

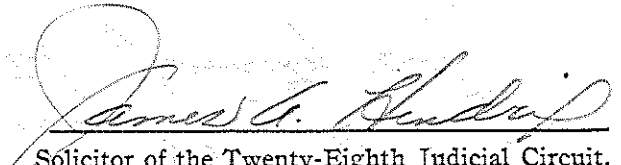
The State of Alabama,
Baldwin County.

Circuit Court, Fall Session, 19__60

The Grand Jury of said County charge that before finding this indictment

Henry Jones, whose name is to the Grand Jury otherwise unknown, unlawfully,
and with malice aforethought, killed Aaron Bell, by cutting him with a knife,

against the peace and dignity of the State of Alabama.


Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

The State of Alabama

Baldwin County.

Circuit Court

Fall Term, 19 60

The State

vs.

Henry Jones

Murder, 1st

INDICTMENT

No Prosecutor

WITNESSES:

W. O. Garner

Robert Bolar

Bernice Johnson

Aubry Stanton

1 - 500 - 3125
1 - 500 - 3125
1 - 500 - 3125

GRAND JURY NO. 15

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, 1960
Beige J. ...
Clerk.

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in the
presence of 17 other Grand Jurors.

Beige J. ...
Clerk.

Bail fixed \$ 5000²

M. ...
Judge.

9/28/60 -

We the Jury find the Defendant
guilty of murder in the second
degree and fix the penalty at
20 years in Penitentiary

Harold Dean
Foreman

3154

The other party found
the defect was Henry
James James of Menden
Second degree and
charged in the
indictment and his
the punishment as
10 years in default

H. D. Grantam

Div. No. _____

CERTIFICATE OF APPEAL. (Criminal Cases.)

No. 3154

Baldwin County, Circuit Court

HENRY JONES,

Appellant

VS.

The State of Alabama,
Appellee

The State of Alabama,

BALDWIN County, The Circuit Court of BALDWIN
County.

I, Alice J. Duck, Clerk of the Circuit Court
of Baldwin County in and for said County and State, do
hereby certify that in the above stated case, which was tried and
determined in this Court on the 28 day of September 1960, and
the defendant convicted by a Jury of the offense of Murder in Second Degree
, and that on the 28 day of September 1960,
said defendant was sentenced to a term of 20 years Imprisonment in the
State Penitentiary, which said sentence was suspended
pending an appeal to the Court of Appeals Court of Alabama.

I further certify that on this the 1st day of October
1960, the defendant gave notice in writing of an appeal to the
Court of Appeals Court of Alabama.

Witness my hand and the seal of this Court, this the 6
day of October 1960.

Alice J. Duck

Clerk of Circuit Court of

Baldwin County, Alabama,

The State of Alabama, {
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Henry Jones

at the Fall Term, 1960 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 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. Nick
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

Garnes

CAPIAS

No. *15*

The State

vs.

Henry Jones

Bail fixed in this case in open Court at

\$ *5000.00*

By *H. M. Hall*
Judge Presiding.

Attest: _____
Clerk.

Received in Sheriff's Office
this *16* day of *Sept*, 19 *60*
TAYLOR WILKINS, Sheriff

Executed this *17* day of *Sept*, 19 *60*

By arresting the within

named Defendant

and placing him *on Bond*

Taylor Wilkins, Sheriff
W. O. Garnes, Deputy Sheriff

Omi

4525 3154
APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama,

Baldwin County

We, Henry Jones, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of \$5000.00 DOLLARS

unless the said Henry Jones appears at the Fall Term, 1960 of the Shad Jory 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 by Negligence

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 29 day of April, 1960

X Henry Jones L. S.

George Jones L. S.

Charles Kyle L. S.

Henry Fickett L. S.

Taylor Wilkins, Sheriff

By W.O. Garner, 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

3154
APPEARANCE BOND

MOORE PRINTING CO., EAY MINETTE, ALA.

The State of Alabama,

Baldwin County

We, Henry Jones

, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of

\$5000.00 Five Thousand DOLLARS

unless the said Henry Jones appears at the

Sept. 28 Term, 1960 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

Murder 1st 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 _____, 19____

_____ Baldwin County, Ala.

Taken and approved this the 17 day of

Henry Jones L. S.

George Jones L. S.

Charlie Kyle L. S.

Henry Dickert L. S.

Sept 1960

Taylor Williams, Sheriff

By Borman, Deputy Sheriff

Clerk

9-17-00
Jalbut

MAY 9 1961

THE STATE OF ALABAMA — JUDICIAL DEPARTMENT

THE ALABAMA COURT OF APPEALS

OCTOBER TERM, 1960-61

1 Div. 855

Henry Jones

v.

State

Appeal from Baldwin Circuit Court

CATES, JUDGE

Jones, convicted of murder in the second degree for the killing of Aaron Bell by cutting him with a knife, was sentenced to twenty years imprisonment. From the judgment of the circuit court he brings this appeal.

3154
2.

Two points are argued in Jones's brief: (1) that the trial judge should have allowed the defense in cross-examination to bring out all of a conversation alluded to on direct examination; and (2) a statement by the solicitor in final argument,

"If I were to take this knife here and say, 'Foster [a juror], I am going to kill you' and I proceeded to kill you, then I would be guilty of murder in the first degree * * *"

was proper ground for a motion for a mistrial.

The tendency of the State's evidence ran: Jones, between nine and ten o'clock in the morning, Sunday, April 24, 1960, came to Aubrey Stanton's house in Belforest (or Belforest Road in Daphne), Baldwin County. Robert Bouler, a State witness, testified:

"A. He come and started jaw-jacking around and we asked who he was looking for and he said a monkey about my color."

Bouler and Jones followed Bell to "Minnie Pearl's."

Bouler went off but came back. He found Jones cutting at Bell, the latter still seated in his car. Bouler testified:

"Q. What did he do?

"A. Whenever he got through doing what he was going to do, he started walking towards me and I said 'Why you do that to this man?' and he said that he would cut me or any other son-of-a-bitch that done what he did to his wife.

* * * * *

"Q. Now what exactly was the kind of threats Henry Jones made against Aaron the first time you heard him?

"A. He said he come to kill him and we went ahead and asked him why and he said him and some more boys taken his wife out."

Bouler saw Bell fall over with his head down in the car.

Dooley McDonald took him to a hospital.

Dr. Claudius Jordan testified he examined Bell's body

3.

the day of the cutting and that "a stab wound into the heart" was apparently the cause of death.

The case for the defense consisted solely in testimony that Jones's wife had been raped by a group of men of whom Bell was one. She took the stand and testified that she had told her husband of this a week before he killed Bell.

Jones's brief argues the first claim of error from the general rule that where one party has, on direct examination, elicited part of a conversation then his opponent may, on cross-examination, bring out the whole, citing, *inter alia*, Day v. Downey, 256 Ala. 587, 56 So. 2d 656.

The first ruling complained of came during the cross-examination of Boulter:

"Q. I believe you told Mr. Hendrix that he said he would kill any son-of-a-bitch that done his wife the way Aaron had done his wife. Did he tell you what that was?

"MR. HENDRIX: I object to any details.

"THE COURT: Sustain the objection."

The court made a second like ruling in the cross-examination of another witness for the prosecution, Aubrey Stanton.

The case of Colvin v. State, 37 Ala. App. 268, 70 So. 2d 650, provides an analogous factual setting. There the court, per Harwood, J., said:

" * * * where in examination of a witness a party brings out part of a * * conversation, the other party may * * bring out the whole conversation on further examination. * * "

Against this appearance of error, the Attorney General argues that the wrong was without prejudice to Jones. The State

3154
4.

points out that the sought for testimony came from subsequent testimony of Bouler and Stanton.

In the case of Bouler's later testimony, we do not agree with the State's contention that the defense was able to elicit from him on cross-examination all that it sought in the question to which the State had successfully objected beforehand.

The later answers which came in on cross were:

"A. He said he taken his wife off - him and three youngsters - to go with her.

* * * * *

"A. That [he] taken his wife off and the boys went with her." (Bracketed matter added.)

We consider that neither of these vague statements amplify Jones's conversation with Bouler.

Here relevancy or irrelevancy is not presented by the question, "Did he tell you what that was?" This question was a threshold one which called only for a "yes" or "no."

We cannot speculate as to how the cross-examination might have gone had Bouler been allowed to answer. Jones had a right to have the jury hear Bouler's answer on something the State itself had first hurled at Jones.

Because, in our view, another trial is due, we premit consideration of the claim of error in the solicitor's use of a juror as an illustrative example in his argument.

The judgment below in this cause is reversed and remanded for a new trial.

REVERSED AND REMANDED.

3154

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

1st Div., No. 855

Henry Jones

Appellant

v.

The State

Appellee

From

Baldwin

Circuit Court

The State of Alabama,
City and County of Montgomery. }

I, Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, do hereby certify that the foregoing pages numbered from one to 4 inclusive, contain a full, true and correct copy of the opinion of said Court of Appeals in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, Charles Bricken, Jr., Clerk of the Court

of Appeals of Alabama, at the Capitol, this the

9th day of May, 19 61

Charles Bricken Jr.
Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

1st Div., No. 855

Henry Jones

Appellant

vs.

The State

Appellee

From Baldwin Circuit *Court.*

COPY OF OPINION

BROWN PRINTING CO., MONTGOMERY

THE STATE OF ALABAMA }
 Baldwin County - Circuit Court }

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the
 28th day of September, 1960 ~~Monday~~, 1960, in a cer-
 tain cause in said Court wherein State of Alabama
Plaintiff, and Henry Jones
Defendant, a judgement was rendered against said
Henry Jones
 to reverse which judgment, the said Henry Jones
 applied for and obtained from this office an APPEAL, returnable to the next
 Term of our Court of Appeals Court of the State of Alabama, to be held at Montgomery,
 on the _____ day of _____, 195 next, and the necessary bond
 having been given by the said Henry Jones
with George Jones, Henry Pickett and Charlie Kyle, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said
State of Alabama or James A. Hendrix, Circuit Solicitor
attorney to appear at the next Term of our
 said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 10
 day of October, A. D., 195 60.

Attest:

Alice J. Duck, Clerk.

no. 3154

CIRCUIT COURT
Baldwin County, Alabama

Received 10 day of Oct 1960
on 11 day of Oct 1960
Server a copy of the within Citation
James A. Hendrix
service on _____

TAYLOR WILKINS, Sheriff
By W. A. Zolbert, S.
om

State of Ala.

Vs. Citation in Appeal

Henry Jones

Issued _____ day of _____, 195_____

To be served on
Sol. J. A. Hendrix

A P P E A L B O N D

THE STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT

We, Henry Jones and sureties agree to pay to the State of Alabama the sum of \$5,000.00 Dollars, unless the said Henry Jones appears at the next 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 Murder in the Second Degree.

And we, and each of us, hereby waive all exemptions we have to any personal property under the Constitution and Laws of the State of Alabama as to the collection of the penalty of this bond.

Witness our hand and seal this 1st day of October, 1960.

The condition of the above obligation is such that, whereas the above bound Henry Jones was duly convicted in the Circuit Court of Baldwin County on the 28th day of September, 1960, of the above stated offense, and has duly applied for and obtained an appeal from said conviction and sentence to the Court of Appeals for the State of Alabama, and the amount of his appeal bond has been duly and legally fixed at said above stated sum:

Now, therefore, if the said Henry Jones shall appeal at the next term of the Circuit Court of Baldwin County, and from term to term thereafter until discharged by law, and abide the judgment of the said Court of Appeals for the State of Alabama, then this obligation to be void and of no effect; otherwise to remain in full force and effect.

Henry Jones (SEAL)

George Jones (SEAL)

Harold Dickert (SEAL)

Charles Kyle

Approved this 1 day of October, 1960.

Alice J. Duck
Alice J. Duck, Clerk

Henry Jones, Sept. 28, 1960

JURY LIST - FALL, SEPT. 26, 1960

1. Matthews, Charles L., F.C.A., Robertsdale
2. Banard, Dacie, Retired, Mag. Spgs.,
3. Bauer, Randel, Telephone Oper., Daphne
4. Bishop, Aaron, Farmer, Fairhope
5. Bishop, Charles E., Carpenter, Fairhope
6. Bishop, Daniel C., Fisherman, Barnwell
7. Black, Rufus M., Farmer, Loxley
8. Brown, M.L., Service Station, Fairhope
9. Brown, Wesley, Farmer, Perdido
10. Bung, Floyd, Merchant, Fairhope
11. Bush, G.M., Mechanic, Stapleton
12. Carver, Verlin, Farmer, Gulf Shores
13. Childress, Paul, Jr., Farmer, Loxley
14. Clemons, W.P., Carpenter, Fairhope
15. Coche, James, Merchant, Fairhope
16. Countryman, B.C., Mechanist, Bay Minette
17. Davidson, W.W., Turpentine Farmer, Bay Minette
18. Durant, Earl, Brookley Field, Bay Minette
19. Edwards, Albert Dolphus, State Emp., Bay Minette
20. Faircloth, Grady, Merchant, Mag. Spgs.,
21. Foster, Walter H., Ford Dealer, Bay Minette
22. Frank, Jacob, Farmer, Elberta
23. Frank, Jake, Jr., Farmer, Elberta
24. Frank, Tony, Jr., Farmer, Elberta
25. Head, Hannis, Civil Service, Stapleton
26. Hunt, Frank C., GRAMCO- Loans Manager S.E., Spanish Fort
27. Jackson, Thomas K., Brookley Field, Fairhope
28. James, Dayton, Mechanic, Foley
29. Kichler, Steve, Poultry Dealer, Elberta
30. Krischer, John, Farmer, Elberta
31. Laurendine, Timothy, Mechanic, Mag. Spgs.
32. Lindsey, Walter M., Abstractor, Bay Minette
33. Mallek, Frank, Jr., Farmer, Lillian
34. Sibley, Robert, Civil Service, Stapleton
35. Snowden, Torney N., Clerk, Bay Minette
36. Soesbe, John R., Farmer, Foley
37. Stuart, George, Construction Co., Spanish Fort
38. Sute, Anthony, Banker, Foley
39. Sute, Lawrence, Farmer, Foley
40. Swindler, Jimmie, Brookley Field, Rosinton
41. Venson, Cecil, Civil Service, Stapleton
42. Walters, Marion, Farmer, Bonx Secour
43. Waters, Freddie, Merchant, Bay Minette
44. Weatherford, Isaac, Merchant, Bay Minette
45. Weeks, Arthur, Farmer, Mag. Spgs.
46. Weeks, Hugh, Farmer, Mag Spgs.,
47. Weeks, Ralph, Farmer, Mag. Spgs.,
48. White, Charlie, Dairyman, Robertsdale
49. White, John D., Civil Service, Stapleton
50. White, Rudolph P., Navy Yard, Robertsdale
51. Kaiser, Paul, Jr., Farmer, Gulf Shores
52. Kaiser, George, Farmer, Gulf Shores
53. Gill, R.A., Oil Co., Robertsdale
54. Gates, Carl B., Farmer, Robertsdale
55. Campbell, Asie, Farmer, Rosinton
56. Jones, Harold P., Merchant, Bay Minette
57. Boone, James A., Mechanic, Foley
58. Kessler, Jack, Brookley Field, Fairhope
59. Racine, Floyd A., Truck Driver, Robertsdale
60. Fail, William H., Jr., C.P.A., Bay Minette
61. Weekley Roy, Mechanic, Rosinton
62. Wiggins, S.B., Businessman, Loxley
63. Little, Clyde, Mechanic, Bay Minette

S ~~XXXX~~ ~~XXXX~~ ~~XXXX~~ ~~X~~

22 ~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ ~~144~~ ~~145~~ ~~146~~ ~~147~~ ~~148~~ ~~149~~ ~~150~~ ~~151~~ ~~152~~ ~~153~~ ~~154~~ ~~155~~ ~~156~~ ~~157~~ ~~158~~ ~~159~~ ~~160~~ ~~161~~ ~~162~~ ~~163~~ ~~164~~ ~~165~~ ~~166~~ ~~167~~ ~~168~~ ~~169~~ ~~170~~ ~~171~~ ~~172~~ ~~173~~ ~~174~~ ~~175~~ ~~176~~ ~~177~~ ~~178~~ ~~179~~ ~~180~~ ~~181~~ ~~182~~ ~~183~~ ~~184~~ ~~185~~ ~~186~~ ~~187~~ ~~188~~ ~~189~~ ~~190~~ ~~191~~ ~~192~~ ~~193~~ ~~194~~ ~~195~~ ~~196~~ ~~197~~ ~~198~~ ~~199~~ ~~200~~ ~~201~~ ~~202~~ ~~203~~ ~~204~~ ~~205~~ ~~206~~ ~~207~~ ~~208~~ ~~209~~ ~~210~~ ~~211~~ ~~212~~ ~~213~~ ~~214~~ ~~215~~ ~~216~~ ~~217~~ ~~218~~ ~~219~~ ~~220~~ ~~221~~ ~~222~~ ~~223~~ ~~224~~ ~~225~~ ~~226~~ ~~227~~ ~~228~~ ~~229~~ ~~230~~ ~~231~~ ~~232~~ ~~233~~ ~~234~~ ~~235~~ ~~236~~ ~~237~~ ~~238~~ ~~239~~ ~~240~~ ~~241~~ ~~242~~ ~~243~~ ~~244~~ ~~245~~ ~~246~~ ~~247~~ ~~248~~ ~~249~~ ~~250~~ ~~251~~ ~~252~~ ~~253~~ ~~254~~ ~~255~~ ~~256~~ ~~257~~ ~~258~~ ~~259~~ ~~260~~ ~~261~~ ~~262~~ ~~263~~ ~~264~~ ~~265~~ ~~266~~ ~~267~~ ~~268~~ ~~269~~ ~~270~~ ~~271~~ ~~272~~ ~~273~~ ~~274~~ ~~275~~ ~~276~~ ~~277~~ ~~278~~ ~~279~~ ~~280~~ ~~281~~ ~~282~~ ~~283~~ ~~284~~ ~~285~~ ~~286~~ ~~287~~ ~~288~~ ~~289~~ ~~290~~ ~~291~~ ~~292~~ ~~293~~ ~~294~~ ~~295~~ ~~296~~ ~~297~~ ~~298~~ ~~299~~ ~~300~~ ~~301~~ ~~302~~ ~~303~~ ~~304~~ ~~305~~ ~~306~~ ~~307~~ ~~308~~ ~~309~~ ~~310~~ ~~311~~ ~~312~~ ~~313~~ ~~314~~ ~~315~~ ~~316~~ ~~317~~ ~~318~~ ~~319~~ ~~320~~ ~~321~~ ~~322~~ ~~323~~ ~~324~~ ~~325~~ ~~326~~ ~~327~~ ~~328~~ ~~329~~ ~~330~~ ~~331~~ ~~332~~ ~~333~~ ~~334~~ ~~335~~ ~~336~~ ~~337~~ ~~338~~ ~~339~~ ~~340~~ ~~341~~ ~~342~~ ~~343~~ ~~344~~ ~~345~~ ~~346~~ ~~347~~ ~~348~~ ~~349~~ ~~350~~ ~~351~~ ~~352~~ ~~353~~ ~~354~~ ~~355~~ ~~356~~ ~~357~~ ~~358~~ ~~359~~ ~~360~~ ~~361~~ ~~362~~ ~~363~~ ~~364~~ ~~365~~ ~~366~~ ~~367~~ ~~368~~ ~~369~~ ~~370~~ ~~371~~ ~~372~~ ~~373~~ ~~374~~ ~~375~~ ~~376~~ ~~377~~ ~~378~~ ~~379~~ ~~380~~ ~~381~~ ~~382~~ ~~383~~ ~~384~~ ~~385~~ ~~386~~ ~~387~~ ~~388~~ ~~389~~ ~~390~~ ~~391~~ ~~392~~ ~~393~~ ~~394~~ ~~395~~ ~~396~~ ~~397~~ ~~398~~ ~~399~~ ~~400~~ ~~401~~ ~~402~~ ~~403~~ ~~404~~ ~~405~~ ~~406~~ ~~407~~ ~~408~~ ~~409~~ ~~410~~ ~~411~~ ~~412~~ ~~413~~ ~~414~~ ~~415~~ ~~416~~ ~~417~~ ~~418~~ ~~419~~ ~~420~~ ~~421~~ ~~422~~ ~~423~~ ~~424~~ ~~425~~ ~~426~~ ~~427~~ ~~428~~ ~~429~~ ~~430~~ ~~431~~ ~~432~~ ~~433~~ ~~434~~ ~~435~~ ~~436~~ ~~437~~ ~~438~~ ~~439~~ ~~440~~ ~~441~~ ~~442~~ ~~443~~ ~~444~~ ~~445~~ ~~446~~ ~~447~~ ~~448~~ ~~449~~ ~~450~~ ~~451~~ ~~452~~ ~~453~~ ~~454~~ ~~455~~ ~~456~~ ~~457~~ ~~458~~ ~~459~~ ~~460~~ ~~461~~ ~~462~~ ~~463~~ ~~464~~ ~~465~~ ~~466~~ ~~467~~

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 60To the Clerk of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said County, in a certain cause lately pending in said Court between

Henry Jones, Appellant,

and

The State, Appellee,

wherein by said Court, at the _____ Term, 19____, it was considered adversely to said appellant____, were brought before our Court of Appeals, by appeal taken, pursuant to law, on behalf of said appellant_____.

Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 9th day of May 19 61, that said judgment of said Circuit Court be reversed and annulled, and the cause remanded to said Court for further proceedings therein, ~~and that it was further considered that the appellee pay~~

~~the costs accruing on said appeal in this Court and in the Court below~~

Witness Charles Bricken, Jr., Clerk of the Court
of Appeals of Alabama, at the Capitol, this the
9th day of May 19 61

Charles Bricken, Jr.
Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

October Term, 19 60

1st Div. No. 855

Henry Jones

Appellant.....

v.

The State

Appellee.....

From Baldwin Circuit Court

CERTIFICATE OF
REVERSAL

The State of Alabama,

County.

} Filed

this MAY 10 1961 day of 19

ALICE J. DUCK, CLERK
REGISTER

AFFIDAVIT 3154

Printed by Moore Printing Co.

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 W. O. Garner 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 24 April 1960 that one Henry Jones
unlawfully, and with malice aforethought, killed Aaron Bell., by stabbing him with
a knife

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 25

day of April A. D., 1960

J. P.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Henry Jones

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 25 day of April, 19 60

J. P.

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Henry Jones

Witnesses for the State

Edleigh Steadham
Carlisle Childress
W. O. Garner
Robert Bolar
Bernice Johnson
Aubry Stanton

DESCRIPTION

Height..... Weight.....

Color..... Sex.....

Age..... Hair.....

Address.....

JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA
vs.

Henry Jones

Executed this the 24 day of April 191910

By arresting the within named Defendant

and placing him or her in jail

Jayles Gulkin, Sheriff

W. O. Garner, Deputy Sheriff

....., Highway Patrol

Personally appeared the under signed,
who being duly sworn desposes and says:
I am a Deputy Sheriff of Baldwin Co.,
Ala., In the above case, in the above
mentioned Court in executing the warr-
ant of arrest of the defendant. I traveled

5.0
miles by the most direct route to point of
arrest and return, and the Sheriff is en-
titled to milage at 10c per mile. Point of

arrest: Selfport

Signed W. O. Garner

Subscribed and sworn to before me this

27 day of April 191910

J. P. Court
Clerk J. P. Court

STATE OF ALABAMA	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA
HENRY JONES	)	AT LAW -- CRIMINAL SIDE

Comes now the Defendant, Henry Jones, by Tolbert M. Brantley,
his attorney of record and appeals to the Court of Appeals of the State
of Alabama from:

The verdict of the jury and judgment of the court by judging the
Defendant, Henry Jones, guilty.

Dated this 15th day of November, 1960.

WILTERS & BRANTLEY

BY:

Tolbert M. Brantley
Attorney for the Defendant

STATE OF ALABAMA

VS

HENRY JONES

NOTICE OF APPEAL

FILED IN CASE NO. 1000

APPEAL FROM THE JUDICIAL CIRCUIT COURT

IN AND FOR THE COUNTY OF ALABAMA

THE APPEAL IS MADE BY THE PLAINTIFF

AS APPEARED BY

THE PLAINTIFF'S ATTORNEY, HENRY JONES

AND THE DEFENDANT, HENRY JONES

FILED

IN CASE NO. 1000

FILED

FILED

FILED

3154

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

Attorneys	Case	Charge
No. 14151	THE STATE OF ALABAMA, Vs. Henry Jones	Murder

Disposition of Case		Fees	Amount
Affidavit made and Warrant Issued to	W. O. Isner	Judge's Fees	75
Returnable	Grand Jury	Warrant at 50c, Affidavit at 25c	
Witness—for State	Edwin Statham Carlisle Childress. W. O. Isner. Robert Bolan Bernice Johnson Aubrey Stanton	Bond at 50c, Sci Fa. at 50c	
		Witnesses' Recognizances at 25c	
		Subpoenas or notice at 25c	
		Continuance at 25c	
		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 10c	3.00
		Subpoenas at 50c, Mileage 50	5.00
		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	

29 Apr 60. Warrant Grand Jury
Bond set \$5000.00. Remitted to
Jury. I still had

Clifford
Justice Court

3154