

AFFIDAVIT

1037

Moore Printing Co., Bay Minette, Ala

STATE OF ALABAMA,  
BALDWIN COUNTY

IN THE JUSTICE COURT OF

G. E. Perkins

Justice of the Peace

Before me,

in and for said County, personally appeared Mrs. Ella Downing who, being duly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said county, on or about 6 day of September 1948 that one James W. Downing

did on the 21th. day of August 1948, procured a marriage license to we one Miss Luck, of Robertsdale, Ala., said license was returned to the Probate office on the 28th. day of August 1948, by the Babtist minister of Robertsdale, Ala., in sucuring this license the said James W. Downing had not secured a Divorce from Ella Downing.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 13

day of September A. D. 1948

G. E. Perkins, J. P.

*Mrs James Downing*

WARRANT

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commaded to arrest James W. Downing

and bring him

before me ~~County Court~~ to answer the State of Alabama on a charge Bigamy

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

Witness my hand this 13 day of ~~February~~ September, 1948

G. E. Perkins, J. P.

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

THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT OF

AFFIDAVIT

THE STATE OF ALABAMA

vs.

*James W. Dawning*  
*Bigamy* 1

WITNESSES FOR THE STATE:

JUSTICE COURT OF  
BALDWIN COUNTY

WARRANT OF ARREST  
THE STATE OF ALABAMA

vs.

Executed this 15 day of Sept, 1944

By arresting the within

named Defendant

and placing him in Jail

*Taylor Wilkins* Sheriff

*H. F. Hall* Deputy Sheriff

*0 miles*

THE STATE OF ALABAMA, }  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:  
An indictment having been found against

James W. Downin

at the Nov Term, 1948, of the Circuit Court of Baldwin County, for the offense of

Bigamy

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 accord-  
ing to law

Dated this 1 day of Nov, 1948.

Alice W. Duck  
Alice W. Duck

Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }  
Baldwin County

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

the other undersigned as sureties, agree to pay the State of Alabama \_\_\_\_\_

Dollars, unless the said \_\_\_\_\_ appears

at the \_\_\_\_\_ 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 \_\_\_\_\_

In signing the above bond we and each of us hereby waive all legal rights of exemptions al-  
lowed us by the Constitution and Laws of Alabama.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 1948.

James W. Downin (L. S.)

A. J. Harvey (L. S.)

Ray J. Chappell (L. S.)

Alex G. Harvey (L. S.)

Ray J. Chappell (L. S.)

\_\_\_\_\_ (L. S.)

Taken and approved 22 day of Nov, 1948

Taylor Wickris  
Sheriff of Baldwin County.

By Garrin B. Griffin (L. S.)

1037

**CAPIAS**

No. 17

**THE STATE**

vs.

James W. Downing

Bail Fixed in This Case in Open Court at

\$ 1000.00

By F. W. Hare  
Judge Presiding.

Attest: Alice J. Duck  
Clerk.

Executed this 27 day of Nov, 1948

By arresting the within

named Defendant

and placing him in jail

Taylor Watkins, Sheriff

Zoe B. Goff, Deputy Sheriff

*[Faint handwritten notes and signatures in the right margin]*

RECORDED

No. ....

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

Fall Session ~~Term~~ 194 8

THE STATE  
Vs.

James W. Downing

INDICTMENT

Bigamy  
No Prosecutor.

WITNESSES:

Mrs. Bonnie Hall Downing

Mrs. Bonnie Luekey Downing

Ella Low Byrd

Judge W. R. Stuart

Taylor Wilkins

GRAND JURY NO. 17

A TRUE BILL

*Tom Millau*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 4<sup>th</sup> day of  
Nov, 1948.

*Arice J. Wrench* Clerk.

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

*Arice J. Wrench*  
Clerk.

Bail fixed \$1000<sup>00</sup>

*J. W. Hare*  
Judge.

THE STATE OF ALABAMA,

Baldwin County.

Circuit Court, Fall Session ~~Form~~, 194 8

The Grand Jury of said County charge that before finding this indictment

James W. Downing, whose name is to the Grand Jury otherwise unknown, having a wife then living, unlawfully married on Bonnie Luckey,

BY THE GRAND JURY

*[Handwritten signature]*

*[Faint, mostly illegible text, possibly a return or additional charges]*

against the peace and dignity of the State of Alabama.

*[Handwritten signature]*  
Solicitor of the Twenty-First Judicial Circuit.

THE STATE OF ALABAMA }  
BALDWIN COUNTY.

No. 17

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are hereby commanded to summon Mrs. Burney Hall Downing  
(Castleberry or Repton)  
Mrs. Bernice Huckie Downing  
Ella Lou Byrd

to be and appear on the 1st day of November, 1938, before the Grand Jury of said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this the 8 day of Oct., 1938.

Alice J. Duck

Solicitor.

*[Signature]*

Repton  
Robert Adams

ORIGINAL

No. 17

GRAND JURY SUBPOENA

I have executed this Subpoena by serving a copy thereof on the following persons, to-wit:

Mrs. Beronice Evelyn Doring  
served 10-14-48

Ella Lou Boyd 10-22-48

this \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_\_

Taylor Wilkins, Sheriff



THE STATE OF ALABAMA, }  
Baldwin County.

No. 17

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You are hereby commanded to summon Mrs. Burney Hall Downing

if to be found in your county, at the instance of the State of Alabama, to appear before the Circuit Court of Baldwin County, at the Court House thereof, in said County, on the 1st day of November, 1948, and from day to day thereafter, until discharged, to give evidence and the truth to speak before the Grand Jury of said County, concerning certain matters to be investigated by the said Grand Jury.

Herein fail not, and have you then and there this Writ.

Witness my hand this 8 day of Oct., A. D. 1948

Attest:

Alice J. Duck, Clerk

THE STATE OF ALABAMA }  
BALDWIN COUNTY.

No. 17

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

You are hereby commanded to summon

*Mrs. Barney Hall Downing*

to be and appear on the 12<sup>th</sup> day of Nov, 1938, before the Grand Jury of said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this the 8<sup>th</sup> day of Oct, 1938.



*Alice J. Neuch* <sup>clerk</sup>  
Solicitor.

ORIGINAL

No. 17

GRAND JURY SUBPOENA

I have executed this Subpoena by serving a copy thereof on the following persons, to-wit:

Not found in  
Connech County

this 23 day of Oct 1948

W. D. Lewis, Sheriff  
Walter Lee N. S.

THE STATE OF ALABAMA }  
Baldwin County }

We, C. V. Evans and S. W. Pierce, as  
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of \$15.00  
Fifteen Hundred DOLLARS  
unless the said James W. Downing appear at the  
Fall Term, 1948 of the Grand Jury Court of Baldwin County, Alabama,  
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of  
Bigamy

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt, by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the  
\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, Baldwin County, Ala.

James W Downing (Seal)  
C. V. Evans By R. J. Foster (Seal) *city in fall*  
S. W. Pierce (Seal)  
\_\_\_\_\_, (Seal)

Taken and approved this the 21 day of Sept 1948  
Taylor Wilkins, Sheriff  
By \_\_\_\_\_, Deputy Sheriff

State of Alabama, }  
County of Mobile. }

I, W. H. Holcombe, Sheriff of Mobile County, Alabama, hereby certify that the within Bond is a good and sufficient Bond, and if presented to me, in Mobile County, I would accept same.

This the 21 day of Sept 1908  
Mobile Co., Ala. W. H. Holcombe  
W. H. Holcombe

By H. C. Hall - J. S.

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

**The State of Alabama,**  
BALDWIN COUNTY

\_\_\_\_\_ COURT

**SHERIFF'S OFFICE**

**The State**

VS.

**Sheriff's Appearance Bond**

Amount of Bond, \$ \_\_\_\_\_

Filed \_\_\_\_\_, 19\_\_\_\_

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

G. E. PERKINS

Justice of the Peace  
Fairhope, Alabama

Sept. 20th. 1948

Mrs. Duck  
Clerk Circuit Court  
Bay Minette, Ala.  
Dear Mrs. Duck;-

Inclosed trancrip of proceedings, in case of  
the State of Alabama, V. S. James W. Downing, charged Bigamy.  
The Layer for Mr. Downing, waived trial in Justice Court, to  
the Next regular sitting of the Grand Jury, bond fixted at  
\$1500.00 dollars, the Sheiff of course is to approve the bond.

Yours Very Resp.



## Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

Attorneys	Case	Charge
George Stanard No. for Defendant	THE STATE OF ALABAMA,  Vs.  James W. Downing	Bigamy

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <b>Mrs. James Downing</b>	Judge's Fees	
Returnable <b>Justice Court, of G. E. Perkins</b>	Warrant at 50c, Affidavit at 25c	.75
Witness—for State <b>Mrs. Barney Hall Downing</b>	Bond at 50c, Sci Fa at 50c	
<b>address not definately known, either Castlebery or</b>	Witnesses' Recognizances at 25c	
<b>Repton, Ala. Mrs. Berniece Luckie Downing, Robertsda</b>	Subpoena or notice at 25c	
<b>Ala.</b>	Continuance at 25c	
<b>The Attorney for Defendant, waived trial from</b>	Trial of Misdemeanor at \$1.00	
<b>Justice Court, to the next regular sitting of the</b>	Mittimus at 25c	.25
<b>Grand Jury, bond being fixted at \$1500.00 dollars.</b>	Judgment on Forfeited Bond at 25c	
<b>Witness my hand this 20th. day of September 1948.</b>	Taking Bond, etc, on Appeal at \$1.00	
<i>G. E. Perkins, J. D.</i>	Execution of costs at 25c	
	<b>Transcript of Proceedings</b>	<b>.50</b>
	Subpoena or Notice at 25c	
	Carrying Defendant before Justice	
	each mile for himself and guard at 10c	
	Arrest 50c	
	Sheriff's Fees	
	Arrest \$2.00, Bond \$1.00, Sci. Fa 50c	\$4.00
	Committing \$1.00, Releasing \$1.00	2.00
	Subpoenas at 25c Day's Board at 30c	
	Witness Fees	
	Days at 50c	6.00
	" 50c	1.00
	" 50c	.50
	" 50c	.50
	" 50c	.50
	" 50c	.50
	" 50c	.50
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c	
	Subpoenas at 25c	
	Executing Subpoenas	