with as herein commanded; and

The said United States Marshal for said district is hereby commanded, upon receiving the body of the said LURTON LEWIS HEFLIN from the custody of said warden, to bring the body of the said LURTON LEWIS HEFLIN, under safe and secure conduct, to Mobile, Alabama, and to then retain him in the custody of the said Marshal until such time as the said LURTON LEWIS HEFLIN may be brought before the Circuit Court at Bay Minette, Alabama, for arraignment upon an indictment pending in said Court against him, and until said case be disposed of as to said defendant or until he may be released according to law, and have you then and there this writ.

Done this 12th day of September, 1954.

Hubert M. G. Lee

Circuit Judge, 28th Judicial
Circuit.

ATTEST:

Ruth J. H. H. H.

Clerk, Circuit Court

1710
STATE OF ALABAMA,

Plaintiff,

Vs.

LURTON LEWIS HEFLIN,

Defendant.

IN THE CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA.

CRIMINAL DIVISION

PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

TO THE HONORABLE HUBERT M. HALL, JUDGE, 28th JUDICIAL CIRCUIT, BALDWIN
COUNTY, ALABAMA:

Comes the Plaintiff, State of Alabama, on the relation of Kenneth Cooper, Circuit Solicitor, 28th Judicial Circuit, and as grounds for the order and relief hereinafter sought and prayed for, respectfully represents unto the Court as follows:

1. The Defendant is confined in the Atlanta Federal Penitentiary, Atlanta, Georgia, and is awaiting trial upon an indictment returned by the Grand Jury of Baldwin County, Alabama, at the Spring Session, 1954, wherein he is charged with the offense of murder in the first degree, a capital felony, for the alleged homicide of one Leroy E. Miller, which said indictment is presently pending on the docket of this Honorable Court, and which cause has been set and now stands for trial in said Court on the 1st day of October, 1954, at 9:00 A.M.

2. One CIETUS JOSEPH GOLDMAN, presently in confinement as a prisoner in United States Penitentiary, Terre Haute, Indiana, is an essential, necessary and indispensable witness for the State of Alabama upon the trial of this cause.

3. The State of Alabama, by Kenneth Cooper, Circuit Solicitor for this Court, on the basis of the aforesaid statement expects to show by the testimony of the said CIETUS JOSEPH GOLDMAN that the Defendant did participate in the said alleged homicide and is guilty of the offense as charged in the indictment.

4. For as much as the said CIETUS JOSEPH GOLDMAN is in custody and confined as aforesaid, it becomes necessary that the Plaintiff, in order to proceed with the trial of said Defendant, apply through appropriate means to procure his attendance as witness upon said trial, the said CIETUS JOSEPH GOLDMAN not being amenable to the ordinary process of subpoena by reason of his confinement.

WHEREFORE, THE PREMISES CONSIDERED, the Plaintiff prays that Your Honor will cause to be forthwith issued the writ of habeas corpus as testificandum, to be executed and served upon the person or persons having custody of said CLETUS JOSEPH GOLDMAN, commanding and requiring that they produce the body and person of said CLETUS JOSEPH GOLDMAN before this Court not later than 9:00 A.M., on October 1, 1954, and from time to time and day to day thereafter, in order that he may be available for the trial of this case.

And Plaintiff prays for such other, further, different and general and incidental orders, writs, and process as will secure to him the necessary compulsory attendant of the said CLETUS JOSEPH GOLDMAN.

Done this 13th day of September, 1954.


Circuit Solicitor

1710
STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA

CRIMINAL DIVISION

ORDER FOR ISSUANCE OF WRIT OF HABEAS CORPUS AD TESTIFICANDUM

The petition of Kenneth Cooper, Circuit Solicitor, 28th Judicial Circuit, coming on to be heard by the Court, and it appearing that CLETUS JOSEPH GOLDMAN is now confined in the United States Penitentiary, at Terre Haute, Indiana, and in the custody of the warden of said institution by order of a Federal Court as a result of conviction for a federal offense, and that it is desired by the Circuit Solicitor that said individual be removed to Bay Minette, Alabama, for use as a witness at 9:00 A.M., October 1, 1954, to give testimony concerning the alleged unlawful killing of Leroy E. Miller:

Now, therefore, it is ORDERED, ADJUDGED AND DECREED by the Court that a writ of habeas corpus ad testificandum be issued from this Court to the Marshal for the Southern District of Indiana, Julius J. Wichser, Indianapolis, Indiana, and to the Warden, United States Penitentiary, at Terre Haute, Indiana, requiring the said Marshal to take the body of CLETUS JOSEPH GOLDMAN from the custody of the Warden of said institution, and bring him to Bay Minette, Alabama, and detain him in the custody of said Marshal at Mobile, Alabama, until he has given testimony before this Court in the case of State of Alabama, Plaintiff, vs. Lurton Lewis Heflin, Defendant.

Done at Bay Minette, Alabama, this 13th day of September, 1954.



Circuit Judge

1710
STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

TO THE WARDEN OF
UNITED STATES PENITENTIARY,
TERRE HAUTE, INDIANA,
AND

CRIMINAL DIVISION.

JULIUS J. WICHSER, MARSHAL
SOUTHERN DISTRICT OF INDIANA,
INDIANAPOLIS, INDIANA.

GREETINGS:

WE COMMAND YOU, the Warden of United States Penitentiary, Terre Haute, Indiana, to deliver and surrender the body of CLETUS JOSEPH GOLDMAN, now detained in said institution and in your custody or under your control, as it is said, to Julius J. Wichser, United States Marshal for the Southern District of Indiana, Indianapolis, Indiana, for him to do with as herein commanded; and

The said Julius J. Wichser, United States Marshal for said district, is hereby commanded, upon receiving the body of the said Cletus Joseph Goldman from the custody of said warden, to bring the body of said Cletus Joseph Goldman, under safe and secure conduct, to Mobile, Alabama, and to then retain him in the custody of said Marshal until such time as the said Cletus Joseph Goldman may be brought before the Circuit Court at Bay Minette, Alabama, to give testimony in a case now pending in this said Court, and have you then and there this writ.

Done this 13th day of September, 1954.

Hubert M. Hall

Circuit Judge, 28th Judicial
Circuit.

ATTEST:

Wesley A. Smith
Clerk, Circuit Court.

1710

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. 5006	Vs.	
	Karlis Perry Safford	Murder

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to H. F. Hall	Judge's Fees	
	Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	75
	Witness—for State H. F. Hall	Bond at 50c, Sci Fa. at 50c	
	Floyd Phillips	Witnesses' Recognizances at 25c	
	Peter Hamilton	3 Subpoenas or notice at 25c	2.00
	Martin Crews	Continuance at 25c	
	Thos. W. Williams	Trial of Misdemeanor at \$1.00	
	Dr. Fair	Mittimus at 25c	75
	W. W. Thomas	Judgment on Forfeited Bond at 25c	
	Dr. Wilson Hubbs	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 \$2.00, Bond \$1.00, Sci Fa. 50c	4.00
		Guard \$2.00, Finger Printing 10c	2.10
		Subpoenas at 50c, Mileage 70mi	11.00
		Witness Fees	2.00
		Days at 50c	50
		Days at 50c	50
		Days at 50c	50
		Days at 50c	50
		Days at 50c	50
		Days at 50c	50
		Days at 50c	50
		Defendant's Costs	50
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	50
		Executing Subpoenas	

28 July 53

After hearing evidence in case
 def. was ~~found~~ bound over
 to Grand Jury on mensleight
 and bond was set at \$1,000.
 def. being unable to make bond
 was ruled committed to jail.

12/10