

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, SPRING Session, 1954

The Grand Jury of said County charge that before finding this indictment
Horace Johnson, whose name is to the Grand Jury otherwise unknown,
unlawfully and with malice aforethought, did assault Phillip Mitchell,
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

SPRING SESSION 1954 ~~Term, 1955~~

THE STATE

Vs.

HORACE JOHNSON

INDICTMENT

ASSAULT WITH INTENT TO MURDER.

No. Prosecutor.

WITNESSES:

H.F. Hall

Charlie Griffiths

Herman Mitchell

Phillip Mitchell

Willie Mae Johnson

GRAND JURY NO. 28

A TRUE BILL

Emmitt Bullock
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 11th day of

MARCH, 1954.

Archie J. Smith 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. Smith Clerk.

Bail fixed \$ 1000⁰⁰

W. L. Smith
Judge.

We the jury ^{find} the defendant
Horace Johnson, guilty of assault
and Battery with a weapon and
agree the penalty shall be six
month hard labor

W. L. Smith
Foreman

AFFIDAVIT

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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 8 December 1953 that one Horace Johnson
unlawfully and with malice aforethought, did assault Phillip Mitchell, with the
intent to murder him/.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 9

day of December, 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 Horace Johnson

and bring him

before me to answer the State of Alabama on a charge

Assault with intent to murder

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

Witness my hand this 9 day of December, 19 53

J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

Horace Johnson

Witnesses for the State:

H. F. Hall
Charles Griffith
Herman Mitchell
Phillip Mitchell
Willie Mae Johnson

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
vs.

Horace Johnson

Executed this 9 day of Dec. 1953

By arresting the within

named Defendant

and placing him

in Jail

Taylor Wilkins Sheriff

Griffith Hall Deputy Sheriff

Fairhope

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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, Charles G. Smith, Herman Mitchell, Phillip Mitchell, Willie Mae Johnson,

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

26 day of *Dec*, 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

W. Mae Johnson

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

Witness my hand this *24* day of *Dec*, A. D. 195*3*.

T. C. Hand

Justice of the Peace

Executed in full, this the

23 day of

Dec, 1953

Jay W. Wilkins

Sheriff

W. F. Hall

Deputy Sheriff

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Horace Johnson

at the Spring Term, 1924, 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 he give bail to answer said indictment, and that you return this Writ according to law.

Dated this 11th day of March, 1924

Reuben J. French
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.

CAPIAS

No. 28

THE STATE

vs.

Horace Johnson

Bail Fixed in This Case in Open Court at

\$ 1000⁰⁰

By

Hubert M. Hall

Judge Presiding.

Attest:

Clerk.

Executed this 15 day of Mar, 1954

By arresting the within

named Defendant

and placing him

in Jail

Taylor Withers, Sheriff

Pat Decker, Deputy Sheriff

O Miller

JURY LIST

Spring Term, March 22nd, 1954

NO.	NAME	OCCUPATION	ADDRESS
1	Howard Langham	farmer	Loxley
2	George Kaiser	farmer	Foley
3	Henry Biggs	farmer	Lottie
4	Francis Harrell	farmer	Robertsdale
5	John J. Gallagher	hotel	Fairhope
6	Virgil Christensen	florist	Foley
7	R. Howard Vaughn, Jr.	farmer	Robertsdale
8	Alfred M. Neumann	banker	Elberta
9	Claud Laurendine	butcher	Foley
10	Ray Survant	linesman	Foley
11	Charles W. Barnhill	farmer	Robertsdale
12	John M. Moreland	nursery business	Daphne
13	R. H. Young	merchant	Fairhope
14	Chester A. Stapleton	merchant	Bay Minette
15	D. Z. Nix	carpenter	Robertsdale
16	Sims Parker	farmer	Bon Secour
17	W. T. Canaan	merchant	Loxley
18	Bink Swannery	barber	Fairhope
19	Francis L. Irwin	farmer	Foley
20	Thomas W. Walters	farmer	Foley
21	Joe Hanik	farmer	Silverhill
22	Wallace Parker	mill	Stockton
23	Norman A. Racine	oil dealer	Robertsdale
24	J. R. Wilson	chev. dealer	Bay Minette
25	J. Ernest Duck	mechanic	Bay Minette
26	Cecil Kussel	filling station	Robertsdale
27	Vernon W. Gebhart	defense	Foley
28	Gene Pittman	real estate	Fairhope
29	Jessie Andrew	telephone oper.	Daphne
30	Forest E. Warren	farmer & teacher	Fairhope
31	Henry Pipkin	woodsman	Bay Minette
32	Harold Gilbert	mechanic	Bay Minette
33	P. M. Leatherwood	clerk	Daphne
34	John Beverly	laborer	Robertsdale
35	Roy Roberson	laborer	Foley
36	Oscar Rich	book-keeper	Magnolia Springs
37	Bud Eady	farmer	Rabon
38	S. Barner	contractor	Elseanor
39	Victor Muzink	farmer	Silverhill
40	Bennie McComb	farmer	Elberta
41	C. T. Powell	farmer	Bay Minette
42	Emanuel Davidson	salesman	Bay Minette
43	Burford White	clerk	Bay Minette
44	Heyden J. Lewis	clerk	Fairhope
45	Hubert Lee	laborer	Robertsdale
46	Jennings Thomas	farmer	Foley
47	Engene Passmore	Brookley Field	Summerdale
48	J. Arthur Gots	farmer	Belforest
49	John Weiss	farmer	Foley
50	Leonard Havel	farmer	Fairhope
51	Warren D. Causey Jr.	mfg.	Stockton
52	I. W. Clark Jr.	merchant	Robertsdale

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

Attorneys	Case	Charge
No. 5581	THE STATE OF ALABAMA,	
	Vs.	
	Harold Johnson.	Assault with intent to 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	
	Charles Gissick	Witnesses' Recognizances at 25c	
	James Mitchell	Subpoenas or notice at 25c	1.25
	Phillip Mitchell	Continuance at 25c	50
	Willie Mae Johnson.	Trial of Misdemeanor at \$1.00	
19 Dec 53.	Case continued to 26 Dec 53.	Mittimus at 25c	25
26 Dec 53	" " to 28 Dec 53.	Judgment on Forfeited Bond at 25c	
28 Dec 53	Hearing waived to Grand jury	Taking Bond, etc., on Appeal at \$1.00	
	Bond \$500 & \$1,000.	Execution of costs at 25c	
	as being unable to make bond was	Constable's Fees	
	ordered committed to jail.	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 70	2.50
		Witness Fees	2.00
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

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Department of Criminal Justice for the Office of the Attorney General

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