

The State of Alabama,
Baldwin County.

Circuit Court, Fall Session, 1960

The Grand Jury of said County charge that before finding this indictment Charles Caraway, whose name is to the Grand Jury otherwise unknown, did, in the day time with intent to steal break into and enter an uninhabited dwelling house owned by or in the possession of E. F. Rice,

against the peace and dignity of the State of Alabama.

James A. Hendrix
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No. _____

The State of Alabama
Baldwin County.

Circuit Court

Fall Term, 19-60

The State
vs.

Charles Caraway

Burglary, 2nd

INDICTMENT

No Prosecutor

WITNESSES:

Henry Cumbie 1-60 3-76
E. F. Rice
W. O. Garner

GRAND JURY NO. 11

A TRUE BILL,

George W. Engel
Foreman Grand Jury

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

Sept, 19*60*
W. J. H. H. H. H.
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. J. H. H. H. H.
Clerk.

Bail fixed \$ 750-

W. J. H. H. H. H.
Judge.

STATE BOARD OF PARDONS AND PAROLES
MONTGOMERY

REPORT OF PRE-SENTENCE INVESTIGATION

BROWN PRINTING CO., MONTGOMERY 1955

DATE September 23, 1960

Name Charles Caraway County Baldwin Co. No. 3110
 Correct Name: Charles Hubert Caraway
 Alias _____ Race, Sex & Age M-29 Ht. & Wt. 5'5" 145 lbs.
 Complexion Ruddy Color of Hair Brown Col. of Eyes Brown
 Offense Burglary 2nd deg. Date of Arrest 5-11-60 Bond \$750.00
 Sentence _____ Date of Sentence _____ Time in Jail two days
 Address Rt. 2 Box 18, Atmore, Alabama Bodily Marks None
 Trial Judge Hubert M. Hall Atty. None

CRIMINAL HISTORY—FBI No. _____

1. Previous Offenses—Including Juvenile Records:
 None listed.

PRESENT OFFENSE:

Case #3110: Investigation of this offense revealed that on Sunday, April 17, 1960 at approximately 2:30 P.M. this subject and accomplice, Daniel Ferrell who is subject's brother-in-law, went to Mr. Elbert Rice's place located in the northern part of Baldwin County, Alabama. Both subjects entered a tool shed and took one Evenrude outboard 15 H.P. motor, one David Bradley chain saw, one three ton com-a-long and one hand saw. These items were placed in the car which belonged to this subject. They then drove down the road to a house occupied or in the possession of Mr. Henry Cumbie. Subjects went into the house and took one .12 gauge pump shotgun and one chain saw from this house. No one was home at the time and the house was not locked. These items were taken to this subject's home in East Brewton, Alabama.

Subject was arrested on May 11, 1960 by the Sheriff's Office of Escambia County at which time he had in his possession the above items. On May 13, 1960, subject waived Preliminary Hearing and was bound over to the Grand Jury. He was released on \$750.00 bond the same date. Subject was indicted by the Fall, 1960 Grand Jury for the offense of Burglary. On September 17, 1960, subject was arraigned and entered a plea of guilty to Burglary 2nd degree as charged in the indictment and requested the benefits of probation. A Pre-Sentence Investigation was ordered on that day. This case is set for September 27, 1960.

PERSONAL HISTORY:

Family Situation:

Father: HUB CARAWAY, age 51, lives at Star Route A Box 50, Atmore, Alabama. He has spent his entire life in Escambia and Baldwin Counties. At the present time, he is employed as a caretaker for the John McKenzie Pony Farm located near Atmore, Alabama. The father drinks occasionally and states that he has been arrested for Public Drunk. He is in fair health.

Mother: CARRIE CARAWAY, age 39, lives with her husband at the above address and is a housewife. She is a native of this area and is in good health. She has never been arrested.

Siblings:

ARTHUR CARAWAY, age 26, lives in Atmore, Alabama and is married to Madlin Dunne. They have one child. Arthur is employed by Mr. H. Williamson cutting pulpwood. There were no arrests listed; however, subject drinks occasionally.

LOUISE CARAWAY, age 22, lives with her parents and has one illegitimate child. She has been married on two occasions and is divorced at the present time. We understand that this girl went to Chicago and her conduct was not very good while away from the home.

ELOISE BROWN, age 19, lives in Escambia County, Alabama and is married to Jimmy Brown who is employed at an upholstery shop in Atmore. Eloise is a housewife and has two children.

JIMMY CARAWAY, age 17, lives with his parents, is single and is a student at the Atmore High School.

MARY ADA CARAWAY, age 13, lives with the parents and is a student at Atmore.

GLENN CARAWAY, age 11, lives with the parents and is a student at Atmore.

Subject:

CHARLES HUBERT CARAWAY, was born November 23, 1930 in Escambia County, Alabama. He is the oldest son of seven children and grew up in the corners of Escambia and Baldwin Counties. He attended public high schools in Escambia and Baldwin County and quit at the age of sixteen in the fifth grade. On November 2, 1948, he married Bobbie Lou Ferrell who is his present wife. There are two children as a result of this union, they are Terry, age eight and Larry, age six. They are presently living in a rented house three miles North of Atmore. The house is rented from Marshall Nall at \$20.00 per month. They have lived there for four years.

Prior to this, they lived in Escambia County next door to Alton Keller, Deputy Sheriff for one and one-half years.

Health: Subject is in good health.

Education: Subject has a fifth grade education; however, he classifies himself as a shadetree mechanic.

ECONOMIC STATUS:

The subject is buying a television and is paying on his furniture. He owes approximately \$300.00; however, he is up to date on his payments. He works regular and pays his bills.

EMPLOYMENT HISTORY:

Subject is presently employed by the A&M Construction Company out of Birmingham and is working as a mechanic in Atmore. He has held this employment for the past seven months.

Prior to this, he was employed at the Petty Service Center in Brewton. Prior to that employment, he was employed by the Higgins Inc. of New Orleans, Louisiana as a boiler maker.

MILITARY RECORD:

Subject has never been in the military service. He is classified as 4-F.

CHURCH, CLUBS, AND COMMUNITY ACTIVITIES:

Subject is a member of the Baptist Church and attends occasionally.

REPUTATION AND COMMUNITY ATTITUDE:

Deputy Sheriff, Alton Keller, who was this subject's next door neighbor for one and one-half years, speaks well of him and he never knew of him being in any trouble of any kind. Chief Deputy Sheriff, James Taylor has known the subject all of his life. They grew up near each other in the rural area near McCullough and Lottie. He knows of no prior trouble or arrests. Keller, Taylor, and Nall all feel that subject would do satisfactorily on probation and recommends same. As we mentioned before, he is a good worker and pays his bills.

PROBATION PROGRAM:

In the event that the subject is placed on probation, he will continue to live at the above address and continue his employment as a mechanic.

Signed and dated at Mobile, Alabama this 23rd day of September, 1960.


William R. Robinson
State Parole and Probation Supervisor

WRR/pas

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 Henry Cumble 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 17 April 1960 that one Charles Caraway did in the daytime with intent to steal, break into and entered an unoccupied dwelling house in the possession of Henry Cumble

_____ against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 11

day of June, A. D., 19 60

P. J. Land, J. P.

Henry Cumble
State Route 7, Atmore, Ala.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Charles Caraway

and bring him

before me to answer the State of Alabama on a charge
Burglary

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

Witness my hand this 11 day of June, 19 60

P. J. Land, J. P.

MITTIMUS OR COMMITMENT

State Of Alabama, }
Baldwin County. }

To the Jailer of Baldwin County:

On complaint of Henry Cumble

charging Charles Caraway

with the offense of Burglary

it appearing that such offense has been committed, and that there is sufficient cause to believe that

Charles Caraway has been guilty thereof, you are therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this 11 day of June, 19 60

P. J. Land
Justice of the Peace

No. Page

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Charles Caraway

Witnesses for the State

Henry Cumbie

Reported to be living in
Brewton, Ala.

or
Atmore, Ala.

Received in Sheriff's Office
this 14 day of June, 1960
TAYLOR WILKINS, Sheriff

JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA

vs.

Charles Caraway

Executed this the 11 day of May 19 60

By arresting the within

named Defendant

and placing him

In Jail

Taylor Wilkins, Sheriff

W. O. Gannus, Deputy Sheriff

Highway Patrol

Brewton Ala.

Criminal Docket No.

No. Page

The State Of Alabama

Baldwin County

JUSTICE COURT OF

T. C. HAND

THE STATE OF ALABAMA

vs.

Charles Caraway

Mittimus

The State of Alabama

Baldwin County

I,
a Justice of the Peace in and for said State
and County, do and hereby certify that.....

the Defendant; is required to give bail in the
sum of \$..... for his appearance at the

19..... Term of the.....

Court of..... County, Ala.

Given under hand this the.....
day of..... 19.....

..... J. P.

3110
APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Charles H. Caraway, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of Seven Hundred + Fifty \$ 750 00 DOLLARS unless the said Charles H. Caraway appears at the Fall Term Term, 1966 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

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 16 day of

Charles H. Caraway L. S.

H. P. Finell L. S.

David G. McIlhenny L. S.

_____ L. S.

Sept 1966
Taylor Williams, Sheriff

By Libert, Deputy Sheriff

1. I, *John H. Smith*
 2. *John H. Smith*
 3. *John H. Smith*
 4. *John H. Smith*
 5. *John H. Smith*
 6. *John H. Smith*
 7. *John H. Smith*
 8. *John H. Smith*
 9. *John H. Smith*
 10. *John H. Smith*

Taken and returned this 10th day
 of *March* 19*10*
 at *Baldwin County, Ala.*
 to wit: *John H. Smith*
 Sheriff of Baldwin County, Ala.

9-16-60
W. H. Smith

25,000.00 and balance of the value of \$1.00
 upon all other property, exemptions and any other
 portion of the value of the State of Alabama, and any
 and all other property from the collection of the
 State of Alabama, and any other property from the
 collection of the State of Alabama, and any other
 property from the collection of the State of Alabama,

No. _____

State of Alabama
Baldwin County

Court _____

Sheriff's Office

The State
vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19____

_____, Clerk

State of Alabama,

Dr.

To ~~Taylor Wilkins~~

Sheriff of Baldwin County,

For removal of Charles H. Caraway

from Escambia County to jail in Baldwin County

Date or dates of removal, May 11 19 60

To <u>Taylor Wilkins</u>		Sheriff, <u>1</u> days, at \$ <u>8.00</u> per day,	\$ <u>8</u> <u>00</u>
To _____		Guard, _____ days, at \$2.00 per day,	_____
Date	To Whom Paid	For What Paid	
<u>5-11-60</u>	<u>Traveling from Bay Minette, Ala. to Brewton, Ala. and return 104 miles @ 10¢ per mile</u>		<u>10</u> <u>40</u>
			<u>18</u> <u>40</u>

The State of Alabama, {

Baldwin County

I, T. C. Hand, Justice of Peace Clerk

of the Justice Court in and for said County, do hereby certify that the case against Charles H. Caraway was pending in and triable before said Justice Court at the time he was arrested for the offense charged, and that the fees have been reported to and docketed by me this 11 day of May 19 60

T. C. Hand Clerk
Justice of Peace

The State of Alabama, {
Baldwin County.

Personally appeared before me, _____

Taylor Wilkins Sheriff of Baldwin County, who, being duly sworn, says the above account for the sum of \$18.40 Dollars is correct; that he has never received the same or any part thereof; that he had _____ guard employed; that said account embraces, aside from per diem for self or deputy and guard, only actual necessary traveling expenses, and that without any unnecessary delay the nearest route usually traveled was followed from Baldwin County to the jail in Escambia County

Sheriff.

Sworn to and subscribed before me this 11 day of May 19 60

N. R. Hunt Judge of Probate.

Mr. _____ of _____ is hereby authorized to receipt for the Auditor's Warrant in payment of this account, and collect the same from the State Treasurer.

Sheriff.

AUDITOR'S OFFICE, Montgomery, Ala., _____ 19 _____

Received the Auditor's Warrant on the State Treasurer in full payment of the above account.

14193

State of Alabama

County

SHERIFF'S ACCOUNT
For
Removal of Prisoner

3110
APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Charles Caraway, as
 principal, and undersigned as sureties agree to pay **THE STATE OF ALABAMA**, the sum of
Seven Hundred fifty dollars \$750.00 DOLLARS
 unless the said Charles Caraway appears at the
Next Term, 19 60 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
Burglary

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-
 ing personal property from levy and sale under execution or other process for the collection of debt by con-
 stitution 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

13 day of May, 1960

----- Baldwin County, Ala.

Taken and approved this the 13th day of May, 1960

Charles H. Caraway L. S.

Wick H. P. Furell L. S.

Carol Caraway L. S.

Mary Williamson L. S.

Mrs. Oscar Williamson

James D. Wilkin, Sheriff
 By _____, Deputy Sheriff

No. _____

State of Alabama

Baldwin County

_____ Court

Sheriff's Office

The State

vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19____

_____, Clerk

The State of Alabama,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Charles Caraway

at the Fall Term, 1960 of the Circuit Court of Baldwin County, for the offense of

Burglary 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 14th day of September, 1960

Alice J. Duck
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 hand and seal this _____ day of _____, 19____

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19____

Sheriff of Baldwin County

CAPIAS

No. 11

The State

vs.

Charles Caraway

Bail fixed in this case in open Court at

\$ 750.⁰⁰

By H. M. Hall
Judge Presiding.

Attest: _____
Clerk.

Executed this 16 day of Sept, 1960

By arresting the within

named Defendant

and placing him in jail

Ray W. Wilkins, Sheriff

W. A. Zallert, Deputy Sheriff

3110

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

Attorneys	Case	Charge
No. 14193	THE STATE OF ALABAMA, Vs. Charles H. Caraway	Burglary

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to W. O. Garner	Judge's Fees	
Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	75
Witness—for State W. O. Garner.	Bond at 50c, Sci Fa. at 50c	
Henry Cumbie	Witnesses' Recognizances at 25c	
E. F. Rice	Subpoenas or notice at 25c	
Mrs. J. R. Burgess	Continuance at 25c	
Mrs. Frank Ferrell	Trial of Misdemeanor at \$1.00	25
	Mittimus at 25c	
	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	7.00
	Guard \$2.00, Finger Printing 100c	3.00
	Subpoenas at 50c Mileage	18.40
	Witness Fees	
	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	

12 May 60.

Wanted Grand Jury
 Bond set at \$750.00
 by Postal bond

Cl. Lard
 Justice Court

3110