

The State of Alabama,
Baldwin County

CIRCUIT COURT, Fall SESSION, 19 61

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

James E. Butterworth, 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 Ben Smith, in which goods, wares or merchandise were kept for use, sale, or deposit,

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

Fall

Term, 19.61

The State

vs.

James E. Futterworth

Burglary, 2nd

INDICTMENT

No Prosecutor

WITNESSES:

Ben Smith 1-60 3.75
W. O. Garner

GRAND JURY NO. 62

A TRUE BILL,

William A. Bryant Jr
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 1st day of

Sept, 19.61

Wesley J. 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.

Wesley J. French
Clerk.

Bail fixed \$500.00

W. M. Miller
Judge.

AFFIDAVIT

Printed by Moore Printing Co.

State Of Alabama, }
Baldwin County. }

In the Justice Court of G.D. HINES

Before me, G.D. HINES

Justice of the Peace

in and for said County, personally appeared W.O. GARNER 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 JULY 9, 1961 that one JAMES E. BUTTERSWORTH

DID, IN THE NIGHT TIME, WITH INTENT TO STEAL, BREAK INTO A LOCKED
BUILDING CONTAINING MERCHINDISE AND CARRIED AWAY SAME WHICH WAS THE
PERSONAL PROPERTY OF BEN'S BARBEQUE.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 17

day of JULY, A. D., 19 61

G.D. Hines, J. P.

W. O. Garner

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest JAMES E. BUTTERSWORTH

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 17 day of JULY, 19 61

G.D. Hines

J. P.

No..... Page.....

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Witnesses for the State

DESCRIPTION

Height _____ Weight _____

Color _____ Sex _____

Age _____ Hair _____

Address _____

JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA

vs.

Executed this the 14 day of July, 1961.

By arresting the within named Defendant

and placing him or her in jail

Joyles Jenkins, Sheriff

W. C. Garner, Deputy Sheriff

_____, Highway Patrol

Personally appeared the under signed, who being duly sworn desposes and says: I am a Deputy Sheriff of Baldwin Co., Ala., In the above case, in the above mentioned Court in executing the warrant of arrest of the defendant. I traveled

60 miles by the most direct route to point of arrest and return, and the Sheriff is entitled to mileage at 10c per mile. Point of arrest: Mobile

Signed _____

Subscribed and sworn to before me this

_____ day of _____ 19____

Clerk J. P. Court

STATE OF ALABAMA

Baldwin County

Case No.

No. 12407

The State of Alabama

In the

Circuit Court of
Baldwin County, Alabama

vs.

James C. Buttsworth
Before me, Miss Webb, Clerk of the Circuit 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 60 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

25 day of

Sept, 1954

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 _____, 1954

Judge of the above named court

APPEARANCE BOND

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We James E. Elbert Butternworth, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of Seven Hundred and Fifty \$750⁰⁰ DOLLARS unless the said James E. Elbert Butternworth appears at the next Term, 1961 of the Grand Jurors 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 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 20 day of July, 1961

Taylor W. Perkins, Sheriff

By James E. Elbert Butternworth, Deputy Sheriff

July 14-61
Solbert

_____, Clerk

Filed _____, 19

Amount of Bond \$ _____

Sheriff's Appearance Bond

The State
vs.

Sheriff's Office

Court _____

State of Alabama
Baldwin County

No. _____

The State of Alabama, }

Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

James E. Buttermore

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

Burglary, 2nd

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 13 day of Sept, 1961

Alice J. Dusk
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

Page
3448

CAPIAS

No. 62

THE STATE

vs.

James E. Butterworth

Bail fixed in this case in open Court at

\$ 200.⁰⁰

By H. M. Hall
Judge Presiding.

Attest: Clerk.

Executed this 24 day of Sept, 1961

By arresting the within

named Defendant

and placing him in Jail

Jaylor Wilkins, Sheriff

W. O. Garner, Deputy Sheriff

Mobile

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	<i>Burglary</i>
	Vs.	
	<i>James C. Suttsworth</i>	

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to	Judge's Fees	
Returnable <i>7/14/61</i>	Warrant at 50c, Affidavit at 25c	
Witness—for State <i>W. D. Jones</i>	Bond at 50c, Sci Fa. at 50c	
<i>Ben Smith</i>	Witnesses' Recognizances at 25c	
	Subpoenas or notice at 25c	
	Continuance at 25c	
	Trial of Misdemeanor at \$1.00	
	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 \$2.00, Bond \$1.00, Sci Fa. 50c	
	Guard \$2.00, Finger Printing 10c	
	Subpoenas at 50c, Mileage	
	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	

Deft. waived Preliminary & was bound over to Grand Jury 7/20/61 Bond \$750.00

3448