

2487

STATE OF ALABAMA | IN THE CIRCUIT COURT OF BALDWIN COUNTY,
BALDWIN COUNTY | ALABAMA. CRIMINAL DIVISION

IN THE MATTER OF THE PETITION OF
RUFUS HOWARD HARDEN FOR WRIT OF
HABEAS CORPUS FOR BAIL.

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA:

The petition of Rufus Howard Harden, who is over the age of twenty-one years of age and who is a resident citizen of Baldwin County, Alabama, respectfully shows and represents unto your Honor:--

First: That he is now illegally restrained from his liberty and is imprisoned in the County Jail of Baldwin County, Alabama, at Bay Minette, Alabama, in said County by the Honorable Taylor Wilkins, Sheriff of Baldwin County, Alabama, as such Sheriff of said County, the said Sheriff, as said Sheriff of said County, restrains your petitioner under a committment issued pursuant to an Indictment heretofore filed in the Circuit Court of Baldwin County, Alabama, on to-wit, the 5th day of October, 1954, charging this defendant with murder in the first degree, full and complete copy of which said Indictment is attached hereto marked for purposes of identification, Exhibit "A" and incorporated herein as fully and as completely as though here set out, and your petitioner says that he is being held without bond and that no bail has been allowed to him; and your petitioner further says that he is entitled to reasonable bail; that he is a man who owns no real or personal property of substantial value and is without income while incarcerated.

WHEREFORE PREMISES CONSIDERED, your petitioner respectfully prays that a Writ of Habeas Corpus be issued and directed to the said Honorable Taylor Wilkins as Sheriff of Baldwin County, Alabama, commanding him to bring the body of your petitioner, Rufus Howard Harden, before your

Honor at the time and place to be, by you, appointed, together with the cause of your petitioner's detention.

G. Ernest Jones
SOLICITOR FOR RUFUS HOWARD HARDEN

STATE OF ALABAMA |
BALDWIN COUNTY |

Before me, the undersigned Notary Public in and for said County in said State, personally appeared Rufus Howard Harden, petitioner in the above and foregoing petition, who being by me first duly sworn, says that the facts stated in the above petition are true.

Rufus Howard Harden
Rufus Howard Harden.

Sworn to and subscribed

before me this the 16th day of

December, 1954.

[Signature]
NOTARY PUBLIC.

STATE OF ALABAMA |
BALDWIN COUNTY |

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

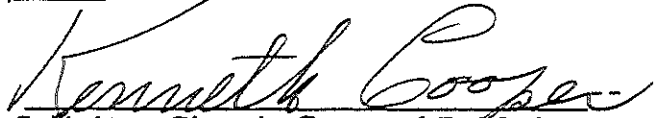
You are hereby commanded to have the body of Rufus Howard Harden alleged to be detained by you, whatsoever name the said Rufus Howard Harden is called or charged, with the cause of such detention before me, the said Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, on the 30 day of December, 1954, at the Court House at Bay Minette, Alabama, at 10:00 o'clock A.M. to do and receive what shall then and there be considered concerning the said Rufus Howard Harden.

Dated this the 17 day of December, 1954.

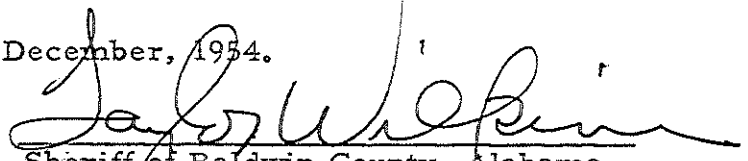
Hubert M. Hall
CIRCUIT JUDGE.

I, the undersigned, Kenneth Cooper, Solicitor of the Circuit Court of Baldwin County, Alabama, do hereby acknowledge service of copy of the

above and foregoing petition and Writ of Habeas Corpus and waive all other or further service thereof on this the 17th day of December, 1954.


Solicitor Circuit Court of Baldwin
County, Alabama.

I, the undersigned, Taylor Wilkins, Sheriff of Baldwin County, Alabama, as such Sheriff do hereby acknowledge service of copy of the above and foregoing petition and Writ of Habeas Corpus and waive all other or further service thereof on this the 17th day of December, 1954.


Sheriff of Baldwin County, Alabama.

The State of Alabama, {
Baldwin County

CIRCUIT COURT, OCTOBER SPECIAL SESSION, 1954

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

Rufus Howard Harden, whose name is to the Grand Jury otherwise

unknown, unlawfully, and with malice aforethought, killed Leroy Miller,

by shooting him with a pistol,

against the peace and dignity of the State of Alabama.

Kenneth Cooper
Solicitor of the Twenty-Eight Judicial Circuit.

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
CRIMINAL DIVISION


IN THE MATTER OF THE PETITION OF
RUFUS HOWARD HARDEN FOR WRIT OF
HABEAS CORPUS FOR BAIL.

PETITION FOR HABEAS CORPUS.

RETURN OF TAYLOR WILKINS TO THE WRIT OF HABEAS CORPUS.

Now comes Taylor Wilkins, to whom the writ of habeas corpus in this case was directed, and who has been duly served therewith, and for return to said writ shows to the Court that he detains and holds the said Rufus Howard Harden by virtue of a committment issued pursuant to an indictment heretofore filed in the Circuit Court of Baldwin County, Alabama, on to-wit, the 5th day of October, 1954, charging the petitioner with murder in the first degree, a correct copy of which is offered in evidence before this Honorable Court herewith, and a copy of which was offered in evidence before the Court by the petitioner when the writ of habeas corpus was filed. And he herewith produces the body of the said petitioner and submits him to the jurisdiction of the Honorable Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, the judicial officer issuing the writ in this case.

Dated at Bay Minette, Alabama, this 30th day of December, 1954.


Taylor Wilkins, Sheriff of
Baldwin County, Alabama

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Mrs. Sybylle J. Humphrey
Jacksonville, Fla

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Samuel Jay Hornbeck,
Raiford, Florida

a witnesses in behalf of Defendant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein
State of Alabama

and Howard Harden
Plaintiff
Complainant

on oath, to be by you administered, upon him
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.
Defendant
Respondent

Witness 15th day of December, 1954

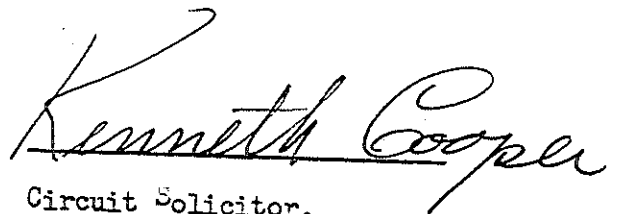
Alice J. - Clerk
Register

Commissioner's Fee, \$

Witness' Fees, \$

The attorney for the Defendant requests ten days notice of time and place of taking testimony

I, the undersigned Circuit Solicitor for the Twenty-Eighth Judicial Circuit, State of Alabama, acting on behalf of the State of Alabama in the cause now pending in the Circuit Court of Baldwin County, Alabama, wherein the State of Alabama is plaintiff and Howard Harden is defendant charged by indictment with murder, do hereby certify that I have served a copy of the above and foregoing motion upon the Honorable G. Ernest Jones, attorney for said Defendant Howard Harden on this 8th day of December, 1954, by mailing a copy to him, first class United States mail, postage prepaid by stamps affixed thereto, properly addressed to him at his last known postoffice address, viz: 204211 Massey Building, Birmingham 3, Alabama, on this 8th day of December, 1954.

A handwritten signature in cursive script, reading "Kenneth Cooper". The signature is written in dark ink and is positioned above the printed title.

Circuit Solicitor,

28th Judicial Circuit.

No. _____

STATE OF ALABAMA,

Plaintiff,

Vs.

HOWARD HARDEN,

Defendant

FILED

DEC 3 1954

CLERK J. BOGGS

clerk