

1323

"A"

INDICTMENT

THE STATE OF ALABAMA)
BALDWIN COUNTY)

CIRCUIT COURT, SPRING SESSION, 1948.

The Grand Jury of said County charge that before the finding of this indictment Frank Carroll did assault Robert Jackson, and cut him with a knife against the peace and dignity of the State of Alabama.

A. H. Elliott
Solicitor of the Twenty-eighth Judicial Circuit

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

Spring Session 1948

T H E S T A T E

Vs.

Frank Carroll

INDICTMENT

Assault with a weapon

No Prosecutor.

WITNESSES:

Robert Jackson
Ella Jackson
Aubrey Smith
Dr. Sherman

GRAND JURY NO. _____

A TRUE BILL

H. T. James
Foreman Grand Jury

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

13 day of April, 1948,

Alice J. Duck, Clerk.

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

Alice J. Duck
Clerk.

"B"

ALIAS CAPIAS.

THE STATE OF ALABAMA §

BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Frank Carroll at the Spring Term, 1948, of the Circuit Court of Baldwin County, for the offense of Assault with weapon you are, therefore commanded forthwith to arrest the said Defendant and commit to jail, unless he given bail to answer said indictment, and that you return this Writ according to law.

Dated this 18th day of April, 1949.

Alice J. Duck

Clerk Circuit Court of Baldwin County.

ALIAS CAPIAS

NO. 968

THE STATE

vs.

Frank Carroll

Bail Fixed in This Case in

Open Court at \$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Executed this 5 day of June, 1949

By arresting the within
named Defendant and placing him
in jail.

Taylor Wilkins, Sheriff

Zollie B. Griffin, Deputy Sheriff

Douglasville 4 miles.

W 1373

Giparte

Frank Carroll

Filed 7-6-49
Doris J. Kunk
Clerk

EX PARTE: FRANK CARROLL

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

TO HONORABLE TELFAIR J. MASHEURN, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Petitioner Frank Carroll, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That he is imprisoned in the County Jail of Baldwin County, Alabama, by Honorable Taylor Wilkins, Sheriff of Baldwin County, Alabama, on a charge of assault with a weapon, issued out of the Circuit Court of Baldwin County, Alabama; that a copy of said indictment and the alias capias under which he is held are hereto attached marked exhibits A and B, and ^{assault} ask to be taken as a part hereof.

2.

That your petitioner is illegally restrained of his liberty.

3.

That your petitioner was tried and convicted by the City Court of Bay Minette, Alabama, a court of competent jurisdiction with the same offense for which he was indicted to-wit:

Assault and battery on one Robert Jackson;

4.

That the fine and costs were paid in and to the said City Court, of Bay Minette, Alabama, prior to the date of the indictment at the Spring session, 1948, of the Circuit Court of Baldwin County, Alabama; that said cause is Number 1559, on the City Court record of the town of Bay Minette, Baldwin County, Alabama, and shows that the fine and costs were paid on January 5, 1948, \$35.35 and on January 12, 1948, \$21.50, making a total of Fine cost, for the offense of assault with a weapon of \$56.85.

5.

Your Petitioner further alleges that the offense for which he was convicted in the City Court of the town of Bay Minette, Baldwin County, Alabama, was based upon the same facts and the offense charged were the same and indentical as those for which the indictment was returned at the Spring session, 1948, of the Circuit Court of Baldwin County, Alabama.

Frank Carroll
Petitioner

Sworn to and subscribed before me on this the 6th day of July,

1949.

S. J. Lee
Notary Public, Baldwin County, Alabama.