


The State of Alabama, {
Baldwin County

Circuit Court, September Term, 1933.

1. The Grand Jury of said County charge that before the finding of this Indictment Rudolph White, Medford White and George Wright, did manufacture, sell, give away or have in their possession a still or apparatus or appliance or some device or substitute therefor, to be used for the purpose of manufacturing or distilling prohibited liquors or beverages.
2. The Grand Jury of said County further charge that before the finding of this indictment, Rudolph White, Medford White and George Wright, did within the State of Alabama, distill, make or manufacture alcoholic, spirituous, malted or mixed liquors or beverages, a part of which was alcohol,

against the peace and dignity of the State of Alabama.


Solicitor of the Twenty-first Judicial Circuit.

RECORDED

No. _____

THE STATE OF ALABAMA,
BALDWIN COUNTY
CIRCUIT COURT

September, _____ Term, 1933.

THE STATE
vs.

Rudolph White, Medford White
and George Wright,

INDICTMENT

Distilling,

PROSECUTOR

WITNESSES:

M. H. Wilkins,

C. M. Armstrong,

J. M. Hicks,

Morris Hamilton,

J. F. Taylor,

GRAND JURY NO. _____

A TRUE BILL.

J. B. M. Gowan
FOREMAN GRAND JURY

Filed in open court and in the presence of the

Grand Jury on the _____ day of _____

Sept. _____ 1933.

M. A. Stone Clerk.

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

M. A. Stone Clerk

*Baile fixed at \$500.00
J. W. Hare*

*We the jury find the defendants
guilty on Count no 2 as charged in
this indictment.*

*J. B. M. Gowan
Foreman*

CIRCUIT COURT OF BALDWIN COUNTY

549

STATE VS.

Rudolph White, Medford White, George Wright

CLERK'S FEES	at	AMOUNT	SHERIFF'S FEES	at	AMOUNT
Taking Affidavit	50		Arrest	3 5 4 00	13 00
Issuing Capias	50	1 50	Bond	3 5 1 00	3 00
Docketing	10	10	Guarding Prisoner	3 5 2 00	6 00
State Subpoenas	25	3 75	Serving Subpoenas	50	2 50
Recognizance	50	1 25	Summoning Jury in Capital Case		
Continuance by Defendant	25		Seizure	3 00	
Et. Forfeiture vs. Defendant	50		Milage	Miles at 10	
Trial	50	50	Execut'g Search Warrant By day	1 00	1 00
Judgment	25	15	Execut'g Search Warrant, night	2 00	
Sentence	25	25	Fees in County Court		
Order of removal and indictments	1 00		Total Sheriff's Fees		24 50
Issuing Execution	50		RECAPITULATION		
Issuing Sci. Fas	50		Clerk's Fees		10 85
Transcript and Certificate of M.	15		Sheriff's Fees		24 50
Final Record	15	3 00	Fine	1 yr. 1 day	
Record for Supreme Court	15		Solicitor's Fee		
Certifying Same	25		County Court Tax		
Rec Indictment at 15c per 100 words		25	Justice's Fee		5 00
Fees in County Court			Constable's Fee		
			Witness Fees in Circuit Court		11 95
			Witness Fees in County Court		
			Removal Bill		
			Stenographer	5.00	5 00
			Board	Days at	
			Trial Tax	3.00	3 00
Total Clerk's Fees		10 85	Total Costs and Fines		61 05

WITNESSES	AMOUNT
Grand Jury Term Fall 1933	
M. H. Wilkens	
C. M. Armstrong	75
J. M. Hicks	75
Morris Hamilton	
J. F. Taylor	1 50
STATE WITNESSES:	2 25
Before Court of Conviction	4 10
Term, 1933	7 85

M. H. Wilkens	75	75
C. M. Armstrong	75	75
J. M. Hicks	75	75
Morris Hamilton	75	75
J. F. Taylor	1 85	1 85
	2 25	4 10

7 85
4 10

11 95

15
25
7 3
13 50
3 0

Pm

BILL OF COSTS

No. *549*

STATE

VS.

Rudolph White
et al

Amount, \$

Moore Ptg. Co , Bay Minette

The State of Alabama, }
Baldwin County.

TO ANY SHERIFF OF THE STATE OF
ALABAMA:

An indictment having been found against George Wright

_____ at the
September Term, 1933, of the Circuit Court of Baldwin County, for the offense of
Distilling

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 September 1933

M. A. Stone
Clerk of the Circuit Court of Baldwin County.

The State of Alabama, }
Baldwin County

We, George Wright, as principal and
the other undersigned as sureties, agree to pay the State of Aabama Five hundred
Dollars, unless the said George Wright
appears at the September 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
Distilling

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 Alabama.

Witness our hands and seals, this 1st day of Dec 1933

Eugene Casavant

Witness

George Wright (L. S.)

A. J. Sherry (L. S.)

A. D. White (L. S.)

_____ (L. S.)

_____ (L. S.)

Taken and approved this 2 day of Dec 1933

W. R. Street

Sheriff of Baldwin County.

CAPIAS

No. _____

THE STATE

vs.

George Wright

BAIL FIXED IN THIS CASE IN OPEN COURT

AT 500⁰⁰

BY _____

Judge Presiding.

ATTEST:

M. A. Stone

Clerk

Moore Printing Co. :::: Bay Minette, Ala.

Executed & 12/2/33 by
Arresting the within
Name & left & placing
him in jail
J. R. Stewart
Shff

The State of Alabama, }
Baldwin County.

TO ANY SHERIFF OF THE STATE OF
ALABAMA:

An indictment having been found against Medford White

_____ at the
September Term, 1933, of the Circuit Court of Baldwin County, for the offense of
Distilling

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 September 1933

M. A. Stone
Clerk of the Circuit Court of Baldwin County.

The State of Alabama, }
Baldwin County

We, Medford White, as principal and

the other undersigned as sureties, agree to pay the State of Alabama Five Hundred

Dollars, unless the said Medford White

appears at the September 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
Distilling

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 Alabama.

Witness our hands and seals, this 14 day of Sept 1933

Eugene Caravant
Witness

Medford White (L. S.)

A. J. Shivers (L. S.)

G. A. White (L. S.)

_____ (L. S.)

_____ (L. S.)

Taken and approved this 2nd day of Dec 1933

W. R. Stuart

Sheriff of Baldwin County.

CAPIAS

No. _____

THE STATE

vs.

Medford White

BAIL FIXED IN THIS CASE IN OPEN COURT

AT 500⁰⁰

BY _____
Judge Presiding.

ATTEST: M. A. Stone
Clerk

Moore Printing Co. Bay Minette, Ala.

H. R. Stuart

*Quoted 12/2/33 by
arresting the within
named deft and
placing him in
jail
H. R. Stuart
Shy*

The State of Alabama, { Baldwin County

Before me, J. M. Franklin, N.P. Ex-O. J. P.personally appeared M. H. Wilkins

who, being duly sworn, deposes and says that he has probable cause for believing and does believe that Rudolph White has in his possession or under his control spirituous
Vinous and malt liquors contrary to law

Sworn to and subscribed before me this

the 17th day of August 1933J. M. Franklin N.P. Ex-O. J. P.

SEARCH WARRANT

The State of Alabama. Baldwin County.

TO THE SHERIFF OR ANY CONSTABLE OF SAID COUNTY:

Proof by affidavit having been made this day before me, by M. H. Wilkinsthat he has probable cause for believing and does believe, that Rudolph White

has in his possession or under his control spirituous, Vinous and
malt liquors contrary to law

You are hereby commanded, in the day time, to make immediate search on the person of _____

Rudolph White his residence, barn, or other outhouses
on his premises or within the curtilage, thereof,

for the following property: Spirituous, Vinous and malt liquors

and if you find the same or any part thereof, to bring it forthwith before me, at my office at _____

Bayminette, AlaDated the 17th day of August 1933J. M. Franklin N.P. Ex-O. J. P.

#180
The State of Alabama,
BALDWIN COUNTY

AFFIDAVIT AND WRIT FOR
SEARCH WARRANT

JUSTICE COURT OF

EXECUTED BY

Searching the
premises of
Rudolph White
and finding
85 or 90 Gallons
of whiskey

W. R. Stewart

Sheriff

By M. H. Williams

Executed this 22nd
day

(B) The Court charges the Jury that before the Defendants can be convicted under Count 2 of the Indictment the State must show by the evidence that the still in the possession of the Defendants was such that prohibited liquors could have been made on it, and this must be shown beyond a reasonable doubt.

①

This Court charges the jury that
if you believe the evidence
that the defendant is
guilty of the crime charged
then the defendant is
guilty.

Refused
J. W. Hare Judge

*Wm. H. Hare
Judge*

(H) The Court charges the Jury that good character itself is part of the evidence in this case, and if the Jury upon considering all of the evidence have a reasonable doubt growing out of any part of the evidence, the Jury will give the Defendant the benefit of such doubt and acquit him.

*Given
to
H. H. H. H. H.*

(D) The Court charges the Jury that the Defendants entered into this trial with a presumption of innocence, and this is a fact in the case which must be considered with all the evidence and should not be disregarded.

*Exhibit
H. W. Hark
J. G. Hark*

(C) The Court charges the Jury that if you are not convinced beyond a reasonable doubt from the evidence that the Defendants had knowledge of the apparatus, device or substitute for a still, and that they had them for the purpose of manufacturing prohibited liquors, you cannot find the Defendants guilty.

(F) The Court charges the Jury that good character itself may, in connection with all the evidence, generate a reasonable doubt and entitle the Defendant to an acquittal even though without such proof of good character you would convict.

The State of Alabama, }
Baldwin County.

TO ANY SHERIFF OF THE STATE OF
ALABAMA:

An indictment having been found against Rudolph White

_____ at the
September Term, 1933, of the Circuit Court of Baldwin County, for the offense of
Distilling

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 September 1933

M. A. Stone
Clerk of the Circuit Court of Baldwin County.

The State of Alabama, }
Baldwin County

We, Rudolph White, as principal and
the other undersigned as sureties, agree to pay the State of Alabama Five hundred
Dollars, unless the said Rudolph White
appears at the September 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
Distilling

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 Alabama.

Witness our hands and seals, this 1st day of Dec 1933

Eugene Caravant

Witness

Rudolph White (L. S.)

A. J. Shivers (L. S.)

J. A. White (L. S.)

_____ (L. S.)

_____ (L. S.)

Taken and approved this 2nd day of Dec 1933

W. R. Brunt

Sheriff of Baldwin County.

Doerlet Page 84

CAPIAS

No. _____

THE STATE

vs.

Rudolph White

BAIL FIXED IN THIS CASE IN OPEN COURT

AT 500⁰⁰

BY _____
Judge Presiding.

ATTEST: W. A. Stone
Clerk

Moore Printing Co. 1111 Bay Minette, Ala.

Executed 12/23/33
by arresting the
within named
deft & placing
him in jail
W.R. Stuart
off

(3)

The Court charges the jury that -
if you believe the evidence
shows more-fault than defendant -
verdict with not guilty.

Replied
All Hon. Judge

*Union
Square
Judge*

(L) The Court charges the Jury that the only foundation for a verdict of guilty in this case is that the entire Jury shall believe from the evidence, beyond a reasonable doubt and to a moral certainty, that the Defendants are guilty as charged in the indictment, to the exclusion of every probability of their innocence and every reasonable doubt of their guilt, and if the prosecution has failed to furnish such measure of proof and to so impress the minds of the jury of their guilt, they should find them not guilty.

*Prove
W. H. Ware
George*

(K) The Court charges the Jury that a reasonable doubt may arise, though there is no probability of the Defendants' innocence in the testimony; and, if the Jury have not an abiding conviction to a moral certainty of their guilt, then they should find them not guilty.

*Primo
J. J. J.*

(J) The Court charges the Jury that if from the testimony there is a probability of Defendants' innocence, that is a just ground for a reasonable doubt; and if such probability exists in this case you cannot convict the Defendants.

*For the State
George*

(I) The Court charges the Jury that each juror is required to be satisfied of the guilt of the Defendants beyond a reasonable doubt before they are authorized to find a verdict of guilty, and each juror must be separately and segregately so satisfied to support a conviction.

*Wm. H. Hare
Judge*

(A) The Court charges the Jury that before you can convict the Defendants of possessing an apparatus for the purpose of making prohibited liquors, you must find that they had a complete apparatus.

Refused ~~get~~ Ware, (2) Judge

The court clerk for the
Hearings you believe the evidence
in this case you need find
then defend your Wright
not guilty

Revised March 24, 1934

(G) The Court charges the Jury that in all criminal cases under the law of our land every man on trial has the right to offer his standing in the community before the Jury, not for the purpose of disproving that he did not do a thing or that he did do a thing, but if he can show a good reputation it is for the Jury to look at that reputation in connection with all the rest of the evidence to say whether or not a man of such standing would have done a thing he is charged with having done, and if, after considering all the testimony, the Jury has a reasonable doubt as to whether a man would do what he is charged with having done, bearing that good reputation, if the Jury believe that has been established, then that may be sufficient to generate a reasonable doubt.

*Requard
J. W. H. H. H.
J. W. H. H. H.*

(E) The Court charges the Jury that the humane provision of the law is that everyone charged with crime is presumed to be innocent, and this presumption goes with him as a shield for his protection throughout the entire trial, until the State removes it by satisfying evidence of such a character as to establish his guilt to a moral certainty and beyond a reasonable doubt.

