

1651

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court. Spring Session, 1953

The Grand Jury of said County charge that before the finding of this indictment FRANKLIN HAYES, whose name is to the Grand Jury otherwise unknown, with intent to steal, broke into and entered the Loxley Junior High School building, a building of the State of Alabama, in which goods, wares, merchandise, or soft drinks and money, things of value, were kept for use, sale or deposit, 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 FRANKLIN HAYES, whose name is to the Grand Jury otherwise unknown, feloniously took and carried away from the Loxley Junior High School house, to-wit, money in about the amount of six dollars, in lawful United States coin money, a further description of the amount and denominations of which is unknown to the Grand Jury, of the value of, to-wit, six dollars, and two stop watches, of the value of, to-wit, twenty-four dollars, the said money and stop watches being the personal property of the Baldwin County Board of Education, in the custody of Samuel Gates,

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

Spring..... Session, 19...53..

THE STATE

Vs.

FRANKLIN HAYES

INDICTMENT

Burglary, second degree, and Grand Larceny No Prosecutor.

WITNESSES:

H. F. Hall

Prof. Samuel Gates

GRAND JURY NO. 4B

A TRUE BILL

Robert E. Stapleton Foreman Grand Jury.

Filed in open Court and in the presence of the Grand Jury on the 12th day of March, 1953.

Archie Jenkins 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 Jenkins Clerk.

Bail fixed \$ 500

H. Hudson Judge.

1651

STATE OF ALABAMA

Baldwin County

Case No.

4056

No.

3991

The State of Alabama

vs.

In the

Justice Court of Baldwin County, Alabama

Before me, J. C. Smith Clerk of the Justice 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, for one of my duly authorized deputies, traveled 46 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

3 mi. E. of Kelly

Taylor Wilkins Sheriff

Subscribed and sworn to before me this

day of

Jan 1953

Disposition

warrant to Grand Jury

O. S. Smith

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 \$ 4.60 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

2 day of Jan

1953

O. S. Smith
Judge of the above named court

11651

4056

THE STATE OF ALABAMA,
Baldwin County

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon

*H. F. Hall, Edleigh Steadman
Wm Sellers, Prof Lyles*

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

2 day of *Jan*, 19*53*, and from day to day of said term,

and from term to term thereafter, until discharged, to give evidence and the truth to speak in behalf of

THE STATE, in a prosecution now pending in said Court, wherein the State of Alabama is plaintiff and

Franklin Hayes

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this *1* day of *Jan*, A. D., 19*53*

J. J. Lacey
Justice of the Peace, Precinct 4

Executed in full, this the

2 day of

Jan, 1953

Taylor Wilkins
Sheriff.

W. F. Hall
Deputy Sheriff.

1651

AFFIDAVIT

Printed by Moore Ptg. Co.

The State of Alabama,
Baldwin County

Loyce School

In the Justice Court of

T. C. HAND

Before me,

T. C. HAND

Justice of the Peace

in and for said County, personally appeared *H. F. Hall* 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 *25 Nov. 52* that one *Franklin Hayes*

did with intent to steal, broke into and entered the Loyce School House a building was especially constructed to keep merchandise, books and other things of value or deposits, and belonging to Baldwin County Board of Education against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this *1*

day of *Jan* A. D., 195*3*
T. C. Hand, J. P.

H. F. Hall

WARRANT

THE STATE OF ALABAMA,
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest *Franklin Hayes*

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

Burglary

Burglary

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

Witness my hand this *1* day of *Jan*, 195*3*

T. C. Hand

J. P.

State of Alabama,
Baldwin County

Justice Court of
T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

Franklin Hayes

Witnesses for the State:

W. F. Hall
Edleigh Steadham
Pete Sellers
Prof. Gates

Justice Court of
BALDWIN COUNTY

Warrant of Arrest

THE STATE OF ALABAMA,
vs.

Franklin Hayes

Executed this *1* day of *Jan* 195*2*

By arresting the within

named Defendant

and placing him *in jail*

Joseph Wilkins, Sheriff
Steadham, Deputy Sheriff

5 mi Court House

1651

STATE OF ALABAMA

Baldwin County

} *Copy 40*
Case No. _____

No. **4236**

The State of Alabama
vs.

In the _____ Court of
Baldwin County, Alabama

Before me, *W. C. ...*, 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 40 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 *J. ...*

Subscribed and sworn to before me this 6 day of *...* 1952

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

1651

Appearance Bond

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,
Baldwin County

We, Franklin Hayes, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five Hundred DOLLARS unless the said Franklin Hayes appears at the Next Term, 1953 of the Goldfry Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Burglary

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 Franklin Hayes L. S.
Martin Hayes L. S.
W. E. Bergin L. S.
_____ L. S.
_____ Baldwin County, Ala. _____

Taken and approved this the 2 day of Jan 1953
Taylor Wilkins, Sheriff
By J. F. Hall, Deputy Sheriff

No. _____

The State of Alabama,
Baldwin County.

_____ Court

Sheriff's Office

THE STATE
vs.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 195 _____

_____, Clerk

1051

THE STATE OF ALABAMA, }
Baldwin County }

We, Franklin Hayes, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five Hundred ----- DOLLARS

unless the said Franklin Hayes appears at the next ----- Term, 1953 of the Circuit ----- Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Burglary, 2nd degree

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 -----, 195-----

----- Baldwin County, Ala.

+ Franklin Hayes L. S.
Martin Hayes L. S.
W. E. Bergman L. S.
----- L. S.

Taken and approved this the 4 day of April 1953
Jay B. Wilburn, Sheriff
By W. F. Hall, Deputy Sheriff

No. _____

The State of Alabama,
Baldwin County.

_____ Court

Sheriff's Office

THE STATE
VS.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 195_____

_____, Clerk

THE STATE OF ALABAMA,
Baldwin County

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

Franklin Hayes

at the Spring Term, 1943 of the Circuit Court of Baldwin County, for the offense of

Burglary 2nd degree & Grand Larceny

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 12th day of March, 1943

W. J. [Signature]
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.

701657

CAPIAS

No. 4 B.

THE STATE
vs.

Franklin Hayes

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

By Hubert M. Hayes
Judge Presiding.

Attest: _____
Clerk.

Executed this 4 day of April, 1943

By arresting the within
named Defendant

and placing him on Bond

Ray C. Wilkins, Sheriff

W. A. Hall, Deputy Sheriff

Boyle Horn

1651

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

Attorneys	Case	Charge
No. 4056.	THE STATE OF ALABAMA, Vs. <i>Franklin Taylor</i>	<i>Burglary</i>

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <i>H. F. Hall.</i>	Judge's Fees	
Returnable <i>Grand Jury.</i>	Warrant at 50c, Affidavit at 25c	.75
Witness—for State <i>H. F. Hall, Edleigh Steadham,</i> <i>Pete Sellers, Troy Gates.</i>	Bond at 50c, Sci Fa at 50c	
	Witnesses' Recognizances at 25c	
	<i>4</i> Subpoena or notice at 25c	1.00
	Continuance at 25c	
	Trial of Misdemeanor at \$1.00	
	Mittimus at 25c	.25
	Judgment on Forfeited Bond at 25c	
	Taking Bond, etc, on Appeal at \$1.00	
	Execution of costs at 25c	
	Constable's Fees	
	Subpoena or Notice at 25c	
	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	5.00
	Committing \$2.00, Releasing \$1.00	2.10
	<i>4</i> Subpoenas at 25c <i>4</i> Day's Board at 30c	2.00
	<i>1</i> mile Witness Fees <i>6</i> m	4.60
	Days at 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c	
	Subpoenas at 25c	
	Executing Subpoenas	

2 Jan 53.

*wanted to Grand Jury
Bond set at \$5000.00
by J. O. Steadham.*

*(T. J. Lard)
Justice of Peace*

1651