

## 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 ten dollars in lawful United States money, the denominations of said money and a further description of the amount of said money being unknown to the Grand Jury, of the value of, to-wit, ten dollars, 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, 1953

THE STATE

Vs.

FRANKLIN HAYES

INDICTMENT

Burglary, second degree

no Prosecutor.

WITNESSES:

H. F. Hall

Prof. Samuel Gates

GRAND JURY NO. 50

A TRUE BILL

*Robert E. Stapleton*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 12<sup>th</sup> day of

March, 1953.  
*Archie 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.

*Archie French*  
Clerk.

Bail fixed \$ 500

*H. H. Moore*  
Judge.

1653

STATE OF ALABAMA

Baldwin County

Case No.

No.

4238

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 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

Subscribed and sworn to before me this 6 day of April 1953

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

#057

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, Edw. H. Strader,*  
*Pete Sellers, Prop. Luten*  
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*  
*T. J. Lund*  
Justice of the Peace, Precinct 4

Executed in full, this the

2 day of

Jan, 1953

Taylor Watkins  
Sheriff.

W F Hall  
Deputy Sheriff.

1653  
STATE OF ALABAMA

Baldwin County

Case No.

No. 3992

The State of Alabama  
vs.In the Court of  
Baldwin County, AlabamaBefore 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 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: Sheriff

Subscribed and sworn to before me this day of 1953

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 1953

Judge of the above named court

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 and Grand Larceny

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-  
ing personal property from levy and sale under execution or other process for the collection of debt by con-  
stitution 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.

X Franklin Hayes L. S.  
Martin Hayes L. S.  
W E Baigum L. S.  
\_\_\_\_\_ L. S.

Taken and approved this the 4 day of April 1953

Jay W. Wilkins Sheriff  
By V. F. Hall, Deputy Sheriff

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  
Fine Hundred DOLLARS  
unless the said Franklin Hayes appears at the  
next Term, 1953 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 Burglary

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-  
ing personal property from levy and sale under execution or other process for the collection of debt by con-  
stitution 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 Bayless L. S.

\_\_\_\_\_ L. S.

Taken and approved this the 2 day of Jan 1953

Taylor Wilkins Sheriff

By W F Hall, Deputy Sheriff



1653

## AFFIDAVIT

Printed by Moore Prg. Co.

The State of Alabama,  
Baldwin County

In the Justice Court of \_\_\_\_\_ T. C. HAND  
T. C. HAND

Before me, \_\_\_\_\_, Justice of the Peace

in and for said County, personally appeared \_\_\_\_\_ 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 \_\_\_\_\_ that one \_\_\_\_\_

with intent to steal broke into and entered the Loyley  
School House, a building of the Baldwin County Board of  
Education, which building was specially constructed to keep  
merchandise or books and other things of value or deposit

\_\_\_\_\_ against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this \_\_\_\_\_

day of \_\_\_\_\_ A. D., 1953

\_\_\_\_\_, J. P.

## WARRANT

THE STATE OF ALABAMA,  
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest \_\_\_\_\_

and bring \_\_\_\_\_

before \_\_\_\_\_ to answer the State of Alabama on a charge

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

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1953

\_\_\_\_\_, J. P.

No. \_\_\_\_\_ Page \_\_\_\_\_

State of Alabama,  
Baldwin County

Justice Court of  
T. C. HAND

AFFIDAVIT

The State of Alabama,  
vs.

*Franklin / Loyer*

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 / Loyer*

Executed this *1* day of *Jan* 195*3*

By arresting the within

named Defendant

and placing him *in jail*

*Payle Wilkins*, Sheriff  
*Steadham & Sellers*, Deputy Sheriff  
*Hall*  
*3 mi East Foley*

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 2<sup>nd</sup> 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 12<sup>th</sup> day of March, 1943

Reinhold J. Leuch  
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.

W 1653-

CAPIAS

No. 50

THE STATE

vs.

Franklin Hayes

Bail Fixed in This Case in Open Court at

\$5000

By

Walter M. Hall  
Judge Presiding.

Attest:

Clerk.

Executed this 4 day of April, 1943

By arresting the within

named Defendant

and placing him on Bond

Taylor Wilkins, Sheriff

W. F. Hall, Deputy Sheriff

for pay 48 mi

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA.	
No. 4057	Vs.	
	Franklin Leyer	Burglary.

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to H. F. Hall.	Judge's Fees	
	Returnable Grand Jury.	Warrant at 50c, Affidavit at 25c	.75
	Witness—for State H. F. Hall, Edleigh Steadham,	Bond at 50c, Sci Fa at 50c	
	Orte Sellers, Prof. Gates.	Witnesses' Recognizances at 25c	
		Subpoena or notice at 25c	.60
		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 \$1.00, Releasing \$1.00	2.00
		Subpoenas at 25c Day's Board at 30c	2.00
		Witness Fees	.60
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

2 Nov 53.

wanted to Grand Jury.  
Bond \$500.00  
suggested bond.

(P. J. Hall)

Justice of Peace.

1653