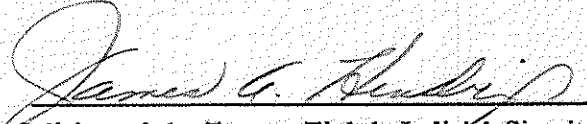


The State of Alabama, { Circuit Court, Fall Session, 19 60
Baldwin County.

The Grand Jury of said County charge that before finding this indictment Izena Levins, whose name is to the Grand Jury otherwise unknown, unlawfully and intentionally, but without malice killed Newton Hines by driving an automobile in which the said Newton Hines was riding into an automobile truck, at a point on Alabama Highway No. 59 approximately two miles south of Robertsdale, Baldwin County, Alabama,

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, 1960

The State

vs.

Izena Levins

Manslaughter, 1st Degree

INDICTMENT

No Prosecutor

WITNESSES:

R. C. Andrews

Ratliff M. Dyess 1-140-275

GRAND JURY NO. 94

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
W. J. Ruck
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. Ruck
Clerk.

Bail fixed \$ 1000

W. J. Ruck
Judge.

3178

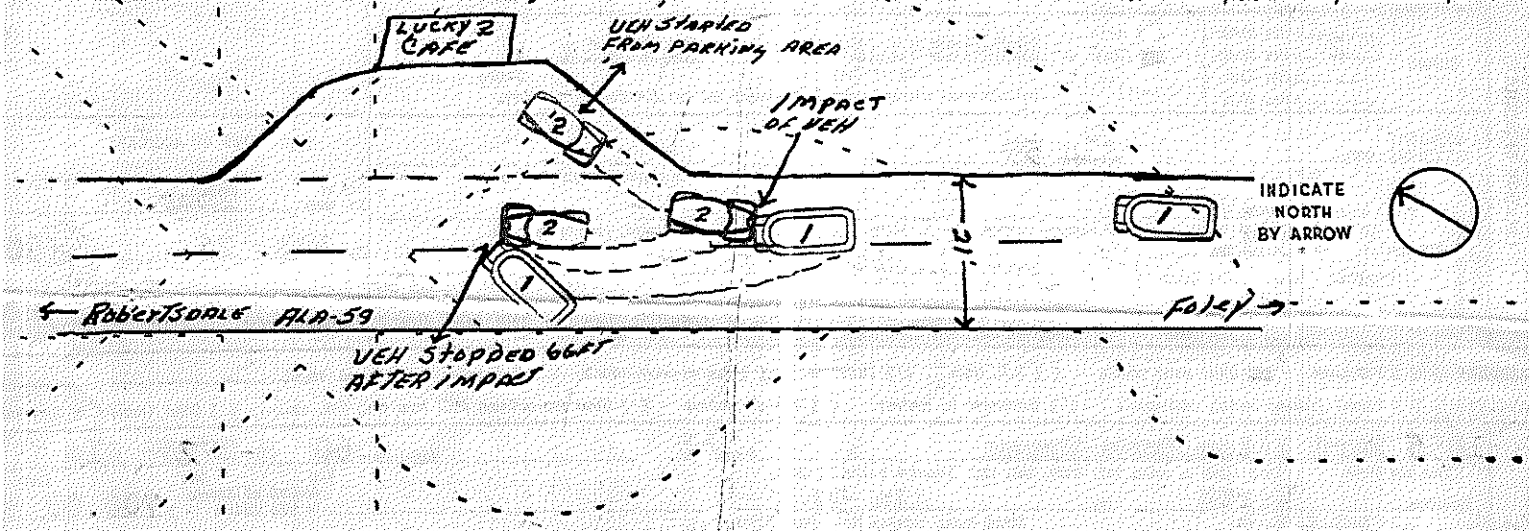
ALABAMA HIGHWAY PATROL

ACCIDENT INVESTIGATION REPORT

LOCATION OF ACCIDENT (Check and complete one)	CITY	Accident Occurred in	City or town	County	
	RURAL	2 miles North 2 miles South 2 miles East 2 miles West	☐ center of ☒ limits of	Robertsdale	Baldwin
	Indicate exact mileage, using two mileages and two directions if necessary.				
	ACCIDENT OCCURRED ON: Ala 59 Give name of street or alley or highway number. (U. S., State, County). If no highway number, identify by name.				
	☐ At intersection with OR ☒ Not at intersection				6.5 mi North feet South feet East feet West
	OF City Limits Of Foley				
	Name (or otherwise identify) nearest intersecting street, house number, power or telephone pole (give number), highway, curve, bridge, railroad crossing, filling station, alley, driveway, culvert, guard-rail, mile post, overpass, or identifying landmark. Show exact distance, using two directions and distances if necessary. See diagram for further detail.				
	TIME OF ACCIDENT Day of the week: Thur. Date: Feb. 25 19 60 Hour: 2:30 P.M. ☒ Standard ☐ Daylight saving				
ACCIDENT ☐ Pedestrian ☒ Other motor vehicle ☐ R.R. train ☐ Street car ☐ Animal-drawn vehicle ☐ Bicycle ☐ Fixed object					
INVOLVED: ☐ Animal (ridden, herded, unattended) ☐ Overturned in roadway ☐ Ran off roadway ☐ Other non-collision (fell from veh., fire, etc.) ☐ Other (explain in Remarks)					
VEHICLE NO. 1	1956 Ford 1 1/2 ton Dump Truck		I. C. C. Permit No.	Registration 60 S-2728 Ala	
	Year and Make Type (such as sedan, cab, truck, bus, etc. Describe trailer, if any).		Year No. State		
	Direction North On Ala 59		Amount of damage to this vehicle \$700.00		
	Driven by Ratliff Monroe Dyess Loxley Ala		Color White		
	Day 20 Month 11 Year 07 M Driving experience 20 Years Driver's license State Number		Chauffeur's Operator's Reg. Occupation Truck Driver		
	Owned by State of Alabama		Address Montgomery Ala		
	Speed before accident 50 m.p.h.		Speed at moment of accident 50 m.p.h.		
	Distance vehicle traveled after impact 66 Feet		Lawful speed 50 m.p.h.		
VEHICLE NO. 2	1949 Ford 4 Dr.		I. C. C. Permit No.	Registration 60 5-2258 Ala	
	Year and Make Type (such as sedan, cab, truck, bus, etc. Describe trailer, if any).		Year No. State		
	Direction South On Ala 59		Amount of damage to this vehicle \$200.00		
	Driven by Izena White Levins Gen. Del. Robertsdale Ala		Color White		
	Day 8 Month 9 Year 08 F Driving experience 15 Years Driver's license State Number		Chauffeur's Operator's Reg. Occupation Housewife		
	Owned by Driver		Address Same		
	Speed before accident Stop m.p.h.		Speed at moment of accident 20 m.p.h.		
	Distance vehicle traveled after impact 66 Feet		Lawful speed 60 m.p.h.		
Damage to all property other than vehicles None Name object, show ownership, and state nature and amount of damage \$					
KILLED OR INJURED	Total No. of Persons Injured 3		1. Name Newton L. Hines Age 81 Sex M Color W Address Rt. 1 Summerdale Ala		
	Nature of Injuries Head Injuries		Was person killed? Yes ☒ Driver Veh. 2 ☐ Passenger ☐ Pedestrian ☐ Other		
	Taken to South Baldwin Hospital		By whom Higgins Amb. Ser. Foley Ala		
	2. Name Izena White Levins Age 51 Sex F Color W Address Gen Del Robertsdale Ala		Was person killed? No ☒ Driver Veh. 2 ☐ Passenger ☐ Pedestrian ☐ Other		
WITNESSES	Nature of Injuries Lac. of head		(Yes or no)		
	Taken to South Baldwin Hospital		By whom Johnson Amb. Ser. Robertsdale		
	Name		Name		
	Address		Address		
Where was witness?		Where was witness?			
ACTS OF PEDESTRIAN		MOVEMENT OF VEHICLES		VIOLATIONS INDICATED	
☐ 1. Crossing at intersection—with signal. ☐ 2. Same—against signal. ☐ 3. Same—no signal. ☐ 4. Same—diagonally. ☐ 5. Crossing not at intersection. ☐ 6. Coming from behind parked cars. ☐ 7. Walking in roadway (check two) ☐ a. With traffic. ☐ b. Against traffic. ☐ c. Sidewalks available. ☐ d. Sidewalks not available. ☐ 8. Standing in safety zone. ☐ 9. Getting on or off street car. ☐ 10. Getting on or off other vehicle. ☐ 11. Working in roadway. ☐ 12. Playing in roadway. ☐ 13. Hitching on vehicle. ☐ 14. Not in roadway.		Vehicle 1 2 3 ☐ ☐ ☐ 1. Making right turn. ☐ ☐ ☐ 2. Making left turn. ☐ ☐ ☐ 3. Making "U" turn. ☐ ☐ ☐ 4. Going straight ahead. ☐ ☐ ☐ 5. Slowing or stopping. ☐ ☐ ☐ 6. Starting from traffic lane. ☐ ☐ ☐ 7. Starting from parked position. ☐ ☐ ☐ 8. Stopped in traffic lane. ☐ ☐ ☐ 9. Parked. ☐ ☐ ☐ 10. Backing. (Check applicable item) ☐ ☐ ☐ 1. Overtaking. ☐ ☐ ☐ 2. Avoiding vehicle, object or pedestrian. ☐ ☐ ☐ 3. Skidding.		1 2 3 ☐ ☐ ☐ 1. Exceeding lawful speed. ☐ ☐ ☐ 2. Did not have right of way. ☐ ☐ ☐ 3. On wrong side of road. ☐ ☐ ☐ 4. Drove through safety zone. ☐ ☐ ☐ 5. Passing standing street car. ☐ ☐ ☐ 6. Passing on hill. ☐ ☐ ☐ 7. Passing on curve. ☐ ☐ ☐ 8. Cutting in. ☐ ☐ ☐ 9. Failing to signal or improper signal. ☐ ☐ ☐ 10. Improper turn—wide right turn. ☐ ☐ ☐ 11. Same—cut corner on left turn. ☐ ☐ ☐ 12. Same—turned from wrong lane. ☐ ☐ ☐ 13. Disregarded traffic control. (See Traffic Control Schedule) ☐ ☐ ☐ 14. Improper starting from parked position. ☐ ☐ ☐ 15. Other improper driving (explain). ☒ ☐ ☐ 16. No improper driving indicated.	

INDICATE ON THIS DIAGRAM WHAT HAPPENED

DRAW HEAVY LINES TO SHOW
MAIN ROADS, SIDE-ROADS, DRIVEWAYS, ETC.



POINT OF IMPACT (Check one for each vehicle involved)				CONDITION OF DRIVER OR PEDESTRIAN (Check one or more for each Driver or Ped.)				Explain conditions
Vehicle 1		Vehicle 2		Vehicle 1		Vehicle 2		
☐ Front	☐ Left side	☐ 1. Physical defect	☐ 1. Had not been drinking					
☐ Right front	☐ Right	☐ 2. Ill	☐ 2. Had been drinking					
☐ Left front	☐ Right rear	☐ 3. Fatigued	☐ a. Obviously drunk					
☐ Right side	☐ Left rear	☐ 4. Apparently asleep	☐ b. Ability impaired					
		☐ 5. Apparently normal	☐ c. Ability not impaired					
		☐ 6. Condition not known	☐ d. Not known whether impaired					
			☐ 3. Not known whether drinking					

TRAFFIC CONTROL	WEATHER CONDITION	LIGHT CONDITION	VEHICLE DEFECTS	VISION OBSCURED—HIGHWAY	VISION OBSCURED—VEHICLE
☐ 1. R. R. crossing gates.	☐ 1. Clear.	☐ 1. Daylight.	☐ 1. Defective brakes.	☐ 1. Trees, crops, etc.	☐ 1. Rain, snow, etc. on windshields.
☐ 2. R. R. automatic signal.	☐ 2. Cloudy.	☐ 2. Dust.	☐ 2. Steering mechanism.	☐ 2. Building.	☐ 2. Windshield otherwise obscured.
☐ 3. Officer or watchman.	☐ 3. Raining.	☐ 3. Dawn.	☐ 3. Lighting equipment.	☐ 3. Embankment.	☐ 3. Vision obscured by load on vehicle.
☐ 4. Stop and go light.	☐ 4. Snowing.	☐ 4. Darkness: Street or highway lighted.	☐ 4. Tires.	☐ 4. Signboards.	
☐ 5. Stop sign or signal.	☐ 5. Fog.	☐ 5. Darkness: Street or highway not lighted.	☐ 5. Other defects.	☐ 5. Parked cars.	
☐ 6. Warning sign or signal.	☐ 6. (Specify)		☐ 6. No defects.	☐ 6. Moving cars.	
☐ 7. Other.			(Explain fully in remarks)	☐ 7. Hillcrest.	
☐ 8. No control present.					

KIND OF LOCALITY	ROADWAY CHARACTER	ROAD SURFACE	ROAD CONDITIONS	ROAD WIDTH AND LANES AT PLACE OF ACCIDENT
☐ 1. Manufacturing and industrial district.	☐ 1. Straight road.	☐ 1. Concrete.	☐ 1. Dry.	1. What was roadway width (the width of pavement or road surface for vehicular traffic)? <u>22</u> ft
☐ 2. Shopping and business district.	☐ 2. Sharp curve or turn.	☐ 2. Slag-chert.	☐ 2. Wet.	2. Total number of traffic lanes <u>2</u> Were lanes marked ☐ Yes ☐ No
☐ 3. Residential district.	☐ 3. Other curves.	☐ 3. Asphalt.	☐ 3. Muddy.	3. Were opposing traffic lanes separated? ☐ Yes ☐ No
☐ 4. School and playground district.	☐ 1. Level road.	☐ 4. Gravel.	☐ 4. Other defects.	4. If so, by what? Describe
☐ 5. Open country.	☐ 2. Up grade.	☐ 5. Wood block.	☐ 5. No defects.	
☐ 6. (Specify other)	☐ 3. Hillcrest.	☐ 6. Dirt, oiled.	(Explain fully in remarks)	
	☐ 4. Down grade.	☐ 7. Dirt, unoled.	Was road under construction or repair ☐ Yes ☐ No	
		☐ 8. Sand, oiled.		
		☐ 9. Sand, unoled.		
		☐ 10. (Specify other)		

DESCRIBE WHAT HAPPENED

Refer to vehicles by number.

If third vehicle was involved, so indicate, but give data on another form. Also use this space for additional witnesses or injured persons and explanation of questions not fully answered by checking in boxes provided.

If more space is needed, use another report form or a sheet of plain paper of the same size.

Driver of Veh no 1 stated he seen Veh no 2 coming out of the Lucky 2 parking lot, and when Veh no 2 got on the road way the Veh continued on south in my lane of traffic, and then I applied brake to avoid hitting her. (Investigating Officer found at the scene that Veh no 2 was completely on the wrong side of the road and did not attempt to avoid the accident). Investigating Officer was unable to talk to the driver of Veh no 2.

Vehicle No. 1 removed to App's Body Shop Robertsdale Ala

Vehicle No. 2 removed to *** ** *

Show Arrests and Charges	Name	Charge	Investigator(s) and Badge No.
	<u>Pending</u>		
	<u>Pending</u>		
Time notified of Accident	<u>2-25-60</u>	<u>2:45</u>	<u>3:00</u>
Date	<u>South Baldwin Hospital</u>	<u>Foley Ala</u>	<u>Hour</u>
Where else was investigation made			
Stationed at	<u>Foley</u>		
Is investigation complete?	<u>Yes</u>		
Date of Report	<u>Feb. 25, 1960</u>		

3116
STATE OF ALABAMA }

Baldwin County

Case No. 94

No. 11472

The State of Alabama

In the Cir Court of
Baldwin County, Alabama

vs.

Before me, J. J. [Signature], Clerk of the Cir Court of
Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, in the above mentioned court, in
executing the warrant of arrest or in arresting the said defendant, I or one of my duly authorized deputies,

traveled 50 miles by the most direct route to the point of arrest and return, and I am entitled to
mileage at ten cents per mile to be taxed as costs in the case.

Point of Arrest Deportadale Taylor Wilkins Sheriff

Subscribed and sworn to before me this 26 day of Sept, 1956

Disposition _____ Clerk Circuit Court

After considering the above affidavit made by the Sheriff of Baldwin County, Alabama, I, as the trial
Judge of said court, do hereby approve the claim for mileage in the sum of \$ _____ incurred in the
making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the
clerk of the court to tax the said sum as part of the costs in said case.

This the _____ day of _____, 195_____

Judge of the above named court

APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama,

Baldwin County

We, Irene Levine, as principal and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of One thousand DOLLARS

unless the said Irene Levine appears at the

next Term, 1960 of the County Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Manasslaughter 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.

x Irene Levine L. S.

x W. P. [unclear] L. S.

x W. C. Moran L. S.

_____ L. S.

Taken and approved this the 22 day of Sept 1960

Taylor Wilkins, Sheriff

By Edwards Stearns, 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

3178

C A P I A S

Printed by Moore Printing Co.

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Irena Lewis

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

Manslaughter, 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 14 day of Sept, 1960

Heinz J. Luck
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.

Childress

CAPIAS

No. 94

The State

vs.

Izema Levin's

Bail fixed in this Case in Open Court at

\$ 1000.00

By H. M. Hall
Judge Presiding

Attest: _____
Clerk.

3178

Executed this 22 day of Sept., 1960

By arresting the within

named Defendant

Izema Levin's

and placing him on Bond

Taylor Wilkins, Sheriff

Elmer Steadman, Deputy Sheriff

Robert L. Dole
Atty

50 mi