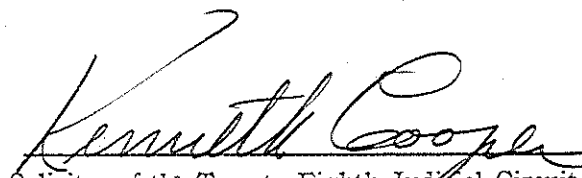


The State of Alabama,
Baldwin County.

Circuit Court, FALL Session, 1954

The Grand Jury of said County charge that before finding this indictment Bessie Smith, alias Child Smith, whose name is to the Grand Jury otherwise unknown, unlawfully, and with malice aforethought, killed Monroe Brown, alias Monroe Brown, Jr., alias Little Monroe Brown, alias Man Brown, by shooting him with a shotgun,

against the peace and dignity of the State of Alabama.


Solicitor of the Twenty-Eighth Judicial Circuit.

No. _____

The State of Alabama

Baldwin County.

Circuit Court

FALL SESSION

~~xxx~~ 1924

The State

vs.

BESSIE SMITH, alias

CHILD SMITH.

INDICTMENT

MURDER, 1st Degree

No. Prosecutor

WITNESSES:

R. J. GRANGER

J. D. HORNE

M. P. BROWN

LOUVERNE JONES

ELLEI ROBBINS

WILLIE SANDERS

GEORGE AUSTIN

Printed by Moore Printing Co.

RECORDED

GRAND JURY NO. 21

A TRUE BILL

W. H. Dwyer

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 14 day of

Sept, 1924

W. H. Dwyer
Clerk.

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

presence of 17 other Grand Jurors.

W. H. Dwyer
Clerk.

Bail fixed \$ _____

Judge.

*We the jury find
the defendant guilty
of manslaughter in
the first degree -
Sentence has to 7 years
in the penitentiary
D. C. H. Ayers*

1902

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: J. D. Horn, R. J. Granger, Ellie Robins, Mike Jones,
You are hereby Commanded to Summon M. P. Brown, Ellie Marshall, William Sanders,

William Sanders, Mazie Lee Cooper, Minnie Lee Green, George Austin, m Louverne Jones 8yrs Old.

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

11 day of June 10 A. M., 1954, 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

Bessie Smith

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

Witness my hand this 9 day of June, A. D., 1954.

T. C. Hand
Justice of the Peace

Executed in full, this the

10

day of

June

, 1954

Taylor Wilkins

Sheriff

J. D. Horn

Deputy Sheriff

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 6 June 1954 that one Bessie Smith
unlawfully, and with malice aforethought, killed Monroe Brown Jr., by shooting him
with a single barrel shot gun.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 7

day of June, A. D., 1954

J. P.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Bessie Smith

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 7 day of June, 19 54.

J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

Bessie Smith

Witnesses for the State:

J. D. Horn ✓

R. J. Granger ✓

Ellie Robins

Mike Jones

M. P. Brown ✓

Ellie Marshall

William Sanders

Mazie Lee Cooper

Minnie Lee Green

George Austin

Louverne Jones-8 yrs.

Witnesses for the Defense

Mary Liza Jones

Mary Alice Jackson

Moore Printing Co., Bay Minette, Ala.
Henry Jackson

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
Vs.

Bessie Smith

Executed this 10 day of June 1957

By arresting the within

named Defendant

and placing him

in jail

Taylor W. Harris, Sheriff

W. H. Harris, Deputy Sheriff

W. H. Harris

1902

THE STATE OF ALABAMA, }

BALDWIN COUNTY

To Any Sheriff of the State of Alabama:

Justice Court of T. C. Hand

Precinct No Bay Minette, Ala.

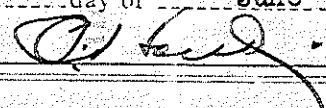
You Are Hereby Commanded to Summon Mary Liza Jones, Mary Alice Jackson

Henry Jackson

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the 11 day of June 10 A.M. 1954, 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 Plaintiff, and Bessie Smith

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

Witness my hand this 9 day of June 1954


NOTARY PUBLIC AND EX-OFFICIO J. P.

Executed in full, this the

10

day of

June, 1964

Jaylor Wilkins
Sheriff.

J. P. Horn
Deputy Sheriff

JURY LIST

max
15.
Bessie Smith

Fall Term, September 27th, 1954

NO.	NAME	OCCUPATION	ADDRESS
1	Joe T. Worcester, farmer,	Fairhope	S1
2	Louis Jurkovich, farmer,	Raben	191
3	E. C. Johnson, logging,	Bay Minette	289
4	M. D. Drinkard, dairy,	Bay Minette	37
5	Frank A. Kucera, Jr., farmer,	Silverhill	01
6	Charlie Zehner, inspector,	Bay Minette	09
7	John William Spaulding, truck driver,	Foley	
8	Ossie V. Morris, farmer,	Gateswood	
9	Hugh S. Metcalf, Sr., farmer,	Foley	
10	Charles E. Gantt, millman,	Little River	22
11	Sibley B. Richerson, clerk,	Stockton	2
12	G. M. Mills, turpentine,	Magnolia Springs	52
13	William E. Boykin, laborer,	Robertsdale	56
14	Herman Dodge, merchant,	Elberta	06
15	John M. Dukes, restaurant,	Foley	
16	Henry C. Crawford, Jr., farmer,	Belforest	33
17	Cecil Vinson, laborer,	Stapleton	107
18	Norman McLenis, Supt. Mill Co.,	Stockton	22
19	Bud Sheria, laborer,	Elsanor	103
20	George H. Baldwin, produce dealer,	Robertsdale	510
21	Mike Kaiser, Jr., farmer,	Elberta	109
22	Roy Norris, sea food dealer,	Bon Secour	101
23	Julius Schwart, farmer,	Lillian	101
24	Ben C. Gates, M. P. dealer,	Foley	108
25	George Dyson, farmer,	Fairhope	54
26	M. O. Berglin, merchant,	Fairhope	55
27	Dan C. Hayes, farmer,	Foley	
28	Elbert E. Killion, carpenter,	Foley	101
29	Jesse Porter, insurance,	Foley	
30	McNeil Bush, merchant,	Stapleton	103
31	Elbert M. Rhodes, farmer,	Summerdale	
32	Orlando J. Mancini, farmer,	Bay Minette	104
33	William C. Mayo, fisherman,	Foley	
34	W. D. Mitchell, laborer,	Seminole	04
35	Walter L. Hammond, merchant,	Robertsdale	57
36	Roy E. Dawson, live stock dealer,	Robertsdale	
37	Erick Lauder, carpenter,	Foley	
38	Heurlin Parker, farmer,	Bon Secour	
39	Owen Eubanks, mechanic,	Bay Minette	56
40	Verdis Verlon Hudson, liquid carriers,	Bay Minette	108
41	John Guttler, farmer,	Elberta	105
42	Lovick Allen, inn keeper,	Gulf Shores	
43	C. M. Coghlan, farmer,	Latham	106
44	I. B. Byrd, farmer,	Stapleton	1014
45	William C. Osborne, laborer,	Foley	
46	Litcher Davis, electrician,	Foley	1010
47	WILLIAM LIND, DEFENSE,	ELBERTA	106
48	WALTER E. WAGGON, DAIRY & FARMER,	POINT CLEAR	511

48
12
35

5 XXXX XXXX X.

10. ##### HX

DATE: 10/24/2000 PAGE: 1

- 1902

Grand Jury
No. 21, 1902
No 1902
Case No. 6245 2383

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

The State
VS.

Bessie Smith

CHARGE:

Murder

DISPOSITION

*Waived Grand Jury
Bond set \$2000
sy being unable to make bond
was ordered committed to jail
11 June 54*

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Bessie Smith, alias Chies Smith

at the Fall Term, 1954, 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 her

to jail, unless she give bail to answer said indictment, and that you return this Writ according to law.

Dated this 14th day of Sept, 1954

W. J. Jenkins
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. 21

The State

vs.

Bessie Smith
vs. Child Smith

Bail fixed in this Case in Open Court at

\$ _____

By _____
Judge Presiding

Attest: _____
Clerk.

Executed this 15 day of Sept., 1904

By arresting the within

named Defendant

and placing him in jail

Jaybe Wilkins, Sheriff

Bottom, Deputy Sheriff

a mi.

1902

The State of Alabama,

vs.

BESSIE SMITH, alias CHILD SMITH

No. 1902

On this the 20th day of September, 1935⁴, 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 Ernest M. Bailey, who is a regularly licensed attorney practicing in this Court, be, and he is hereby appointed counsel for the Defendant in this case.

On this the 20 day of September, 1935⁴, the Defendant being in open Court in person, and attended by her counsel, is duly and legally arraigned upon the indictment, and for his plea thereto says that she is not guilty

On this 20 day of September, 1935⁴, in the cause of the State of Alabama against Bessie Smith, alias Child Smith 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 28 day of September, 1935⁴, it being Tuesday 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 62 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 2 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 hereinbefore 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 Tuesday morning of the Second Week of this Term of this Court, the same being the 28 day of September, 1935⁴

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.

1902

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. <i>6245</i>	Vs.	
	<i>Bessie Smith</i>	<i>Murder</i>

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <i>J. D. Horn</i>	Judge's Fees	
	Returnable <i>Grand Jury</i>	Warrant at 50c, Affidavit at 25c	<i>.75</i>
	Witness—for State <i>J. D. Horn, R. J. Granger</i>	Bond at 50c, Sci Fa. at 50c	
	<i>Ellie Robins, Mike Jones</i>	Witnesses' Recognizances at 25c	
	<i>M. P. Brown, Ellie Marshall</i>	<i>11</i> Subpoenas or notice at 25c	<i>2.75</i>
	<i>William Jones, Mary Lee Green</i>	Continuance at 25c	
	<i>Minnie Lee Green, George Austin</i>	Trial of Misdemeanor at \$1.00	
	<i>Lourene Jones 8 yrs old.</i>	Mittimus at 25c	<i>.25</i>
	witness for defendant:	Judgment on Forfeited Bond at 25c	
	<i>Mary Lisa Jones</i>	Taking Bond, etc., on Appeal at \$1.00	
	<i>Mary Alice Jackson, Henry Jackson</i>	Execution of costs at 25c	
	wanted to Grand Jury	Constable's Fees	
	Bond set \$2,000 ⁰⁰	Subpoena or Notice at 25c	
	def. being unable to make bond was	Carrying Defendant before Justice	
	ordered re-committed to jail.	each mile for himself and guard at 10c	
		Arrest 50c	
		Sheriff's Fees	
		Arrest \$2.00, Bond \$1.00, Sci Fa. 50c	<i>4.00</i>
		Guard \$2.00, Finger Printing 10c	<i>2.10</i>
		<i>11</i> Subpoenas at 50c, Mileage	<i>1.50</i>
		<i>28 mi</i> Witness Fees	<i>7.00</i>
		<i>Re. committed to jail</i> Days at 50c	<i>2.00</i>
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		<i>3</i> Witnesses' Recognizance at 25c	<i>.75</i>
		<i>3</i> Subpoenas at 50c	<i>1.50</i>
		Executing <i>6</i> Subpoenas	

At Large.

1902