

No. 60 - The State versus Leo Rann

Organization } Circuit Court
 of Court and Baldwin County } Fall Term, 1910.
 Grand Jury.

Be it remembered that at a regular term of the Circuit Court of Baldwin County, Alabama, held at the said Court House of said County on the fourth Monday of October, A. D. 1910, the same being the 24th day of said Month; His Honor Samuel B. Bronne, Judge presiding, and also was present the Clerk of said Court and the Sheriff of said County.

Previous to the adjournment of the last term of this Court, to-wit: On the 7th day of April, A. D. 1910, the Judge of this Court drew from the jury box, in open Court, fifty cards, on each of which was a name to supply the Grand Jury for this term, and petit jurors for the first week, and the names of the persons drawn, are: Jesse E. Nelson, John M. Bishop, Noah Silcox, Leslie H. Bryars, Sam Martin, George W. Miller, James I. Bradley, James C. Stapleton, Dan M^cFarren, George H. Ward, Chas Y. Wilson, D. Richard Catrett, Henry Gipson, John B. Shipp, W^m H. Chandler, Dan W. Stewart, Sam Crane, Arthur Mixon, James R. Hammeth, Tillman Lambert, J. Ossee Bateson, Joe B. Johnson, Paul Rolfe, W. Douglas Durant, Randolph M^cGowan, Joseph B. Vauhn, James Holton Beasley, John Pittman Jr., W^m G. Bishop, Cleveland Tell, W^m L. Barnett, Roscoe Clezbe, John W. Darden, Frank P. Redmond, Chas I. Phillips, John W. Carver, Robert L. Fulford, Harrison S. Townley, John W. Baggett, Joe Dyess, Chas F. Davison, Richard B. Padgett, Jiles L. Phillips, N. Lee Perry, Allen C. Grimes, Chas P. Hanson, G. Ed Burgett, Jay B. M^cGrew, and the Judge placed them in an envelope, sealed same, and on the 5th day of October 1910, delivered them to the Clerk of the Court who forthwith issued to the Sheriff a venire facias containing the names of the persons drawn, the day they are to appear, their occupation and the place of business and residence.

And now comes Thomas A. Broch, Sheriff of said County and returns into Court his venire facias served upon all of said jurors except Noah Silcox, N. Lee Perry, G. Ed Burgett and Leslie H. Bryars, all of whom answered to their names, except, James C. Stapleton, John B. Shipp, Sam Crane and Arthur Mixon, and it appearing to the Court that said persons have a good and sufficient excuse for their non-attendance at this term of the Court, it is ordered that they be and are excused.

And the following of said persons so drawn and summoned, viz: Henry Gipson, J. Ossee Bateson, John Pittman Jr., W^m L. Barnett,

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Roscoe Cligbe, appeared, and in open Court submitted reasons why they should not serve as jurors, it is ordered that they be and are excused.

And now after hearing excuses, claims of exemptions and disqualifications and passing upon the same, it appears to the Court that there are not enough qualified jurors in attendance upon the Court to form the juries required, the Judge of the Court drew from the jury box the names of the following jurors, viz: George W. Humphries, E. Alonzo Huggins, Carthus Irwin, Herbert Milcrease, John H. Schumaker, Pete N. Jones, John W. Miller, James M. Thompson, John J. Campbell, Benjamin C. Brith, Orris C. Hall, Wm. M. Burns, James L. Brown, Morgan Mixon, Wm. P. Matthews, Will J. Cromartie, Willard W. Olney, J. P. Mix, who were then within or reside within five miles of the Court House, to complete all juries, then required the Sheriff forthwith to summons such jurors to attend Court instant.

And now on this the 24th day of October 1910, the Judge presiding, in open Court, required to be called all the persons in attendance upon the Court named in the venire to be called and after hearing excuses, claims of exemptions and disqualifications, and passing upon the same, caused to be placed in a hat the cards containing the names of all the persons present, who were not excused by the Court, or exempt, or disqualified, and the Judge first drew therefrom eighteen of said cards containing the following names: Jay P. Mix, Will J. Cromartie, Chas. P. Hanson, Allen C. Grimes, Christopher Columbus Rodgers, Robert L. Telford, Jiles L. Phillips, James Helton Bensley, W. Douglas Durant, Richard B. Padgett, Chas. F. Davison, Joe Dyess, John W. Baggett, Ray Brewster, Wm. M. Burns, Jay B. Mc Grew, Orris C. Hall and George W. Humphries, who composed the Grand Jury for this term.

And it now appearing to this Court that the Grand Jury is now complete and is composed of the said eighteen named jurors, the Court appointed George W. Humphries as foreman of the Grand Jury, and administered to him the oath as set forth in Section 7284 of the Criminal Code of Alabama, while the oath set forth in Section 7285 was duly administered to the other Grand Jurors, and M. N. Wilkins was sworn in as Bailiff in attendance to the Grand Jury thus organized, who being duly charged in reference to the business to be transacted by them retired to the Grand Jury room.

And the said Grand Jury among other indictments

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returned the following:

Indictment

The State of Alabama } Circuit Court
Baldwin County } Fall Term, 1910.

The Grand Jury of said County charge that, before the finding of this indictment, Leo Rain unlawfully and with malice aforethought did assault Ben Franklin with the intent to murder him.

And said Grand Jury further charge that, before the finding of this indictment, Leo Rain assaulted and beat Ben Franklin with a weapon to-wit a knife, against the peace and dignity of the State of Alabama.

Frank S. Stone,
Solicitor of the Thirteenth Judicial Circuit.

Endorsed.

No Prosecutor - A True Bill.

G. W. Humphries, Foreman of the Grand Jury.

Witnesses:

Ben Franklin, Jordan Franklin, Harvey E. Scott.

Bail fixed in open court at 150⁰⁰ One hundred and Fifty Dollars this 7th day Nov 1910.

Sam'l B. Browne, Judge.

Filed in open Court November 2nd 1910.

S. B. Browne, Clerk.

Capias.

The State of Alabama }
Baldwin County } To any Sheriff of the State of Alabama:

An indictment having been found against Leo Rain at the Fall Term, 1910, of the Circuit Court of Baldwin County, for the offense of Assault with intent to Murder, 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 2nd day of November 1910.

S. B. Browne
Clerk of the Circuit Court of Baldwin County.

Sheriffs
Return

Executed by arresting the defendant.
J. A. Booth, Sheriff.