

THE STATE OF ALABAMA, {
Baldwin County

To Any Sheriff of the State of Alabama:
An indictment having been found against

JAMES BANKS KENDALL

at the FALL Term, 1945, of the Circuit Court of Baldwin County, for the offense of

EMBEZZLEMENT

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 19th day of October 1945

Alice J. ...
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.

CAPIAS

No. 59

THE STATE
vs.

JAMES BANKS KENDALL

Executed this 7 day of Nov 1951

By arresting the within

named Defendant

Bail Fixed in This Case in Open Court at

\$ 500.00

By Delvaire Washburn Jr.
Judge Presiding.

Taylor Wilkin Sheriff.

Attest : _____
Clerk.

H. F. Holt Deputy Sheriff.

0 miles

RECORDED

STATE OF ALABAMA }
BALDWIN COUNTY }

No 2784

Case No. 278
The State of Alabama
vs.

IN THE Justice COURT OF
BALDWIN COUNTY, ALABAMA

Before me, J. P. [Signature], Clerk of the Circuit Court of
Baldwin County, Alabama, personally appeared [Signature],
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. [Signature]
[Signature] 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 54 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 [Signature] Sheriff [Signature]
Subscribed and sworn to before me this 2-11 day of Sept 1951

Disposition of Case Waived to Grand Jury J.P. 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 \$ 5.40 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 28 day of Sept, 1951
[Signature]
Judge of the above named court

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THE STATE OF ALABAMA,
Baldwin County

Justice Court of T. C. HAND
Precinct No. 4 Bay Minette, Ala.

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

H. F. Hall,

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

28 day of *Sept.*, 195*1*, 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 *James Banks Kendall*

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

Witness my hand this *21* day of *Sept.*, A.D., 195*1*

T. C. Hand
Justice of the Peace, Precinct No. 4

Executed in full, this the

25 day of

Sept, 1951

Lujo Wilkins
Sheriff

Deputy Sheriff

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Fall Session, 195 1

The Grand Jury of said County charge that before the finding of this indictment James Banks Kendall, whose name is to the Grand Jury otherwise unknown than as stated, while acting as the bailee of Mazie Agee, did embezzle or fraudulently convert to his own use money in about the amount of Three Hundred Eighty-two Dollars, which said money came into his possession by virtue of said bailment, 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 James Banks Kendall, whose name is to the Grand Jury otherwise unknown than as stated, feloniously took and carried away, to-wit, fifteen five-dollar bills, seven one-dollar bills, five fifty-dollar bills, two twenty-dollar bills, and one ten-dollar bill, of the value of, to-wit, Three Hundred Eighty-two Dollars in lawful United States currency, the personal property of Mazie Agee,

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, 1951

THE STATE

Vs.

JAMES BANKS KENDALL

INDICTMENT

EMBEZZLEMENT

Prosecutor.

WITNESSES:

Mazie Agee

Benjamin Agee

Joseph Agee

H. F. Hall

GRAND JURY NO. 59

A TRUE BILL

W. H. Hammond
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 19th day of
OCT, 1951.

W. H. French, Clerk

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

the presence of 17 other Grand Jurors.

W. H. French
Clerk.

Bail fixed \$ 5000

Jeffrey J. Madbury, Jr.
Judge.

RECORDED

Affidavit

Printed by Moore Ptg. Co.

"217"

STATE OF ALABAMA, {
Baldwin County. }

T. C. HAND

In the Justice Court of _____

T. C. HAND

Before me, _____, 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 Aug 1950 that one James Banks Kendall

did falsely pretend to Mazie Agee, with intent to defraud, that he would cure
her of any sickness she may then have and by means of such false pretense,
obtained from said Mazie Agee, \$382.00 in lawfully money of U.S. currency;:
or did falsely personate W. M. Mason with intent to defraud and in such assumed
character, received \$382.00 intended to have been delivered to said W. M. Mason

_____ against the peace and dignity of the State of Alabama _____

Sworn to and subscribed before me this 15

day of September A. D., 1951

[Signature], J. P.

Mazie Agee

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY }

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest James Banks Kendall

and bring him

before me to answer the State of Alabama on a charge

Fraud or Obtaining Money Under False Pretense

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

Witness my hand this 15 day of September, 1951

[Signature], J. P.

The State of Alabama,
Baldwin County

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

JAMES BANKS KENDALL

Witnesses for the State :

Mazie Agle
Benjamin Agle.
Joseph Agle.
H. F. Hall

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

JAMES BANKS KENDALL

Executed this 15 day of Sept 1951

By arresting the within

named Defendant

and placing him in jail

Raylo Wilkins, Sheriff

H. F. Hall, Deputy Sheriff

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. <i>2268</i>	Vs. <i>James Banks Hensell</i>	<i>Fraud or Obtaining Money Under False Pretense</i>

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to <i>H. J. Hall</i>	JUDGE'S FEES Warrant at 50c, Affidavit at 25c.....	<i>.75</i>
	Returnable <i>Grand Jury</i>	Bond at 50c, Sci. Fa. at 50c.....	
	Witness—For State <i>Marie Cooper</i>	Witnesses' Recognizances at 25c.....	
	<i>Benjamin Jones</i>	Subpoena or Notice at 25c.....	<i>1.00</i>
	<i>Joseph Jones</i>	Continuance at 25c.....	
	<i>H. J. Hall</i>	Trial of Misdemeanor at \$1.00.....	
		Mittimus at 25c.....	<i>.25</i>
		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.....	<i>2.00</i>
		Committing, \$1.00; Releasing, \$1.00.....	<i>2.00</i>
		Subpoenas at 25c.....	<i>2.00</i>
		Day's Board at 30c.....	<i>5.40</i>
		WITNESS FEES	
		Days at 50c.....	
		50c.....	<i>.50</i>
		50c.....	<i>.50</i>
		50c.....	<i>.50</i>
		50c.....	<i>.50</i>
		50c.....	
		50c.....	
		50c.....	
		50c.....	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c.....	
		Subpoenas at 25c.....	
		Executing Subpoenas.....	

29 Sept. 57

Hearing was waived to Grand Jury and bond was set at \$500.00. Def. being unable to make bond was ordered committed to jail.

P. S. Lewis
Justice of Peace

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