

# 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 A. P. Pruitt

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 April 15th, 1939, that one Tom Crabtree 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 the said

Tom Crabtree

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

A. P. Pruitt

The above subscribed and sworn to before me this 17 day of April 1939

R. S. Duck

By Nan Alice Thompson--Deputy Clerk

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 Tom Crabtree

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

1939 to answer the State of Alabama on a charge of

V. P. L.

preferred by

Witness my hand this 17 day of April 1939

R. S. Duck

By Nan Alice Thompson--Deputy Clerk

Clerk of the Circuit Court

## 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 15 day of April, arresting the

within named Defendant Tom Crabtree

W. R. Stuart

Sheriff.

By A. P. Pruitt

Deputy Sheriff.

The State of Alabama, {  
Baldwin County

COUNTY COURT

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

as sureties, agree to pay the State of Alabama, the sum \_\_\_\_\_ Dollars,

unless the said \_\_\_\_\_ appears at the

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

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.

\_\_\_\_\_(SEAL)

\_\_\_\_\_(SEAL)

\_\_\_\_\_(SEAL)

\_\_\_\_\_[SEAL]

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_

\_\_\_\_\_  
Sheriff.

By \_\_\_\_\_ Deputy Sheriff.

JUDGMENT-ENTRY.

THE STATE  
No. 64 vs.

Tom Crabtree

COUNTY COURT,

May \_\_\_\_\_ Term, 193 9

5-1-39

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

\$50 & 90 days hard labor

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 \$ 500 \_\_\_\_\_, 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.

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 30 day of August 193 9

R.S. Duck

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

By Nan Alice Thompson

Deputy

THE STATE OF ALABAMA }  
Baldwin County.

## CIRCUIT COURT

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

Case No. 417

Term, \_\_\_\_\_

Fall, 1939

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

A. P. Penitt, M. B. Hamilton,  
B. F. Kucera, J. L. Bannow, George Phillips

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 28<sup>th</sup> 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 Tom Crabtree

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

Witness my hand this 8 day of Sept A. D., 1939.

R. S. DUCK, Clerk.

Received in office 9-8, 1939

Executed this 9-8, 1939

By Sewing

A. P. Pruitt

M. B. Hamilton

B. A. Kucera

J. L. Barrow

George Phillips

W. R. Shuck

Sheriff.

K

ORIGINAL

For \_\_\_\_\_

No. 417 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE  
Vs.

John Crakline

STATE SUBPOENA

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

\_\_\_\_\_, 1939.

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 A. P. PRUITT

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 April 15th, 1939, that one  
TOM CRABTREE did buy, sell, barter, carry, ship, exchange, or  
have in his possession, spirituous, vinous or malt liquors,  
contrary to law;

and that said offense has been committed in said County and State by TOM CRABTREE.  
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 17th day of April, 1939.

R. S. DUCK

Clerk of the Circuit Court.

By Hugh H. Thompson  
Deputy

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

# COUNTY COURT

BALDWIN COUNTY

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

Against TOM CRABTREE

For the offense of V.P.L.

Filed this 17th day  
of April, 1939.

R. S. DUCK, Clerk.

## STATE WITNESSES:

A.P.Fruitt, M.B.Hamilton,

B.F.Kucera, J.L.Barrow,

George Phillips

DEFENDANT MAY GIVE BAIL OF

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

Clerk Circuit Court.

Baldwin Times Print

**STATE OF ALABAMA,**  
**Baldwin County**

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETING:

You are hereby commanded to arrest TOM CRABTREE

and bring him before the Judge of the County Court on the 1st day of May  
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 17th day of April, 1939.

**R. S. DUCK**

Clerk of the Circuit Court.

By Paul H. Thompson  
Deputy

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

**The State Of Alabama**  
**BALDWIN COUNTY**

COUNTY COURT.

**The State**

VS.

TOM CRAETREE

V. P. L.

**Warrant Of Arrest**

WITNESSES FOR THE STATE

Baldwin Times Print

Executed this 15<sup>th</sup> day of April, 1939

By arresting the within named Defendant,

Tom Craetree

and placing him

in Jail

W. R. Stuart

Sheriff.

A. J. Pruitt

D. S.



# HARD LABOR TRANSCRIPT

THE STATE OF ALABAMA.

Baldwin COUNTY

Circuit Court of Baldwin County.

I, R. S. Duck, Clerk of the Circuit  
Court of Baldwin County, do hereby certify that  
TOM CRABTREE was convicted of the offense  
of V. P. I. in said Court and was sentenced  
to hard labor for the County of Baldwin, on the date, for the term and  
amount of costs, stated and itemized below:

Case No. 417

THE STATE OF ALABAMA

Vs.

TOM CRABTREE, Color White

Term

OFFENSE: V.P.I.

Additional Hard Labor: \_\_\_\_\_

Fine of \$ 100.00, 30 days

Costs 60.35; 25 days

Total Sentence; 115 days

Date: April 22nd, 1940, 193

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

Arrive Kilby \_\_\_\_\_, 193

Transferred to \_\_\_\_\_ Prison

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

If Case Appealed:

Date appealed: \_\_\_\_\_

Court from which appealed: \_\_\_\_\_

Date of final determination: \_\_\_\_\_

Date sentence begins: \_\_\_\_\_

Remarks

If original charge of offense different from con-  
viction, state original charge of offense here \_\_\_\_\_

~~Sentence suspended pending good behavior~~  
and defendant placed on probation for  
12 months.

WITNESS my hand, this 29th day of April, 1940, 193

R. S. Duck

Clerk of the Circuit Court of Baldwin County  
Clerks are urged to use this form in Hard Labor Cases

Itemized Total Costs Lower Court If Case Appealed

Case No. 64

| CLERK'S FEES                          |  | Charged to Defendant | Paid Per Sec 3667 |                            |                   |                | Charged to Defendant | Paid Per Sec 3667 |
|---------------------------------------|--|----------------------|-------------------|----------------------------|-------------------|----------------|----------------------|-------------------|
|                                       |  |                      |                   |                            | Miles 5c Per Mile | Days 75c a Day | Amount               | Amount            |
| Issuing 5 Subpoena for State Witness  |  | 1.25                 | 1.25              | State Witnesses            |                   |                |                      |                   |
| Docketing cause                       |  | .10                  | .10               | Before Court of Conviction |                   |                |                      |                   |
| Issuing capias or warrant once        |  | .50                  | .50               |                            |                   |                |                      |                   |
| Trial                                 |  | .50                  | .50               | A. P. Pruitt               |                   |                |                      |                   |
| Entering Judgment                     |  | .25                  | .25               | B. F. Kucera               |                   |                |                      |                   |
| Entering final judgment               |  |                      |                   | M. B. Hamilton             |                   |                |                      |                   |
| Record for court for each 100 words   |  |                      |                   | J. L. Barrow               |                   | 1              | .75                  |                   |
| Final record for each 100 words       |  | .75                  | .75               | George Phillips            | 24                | 1              | 2.45                 |                   |
| Entering forfeiture against defendant |  |                      |                   |                            |                   |                |                      |                   |
| Continuance                           |  |                      |                   |                            |                   |                |                      |                   |
| Total                                 |  | 3.33                 | 3.35              |                            |                   |                |                      |                   |
| Sheriff W. A. Stuart                  |  |                      |                   |                            |                   |                |                      |                   |
| Name                                  |  |                      |                   |                            |                   |                |                      |                   |
| Executing writ or warrant of arrest   |  | 2.00                 | 2.00              |                            |                   |                |                      |                   |
| Approving bond                        |  | 1.00                 | 1.00              |                            |                   |                |                      |                   |
| Serving Subp. for 5 State Witness     |  | 2.50                 | 2.50              |                            |                   |                |                      |                   |
| Committing prisoner to jail           |  | 2.00                 | 1.00              |                            |                   |                |                      |                   |
| Date Committed                        |  |                      |                   |                            |                   |                |                      |                   |
| Mileage Seizure                       |  |                      |                   |                            |                   |                |                      |                   |
| Total                                 |  | 7.50                 | 6.50              |                            |                   |                |                      |                   |
| 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                        |  | 30.00                | 30.00             |                            |                   |                |                      |                   |
| Solicitor Fee                         |  |                      |                   |                            |                   |                |                      |                   |
| Continuances in County Court          |  | 5.00                 |                   |                            |                   |                |                      |                   |
| Trial Tax Fee                         |  | 3.35                 | 3.35              |                            |                   |                |                      |                   |
| Clerk's Fees                          |  | 7.50                 | 6.50              |                            |                   |                |                      |                   |
| Sheriff's Fees                        |  |                      |                   |                            |                   |                |                      |                   |
| Magistrate and Constable              |  | 3.20                 | 3.20              |                            |                   |                |                      |                   |
| State Witness Fees                    |  |                      |                   |                            |                   |                |                      |                   |
| Removal Bill                          |  |                      |                   |                            |                   |                |                      |                   |
| Value of Property                     |  |                      |                   |                            |                   |                |                      |                   |
| Total Amount of Costs                 |  | 49.05                | 43.05             |                            |                   |                |                      |                   |

| State Witnesses            | Miles       | Days      | Amount |
|----------------------------|-------------|-----------|--------|
| Before Court of Conviction | 5c Per Mile | 75c a Day |        |
| A. P. Pruitt               |             |           |        |
| B. F. Kucera               |             |           |        |
| M. B. Hamilton             |             |           |        |
| J. L. Barrow               |             | 1         | .75    |
| George Phillips            | 24          | 1         | 2.45   |
| Total Witness Fees         | 24          | 2         | 3.20   |

Remarks Appealed from County Court-May term, 1939

TO THE HONORABLE STATE COMPTROLLER

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

This day of 194

Chief Clerk Convict Department

33-  
150-  
486-

Hard Labor and Misdemeanor Cases Only

Date of original conviction 4/22/40

STATE OF ALABAMA, BALDWIN COUNTY.

I hereby certify that TOM CRABTREE

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 V. P. L.

THE STATE, No. 417

TOM CRABTREE

(Date of Sentence) 4/22/40

(Date of Affirmance) same

Term of Sentence \$100.00 fine and costs-sentence

| CLERK'S FEES                                | Charged to Defendant | Paid Per Sec 3667 |                            |             |           | Charged to Defendant | Paid Per Sec 3667 |
|---|----------------------|-------------------|----------------------------|-------------|-----------|----------------------|-------------------|
| Recording Indictment.....                   |                      |                   |                            |             |           |                      |                   |
| Issuing 5 Subpoena for State Witness        | 1.25                 | 1.25              | 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 .....                        | 3.00                 | 3.00              |                            |             |           |                      |                   |
| Final record for each 100 words .....       |                      |                   |                            |             |           |                      |                   |
| Entering forfeiture against defendant ..... | .45                  | .45               |                            |             |           |                      |                   |
| Making transcript and certificate for       |                      |                   |                            |             |           |                      |                   |
| each 100 words.....                         |                      |                   |                            |             |           |                      |                   |
| Continuance .....                           |                      |                   |                            |             |           |                      |                   |
| Total .....                                 | 5.80                 | 5.80              |                            |             |           |                      |                   |
| Sheriff W. R. Stuart                        |                      |                   |                            |             |           |                      |                   |
| Name .....                                  |                      |                   |                            |             |           |                      |                   |
| Executing writ or warrant of arrest .....   |                      |                   |                            |             |           |                      |                   |
| Approving bond .....                        |                      |                   |                            |             |           |                      |                   |
| Serving Subp. for 5 State Witness .....     | 2.50                 | 2.50              |                            |             |           |                      |                   |
| Guard fee .....                             |                      |                   |                            |             |           |                      |                   |
| Date Committed .....                        |                      |                   |                            |             |           |                      |                   |
| Mileage ..... Seizure .....                 |                      |                   | Before Court of Conviction |             |           |                      |                   |
| Total .....                                 | 2.50                 | 2.50              | A. P. Pruitt               |             |           |                      |                   |
| Justice .....                               |                      |                   | M. E. Hamilton             |             |           |                      |                   |
| Name .....                                  |                      |                   | B. F. Kucera               |             |           |                      |                   |
| Complaint .....                             |                      |                   | J. L. Barrow               |             |           |                      |                   |
| Warrant .....                               |                      |                   | George Phillips            |             |           |                      |                   |
| 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 .....          | 3.00                 |                   |                            |             |           |                      |                   |
| Trial Tax Fee .....                         |                      |                   |                            |             |           |                      |                   |
| Fee when stenographer used .....            | 5.80                 | 5.80              |                            |             |           |                      |                   |
| Clerk's Fees .....                          | 2.50                 | 2.50              |                            |             |           |                      |                   |
| Sheriff's Fees .....                        |                      |                   |                            |             |           |                      |                   |
| Magistrate and Constable .....              |                      |                   |                            |             |           |                      |                   |
| State Witness Fees .....                    |                      |                   |                            |             |           |                      |                   |
| Removal Bill .....                          |                      |                   |                            |             |           |                      |                   |
| Value of Property .....                     | 49.05                | 43.05             |                            |             |           |                      |                   |
| Case Appealed — Total costs                 |                      |                   |                            |             |           |                      |                   |
| lower Court — Over .....                    |                      |                   |                            |             |           |                      |                   |
| Total amount of costs                       | 60.35                | 51.35             | Total Witness Fees         |             |           |                      |                   |

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 29th day of April, 1940