

# TRANSCRIPT

APPEAL FROM COUNTY COURT TO CIRCUIT COURT

## AFFIDAVIT OR COMPLAINT

The State of Alabama, {  
Baldwin County

COUNTY COURT

R. S. Duck,

Before me, ~~M. A. Stone~~, Clerk of the Circuit Court of said County, in said State,

personally appeared B. F. Kucera  
who, being duly sworn according to law, doth depose and say that he has probable cause for believing, and does believe, that on or about October 14, 1939, that one MEDRICK L. DOLIVE did buy, sell, barter, carry, ship, exchange, or have in his possession, spiritous, vincous or malt liquors, contrary to law,

and that said offense has been committed in said County and State by the said MEDRICK L. DOLIVE within the last twelve months and before the making of this affidavit, against the PEACE and DIGNITY of the State of Alabama.

B. F. KUCERA, D. S.

The above subscribed and sworn to before me this 16 day of October 1939

R. S. DUCK,

By: NanAlice Thompson, Deputy Clerk of the Circuit Court

## WARRANT OF ARREST

The State of Alabama, {  
Baldwin County.

COUNTY COURT

To Any Lawful Officer of the State of Alabama:

You are hereby commanded to arrest MEDRICK L. DOLIVE

and bring him before the Judge of the County Court on the day of 6th day of November 1939 to answer the State of Alabama on a charge of V. P. L.

preferred by \_\_\_\_\_

Witness my hand this 16th day of October 1939

R. S. DUCK,

Clerk of the Circuit Court

By: NanAlice Thompson, Deputy

## AMOUNT OF BAIL FIXED

I hereby fix bail in this case at \$ \_\_\_\_\_ which the arresting officer may take.

Clerk of the Circuit Court

## SHERIFF'S RETURN

Received \_\_\_\_\_, and Executed 14th day of Oct., 1939 by arresting the within named Defendant Medford L. Dolive and placing him in jail.

W. R. STUART,

Sheriff.

By: B. F. KUCERA

Deputy Sheriff.

APPEARANCE BOND

MOORE PRINTING CO., DAY KINETTE, ALA.

The State of Alabama, {  
Baldwin County

COUNTY COURT

MED DOLIVE

We, \_\_\_\_\_, as principal, and

as sureties, agree to pay the State of Alabama, the sum THREEHundred Dollars,  
unless the said MED DOLIVE appears at the

Nov. Term, 1939, of the County Court of Baldwin County, Alabama,  
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense

of Violating Prohibition Law  
and we hereby waive the benefit of all laws exempting property from levy and sale under execution or  
other process for the collection of debt, by the constitution State of Alabama, and we hereby severally  
certify that we have property over and above all debts and liabilities to the amount of the above bond.

MED DOLIVE (SEAL)

H. A. SIBLEY (SEAL)

T. J. DAVIDSON (SEAL)

[SEAL]

Taken and approved 19th day of Oct. 1939

W. R. STUART Sheriff.

By MBH. Deputy Sheriff.

JUDGMENT ENTRY.

THE STATE  
No. 215 vs.

MEDRICK L. DOLIVE

COUNTY COURT,

Nov. Term, 1939

11-6- 1939. On hearing the evidence in this case the Court is

satisfied of the guilt of the Defendant and hereby awards the following punishment: A fine of  
\$50.00 and the costs of this

proceeding. The Defendant having failed to pay said Fine  
and Costs or to secure the same, it is hereby ordered by the Court that he be and hereby is sentenced  
to perform hard labor for the State of Alabama for the use of Baldwin County for a period of  
\_\_\_\_\_ days

to pay said fine, and an additional period of \_\_\_\_\_ days  
to pay the costs of this proceeding.

G. W. ROBERTSON Judge of County Court.

The Defendant prays an appeal from the Judgment of this Court to the next ensuing Term of the  
Circuit Court, which is hereby granted, and his Bond fixed at \$ 300.00, and Defendant de-  
mands trial by a jury, sentence is hereby suspended pending appeal.

G. W. ROBERTSON Judge of County Court.

CERTIFICATE OF TRANSCRIPT.

The State of Alabama, {  
Baldwin County.

R. S. Duck,  
I, ~~M. A. Stone~~, Clerk Circuit Court and Ex-Officio

Clerk of the County Court of Baldwin County, Alabama, hereby certify that the above and foregoing is a  
true and correct copy of all the proceedings had in said County Court in the case of State of Alabama vs.

Witness my hand this 4th day of April, 1940 1939

R. S. Duck  
Clerk of the Circuit Court and Ex-Officio Clerk of the County Court.

**STATE OF ALABAMA,  
Baldwin County**

**County Court**

Before me, Robert S. Duck, Clerk of the Circuit Court of said County, in said State, personally appeared B. F. KUCERA

who, being duly sworn according to law, doth depose and say that he has probable cause for believing and does believe that on or about October 14, 1959, that one MEDRICK L. DOLIVE did buy, sell, barter, carry, ship, exchange, or have in his possession, spiritous, vinous or malt liquors, contrary to law;

and that said offense has been committed in said County and State by MEDRICK L. DOLIVE within the past twelve (12) months and before the making of this affidavit, against the peace and dignity of the State of Alabama.

*B. F. Kucera* Ds.

The above subscribed and sworn to before me this 16 day of October, 1939

R. S. DUCK  
Clerk of the Circuit Court.

*By: [Signature]*  
Deputy

No. \_\_\_\_\_

# COUNTY COURT

BALDWIN COUNTY

Complaint of \_\_\_\_\_

Against MEDRICK L. DOLIVE

For the offense of V. P. L.

Filed this \_\_\_\_\_ day

of \_\_\_\_\_, 193\_\_\_\_\_.

\_\_\_\_\_, Clerk.

### STATE WITNESSES:

A.P. Pruitt,  B.F. Kucera, ~~Aubrey~~

~~Connell~~,  Harrison Valrie, ~~A. J. ...~~

~~Valrie~~,  Mose James

DEFENDANT MAY GIVE BAIL OF

\$ \_\_\_\_\_

Clerk Circuit Court.

Baldwin Times Print

*We, the jury find the defendant, Medrick Dolive, guilty as charged in the indictment and assess the fine at one hundred dollars (\$100.00).*

*Signed:*

*Charles W. Barnhill*

*(Foreman)*

**STATE OF ALABAMA,  
Baldwin County**

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETING:

You are hereby commanded to arrest MEDRICK L. DOLIVE

and bring him before the Judge of the County Court on the 6th day of November, 1939; to answer to the State of Alabama on a charge

V.P.L.

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

Witness my hand this 16th day of October, 1939.

**R. S. DUCK**

Clerk of the Circuit Court.

By [Signature]  
Deputy

No. \_\_\_\_\_

Page \_\_\_\_\_

**The State Of Alabama**

BALDWIN COUNTY

COUNTY COURT.

**The State**

VS.

*MEDRIE K*  
~~WILLARD~~

L. DOLIVE (W.M.)

V.P.L.

**Warrant Of Arrest**

WITNESSES FOR THE STATE

Baldwin Times Print

Executed this 14 day of oct, 1939

By arresting the within named Defendant,

*Medford L. Dolive*

and placing him *in jail*

*W.R. Stuart*

Sheriff.

*B. H. Spencer*

D. S.

THE STATE OF ALABAMA }  
 Baldwin County. }

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 451Term. Spring, 1940, 193

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Comanded to Summon A. P. PRUITT, B. F. KUCERA,  
AUBREY CARROLL, HARRISON VALRIE ALVIN VALRIE, MOSE JAMES

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 24th day of April 1940, 19340, 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 MEDFORD L. DOLIVE

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

Witness my hand this 8th day of April A. D., 19340

R. S. DUCK, Clerk.

Received in office 4/8, 1940

Executed this 4/20, 1940

By Serving

Dubrey Carver 4/11 P

Hamilton Vallee 4/11 P

Alvin Vallee 4/11 P

B.F. Kucera 4/11 P

A.P. Pruitt 4/11 P

Mose James 4/20 ~~most~~

W.R. Stewart

By M.B. Hamilton Sheriff.

ORIGINAL

For \_\_\_\_\_

No. 451

Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE

Vs.

MEDFORD L. DOLIVE

STATE SUBPOENA

Issued this \_\_\_\_\_ day of

\_\_\_\_\_, 193

\_\_\_\_\_  
Clerk.



THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 451

Term. Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon Aubrey Carroll, Rose James

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 24 day of April, 1940, at ~~8:00~~ 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 Med Poline

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

Witness my hand this 10 day of April A. D., 1940

R. S. DUCK, Clerk.

Received in office 4/12, 1934

Executed this 4/20, 1934

By Perkins

Arthur Cornell 4/11 P  
Miss James

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W R Stuart  
Per M. B. Hammett Sheriff.

ORIGINAL

For \_\_\_\_\_

No. 451 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE  
Vs.

Medwick, Doline

STATE SUBPOENA

Issued this 10<sup>th</sup> day of

April, 1934

Clerk.

The State of Alabama, Baldwin County.

COUNTY COURT, November Term, 1939

KNOW ALL MEN BY THESE PRESENTS, That we MEDFORD L. DOLIVE and

....., are held and firmly bound unto the State of Alabama, in the sum of THREE HUNDRED (\$300.00) Dollars for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the ..... day of November 1939

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden MEDFORD L. DOLIVE was, on the 6th day of November 1939 convicted in the County, of the offense.....

V. P. L.

and by the judgment of said Court sentenced to Fine of \$50.00 and costs

And, whereas, the said MEDFORD L. DOLIVE has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said MEDFORD L. DOLIVE shall appear at the next term of the Circuit Court, and from term to term thereafter until discharged, and abide by and perform whatever sentence may be adjudged in said Court against him, then the above obligation to be void: otherwise to remain in full force and effect.

Medrick P. Raliva (L. S.)

J. H. Sibley (L. S.)

J. H. Sibley (L. S.)

..... (L. S.)

Approved: [Signature]  
County Court Judge.

The State of Alabama,  
BALDWIN County.

County Court

The State  
vs.

*MEDRIC*  
~~MEDRIC~~ L. DOLIVE

APPEAL BOND

Sureties.

Filed in the office of the Clerk of the Circuit  
Court 7 day of

Nov., 1937

*R. S. Duda* Clerk.

19  
58-6

*Stewart Dobie*  
*4/23/40 No*

*976*  
*875*  
*78*

# JURY LIST, SECOND WEEK

April 22nd, 1940

- 1 Noah W. Dean, Farmer, Little River
- ~~2 Thomas B. McGowan, Cattleman, Tensaw~~
- ~~3 Howell W. Slaughter, Jr, Farmer, Tensaw~~
- 4 Raymond Neal McMillan, Farmer, Stockton
- ~~5 John Murphy McMillan, Farmer, Stockton~~
- ~~6 Robert M. Chaffin, Farmer, Stockton~~
- ~~7 Fred D. Day, Farmer, Stockton~~
- ~~8 John E. Dear, Salesman, Stockton~~
- ~~9 Alvin K. Graham, Farmer, Stockton~~
- ~~10 Philip H. Ferrier, Trapping, Stockton~~
- ~~11 Wilson M. Hall, Newport, Bay Minette~~
- 12 Cecil J. Billy, Electrician, Bay Minette
- ~~13 Holt A. Stuart, Farmer, Bay Minette~~
- ~~14 Perry A. Taylor, Farmer, Bay Minette~~
- 15 Joseph L. Ruple, Electrician, Bay Minette
- ~~16 Roy H. Emmons, Mechanic, Bay Minette~~
- ~~17 Thomas H. Dean, Farmer, Rabun~~
- 18 James A. Sims, Timberman, Rabun
- ~~19 Henry E. Peterson, Farmer, Gateswood~~
- 20 Douglas J. Waters, Farmer, Gateswood
- ~~21 Samuel J. Irwin, Farmer, Gateswood~~
- ~~22 John C. Oglesby, Farmer, Gateswood~~
- ~~23 Tillman Allen, Farmer, Gateswood~~
- 24 Red B. Bryars, Carpenter, Perdido
- 25 Charles W. Barnhill, Farmer, Loxley
- 26 J. Emory Johnson, Grist Mill, Silverhill
- 27 John D. Lewis, Farmer, Robertsdale
- ~~28 Thomas M. Hobbs, Laborer, Robertsdale~~
- ~~29 Grover X. Hobbs, Barber, Robertsdale~~
- ~~30 William A. Glover, Farmer, Daphne~~
- 31 Joseph L. Robinson, Farmer, Daphne
- ~~32 Raymond Dubrock, Laundry, Fairhope~~
- ~~33 Marvin Dubrock, Nursery, Fairhope~~
- ~~34 David H. Gaar, Merchant, Foley~~
- ~~35 Michael A. Weeks, Farmer, Foley~~
- 36 Donald V. Gaar, Clerk, Foley
- ~~37 Roy V. Robertson, Fisherman, Bon Secour~~

<del>1</del>	<del>1</del>	<del>13</del>
<del>2</del>	<del>2</del>	<del>14</del>
<del>3</del>	<del>3</del>	<del>15</del>
<del>4</del>	<del>4</del>	<del>16</del>
<del>5</del>	<del>5</del>	
<del>6</del>	<del>6</del>	
<del>7</del>	<del>7</del>	
<del>8</del>	<del>8</del>	
<del>9</del>	<del>9</del>	
<del>10</del>	<del>10</del>	
<del>11</del>	<del>11</del>	
<del>12</del>	<del>12</del>	

Case No. 451

Receipt No. 557

Bay Minette, Alabama, May 25 1941

RECEIVED OF State

City + 14/100

DOLLARS

ACCOUNT OF FINE AND COSTS

Circuit Court - Criminal Division - Baldwin County, Alabama

In case of STATE OF ALABAMA vs. Madrick L. Daise

\$ 60.14

R. S. Duns  
Clerk of Circuit Court, Baldwin County, Alabama

## Hard Labor and Misdemeanor Cases Only

Date of original conviction 4/24/40

STATE OF ALABAMA, BALDWIN COUNTY.

I hereby certify that MEDRICK L. DOLIVE  
 was convicted in the Circuit Court of said county and sentenced to Hard Labor on the date, for the term  
 and the amount of costs itemized as follows:

THE STATE, No. 451  
MEDRICK L. DOLIVE

Offense V. P. L.  
 (Date of Sentence) 4/24/40  
 (Date of Affirmance) same

Term of Sentence 100.00 fine and costs

CLERK'S FEES	Charged to Defendant	Paid Per Sec 3667		Miles 5c Per Mile	Days 75c a Day	Charged to Defendant Amount	Paid Per Sec 3667 Amount
Recording Indictment			State Witnesses Before Grand Jury				
Issuing <u>6</u> Subpoena for State Witness	1.50	1.50					
Docketing cause	.10	.10					
Issuing capias or warrant once							
Trial	.50	.50					
Entering Judgment	.25	.25					
Entering final judgment	.25	.25					
Record for ..... court for each 100 words							
Final record for each 100 words	3.00	3.00					
Entering forfeiture against defendant							
Making transcript and certificate for each 100 words	.45	.45					
Continuance							
<b>Total</b>	<b>6.05</b>	<b>6.05</b>					
Sheriff <u>W. R. Stuart</u> Name							
Executing writ or warrant of arrest							
Approving bond							
Serving Subp. for <u>6</u> State Witness	3.00	3.00					
Guard fee							
Date Committed							
Mileage ..... Seizure			Before Court of Conviction				
<b>Total</b>	<b>3.00</b>	<b>3.00</b>					
Justice ..... Name			<u>A. P. Pruitt</u>				
Complaint			<u>B. F. Kucera</u>		1	.75	
Warrant			<u>Aubrey Carroll</u>	4	1	.95	
Taking bond			<u>Harrison Valrie</u>	3	1	.90	
Issuing ..... Subpoenas			<u>Alvin Valrie</u>	3	1	.90	
Bond or undertaking of ..... witness			<u>Mose James</u>	4	1	.95	
Mittimus							
Continuance							
Executing Warrant							
Serving ..... subpoenas							
Taking prisoner to jail ..... mi., at 10c							
<b>Total (not to exceed \$5.00)</b>							
<b>Recapitulation</b>							
Solicitor's Fee							
Continuances in County Court							
Trial Tax Fee	3.00						
Fee when stenographer used	3.00	3.00					
Clerk's Fees	6.05	6.05					
Sheriff's Fees	3.00	3.00					
Magistrate and Constable							
State Witness Fees	4.45	4.45					
Removal Bill							
Value of Property	49.60	43.60					
Case Appealed — Total costs							
lower Court — Over							
<b>Total amount of costs</b>	<b>69.10</b>	<b>60.10</b>	<b>Total Witness Fees</b>	<b>14</b>	<b>5</b>	<b>4.45</b>	

STATE OF ALABAMA, BALDWIN COUNTY.

Personally appeared before me, R. S. Duck, Clerk of the Circuit Court of said county, who, being by me first duly sworn, says on oath, that the above is true and correct, and is a just charge against the defendant, and that only such charges are embraced in said account as are allowed by the Criminal Code of Alabama of 1923, Section 3667, as amended, and the Chief Accountant State Board of Administration is hereby authorized to receipt for Comptroller's warrant for the foregoing account.

Clerk, Circuit Court.

Sworn to and subscribed before me this 26th day of April, 1940, 194

# Itemized Total Costs Lower Court If Case Appealed

Case No. 215

CLERK'S FEES	Charged to Defendant	Paid Per Sec 3667	State Witnesses Before Court of Conviction	Miles 5c Per Mile	Days 75c a Day	Charged to Defendant Amount	Paid Per Sec 3667 Amount
Issuing <u>6</u> Subpoena for State Witness	1.50	1.50					
Docketing cause	.10	.10					
Issuing capias or warrant once	.50	.50					
Trial	.50	.50	A. P. Pruitt				
Entering Judgment	.25	.25	B. F. Kucera				
Entering final judgment			Aubrey Carroll		1	.75	
Record for ..... court for each 100 words			Harrison Valrie	1		.75	
Final record for each 100 words	.75	.75	Alvin Valrie	1		.75	
Entering forfeiture against defendant			Mose James	1		.75	
Continuance							
Total	3.60	3.60					
Sheriff <u>W. R. Stuart</u> Name							
Executing writ or warrant of arrest	2.00	2.00					
Approving bond	1.00	1.00					
Serving Subp. for <u>6</u> State Witness	3.00	3.00					
Committing prisoner to jail	2.00	1.00					
Date Committed							
Mileage Seizure							
Total	8.00	7.00					
Justice Name							
Complaint							
Warrant							
Taking bond							
Issuing Subpoenas							
Bond or undertaking of witness							
Mittimus							
Continuance							
Executing Warrant							
Serving subpoenas							
Taking prisoner to jail mi., at 10c							
Total (not to exceed \$5.00)							
<b>Recapitulation</b>							
Solicitor Fee	30.00	30.00					
Continuances in County Court							
Trial Tax Fee	5.00						
Clerk's Fees	3.60	3.60					
Sheriff's Fees	8.00	7.00					
Magistrate and Constable							
State Witness Fees	3.00	3.00					
Removal Bill							
Value of Property							
Total Amount of Costs	49.60	43.60					

Total Witness Fees 4 3.00

Remarks

360  
150  
510

Chief Clerk Convict Department

This \_\_\_\_\_ day of \_\_\_\_\_ 194 \_\_\_\_\_

I have examined the foregoing cost bill, finding the same to be correct, and the convict having been received into the penitentiary.

TO THE HONORABLE STATE COMPTROLLER