

3566
The State of Alabama,
Baldwin County

CIRCUIT COURT, Spring SESSION, 19 62

The Grand Jury of said County charge that before finding this indictment Clinton Phelon, feloniously took ninety dollars (\$90.00) in lawful currency of the United States, the denomination and description of which is known to the Grand Jury as four twenty dollar bills and one ten dollar bill, the property of Ollie Thompson, from his person, and against his will, by violence to his person, or by putting him in such fear as unwillingly to part with the same,

against the peace and dignity of the State of Alabama.

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

3564

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

Spring Term, 19 62

The State

vs.

Clinton Phelon

Robbery

INDICTMENT

No Prosecutor

WITNESSES:

Ollie Thompson

W. O. Garner

GRAND JURY NO. 19

A TRUE BILL

E. M. Aylin

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 14 day of

May, 1962

W. J. Bush
Clerk.

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

W. J. Bush
Clerk.

Bail fixed \$ 1000

W. J. Bush
Judge.

not guilty

3564

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No. _____

The State of Alabama
Baldwin County

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The State

vs.

Clinton Phelon

Robbery

INDICTMENT

No Prosecutor

WITNESSES:

Ollie Thompson

W. O. Garner

GRAND JURY NO. 19

A TRUE BILL

E. M. Aylin

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 14 day of
March, 1962

W. J. H. H. H.
Clerk.

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

W. J. H. H. H.
Clerk.

Bail fixed \$ 1000

W. J. H. H. H.
Judge.

not guilty

STATE OF ALABAMA }

Baldwin County

The State of Alabama

Case No.

Copia 19

No. 12552

In the

Circuit Court of
Baldwin County, Alabama

Before me, Clinton Philley, 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 72 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

FoleyTaylor Wilkins Sheriff

Subscribed and sworn to before me this

19

day of

Mar

1952

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 _____, 195_____

Judge of the above named court

STATE VS. Clinton Delore
JURY LIST - CRIMINAL - SPRING, MARCH 26, 1961

- S XXXXX YXXXX XXXXX

[illegible]

APPEARANCE BOND

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County

We

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

One Thousand (\$1000.00) DOLLARS

unless the said *Clinton Phelon* appears at the

Spring Term, 19*62* 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

Robbery

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 *17* day of *March*, 19*62*

Wayles Wilkins, Sheriff

By *W. C. Garner*, Deputy Sheriff

Clinton Phelon
X Herman Block S.
Ma Harris L. S.
Gay P. Moten L. S.
 _____ L. S.

No. _____

State of Alabama

Baldwin County

_____ Court

Sheriff's Office

The State

vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19____

_____, Clerk

The State of Alabama, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Clinton Phelon

at the Spring Term, 1962 of the Circuit Court of Baldwin County, for the offense of

Robbery

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 14 day of March, 1962.

Alfred H. Hensley
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

Childress

3566

CAPIAS

No. *19*

THE STATE

vs.

Clinton Phelon

Bail fixed in this case in open Court at

\$ *1000⁰⁰*

By *H. M. Hall*
Judge Presiding.

Attest: _____ Clerk.

Received in Sheriff's Office
this *12* day of *Mar*, 19*61* ✓
TAYLOR WILKINS, Sheriff

Executed this *17* day of *Mar*, 19*61*

By arresting the within

named Defendant

and placing him

[Signature] Sheriff

[Signature] Deputy Sheriff

[Signature]

I think this bond is good & sufficient, and is continued until the Spring Session of Baldwin County Circuit Court.
APPEARANCE BOND

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Clinton Phelon,

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

unless the said Clinton Phelon appears at the December 9th Term, 1961 of the Justice of Peace Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Robbery

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

November, 1961

Baldwin County, Ala.

Taken and approved this the

Clinton Phelon L. S.

M. A. Haines L. S. (13) 7420.00

Herman Block L. S. (13) 4500.00

Gay J. Morton L. S.

15 Nov 1961

W. B. Wilkins Sheriff

By _____, Deputy Sheriff

15 Nov 61 - failer holding per sheriffs instruction #6.289
Clinton Phelon - K.C. & T. S.S.

Handwritten notes and signatures in the left margin, including a large signature and the date 1911.61.

No. 6

State of Alabama
Baldwin County

Court

Sheriff's Office

The State

vs.

Clinton Shelton

Sheriff's Appearance Bond

Amount of Bond \$

Filed _____, 19

_____, Clerk

DEFENDANTS CHARGE #11

I charge you, Gentlemen of the Jury, that under the evidence given by the State in this case the Defendant cannot be convicted under the indictment to which the charge of robbery is directed.

Alfred
M. S. S. S.
J. S. S. S.

AFFIDAVIT

MOORE PRINTING CO., BAY MINETTE, ALA.

**State Of Alabama, }
Baldwin County. }**In the Justice Court of **M. R. HOWELL**Before me, **M. R. HOWELL**, Justice of the Peacein and for said County, personally appeared Ollie Thompson 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 Nov. 5, 1961 that one Clinton Phelondid feloniously take \$90.00 in lawful United States Currency to-wit:
four \$20.00 bills, one \$10.00 bill, the property of Ollie Thompson from
his person, and against his will, by violence to his person, or by
putting him in such fear as unwillingly to part with the same.
against the peace and dignity of the State of Alabama.Sworn to and subscribed before me this 6day of Nov., A. D., 1961M. R. Howell, J. P.

(X) Ollie Thompson
Clinton Phelon
Attorney General

WARRANT**State Of Alabama, }
Baldwin County. }****To Any Lawful Officer of Said County, Greetings:**You are hereby commanded to arrest Clinton Phelonand bring himbefore _____ me _____ to answer the State of Alabama on a charge
robbery

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

Witness my hand this 6 day of Nov., 19 61M. R. Howell, J. P.

No.....

Page...6.....

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

M. R. HOWELL

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Clinton Phelon

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.

Clinton Phelon

Executed this the 7 day of Nov 1961

By arresting the within named Defendant

and placing him or her in jail

Jaylor Wilkins, Sheriff

W. O. 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 warr-
ant of arrest of the defendant. I traveled

100
miles by the most direct route to point of
arrest and return, and the Sheriff is en-
titled to milage at 10c per mile. Point of
arrest: Lillian

Signed

Subscribed and sworn to before me this

..... day of 19.....

.....
Clerk J. P. Court

DEFENDANT'S CHARGE # 2

I charge you, Gentlemen of the Jury, that unless the State has proved to you in this case that Clinton Phelon took, by force or putting in fear, the money from Ollie Thompson, with a felonious intent, then you must find the Defendant not guilty.

*Refused
10/11/49*

DEFENDANT'S CHARGE # 4

The Court charges you, Gentlemen of the Jury, that if there is, from the evidence, a probability of innocence of the Defendant, he is entitled to acquittal.

*Refused
10/11/49*

DEFENDANT'S CHARGE # 6

I charge you, Gentlemen of the Jury, in order for you to convict this codefendant, Clinton Phelon, of robbery, it is necessary that the State show a previous understanding to rob the victim, Ollie Thompson.

*Refused
10/11/49*

DEFENDANT'S CHARGE # 8

I charge you, Gentlemen of the Jury, that if there is no prearrangement or preconvert, mere presence is not aiding and abetting.

*Refused
10/11/49*

DEFENDANT'S CHARGE # 9

The Court Charges you, Gentlemen of the Jury, that if you believe the evidence in this case you must find for the Defendant.

*Refused
10/11/49*

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	Robbery
No.	Vs	
Kenneth Cooper	Clinton Phelon	

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to Sheriff	Judge's Fees	
Returnable Dec 9th 1961	Warrant at 50c, Affidavit at 25c	75
Witness—for State Ollie Thompson	Bond at 50c, Sci Fa. at 50c	
	Witnesses' Recognizances at 25c	
	Subpoenas or notice at 25c	
	Continuance at 25c	
	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 \$2.00, Bond \$1.00, Sci Fa. 50c	7.00
	Guard \$2.00, Finger Printing 10c	2.00
	Subpoenas at 50c, Mileage	10.00
	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	

Defendant is bound over to the next term of the Circuit to the action of the Grand Jury. Bond set at \$1000.00

M. R. Howell, Jr.

3566

119

June 25

Washed 100 lbs of seed from 100

100 lbs of seed from 100

100 lbs of seed from 100

100 lbs of seed from 100