

In the Superior Court of the State of California,
 In and for the County of ~~Los Angeles~~

37895

The people of the State
 of California

Plaintiff

vs.

J. V. Hendrix

Defendant.

Judgement and order

On this the Sheriff of this County brings said defendant, J. V. Hendrix, into court, pursuant to the order heretofore, on the 8th day of January, 1924, made by this Court, directing said Sheriff to bring said defendant before the Court on this day, at ten o'clock a. m. to the end that the Court may inquire into the facts as if no legal reasons exist against the execution of the judgement of death heretofore pronounced against said defendant, J. V. Hendrix, on the 8th day of March, A. D. 1923, for the crime of murder in the first degree of which said defendant had theretofore been duly convicted in this Court on the 28th day of February A. D. 1923, by verdict of the Jury, that an order be made by this Court that the Warden of the State Prison, to whom said Sheriff may be directed to deliver said defendant, shall execute said judgement of death at a time to be specified by the order of this Court, Chester C. Kempley, Esq., District Attorney of this County, appearing for the Plaintiff, and Edward J. Kelly, Esq., appearing his counsel for said defendant; and the Court having fully inquired into the facts, finds and determined that said defendant, J. V. Hendrix, on the 28 day of February, 1923, was duly convicted in this Court, by the

verdict of the Jury, of the crime of murder in the first degree, has changed in the information of the District Attorney of this County, theretofore filed in this Court, charging that said defendant on the 14th day of August A. D. 1922, at the County of San Diego, State of California, did wilfully, and unlawfully, feloniously, and of his malice aforethought, kill and murder one Thomas B. Hester a human being, then and there being and existing.

That thereafter, on the 8th day of March A. D. 1923, judgment of death was pronounced by this Court upon said defendant for the commission of said crime, of which said defendant had been duly convicted as aforesaid, as follows, to wit; That the said J. V. Hendrix, had time to be appointed in the warrant for that purpose hereafter to be issued, and by the Warden of the State Prison of this State, to therein designated, suffer the penalty of death for such murder by being hanged by the neck until he is dead. That thereafter, on the 10th day of March, 1923, a warrant was duly issued, signed by the Honorable S. M. Marsh, one of the Judges of this Court, and attested by the Clerk of this Court, under the seal of this Court, and delivered to the Sheriff of this County, which said warrant stated the conviction of the said defendant and the said judgment pronounced against him, and appointed the 25th day of May A. D. 1923, as the day on which said judgment was to be executed, and which warrant also directed the said Sheriff to deliver said defendant to the Warden of the State Prison, of this State, at San Quentin, for execution, and which warrant commanded said Warden to carry into effect

the said judgement on the 25th day of May, 1923, within the walls of said State Prison at San Quentin, in the State, by hanging the said J. V. Hendrix by the neck until he shall be dead. That there after an appeal was taken by said defendant from said judgement of death, and from an order of this Court denying said defendant a new trial, to the Supreme Court of the State. That thereafter, on the 4th day of December, 1923, said Supreme Court affirmed said judgement of death and said order of this Court denying said defendant a new trial. That a certified copy of the entry of the judgement of said Supreme Court affirming said judgement of this Court and said order of this Court denying said defendant a new trial, was remitted to the Clerk of this Court and was by the Clerk of this Court received and filed on the 7th day of January, 1924.

That, pursuant to the command of an order of this Court, the Sheriff of this County did take and deliver said defendant, on the 15 day of March, 1923, to the Warden of said State Prison at San Quentin, in this State, within the wall of said State Prison, and did then and there deliver to said Warden the following documents, viz: the death warrant aforesaid; a copy of the judgement of death, duly certified as a true and correct copy of said judgement by the County Clerk of this County and Ex Officio Clerk of this Court & under his hand and the seal of this Court; which said documents were received and retained by said Warden as aforesaid.

And the Court further finds that said Warden of said State Prison at San Quentin,

in this State, by reason of a stay of execution and the said defendant's appeal to the Supreme Court of this State as aforesaid, failed to execute said judgment of death against said defendant on said 25th day of May, 1923; that said judgment of death still remains in full force and effect and has not been executed by reason of the failure of said Warden of said State Prison, in this State, to hang said defendant on the 25th day of May, 1923, pursuant to said order of this Court of the 8th day of March, 1923;

And the Court now further finds and determines that there is now no legal reason or reasons existing against the execution of said judgment of death pronounced against said defendant as aforesaid;

It is, therefore, in pursuance of law, ordered by this Court that the Sheriff of this County, with all reasonable dispatch, and within ten days from this date take and deliver said defendant, J. V. Hendrix, to the Warden of the State Prison, at San Quentin, in the State of California;

And it is further ordered by the Court that on Friday, the seventh day of April 1924, between the hours of sunrise and sunset of said day, and within the walls of said State Prison, at San Quentin, the said Warden execute the said judgment of death so as aforesaid by this Court pronounced against said defendant, by hanging said defendant, J. V. Hendrix, by the neck until he is dead.

Done in open Court, this 18th day of January, 1924.

attest: J. B. McLees, Clerk
By T. B. Harrison, Deputy

(Signed) E. A. Luce
Judge of the Superior Court

In the Superior Court of the State of California
 In and for the County of San Diego.
 The people of the
 State of California
 vs.
 J. V. Hendrix
 Defendant

} Convicted of murder
 of the first degree
 from Spencer M. Morse
 Judge.

To The Honorable, The Superior Court of San Diego, State of California: I, James A. Johnston, Warden of the State Prison at San Quentin, California, do hereby certify that the accompanying death warrant was received at this institution, January the 26th 1924, and that at the same time the body of J. V. Hendrix was delivered ~~then~~ to my custody by the Sheriff of San Diego County, State of California.

I further certify that, pursuant to law I invited a physician in good standing, the Attorney General of the State of California, and twelve reputable citizens of the State of California, to be present and witness said execution, and that I permitted to be present and witness said execution a minister of the Gospel and such friends of the defendant, not to exceed five, as designated by him, together with such peace officers as I deemed expedient.

I further certify that on 11th day of April one thousand and nine hundred and twenty four, at 5 o'clock a. m. of that day, the annexed warrant was duly executed within the walls of the State Prison at San Quentin, California, as designated by the Court in which judgement was rendered, by hanging the said J. V. Hendrix by the neck until he was dead.

The names of the physician and the twelve reputable citizens are herewith attached and made a part of this return as witnesses of said execution, and I further certify that no other persons than those mentioned in Section 1229 of the Penal Code of the State of California, were present at said execution.

Respectfully submitted the 11th day of April, 1924.

Warden of the State Prison
at San Quentin,
State of California.

We the undersigned citizens of the State of California do certify that we were present at the State Prison at San Quentin, California, and witnessed the execution of J. V. Hendrix as provided by law.

(Seal)

L. L. Stanley (Physician)
Benj. H. Pratt
A. H. Murphy
A. Barghin
E. B. Robison
C. S. Knoler
H. J. Skessel
Ben Hartwell
A. H. Robin
H. A. Jacobson
H. W. Hollingworth
C. Russell
E. F. Lartigue
T. Voss