

Q Yes. A Yes, I think I had them more than once.

Q You carried each one of them more than once?

A Yes. Q From around about dark until midnight?

A Yes. Q And on each of these occasions when you brought one of these petitioners here now, one of these three, between the time that you reconvened about dark until about midnight, into this room, all four of these officers were present and questioned these particular petitioners?

A All four of them didn't do questioning.

Q The Sheriff was doing the chief questioning?

A Yes, sir. Q But if Captain Williams saw fit to ask a question, he asked it? A Yes, sir.

Q And if you saw fit to ask a question, you asked it?

A I didn't ask any questions.

Q Did Mr. Helton ever ask any questions? A Not that I recall. He might have asked a few questions, but I don't recall.

Q The ones that were questioning was the Sheriff and Captain Williams? A Yes, sir.

Q And would you say you brought any of these boys up there as much as three times, or any one of them up there as much as three times before midnight? A I imagine perhaps I did. We kind of divided some of the three over that time, and then we got the fourth one.

Q You didn't ever have three of them up there before midnight at one time? A No.

Q You had several times the three up there and during these times you had them up there you usually kept them about the same length of time, from ten to twenty five minutes? A Yes.

Q And that went on up until midnight with three of these boys. When did you first bring Charlie Woodward up there?

A You mean Charlie Woodward or Walter Woodward?

Q Walter Woodward, this boy here. Let me ask you this first. Which of these boys is this? A That's Izell Chambers.

Q This one? A Jack Williamson and that's Charlie Davis.

Q Now you know you brought these three boys up there on several occasions, but you wouldn't say just how many times between dark and midnight; this boy here, Izell Chambers, and this boy Jack Williamson and this boy here, Charlie Davis; and you did bring these three boys up there for questioning on several occasions between the time of about dark until about midnight?

A A few times; I wouldn't say several.

Q Well as many as three? A I would imagine there was.

Q About three times each? A Yes.

Q You know it was more than one time each?

A Yes, more than one.

Q Now when did you first bring Walter Woodward up to that room for questioning? A It was some time about just after midnight, if I recall right.

Q And how long did you keep him up there when he was first brought up? A I don't recall.

Q Does it occur to you that you might have kept him longer than that that time? A I think we kept him a little longer. Q A little longer than you had been keeping any of the others up there? A Yes.

Q Then after that time when you took him back to his cell, which one did you bring out? A I don't know which one.

Q Now as a matter of fact from midnight, or from one o'clock on to daylight; you didn't take any one up there to that room and question them other than these four boys, and the one other boy from Pompano, did you? A That's right.

Q The rest of the night was devoted to questioning all of these boys? A Not all night.

Q I mean while you were questioning?

A They were the only ones that were questioned.

Q And one other boy that was brought down from Pompano were the only ones that the officers questioned from about midnight on to daylight; is that right? A They were the only ones that were questioned?

Q When the questioning was going on?

A When the questioning was going on.

Q You did take a recess about midnight? A Took a recess later than that. I took a nap.

Q They took a recess while they sent some officers back up to Pompano, or some place. What all happened about midnight to daylight. Tell the court and jury everything that happened between that time that you can remember now. I want the court and jury to know, because you were there, just everything that you remember that happened; what the officers did and what the boys did? A They were questioning them until they took a recess, and they put them all back in the cells for perhaps an hour and a half or two hours, that would be my estimate on the time; I didn't time it. I took a nap and I think the sheriff took a nap. I had the keys with me all the time.

Q Let me ask you right there: in that same time that the sheriff took a nap and you took a nap, you both took a nap about the same time? A I went upstairs to the room, and he stayed in the living room.

Q In that same time that Mr. Williams went out of the jail and came back shortly after you all woke up? A He left, I don't know where he went.

Q He left the jail at the time while you were all taking this rest and came back later about the time you woke up?

A When they all come back they got all four of these boys at the same time, brought them in one right behind the other, and set them in the living room in a chair side by side, and --

Q Wait just a moment. Was that the time Mr. Maire came over there? A Yes, sir, Mr. Maire was there at that time.

Q It was daylight? A It was about six o'clock in the morning.

Q Can you tell this jury here what happened right after you all had taken a nap and woke up? A They bring them all four in.

Q That was the first thing you did after you woke up?

A When they all got back, brought all four of them in.

Q You brought all four of them together for the first time that night? A Yes, sir, all four; that's the first time all four of them had been together.

Q And that was around about daylight at five or six o'clock in the morning, just before Mr. Maire came over?

A They was sitting in that position when Mr. Maire came there, and each one of them had selected --

MR. CATTS: Move to strike the remark by the witness. I didn't ask him that. I was trying to identify the time.

THE COURT: Strike his answer except as to the time.

(Question repeated) A Yes, I think that was the time Mr. Maire got in.

Q Now, Mr. Marshall, what was the first thing that you did after you woke up that morning and they all had come back?

A I waited for orders from the sheriff.

Q And what orders were the first ones that he gave you about these petitioners, about bringing them forth, which ones did he order you to bring forth? A I don't recall the names of any one.

Q Did he tell you to get all four of them?

A If I remember right, I brought them in one at a time as I was told, until I got them one at a time.

Q You did bring one at a time? A Until I got them all in there, yes, sir.

Q They were in separate cells at the time, weren't they?

A Yes, sir.

Q As a matter of fact these four boys had never been put in the same cell together while they were in jail up until that time; these four boys had never been put in any cell together from the time they were arrested until that very time right there when you put them together at that time on Sunday morning; that's the first time all four of them had been together? A Charlie Davis and Walter Woodward had been in a cell block together.

Q They had been in the same cell block together?

A Yes, sir, been in the same cell block together up until that night.

Q But that night they were kept in separate cells?

A One was put back in the cell block and the other was put in a separate cell on a different floor.

Q Mr. Marshall, how many times would you say Walter Woodward was questioned between midnight, or shortly after midnight, when he was first brought in there, and six o'clock the next morning, by these officers? A I wouldn't attempt to say how many times because I never kept any account of it.

Q You know during that period of time you did bring him out several times? A I wouldn't say several times; I believe two or three or four times.

Q Could you have brought him out as many as six times?

A I could, if he had ordered me.

Q Could it be that you did? A I wouldn't say.

Q You feel reasonably certain you did bring him out two, three or four times? A Yes, sir.

Q You brought him more than once? A I brought him more than once. Q You know you brought him more than twice? A I couldn't say.

Q You brought him in one time when Mr. Maire was there around 2.30, didn't you? Mr. Maire came over to the jail somewhere about 2.30? A Somewhere about then.

Q You brought Walter Woodward down to Mr. Maire's

office at that time, didn't you? A Yes.

Q That was one time you brought him out.

A I had him out two or three times, as often as they called for him.

Q The first time you brought him out was the time you took him to Mr. Maire's office? A The first time?

Q Yes. A I don't think that it was.

Q You know how many times you did bring him out before you took him to Mr. Maire's office? A I do not. I didn't have any book and pencil to keep track.

Q You need a book or pencil to keep track of when you took Walter Woodward out?

A I would to remember it three years.

Q After Mr. Maire left that morning, did you bring Walter Woodward up to be questioned again before officers in your quarters? A I don't recall that I did, Walter Woodward.

Q I just want to get whether you brought him up there again after Mr. Maire was there? A If the sheriff said bring him, I brought him. I don't recall whether he did or not.

Q You do know that no other person was questioned from around midnight until about six o'clock in the morning when Mr. Maire came over there, except these four boys and one other person who was brought down from Pompano?

Q That's the way I recall it, yes.

Q Was Captain Williams present each time during the time when any of these boys were questioned? A You mean every time every one of them was questioned?

A Yes? A I think he was.

Q And you were present each time? A I was present.

Q And do you know whether Mr. Helton was present each time? A He was after he got there.

Q After he first arrived there that night, which was shortly after the meeting started, he stayed there all the rest of the night? A No; he left and was gone about an hour after

midnight, just what time I don't know.

Q Was this nigger cook of yours up in your quarters practically all night serving sandwiches? A No, not all night

Q Well, practically was he there all the time except when he would go back downstairs to get coffee and sandwiches?

A His room was on the same floor.

Q Was he there in your quarters ready to serve sandwiches, and see everything that happened?

A He was not in the room all the time, but he was on the same floor.

Q How long would you say Mr. Maire stayed over there that night? A An hour and a half perhaps.

Q And how long did he keep Walter Woodward down in his office that night? A Not very long, I wouldn't say exactly how long.

Q What was he doing that night when he was over there at the jail, when he wasn't talking to Walter Woodward?

A What was he doing?

Q Yes. A I don't know as he was doing anything particular. Q What were the rest of you doing?

A Wasn't doing anything special at that time.

Q Where were you, what part of the jail were you?

A We were not in the jail. They were in my living room.

Q On the fourth floor? A Yes, sir.

Q That's where most of the questioning was going on?

A Yes, sir.

Q Now how long would you say he stayed in there -- you didn't have any other prisoners when Mr. Maire was there, other than Walter Woodward, did you? A They might have, I don't recall.

Q Have any of these other boys up there?

A Could have, if the sheriff asked me to bring them, they were there.

Q I mean of your own knowledge, do you have any recollection of any of the rest of them being there in that room talking to Mr. Maire when he was there? A Not at that time, I don't know. Q Would you say that during the time that Mr. Maire was over there that he spent half of his time talking to Walter Woodward in the presence of officers, or by himself?

A I wouldn't attempt to say.

Q You don't know what portion of time he was talking to Walter Woodward that he was over there? A No.

Q How many fire escapes do you have on the court house building? A I haven't got any as far as I know.

Q Haven't got any fire escapes? A An elevator.

Q Any back stairway? A Got two elevators and two stairways.

Q Do you have any back stairway at all? A No.

Q You couldn't get out of the jail except on the elevator or these stairs that go down by the elevator?

A You can go down the stairway.

Q The stairway at the elevator and the elevator is the only way to get out of the building? A Yes, sir.

Q No other entrance to get out of the building?

A Stairway and elevator.

Q Any other stairway than the one near the elevator, is there any other stairway to any other part of the building?

A Yes. Q Where is that? A Up through the front of the building.

#### REDIRECT EXAMINATION

BY MR. MAIRE:

Q Is there any entrance into the jail where these prisoners were kept that anybody could get into unless they had the keys that were in your possession? A No, sir, they couldn't get to them.



RE-CROSS EXAMINATION

BY MR. CATTS:

Q Did anybody talk to any of these petitioners on the day that they were taken from the jail to the court room for arraignment? A Not in my presence.

Q You were the one that carried them over there? A Yes.

Q Did you have them handcuffed together?

A I think they were handcuffed. I don't do that part of it. I would open the doors and let them out.

Q Who helped you carry them over there?

A I think the sheriff.

Q Was Captain Williams there with you, too?

A He was in the court room. I don't recall that he went to the jail when we went over there.

Q Would you say he didn't help carry them over that morning? A No, I don't recall.

Q You recall anybody talking to them, having any conversation with them from the jail on the way to the court room that day? A No, the entrance to the jail is not any further than from that window, right out the jail into the court room.

Q Some of them were up on another floor?

A We could bring them down on the elevator.

Q And you then come down on the elevator with them alone.

A Couple of deputies.

Q I mean besides any of the officers you had there with you, did anybody else talk to them? A No.

Q You sure the lawyers didn't talk to them on the elevator or somewhere between the jail and the court room? A They might have after we got in court from the elevator, only two or three steps into the court room.

Q An attorney didn't talk to them in the corridor going from the jail that day to the court room, to any of them?

A Not in jail, they might have on the walkway going down to the bar where the Judge sits.

Q How long would it take to get these prisoners from where they were to the court room, after you took them out of the cell; how long did it take you? A I don't suppose it took over three or four minutes to get all four of them.

Q And so far as you know, no one other than your officers spoke to them? A Their attorney might have met them after they got in the court room.

Q Did any attorneys ever go in the jail to talk to them? A Yes, sir. Q When? A After the court appointed them.

Q What day was that? A I couldn't tell you.

Q How many times did he go in there? A I couldn't say that. I know they were on one or more.

Q Let me ask you another question. Two of these boys during that week were carried from your jail to some place else by the sheriff; you know that? A Yes, sir.

Q How long were they kept away before they were brought back to the jail? A Over night.

Q Brought back some time the next day? A Next morning.

Q Was the boy Izell Chambers, before the day of his trial, sent down to Dade County jail? A Izell Chambers and Jack Williamson.

Q I mean was there any long period of time of a week or so - the period of time I am talking about is the period of time from this Sunday of the alleged confessions and the date on which Izell Chambers was tried, that he was incarcerated in the County jail in Dade County most of the time for a period of about two weeks? A I don't recall he was.

(Witness excused)

STATE RESTS. PETITIONERS REST.  
Testimony Closed.

Recess to 1.45 P.M.

AFTERNOON SESSION  
1.45 o'clock.

MR. CATTS:

The petitioners at this time desire to make a motion for an instructed verdict, your Honor.

Come now the petitioners, Izell Chambers, Walter Woodward, Jack Williamson and Charlie Davis, by their attorneys, and move the Court to instruct the jury in this case, the jury sworn in this case, to return a verdict in favor of the petitioners, and as grounds for said motion say:

First, the evidence in this case as presented to the court and jury by each of the petitioners and the following witnesses for the State of Florida, to wit: Sheriff Walter Clark, Jailer A.D. Marshall, Constable R.C. Helton, Deputy Sheriff W.C. Goodrich and the colored witness, Prince Douglas, who was cook at the jail, County jail of Broward County, on the night the alleged confessions were made, shows that the confessions were not the free and spontaneous expression of guilt, and were obtained from these petitioners while they were in the custody of the officers of the law and confined in the Broward County jail, after prolonged and persistent examination by the Sheriff of Broward County and the other officers acting in conjunction with him, and the convict Captain Williams, acting in conjunction with him, which prolonged and persistent examination was over a period from the time of the arrest of these petitioners on May 13th and 14th, 1933, throughout the entire period of that week, culminating in an all night session of questioning and cross questioning of these petitioners by the officers of the law, resulting in their confessions being obtained at 6.30 A.M. on May 21, 1933.

Second. The undisputed evidence in this case on the part of the State of Florida and the petitioners shows that the confessions were not freely and voluntarily made.

Third. The evidence of the above mentioned officers, testifying on behalf of the State of Florida, and the petitioners, shows that the confessions were not the free and spontaneous confession of guilt.

Counsel for both parties, petitioners and respondent then argued the law and presented citations of authorities.

I agree with your law.

Motion denied.

✱

After arguments by counsel on both sides the

Court charged the jury as follows:

Gentlemen of the Jury:

You have heard the evidence in the case. You have heard the argument of counsel. It now remains for the Court to give you the law to which you are to apply the facts as you find them from the evidence before you. You are here to decide questions of fact. The Court is here to decide questions of law. Counsel appear for both sides to aid in the presentation of this case in order that the jury and the Court may better carry on their duties under the law.

It would probably be best, if I briefly explained to you what has heretofore happened in this case. These four men, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward now designated petitioners, were indicted in the Circuit Court of Broward County, Florida, for murder in the first degree. Upon arraignment, three of these men pleaded guilty, and the fourth Isiah Chambers, after a trial upon his plea of not guilty, was found guilty by the jury of murder in the first degree. All defendants were adjudged guilty and sentenced by the Court. During the trial certain confessions were admitted in evidence and received by the Court.

These petitioners now contend in this particular proceeding, that certain facts were not then brought to the attention of the Court, and that had they been brought to the attention of the Court at that time, the result would have been different? Accordingly, these petitioners, who were the defendants originally, filed two assignments of error. They say, first, that the confessions and pleas filed at the trial of these petitioners and which form the basis of the judgments and sentences herein complained of, were not in fact freely and voluntarily made by these petitioners, and, second, that the confessions and pleas filed at the hearing of these petitioners and which formed the basis of the judgments and sentences complained of were in fact, obtained from these petitioners by force, coercion, fear of personal violence and under duress. Those are the two assignments of error presented by the petitioners, and having been denied and duly placed in issue by the State, create the issues of fact that you are called upon to decide by your verdict.

I have briefly explained the nature of these proceedings so that I may make it clear, first, that no question of the guilt or innocence of these defendants is involved in this matter now before you, and, second, so that you may understand why in this trial the burden of proof is placed upon these petitioners to establish to the reasonable satisfaction of the jury, by a preponderance of the evidence the truth of the facts alleged in at least one of the two assignments of error I have just explained to you, rather than any burden of proof upon the State.

Accordingly, if it has been established to your reasonable satisfaction by a preponderance of the evidence, that either one, or at least one, of these two assignments of error is true, then you will bring in a verdict for the petitioners. If it is not established to your reasonable

satisfaction by a preponderance of the evidence, that at least one of these two assignments of error is true in point of fact, then you will bring in a verdict for the State. Preponderance of the evidence means the probative weight, influence, force or power of the evidence as adduced, considered separately and collectively with reference to the issues in the case.

Now I desire to explain to you the law relating to your general responsibility as jurors and particularly the matters that you might properly take into consideration in passing upon the credibility of the testimony before you.

You are the sole judges of the evidence, the weight of the same, and the credibility of the witnesses who have testified before you. Where the testimony is conflicting it is your duty to reconcile it, if you can, upon the theory that such witnesses have sworn to the truth; but, if you cannot do so, then you are privileged to disregard so much or such parts of it as you deem unworthy of credit and base your verdict on the testimony you believe to be true.

In the consideration of the testimony you should consider the manner of the witness on the witness stand, in the giving of the testimony; the bias or prejudice, if any, of the witness; the interest, if any, of the witness in the result of the testimony, and the intelligence or otherwise of the witness, in order that you may judge of the correctness of his observation and his ability to detail to you correctly what he has observed. Also you should consider the reasonableness, or otherwise, of the testimony of the witness, as judged by your common-sense and every-day experience; also any conflict or discrepancy in the testimony of the different witnesses. In fact, gentlemen, it is your sole province to take into consideration all the surroundings of the witness bearing upon his credibility, or otherwise, in order that you may properly weigh the testimony of such

witness and arrive at the weight that you attach to his testimony. You must do this carefully, fairly and impartially, under your oaths as jurors impaneled to try this case.

If in the consideration of the testimony of any particular witness, as judged by the rules above stated, you believe it is untrue, you have the right to ignore it in making up your verdict.

(Petitioners requested charges given)

The Court further charges you, that if any or all of the evidence in this case establishes to the reasonable satisfaction of the jury that such confessions were not freely and voluntarily made and were not the spontaneous expressions by these petitioners of their own guilt whether such conviction on your part arises from any striking, beating, intimidation, threats or prolonged questioning without sleep or rest brought about on the part of the officers of the law or any person acting in conjunction with such officers, then it would be your duty to find for the petitioners.

You are further instructed that a confession to be admissible in evidence against a defendant must be freely and voluntarily made and must be the spontaneous expression of such person of their own guilt and if the evidence in this case establishes to your reasonable satisfaction that on account of any conduct on the part of the officers of the law or any person acting in conjunction with them such confessions were not so freely and voluntarily made and were not the spontaneous expression by these petitioners of their own guilt, then it would be your duty to find for the petitioners.

In this case, gentlemen of the jury, you are not to consider the guilt or innocence of these petitioners of the charge for which they stand convicted as that question is not now in issue. Your sole duty in this case is to determine from the evidence the issues raised by the pleadings.

The petitioners in their assignments of error put in issue two questions, the first of which is as follows:

"That the confessions and pleas, filed at the trial of these petitioners and which formed the basis of the judgments and sentences herein complained of, were not in fact freely and voluntarily made by these petitioners;" and the second of which is as follows:

"That the confessions and pleas filed at the trial of these petitioners and which formed the basis of the judgments and sentences herein complained of were, in fact, obtained from these petitioners by force, coercion, fear of personal violence and under duress," to each of which the State of Florida has joined issue, therefore, you are only to consider in making up your verdict the issues thus raised and you are not to be swayed from the performance of that duty by any knowledge you have gained from the evidence as to the guilt or innocence as to the charge contained in the indictment.

If the evidence in this case establishes to your reasonable satisfaction by a preponderance of the evidence that the confessions in this case were made while petitioners were in the custody of the officers of the law after prolonged and persisting examination by the officers of the law or persons acting in conjunction with them and thus were not the spontaneous expression by these petitioners of their own guilt, then it would be your duty to find for the petitioners.

A plea of guilty should be entirely voluntary by one competent to know its consequences, and should not be induced by fear, misapprehension, persuasion, promises, inadvertance or ignorance.

The plea of guilty to a serious criminal charge should be freely and voluntarily made and entered by the accused without a semblance of coercion, and without fear or duress of any kind.



The Court instructs you that a fair and impartial trial is absolutely essential to the due and proper administration of justice, and it is of prime importance that this truth be constantly borne in mind by both courts and juries. If the courts are to retain the respect and the confidence of the people, and properly perform the important duties and exercise the great powers invested in them by the Constitution, in accordance with its spirit and purpose, and carry out and perform the objects of their creation, they must obey the Constitutional command respecting fair and impartial trials, and give to every case submitted to them for decision, due, careful and conscientious consideration, basing their judgment upon sworn, legal and credible evidence, uninfluenced by other extraneous considerations. In the administration of justice, juries are entrusted with functions of supreme importance. They consider and weigh the evidence submitted, determine the credibility of witnesses, and find from the evidence the facts upon which the Court passes its judgment. In deliberating upon and endeavoring to reach a correct and conscientious verdict, the jurors are required by the law to be guided by the sworn evidence in the case and to calmly and dispassionately weigh and consider it, uninfluenced by anything not based entirely and exclusively upon such evidence.

As you are aware, gentlemen, this case is a matter of considerable importance to these petitioners and to the State. All parties to this cause are entitled to your very thorough, careful and conscientious consideration of it. Necessarily it is a matter which should be considered in the light of absolute fairness to both parties to the end that your verdict shall be based upon an impartial and dispassionate consideration of the evidence presented to you, and based upon no extraneous factors nor consideration. In other words, gentlemen, I ask that you follow the law

I have endeavored to explain to you, and bring in such a verdict as your enlightened consciences may direct you to bring in, based exclusively upon the testimony that has been presented to you.

If the allegations of either one of these two assignments of error have been established to your reasonable satisfaction by a preponderance of the evidence to be true, as to any one or more, but not all of the petitioners, then the proper form of your verdict would be: "We, the jury, find for the petitioner \_\_\_\_\_ (naming him or them as the case may be) and against the State of Florida; and we further find against the petitioner, \_\_\_\_\_ (naming him or them as the case may be) and for the State of Florida. So say we all."

This form that I have just read you would be appropriate if your finding differed as to different defendants. Should the truth of the facts alleged in at least one of the assignments be established to your reasonable satisfaction by a preponderance of the evidence to be true as to all of the defendants, then the form of your verdict should be: "We, the jury, find in favor of the petitioners, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward, and against the State of Florida. So say we all."

If the truth of the facts alleged in neither one of the assignments of error has been established to your reasonable satisfaction by a preponderance of the evidence to be true, as to any of the petitioners, then the form of your verdict would be: "We, the jury, find against the petitioners, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward, and in favor of the State of Florida. So say we all."

I will send you drafts of these forms, one of which may be proper, when duly made out.

Gentlemen, your first duty upon retiring will be the selection of one of your number as foreman. He will preside over your deliberations and sign your verdict, when and if you arrive at one. Of course, in order that you may bring in a verdict, it is necessary that your findings be concurred in by each of you. That is to say, a verdict, before it can be brought into court as such, must be by your unanimous vote.

You may retire, gentlemen, to the consideration of your verdict.

(Jury retire)

MR. CATTS:

The petitioners Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward object to the Court not giving to the jury instructions Numbers 1,2,3,4,6 and 10 as requested by the petitioners; and the petitioners object to the Court's instruction to the jury to the effect that it is necessary for the petitioners to establish to the reasonable satisfaction of the jury the truth of every one or both of the assignments of error by a preponderance of the evidence; and object to the Court's instruction to the jury that the burden in this case was upon the petitioners to establish to the reasonable satisfaction of the jury by a preponderance of the evidence in all cases in which the words "preponderance of evidence" were used in the charge of the Court.

CERTIFICATE OF REPORTER.

I, Alice M. Hayden, Official Court Reporter for the Fifteenth Judicial Circuit of Florida, in and for Palm Beach County, DO HEREBY CERTIFY that the within and foregoing pages of testimony, numbered from one (1) to three hundred and thirteen (13) constitute a true and correct transcript of the testimony adduced at the trial in this cause.

Alice M. Hayden  
Official Court Reporter for  
the Fifteenth Judicial Circuit  
of Florida.

The following, are the Petitioner's requested charges which were denied by the Court:

Instruction No. 1

Gentlemen of the jury you are instructed as a matter of law, that no person charged with a crime shall be compelled to testify against himself, and where a person is charged with a serious criminal offense makes a confession out of court, said confession is without weight, unless it was entirely free and voluntary. So if you find from the evidence in this case that these petitioners made a confession of guilt of the crime charged against them on or about May 21st, 1933 and that said confession was made through fear of physical punishment, ignorance, inadvertence, intimidation, your verdict should be for the petitioners for the law will not permit a confession to be introduced in evidence unless it was made entirely free and voluntarily and without a semblance of coercion of any kind.

Instruction No. 2

If you believe from the evidence in this case that one, Captain J. T. Williams was permitted to enter the jail where these petitioners were prisoners on May, 20th, 1933 and threaten them with violence and harass them by keeping them awake at night and moving them about in the jail from one place to another until they were faint and weary in body and spirit for the purpose of obtaining a confession from them to be used against them, you should find that said confessions were not made entirely free and voluntary, and your verdict should be for the petitioners.

Instruction No. 3

If the evidence in this case establishes to the reasonable satisfaction of the jury that the alleged confessions were not the spontaneous expressions by these petitioners of their own guilt, it would be your duty to find in favor of the petitioners.

Instruction No. 4

If the evidence in this case establishes to the reasonable satisfaction of the jury that the confessions were not freely and voluntarily made, then it would be your duty to find for the petitioners.

Instruction No. 6

The Court instructs you that the burden of the proof in this case is upon the petitioners to establish to your reasonable satisfaction the truth of the facts alleged in at least one of their assignments of error, however, if you believe from the evidence or any portion thereof which you do believe to your reasonable satisfaction that the confessions of the petitioners or any one of them, or the plea of guilty were not freely and voluntarily made on account of any fear, duress, intimidation, threats, beating or mistreatment toward the petitioners by any officers of the law or any person acting in conjunction with the officers of the law or if you

believe to your reasonable satisfaction that on account of lack of sleep and rest from prolonged questioning of the petitioners by the officers of the law or any person acting in conjunction with the officers of the law the confessions or the plea of guilty were not freely and voluntarily made, then it would be your duty to find for the petitioners.

Instruction No. 10

Under the first count of the petitioners' assignments of error and the issues raised thereon as explained to the jury, if the evidence establishes to your reasonable satisfaction that the confessions were not freely and voluntarily made on account of any conduct on the part of the officers of the law or any person acting in conjunction therewith or apparently acting in conjunction therewith which such conduct caused the petitioners to be in such physical and mental condition that the confessions so made by them were not the free and spontaneous expression by each petitioner of his own guilt, then it would be your duty to find for the petitioner.

The said cause having been submitted to the jury by the Court under it's charges, and the jury having rendered a verdict for the respondent against the petitioners, the petitioners, on the 15th day of October, A.D. 1936 at the term of Court aforesaid, made and submitted <sup>to the</sup> ~~Court~~ the following motion for a new trial:

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR PALM BEACH COUNTY.

CRIMINAL #1395

ISIAH (IZELL) CHAMBERS,  
JACK WILLIAMSON,  
CHARLIE DAVIS and  
WALTER WOODWARD (WOODARD),  
Petitioners,

MOTION FOR NEW TRIAL

-vs-

THE STATE OF FLORIDA,  
Defendant in Error )

Comes now each of the above named petitioners by their attorneys, Sidney J. Catts, Jr. and John Ziegler, and respectfully move the Court to set aside the verdict rendered by the jury in this cause and entered herein and grant unto each of the petitioners a new trial and as grounds for new trial says:

1. The verdict is contrary to the instructions of the Court.
2. The verdict is contrary to the evidence.
3. The verdict is contrary to the evidence and instructions of the Court.
4. The verdict is contrary to law



5. The Court erred in denying and over-ruling petitioners' motion for instructed verdict.

6. The Court erred in refusing to give petitioners' requested charges Nos. 1, 2, 3, 4, 6 and 10.

7. The Court erred in instructing the jury that "the burden of proof in this case was upon the petitioners to establish to the reasonable satisfaction of the jury by a preponderance of the evidence" the truth of either of their assignments of error.

8. The Court erred in over-ruling petitioners' objections to the State referring in its questioning of its witnesses to "the time Mr. Darsey was robbed and murdered."

9. The Court erred in over-ruling <sup>the</sup> petitioners' objections to the State's Attorney propounding questions to each of the State's witnesses to-wit: Walter Clark, A.D. Marshall, Constable R.C. Helton and others which questions were read by the State's Attorney to such witnesses and which questions pertained to different forms of mistreatment by the officers toward the petitioners and elicited from such witnesses answers of yes or no.

10. The Court erred in his charge to the jury as contained in the second paragraph of his written instructions in using the words "FOR MURDER IN THE FIRST DEGREE" after the words "These four men, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward now designated petitioners, were indicted in the Circuit Court of Broward County, Florida".

11. The Court erred in his charge to the jury as contained in the second paragraph of his written in-

structions in using the words "OF MURDER IN THE FIRST DEGREE" after the words "Upon arraignment, three of these men pleaded guilty, and the fourth Isiah Chambers, after a trial upon his plea of not guilty, was found guilty by the jury".

12. The Court erred in his charge to the jury as contained in the second paragraph of his written instructions in using the words "Upon arraignment, three of these men pleaded guilty" notwithstanding the record and evidence before the jury showed upon arraignment only two of these men plead guilty and two plead not guilty; the plea of not guilty by Charlie Davis as disclosed by the record was later withdrawn on to-wit: June 12, 1933, the same day on which the fourth petitioner, Isiah Chambers, was tried by a jury.

13. The Court erred in giving the following instructions to the jury:

"I have briefly explained the nature of these proceedings so that I may make it clear, first that no question of the guilt or innocence of these defendants is involved in this matter now before you, and, second, so that you may understand why in this trial the burden of proof is placed upon these petitioners to establish to the reasonable satisfaction of the jury, by a preponderance of the evidence the truth of the facts alleged in at least one of the two assignments of error I have just explained to you, rather than any burden of proof upon the State.

Accordingly, if it has been established to your reasonable satisfaction by a preponderance of the evidence, that either one, or at least one, of these two assignments of error is true, then you will bring in a verdict for the petitioners. If it is not established to your reasonable satisfaction by a preponderance of the evidence, that at least one of these two assignments of error is true in point of fact, then you will bring in a verdict for the State. Preponderance of the evidence means the probative weight,

influence, force or power of the evidence as adduced, considered separately and collectively with reference to the issues in the case." <sup>erred</sup>

14. The Court/<sup>erred</sup>in allowing in evidence any reference to the substantive crime charged in the indictment by the State of Florida and erred in instructing the jury in any way or by any reference to the substantive crime/<sup>charged</sup>in the indictment.

15. The Court erred in its failure to instruct the jury that a verdict in favor of the petitioners would not release such petitioners from the charge as contained in the indictment.

The underlining contained in paragraphs ten, eleven and thirteen are by counsel for petitioners.

(Signed) SIDNEY J. CATTS, Jr.

(Signed) JOHN ZIEGLER

(Signed) S.D. MCGILL  
Attorneys for Petitioners

On the 17th day of October, A.D. 1936, the  
 Petitioners, by leave of the Court, <sup>and submitted to the Court</sup> filed the following  
 amendment to their original motion for a new trial:

IN THE CIRCUIT COURT OF THE  
 FIFTEENTH JUDICIAL CIRCUIT OF  
 FLORIDA IN AND FOR PALM BEACH  
 COUNTY.

CRIMINAL #1395

ISIAH (IZELL) CHAMBERS, )  
 JACK WILLIAMSON, )  
 CHARLIE DAVIS and )  
 WALTER WOODWARD (WOODARD), )

Petitioners, )

-vs- )

THE STATE OF FLORIDA, )

Defendants in Error) )

AMENDMENT TO  
 MOTION FOR NEW TRIAL

Comes now each of the above named petitioners  
 by their undersigned attorneys and presents and files  
 this amendment to their original motion for a new trial  
 previously presented and filed in this cause and move the  
 Court to set aside the verdict rendered by the jury in this  
 cause and grant unto each of the petitioners a new trial on  
 the following grounds:

It affirmatively appears from the evidence and  
 and from the record in the proceedings which form  
 the basis of the judgments and sentences of  
 death upon the petitioners in this case that  
 the petitioners and each of them were denied  
 due process of law and the equal protection of  
 the law in violation of the Fourteenth Amendment  
 to the Constitution of the United States, as  
 follows:

(a) That they were not given a fair and impartial trial and deliberate trial.

(b) That they were denied the right of counsel with the accustomed incidents of consultation and of preparation for trial, as provided by law.

(Signed) SIDNEY J. CATTS, Jr.

(Signed) JOHN ZIEGLER.

(Signed) S.D. Mc GILL.  
Attorneys for Petitioners

Upon consideration of said motion for a new trial the Court, on the 14th day of November, A.D. 1936, during the said term, entered an order over-ruling and denying such motion in the words and figures following:

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR PALM BEACH  
COUNTY.

CRIMINAL No. 1395.

Isiah (Izell) Chambers, )  
Jack Williamson, Charlie )  
Davis and Walter Woodward )  
(Woofard), )

Petitioners, )

-vs- )

THE STATE OF FLORIDA, )

Respondent. )

O R D E R.

This cause came on to be heard in open court in

the presence of the petitioners and their counsel and was duly presented by counsel for the petitioners and the State, upon petitioners' <sup>motion</sup> for a new trial as amended. The Court duly considered the matter.

It is the view of this Court that no useful purpose would be served by making a detailed statement of findings and conclusions upon the questions of fact and law presented in the motion for a new trial. Suffice to say, it is the conclusion of this Court that the credible evidence fails to disclose that the confessions and pleas of petitioners - who were only four men out of a large number questioned - were not in fact freely and voluntarily made by these petitioners, and fails to show that they were in fact obtained from these petitioners by force, coercion, fear of personal violence or under duress. Thereupon;

IT IS ORDERED AND ADJUDGED that the motion for a new trial, as amended, be and the same is hereby denied.

DONE AND ORDERED at West Palm Beach, Florida, this 14th day of November, A.D. 1936.

(Signed) C.E. CHILLINGWORTH  
Judge.

On the 2nd day of December, A.D. 1936, the  
 Petitioners filed the following motion to extend the time  
 for filing the bill of exceptions:

IN THE CIRCUIT COURT OF THE  
 FIFTEENTH JUDICIAL CIRCUIT OF  
 FLORIDA IN AND FOR PALM BEACH  
 COUNTY.

CRIMINAL No. 1395

ISAIH (IZELL) CHAMBERS,	)	
JACK WILLIAMSON,	)	
CHARLIE DAVIS and WALTER	)	
WOODWARD (WOODARD),	)	
Petitioners,	)	
vs	)	MOTION TO EXTEND TIME FOR
THE STATE OF FLORIDA,	)	FILING BILLOF EXCEPTIONS
Defendant.	)	

Now come Isiah (Izell) chambers, Jack Williamson,  
 Charlie Davis and Walter Woodward (Woodard), petitioners in  
 the above entitled cause, <sup>by</sup> and through their undersigned  
 attorneys, and move and ask the Court for a special order ex-  
 tending the time in which they may file and present their  
 bill of exceptions in said cause and move that said time be  
 extended for a period of sixty (60) days from date of said  
 order.

(Signed) SIDNEY J. CATTS, Jr.

(Signed) JOHN ZIEGLER

(Signed) S.D. Mc GILL.  
 Attorneys for Petitioners

Notice of hearing on this motion is hereby waived.

(Signed) J.W. SALISBURY  
 State Attorney

Upon consideration of the motion to extend the time for filing the bill of exceptions, the Court entered an order granting the said motion in the words and figures following:

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR PALM BEACH  
COUNTY.

CRIMINAL NO, 1395

ISIAH (IZELL) CHAMBERS,	)	
JACK WILLIAMSON, CHARLIE	)	
DAVIS and WALTER WOODWARD	)	
(WOODARD),	)	
	)	SPECIAL ORDER EXTENDING TIME
Petitioners,	)	FOR PRESENTING AND FILING
vs.	)	BILL OF EXCEPTIONS
	)	
THE STATE OF FLORIDA	)	
	)	
Defendant.	)	

This cause coming on to be heard upon motion of petitioners to extend the time in which to present and file their bill of exceptions in said cause and it appearing that notice having been waived by the State of the presentation of said motion

IT IS THEREFORE ORDERED AND ADJUDGED that the said petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) be and they are, jointly and severally, hereby allowed sixty (60) days from this day within which to make up, present and have filed their bill of exceptions in said cause. Let this order be entered in the minutes of this Court.

DONE AND ORDERED at West Palm Beach, Florida this 2nd day of December, A.D. 1936.

(Signed) C.E. CHILLINGWORTH  
Circuit Judge



On the 18th day of January, A.D. 1937 at the term aforesaid the petitioners filed the following assignment of errors with the bill of exceptions, which was presented to the Judge of this Court on the 19 day of January, A.D. 1937:

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR PALM BEACH  
COUNTY.

CRIMINAL #1395

ISIAH (IZELL) CHAMBERS, JACK  
WILLIAMSON, CHARLIE DAVIS and  
WALTER WOODWARD (WOODARD),

Petitioners,

vs

THE STATE OF FLORIDA,

Defendant in Error)

)  
)  
)  
) ASSIGNMENT OF ERROR  
)  
)  
)

Comes now the above named petitioners in the above entitled cause by their attorneys, Sidney J. Catts, Jr., John Ziegler and S.D. McGill, at the time for settling bill of exceptions in the above entitled cause and file these their assignments of error specifically mentioning each point that they intend to present in and by such bill of exceptions as grounds for reversal and pray that the following assignments of error shall be made a part of the bill of exceptions in this cause.

1. The Court erred in denying the petitioners' motion for new trial as amended which said order was entered herein in open Court on the 14th day of November, A.D. 1936.

2. The Court erred in making and entering its judgment on writ of error coram nobis filed herein on the 14th day of November, A.D. 1936.

3. The Court erred in its further order of final judgment on writ of error coram nobis filed herein in the 2nd day of December, A.D. 1936.

4. The Court erred in its charge to the jury in the second paragraph of its written instructions in using the words "for murder in the first degree" after the words "these four men, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward now designated petitioners, were indicted in the Circuit Court of Broward County, Florida."

5. The Court erred in its charge to the jury in the second paragraph of its written instructions in using the words "of murder in the first degree" after the words "upon arraignment, three of these men pleaded guilty, and the fourth Isiah Chambers, after a trial upon his plea of not guilty, was found guilty by the jury".

6. The Court erred in its charge to the jury in the second paragraph of its written instructions in using the words "upon arraignment, three of these men pleaded guilty" notwithstanding the record and evidence before the jury showed upon arraignment only two of these men plead guilty and two plead not guilty; the plea of not guilty by Charlie Davis as disclosed by the record was later withdrawn on to-wit: June ,1933, the same day on which the fourth petitioner, Isiah Chambers, was tried by a jury.

7. The Court erred in giving the following instructions to the jury:

"I have briefly explained the nature of these proceedings so that I may make it clear, first, that no question of the guilt or innocence of these defendants is involved in this matter now before you, and, second, so that you may understand why in this trial the burden of proof is placed upon these petitioners to establish to the reasonable satisfaction of the jury, by a preponderance of the evidence the truth of the facts alleged in at least one of the two assignments of error I have just explained to you, rather than any burden of proof upon the State.

Accordingly, if it has been established to your reasonable satisfaction by a preponderance of the evidence, that either one, or at least one, of these two assignments of error is true, then you will bring in a verdict for the petitioners. If it is not established to your reasonable satisfaction by a preponderance of the evidence, that at least one of these two assignments of error is true in point of fact, then you will bring in a verdict for the State. Preponderance of the evidence means the probative weight, influence, force or power of the evidence as adduced, considered separately and collectively with reference to the issues in the case."

8. The Court erred in allowing in evidence any reference to the substantive crime charged in the indictment by the State of Florida and erred in instructing the jury in any way or by any reference to the substantive crime charged in the indictment.

9. The Court erred in its failure to instruct the jury that a verdict in favor of the petitioners would not release such petitioners from the charge as contained in the indictment.

10. The Court erred in each of its rulings on each matter set forth as a ground for new trial in petitioners' motion and amendment thereto for a new trial.

11. The Court erred in denying petitioners' motion for an instructed verdict.

12. The Court erred in entering its final judgment against the petitioners because

It affirmatively appears from the evidence and from the record in the proceedings which form the basis of the judgments and sentences of death upon the petitioners in this case that the petitioners and each of them were denied due process of law and the equal protection of the law in violation of the fourteenth amendment to the Constitution of the United States, as follows:

(a) That they were not given a fair and impartial trial and deliberate trial.

(b) That they were denied the right of counsel with the accustomed incidents of consultation and of preparation for trial, as provided by law.

(Signed) SIDNEY J. CATTS, Jr.

(Signed) JOHN ZIEGLER

(Signed) S.D. Mc GILL.  
Attorneys for Petitioners

I, J.W. Salisbury, State Attorney for the fifteenth Judicial Circuit of Florida in and for Palm Beach County, hereby acknowledge receipt of a copy of the above and foregoing assignments of error this 19 day of January, A.D. 1937.

(Signed) J. W. SALISBURY  
State Attorney

Inasmuch as the said several matters objected to or insisted upon and considered by the Court do not appear by the record, the said petitioners, did on the 19 day of January, A.D. 1937, after the expiration of said term by virtue of a special order herein made propose this their bill of exceptions to the said rulings of said Judge and request him to sign the same after due notice to the State Attorney, is done this 19 day of January, A.D. 1937. I do hereby certify that the foregoing bill of exceptions contains all the evidence produced before me in the above stated cause on the issues raised in said cause, I further certify that in my opinion it is necessary that the Appellate Court shall have before it for consideration on such writ of error the testimony in question and answer form.

C. E. Chillingworth

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Judge of the Circuit Court  
of the Fifteenth Judicial  
Circuit of Florida in and  
for Palm Beach County.

IN THE CIRCUIT COURT OF THE FIFTEENTH  
JUDICIAL CIRCUIT OF FLORIDA IN AND FOR  
PALM BEACH COUNTY.

CRIMINAL #1395

ISIAH (IZELL) CHAMBERS, )  
JACK WILLIAMSON, )  
CHARLIE DAVIS and )  
WALTER WOODWARD (WOODARD), )  
Petitioners, )  
vs. ) STIPULATION  
THE STATE OF FLORIDA, )  
Defendant. )

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for petitioners and the undersigned State Attorney for Palm Beach County, Florida, that the proposed bill of exceptions prepared in said cause be presented to the Honorable C. E. Chillingworth, Judge of the above styled Court in his office in the Court House in West Palm Beach, Florida, to be settled and for him to sign and certify on the 19th day of January, A. D. 1937, at eleven o'clock A. M. or as soon thereafter as the matter can be heard.

DATED at West Palm Beach, Florida, this 19th day of January, A. D. 1937.

Sidney J. Catts, Jr

John Ziegler

S. D. McGill  
Attorneys for Petitioners

J. W. Salisbury  
State Attorney, Palm Beach  
County, Florida.

I, J. W. Salisbury, State Attorney in and for Palm Beach County, Florida, do hereby acknowledge receipt

of a true copy of the proposed bill of exceptions in the above stated cause and assignments of error.

Received at West Palm Beach, Florida, this 19th day of January, A. D. 1937.

J. W. Salisbury  
State Attorney

On October 15th, 1936, the following proceedings were had in the Circuit Court of Palm Beach County, Florida, as shown by Minutes Circuit Court, 34, Page 493, to-wit:

THURSDAY, October 15th, A. D. 1936

The Court convened at 3:30 o'clock P. M. Thursday, October 15th, A. D. 1936, Honorable C. E. Chillingworth, Circuit Judge presiding; Present: W. Hiram Lawrence, Sheriff by T. P. Riggs, and C. B. Bowen, his Deputies; Hon. J. W. Salisbury, the State Attorney, and Geo. O. Butler, Clerk, by Merle P. Johnston, Deputy Clerk.

In the case of:

Crim. #1395	:
Isiah (Izell) Chambers)	:
Jack Williamson, Charlie	:
Davis and Walter Woodward	:
(Woodard)	:
Petitioners	:
-vs-	:
The State of Florida	:
Respondent	:

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The Counsel for the State of Florida, Hon. J. W. Salisbury, and Hon. Sidney J. Catts, Jr., one of the counsel for the petitioners above named stipulated in Open Court, this day that hearing on Defendants' Motion for New Trial filed in this cause on October 15th, 1936, will be heard on Monday, October 26th, A. D. 1936, at 2:00 o'clock P. M.

x x x x x x x x x x x

The Court recessed.

ATTEST: Geo. O. Butler, Clerk Circuit Court

By Merle P. Johnston Deputy Clerk

On November 9th, 1936, the following proceedings were had in the Circuit Court of Palm Beach County, Florida, as shown by Minutes Circuit Court No. 34, at Pages 505 and 506, to-wit:

MONDAY, November 9th A. D. 1936, cont'd

Pursuant to recess, the Court convened at 2:00 o'clock P. M. November 9th, 1936, the Honorable C. E. Chillingworth, Circuit Judge, presiding, for the purpose of considering a motion and amendment thereto, for a new trial in the following case:



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Isiah (Izell) Chambers, Jack	:	
Williamson, Charlie Davis,	:	
and Walter Woodward (Woodard)	:	
	:	
Petitioners	:	
	:	
-vs-	:	Criminal Case #1395,
	:	
State of Florida, Respondent	:	Coram Nobis

Comes now the petitioners and each of them in his own proper person and by the counsellors heretofore appointed by the Court to their defense, viz: Messrs. Sidney J. Catts, Jr., and John Ziegler, Esquires; Come also Hon. J. W. Salisbury and Louis F. Maire, who prosecutes for the State of Florida; Also present: Hon. W. Hiram Lawrence, Sheriff, by his Deputies, Messrs. J. E. Hardwick, Jr., H. E. Motter, H. L. Dyer, and T. P. Riggs., and Geo. O. Butler, Clerk.

The Court having heard the argument of counsel for the Petitioners and that of S. D. McGill, an associate, and also the argument for the defendant in error, by Counsel for the State of Florida, informed counsel that the motion would be taken under advisement, and a future decision rendered.

The prisoners were remanded to the custody of the Sheriff.

X X X X X X X X X X X X

No further business pending in open Court the Judge ordered a recess.

ATTEST: Geo. O. Butler  
Clerk Circuit Court

On the 14th day of November, 1936, the following proceedings were had in the Circuit Court of Palm Beach County, Florida, as shown by Minutes Circuit Court No. 34, pages 508, 509 and 510, to-wit:

SATURDAY, November 14th, A. D. 1936.

The Court convened at 10:30 A. M. November 14th, A. D. 1936, Honorable C. E. Chillingworth, the Circuit Judge, presiding; present; Hon. J. W. Salisbury, the State Attorney, the Sheriff, W. Hiram Lawrence, and his Deputies, J. M. Tapscott, A. E. Budd, T. J. Stearns, T. P. Riggs, and J. T. Lawrence, Sidney J. Catts, Jr, Attorney, and Geo. O. Butler, Clerk.

Criminal Case #1395

Isiah (Izell Chambers) Jack :  
Williamson, Charlie Davis, :  
and Walter Woodward (Woodard) :

Petitioners :

vs :

The State of Florida, :

Respondent :

Now comes the State of Florida by Hon. J. W. Salisbury, the State Attorney; also come the Petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (woodard), each in his own proper person, accompanied by Sidney J. Catts, Jr., Esq. their counsel, who duly presented to the Court the motion of the Petitioners for a New Trial; Thereupon the Court being fully advised in the premises entered the Judgment on Writ of Error Coram Nobis, together with Order denying

motion for new trial, as follows:

In the Circuit Court of the  
Fifteenth Judicial Circuit of  
Florida in and for Palm Beach  
County. Criminal No. 1395

Isiah (Izell) Chambers, Jack :  
Williamson, Charlie Davis and :  
Walter Woodward (woodard) :

Petitioners :

vs :

O R D E R

The State of Florida :

Respondent :

This cause came on to be heard in open Court in the presence of the Petitioners and their counsel and was duly presented by counsel for the petitioners and the State, upon petitioners' motion for a new trial as amended. The Court duly considered the matter.

It is the view of this Court that no useful purpose would be served by making a detailed statement of findings and conclusions upon the questions of fact and law presented in the motion for a new trial. Suffice to say, it is the conclusion of this Court that the credible evidence fails to disclose that the confessions and pleas of petitioners - who were only four men out of a large number questioned - were not in fact freely and voluntarily made by these petitioners, and fails to show that they were in fact obtained from these petitioners by force, coercion, fear of personal violence or under duress. Thereupon;

IT IS ORDERED AND ADJUDGED that the motion for a new trial, as amended, be and the same is hereby denied.

DONE AND ORDERED at West Palm Beach, Florida, this 14th day of November, A. D. 1936.

C. E. Chillingworth, Judge

In the Circuit Court of the Fifteenth  
Judicial Circuit of Florida in and  
for Palm Beach County. Criminal No.  
1395

Isiah (Izell) Chambers, Jack :  
Williamson, Charlie Davis, and :  
Walter Woodward (Woodard) :  
Petitioners :  
-vs- : JUDGMENT ON WRIT OF  
The State of Florida, : ERROR CORAM NOBIS  
Respondent :

This cause was duly tried before a Jury of twelve men, and in the presence of the petitioners and their counsel and the other officers of the Court. The Jury found a Verdict against the petitioners and for the State of Florida. Thereafter a motion for a new trial was duly presented by petitioners, and duly argued, considered, adjudicated and denied, after a hearing in open Court.

There appears to be no further reason why a judgment should not be entered upon the merits of the Writ of Error Coram Nobis, Thereupon,

IT IS ORDERED AND ADJUDGED that neither of the Assignments of Error filed by Petitioners were sustained by the proof before the Jury, nor were they sustained by the proof in the Judgment of this Court. Thereupon

IT IS ORDERED AND ADJUDGED that the issues herein be determined in favor of the State of Florida. Thereupon

IT IS FURTHER ORDERED that the former judgments heretofore rendered in this cause be, and the same are hereby affirmed as to each petitioner (defendants in the cause as it originated), and that, by reason of the insolvency of the petitioners, the costs of this proceeding be taxed against Broward County and the State of Florida.

DONE AND ORDERED, in Open Court, this 14th day of November, A. D. 1936.

C. E. Chillingworth, Judge

The defendants were remanded to the custody of the Sheriff.

x x x x x x x x x x x

No further business pending in open Court the Judge ordered a recess.

ATTEST: Geo. O. Butler  
Clerk Circuit Court

On the 2nd day of December, 1936, the following proceedings were had in the Circuit Court of Palm Beach County, Florida, as shown by Minutes Circuit Court, No. 34, Pages 511, 512 & 513, to-wit:

WEDNESDAY, December 2nd, A. D. 1936.

Court convened at 9:30 A. M. Wednesday, December 2nd, A. D. 1936, Honorable C. E. Chillingworth, Circuit Judge, presiding; Present: Hon. W. Hiram Lawrence, Sheriff, and his Deputies, J. M. Tapscott, J. T. Lawrence, and J. E. Hardwick, Jr., the State Attorney, J. W. Salisbury, and Geo. O. Butler, Clerk, by Merle P. Johnston, Deputy Clerk

x x x x x x x x x x x

The following case was called:

Isiah (Izell Chambers, Jack	:	
Williamson, Charlie Davis and	:	
Walter Woodward (Woodard)	:	
	:	
Petitioners	:	
	:	
vs	:	WRIT OF ERROR CORAM NOBIS
	:	
The State of Florida,	:	(Change of Venue from
	:	Broward County, Fla)
Respondent	:	

The above named petitioners each being present in open Court and accompanied by their counsel heretofore appointed to represent them to-wit: Messrs. Sidney J. Catts, Jr., and John Ziegler, and the counsel for the State of Florida Hon. J. W. Salisbury, being also present, the Court called each of the petitioners, to-wit: Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) to the Bench and in the presence of their attorneys explained to them the effect of the Trial and Verdict of the Jury entered in this case on October 14th, 1936, and thereupon entered the following order:

In the Circuit Court of the Fifteenth  
Judicial Circuit of Florida, in and  
for Palm Beach County. Criminal No.  
1395

Isiah (Izell) Chambers, Jack	:	
Williamson, Charlie Davis and	:	
Walter Woodward (Woodard)	:	
	:	
Petitioners	:	
	:	
vs	:	
	:	
The State of Florida,	:	
	:	
Respondent	:	

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This cause was duly presented by the State's Attorney and counsel for the petitioners in open Court in the presence of the petitioners and other officials of the Court.

It appearing to the Court that under date of June 29, 1936, this cause was, upon a petition for change of Venue transferred to Palm Beach County, Florida, for trial upon the issues made in said cause; and thereafter, upon a trial duly had, a Judgment on Writ of Error coram nobis was entered in this Court on the date of November 14, 1936, wherein the former judgments heretofore rendered in this cause were affirmed. Thereupon;

IT IS ORDERED AND ADJUDGED that the four sentences theretofore entered in said cause under date of June 17, 1933, be, and they are hereby, reaffirmed by this Court, and the Sheriff of Palm Beach County, Florida, be, and he is hereby, authorized and directed to carry out said sentences by retaining custody of the said petitioners in the Common Jail in Palm Beach County, Florida, until the Governor of the State of Florida shall have issued his Warrant for their execution, and that after the issuance of such warrant of execution by the Governor, the Sheriff of Palm Beach County, Florida, shall deliver said petitioners to the Superintendent of the State Prison at Raiford, Florida, where the said sentences of the Court, bearing date of June 17, 1933, shall be carried out by the Superintendent of the State Prison at Raiford, Florida.

DONE AND ORDERED in open Court at West Palm Beach, Florida, this 2nd day of December, A. D. 1936.

C. E. Chillingworth, Circuit Judge

The Petitioners thereupon filed a Motion to extend time for filing Bill of Exceptions, and the Court entered the following order thereon, to-wit:

In the Circuit Court of the Fifteenth Judicial Circuit of Florida in and for Palm Beach County.  
Criminal No. 1395

Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard)	:	
	:	
Petitioners	:	SPECIAL ORDER EXTEND-
vs	:	ING TIME FOR PRESENTING
The State of Florida	:	BILL OF EXCEPTIONS
Defendant	:	

This cause coming on to be heard upon motion of petitioners to extend the time in which to present and file their bill of exceptions in said cause and it appearing that notice having been waived by the State of the presentation of said motion

IT IS THEREFORE ORDERED AND ADJUDGED that the said petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) be and they are, jointly and severally, hereby allowed sixty (60) days from this day within which to make up, present and have filed their bill of exceptions in said cause. Let this order be entered in the Minutes of this Court.

DONE AND ORDERED at West Palm Beach, Florida, this 2nd day of December, A. D. 1936.

C. E. Chillingworth,  
Circuit Judge

The Court remanded each of the petitioners in this cause to the custody of the Sheriff of Palm Beach



County, Florida.

x x x x x x x x x x x

The Court recessed until Monday, December 7th, 1936, at 9:30 A. M.

ATTEST: Geo. O. Butler, Clerk Circuit Court  
By Merle P. Johnston Deputy Clerk

On the 2nd day of December, 1936, the Petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), filed their Praecipe with the Clerk of the Circuit Court of Palm Beach County, Florida, for Writ of Error in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR PALM BEACH COUNTY.

CRIMINAL NO. 1395

ISIAH (IZELL) CHAMBERS,	)	
JACK WILLIAMSON,	)	
CHARLIE DAVIS AND WALTER	)	
WOODWARD (WOODARD),	)	
Petitioners,	)	
vs.	)	PRAECIPE FOR WRIT OF
THE STATE OF FLORIDA,	)	ERROR
Defendant.	)	

TO THE CLERK OF THE ABOVE STYLED COURT:

You will please issue writ of error in the above styled cause returnable in the Supreme Court of the State of Florida on the 25th day of February, A. D. 1937, and duly record said writ in the minutes of said Circuit Court.

Sidney J. Catts, Jr.

John Ziegler

S. D McGill  
Attorneys for Petitioners

On the 2nd day of December, 1936, Writ of Error was issued, which was duly recorded in the Minutes of the Circuit Court in Book 27, Page 412, on the 2nd day of December, 1936.

The record of said Writ of Error is in the words and figures following, to-wit:

WRIT OF ERROR.

Common Law #8165

STATE OF FLORIDA --SS.

THE STATE OF FLORIDA TO THE JUDGE OF THE CIRCUIT COURT OF  
THE FIFTEENTH JUDICIAL CIRCUIT OF THE

STATE OF FLORIDA, GREETING.

Because in the record and proceedings and also in the rendition of judgement in a certain cause which is in our said Circuit Court before you between Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard),

as Plaintiffs in error and The State of Florida, as Defendant in Error, manifest error hath happened, as it is said, to the great damage of the said Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) as by their complaint appears.

We, willing that the error, if any hath been, should be duly corrected and full and speedy justice done to the parties aforesaid in this behalf, do command you that if judgement be therein rendered, you distinctly and openly send the record and proceedings aforesaid, with all things touching them under your seal, together with this writ, to our Supreme Court of the State of Florida, so that you have the same at Tallahassee on the 25th day of February A. D. 1937 in our said Supreme Court to be then and there held, that inspecting the record and proceedings aforesaid, our said Supreme Court may cause further to be done therein, to correct that error, what of right and according to law should be done.

Witness the Honorable James B. Whitfield Chief Justice of the said Supreme Court, and the seal of the said Circuit Court, this 2nd day of December in the year of our Lord One Thousand, Nine Hundred and thirty six

GEO. O. BUTLER

Clerk of the Circuit Court of Palm Beach County.

(Circuit Court)  
( Seal )

By Merle P. Johnston D. C.

Filed December 2nd, 1936 and recorded in Minutes Circuit Court No. 27 at page 412.

Geo. O. Butler CLERK CIRCUIT COURT

BY Merle P. Johnston DEPUTY CLERK.

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On the 2nd day of December, 1936, Scire Facias Ad Audiendum Errores was issued; on which the Attorney General Accepted Service on December 7th, 1936, and The State Attorney of the Fifteenth Judicial Circuit, Palm Beach County, Florida, Accepted Service on December 14th, 1936, in the following words and figures, to-wit:

SCIRE FACIAS AD AUDIENDUM ERRORES

THE STATE OF FLORIDA

TO THE SHERIFF OF THE SUPREME COURT OF SAID STATE, GREETING:

WHEREAS, on the petition of Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) alleging that in the record and proceedings and also in the rendition of Judgment in a certain cause in the Circuit Court of our Fifteenth Judicial Circuit, in and for Palm Beach County, between Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), as Plaintiffs in Error and The State of Florida, as Defendant in Error manifest error hath happened, to the great damage of the said Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard) a Writ of Error hath been awarded that our Supreme Court, having inspected the record and proceedings aforesaid, may cause to be done therein to correct that error what of right and according to law should be done.

THEREFORE, We command you that you MAKE KNOWN to the said State of Florida that it be before our said Supreme Court at the City of Tallahassee on the 25th day of February, A. D. 1937, then and there to hear the record and proceedings aforesaid and the errors assigned, if to them it shall seem expedient, and further to do and receive what our said Court shall in that behalf consider; and have you then and there this Writ.

Witness the Honorable James B. Whitfield, Chief Justice of the said Supreme Court, and the seal of the said Circuit Court, this 2nd day of December in the year of Our Lord One Thousand, Nine Hundred and thirty six

GEO. O. BUTLER

(Circuit Court)  
( Seal )

Clerk of the Circuit Court of Palm Beach County.

By Merle P. Johnston D. C.

ENDORSED ON BACK THEREON:

State of Florida :

County of Leon :

I hereby accept service of the within Writ this 7th day of December, A. D. 1936

Cary D. Landis.  
Attorney General of the State of Florida.

By - Roy Campbell,  
Assistant Attorney General

State of Florida :

County of Palm Beach:

I hereby accept service of the within writ this 14 day of December, A. D. 1936.

J. W. Salisbury  
State Attorney, 15th Judicial Circuit, Palm Beach County, Florida.

On the 19th day of January, 1937, Petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), filed Complete Assignments of Error, in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR PALM BEACH  
COUNTY.

CRIMINAL #1395

ISIAH (IZELL) CHAMBERS, JACK	)	
WILLIAMSON, CHARLIE DAVIS AND	)	
WALTER WOODWARD (WOODARD),	)	
	)	
Petitioners,	)	
	)	
vs.	)	COMPLETE ASSIGNMENTS
	)	
THE STATE OF FLORIDA,	)	OF ERROR
	)	
Defendant.	)	

Comes now the above named petitioners in the above entitled cause by their attorneys, Sidney J. Catts, Jr., John Ziegler and S. D. McGill, in the above entitled cause and file these their complete assignments of error specifically mentioning each point that they intend to rely on as grounds for reversal in the Supreme Court of the State of Florida:

1. The Court erred in denying the petitioner's motion for new trial as amended which said order was entered herein in open Court on the 14th day of November, A. D. 1936, in that:
  - a. The verdict is contrary to the instructions of the Court.

- b. The verdict is contrary to the evidence.
- c. The verdict is contrary to the evidence and instructions of the Court.
- d. The verdict is contrary to law.
- e. The Court erred in denying and overruling petitioners' motion for instructed verdict.
- f. The Court erred in refusing to give petitioners' requested charges Nos. 1, 2, 3, 4, 6 and 10.
- g. The Court erred in instructing the jury that "the burden of proof in this case was upon the petitioners to establish to the reasonable satisfaction of the jury by a preponderance of the evidence" the truth of either of their assignments of error.
- h. The Court erred in over-ruling petitioners' objections to the State referring in its questioning of its witnesses to "the time Mr. Darsey was robbed and murdered".
- i. The Court erred in over-ruling the petitioners' objections to the State's Attorney propounding questions to each of the State's witnesses to-wit: Walter Clark, A. D. Marshall, Constable R. C. Helton and others which questions were read by the State's Attorney to such witnesses and which questions pertained to different forms of mistreatment by the officers toward the petitioners and elicited from such witnesses answers of yes or no.
- j. The Court erred in his charge to the jury as contained in the second paragraph of his written instructions in using the words "FOR MURDER IN THE FIRST DEGREE" after the words "These four men, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward now designated petitioners,

were indicted in the Circuit Court of Broward County, Florida".

k. The Court erred in his charge to the jury as contained in the second paragraph of his written instructions in using the words "OF MURDER IN THE FIRST DEGREE" after the words "Upon arraignment, three of these men pleaded guilty, and the fourth Isiah Chambers, after a trial upon his plea of not guilty, was found guilty by the jury".

l. The Court erred in his charge to the jury as contained in the second paragraph of his written instructions in using the words "Upon arraignment, three of these men pleaded guilty" notwithstanding the record and evidence before the jury showed upon arraignment only two of these men plead guilty and two plead not guilty; the plea of not guilty by Charlie Davis as disclosed by the record was later withdrawn on to-wit:

June \_\_\_\_\_, 1933, the same day on which the fourth petitioner, Isiah Chambers, was tried by a jury.

m. The Court erred in giving the following instructions to the jury.

"I have briefly explained the nature of these proceedings so that I may make it clear, first, that no question of the guilt or innocence of these defendants is involved in this matter now before you, and, second, so that you may understand why in this trial the burden of proof is placed upon these petitioners to establish to the reasonable satisfaction of the jury, by a preponderance of



the evidence the truth of the facts alleged in at least one of the two assignments of error I have just explained to you, rather than any burden of proof upon the State.

Accordingly, if it has been established to your reasonable satisfaction by a preponderance of the evidence, that either one, or at least one, of these two assignments of error is true, then you will bring in a verdict for the petitioners. If it is not established to your reasonable satisfaction by a preponderance of the evidence, that at least one of these two assignments of error is true in point of fact, then you will bring in a verdict for the State. Preponderance of the evidence means the probative weight, influence, force or power of the evidence as adduced, considered separately and collectively with reference to the issues in the case."

n. The Court erred in allowing in evidence any reference to the substantive crime charged in the indictment by the State of Florida and erred in instructing the jury in any way or by any reference to the substantive crime charged in the indictment.

o. The Court erred in its failure to instruct the jury that a verdict in favor of the petitioners would not release such petitioners from the charge as contained in the indictment.

p. It affirmatively appears from the evidence and from the record in the proceedings which form the basis of the judgments and sentences of death upon the petitioners in this case

that the petitioners and each of them were denied due process of law and the equal protection of the law in violation of the Fourteenth Amendment to the Constitution of the United States as follows:

q. That they were not given a fair and impartial trial and deliberate trial.

r. That they were denied the right of counsel with the accustomed incidents of consultation and of preparation for trial, as provided by law.

2. The Court erred in making and entering its judgment on writ of error coram nobis filed herein on the 14th day of November, A. D. 1936.

3. The Court erred in its further order of final judgment on writ of error coram nobis filed herein on the 2nd day of December, A. D. 1936.

4. The Court erred in its charge to the jury in the second paragraph of its written instructions in using the words "for murder in the first degree" after the words "these four men, Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward now designated petitioners, were indicted in the Circuit Court of Broward County, Florida".

5. The Court erred in its charge to the jury in the second paragraph of its written instructions in using the words "of murder in the first degree" after the words "Upon arraignment, three of these men pleaded guilty, and the fourth Isiah Chambers, after a trial upon his plea of not guilty, was found guilty by the jury".

6. The Court erred in its charge to the jury in the second paragraph of its written instructions in using the words "upon arraignment, three of these men pleaded

guilty "notwithstanding the record and evidence before the jury showed upon arraignment only two of these men plead guilty and two plead not guilty; the plea of not guilty by Charlie Davis as disclosed by the record was later withdrawn on to-wit: June \_\_\_\_\_, 1933, the same day on which the fourth petitioner, Isiah Chambers, was tried by a jury.

7. The Court erred in giving the following instructions to the jury:

"I have briefly explained the nature of these proceedings so that I may make it clear, first, that no question of the guilt or innocence of these defendants is involved in this matter now before you, and, second, so that you may understand why in this trial the burden of proof is placed upon these petitioners to establish to the reasonable satisfaction of the jury, by a preponderance of the evidence the truth of the fact alleged in at least one of the two assignments of error I have just explained to you, rather than any burden of proof upon the State.

Accordingly, if it has been established to your reasonable satisfaction by a preponderance of the evidence, that either one, or at least one, of these two assignments of error is true, then you will bring in a verdict for the petitioners. If it is not established to your reasonable satisfaction by a preponderance of the evidence, that at least one of these two assignments of error is true in point of fact, then you will bring in a verdict for the State. Preponderance

of the evidence means the probative weight, influence, force or power of the evidence as adduced, considered separately and collectively with reference to the issues in the case."

8. The Court erred in allowing in evidence any reference to the substantive crime charged in the indictment by the State of Florida and erred in instructing the jury in any way or by any reference to the substantive crime charged in the indictment.

9. The Court erred in its failure to instruct the jury that a verdict in favor of the petitioners would not release such petitioners from the charge as contained in the indictment.

10. The Court erred in each of its rulings on each matter set forth as a ground for new trial in petitioners' motion and amendment thereto for a new trial.

11. The Court erred in denying petitioners' motion for an instructed verdict.

12. The Court erred in entering its final judgment against the petitioners because

It affirmatively appears from the evidence and from the record in the proceedings which form the basis of the judgments and sentences of death upon the petitioners in this case that the petitioners and each of them were denied due process of law and the equal protection of the law in violation of the fourteenth amendment to the Constitution of the United States, as follows:

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(a) That they were not given a fair and impartial trial.

(b) That they were denied the right of counsel with the accustomed incidents of consultation and of preparation for trial, as provided by law.

Sidney J. Catts

John Ziegler

S. D. McGill

Attorneys for Petitioners

I, J. W. Salisbury, State Attorney for the Fifteenth Judicial Circuit of Florida in and for Palm Beach County, hereby acknowledge receipt of a copy of the above and foregoing complete assignments of error this 19 day of January, A. D. 1937.

J. W. Salisbury  
State Attorney

On the 19th day of January, 1937, the Petitioners, Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), filed their Written Directions to the Clerk as to making up Transcript of Record, in the words and figures following, to-wit:

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR PALM BEACH  
COUNTY.

CRIMINAL #1395

ISIAH (IZELL) CHAMBERS,	)	
JACK WILLIAMSON,	)	
CHARLIE DAVIS and	)	
WALTER WOODWARD (WOODARD),	)	
Petitioners,	)	
vs.	)	DIRECTIONS TO THE CLERK
THE STATE OF FLORIDA,	)	AS TO MAKING UP TRANSCRIPT
Defendant in Error.	)	OF RECORD

TO: HONORABLE GEORGE O. BUTLER, CLERK OF CIRCUIT COURT OF  
PALM BEACH COUNTY, FLORIDA:

You will please prepare a transcript of record in the above named and stated case for the petitioners. You are hereby directed to commence the making up of said transcript on the 4th day of February, A. D. 1937, said date being not less than fifteen days after the filing of these directions.

You are further directed to copy and make a part of said transcript the following papers and proceedings, to-wit:

1. The assignment of errors on writ of coram nobis.
2. Traverse or answer of State Attorney to assignment of errors on writ of coram nobis.
3. The verdict of the jury.
4. The final judgment rendered in said cause on the 14th day of November, A. D. 1936.
5. The final judgment rendered in said cause on the 2nd day of December, A. D. 1936.
6. The bill of exceptions and also the assignment of errors made a part thereof, and also stipulation to settle

bill of exceptions and acknowledgment of service of copy of proposed bill of exceptions and assignment of errors.

7. Praecipe for writ of error and the recording of said writ of error.

8. Scire Facias ad Audiendum Errores and service of same on Attorney General and State Attorney.

9. Motion for change of venue.

10. Order for change of venue.

11. Recite and copy the minutes of Court on 12th day of October, A. D. 1936, and each time subsequent thereto petitioners were before Court in this case.

12. Recite recordation of order extending time to present and settle bill of exceptions in minutes Circuit Court, and copy such order.

13. Recite and copy Complete Assignments of Error filed herein on the 19th day of January, A. D. 1937.

14. These directions to the Clerk for making up transcript of record.

15. Certify said transcript according to law.

Sidney J. Catts, Jr.

John Ziegler

S. D. McGill

Attorneys for Petitioners

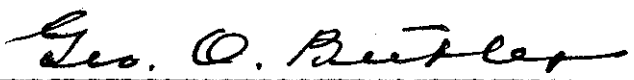
Received a true copy of the above and foregoing written directions to the Clerk as to making up transcript of record on the 19 day of January, A. D. 1937.

J. W. Salisbury  
State Attorney, Palm Beach County,  
Florida.

Certificate of Clerk

I, Geo. O. Butler, Clerk of the Circuit Court in and for the County of Palm Beach, State of Florida, do hereby certify that the foregoing pages numbered from 1 to 378, inclusive, contain a correct transcript of the record of the judgment in the case of Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard), Petitioners, against The State of Florida, Respondent, and a true and correct recital and copy of all such papers and proceedings in said cause, as appear upon the records and files of my office, that have been directed to be included in said transcript by the written demands of the said parties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Circuit Court, this 20th day of February, A. D. 1937.

  
Clerk of Circuit Court, Palm  
Beach County, Florida.



I hereby acknowledge receipt of a  
true copy of above transcript this \_\_\_\_\_  
day of February, A. D. 1937.

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State Attorney