INDICTMENT 1783

Baldwin Times - 600 - 6 - 50

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, SPRING Session, 195

The Grand Jury of said County charge that before finding this indictment Joseph Martin and James Daniel Lane, whose names are to the Grand Jury otherwise unknown, did, in the nighttime, with the intent to steal, break into and enter a shop, store, warehouse or other building, to-wit, Lovell's Cafe at Loxley, Alabama, which was operated by Daniel N. Slay, in which goods, wares, merchandise or other valuable things were kept for use, sale or deposit,

against the peace and dignity of the State of Alabama.

Kenneth Cooper

Solicitor of the Twenty-Eighth Judicial Circuit.

No. .....

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

SPRING SESSION 1954 ~~Term, 195x~~

THE STATE

Vs.

JOSEPH MARTIN and

JAMES DANIEL LANE

INDICTMENT

BURGLARY, 2nd DEGREE

No. Prosecutor.

WITNESSES:

EDLEIGH STEADHAM

DANIEL N. SLAY

G.F. TEDDER

RECORDED

GRAND JURY NO. 44

A TRUE BILL

Emmett Lulledge

Foreman Grand Jury.

Filed in open Court and in the presence of the Grand Jury on the 11th day of MARCH, 1954.

Alice F. Darnell, Clerk.

Presented in open Court to the presiding Judge by the Foreman of the Grand Jury, in the presence of 17 other Grand Jurors.

Alice F. Darnell

Clerk.

Bail fixed $1000.00 each

H. Hugh Faulk

Judge.

In jail.

The Baldwin Times

1783

STATE OF ALABAMA VS JOSEPH MARTIN & JAMES DANIEL LANE, DEFENDANTS	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW CASE NO. 1783

Comes the defendant, James Daniel Lane, and demurs to the indictment presented against him by the Grand Jury of the Circuit Court of Baldwin County, Alabama, at its Spring Term of 1954, and filed in the office of the Circuit Court of Baldwin County, Alabama, on the 11th day of March 1954, and as grounds for demurrer says:

1. That the said indictment does not state with certainty the offense for which the defendant is charged.

2. Said indictment charges no offense known to the law.

3. That the said indictment does not describe with sufficient certainty the building alleged to have been entered by the defendant.

4. Said indictment does not allege the name of the owner or persons in charge of the building allegedly entered by the defendant.

5. For ought that appears in the said indictment the building entered into was owned by the defendant.

6. For ought that appears in the said indictment the defendant has a right to enter the said building.

7. Said indictment does not allege with sufficient certainty the character of the goods, wares, merchandise or other valuavle things which were kept therein.

8. Said indictment does not allege with sufficient certainty the goods, wares, merchandise or other valuable things which were kept therein.

9. Said indictment charges the defendant with entering one or more places, in the alternative, in which one or more things were kept, without stating what was on deposit, or that such thing was of value.

F. B. Lowenings
Attorney for defendant

1783

State of Ala

vs.

Joseph Martin &
James Daniel Lane

Demurrer

FILED
MAR 23 1954
ALICE L. DUCK, CLERK

1783

STATE OF ALABAMA vs. JOSEPH MARTIN AND JAMES DANIEL LANE, defendants	IN THE CUIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW CASE NO. 1783

DEMURRER

Comes now the defendant, Joseph Martin, and demurs to the indictment presented against him by the Grand Jury of the Curcuit Court of Baldwin County, Alabama, at its Spring Term of 1954, and filed in the office of the Circuit Clerk of Baldwin County Alabama, on the 11th day of March, 1954, and assigns as grounds for demurrer the following;

1. For that the said indictment does not state with certainty the offense for which the defendant is charged.

2. For that the said indictment charges no offense known to law.

3. For that the said indictment does not describe with sufficient certainty the building alleged to have been entered by the defendant.

4. For that the said indictment does not allege the name of the owner or persons in charge of the building allegedly entered by the defendant.

5. For aught that appears in the said indictment the building allegedly entered into was owned by the defendant.

6. For aught that appears in the said indictment the defendant had a right to enter into the said building.

7. For that the said indictment does not allege with sufficient certainty the character of the goods wares, merchandise or other valuable things which were kept therein.

8. For that the said indictment does not allege with succicient certainty the goods, wares, merchandise or other valuable things which were kept therein.

9. For that the indictment charges the defendant with entering one or more places, in the alternative, in which one or more things were kept, in the alternative, without stating what was on deposit nor what was of value.

Wilson Hayes
ATTORNEY FOR DEFENDANT

1783

State of Ala
vs.
Joseph Martin &
James Daniel hang

DEMURRER

FILED
MAR 23 1954
ALICE J. BUCK, Clerk

Printed by Moore Printing Co.

AFFIDAVIT 1283

State Of Alabama, Baldwin County.

In the Justice Court of T. C. HAND

Before me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared Edleigh Steadham 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 11 February 1954 that one Joseph Martin

did in the nighttime with intent to steal, break into Lovell's Cafe operated by Dennis Slay and especially constructed to house food and other merchandise he offered for sale.

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 11

day of February, A. D., 1954

T. C. Hand, J. P.

Edleigh Steadham

WARRANT

State Of Alabama, Baldwin County.

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Joseph Martin and bring him

before me to answer the State of Alabama on a charge

Burglary in 2nd Degree

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

Witness my hand this 11 day of February, 19 54.

T. C. Hand, J. P.

No._____ Page_____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

Joseph Martin

Witnesses for the State:

Edleigh Steadham
Taylor Wilkins
R. E. Logan
Charles Griffith
G. F. Tedder
Dennis Slay

Printed by Moore Printing Co.

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
vs.

Joseph Martin

Executed this 11 day of Feb 1954

By arresting the within

named Defendant

and placing him

in Jail

Taylor Wilkins Sheriff

Edleigh Steadham Deputy Sheriff

Lawley

CAPIAS 1783

Moore Printing Co.

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Joseph Martin

at the Spring Term, 1954, of the Circuit Court of Baldwin County, for the offense of

Burglary, 2nd degree

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 11th day of March, 1954

Aris J. Merck
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 the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____

_____ (L. S.)

_____ (L. S.)

_____ (L. S.)

_____ (L. S.)

Taken and approved _____ day of _____, 19_____

_____
Sheriff of Baldwin County.

CAPIAS

No. 44

THE STATE

vs.

Joseph Martini

Bail Fixed in This Case in Open Court at

$ 10000.00

By Hubert M. Hall
Judge Presiding.

Attest: _____
Clerk.

Executed this 15 day of Mar, 1954

By arresting the within

named Defendant

_____

_____

and placing him in Jail

Taylor Wilhite, Sheriff

Pete Sellers, Deputy Sheriff

O Miller

CAPIAS 1783

Moore Printing Co.,

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

James Daniel Lane

at the Spring Term, 1954, of the Circuit Court of Baldwin County, for the offense of

Burglary, 2nd Degree

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 11th day of March, 1954

Vera L. Duck
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 the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____

_____ (L. S.)

_____ (L. S.)

_____ (L. S.)

_____ (L. S.)

Taken and approved _____ day of _____, 19_____

_____
Sheriff of Baldwin County.

CAPIAS

No. 44

THE STATE

vs.

James Daniel Lane

Bail Fixed in This Case in Open Court at

$ 10000.00

By Herbert H. McKee
Judge Presiding.

Attest: _____
Clerk.

Executed this 15 day of MAY, 1954

By arresting the within

named Defendant

_____

_____

and placing him in Jail

Taylor Wilkins, Sheriff

Pete Sellers, Deputy Sheriff

O Miles

AFFIDAVIT 1783

Printed by Moore Printing Co.

State Of Alabama,
Baldwin County.

In the Justice Court of T. C. HAND

Before me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared Edleigh Steadham 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 11 February 1954 that one James Daniel Lane

did, in the nighttime with intent to steal, break into Lovells Cafe operated by Dennis Slay and especially constructed to house food and other merchandise he offered for sale.

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 11

day of February, A. D., 1954

T. C. Hand, J. P.

Edleigh Steadham

Printed by Moore Printing Co.

WARRANT

State Of Alabama,
Baldwin County.

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest James Daniel Lane and bring him

before me to answer the State of Alabama on a charge

Burglary in 2nd Degree

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

Witness my hand this 11 day of February, 19 54.

T. C. Hand, J. P.

No._____ Page_____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

James Daniel Lane

Witnesses for the State:

Edleigh Steadham
Taylor Wilkins
R. E. Logan
Charles Griffith
G. F. Tedder
Dennis Slay

Printed by Moore Printing Co.

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
vs.

James Daniel Lane

Executed this 11 day of Feb 1954

By arresting the within

named Defendant

and placing him

in Jail

Taylor Wilkins Sheriff

Edleigh Steadham Deputy Sheriff

Lapley

1783

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

Attorneys	Case	Charge
No. 5841	THE STATE OF ALABAMA, Vs. James Daniel Lane	Burglary 2nd degree

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to Edleigh Stallworth	Judge's Fees	
	Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	75
	Witness—for State Edleigh Stallworth	Bond at 50c, Sci Fa. at 50c	
	Taylor Williams	Witnesses' Recognizances at 25c	
	R. E. Logan	Subpoenas or notice at 25c	
	Charles Ossinford	order of commitment	
	G. F. Tedder	Continuance at 25c	
	Dennis Flay	Trial of Misdemeanor at $1.00	25
13 Feb 54	Having waived Grand Jury	Mittimus at 25c	25
	Bond set $2000	Judgment on Forfeited Bond at 25c	
	sy. being unable to make bond	Taking Bond, etc., on Appeal at $1.00	
	was ordered committed to jail.	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	1 00
		Guard $2.00, Finger Printing 10c	2 10
		Subpoenas at 50c, Mileage 1/6	4 00
		Re commitment to jail	2 00
		Witness Fees	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

1783

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

Attorneys	Case	Charge
No. 5843	THE STATE OF ALABAMA, Vs. Joseph Martin	Burglary in 2nd degree

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to Ed Leigh Stallhan	Judge's Fees	
	Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	.75
	Witness—for State Ed Leigh Stallhan	Bond at 50c, Sci Fa. at 50c	
	Jay Lee Wilkins	Witnesses' Recognizances at 25c	
	R. E. Logan	Subpoenas or notice at 25c	
	Charles Grissett	Continuance at 25c	
	Dennis Selby	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	
13 Feb 54	Warrant Grand Jury	Carrying Defendant before Justice each mile for himself and guard at 10c	
	Bond set $2,000	Arrest 50c	
	Defy being unable to make bond	Sheriff's Fees	
	Defn ordered committed to jail.	Arrest $2.00, Bond $1.00, Sci Fa. 50c	4.00
		Guard $2.00, Finger Printing 10c	2.10
		Subpoenas at 50c, Mileage 40	4.00
		Witness Fees	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

Tid Tarrell
Justice of Peace

1783