

STATE OF ALABAMA,)
 Plaintiff,)
 Vs.)
 WILLIE MAYS,)
 Defendant.)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA.
 CRIMINAL DIVISION

Case No. 2902

DEMURRER

COMES NOW THE DEFENDANT in above styled cause and demurs to the indictment returned against him by the Fall Session of the Baldwin County, Alabama, Grand Jury, on the following grounds:

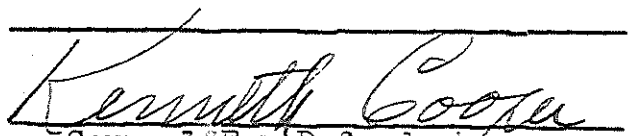
1. That Count I of the said indictment states no cause of action known in law, and by not stating a known cause of action the Defendant cannot prepare a defense.

2. For aught that appears from Count I of the indictment, the Defendant cannot know or ascertain whether he is an agent of an incorporated company, association of persons, partnership or municipal corporation, or whether he is an agent of any private person or persons, and not knowing such information he cannot prepare a defense to the said Count of said indictment.

3. That Count Two of the said indictment states no cause of action known in law, and by not stating a cause of action known at law the Defendant cannot prepare a defense.

4. For aught that appears from Count Two of the indictment the Defendant cannot know or ascertain whether he is an agent of an incorporated company, association of persons, partnership or municipal corporation, or whether he is an agent of any private person or persons, and not know^{ing} such information, he cannot prepare a defense to said Count Two of the indictment.

5. That the indictment states no cause of action known at law.


 Counsel For Defendant

Case No. 2902 .

State of Alabama,

Plaintiff,

Vs.

WILLIE MAYS,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

DEMURRER

APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

2902

The State of Alabama, {

Baldwin County

We, WILLIE MAYS, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
\$500.00 FIVE HUNDRED DOLLARS

unless the said WILLIE MAYS appears at the
NEXT SEPT. Term, 19 59 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
EMBEZZLEMENT

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 _____, 19____

_____ Baldwin County, Ala.

McWilliams L. S.
Richard E. Lee L. S.
Mrs. Anne H. Lee L. S.
_____ L. S.

Taken and approved this the 19 day of Sept 1959

By Taylor Williams, Sheriff

By Bennett, Deputy Sheriff

Hoon A.S.

Sept 17-59
Gilbert

_____, Clerk

Filed _____

_____, 19____

Amount of Bond \$ _____

Sheriff's Appearance Bond

vs.

The State

Sheriff's Office

Court

State of Alabama
Baldwin County

No. _____

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
Baldwin County

An indictment having been found against

Willie Maye

at the Fall Term, 1957, 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 16 day of Sept, 1957

Henry A. Auck
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.

Stockton
No. 2902

CAPIAS

No. 60

The State

vs.

Willie Maye

Bail fixed in this Case in Open Court at

\$ 500⁰⁰

By H. M. Stille
Judge Presiding

Attest: _____
Clerk.

2902

Executed this 17 day of Sept, 1939

By arresting the within

named Defendant

and placing him in jail

Leah Wilkins, Sheriff
W. A. Talbot, Deputy Sheriff
D. M.

The State of Alabama, {

Baldwin County

CIRCUIT COURT, Fall

SESSION, 19 59

Count 1

The Grand Jury of said County charge that before finding this indictment

Willie Mays, whose name is to the Grand Jury otherwise unknown, an agent of Scott Whited, embezzled money to the amount of Fifty Dollars (\$50.00) in lawful currency of the United States of America, and of that value, which said money had come into his possession by virtue of his agency,

Count Two

The Grand Jury of said County charge that before finding this indictment

Willie Mays, whose name is to the Grand Jury otherwise unknown, an agent of Scott Whited, embezzled, or fraudulently converted to his own use, or to the use of another, or fraudulently secreted with intent to convert to his own use, or to the use of another, money to the amount of Fifty Dollars (\$50.00) in lawful currency of the United States of America, and of that value, which said money had come into his possession by virtue of his office, agency or employment,

against the peace and dignity of the State of Alabama.

James G. Hendrix
Solicitor of the Twenty-Eight Judicial Circuit.

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

Fall Term, 19_59

The State
vs.

Willie Mays

INDICTMENT

Embezzlement

No Prosecutor

WITNESSES:

Scott Whited

Mrs. Scott Whited

GRAND JURY NO. 60

A TRUE BILL

G. H. Allegretti Jr.
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16th day of
Sept, 19_59

Deice J. Puck
Clerk.

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

Deice J. Puck
Clerk.

Bail fixed \$ 500

Whited
Judge.

*We, the jury, find the defendant
not guilty as charged.*

G. F. Smyth
Foreman

~~Case No.~~
APPEARANCE BOND

2992
Printed by Moore Ptg. Co.

Grand Jury
The State of Alabama, }
Baldwin County

We, WILLIE MAYS, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
THREE HUNDRED DOLLARS
unless the said WILLIE MAYS appears at the
FALL Term, 1959 of the GRAND JURY, 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
EMBEZZLEMENT

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

29 day of JULY, 1959

Kenneth Cooper
Notary Public Baldwin County, Ala.

Taken and approved this the 29 day of July, 1959

James Guilkins, Sheriff

By W. O. Barnes, Deputy Sheriff

No.

State of Alabama
Baldwin County

JUSTICE OF PEACE Court

Sheriff's Office

The State
vs.

WILLIE MAYS

Sheriff's Appearance Bond

Amount of Bond \$ *300.00*

Filed *JULY*, 19*59*

_____, Clerk
J.F.

Table 19 White Mays

2992

JURY LIST
Fall Session - Sept. 28, 1959

- ~~1. Allen, William, Farmer, Gateswood~~ S³
- ~~2. Ains, Leon C., Farmer, Alberta~~ S⁶
3. Ambrose, John R., Merchant, Robertsedale
- ~~4. Bassley, Newton F., Mechanic, Bay Minette~~ S⁸
- ~~5. Blalock, Greene C., Carpenter, Fairhope~~ 103
- ~~6. Boyington, Herman, Truckman, Bay Minette~~ S⁷
- ~~7. Brannon, Ira Louis, Mechanic, Bay Minette~~ 109
8. Brock, L.B., Farmer, Robertsedale
- ~~9. Bryers, Charles Henry, Jr., Farmer, Stockton~~ S¹
- ~~10. Burnes, Guy, Brookley Field, Summerdale~~ S⁹
11. Coleman, Samuel R., Farmer, Bay Minette
- ~~12. Day, G.W., Farmer, Bay Minette~~ 106
- ~~13. Dickey, O.L., Butcher, Robertsedale~~ S⁹
14. Fell, Neal J., Farmer, Lillian
15. Flowers, Earnest L., Farmer, Gulf Shores
- ~~16. Garrick, Woodrow, Gaston Motor Co., Fairhope~~ S¹
- ~~17. Gruben, Robert, Farmer, Alberta~~ 109
- ~~18. Hall, Gerald B., F., Newport, Bay Minette~~ 101
- ~~19. Hampt, Albert, Farmer, Alberta~~ 104
20. Hayes, Howard, Farmer, Gulf Shores
- ~~21. Jackson, Frank, Merchant, Bay Minette~~ S¹
- ~~22. Kendrick, Elmer, Farmer, Robertsedale~~ S¹
- ~~23. Klein, G.F., Brick Layer, Fairhope~~ 102
24. Kriss, Frank, Farmer, Silverhill
- ~~25. Lashierwood, F.M., Clerk, Eufaula~~ 102
- ~~26. Lashierwood, F.M., Farmer, Eufaula~~ S¹
- ~~27. Lashierwood, F.M., Farmer, Eufaula~~ S¹
28. McKinley, Alex D., Post Office, Bay Minette
- ~~29. Martin, Martin, Merchant, Fairhope~~ 107
- ~~30. Miller, Loretta, F., Farmer, Fairhope~~ 108
31. Page, Glenn A., Insurance, Bay Minette
32. Penry, E. Evan, Farmer, Silverhill
- ~~33. Penry, E. Evan, Farmer, Silverhill~~ S⁶
- ~~34. Penry, E. Evan, Farmer, Silverhill~~ 103
35. Powers, Jack, Farmer, Summerdale
- ~~36. Sadlock, Fred J., Farmer, Robertsedale~~ 107
- ~~37. Shelton, Craig, F., Carpenter, Fairhope~~ 102
38. Smythe, George F., Furniture Dealer, Foley
39. Steele, Thomas L., Nurseryman, Gulf Shores

S XXXXX XXXX

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2902

State

vs

Willie Mays -

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

2902

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
	Vs.	
	Willie Mays	Embezzlement

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to Scott Whited	Judge's Fees	
	Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	75
	Witness—for State Scott Whited	Bond at 50c, Sci Fa. at 50c	
	Myrtle Whited	Witnesses' Recognizances at 25c	
		Subpoenas or notice at 25c	
		Continuance at 25c	
		Trial of Misdemeanor at \$1.00	25
		Mittimus at 25c	
		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 \$5.00, Bond \$2.00, Sci Fa. 50c	9.00
		Guard \$2.00, Finger Printing 1.00	3.00
		Subpoenas at 50c, Mileage 22	2.20
		Witness Fees	
		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	

29 July 19

wanted Grand Jury.
Bond set \$300.00
by J. O. White bond

Murray R. Bryant
Justice Court

2902



STATE OF MISSISSIPPI
EXECUTIVE DEPARTMENT
JACKSON

J. P. COLEMAN
GOVERNOR

May 22, 1959

Mr. Scott I. Whited
Stockton,
Alabama

Dear Mr. Whited:

Responding to your letter of May 18th, I do not own any hounds of any kind, nor have I sold any to anybody at any time. I do not have a Negro woman by the name of Mayes employed either at my home or on my farm.

With best wishes, I am

Sincerely yours,

J. P. Coleman
Governor of Mississippi

JPC/nc

AFFIDAVIT

Printed by Moore Printing Co.

State Of Alabama, }
Baldwin County. }

In the Justice Court of

Before me,

Murray R Bryant

Justice of the Peace

in and for said County, personally appeared Scott White 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 22 May 1959 that one Willie Mays
did embezzle or fraudulently convert to his own use money to about \$ 55.00 which
was entrusted to him for the purchase of three coon dogs for which he has not done

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 21

day of

July

A. D., 19 59

J. P.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Willie Mays

and bring him

before

me

to answer the State of Alabama on a charge

Embezzlement.

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

Witness my hand this 21 day of July, 19 59

J. P.

No. 3771

Page.....

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Willie Mays

Witnesses for the State

Scott White *ed*

Myrtle White *ed*

JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA
vs.

Willie Mays

Executed this the 22 day of July 1959

By arresting the within

named Defendant

and placing him

in jail

Taylor Wilkins, Sheriff

W. A. Talbot, Deputy Sheriff

Hockton, Highway Patrol

APPEARANCE BOND

2902

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama,

Baldwin County

We, Willie Mayer, as

principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of

Three Hundred 300 00 DOLLARS

unless the said Willie Mayer appears at the

July 25 Term, 19 59 of the Bragant Court of Baldwin County, Alabama

and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Embezzlement

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 _____, 19____

_____ Baldwin County, Ala.

Taken and approved this the 23 day of July 19 59

Taylor Wilkins, Sheriff

By Brammer, Deputy Sheriff

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IN THE JUSTICE OF PEACE
COURT OF HON MURRY BRYANT

STATE OF ALABAMA,
Complainant,
Vs.
WILLIE MAYS,
Defendant.

EMBEZZLEMENT

WAIVER OF PRELIMINARY
HEARING AND DEMAND FOR
JURY TRIAL.

Filed: _____ July, 1959.

2992

STATE OF ALABAMA

Baldwin County

The State of Alabama

vs.

Case No.

No. 10692

In the Court of Baldwin County, Alabama

Before me, Murray B. Bryant, 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 22 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 Atkinson Sheriff Taylor Wilkins

Subscribed and sworn to before me this 23 day of July, 1959

Disposition waived Grand jury Murray B. Bryant 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 \$ 2.20 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 29 day of July, 1959 Murray B. Bryant
Judge of the above named court

2902