

The State of Alabama,
Baldwin County

CIRCUIT COURT, SPRING SESSION, 1956

The Grand Jury of said County charge that before finding this indictment
J.B. DAVIS, whose name is to the Grand Jury otherwise unknown,
unlawfully, and with malice aforethought, killed Orrie Hilburn
by shooting him with a rifle,

against the peace and dignity of the State of Alabama.

Kenneth Cooper
Solicitor of the Twenty-Eight Judicial Circuit.

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

SPRING SESSION ~~XXXX~~ 1956

The State
vs.

J.B. DAVIS

INDICTMENT

MURDER, 1st DEGREE.

No. _____ Prosecutor

WITNESSES:

J.D. HORN

AUDREY MAE CHANDLER

JACK CHANDLER

MRS W. M. McDILL

JAMES WILSON

*Mrs. Annie Brown
Chrysler, Ala.
Thomas Hubbard*

GRAND JURY NO. 36

A TRUE BILL,

M. M. M.
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16 day of
March, 1956.

W. J. J.
Clerk.

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in
the presence of 14 other Grand Jurors.

W. J. J.
Clerk.

Bail fixed \$ 3000

H. M. J.
Judge.

*We the jury find the Defendant guilty of
Manslaughter in first degree as charged in
the indictment and set sentence of ten
years with recommendation that he serve
the full ten years.*

Roger F. Barnhill

THE STATE OF ALABAMA, {

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

J. B. Davisat the Spring Term, 1957, of the Circuit Court of Baldwin County, for the offense ofMurder, 1st degreeyou are, therefore, commanded forthwith to arrest the said Defendant and commit himto jail, unless he give bail to answer said indictment, and that you return this Writ according to law.Dated this 16 day of March, 1957_____
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. 56

The State

vs.

J. B. Davis

Bail fixed in this Case in Open Court at

\$ 3000⁰⁰

By A. M. Hall
Judge Presiding

Attest: _____
Clerk.

Executed this 17 day of March, 1956

By arresting the within

named Defendant

and placing him In Jail

_____, Sheriff
W. O. Garner, Deputy Sheriff

omi

2112

THE STATE OF ALABAMA,

VS.

J. B. DAVIS

No. _____

On this the 17th day of March, 1945⁶, the Defendant, being in open Court in person, and it being made known to the court that the Defendant in this case is indicted for a capital offense and that he is unable to employ counsel, it is ordered by the Court that Edwin Thompson, who is a regularly licensed attorney practicing in this Court, be, and he hereby appointed counsel for the Defendant in this case.

On this the 17 day of March, 1945⁶, the Defendant being in open Court in person, and attended by his counsel, is duly and legally arraigned upon the indictment, and for his plea thereto says that Not guilty He is not guilty

On this 17 day of March, 1945⁶, in the cause of the State of Alabama against wherein the Defendant is charged with the offense of Murder first degree the Defendant in person being then and there in open Court and attended by his counsel, the following proceedings were had and orders made in open Court in the presence of the Defendant and his counsel:

It is ordered and adjudged by the Court that the 27 day of March, 1945⁶, it being Thursday of the Second Week of this Term of the Court, be and the same is hereby fixed for the date of the trial of this cause, and that the Sheriff of this Court summons 70 persons in this cause, including those persons drawn on the regular juries for the second week of this term of this Court:

It is ascertained and adjudged by the Court that 60 persons have been drawn on the regular juries for the said Second Week of this Term of this Court. And the Court ordered that the legal jury box of this County be brought into open Court, and the Court ascertained and adjudged that said order had been obeyed, and that said box was, in open Court, well shaken. The Court then and there in open Court, publicly drew from the said jury box the names of 60 persons, the same being the number of persons required, with the regular juries drawn for the Second Week of this Term of this Court, to make the number of persons the Sheriff was commanded to summons in this cause by order of the Court herein-before set forth. The Clerk of the Court, in the presence of the Court, immediately made a list of the names drawn by the Court from the jury box in this cause. And it is ordered and adjudged by the Court that the said Clerk forthwith issue a mandate to the Sheriff of this County, commanding him to summons said persons whose names the Court drew from the jury box in this cause and the regular jurors drawn for the Second Week of this Term of this Court to appear in this Court as jurors in this cause at the Court House of this county at 9 o'clock on Thursday morning of the Second Week of this Term of this Court, the same being the 27 day of March, 1945⁶.

It is ordered and adjudged by the Court that the Sheriff of this County forthwith serve on the Defendant a list of the names drawn in this cause by the Court from the jury box, and a list of the names of all the jurors drawn for the Second Week of this Term of this Court, together with a copy of the indictment in this cause.

7251

2112

Bay Minette

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

Jack Chandler, Colman Armstrong
Audrie Mae Chandler, Lloyd Carlton, J. D. Horn
personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

3 day of *June* *9 AM*, 195*5*, 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

J. B. Davis

there this Writ, with your endorsement thereon.

Defendant, and have you then and

Witness my hand this

27

day of

May

A. D., 195*5*

P. J. Lued
Justice of the Peace

7251

2112

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

Frieda Brackins
Summedale, Ala.
personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

3 day of *June* *9 AM*, 195*5*, 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

J. B. Davis

there this Writ, with your endorsement thereon.

Defendant, and have you then and

Witness my hand this

27

day of

May

A. D., 195*5*

P. J. Lued
Justice of the Peace

Bay Minette

Executed in full, this the

27 day of

May, 1955

Taylor Wilkins
Sheriff

Charles D. Dumas
Deputy Sheriff

Printed by Moore Printing Co.

Executed in full, this the

1 day of

June, 1955

Taylor Wilkins
Sheriff

J. D. Dumas
Deputy Sheriff

Printed by Moore Printing Co.

7251

2112

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

James W. Wilson
Stockton

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
3 day of *June* 9 A.M., 1955, 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

J. B. Davis

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

Witness my hand this 27 day of *May*, A. D. 1955.

T. C. Hand
Justice of the Peace

2112

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

R. J. Granger
Mrs W. M. Weill

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
3 day of *June* 9 A.M., 1955, 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

J. B. Davis

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

Witness my hand this 27 day of *May*, A. D. 1955.

T. C. Hand
Justice of the Peace

day of

June, 1956

Taylor Wilkins
Sheriff

J. D. Horn
Deputy Sheriff

[illegible]

Printed by Moore Printing Co.

 day of

June, 1955

Taylor Wilkins
Sheriff

[Signature]
Deputy Sheriff

Printed by Moore Printing Co.

APPEARANCE BOND

2112

Printed by Moore Ptg. Co.

The State of Alabama,

Baldwin County.

We, J. B. Davis, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of THREE THOUSAND & 00/100 DOLLARS

unless the said J. B. Davis appears at the next Term, 1955 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 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 , 19

Baldwin County, Ala.

Taken and approved this the

6th day of June 1955
Engel Walker Sheriff
Deputy Sheriff

By

Deputy Sheriff

J. B. Davis L.S.
Jake Jacobs L.S.
William Asray L.S.
L. B. Dukes L.S.
Carl Cherry L.S.

State
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J.B. Davis

JURY LIST

Spring Term, March 26th, 1956

No.	Name	Occupation	Address
1	Robinson, John B.	Farmer, Foley	406'
2	Klein, Jerome	Insurance, Fairhope	12'
3	Doege, Herman	Businessman, Elberta	
4	Pollard, Lewis	Laborer, Foley	5'
5	Corte, J. Arthur	Farmer, Belforest	58'
6	DePhillippi, Jim	Farmer, Daphne	
7	Hensen, Clarence W.	Fisherman, Daphne	54'
8	Snyder, Burns	Brookley Field, Rabon	51'
9	Carroll, Dennis C.	Newport, Bay Minette	5'
10	Baldwin, Tony	Laborer, Foley	5'
11	Brown, George, A.	Press-Register, Gulf Shores	
12	Robinson, George E.	Millman, Stockton	
13	Wilson, George	Airport Oper, Foley	404'
14	Messeroll, Walter H.	Boat Operator, Gulf Shores	51'
15	Caprara, Lewis J.	Laborer, Bay Minette	194'
16	Bung, Floyd	Merchant, Fairhope	14'
17	Norman, Jack	Band Director, Fairhope	51'
18	Krene, Glen, Corp.	Fairhope	25'
19	Keinschmidt, Erwin	Farmer, Elberta	
20	Coleman, Denny	Laborer, Bay Minette	101'
21	Robinson, Dudley	Insurance, Fairhope	105'
22	Griffith, Jack	Shipyards, Fairhope	101'
23	Latner, A. K.	Carpenter, Loxley	
24	Harrison, John	Laborer, Summerdale	
25	Green, J. Harold	Cafe Operator, Bay Minette	510'
26	Bloch, John	Farmer, Elberta	51'
27	Highbee, Evan S.	Farmer, Belforest	58'
28	Vitous, Albert	Farmer, Silverhill	
29	Memmert, John J.	Farmer, Elberta	
30	Miller, Robert M.	Merchant, Bay Minette	1010'
31	Newton, Forrest, B.	Clerk, Bay Minette	55'
32	Hankins, C. E.	Farmer, Robertsdale	51'
33	Black, Rufus M.	Farmer, Loxley	5'
34	Barnhill, Roger	Farmer, Loxley	

- ~~35 Matthews, Nelson, Truck Driver, Summerdale~~
- ~~36 Stallworth, F. W., Painter, Summerdale~~ 517
- ~~37 Fletcher, Charles T., Gov't Employee, Bay Minette~~ 52
- 38 Chestang, Phelham, D., Brookley Field, Bay Minette
- ~~39 Stephens, W. Henry, Millman, Stockton~~ 59
- ~~40 DeBrock, George, Cabinet Maker, Fairhope~~ 56
- 41 Davis, Roy, Barber, Bay Minette
- ~~42 Trione, Leonard, Real Estate, Daphne~~ 56
- ~~43 Barnham, Fred, Civil Service, Elberta~~ 510
- ~~44 Dyer, Ted, Mechanic, Fairhope~~ 513
- ~~45 Laflam, Laurence F., Machinist, Foley~~ 515
- 46 Lazzari, Joe, Jr., Farmer, Belforest
- ~~47 Lazzari, Angelo, Farmer, Belforest~~ 52
- ~~48 Graham, Benjamin F., Newport, Bay Minette~~ 53
- ~~49 Sandt, Sam, Druggist, Fairhope~~ 52
- ~~50 Struma, Frank, Merchant, Silverhill~~ 51
- ~~51 Northcutt, Certe M., farmer, Rosinton~~ 515
- ~~52 Stewart, Aubrey J., Farmer, Rabon~~ 52
- ~~53 Sims, Joel A., Farmer, Rabon~~ 53
- ~~54 Colley, Grover O., Laborer, Bay Minette~~ 53
- ~~55 Taylor, Floyd, Mechanic, Rabon~~ 57
- ~~56 Graham, Willie D., Farmer, Gulf Shores~~
- ~~57 Hedley, Ben, Farmer, Bay Minette~~ 54
- ~~58 Gardner, Anton, Retired, Robertsdale~~ 512
- ~~59 Middleton, Frank, Truckee, Foley~~ 513
- ~~60 Perkins, William Robert, Farmer, Stapleton~~ 514
- ~~61 Jenkins, Albert M., Farmer, Stapleton~~ 517
- ~~62 Ringert, Tony A., Farmer, Elberta~~ 517
- ~~63 Break, Jacob, Farmer, Elberta~~ 513

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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 J. D. Horn 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 20 May, 1955 that one J. B. Davis
unlawfully, and with malice aforethought, killed Orrie Hilburn, by clubbing and shooting
him with a rifle

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 21

day of May A. D., 19 55

J. P.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest J. B. 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 21 day of May, 19 55.

J. P.

The State of Alabama
Baldwin County

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA
VS.

J. B. DAVIS

Witnesses for the State:

J. D. Horn

R. J. Tranger
Audrey Mae Chandler
James Wilson
Mrs. McDiff
Jack Chandler

Printed by Moore Printing Co.

Justice Court of
Baldwin County

Warrant of Arrest

THE STATE OF ALABAMA,
vs.

J. B. DAVIS

Executed this 21 day of May 1955

By arresting the within

named Defendant

J. B. Davis

and placing him

in Jail

Taylor Wilkins, Sheriff

J. D. Horn, Deputy Sheriff

Breezy Pine

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

Attorneys	Case	Charge
No. 7251	THE STATE OF ALABAMA, Vs. J. B. Davis	Murder

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to J. D. Horn	Judge's Fees	
	Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	75
	Witness—for State J. D. Horn	Bond at 50c, Sci Fa. at 50c	
	R. J. Granger.	Witnesses' Recognizances at 25c	
	Audrey Mae Chandler.	8 Subpoenas or notice at 25c	200
	James Wilson	Continuance at 25c	
	Mrs W. M. Mc Gill	Trial of Misdemeanor at \$1.00	
	Jack Chandler	Mittimus at 25c	25
	Frieda Brockins	Judgment on Forfeited Bond at 25c	
	Coleman Armstrong	Taking Bond, etc., on Appeal at \$1.00	
3 June 10	Bound over to Grand Jury.	Execution of costs at 25c	
	Bond set \$3,000	Constable's Fees	
	ref being unable to make bond	order of commitment to jail	25
	was ordered committed to jail.	Subpoena or Notice at 25c	
	ref. posted bond	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	5.00
		Guard \$2.00, Finger Printing 10c	2.10
		8 Subpoenas at 50c Mileage 8	4.50
		Recommitted to jail	2.00
		Days at 50c	
		8 witnesses	
		Days at 50c	
		Days at 50c	4.00
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

At said
Justice Court

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[illegible]

Figure 1 illustrates the experimental setup. A subject is seated at a table, viewing a video screen. A camera is positioned above the screen. A target is located on the screen. A horizontal line is drawn on the screen, representing the starting position of the hand. The distance from the hand to the target is labeled D . The distance from the hand to the video screen is labeled L . The distance from the camera to the video screen is labeled L_c . The distance from the camera to the target is labeled D_c . The distance from the hand to the camera is labeled L_h . The distance from the hand to the target is labeled D_h . The distance from the hand to the video screen is labeled L_h .