

7613

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Spring Session, 1953

The Grand Jury of said County charge that before the finding of this indictment ERNEST HENRY, whose name is to the Grand Jury otherwise unknown, unlawfully drove a motor vehicle on U. S. Highway 90, a public highway, in Baldwin County, Alabama, which vehicle with the load thereon had a gross weight of, to-wit, 53,200 pounds, the maximum total gross weight allowable by law for said vehicle being then and there, to-wit, 52,000 pounds, in violation of Title 36, Section 89, Code of Alabama of 1940, as amended, and

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

Spring Session, 19 53

THE STATE

Vs.

ERNEST HENRY

INDICTMENT

Overweight vehicle

No Prosecutor.

WITNESSES:

M. Daughtrey
J. E. Lindsay

GRAND JURY NO. 23A

A TRUE BILL

Robert E. Stapleton
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 12th day of

March, 1953

Alice J. ... Clerk

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

the presence of 17 other Grand Jurors.

Alice J. ... Clerk.

Bail fixed \$ 200

H. ...
Judge.

STATE OF ALABAMA, {
Baldwin County.

In the Justice Court of H. E. MILLS

Before me, H. E. MILLS, Justice of the Peace

in and for said County, personally appeared M. Daughtry 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 Oct. 28-1952 that one Earnest Henry

Did operate a truck on the right
way that was overweight

_____ against the peace and dignity of the State of Alabama _____

Sworn to and subscribed before me this 28

day of Oct A. D., 1952

H. Mills, J. P.

M. Daughtry

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest

Earnest Henry

and bring them

before me to answer the State of Alabama on a charge

Overweight Truck

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

Witness my hand this 28 day of Oct., 1952

H. Mills, J. P.

Mittimus or Commitment

To the Jailer of Baldwin County :

{ The State of Alabama,
Baldwin County.

On complaint of _____

charging _____

with the offense of _____

_____ it appearing that such offense has been committed, and that there is sufficient cause to believe that _____

_____ has been guilty thereof, you are
therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this _____ day of _____, 195_____

Justice of the Peace.

The State of Alabama,
Baldwin County

JUSTICE COURT OF

H. E. MILLS

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

Carnest Henry

Witnesses for the State :

J. E. Lindsey
M. Daughtry

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Carnest Henry

Executed this 28 day of Oct, 1952

By arresting the within

named Defendant

and placing him

under Bond

M. Daughtry Sheriff

Deputy Sheriff

The State of Alabama,
Baldwin County.

Justice Court of

H. E. MILLS

The State of Alabama,
vs.

MITTIMUS

The State of Alabama,
Baldwin County.

I, _____
a Justice of the Peace in and for said State and
County, do and hereby certify that _____

the Defendant, is required to give bail in the sum
of \$ _____ for his appearance at the

19 _____ Term of the _____
Court of _____ County, Ala.

Given under my hand this the _____
day of _____, 19 _____

J. J.

Evergreen Dist.

11613

ALABAMA HIGHWAY PATROL
ARREST TICKET
MONTGOMERY, ALABAMA

No. A15268 E

Date 10-28 1952

Baldwin County J.P. Court H.E. Milner Case No. Judge or J.P.

Name ERNEST HENRY W. C. M. F. Age 30 Drivers License No. 146856

Address City BOY METTIE State Ala

Charge OVERWEIGHT Vio. Sect. No. 890 of TITLE 36

Place of Arrest B.R. 90-31 Time (0:00) A.M. () P.M.

Model 1951 Make FORD Body Type TRACTOR TRAILER

Motor No. License No. 54226 Carrier Tag No.

Owner E.C. JOHNSON Address BOY METTIE AVE

Employed by SAME Address

Case Set for 11-1 1952 () A.M. (5) P.M. Case Closed 19

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

Final Disposition 2 mos weight 61200 - Over 2400

Remarks 37200 - 1200 over on 1st

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

Signed

Officers M. Doughty & C.E. J... Badge Nos. 214 & 321

Quadruplicate—To Defendant

11613

1971

Notice: This Bond must be signed with Ink and will not be approved if signatures are made with Pencil.

APPEARANCE BOND

THE STATE OF ALABAMA

Baldwin County

THE

J.P.

COURT OF Baldwin

COUNTY

We,

Earnest Henry

Principal,

and

sureties, agree to pay to the State of Alabama

Two Hundred and 00/100

Dollars,

unless the said

Earnest Henry

appears before the

J.P.

Court of

Baldwin

County on the

1

day of

Nov

1952

, and from day to day, and from term to term, thereafter, until discharged by

due course of law, to answer a criminal prosecution for the offense of

Overweight Gross 61,220 - 2420 over) Taden 37,200 - 1200 over on Taden

And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama, and we hereby severally certify and solemnly swear that we have property free from all encumbrance, to the full amount of the above bond.

Witness our hands and seals this

day of

19

Approved this 28 day of

Oct

1952

Sign Top Line

NAME

ADDRESS

Earnest Henry (L. S.)

Bay Minette

(L. S.)

F.C. Johnson

(L. S.)

Arresting Officer.

By

(L. S.)

WARNING

Any person who willfully violates the above written bond, and fails to appear on the date and time set, shall be guilty of a misdemeanor punishable by fine and imprisonment regardless of the disposition of the charge above made.

State of Nevada, County of Clark, District Court, in and for the County of Clark, State of Nevada, vs. *[illegible]*

Plaintiff, vs. Defendant.

Comes now the Defendant, *[illegible]*, and files this motion for judgment on the merits of the within entitled cause.

And the Defendant prays that she be granted judgment on the merits of the within entitled cause, with costs.

Wherefore the Defendant prays that she be granted judgment on the merits of the within entitled cause, with costs.

And the Defendant prays that she be granted judgment on the merits of the within entitled cause, with costs.

And the Defendant prays that she be granted judgment on the merits of the within entitled cause, with costs.

Filed _____

By _____

Sheriff.

Deputy Sheriff.

NO. _____

THE _____ COURT OF

_____ COUNTY

THE STATE

vs.

BOND

1613

Appearance Bond

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,
Baldwin County

We, Ernest Henry & E. C. Johnson, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of

\$200.00 Two Hundred DOLLARS

unless the said Ernest J. Henry appears at the

next Term, 1952 of the Circuit Court of Baldwin County, Alabama

and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Overweight Truck

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

1 day of Nov., 1952

H. E. Price

Baldwin County, Ala.

[Signature] L. S.

[Signature] L. S.

[Signature] L. S.

L. S.

Taken and approved this the _____ day of _____ 195_____

_____, Sheriff

By _____, Deputy Sheriff

No. _____

The State of Alabama,
Baldwin County.

_____ Court

Sheriff's Office

THE STATE
vs.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 195

_____, Clerk

1010

CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

ERNEST HENRY

at the SPRING Term, 1953, of the Circuit Court of Baldwin County, for the offense of

Overweight vehicle

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 12th day of March, 1953

[Signature]
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA
Baldwin County

We, Ernest Henry, as principal and

the other undersigned as sureties, agree to pay the State of Alabama \$200.00 (Two Hundred)

Dollars, unless the said Ernest Henry appears

at the next 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

Overweight Vehicle

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_____

[Signature] (L. S.)
[Signature] (L. S.)

(L. S.)
(L. S.)

Taken and approved 14th day of March, 1953

[Signature]
Sheriff of Baldwin County.

701613

CAPIAS

No. 23 A

THE STATE

vs.

ERNEST HENRY

Bail Fixed in This Case in Open Court at

\$ 2,000⁰⁰

By HUBERT M. HALL
Judge Presiding.

Attest: _____
Clerk.

Executed this 14th day of March, 1953

By arresting the within

named Defendant

and placing him under Bond

[Signature], Sheriff
_____, Deputy Sheriff

Om

1613

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No.	Vs.	
	<i>Ernest Kury</i>	<i>Overweight Truck</i>

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <i>M. Daughtry</i> Returnable Witness—for State <i>J. C. Lindsay</i>	Judge's Fees Warrant at 50c, Affidavit at 25c.....	75
<i>Trial by Jury Demanded</i> <i>Bond set at \$200⁰⁰</i> <i>for appearance at Circuit Court</i>	Bond at 50c, Sci Fa at 50c..... Witnesses' Recognizances at 25c..... Subpoena or notice at 25c..... Continuance at 25c..... Trial of Misdemeanor at \$1.00..... Mittimus at 25c.....	1.00
<i>N. C. Miller</i>	Judgment on Forfeited Bond at 25c..... Taking Bond, etc, on Appeal at \$1.00..... 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..... Committing \$1.00, Releasing \$1.00..... Subpoenas at 25c Day's Board at 30c..... Witness Fees Days at 50c..... " 50c..... " 50c..... " 50c..... " 50c..... " 50c..... " 50c..... " 50c..... DEFENDANT'S COSTS Witnesses' Recognizance at 25c..... Subpoenas at 25c..... Executing Subpoenas.....	1.00

1013