

Received in office

193

Executed this

193

By

Dr J. P. McLeod 4/11/41 P
Albert Stewart 4-5-41 (Barnes)
Dan Barnwell 4-5-41 (Barnes)

Sheriff.

ORIGINAL

For

No. 505

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court

THE STATE

Vs.

Albert Joiner

STATE SUBPOENA

Issued this _____ day of

193

Clerk.

TRANSCRIPT

APPEAL FROM COUNTY COURT TO CIRCUIT COURT

AFFIDAVIT OR COMPLAINT

The State of Alabama, {
Baldwin County

COUNTY COURT

Before me, R. S. DUCK
~~MAYSTONE~~, Clerk of the Circuit Court of said County, in said State,

personally appeared Daniel Harville
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 August 9th, 1940, one ALBERT JOINER
did operate a motor vehicle on the public highways of Alabama, to-wit:
Highway Number 59, while under the influence of intoxicating liquors;
contrary to law;

and that said offense has been committed in said County and State by the said ALBERT JOINER

within the last twelve months and before the making of this affidavit, against the PEACE and DIG-
NITY of the State of Alabama.

DANIEL HARVILLE

The above subscribed and sworn to before me this 10th day of August 19340

R. S. DUCK

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

ALBERT JOINER

and bring HIM before the Judge of the County Court on the day of _____
_____ 19340 to answer the State of Alabama on a charge of
DRIVING WHILE INTOXICATED

preferred by _____

Witness my hand this 10th day of August 19341

R. S. DUCK

Clerk of the Circuit Court

AMOUNT OF BAIL FIXED

I hereby fix bail in this case at \$ 300.00 which the arresting officer may take.

Clerk of the Circuit Court

SHERIFF'S RETURN

Received _____, and Executed Dec. 12, 1940, by arresting the

within named Defendant ALBERT JOINER

W. R. STUART

Sheriff.

By

A. P. PRUITT

Deputy Sheriff.

APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, {
Baldwin County

COUNTY COURT

We, ALBERT JOINER, as principal, and

as sureties, agree to pay the State of Alabama, the sum Three hundredd----- Dollars,

unless the said ALBERT JOINER appears at the

Jan. 6th, Term, 19341, 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 D. W. I.

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.

ALBERT JOYNER (SEAL)

J. D. PAYNE (SEAL)

B. L. JINER (SEAL)

(SEAL)

Taken and approved 12th day of Dec. 19340

W. R. STUART Sheriff.

By A. P. PRUITT Deputy Sheriff.

JUDGMENT ENTRY.

THE STATE
No. 582 vs.

COUNTY COURT,

ALBERT JOINER

January Term, 19341

1-6-41 19341. 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 \$100.00 and the costs of this

proceeding, G. W. ROBERTSON. 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.

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 \$ 350.00, and Defendant demands 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.

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.

ALBERT JOINER

Witness my hand this 6th day of March 19341

M. A. Stone
Clerk of the Circuit Court and Ex-Officio Clerk of the County Court.

THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

Case No. 505

Term, Spring, 1941

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Eddie Joiner

VS array

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 28th day of April, 1941, 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 Albert Joiner

there this Writ, with your endorsement thereon.

Defendant, and have you then and

Witness my hand this 2nd day of April A. D., 1941

R. S. DUCK, Clerk.

THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 505Term. Spring 1941, 193

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon George Duck, Eddie Joiner, M. E. Stewart, Bud Joiner, Willie Joiner, Fronie Stewart

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 28th day of April 1941, 193 , 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 Albert Joiner

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

Witness my hand this 2nd day of April A. D., 19341.

R. S. DUCK, Clerk.

Received in office 4/2, 1934

Executed this 4/5/41, 1934

By _____

*Serving all as the
within named witnesses
except Eddie Joiner
who is in the U.S. Army*

W.R. Stuart
Ray J. L. Brown Sheriff.

ORIGINAL

For _____

No. 505 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court

THE STATE
Vs.

Albert Joiner

STATE SUBPOENA

Issued this _____ day of

_____, 1934.

Clerk.

**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 Daniel Harville

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 August 9th, 1940, one ALBERT JOINER did operate a motor vehicle on the public highways of Alabama, to-wit: Highway Number 59, while under the influence of intoxicating liquors; contrary to law;

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

The above subscribed and sworn to before me this 10th day of August, 1940.

Daniel Harville
R. S. Duck
Clerk of the Circuit Court.

No. _____

COUNTY COURT

BALDWIN COUNTY

Complaint of _____

Against ALBERT JOINER

For the offense of D. W. I.

Filed this _____ day

of _____, 194_____

_____, Clerk.

STATE WITNESSES:

Albert Stewart, Dorris

Smith, Daniel Harville,

Dr. McLeod

DEFENDANT MAY GIVE BAIL OF

\$ _____

Clerk Circuit Court.

The Baldwin Times, Bay Minette.

WARRANT OF ARREST.

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA }
Baldwin County

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to arrest ALBERT JOINER

and bring him before the Judge of the County Court on the _____ day of _____

_____, 194____; to answer to the State of Alabama on a charge _____

DRIVING WHILE INTOXICATED

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

Witness my hand this 10th day of August 194 0

R. S. Duck

Clerk of the Circuit Court

No. 588

Page _____

The State of Alabama,
BALDWIN COUNTY

COUNTY COURT

THE STATE
VS.

ALBERT JOINER

D. W. I.

WARRANT OF ARREST

WITNESSES FOR THE STATE:

Executed this 12 day of Dec 1940

By arresting the within-named Defendant,

Albert Joiner

and placing him under Bond

W. R. Stuart

Sheriff,

A. P. Pruitt

D. S.

HARD LABOR AND MISDEMEANOR CASES ONLY

Date of original conviction 4/20/41STATE OF ALABAMA, BALDWIN COUNTY.

I hereby certify that

ALBERT JOINER

was convicted in the _____ 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. 505ALBERT JOINEROffense DRIVING WHILE INTOXICATED
(Date of Sentence) 5/2/41Date of Affirmance) sameTerm of Sentence \$100.00 fine and costs

Clerk's Fees		Charged to Defendant		Paid Per Sec. 3667		(suspended)				Charged to Defendant		Paid Per Sec. 3667	
								Miles 5c Per Mile	Days 75c Per Day	Amount		Amount	
Recording Indictment.....						State Witnesses Before Grand Jury							
Issuing <u>5</u> Subpoena for State Witness		1.25		1.25									
Docketing cause10		.10									
Issuing capias or warrant once.....													
Trial50		.50									
Entering judgment25		.25									
Entering final judgment.....		.25		.25									
Record for court for each 100 words.....													
Final record for each 100 words.....		1.50		1.50									
Entering forfeiture against defendant.....													
Making transcript and certificate for each 100 words.....		.45		.45									
Continuance													
Total		4.30		4.30									
Sheriff <u>W. R. STUART</u> Name						Before Court of Conviction							
Executing writ or warrant of arrest.....													
Approving bond													
Serving Subp. for <u>5</u> State Witness.....		2.50		2.50									
Guard Fee.....													
Date Committed.....													
Mileage..... Seizure.....													
Total		2.50		2.50									
Justice <u>1</u> Name													
Complaint													
Warrant													
Taking bond													
Issuing Subpoenas.....													
Bond or undertaking of witness.....													
Mittimus													
Continuance													
Executing Warrant.....													
Serving Subpoenas.....													
Taking prisoner to jail miles @ 10c.....													
Total (not to exceed \$5.00)													
Recapitulation													
Solicitor Fee													
Continuances in County Court.....													
Trial Tax Fee.....		3.00											
Fee when stenographer used.....													
Clerk's Fees.....		4.30		4.30									
Sheriff's Fees.....		2.50		2.50									
Magistrate and Constable.....													
State Witness Fees.....		6.75		6.75									
Removal Bill													
Value of Property.....													
Case Appealed—Total costs lower Court—(Over).....		28.15		22.15									
Total amount of costs		44.70		35.70		Total Witness Fees		45	6	6.75			

STATE OF ALABAMA, BALDWIN COUNTY.

Personally appeared before me R. D. OK 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.

Sworn to and subscribed before me this 7 day of MayClerk, Circuit Court.
1941

*See next page.

Case No. 588

day of...

the penitentiary.

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

TO THE HONORABLE STATE COMPTROLLER