

THE STATE OF ALABAMA }
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 480Term. Fall, 1940, 1939

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon Donny Smallwood, Frank Rayford

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 September, 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 Bert Wood, (alias Smallwood)

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

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

R. S. DUCK, Clerk.

Received in office 8-27, 19340

Executed this Aug 29, 19340

By ~~A.P. Van Johnston~~
Peru

Frank Rayford
Danny L. Hallwood

A. W. R. Stuart

A. P. Van Johnston Sheriff.

ORIGINAL

For _____

No. 480 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court

THE STATE
Vs.

Bert Wood

STATE SUBPOENA

Issued this _____ day of

_____, 19340

Clerk.

The State of Alabama, BALDWIN County.

COUNTY COURT, COUNTY 1940
Term, 193

KNOW ALL MEN BY THESE PRESENTS, That we Bert Wood and the undersigned

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 May, 1940 193

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Bert Wood was, on the 6th day of May -1940 193 convicted in the County, of the offense Trespass

and by the judgment of said Court sentenced to \$100 + Costs

And, whereas, the said Bert Wood has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said Bert Wood 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.

Approved:

[Signature]
County Court Judge.

[Signature] (L. S.)
[Signature] (L. S.)
[Signature] (L. S.)
[Signature] (L. S.)

The State of Alabama,
Baldwin County.

County Court

The State
vs.

Bert Wood

APPEAL BOND

Sureties.

Filed in the office of the Clerk of the Circuit

Court _____ day of

_____, 193____

_____, Clerk.

The State of Alabama, Baldwin County.

COUNTY COURT, _____ County _____ Term, 1931940

KNOW ALL MEN BY THESE PRESENTS, That we BERT WOODS and the undersigned

_____, 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 May, 1940 193_____

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Bert Woods was, on the 6th day of May, 1940 193_____ convicted in the County, of the offense Trespass

and by the judgment of said Court sentenced to \$100.00 & costs

And, whereas, the said Bert Woods has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said _____ 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.

E. W. WALTHALL (L. S.)

F. W. WHITE (L. S.)

FRANK AUSTIN (L. S.)

BERT SMALLWOOD (L. S.)

Approved:

G. W. ROBERTSON

County Court Judge.

I, R. S. DUCK, Clerk of the County Court of Baldwin County, Alabama, hereby certify that the within and foregoing is a true, correct and full copy of the bond in the case of the State vs. Bert Wood, charged with Trespass, as the same remains of record and on file in this office.

This the 10th day of June, 1940.

R. S. Duck
R. S. DUCK, Clerk.

Executed this the 19th day of June 1940 by arresting Bert Woods & placing him in jail
W. A. Stuart Sheriff
W. A. Stuart D.S.

Copy

The State of Alabama,

BALDWIN County.

County Court

The State
vs.

BERT WOOD

APPEAL BOND

Sureties.

Filed in the office of the Clerk of the Circuit

Court _____ day of

193

Clerk.

APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, {
Baldwin County

COUNTY COURT

We, BERT WOOD, as principal, and

as sureties, agree to pay the State of Alabama, the sum TWO HUNDRED Dollars,

unless the said BERT WOOD appears at the

MAY, 1940 Term, 193 , 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 TRESSPASSING

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.

BERT WOOD (SEAL)

C. S. WOODSON (SEAL)

F. W. WHITE (SEAL)

[SEAL]

Taken and approved 19th day of April, 1940 193

W. R. SQUARE Sheriff.

By E. F. KUOERA Deputy Sheriff.

JUDGMENT ENTRY.

THE STATE
No. 321 vs.

COUNTY COURT,

BERT WOOD

MAY, 1940 Term, 193

May, 1940 193 . 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

ONE HUNDRED DOLLARS 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 demands trial by a jury, sentence is hereby suspended pending appeal.

 Judge of County Court.

CERTIFICATE OF TRANSCRIPT.

The State of Alabama, {
Baldwin County.

I, R. S. DUCK
Mr. 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.

BERT WOOD

Witness my hand this 24th day of AUGUST 193

R. S. DUCK R. S. Duck

Clerk of the Circuit Court and Ex-Officio Clerk of the County Court.

TRANSCRIPT

APPEAL FROM COUNTY COURT TO CIRCUIT COURT

AFFIDAVIT OR COMPLAINT

The State of Alabama, {
Baldwin County

COUNTY COURT

Before me, R. S. DUCK
~~M. A. STONE~~, Clerk of the Circuit Court of said County, in said State,
personally appeared FRANK RAIFORD

who, being duly sworn according to law, doth depose and say that HE has probable cause for believing, and does believe, that 1. on or about April 18th, 1940, one BERT WOOD, without legal cause or good excuse, entered on the premises of Della Raiford, after having been warned within six months preceeding, not to do so;

2. BERT WOOD did unlawfully injure or deface a fence, the property of Della Raiford; 3. BERT WOOD did unlawfully, maliciously or negligently destroy, throw down or break a fence or enclosure of Della Raiford, and failed to immediately repair or rebuild the same;
and that said offense has been committed in said County and State by the said _____

BERT WOOD
within the last twelve months and before the making of this affidavit, against the PEACE and DIGNITY of the State of Alabama.

FRANK RAIFORD
The above subscribed and sworn to before me this 19th day of April, 1940. 193

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 BERT WOOD

and bring HIM before the Judge of the County Court on the day of _____
_____ 193 to answer the State of Alabama on a charge of

TRESPASS AND MALICIOUS INJURY TO PROPERTY

preferred by _____

Witness my hand this 19th day of April, 1940 193

R. S. DUCK,
Clerk of the Circuit Court

AMOUNT OF BAIL FIXED

I hereby fix bail in this case at \$ 200.00 which the arresting officer may take.

R. S. DUCK,
Clerk of the Circuit Court

SHERIFF'S RETURN

Received _____, and Executed 19th April, 1940, by arresting the
within named Defendant BERT WOOD

W. R. STUART Sheriff.

By A. P. PRUITT Deputy Sheriff.

Hard Labor and Misdemeanor Cases Only

Date of original conviction 9/24/40

STATE OF ALABAMA, BALDWIN COUNTY.

I hereby certify that Bert Wood, alias Bert Smallwood

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:

Offense Trespass

(Date of Sentence) 9/24/40

(Date of Affirmance) SAME

THE STATE, No. 480

Bert Wood, alias Bert Smallwood

Term of Sentence \$100 fine & costs-suspended

CLERK'S FEES	Charged to Defendant	Paid Per Sec 3667				Charged to Defendant	Paid Per Sec 3667
Recording Indictment.....							
Issuing <u>2</u> Subpoena for State Witness	.50	.50	State Witnesses	Miles	Days	Amount	Amount
Docketing cause .....	.10	.10	Before Grand Jury	5c Per Mile	75c a Day		
Issuing capias or warrant once							
Trial .....	.50	.50					
Entering Judgment .....	.25	.25					
Entering final judgment .....	.25	.25					
Record for court for							
each 100 words	1.50	1.50					
Final record for each 100 words							
Entering forfeiture against defendant							
Making transcript and certificate for	.45	.45					
each 100 words.....							
Continuance							
Total	3.55	3.55					
Sheriff <u>W. R. Stuart</u>							
Name							
Executing writ or warrant of arrest							
Approving bond							
Serving Subp. for <u>2</u> State Witness	1.00	1.00					
Guard fee							
Date Committed							
Mileage Seizure							
Total	1.00	1.00	Before Court of Conviction				
Justice			<u>Donny Smallwood</u>	52	1	3.25	
Name			<u>Frank Rayford</u>	52	1	3.25	
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)							
Recapitulation							
Solicitor's Fee							
Continuances in County Court							
Trial Tax Fee	3.00						
Fee when stenographer used							
Clerk's Fees	3.55	3.55					
Sheriff's Fees	1.00	1.00					
Magistrate and Constable							
State Witness Fees	6.70	6.70					
Removal Bill							
Value of Property	24.05	18.05					
Case Appealed — Total costs /							
lower Court — Over							
Total amount of costs	38.30	29.30	Total Witness Fees	104	2	6.70	

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 September, 1940

Notary Public, Baldwin County, Ala.

See Next Page

Itemized Total Costs Lower Court If Case Appealed

Case No. 321

CLERK'S FEES		Charged to Defendant	Paid Per Sec 3667			Miles 5c Per Mile	Days 75c a Day	Charged to Defendant	Paid Per Sec 3667
								Amount	Amount
2	Issuing Subpoena for State Witness	.50	.50	State Witnesses					
	Docketing cause	.10	.10	Before Court of Conviction					
	Issuing capias or warrant once	.50	.50						
	Trial	.50	.50	Donny Smallwood					
	Entering Judgment	.25	.25	Frank Rayford					
	Entering final judgment								
	Record for Circuit court for	.45	.45						
	each 100 words	.75	.75						
	Final record for each 100 words								
	Entering forfeiture against defendant								
	Continuance								
	Total	3.05	3.05						
	Sheriff W. R. Stuart								
	Name	2.00	2.00						
	Executing writ or warrant of arrest	1.00	1.00						
	Approving bond	1.00	1.00						
	Serving Subp. for State Witness	2.00	1.00						
	Committing prisoner to jail								
	Date Committed								
	Mileage Seizure								
	Total	6.00	5.00						
	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)								
	Recapitulation								
	Solicitor Fee	10.00	10.00						
	Continuances in County Court								
	Trial Tax Fee	5.00							
	Clerk's Fees	3.05	3.05						
	Sheriff's Fees	6.00	5.00						
	Magistrate and Constable								
	State Witness Fees								
	Removal Bill								
	Value of Property								
	Total Amount of Costs	24.05	18.05						
				Total Witness Fees					
				Remarks					

Chief Clerk Convict Department

194

day of

This

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