

The State of Alabama, }

Baldwin County

CIRCUIT COURT, Fall SESSION, 1961

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

James Harris, did falsely pretend to Mrs. George Fuller, Sr., with intent to defraud that a certain substance or material which he had delivered to her was a high-grade fertilizer which was made or manufactured especially for azaleas and camellias and by means of such false pretense obtained from the said Mrs. George Fuller, Sr., one hundred seventy dollars (\$170.00),

against the peace and dignity of the State of Alabama.

James G. Hendrix
Solicitor of the Twenty-Eight Judicial Circuit.

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

Fall

Term, 19 61

The State

vs.

James Harris

False Pretense

INDICTMENT

No. Prosecutor

WITNESSES:

Mrs. George Fuller, Sr. 1-50, 3/4
Taylor Wilkins

GRAND JURY NO. 77

A TRUE BILL

William A. Bryant Jr.

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 13 day of
Sept., 1961.

W. J. French
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. French
Clerk.

Bail fixed \$ 500.00

W. J. French
Judge.

We the Jury find
the defendant guilty
of False Pretense
as charged

Roy D. Flint.

APPEARANCE BOND

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We James Harris, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Five Hundred DOLLARS
unless the said James Harris appears at the
Sept Term, 1961 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

False Pretense
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

_____ day of _____, 19____

_____ Baldwin County, Ala.

Taken and approved this the 15 day of Sept 1961

James H. Harris L. S.
Mobile L. S.
Harvey Page L. S.

Taylor Guilkins 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

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
26th day of ~~September~~, 1961 ~~Monday~~ in ~~195~~, in a cer-
tain cause in said Court wherein STATE OF ALABAMA,
Plaintiff, and JAMES HARRIS
Defendant, a judgement was rendered against said
JAMES HARRIS
to reverse which Judgment, the said James Harris
applied for and obtained from this office an APPEAL, returnable to the ~~Court of Appeals~~ 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 James Harris
with Mobile Bonding Co., Harold Saye, John F. Murray, by: _____, sureties,
Harold Saye, Atty. in fact,

Now, You Are Hereby Commanded, without delay, to cite the said ~~James A. Hendrix~~
STATE OF ALABAMA or James A. Hendrix, Circuit Solicitor
~~attorney~~, to appear at the _____ next _____ Term of our
COURT OF APPEALS
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 11
day of October, A. D., 19561

Attest:

Alice J. Duck Clerk.

Received 11 day of Oct 1964
and on 11 day of Oct 1964
served a copy of the within Citation
James A. Mendez
service on _____

TAYLOR WILKINS, Sheriff
By Sindal D. S.

3403
CIRCUIT COURT
Baldwin County, Alabama

State

Vs. Citation in Appeal

James Hurris

Issued _____ day of _____, 195____

Div. No. _____

CERTIFICATE OF APPEAL. (Criminal Cases.)

No. 3403

BALDWIN County, Circuit Court

JAMES HARRIS,

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 26 day of September 1961, and
the defendant convicted by a Jury of the offense of False Pretense,
and that on the 26 day of September 1961,
said defendant was sentenced to a term of Six years imprisonment in 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 _____ day of _____
19____, the defendant gave notice in writing of an appeal to the
_____ Court of Alabama.

Witness my hand and the seal of this Court, this the 11
day of October 1961.

Alice J. Duck
Clerk of Circuit Court of
Baldwin County, Alabama,

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 61

To 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

James Harris, 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 .

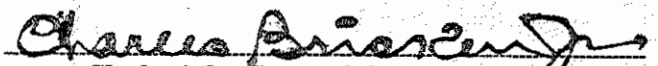
Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 12th day of December 19 61,

, that the said appeal be and stand dismissed; and that it was further considered that the appellant, ~~and~~

~~parties on the appeal bond~~

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
12th day of December 1961


Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

October Term, 19 61

1st Div. No. 884

James Harris

Appellant.....

v.

The State

Appellee.....

From Baldwin Circuit Court

CERTIFICATE OF DISMISSAL

No Opinion

The State of Alabama,

FILED

County.

} Filed

this 14 day of DEC 19 61

ALICE J. DUCK, CLERK
REGISTER

The State of Alabama, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

James Harris

at the Fall Term, 1961 of the Circuit Court of Baldwin County, for the offense of

False Pretense

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 13 day of Sept 1961

Bliss J. Smith
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

Raye

CAPIAS

No. 77

THE STATE

vs.

James Harris

Bail fixed in this case in open Court at

\$ 500 00

By H. M. Hall
Judge Presiding.

Attest: _____ Clerk.

Executed this 15 day of Sept, 1961

By arresting the within

named Defendant

and placing him In Jail

Raymond Williams Sheriff

_____, Deputy Sheriff

0 miles

The State of Alabama, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

James Harris

at the _____ Term, 19____ of the Circuit Court of Baldwin County, for the offense of

False Pretense

you are, therefore, commanded forthwith to arrest the said Defendant and commit _____

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

Dated this *24* day of *Jan.*, 19*62*.

Alvin D. Luck
Clerk Circuit Court of Baldwin County.

*Case appealed to Court of Appeals
Sentence affirmed.*
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. 3413

THE STATE

vs.

James Harris

Bail fixed in this case in open Court at

\$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Executed this 28 day of March, 1962

By arresting the within

named Defendant

and placing him in Jail

Jaylar Wilkins, Sheriff

W. C. Garner, Deputy Sheriff

Mobil

STATE OF ALABAMA }

Baldwin County

Case No. 3403No. 12574

The State of Alabama

In the Cir Court of
Baldwin County, Alabama

vs.

Before me, James Harris
Wice Duck, 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 40 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 Mobile Myself SheriffSubscribed and sworn to before me this 29 day of March, 1952

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

THE STATE OF ALABAMA

Baldwin County.

IN THE CIRCUIT COURT.

We James Harris andagree to pay to the State of Alabama the
sum of One thousand Dollars, unless the saidJames Harris 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

False PretenseAnd we, and each of us, hereby waive all exemptions we may 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 hands and seals this 3 day of October, 1961

The condition of the above obligation is such that, whereas the above bound

James Harris was duly convicted in the Circuit Court of
Baldwin County on the 26 day of Sept, 1961,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 James Harris
shall appear 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 Ap-
peals for the State of Alabama, then this obligation to be void and of no effect; otherwise to remain in
full force and effect.James Harris
Melvin Banding Co (Seal.)Harold Page (Seal.)John F. Murray (Seal.)By Harold Page Attorney (Seal.)Approved this 3 day of October, 1961Alfred J. Luck Clerk

No. _____

THE STATE OF ALABAMA

_____ County.

CIRCUIT COURT OF

_____ County

**THE STATE
vs.**

**APPEAL BOND TO COURT OF
APPEALS
CRIMINAL CASES**

Filed in office this the _____ day of

_____, 19____

Clerk.

STATE OF ALABAMA

Baldwin County

Case No.

5755

No.

12335

The State of Alabama

In the

Justice Court of
Baldwin County, Alabama

vs.

James Harris

Before me,

B. D. Hines

Clerk of the

Justice 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 60 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

Mobile Co. Line

Taylor Wilkins

Sheriff

Subscribed and sworn to before me this

1

day of

August

1951

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 _____, 1951

Judge of the above named court

APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, James Harrison Harris, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of \$500.00 Five Hundred DOLLARS

unless the said James Harris appears at the Aug 25 Term, 1961 of the J. O. Hines Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

False pretence

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 30 day of July, 1961

James Harris I. S.
Mobile Printing Co. I. S.
Harvey Dye I. S.
_____ I. S.

Taylor Wilkins, Sheriff
By W. O. Sanner, Deputy Sheriff

Mr Garner

No. _____

State of Alabama
Baldwin County

_____ Court

Sheriff's Office

The State
vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19____

_____, Clerk

July 30-61
Garner

AFFIDAVIT

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 Taylor Wilkins 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 11 December 1959 that one James Harris
did falsely pretend to Mrs Geo. E. Fuller, with intent to defraud, that he had
fertilizer ready for delivery, and which he delivered, and, by means of such false pretense
obtained from Mrs Geo. E. Fuller One Hundred seventy Dollars (\$ 170.00)
against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 20
day of June A. D., 19 60
T. C. Hand, J. P.

Taylor Wilkins

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County. Greetings:

You are hereby commanded to arrest James Harris

and bring him
before me to answer the State of Alabama on a charge
Obtaining money by false pretense

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

Witness my hand this 20 day of June, 1960
T. C. Hand, J. P.

No.

Page 5755

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

T. C. HAND
T. C. Hand

AFFIDAVIT

THE STATE OF ALABAMA

vs. *

James Harris

Witnesses for the State

Taylor Wilkins
Mrs Geo. Fuller
Geo. Fuller

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

**JUSTICE COURT OF
BALDWIN COUNTY**

Warrant Of Arrest

**THE STATE OF ALABAMA
vs.**

James Harris

Executed this the 30 day of July, 1961

By arresting the within

named Defendant

and placing him

in jail

Taylor Wilkins, Sheriff

W. O. Garner, Deputy Sheriff

_____, Highway Patrol

Mobile Co Time

In the Alabama State Circuit Court.

Baldwin County.

Bay, Minette Alabama.

James W. Harris
Petitioner.

Case No. 3403

U.S.
State of Alabama

Respondents.

Petitioner James W. Harris. Is Present Confined In the Alabama State Prison At more Alabama. In the Custody of Mr. Hale W. h. Warden. On a Conviction of Burglary.

Petitioner contends that his presently Confinement In the Alabama State Prison is Alleged. And In Violation of his rights under the Fifth and Sixth and Fourteen Amendments of the Constitution of the United States.

Petitioner contends that the sentence he Is now serving for the State of Alabama is Alleged, the said Alleged Conviction Is illegal and was obtained In Violation of Petitioner's Constitution rights, the due process of law. And equal protection Clause of the United State. Petitioner In wakes the protection of his Constitutional rights by the Alabama Circuit Court Bay, Minette Alabama.

Petitioner States that the Supreme Court of the United State has ruled that Confession gained by Coercion and Intimidation are Not Admissible In Court.

See Curran Vs. Delaware 359 F.2d. 722.

History of Case

Petitioner, James W. Harris was Arrested August 23rd 1965. In Baldwin County, for the Crime of Burglary. Petitioner Argues that the City Police Stop Roger Jackson and ask him about his driving license so he seen the goods in the car and he question us about them. After we were carry to the City Jail we were taken out one at a time and were Stopped and Beaten. U.S. by Roger Jackson being the youngest and not knowing what he were doing he let the Police talk him into this. Roger Jackson told me that the Police told him if he would say that Syvester and I were guilty of the Burglary, they would let him go free. And they did let him go free. And we did not get on the stand to test for our rights.

FILED

DEC 23 1965

ALLIANCE
CIVIL RIGHTS

Argument

Petitioner alleged that he was denied the due process of law by the State of Alabama Circuit Court and cites U.S. ex Rel. Foley.

U.S. v. Rhea, 120 F.2d 1743, 53 F. Supp. 265

Reversed on the ground 143 F.2d 174

One denied due process of law is this that in State Court must be discharged on writ of Habeas Corpus by Federal Court. Petitioner cites U.S. ex Rel. Chandler as authority C.A. No. 1957, 246 F.2d 871

A person in order to exhaust his state remedies before seeking Federal Court order of Habeas Corpus must first do as possible. One of the available remedies is State Court so long as he raise the federal question and so is not necessary that he seek to obtain redress by every available state proceeding also see P. v. Rhea C.A. No. 1744, 146 F.2d 244.

Petitioner claims that his present confinement by the State of Alabama is illegal and a violation of rights that are guaranteed to Petitioner by the Constitution of the United States. Petitioner alleges that this Court should charge him with full illegal custody that because of that and restore him to his former place in the community.

Wherefore the foregoing premises considered
Petitioner prays that this Court accord to him the
relief petitioner and such other relief as this Court
may deem just and proper in furtherance of Justice
and petitioner rights under the Constitution of the
United States.

James W. Harris
James W. Harris
Petitioner

Honore State Farm
Honore Alabama

Sworn and subscribed to and before me this 23
day of Sept ~~1966~~ 1966 before James H. Climmer
My Commission Expires Oct. 30, 1967

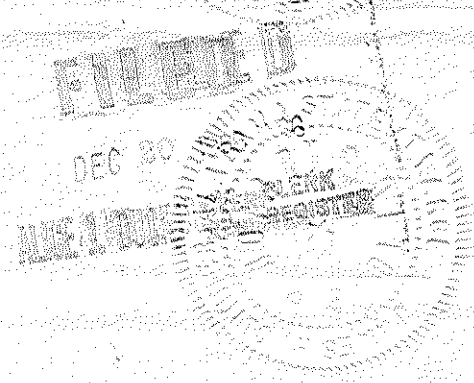
Certificate of Service

I, James W. Harris, hereby certify that I have
sent a copy to the warden of Honore prison
James W. Holt. and have mailed a copy
of the foregoing petition to the following person
the state of Alabama Attorney General McEachern
Mr. Howers and all the State courts where here
I am true to the best of my knowledge.

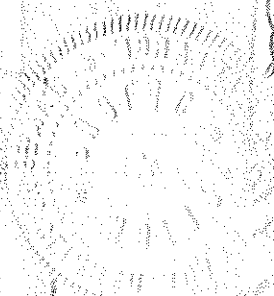
James W. Harris
James W. Harris
Petitioner

Honore State Farm
Honore Alabama

Sworn and subscribed to and before me this 23
day of Sept 1966 before James H. Climmer
Notary Public
My Commission Expires Oct. 30, 1967



3403
Jas. Harrison



COMMUNION EXCHG OUT NO 100

James Harrison

200 40 012210 no 100

James Harrison

4

Handwritten notes in cursive script, including "The first of the year" and "The first of the year" repeated.

Handwritten signature or initials.

Handwritten notes in cursive script, including "The first of the year" and "The first of the year" repeated.

4

Handwritten notes in cursive script, including "The first of the year" and "The first of the year" repeated.

Handwritten signature or initials.

Handwritten notes in cursive script, including "The first of the year" and "The first of the year" repeated.

4

Handwritten notes in cursive script, including "The first of the year" and "The first of the year" repeated.

TO: _____
RELATIONSHIP: _____
STREET: _____
CITY _____ STATE _____
DATE _____

FROM: _____
Name and Reg. Number _____
Number of Letters _____
QUARTERS: _____
This Week _____
WORK DETAIL: _____
1 FREE LETTER WEEKLY, 2ND POSTAGE TO BE PAID
DATE _____

This Stub To Be Detached And Kept For Record Purpose

Items permissible via mail service: Will consist of U.S. Money orders, socks and underwear.

Lunches consisting of cooked foods only are permissible on visiting days "in plastic containers only."

Items not allowed brought within the Institution; are foods in glass or tin containers, cigarettes, coffee, sugar, tobaccos and matches.

Money may be deposited for inmates with Officer in charge on visiting days.

Baldwin County
Court House
Bay Minniet

To The Clerk;

I will like to know when my special
trial comes up. My lawyer tells me I go
to my special trial. I heard from them (heard him)
do I have a special down there, are do
I have to file a notice. Wait will place
let me know as soon as you can;

Thank You
Mr. James W. Harn

From *Mr. Daniel W. Ham*
Route 2, Box 38
Atmore, Alabama

#3403



PRAY
FOR
PEACE



Miss: *Alvin J. East*
Baldwin, County
Courthouse, House,
Gay, Monte, Ala

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
	Vs.	<i>False Pretense</i>
	<i>James Harris</i>	

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to	Judge's Fees	
Returnable <i>7/30/61</i>	Warrant at 50c, Affidavit at 25c	<i>2.00</i>
Witness—for State <i>Wm. George C. Fuller</i>	Bond at 50c, Sci Fa. at 50c	
<i>Raymond Williams</i>	Witnesses' Recognizances at 25c	
	Subpoenas or notice at 25c	
	Continuance at 25c	
	Trial of Misdemeanor at \$1.00	
	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 \$5.00, Bond \$1.00, Sci Fa. 50c	<i>7.00</i>
	Guard \$2.00, Finger Printing <i>1.00</i>	<i>5.00</i>
	Subpoenas at <i>80c</i> , Mileage <i>60</i>	<i>7.50</i>
	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	

*Def. waived Preliminary & was
bound over to Grand Jury
Bond \$5.00*

3403