

Ex Parte

X IN THE CIRCUIT COURT OF

MRS. MINNIE BOSARGE X BALDWIN COUNTY, ALABAMA

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

The petition of Mrs. Susie Baggett, who is over the age of 21 years and who is a resident of Baldwin County, Alabama, respectfully shows and represents unto your Honor:

FIRST

That Mrs. Minnie Bosarge is illegally restrained and is confined against her will in the home of Mrs. Sally Chafin (Mrs. J. H. Chafin) in the Community of Perdido, Baldwin County, Alabama. Your said petitioner, her neice, is barred from seeing and visiting with the said Mrs. Minnie Bosarge and the sister of Mrs. Bosarge, Mrs. Lillie Rouse, is denied rights of visitation with her and is denied information concerning the condition of Mrs. Minnie Bosarge. That your petitioner has been denied visitation and information concerning the health and welfare of the said Mrs. Minnie Bosarge since the month of July, 1970.

SECOND

Your petitioner further shows that the said Mrs. Sally Chafin is endeavoring to hide or conceal Mrs. Minnie Bosarge in a nursing home without the knowledge or consent of your petitioner or of Mrs. Lillie Rouse, Mrs. Bosarge's sister.

Your petitioner prays that a writ of habeas corpus be issued directed to the Honorable Taylor Wilkins, Sheriff of Baldwin County, Alabama, commanding him to bring the body of Mrs. Minnie Bosarge before your Honor at the time and place to be by you appointed.

Mrs. Susie Baggett
MRS. SUSIE BAGGETT

VERIFICATION

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Mrs. Susie Baggett, the above named petitioner, who being first by me duly sworn doth depose and say that the facts stated in said petition are true and correct.

Mrs. Susie Baggett
MRS. SUSIE BAGGETT

SWORN to and subscribed before me on this 3 day of
May, 1971.

C. L. Thompson
NOTARY PUBLIC,
BALDWIN COUNTY, ALABAMA

FILED

JUL 1 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

Ex Parte

X IN THE CIRCUIT COURT OF

MRS. MINNIE BOSARGE X BALDWIN COUNTY, ALABAMA

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to have the body of Mrs. Minnie Bosarge, alleged to be detained by Mrs. Sally Chafin (Mrs. J. H. Chafin), by whatsoever name the said Mrs. Minnie Bosarge is called or charged, with the cause of such detention before me Telfair J. Mashburn, Judge of the Circuit Court, Baldwin County, Alabama, on the 8th day of July, 1971, at the Court House at Bay Mnette, Alabama, at 9:00 A.M. to do and receive what shall then and there be considered concerning the said Mrs. Minnie Bosarge.

Dated this 1st day of July, 1971.

FILED

JUL 1 1971

EUNICE B. BLACKMON CIRCUIT CLERK

Telfair J. Mashburn
CIRCUIT JUDGE.

STATE OF ALABAMA

BALDWIN COUNTY

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to serve a copy of the foregoing Writ of Habeas Corpus on Mrs. Sally Chafin (Mrs. J. H. Chafin) by delivering a copy of said writ to her and by showing the original if demanded.

Witness my hand this _____ day of May, 1971.

CIRCUIT CLERK.

Ex Parte X IN THE CIRCUIT COURT OF
MRS. MINNIE BOSARGE X BALDWIN COUNTY, ALABAMA
TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to have the body of Mrs.
Minnie Bosarge, alleged to be detained by Mrs. Sally Chafin
(Mrs. J. H. Chafin), by whatsoever name the said Mrs. Minnie
Bosarge is called or charged, with the cause of such detention
before me Telfair J. Mashburn, Judge of the Circuit Court,
Baldwin County, Alabama, on the _____ day of _____,
1971, at the Court House at Bay Mnette, Alabama, at
_____, _____.M. to do and receive what shall then and there
be considered concerning the said Mrs. Minnie Bosarge.

Dated this _____ day of May, 1971.

FILED

JUL 1 1971

EUNICE B. BLACKMON
CIRCUIT
CLERK

CIRCUIT JUDGE.

STATE OF ALABAMA

BALDWIN COUNTY

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to serve a copy of the
foregoing Writ of Habeas Corpus on Mrs. Sally Chafin (Mrs.
J. H. Chafin) by delivering a copy of said writ to her and by
showing the original if demanded.

Witness my hand this _____ day of May, 1971.

CIRCUIT CLERK.

EXPARTE OF
MRS. MINNIE BOSARGE

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA
* AT LAW.
* CASE NO. 9905

This cause coming on to be heard was submitted upon a petition for a Writ of Habeas Corpus and testimony taken ore tenus and upon consideration thereof the court is of the opinion that the Complainant should not be granted the relief prayed for in said petition.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the petition for a Writ of Habeas Corpus shall, be denied and the same is hereby denied.

IT IS FURTHER ORDERED that the petitioner be taxed with the cost for which execution may issue.

This the _____ day of _____, 1971.

CIRCUIT JUDGE

FILED

DEC 20 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

EXPARTE OF
MRS. MINNIE BOSARGE

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA
* AT LAW.
* CASE NO. 9905

This cause coming on to be heard was submitted upon a petition for a Writ of Habeas Corpus and testimony taken ore tenus and upon consideration thereof the court is of the opinion that the Complainant should not be granted the relief prayed for in said petition.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the petition for a Writ of Habeas Corpus shall, be denied and the same is hereby denied.

IT IS FURTHER ORDERED that the petitioner be taxed with the cost for which execution may issue.

This the _____ day of _____, 1971.

CIRCUIT JUDGE

FILED

DEC 20 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

EXPARTE OF
MRS. MINNIE BOSARGE

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA
* AT LAW.
* CASE NO. 9905

This cause coming on to be heard was submitted upon a petition for a Writ of Habeas Corpus and testimony taken on oath and upon consideration thereof the court is of the opinion that the Complainant should not be granted the relief prayed for in said petition.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the petition for a Writ of Habeas Corpus shall, be denied and the same is hereby denied.

IT IS FURTHER ORDERED that the petitioner be taxed with the cost for which execution may issue.

This the 20th day of December, 1971.

Jeffery G. Maduburn
CIRCUIT JUDGE

FILED

DEC 20 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

Ex Parte

X

IN THE CIRCUIT COURT OF

MRS. MINNIE BOSARGE

X

BALDWIN COUNTY, ALABAMA

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to have the body of Mrs. Minnie Bosarge, alleged to be detained by Mrs. Sally Chafin (Mrs. J. H. Chafin), by whatsoever name the said Mrs. Minnie Bosarge is called or charged, with the cause of such detention before me Telfair J. Mashburn, Judge of the Circuit Court, Baldwin County, Alabama, on the 2nd day of July, 1971, at the Court House at Bay Mnette, Alabama, at 1971, 9:27 A.M. to do and receive what shall then and there be considered concerning the said Mrs. Minnie Bosarge.

Dated this 1st day of July, 1971.

FILED

JUL 1 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

Telfair J. Mashburn
CIRCUIT JUDGE.

STATE OF ALABAMA

BALDWIN COUNTY

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

You are hereby commanded to serve a copy of the foregoing Writ of Habeas Corpus on Mrs. Sally Chafin (Mrs. J. H. Chafin) by delivering a copy of said writ to her and by showing the original if demanded.

Witness my hand this 1st day of July, 1971.

Eunice B. Blackmon
CIRCUIT CLERK.

Ex Parte

X IN THE CIRCUIT COURT OF

MRS. MINNIE BOSARGE X BALDWIN COUNTY, ALABAMA

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

The petition of Mrs. Susie Baggett, who is over the
age of 21 years and who is a resident of Baldwin County,
Alabama, respectfully shows and represents unto your
Honor:

FIRST

That Mrs. Minnie Bosarge is illegally restrained and
is confined against her will in the home of Mrs. Sally Chafin
(Mrs. J. H. Chafin) in the Community of Perdido, Baldwin
County, Alabama. Your said petitioner, her neice, is barred
from seeing and visiting with the said Mrs. Minnie Bosarge
and the sister of Mrs. Bosarge, Mrs. Lillie Rouse, is denied
rights of visitation with her and is denied information con-
cerning the condition of Mrs. Minnie Bosarge. That your
petitioner has been denied visitation and information concerning
the health and welfare of the said Mrs. Minnie Bosarge since
the month of July, 1970.

SECOND

Your petitioner further shows that the said Mrs. Sally
Chafin is endeavoring to hide or conceal Mrs. Minnie Bosarge
in a nursing home without the knowledge or consent of your
petitioner or of Mrs. Lillie Rouse, Mrs. Bosarge's sister.

Your petitioner prays that a writ of habeas corpus
be issued directed to the Honorable Taylor Wilkins, Sheriff
of Baldwin County, Alabama, commanding him to bring the body
of Mrs. Minnie Bosarge before your Honor at the time and place
to be by you appointed.

Mrs. Susie Baggett
MRS. SUSIE BAGGETT

VERIFICATION

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Mrs. Susie Baggett, the above named petitioner, who being first by me duly sworn doth depose and say that the facts stated in said petition are true and correct.

Mrs. Susie Baggett
MRS. SUSIE BAGGETT

SWORN to and subscribed before me on this 3 day of May, 1971.

C. L. Thompson
NOTARY PUBLIC,
BALDWIN COUNTY, ALABAMA

FILED

JUL 1 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

Received _____ day of _____ 1974
and on _____ day of _____ 1974
I served a copy of the within _____
on _____
By service on _____
TAYLOR WILKINS, Sheriff
By _____
Pencils

Sheniff claims _____ miles at _____
Ten Cents per mile Total \$ _____
TAYLOR WILKINS, Sheriff
W. A. Dole
DEPUTY SHERIFF

9905
Ex Parte
Mrs. Minnie Doan

FILED

JUL 1 1971

EUNICE B. BLACKMON
CLERK

C. L. Thompson, Atty

PLEA IN ABATEMENT

EX PARTE) IN THE CIRCUIT COURT OF
MRS. MINNIE BOSARGE) BALDWIN COUNTY, ALABAMA
) AT LAW CASE NO. 9905

Comes now Minnie Bosarge and files the following Plea in Abatement to the Writ issued in this cause:

1.

This Court is without jurisdiction to try this cause because she is over the age of 21 years, of sound mind and did not prosecute the Writ of Habeas Corpus and did not request or authorize its prosecution.

2.

This Court is without jurisdiction under this Writ to determine the custody of an adult of sound mind who is not being held by judicial restraint.

Minnie Bosarge
Minnie Bosarge

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Minnie Bosarge, who is known to me, and who being by me first duly sworn, deposes and says: That she has read the foregoing Plea in Abatement and that the matters stated therein are true and correct.

Minnie Bosarge

Sworn to and subscribed before me on this the 8th day of July, 1971

Lillian M. Bandy
Notary Public

FILED

JUL 8 1971

EUNICE B. BLACKMON CIRCUIT CLERK

ANSWER

EX PARTE) IN THE CIRCUIT COURT OF
MRS. MINNIE BOSARGE) BALDWIN COUNTY, ALABAMA
) AT LAW CASE NO. 9905'

Comes now Minnie Bosarge and for answer to the Writ of Habeas Corpus heretofore filed by Susie Baggette says:

1.

That she is now living with her niece, Sallie Chafin, in Perdido, Alabama; that this is the place where she wants to live. She says further that heretofore she stayed in the home of Susie Baggette for a time. That she was brutally beatten by members of the Baggette family to such a degree that she was hospitalized. That, upon her release from the hospital, she went to the home of Sallie Chafin. That, thereafter, Susie Baggette filed a Petition in the Probate Court of Baldwin County, Alabama, in which she sought to have Minnie Bosarge declared to be of unsound mind. That this matter was heard before a six man jury who found her to be of sound mind. That, at the conclusion of this inquisition, the said Susie Baggette grabbed her by an injured arm and twisted it severely. That she was put in great pain and that she verily believes if there had not been intervention, the said Susie Baggette would have done her great bodily harm.

Minnie Bosarge says further that she does not want Susie Baggette to visit in her home or contact her in any way for her relationship has been very unpleasant and has been physically and mentally harmful to the said Minnie Bosarge. She says further that she has had kind and considerate treatment by Sallie Chafin since she has been in her home and has no intention of having any further association with Susie Baggette.

2.

For answer to this section, Minnie Bosarge says that she has not been placed in a nursing home; that she has not been hidden. That

the only part of this allegation which may contain a glimmer of truth is that she has not kept Susie Baggette fully informed of her day to day activities. That, because of her past actions, she does not feel that Susie Baggette is entitled to this information or knowledge. She says further that, since she has been living with Sallie Chafin, Susie Baggette contacted her one time and that her discussion and conversation was so unpleasant that she was shocked and nervous and upset for an extended period of time thereafter. That, since then, for her own well being, she has decided to have little or no contact with the said Susie Baggette.

Minnie Bosarge
Minnie Bosarge

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Minnie Bosarge, who is known to me, and who being by me first duly sworn, deposes and says: That she has read the foregoing Answer and that the matters stated therein are true and correct.

Mrs Minnie Bosarge
Minnie Bosarge

Sworn to and subscribed before me on this the 8th day of July, 1971.

Sallie M. Brandy
Notary Public

FILED

JUL 8 1971

EUNICE B. BLACKMON CIRCUIT
CLERK