

1531

1539

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Fall Session, 195 2

The Grand Jury of said County charge that before the finding of this indictment and since November 15, 1951, BLANCHARD STALLWORTH, JR., whose name is to the Grand Jury otherwise unknown, in the nighttime, unlawfully drove a passenger motor vehicle on U. S. Highway 31, a public highway, in Baldwin County, Alabama, at a speed of, to-wit, sixty-five miles per hour, the maximum prima facie lawful speed being then and there fifty miles per hour, there being then and there erected appropriate signs giving notice of said prima facie lawful speed, contrary to law, and in violation of an order issued on November 15, 1951, by the Director of Public Safety of the State of Alabama, with the approval of the Governor of said State, pursuant to the provisions of Section 3 of Act Number 516, General and Local Acts, 1949, page 740, against the peace and dignity of the State of Alabama.

2. The Grand Jury of said County further charge that before the finding of this indictment BLANCHARD STALLWORTH, JR., whose name is to the Grand Jury otherwise unknown, drove a motor vehicle upon U. S. Highway 31, a public highway, in Baldwin County, Alabama, carelessly and heedlessly in wilful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger a person or property,

against the peace and dignity of the State of Alabama.

WILLIAM R. LAUTEN
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

Fall Session, 1952.....

THE STATE

Vs.

BLANCHARD STALLWORTH, JR.

INDICTMENT

Speeding and Reckless Driving

No Prosecutor.

WITNESSES:

Joe Smelley

C. E. Jarvis

H. Baker

GRAND JURY NO. 39

A TRUE BILL

John H. Evans
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16th day of

October, 1952.
Archie J. Leuck, Clerk

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in

the presence of 17 other Grand Jurors.

Archie J. Leuck
Clerk.

Bail fixed \$ 2000~~00~~

J. J. Malbury, Jr.
Judge.

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 52

To the Clerk of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said County, in a certain cause lately pending in said Court between

State of Alabama, Appellant,

and

Blanchard Stallworth, Appellee,

wherein by said Court, at the Term, 19, it was considered adversely to said appellant, were brought before our Court of Appeals, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 9th day of June 19 53,

that the said appeal be and stand dismissed; and that no further consideration of the appeal be had.

~~no costs on the appeal be had~~

~~pay the costs accruing on said appeal in this Court and in the Court below~~

Witness Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, at the Capitol, this the 9th day of June 19 53

Charles Bricken, Jr. Clerk of the Court of Appeals of Alabama.

1534

THE COURT OF APPEALS OF ALABAMA

October Term, 19 52

1st Div. No. 661

State of Alabama

Appellant.....

v.

Blanchard Stallworth

Appellee.....

From Baldwin Circuit Court

CERTIFICATE OF DISMISSAL
No opinion

The State of Alabama, }
County. } Filed

this day of 19

STATE OF ALABAMA

V.

BLANCHARD STALLWORTH,
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

CRIMINAL DIVISION. NO. 1539.

JUDGMENT

This day, in open Court, came the State of Alabama, by its Solicitor, and the Defendant in his own proper person, and with his attorney, and Defendant's Demurrer filed on November 17, 1952, to the indictment in this case, coming on to be heard and being argued by counsel and understood by the Court:

IT IS ORDERED AND ADJUDGED by the Court that the Demurrer to the indictment in this case, as to Count 1, be, and the same is hereby sustained on the ground that the law, order or regulation issued by the State Director of Public Safety and the State Highway Director, with the approval of the Governor of Alabama, pursuant to the provision of Section 3 of Act Number 516 General and Local Acts 1941, page 740, of which Count 1 of said Indictment charges a violation, is invalid and unconstitutional.

IT IS FURTHER ORDERED AND ADJUDGED that the rule or regulation above referred to is invalid and unconstitutional in that it violates Section 43 of the Alabama Constitution of 1901.

IT IS FURTHER ORDERED AND ADJUDGED that the rule or regulation above referred to is invalid and unconstitutional in that it violates Section 44 of the Alabama Constitution of 1901.

IT IS FURTHER ORDERED AND ADJUDGED that the said rule or regulation is invalid and unconstitutional in that the said rule or regulation is an attempt by the Executive Branch of the Government of the State of Alabama to exercise a power reserved for the Legislative Branch of the Government of the State of Alabama.

IT IS FURTHER ORDERED AND ADJUDGED that the Demurrer as to Count 2 of said indictment be, and the same is hereby overruled.

IT IS FURTHER ORDERED AND ADJUDGED that a nolle prosequi be and the same is hereby entered as to Count 2 of the said Indictment, on motion of the Solicitor.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the Defendant be and he is hereby discharged.

And to which ruling of the Court the State excepts and gives notice of appeal.

Done and ordered this 17th day of November, 1952.

J. Fair J. Marshall, Jr.
Circuit Judge

STATE OF ALABAMA
VERSUS
BLANCHARD STALLWORTH, JR.

No. 1539

JUDGMENT DECLARING LAW UN-
CONSTITUTIONAL.

*Filed 11-26-52
Rivie French
Clerk*

STATE OF ALABAMA

VERSUS

BLANCHARD STALLWORTH, JR.,

Defendant.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CRIMINAL DIVISION

No. 1539

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that in the above styled cause, which was determined in this Court on the 17th day of November, 1952, and the defendant discharged on his demurrer to the indictment, the State, on the 21st day of November, 1952, gave notice of appeal to the Court of Appeals of Alabama.

I further certify that on the _____ day of November, 1952, notice of appeal was served on Honorable J. B. Blackburn, attorney of record for the defendant.

Witness my hand this _____ day of November, 1952.

Clerk of the Circuit Court of
Baldwin County, Alabama

RECORDED

1952

INDEXED

NOV 21 1952

CLERK

ALICE J. DUCK

STATE OF ALABAMA
VERSUS
BLANCHARD STALLWORTH, JR.
Defendant.

No. 1539

CERTIFICATE OF APPEAL

*Write on
Manuscript paper*

State of Alabama vs. Blanchard Stallworth, Jr.

Case No. 1539

Appeal from the Circuit Court of the County of ...

... of the State of Alabama ...

... of the State of Alabama ...

... of the State of Alabama ...

... of the State of Alabama ...

... of the State of Alabama ...

... of the State of Alabama ...

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STATE OF ALABAMA	§	IN THE CIRCUIT COURT OF
VERSUS	§	BALDWIN COUNTY, ALABAMA
BLANCHARD STALLWORTH, JR.,	§	CRIMINAL DIVISION
Defendant.		No. 1539

Whereas the above named defendant was charged by indictment of the Grand Jury of said County at its Fall Session, 1952, charging him by Count One thereof with a violation of a rule or regulation promulgated by the Director of Public Safety, with the approval of the Governor of said State, in that the said defendant did exceed the prima facie speed permitted by such rule or regulation, while driving a motor vehicle upon a public highway covered by such rule or regulation in Baldwin County, Alabama, and such violation having taken place prior to the finding of the said indictment; and

Whereas by Count Two of the said indictment the said defendant was charged with the offense of driving a motor vehicle upon a public highway in Baldwin County, Alabama, recklessly; and

Whereas a demurrer to the said indictment was filed by the defendant which demurrer raised the question of the constitutionality of the said rule or regulation of which Count One of said indictment charged a violation; and

Whereas, on the 17th day of November, 1952, the date said case came on for trial, on argument of the demurrer to the said indictment, the Honorable Telfair J. Mashburn, Jr., Judge of the Circuit Court of Baldwin County, Alabama, did enter a judgment sustaining the said demurrer on the ground that the rule or regulation above referred to, as to Count One of said indictment, was invalid and unconstitutional and did adjudge and decree that the said rule or regulation above referred to was invalid and unconstitutional; and did enter a judgment overruling the demurrer as to Count Two of said indictment; and

Whereas a judgment of nolle prosequi was issued by said Court, on motion of the Solicitor, as to Count Two of said indictment;

2.

Now comes the State of Alabama, by its Solicitor, and files notice of appeal with the said Court, from the judgment and decree of said Court, to the COURT OF APPEALS OF ALABAMA.

William R. James
Solicitor of the 28th Judicial Circuit

8

STATE OF ALABAMA

VERSUS

BLANCHARD STALLWORTH, JR.

Defendant.

No. 1539

NOTICE OF APPEAL

FILED

NOV 21 1952

ALICE J. DUCK, Clerk

Vertical text on the right side of the page, possibly bleed-through from the reverse side. It is mostly illegible but appears to contain words like "NOTICE OF APPEAL" and "FILED".

STATE OF ALABAMA	§	IN THE CIRCUIT COURT OF
VERSUS	§	BALDWIN COUNTY, ALABAMA
BLANCHARD STALLWORTH, JR.,	§	CRIMINAL DIVISION
Defendant.	§	No. 1539

CITATION ON APPEAL

To Blanchard Stallworth, Jr., or J. B. Blackburn, Attorney of Record:

Whereas, State of Alabama has taken an appeal from the judgment of said Court, rendered at the November 17, 1952, Term, thereof, in the above stated cause, returnable to the next term of the Court of Appeals of Alabama;

Now, you are therefore cited to appear at the next term of said Court of Appeals to defend on said appeal, if you shall see proper so to do.

Witness this 21st day of November, 1952.

Alice J. Renick
Clerk.

Issued November 21, 1952.

Alice J. Renick
Clerk.

Executed by serving a copy on J. B. Blackburn on this 24 day of November, 1952.

Taylor Wilkins, Sheriff.

CITATION ON APPEAL

[Faint handwritten notes and stamps at the bottom of the page, including a vertical stamp on the right side.]

Received in Sheriff's Office
this 22 day of Nov 1952
TAYLOR WILKINS, Sheriff

(6)

Executed Nov. 24, 1952
By serving a copy
of the within
citation of appeal
on J. B. Blackburn
attorney of record

Taylor Wilkins
Sheriff
By 147 Hall P.S.

STATE OF ALABAMA
VERSUS
BLANCHARD STALLWORTH, JR.
Defendant.

No. 1539

CITATION ON APPEAL

FILED
NOV 21 1952
ALICE J. BUCK, Clerk

[Faint, mostly illegible text, likely bleed-through from the reverse side of the document]

CAPIAS

Moore Printing Co.,

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
Baldwin County

An indictment having been found against

Blanchard Stallworth Jr.

at the Fall Term, 1952, of the Circuit Court of Baldwin County, for the offense of

Speeding and reckless driving

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 16 day of Oct, 1952

Alice J. Couch
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA }
Baldwin County

We, Blanchard Stallworth Jr, as principal and

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

Dollars, unless the said Blanchard Stallworth Jr 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 _____

Speeding and Reckless Driving

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_____

Blanchard Stallworth Jr (L. S.)

M. Bergman (L. S.)

_____ (L. S.)

_____ (L. S.)

Taken and approved _____ day of _____, 19_____

Sheriff of Baldwin County.

This is to certify that this is a good bond and if presented to me in my county I would accept same
E. E. Nichols Sheriff Monroe Co

no 1539 10-29-62
at 74 Monday 17 - Nov 1962

(4)

CAPIAS

No. 39

THE STATE

vs.

Blanchard Stallworth Jr

Bail Fixed in This Case in Open Court at

\$ 200⁰⁰

By J. J. Mashburn Jr
Judge Presiding.

Attest: Alice J. Ruck
Clerk.

M. M. ...

Executed this 29 day of Oct, 1962

By arresting the within

named Defendant

and placing him Under \$200⁰⁰

Kand

E. E. Nichols, Sheriff

_____, Deputy Sheriff

STATE OF ALABAMA)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
VS.)	
BLANCHARD STALLWORTH, JR.,)	
Defendant.)	

DEMURRER TO INDICTMENT

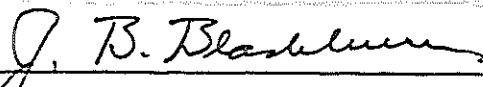
Now comes the defendant, by his attorney, and demurs to the indictment against him in this cause and to each and every count thereof, separately and severally, and as grounds for such demurrer sets down and assigns, separately and severally, the following:

1. It charges no criminal offense.
2. There is no valid law which creates or provides a speed limit for automobiles in the State of Alabama.
3. The order issued on November 15, 1951 by the Director of Public Safety of the State of Alabama, with the approval of the Governor of said state, pursuant to the provisions of Section 3 of Act Number 516, General and Local Acts, 1949, Page 740, is unconstitutional and void.
4. The order issued on November 15, 1951 by the Director of Public Safety of the State of Alabama, with the approval of the Governor of said state, pursuant to the provisions of Section 3 of Act Number 516, General and Local Acts, 1949, Page 740, is unconstitutional and void in that it violates Section 43 of the Alabama Constitution of 1901.
5. The order issued on November 15, 1951 by the Director of Public Safety of the State of Alabama, with the approval of the Governor of said state, pursuant to the provisions of Section 3 of Act Number 516, General and Local Acts, 1949, Page 740, is unconstitutional and void in that it violates Section 44 of the Alabama Constitution of 1901.
6. The order issued on November 15, 1951 by the Director of Public Safety of the State of Alabama, with the approval of the Governor of said state, pursuant to the provisions of Section 3 of Act Number 516, General and Local Acts, 1949, Page 740, is unconstitutional and void in that it violates Section 45 of the Alabama Constitution of 1901.

7. There is no valid authority vested in the Director of Public Safety of the State of Alabama, with the approval of the Governor, to create or fix a speed limit for automobiles in the State of Alabama.

8. The order issued on November 15, 1951 by the Director of Public Safety of the State of Alabama, with the approval of the Governor of said state, is an attempted exercise by the said officials of legislative power which, under the Constitution of Alabama, is vested solely in the Legislature of the State of Alabama.

9. It affirmatively appears that Act Number 516, enacted by the Legislature of Alabama and approved August 30, 1949 (Acts, 1949, Pages 740-54), does not authorize the Director of Public Safety and the Highway Director, or the Director of Public Safety or the Highway Director, with the approval of the Governor, to establish a speed limit for automobiles on public highways in the State of Alabama.



Attorney for Defendant.

3

DEMURRER TO INDICTMENT

STATE OF ALABAMA

VS.

BLANCHARD STALLWORTH, JR.,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

*Filed 11-17-52
Chief Clerk*

STATE OF ALABAMA

VS.

B. H. STALLWORTH JR.

Comes the defendant and request a trial by jury in all respects as provided by Title 13, Section 424 of the 1940 Alabama Code and signifies his willingness to enter into bond, with good sureties, conditioned for his appearance at the next term of the Circuit Court of said County.

1539
Evergreen Dist.

ALABAMA HIGHWAY PATROL
ARREST TICKET
MONTGOMERY, ALABAMA

No 5459 E

Date 1-5 1952

Baldwin County JP Court T. P. Hand Judge or J. P. Case No.

Name Standard Staffette White Colored Age 43 Drivers License No. 0233612

Address City Monteville State Ala.

Charge Speeding Car Vio. Sect. No. 3 of Act 576 - Title 32

Place of Arrest D. S. 31 Time () A. M. () P. M.

Model 1951 Make DeSoto Body Type Sedan

Motor No. License No. 510 213 Carrier Tag No.

Owner D. S. 31 Address

Employed by Self Address

Case Set for 1-19 1952 () A. M. (4:00) P. M. Case Closed 19

Disposition—Sentence () Mo. () Yr. Fine \$ Arrest \$ Bond \$ Witness \$

Final Disposition

Remarks 65 MPH. Night Speed Zone

This is to Certify that this Court has received the Fine and Cost or Closed this case as stated above. Signed

Officers W. E. J. & H. Baker Badge Nos. 179 & 6

Quadruplicate—To Sergeant Lt. S. Kelly

Affidavit

1539

Printed by Moore Ptg. Co.

STATE OF ALABAMA, {
Baldwin County.

In the Justice Court of T. C. HAND

Before me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared Joe Smalley 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 Jan 1952 that one Blanchard Stallworth Jr.

did operate a motor vehicle on the highways of Alabama at a greater speed than allowed by law.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

day of Jan A. D., 1952

J. P.

Joe Smalley

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest Blanchard Stallworth Jr.

and bring him

before me to answer the State of Alabama on a charge

Speeding

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

Witness my hand this Jan day of 1952

T. C. Hand

J. P.

No. 2546

Page.

The State of Alabama,
Baldwin County

JUSTICE COURT OF
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

Richard Stallworth

Witnesses for the State :

A. Smalley M W

C. E. Jarvis M W

H. Praper M. W

Harold S. Livingston M W

704 Halcomb St.

Mobile.

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Richard Stallworth
jr.

Executed this 5 day of Jan 1952

By arresting the within

named Defendant

and placing him

in jail.

J. A. Smalley, Sheriff

_____, Deputy Sheriff

25 46

1539

THE STATE OF ALABAMA, }
Baldwin County

Justice Court of T. C. HAND
Precinct No. 4, Bay Minette, Ala.

To Any Sheriff of the State of Alabama:
You are Hereby Commanded to Summon

L. Joe Smalley, C. E. Jarvis
Harold E. Ekin

Harold D. Livingston

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

12 day of *Jan.*, 195*2*, 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 *Blanchard Stallworth*

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

Witness my hand this *5* day of *Jan.*, A.D., 195*2*

T. C. Hand
Justice of the Peace, Precinct No. 4

Executed in full, this the

7 day of

Jan, 1952

Taylor Wilkins
Sheriff

H. F. Hall
Deputy Sheriff

The State of Alabama, }

Circuit
COUNTY COURT

MONROE COUNTY

Term, 193

Ballwin

KNOW ALL MEN BY THESE PRESENTS, That we,

Blanchard

Stallworth jr.

are held and firmly bound unto the State of Alabama in the sum of *300* *three hundred* 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 *2* day of *Feb.*, 19*32*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, whereas, the above bounden

Blanchard Stallworth jr. on the *2* day

of *Feb* 19*32* convicted *by jury* the County Court of said County, of the offense of *Court.*

Speeding

and by the judgment of said Court sentenced to

And, whereas, the said *Blanchard Stallworth jr.* has this

day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said *Blanchard Stallworth jr.* 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.

B.H. Stallworth jr. (L. S.)

Clifton L. Keyland (L. S.)

Damon Rowell (L. S.)

Approved:

Ed hard

County Court Judge.

Justice of Peace

THE STATE OF ALABAMA
MONROE COUNTY.

COUNTY COURT

THE STATE

vs.

Blanchard Stallworth

APPEAL BOND

*D. H. Stallworth Jr.
Clifton L. Ryland
Silvanus Powell*

Sureties.

Filed in the office of the Clerk of the Circuit Court, this day
of, 193.....

.....
Clerk.

THIS IS TO CERTIFY that this is a good bond and if presented to me in my county I would accept same.

E. E. Nicholas

E. E. Nicholas

Sheriff, Monroe County, Ala.

I Jennie Fountain, a Justice of the Peace for Monroe County, Alabama, hereby certify that this is a good and sufficient bond up to the sum of One Thousand Dollars and if presented to me in my County I would approve same.

*Jennie A Fountain
Justice Peace
Monroe County, Alabama,*

1539

Appearance Bond.

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,
Baldwin County

We, Blanchard Stallworth, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of One Hundred DOLLARS unless the said Blanchard Stallworth appears at the 1-12 Term, 1952 of the Justice Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Speeding Car Sec. 3 Act 576 Title 36

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

5 day of Jan. 1952

B. H. Stallworth L. S.

_____ L. S.

_____ L. S.

_____ L. S.

Baldwin County, Ala.

Taken and approved this the

5 day of Jan. 1952

C. B. Jarvis Sheriff

By _____, Deputy Sheriff

J. C. Hand

No.

The State of Alabama,
Baldwin County.

..... Court

Sheriff's Office

THE STATE

vs.

Sheriff's Appearance Bond

Amount of Bond, \$

Filed 195.....

....., Clerk

[Handwritten signatures and notes on the left side of the page]

[Handwritten notes and signatures on the left side of the page]

1539

Blanchard Skallwith speeding -

65 - night -

Jan. 5, 1952 - about 7:00 P.M. -

U.S. 51 between Stapleton & Spanish
Fork - try to clock at least 1 mi

around by officer ^{for} Sully ^{management} in plain
clothes, but in state car - plain car.

Another with bin.

STATE OF ALABAMA)
)
VERSUS)
)
BLANCHARD STALLWORTH, JR.,)
)
Defendant.) NO. 1539

I, Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that in the above styled cause, which was determined in this Court on the 17th day of November, 1952, and the defendant discharged on his demurrer to the indictment, the State, on the 21st day of November, 1952, gave notice of appeal to the Court of Appeals of Alabama.

I further certify that on the _____ day of November, 1952, notice of appeal was served on Honorable J. B. Blackburn, attorney of record for the defendant.

Witness my hand this _____ day of November, 1952.

Clerk of the Circuit Court of
Baldwin County, Alabama

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. 7546	Vs. <i>Richard Stallworth</i>	<i>speaking</i>

DISPOSITION OF CASE		FEE	AMOUNT
	Affidavit made and Warrant Issued to <i>Joe Smalley</i>	JUDGE'S FEES	
	Returnable <i>Grand Jury</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—For State <i>Lt. Joe Smalley</i>	Bond at 50c, Sci. Fa. at 50c	
	<i>C. E. Lewis</i>	Witnesses' Recognizances at 25c	
	<i>H. Baker</i>	2 Subpoena or Notice at 25c	<i>75</i>
		Continuance at 25c	<i>25</i>
		Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	<i>25</i>
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	<i>1.00</i>
		Execution of costs at 25c	
		CONSTABLE'S FEES	
		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	<i>3.00</i>
		Committing, \$1.00; Releasing, \$1.00	<i>2.10</i>
		3 Subpoenas at \$1.00 Day's Board at 30c	<i>1.50</i>
		WITNESS FEES	
		Days at 50c	<i>50</i>
		" 50c	<i>50</i>
		" 50c	<i>50</i>
		" 50c	<i>50</i>
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

12 Jan 52
 19 Jan 52
 26 Jan 52
 2 Feb 52

Case continued to 19 Jan 52
 " " to 26 Jan 52
 " " to 2 Feb 52
 my appeal and requested hearing
 we moved to Circuit Court
 jury trial.
 bond was set at \$300.00 which
 my posted.

T. Baker
Justice of Peace

1539