

as set out in the complaint, and the like, approaching an intersection, school, and the like, which are of no consequence in this particular case."

Case taken under submission for study and decision.

June, 15. DECISION.

Motion of defendant to dismiss the case, denied.

It is the opinion of the Court that the defendant Rufus Gibson, is guilty of driving a Motor Truck at excessive speed on Highway, 31, in Baldwin County, State of Alabama, namely at a speed in excess of thirty miles an hour, at the time and place charged, in violation of Act, #58, of the General Acts of Ala. extra session, 1932, page, 68, approved Oct, 6th, 1932, and known as H-112, Tidwell, and he is hereby fined the sum of \$10.00, for such violation, and Costs.

Notice of Appeal taken.

Appeal Bond taken and approved, in amount of \$100.00.

Howard Gaillard.
Howard Gaillard,
Justice of the Peace,
Beat 8.
Baldwin County, Alabama.

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

Attorneys	Case	Charge
For Defendant Robt. E. Hodnette, For State No. <i>none</i>	THE STATE OF ALABAMA, Vs. Rufus Gibson. <i>Atmore, Ala.</i>	Driving a truck at excessive speed, on Highway, 31, in Baldwin County, Alabama, viz- at a speed of 44 to 46 miles per hour.

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to A. P. Pruitt.	Judge's Fees	
	Returnable June, 8th, 1937	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—for State Wm. A. P. Pruitt. Proctor Bradley.	Bond at 50c, Sci Fa at 50c	<i>50</i>
	Tried before Howard Gaillard, a J.P. in and for Baldwin County, Alabama, Arrested on warrant issued to and executed by Highway Patrolman A.P. Pruitt. on June 4th, 1937.	Witnesses' Recognizances at 25c	
	Preliminary hearing, June, 4th, 1937. Case continued to allow defendant to secure counsel and set for June, 8, 1937.	Subpoena or notice at 25c	<i>25</i>
	June, 8, Came this day the defendant Rufus Gibson with Robt. E. Hodnette, counsel and both sides being ready for trial, witnesses were sworn and examined and trial proceeded.	Continuance at 25c	<i>25</i>
Defendant pleads not Guilty.	Motion by Counsel for defendant that case be dismissed	Trial of Misdemeanor at \$1.00	<i>1.00</i>
	<u>TEXT OF MOTION</u>	Mittimus at 25c	
	<u>CONTENTION, of Defendant.</u>	Judgment on Forfeited Bond at 25c	
	"Defendant contends that Section, 8 of the Tidwell Act under which defendant is evidently tried, has been repealed or superseded by the Staples Act, (Acts of Alabama, 1936, p. 234); that the Staples Act which amended the old act of 1927 (Acts of Ala., 1927, p. 363, Section, 51), includes all Vehicles or Motor Vehicles as defined in said last mentioned act: that a motor truck such as the defendant was driving at the time of the arrest and the restrictions and regulations as to the speed of the same is governed and controlled by the Staples Act and not the Tidwell Act.	Taking Bond, etc, on Appeal at \$1.00	<i>1.00</i>
	Further, that there is no specific speed limit on trucks or any motor vehicle except that which is set out in the Staples Act, to-wit, "a careful and prudent	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	
		Test 50c	
		Sheriff's Fees	
		Arrest \$2.00, Bond \$1.00, Sci. Fa 50c	<i>3.00</i>
		Committing \$1.00, Releasing \$1.00	
		Subpoenas at 25c Day's Board at 30c	<i>6.50</i>
		Witness Fees	
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Subpoenas	

1881

Hale

72
Lipscomb

Received in office _____ 193_____

Executed this _____ 193_____

By _____

Seneca Full

9/5/38

M. H. Wilkins

Sheriff.

ORIGINAL

For _____

No. *245* Page *60*

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE

vs.

Reuben Gibson

STATE SUBPOENA

Issued this *1st* day of

September 193*8*

R. S. DUCK

clerk, - register Clerk.

By *Mar Alice Thompson*
Deputy

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

Case No. 245 Term, fall 1938

To Any Sheriff of the State of Alabama :

You Are Hereby Commanded to Summon _____

Howard Gaillard

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 22nd day of Sept 1938, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE DEFENDANT in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and _____

Rufus Gibson Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 12th day of Sept A.D., 1938

R. S. DUCK
clerk - register Clerk.

By Nes Alice Thompson
Deputy

BILL OF COSTS

No. _____

STATE

VS.

Amount, \$ _____

Moore Printing Co.

Received in office 3-27, 1939

Executed this 28th Mar, 1939

By Serving in full

ORIGINAL

For _____

No. 245 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court

THE STATE

Vs.

Ryder Gibson

STATE SUBPOENA

Issued this 27 day of

March, 1939.

W.R. Stuart

Sheriff.

R.S. Duck

Clerk.

THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 245Term. Spring, 1939

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon Howard Faircland - Dagher

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 26 day of April, 1939, at 8:30 a.m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE DEFENDANT in a prosecution now pending in said Court, where-

in the State of Alabama is Plaintiff and Rufus Gibson

_____ Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 27 day of March A. D., 1939.

R. S. DUCK, Clerk.

ORIGINAL---STATE SUBPOENA

MOORE PRINTING COMPANY BAY MINETTE, ALA.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 245

Term, Fall 1938

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon _____

A. P. Pruitt - Proctor Bradley

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 27th day of Sept 1938, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Refus Gibson

Defendant, and have you then and

there this Writ, with your endorsement thereon.

Witness my hand this 1st day of Sept A.D., 1938.

R. S. DUCK, Clerk.

Received in office _____ 193

Executed this 9-21 1937

By _____

Served in full

ORIGINAL

For _____

No. 245 Page 1

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

THE STATE

vs.

RUFUS GIBSON

STATE SUBPOENA

Issued this 2nd day of

September 1937

R. S. DUCK

Clerk.

M. H. W. [Signature]
Sheriff.

ORIGINAL---STATE SUBPOENA

MOORE PRINTING COMPANY BAY MINETTE, ALA.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 245 Term. FALL 193 7

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon A. P. PRUITT & PROCTOR BRADLEY

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 30th day of September 193 7, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and RUFUS GIBSON

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 2nd day of September A.D., 193 7.


R. S. DUCK, Clerk.

No _____

Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT OF

Beat , 8.

Baldwin County, Alabama.

THE STATE

VS.

Rufus Gibson,

Home Address,

Atmore, Alabama.

WARRANT AND AFFIDAVIT

WITNESSES FOR THE STATE

A. P. Pruitt,

Proctor Bradley.

~~John H. Harts~~

*Executed this
the 4th day of
June 1937 by
arresting the
within named
defendant &
placing him on
Bond -*

*A. P. Pruitt &
Proctor Bradley*

THE STATE OF ALABAMA,
BALDWIN COUNTYIn the Justice Court of
Precinct 8 Baldwin, County. Ala.

Before me, Howard Gaillard, a Justice of the Peace, in Baldwin County
in and for said county personally appeared Albert Pruitt, member of the State H'way P
Patrol
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 June, 4th, 1937 that one

Rufus Gibson, Atmore, Alabama.was driving a truck. loaded, at excessive speed, on Highway No 31in Baldwin County, state of Alabama. at a speedof 44 to 46 miles per hour.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

4th day of June,A.D. 1937Howard Gaillard, J. P.A. T. PruittTHE STATE OF ALABAMA {
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, Greeting :

You are hereby commanded to arrest Rufus Gibson, Atmore, Ala.and bring him before me June, 8th, 1937.the State of Alabama on a charge Driving a truck at excessive speed. onHighway, 31, in Baldwin County, Alabama. at a speed of44 to 46 miles per hour.and have you then and there this writ, with your return thereon June, 8, 1937.Witness my hand this 4th day of June, 1937Howard Gaillard

Justice of the Peace

Precinct 8.

Received in office 3-23 1939

Executed this _____ 193_____

By _____

Served a.p. Smith 3-23-39

Sheriff.

ORIGINAL

For _____

No. 245 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

THE STATE

vs.

Rufus Gibson

STATE SUBPOENA

Issued this 21 day of

March 1939

R. S. Dush

Clerk.

ORIGINAL---STATE SUBPOENA

MOORE PRINTING COMPANY BAY MINETTE, ALA.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 245

Term. Spring 1939

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon A. F. Smith, Pastor Bradley,

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 26 day of April 1939, at 8:30 a.m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and _____

Reuben Gibson Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 21 day of March A.D., 1939.

R. S. DUCK, Clerk.