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1492

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Fall Session, 1952

The Grand Jury of said County charge that before the finding of this indictment BEN KENDALL, whose name is to the Grand Jury otherwise unknown, with intent to steal, broke into and entered the uninhabited dwelling house of Vincent Narmantos, against the peace and dignity of the State of Alabama.

2. The Grand Jury of said County further charge that before the finding of this indictment BEN KENDALL, whose name is to the Grand Jury otherwise unknown, feloniously took and carried away from the dwelling house of Vincent Narmantos one watch of the value of, to-wit, fifty dollars, the personal property of Vincent Narmantos, against the peace and dignity of the State of Alabama.

3. The Grand Jury of said County further charge that before the finding of this indictment BEN KENDALL, whose name is to the Grand Jury otherwise unknown, did buy, receive, conceal, or aid in concealing, one watch of the value of, to-wit, fifty dollars, the personal property of Vincent Narmantos, knowing that it was stolen, or having reasonable grounds for believing it had been stolen, and not having the intent to restore it to the owner,

against the peace and dignity of the State of Alabama.

WILLIAM R. LAUTEN
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

Fall Session, 1952

THE STATE

Vs.

BEN KENDALL

INDICTMENT

Burglary, Second Degree, Grand Larceny
and Receiving Stolen No Prosecutor.
Property

WITNESSES:

Vincent Narmantos

Tom Richardson

H. F. Hall

GRAND JURY NO. 23

A TRUE BILL

John H. Evans
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16th day of

Oct, 1952.
Archie J. Weir, Clerk

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in

the presence of 17 other Grand Jurors.

Archie J. Weir
Clerk.

Bail fixed \$500.00

J. J. Masliberger
Judge.

1492

STATE OF ALABAMA

Baldwin County

Case No. 23-1000 No. 3858

The State of Alabama
vs.

In the _____ Court of
Baldwin County, Alabama

Before me, _____ Clerk of the _____ Court of
Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, in the above mentioned court, in
executing the warrant of arrest or in arresting the said defendant, I or one of my duly authorized deputies,
traveled _____ miles by the most direct route to the point of arrest and return, and I am entitled to
mileage at ten cents per mile to be taxed as costs in the case.

Point of arrest _____ Sheriff

Subscribed and sworn to before me this _____ day of _____ 195_____

Disposition _____ Clerk Circuit Court

After considering the above affidavit made by the Sheriff of Baldwin County, Alabama, I, as the trial
Judge of said court, do hereby approve the claim for mileage in the sum of \$_____ incurred in the
making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the
clerk of the court to tax the said sum as part of the costs in said case.

This the _____ day of _____ 195_____

Judge of the above named court

THE STATE OF ALABAMA, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:
An indictment having been found against

Benn Hendall

at the Fall Term, 1952, of the Circuit Court of Baldwin County, for the offense of

Burglary 2nd degree, Grand Larceny & Receiving Stolen Property

you are, therefore, commanded forthwith to arrest the said Defendant and commit him

to jail, unless he give bail to answer said indictment, and that you return this Writ according to law

Dated this 16th day of Oct, 1952

Alfred J. Blanche
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
Baldwin County

We, _____, as principal and

the other undersigned as sureties, agree to pay the State of Alabama _____

Dollars, unless the said _____ appears

at the _____ Term of the Circuit Court of Baldwin County, and from Term to

Term thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions allowed us by the Constitution and Laws of Alabama.

Witness our hands and seals this _____ day of _____, 194_____

- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)

Taken and approved _____ day of _____, 194_____

Sheriff of Baldwin County.

701492

CAPIAS

No. 23

THE STATE
vs.

Ben Kendall

Bail Fixed in This Case in Open Court at
\$ 500⁰⁰

By J. J. Mashburn
Judge Presiding.

Attest: King J. ...
Clerk.

Executed this 18 day of Oct, 1942

By arresting the within
named Defendant

and placing him in Jail

Jay W. Wilson, Sheriff

Edwin ... Deputy Sheriff

Lawrence ... 70 miles

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G. E. PERKINS

JUSTICE OF THE PEACE

FAIRHOPE, ALABAMA

April 12th. 1952


Mrs. Alice Duck
Clerk Circuit Court
Bay Minette, Ala.

Dear Mrs. Duck;-

Inclosed warrant and Transcrip of proceedings,
~~in the case of the State of Alabama, V. S. Ben~~
Kendall.

My fee in this case if \$2.50 which is
set by law, the Sheriffs fee is \$11.00, witness
fee is \$1.00 dollar, total \$14.50, where the
State sets my fees, I cannot see why that when
a case is disposed off coming from my Court,
that my regular fees is not paid, or to show
me why they are not paid.

Yours Very Truly



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THE BANK OF FAIRHOPE

FAIRHOPE, ALABAMA

"On Mobile Bay"

KIRBY WHARTON, PRESIDENT
A. O. BERGLIN, VICE PRESIDENT
H. G. BISHOP, CASHIER

May 7, 1952

Taylor Wilkins, Sheriff

Bay Minette, Alabama

Dear Taylor:

The enclosed Bank of Fairhope Cashier's Check no. 30309 payable to Alice J. Duck, Clerk, Baldwin County Circuit Court, for \$1000.00 is to be used as a bond to release Ben Kendall from jail.

This bond is being posted by Willie Johnson and it is his desire that the check be returned direct to the Bank of Fairhope after the case has been disposed of in the fall.

With kindest regards, I am

Sincerely yours,


Vice President & Cashier

HGB/bw

P.S.-Please acknowledge receipt of this.

encl.

1492

AFFIDAVIT

Printed by Moore Ptg. Co.

The State of Alabama,
Baldwin County

In the Justice Court of G. E. Perkins

Before me, G. E. Perkins, Justice of the Peace

in and for said County, personally appeared Vincent Narmantos who, being
duly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said County, on
or about January 26th, 1952 that one Ben Kendall

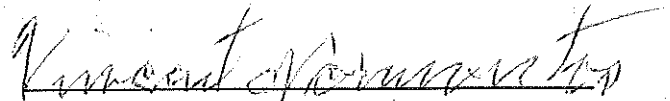
did break into and entered the Dwelling house of Vincent Narmantos
and stole a watch to the value of \$50.00 dollars, and \$11.00 dollars
in cash money

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 7

day of April A. D., 1952

J. P.



WARRANT

THE STATE OF ALABAMA,
Baldwin County

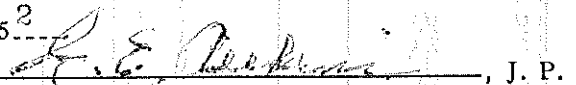
To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Ben Kendall

and bring him
before me to answer the State of Alabama on a charge
Burglary

and have you then and there this writ with your return thereon

Witness my hand this 7 day of April, 1952



J. P.

No. _____

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State of Alabama,
Baldwin County

Justice Court of

[Signature]

AFFIDAVIT

The State of Alabama,
vs.

[Signature]

Witnesses for the State:

W. K. Smith
Tom Richardson

Justice Court of
BALDWIN COUNTY

Warrant of Arrest

THE STATE OF ALABAMA,
vs.

Executed this 4 day of April 1952

By arresting the within

named Defendant

and placing him

in jail

[Signature], Sheriff
Stadham Hall, Deputy Sheriff

Fairhope

1492

SHERIFF'S APPEARANCE BOND

Moore Printing Co.

THE STATE OF ALABAMA }
Baldwin County }

We, Ben Kendall, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of One Thousand (\$1000⁰⁰) DOLLARS unless the said Ben Kendall appear at the Next Term, 1952 of the Grand Jury Court, of Baldwin County, Alabama, and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Grand Jurory

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the

_____ day of _____, 19_____

_____, Baldwin County, Ala.

Taken and approved this the

8 day of May, 1952

By _____

Deputy Sheriff

Ben Kendall (Seal)

Circuit Clerk holds \$1,000.00 cash as security for this bond. (Seal)

_____ (Seal)

_____ (Seal)

Jaylor Wilkins, Sheriff

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

_____ COURT

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 19____

_____, Clerk

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Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No.	Vs.	
	Ben Kendall	Burglary

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to Vincent Narmantos	Judge's Fees	
Returnable G.E. Perkins, Justice Court	Warrant at 50c, Affidavit at 25c	.75
Witness—for State W. K. Smith, Fairhope, Ala.	Bond at 50c, Sci Fa at 50c	
and Tom Richardson, Fairhope, Ala.	Witnesses' Recognizances at 25c	.25
The Defendant was brought in Court, and plead	Docket in Subpoena or notice at 25c	.25
not guilty to the charge, after hearing the evidence	Transcrip Continuance at 25c	.25
the Court finds him guilty, and binds him over to	Trial of Misdemeanor at \$1.00	1.00
the action of the Grand Jury. This 10 day of April	Mittimus at 25c	.25
1952.	Judgment on Forfeited Bond at 25c	
<i>G. E. Perkins</i> Justice of the Peace.	Taking Bond, etc, on Appeal at \$1.00	
	Execution of costs at 25c	.25
	Constable's Fees	
	Subpoena or Notice at 25c	.25
	Carrying Defendant before Justice	
	each mile for himself and guard at 10c	
	Arrest 50c	
	Sheriff's Fees	
	Arrest \$2.00, Bond \$1.00, Sci. Fa 50c	2.00
	Committing \$1.00, Releasing \$1.00	2.00
	Subpoenas at 25c Day's Board at 30c	
	Witness Fees Milage	
	Witness Fees	7.00
	Days at 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c	.25
	Subpoenas at 25c	
	Executing Subpoenas	.25

