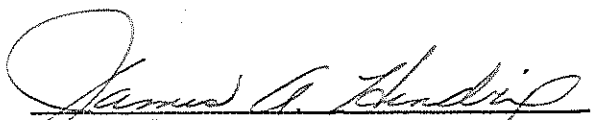


The State of Alabama,  
Baldwin County.

2776  
Circuit Court, Spring Session, 1959

The Grand Jury of said County charge that before finding this indictment James Kilpatrick whose name is to the Grand Jury otherwise unknown, did, in the night time, with intent to steal, break into and enter a shop, store, warehouse or other building, owned by or in the possession of Charlie Rider, in which goods, wares, merchandise or other valuable things, to-wit: groceries, soft drinks, cigarettes and tobacco were kept for use, sale, or deposit,

against the peace and dignity of the State of Alabama.

  
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No. ....

The State of Alabama

Baldwin County.

Circuit Court

SPRING

Term, 1959.

The State

vs.

JAMES KILPATRICK

BURGLARY, 2nd DEGREE

INDICTMENT

No Prosecutor

WITNESSES:

J. D. HORN

MRS. CHARLIE RIDER

RUSSELL SHORT

MRS. GLADYS COLLINS

GRAND JURY NO. 45

A TRUE BILL,

*R. L. Hubbard*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 12 day of

*May*, 1959  
*Deirdre French*  
Clerk.

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

presence of 7 other Grand Jurors.

*Deirdre French*  
Clerk.

Bail fixed \$ 500<sup>00</sup>

*Wm. H. H. H.*  
Judge.

2776  
Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. <u>12085</u>	Vs.	
	<u>James R. Patrick</u>	<u>Burglary</u>

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <u>J. D. Hain</u>	Judge's Fees	
	Returnable <u>Grand Jury</u>	Warrant at 50c, Affidavit at 25c	<u>75</u>
	Witness—for State <u>J. D. Hain</u>	Bond at 50c, Sci Fa. at 50c	
	<u>Charlie Rider</u>	Witnesses' Recognizances at 25c	
	<u>Miss Charlie Rider</u>	Subpoenas or notice at 25c	<u>25</u>
	<u>Russell Short</u>	Trial of Misdemeanor at \$1.00	
	<u>Miss Mary Collins</u>	Mittimus at 25c	<u>25</u>
		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	<u>4.00</u>
		Guard \$2.00, Finger Printing 10c	<u>2.10</u>
		Subpoenas at 50c, Mileage <u>22</u>	<u>2.00</u>
		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	

9 Dec 58

Waved Grand Jury  
Bond set \$1,000.00  
Re Committed to jail

J. D. Hain  
Justice Court

2776

2726

## STATE OF ALABAMA

Baldwin County

Case No.

62084-A No. 10073

The State of Alabama

vs.

In the

Justice Court of  
Baldwin County, Alabama

Before me, James L. Lupton 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 20 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 10 mi. to Bay Smith James L. Lupton Sheriff

Subscribed and sworn to before me this 12 day of Dec, 1958

Disposition waved Grand Jury P. J. Laid 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 \$ 2.00 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 9 day of Dec, 1958

P. J. Laid  
Judge of the above named court

2776

The State of Alabama, {

Baldwin County

CIRCUIT COURT

DECEMBER

Term, 1958

~~On Appeal From County Court~~

THE STATE vs. JAMES A. KILPATRICK

The State of Alabama, by its Solicitor, complains of JAMES A. KILPATRICK

that  
in said county and within twelve months before the commencement of this prosecution he did,  
IN THE NIGHTTIME, WITH INTENT TO STEAL, BREAK INTO AND ENTER A SHOP  
STORE, WAREHOUSE OR OTHER BUILDING WHICH WAS ESPECIALLY CONSTRUCTED OR  
MADE TO KEEP GOODS, WARES, MERCHANDISE OR OTHER VALUABLE THINGS, AND IN  
WHICH GOODS, WARES, MERCHANDISE OR OTHER VALUABLE THINGS WERE KEPT FOR  
USE, SALE OR DEPOSIT,

contrary to law and against the peace and dignity of the State of Alabama.

Kenneth Cooper, Solicitor.

Received 12 day of Dec 1958  
and on 15 day of Dec. 1958

I served a copy of the within

on

James Kilpatrick

By service on

TAYLOR WILKINS, Sheriff

By

W.O. James

D. S.

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

THE STATE OF ALABAMA  
Baldwin County.

CIRCUIT COURT

The State

vs.

JAMES A. KILPATRICK

Charge:

BURGLARY, 2ND DEGREE

COMPLAINT

Filed December, 1958

Quincy A. [unclear]  
Clerk.

Printed by Moore Ptg. Co.

2776

The State of Alabama, }

Baldwin County

CIRCUIT COURT

DECEMBER

Term, 1958

~~OKAYED BY THE CLERK OF COURT~~

THE STATE vs. JAMES A. KILPATRICK

The State of Alabama, by its Solicitor, complains of JAMES A. KILPATRICK

that

in said county and within twelve months before the commencement of this prosecution he did ,  
in the nighttime, with intent to steal, break into and enter a shop,  
store, warehouse which was specially constructed or made to keep goods,  
wares, merchandise or other valuable things, and in what goods, wares,  
merchandise or other valuable things were kept for use, sale or deposit,

contrary to law and against the peace and dignity of the State of Alabama.

Kenneth Cooper, Solicitor.

No. ....

THE STATE OF ALABAMA  
Baldwin County.

CIRCUIT COURT

The State

vs.

JAMES A. KILPATRICK

Charge:

BURGLARY, 2nd Degree

COMPLAINT

Filed December 13, 1958

*Reed F. Duck*  
Clerk.

Printed by Moore Ptg. Co.



## AFFIDAVIT

L 116

Printed by Moore Printing Co.

State Of Alabama, }  
Baldwin County. }In the Justice Court of T. C. HANDBefore me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared J. D. Horn 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 16 July 1958 that one James Kilpatrick  
did in the nighttime with intent to steal, break into and entered a store owned  
by Charlie Rider, which was specially constructed or made to keep goods, wares, merchandise  
or other valuable things, groceries, soft drinks tobacco was kept for use, sale, or  
deposit against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 19  
day of July, A. D., 19 58  
T. C. Hand, J. P.

J. D. Horn

## WARRANT

State Of Alabama, }  
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest James Kilpatrick

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

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

Witness my hand this 19 day of July, 19 58  
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 Kilpatrick

Witnesses for the State

J. D. Horn  
Charlie Rider  
Mrs Charlie Rider  
Russell Short  
Mrs Gladys Collins

JUSTICE COURT OF  
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA

vs.

James Kilpatrick

Executed this the 22 day of Nov. 1958

By arresting the within

named Defendant

and placing him

In Jail

Taylor Wilkins, Sheriff

W. O. Garner, Deputy Sheriff

\_\_\_\_\_, Highway Patrol

10 mi East Bm

2776

The State of Alabama, }

Baldwin County

CIRCUIT COURT

DECEMBER

Term, 19 58

~~XXXXXXXXXXXXXXXXXXXX~~

THE STATE vs. JAMES A. KILPATRICK

The State of Alabama, by its Solicitor, complains of JAMES A. KILPATRICK

that  
in said county and within twelve months before the commencement of this prosecution he did,  
in the nighttime, with intent to steal, break into and enter a shop,  
store, warehouse which was /especially constructed or made to keep goods,  
wares, merchandise or other valuable things, and in what goods, wares,  
merchandise or other valuable things were kept for use, sale or deposit,

contrary to law and against the peace and dignity of the State of Alabama.

\_\_\_\_\_, Solicitor.

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

THE STATE OF ALABAMA  
Baldwin County.

CIRCUIT COURT

The State

vs.

JAMES A. KILPATRICK

Charge:

BURGLARY, 2nd Degree

COMPLAINT

Filed December 13, 1951

*Eric J. French*  
Clerk.

2776

The State of Alabama, }

Baldwin County

CIRCUIT COURT

DECEMBER

Term, 1958

~~On Appeal from County Court~~

THE STATE vs. JAMES A. KILPATRICK

The State of Alabama, by its Solicitor, complains of JAMES A. KILPATRICK

that  
in said county and within twelve months before the commencement of this prosecution he did,  
in the nighttime, with intent to steal, break into and enter a shop,  
store, warehouse which was especially constructed or made to keep goods,  
wares, merchandise or other valuable things, and in what goods, wares,  
merchandise or other valuable things were kept for use, sale or deposit,

contrary to law and against the peace and dignity of the State of Alabama.

\_\_\_\_\_, Solicitor.

Received 12 day of Dec 1958  
and on 15 day of Dec 1958

I served a copy of the within

on James Kilpatrick

By service on

TAYLOR WILKINS, Sheriff

By W. O. Garner D. S.

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

THE STATE OF ALABAMA  
Baldwin County.

CIRCUIT COURT

The State

vs.

JAMES A. KILPATRICK

Charge:

BURGLARY, 2nd Degree

COMPLAINT

Filed December 13, 19 58

Alice J. Smith  
Clerk.

Printed by Moore Ptg. Co.

The State of Alabama,  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

James Kilpatrick

at the Spring Term, 1959 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 12 day of Mar, 1959

Alfred J. Smith  
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 hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Sheriff of Baldwin County

## CAPIAS

No. 45

The State

vs.

James Kilpatrick

Bail fixed in this case in open Court at

\$ 500<sup>00</sup>By H. M. Hall  
Judge Presiding.Attest: \_\_\_\_\_  
Clerk.Executed this 13 day of Mar, 1907

By arresting the within

named Defendant

and placing him in jailTaylor, SheriffJ. H. [unclear], Deputy Sheriff[unclear]