

1661

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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 HERCULES MITCHELL, whose name is to the Grand Jury otherwise unknown, feloniously took and carried away, to-wit, fourteen plants, of the value of, to-wit, thirty-six dollars, the personal property of Gary Ellis,

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.

HERCULES MITCHELL

INDICTMENT

Grand Larceny

No Prosecutor.

WITNESSES:

Gary Ellis 1st 3/4 mi 1953

GRAND JURY NO. 11

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 J. Leuch, 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. Leuch
Clerk.

Bail fixed \$ 500

W. H. Lee
Judge.

1661

Appearance Bond

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

We, Hercules Mitchell, as
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
Five Hundred DOLLARS
unless the said Hercules Mitchell 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 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.

Hercules Mitchell L. S.
Phillip Papas L. S.
Nick Kourakes L. S.
_____ L. S.

Taken and approved this the 6 day of May 1953

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

THE STATE OF ALABAMA, }

Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Hercules Mitchellat the Spring Term, 1943, of the Circuit Court of Baldwin County, for the offense ofGrand Larcenyyou are, therefore, commanded forthwith to arrest the said Defendant and commit himto 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,Wm. J. Houch
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.

701661

CAPIAS

No. 11

THE STATE

vs.

Hercules Mitchell
Mr. P. L. ...

Bail Fixed in This Case in Open Court at

\$ 500⁰⁰

By Hubert M. Hall
Judge Presiding.

Attest: _____
Clerk.

Executed this 16 day of May, 1943

By arresting the within

named Defendant

and placing him on Bond

Taylor Wilkins, Sheriff
H. Hall, Deputy Sheriff

0 miles

THE STATE OF ALABAMA,
BALDWIN COUNTY

We, Hercules Mitchell, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five / hundred DOLLARS unless the said Hercules Mitchell 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 Grand Larceny.

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.

Hercules Mitchell L. S.
Nic Savvakos L. S.
Phillip Taper L. S.
_____ L. S.

Taken and approved this the 26 day of Jan 1953

O. L. Lued Sheriff
By Justice of Peace, Deputy Sheriff

THE STATE OF ALABAMA,
Baldwin County

We, Hercules Mitchell, as
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
Five hundred DOLLARS
unless the said Hercules Mitchell appears at the
Nov 24 Term, 195 2 PM of the Justice Hall 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 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.

H. Mitchell L. S.
Kicse Sparshes L. S.
Philip Pappas L. S.
----- L. S.

Taken and approved this the 18 day of Nov - 195 2

James Wilkins Sheriff
By -----, Deputy Sheriff

3933 B. 1661

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

*Pete Sellers, Lidge Limes
Taylor Wilkins, W. D. Taylor, J. D. Ellis*

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

16 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

Harold Mitchell

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

Witness my hand this *14* day of *Jan*, A. D. 19*53*

T. C. Hand
Justice of the Peace, Precinct 4

Executed in full, this the

17

day of

Jan

, 1953

Taylor Wilkins

Sheriff.

Pet Seller

Deputy Sheriff.

Taylor Wilkins

Pet Seller

Gerry Ellis

Judge Grimes

11661
STATE OF ALABAMA

Baldwin County

Case No.

3833-A

No.

3939

The State of Alabama

vs.

In the

Justice Court of
Baldwin County, Alabama

Before me, Mercedes N. White
J. C. Ward, 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, I or one of my duly authorized deputies,
traveled 16 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

San Antonio

Sheriff

Subscribed and sworn to before me this

day of

195

Disposition

waved to Grand Jury

O. J. Ward

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 \$ 1.60 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

26

day of

June

195

2

O. J. Ward
Judge of the above named court

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AFFIDAVIT

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 Pete Sellers 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 14 Nov 1952 that one, Hercules Mitchell
feloniously took and carried away
fourteen flower plants of the value of to wit \$36.00, the personal
property of Mary Ellis against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 18
day of Nov, A. D., 1952
T. C. Hand, J. P.

Pete Sellers

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Hercules Mitchell
and bring him

before me to answer the State of Alabama on a charge

Grand Larceny

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

Witness my hand this 18 day of Nov, 1952
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.

Hercules Mitchell

Witnesses for the State:

Pete Sellers
Lidge Grimes
Jay Lee Wilkins
W. D. Taylor
Rory Ellis
Mrs. Lige Grimes

Printed by Moore Printing Co.

Justice Court of

Baldwin County

WARRANT OF ARREST

THE STATE OF ALABAMA,
VS.

Hercules Mitchell

Executed this *18* day of *Nov* 19 *02*

By arresting the within

named Defendant

and placing him

in jail.

Jay Lee Wilkins, Sheriff
P. B. Weaver, Deputy Sheriff

Printed 50 miles
from 100. 100 miles 16 mi

1661

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

Attorneys	Case	Charge
No. 3833 B.	THE STATE OF ALABAMA, Vs. <i>Hercules Mitchell</i>	<i>Grand Larceny.</i>

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <i>Pete Sellers</i>	Judge's Fees	
	Returnable <i>Grand Jury.</i>	Warrant at 50c, Affidavit at 25c	.75
	Witness—for State <i>Pete Sellers, Lidge Grimes</i>	Bond at 50c, Sci Fa at 50c	.50
	<i>Jaylen Wilkins, W.D. Taylor</i>	Witnesses' Recognizances at 25c	
	<i>Jerry Ellis.</i>	5 Subpoena or notice at 25c	1.25
		8 Continuance at 25c	2.00
		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 \$1.00 Bond, \$1.00, Sci Fa 50c	5.00
		Committing \$1.00, Releasing \$1.00	2.10
		5 Subpoenas at 50c	2.50
		Witness Fees 16m	1.60
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

24 Nov 52

Case continued to 1 Dec 52

1 Dec 52

" " to 8 Dec 52

8 Dec 52

" " to 15 Dec 52

22 Dec 52

" " to 29 Dec 52

29 Dec 52

" " to 5 Jan 53.

5 Jan 53

" " to 12 Jan 53.

12 Jan 53

" " to 19 Jan 53.

19 Jan 53

" " to 26 Jan 53.

26 Jan 53

def requested hearing he wanted to
Grand Jury Bond was set at
\$500.00.

def posted bond.

O. J. Lewis
Justice of Peace.

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[illegible]