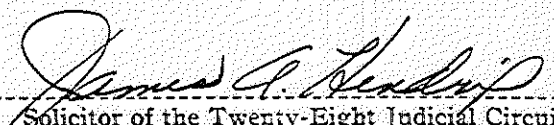


The State of Alabama, }
Baldwin County

CIRCUIT COURT, Spring SESSION, 19 61

The Grand Jury of said County charge that before finding this indictment Willie Upshaw, a convict, did escape from the guard having him in charge under authority of law, either within or outside the walls of the penitentiary, before the expiration of the term for which he was sentenced,

against the peace and dignity of the State of Alabama.


Solicitor of the Twenty-Eight Judicial Circuit.

No. **RECORDED**

The State of Alabama
Baldwin County

Circuit Court

Spring Term, 19 61

The State

vs.

Willie Upshaw

Escaping

INDICTMENT

No Prosecutor

WITNESSES:

J. C. Cotton 1-40-2,75

GRAND JURY NO. 32

A TRUE BILL

James W. Crosby
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 15 day of
March, 1961.

Alvin J. Leach
Clerk.

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

Alvin J. Leach
Clerk.

Bail fixed \$ 500

Mason
Judge.

November 16, 1965

Hon. Arthur C. Epperson

Foley, Alabama

Dear Sir:

You have been appointed by the Court to represent Willie Upshaw on Coram Nobis Petition, November 29th at 2:00 o'clock P.M. You may read saidpetition in this office or in the Solicitor's office at any time, and confer with the prisoner at the Baldwin County Jail after November 23rd.

Yours very truly,

Circuit Clerk

AJD/eb

COPY



J. M. McCULLOUGH, Jr.
Commissioner

A. F. LEE
Deputy Commissioner

LAWRENCE SEBRING
Deputy Commissioner

STATE OF ALABAMA
BOARD OF CORRECTIONS

MONTGOMERY 4, ALABAMA

SEPTEMBER 19, 1960

BOARD MEMBERS

JOHN F. BRITTON, Chairman
Montgomery, Alabama

WILLIAM B. MCGHEE
Auburn, Alabama

CHARLES CASHION
Red Bay, Alabama

BERT BANK
Tuscaloosa, Alabama

WILLIAM MITCH
Birmingham, Alabama

MR. J. C. COTTON, SUPT.
STATE CAMP LOXLEY
LOXLEY, ALABAMA

Re: UPSHAW, WILLIE
ALABAMA: # 74338

Dear Sir:

In compliance with Board Action # 1194, this will be your authority to start prosecution proceedings against the prisoner named hereon for his escape from your unit on SEPTEMBER 2ND, 1960.

In view of the fact that this prisoner has been recaptured, it will be appreciated, if you will contact the sheriff in your County and ask his cooperation in bringing this case to trial at the earliest date possible. This will enable us to identify and reclassify the prisoner before date of discharge on his current sentence.

Thanking you for your cooperation, I am,

Very truly yours,

M. S. DEAN, Chief Clerk
Records & Identification Division

MSD/FF

CC: SHERIFF, BALDWIN COUNTY
SOLICITOR, BALDWIN COUNTY

MR. COTTON: WILL YOU KINDLY SEE THAT THE SHERIFF & SOLICITOR RECEIVE COPIES OF THIS LETTER.

THANK YOU..... MSD.

The State of Alabama,
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Willie Upshaw

at the Spring Term, 1961 of the Circuit Court of Baldwin County, for the offense of

Escaping

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 15 day of March, 1961

Alice J. Duck
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. 32

The State

vs.

Willie Upshaw

Bail fixed in this case in open Court at

\$ 500.00

By H. M. Hall
Judge Presiding.

Attest: _____
Clerk.

Executed this 25 day of March, 1961

By arresting the within

named Defendant

and placing him in jail

Jayles Wilkins, Sheriff

W. D. Garner, Deputy Sheriff

0 mi

3312