

1292

TRANSCRIPT

APPEAL FROM COUNTY COURT TO CIRCUIT COURT

AFFIDAVIT OR COMPLAINT

The State of Alabama, }
Baldwin County

COUNTY COURT

T. C. HAND

Before me, ~~ALICE J. DECK, Clerk of the Circuit Court of said County, in said State, personally~~
appeared JAMES W. CHANCELEY

who, being duly sworn according to law, doth depose and say that HE has probable cause for believing, and does believe, that 23 March 1951 Lorena Smith in the presence of women and children made use of abusive, insulting and obscene language.

and that said offense has been committed in said County and State by the said LORENA SMITH

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

T. C. HAND

The above subscribed and sworn to before me this 24th day of March 1951

T. C. HAND J. P.

~~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 LORENA SMITH

and bring HIM before the Judge of the County Court on the day of NEXT 1951 to answer the State of Alabama on a charge of ABUSIVE OBSCENE AND INSULTING, LANGUAGE.

preferred by _____

Witness my hand this 24 day of March 1951

T. C. HAND

J. P.

~~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 24, by arresting the

within named Defendant and placing him in jail.

TAYLOR WILKINS

Sheriff.

By GEORGE HARTLEY

Deputy Sheriff.

The State of Alabama,
Baldwin County.

COUNTY COURT

RECORDED

We, LORENA SMITH, as principal, and

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

unless the said LORENA SMITH appears at the

MARCH 31 Term, 1951, 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.

LORENA SMITH (SEAL)

J. SMITH (SEAL)

JOHN C. MORREL (SEAL)

(SEAL)

Taken and approved 24th day of March 19 51

TAYLOR WILKINS Sheriff.

By _____ Deputy Sheriff.

JUDGMENT ENTRY.

THE STATE
No. 3606 vs.

LORENA SMITH

COUNTY COURT.

Term, 19 _____

4-2-51 19____, 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 Ten 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.

W. R. STUART 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.

W. R. STUART Judge of County Court.

CERTIFICATE OF TRANSCRIPT.

The State of Alabama,
Baldwin County.

I, ALICE J. DUCK, 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.

Lorena Smith

Witness my hand this 29th day of Aug 1951

Alice J. Duck
Clerk of the Circuit Court and Ex-Officio Clerk of the County Court.

The State of Alabama, }
Baldwin County. }

CIRCUIT COURT

Fall

Term, 1951


On Appeal from County Court.

THE STATE vs. LORENA SMITH

The State of Alabama, by its Solicitor, complains of Lorena Smith

that
in said county and within twelve months before the commencement of this prosecution she did
go sufficiently near to the dwelling house of another, to-wit, Ida Chancley and
Emma Lee Chancley, and, in the presence or within the hearing of the family, or
a member of the family or the occupants thereof made use of abusive, insulting,
or obscene language; or, in the presence or hearing of a woman, made use of abusive,
insulting, or obscene language,

contrary to law and against the peace and dignity of the State of Alabama.


Solicitor.

No. 1292

STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE

vs.

LORENA SMITH

CHARGE:

Abusive Language

COMPLAINT

Filed

9-13

19

5-1

Alvin J. ...

Clerk

Alias
CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
Baldwin County } *appealed from County Court*
An indictment having been found against

Lorena Smith

at the _____ Term, 19_____, of the Circuit Court of Baldwin County, for the offense of

Abusive Language

you are, therefore, commanded forthwith to arrest the said Defendant and commit *her*

to jail, unless ~~she~~ give bail to answer said indictment, and that you return this Writ according to law.

Dated this *10th* day of *June*, 19*52*

Alicia W. ...
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 allowed
us by the Constitution and Laws of the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19_____

Sheriff of Baldwin County.

W. C. S.
CAPIAS

No. *1297*

THE STATE

vs.

Lorena Smith

Bail Fixed in This Case in Open Court at

\$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Executed this *1* day of *July*, 19*52*

By arresting the within
named Defendant

and placing him *on Bond*

Taylor Welkin, Sheriff

W. F. Wolf, Deputy Sheriff

Daphne

THE STATE OF ALABAMA }
Baldwin County }

We, Lorena Smith, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Two Hundred Dollars \$200⁰⁰ DOLLARS unless the said Lorena Smith appear at the Next Term, 1951 of the Circuit Court, of Baldwin County, Alabama, and from term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Abusive Language

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.

Lorena Smith (Seal)
John L. Merrill (Seal)
J. Smith (Seal)
_____ (Seal)

Taken and approved this the 1 day of July, 1951

Taylor W. Wilburn, Sheriff
By W. F. Hall, Deputy Sheriff

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

_____ COURT

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 19____

_____, Clerk

STATE OF ALABAMA

Baldwin County

Case No.

1292

No.

3599

The State of Alabama

vs.

In the

Cir Court of Baldwin County, Alabama

Before me, *W. C. Smith*, Clerk of the *Cir* Court of Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, in the above mentioned court, in executing the warrant of arrest or in arresting the said defendant, I or one of my duly authorized deputies, traveled *54* miles by the most direct route to the point of arrest and return, and I am entitled to mileage at ten cents per mile to be taxed as costs in the case.

Point of Arrest.

Wapona

Taylor Wilkins Sheriff

Subscribed and sworn to before me this

2

day of

July

195

Disposition

Clerk Circuit Court

After considering the above affidavit made by the Sheriff of Baldwin County, Alabama, I, as the trial Judge of said court, do hereby approve the claim for mileage in the sum of \$_____ incurred in the making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the clerk of the court to tax the said sum as part of the costs in said case.

This the _____ day of _____ 195_____

Judge of the above named court

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