

1676

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 PARK T. BYRD, whose name is to the Grand Jury otherwise unknown, did operate a passenger motor vehicle, to-wit, a Greyhound bus, over and upon Alabama State Highway 3, a public highway, in Baldwin County, Alabama, at nighttime, to-wit, at or about 10:30 PM o'clock, at a speed in excess of fifty miles per hour, to-wit, at a speed of sixty-two miles per hour, contrary to the provisions of an order establishing State speed zone on said Alabama State Highway 3, issued by the Director of Public Safety and the Highway Director of Alabama, and approved by the Governor of Alabama under the authority of Section 3 of Act Number 516, General Acts of Alabama of 1949, page 740, and 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 PARK T. BYRD, whose name is to the Grand Jury otherwise unknown, did operate a motor vehicle, to-wit, a Greyhound bus, upon a public highway of this State being, to-wit, Alabama State Highway 3, in Baldwin County, Alabama, at a rate of speed that was greater than was reasonable and proper, having regard to the traffic, and use of said highway, or so as to endanger or be likely to endanger property or the life and limb of persons, to-wit, at a rate of speed of sixty-two miles per hour

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, 1953

THE STATE

Vs.

PARK T. BYRD

INDICTMENT

Speeding

No Prosecutor.

WITNESSES:

N. C. Stanley

R. E. Edmonds

GRAND JURY NO. 26

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.

Alvin 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.

Alvin J. ..., Clerk.

Bail fixed \$ 200⁰⁰

W. ...
Judge.

1676

Jail 8-2M-9-50

THE STATE OF ALABAMA }
Baldwin ~~Mobile~~ County

We, U. S. Fidelity & Guaranty Co.,

as Surety, and Park T. Byrd, as principal,

agree to pay the State of Alabama Two Hundred (\$200.00) and no/100 -----Dollars

unless the said Park T. Byrd appear at the

Fall term of the Circuit Court of ~~Mobile~~ Baldwin County

and from term to term thereafter, until discharged by law, to answer a criminal prosecution for the offense of exceeding the speed limit for a bus,

AND WE HEREBY WAIVE ALL RIGHT OF EXEMPTION ALLOWED US UNDER THE CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS TO THE COLLECTION OF THIS BOND IF FORFEITED.

Approved:

The day of July, 1953

Sheriff

Deputy

x Park T. Byrd (L. S.)

UNITED STATES FIDELITY AND GUARANTY COMPANY (S.)

K. C. PTOMEY, ATTORNEY-IN-FACT

THE STATE OF ALABAMA }
County of Mobile

Personally appeared before me, _____

Sheriff of Mobile County

who, being duly sworn, doth depose and say that _____ is a resident of the State of Alabama, County of Mobile, a householder and freeholder therein and that _____ is worth, exclusive of property exempt from execution, and also over and above all just debts and liabilities, the amount expressed in this undertaking.

Subscribed and sworn to before me, this _____

day of _____, 195_____

Sheriff of Mobile County.

No. _____

THE STATE
VS.

APPEARANCE BOND

195

day of

Filed

1676

INFERIOR CRIMINAL COURT, MOBILE COUNTY

Apparent ~~APPEAL~~ BOND

STATE OF ALABAMA)
COUNTY OF ~~MOBILE~~ Baldwin

KNOW ALL MEN BY THESE PRESENTS, That we Park T. Byrd, as Principal,
and U.S. Fidelity & Guaranty Co. as Sureties, are held and firmly bound unto the

State of Alabama in the sum of One Hundred (\$100⁰⁰) Dollars, for which payment well and truly to be made to the State of Alabama do hereby bind ourselves, and our heirs and assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated the 19 day of November in the year of our Lord, one thousand nine hundred and fifty-two

The condition of this obligation is such that whereas the said Park T. Byrd has on the date of these presents ~~claimed an appeal to the Circuit Court of Mobile County, next to be held in and for the County of Mobile in the State aforesaid, at the next Session, thereof from a judgment rendered against him on the~~ 19 day of November, 1952, by ~~Kedrick D. Toxart, Judge of the Inferior Criminal Court of Mobile County~~ M. R. Howell, Justice of the Peace in Baldwin State of Alabama.

NOW, if the said Park T. Byrd shall appear at said term of said Circuit Court, and from term to term thereafter until discharged by due process of law, then this obligation to be void, otherwise to remain in full force and virtue.

And we each do hereby waive all right of exemptions allowed us under the Constitution and Laws of the State of Alabama as to the collection of this bond if forfeited.

Park T. Byrd (L. S.)
U.S. FIDELITY & GUARANTY CO. (L. S.)
By: J. B. Stoney (L. S.)

Approved the 19 day of November, 1952

M. R. Howell
Justice of the Peace, Precinct 14
Baldwin County, Alabama

STATE OF ALABAMA
County of Mobile

Personally appeared before me

Tisdale J. Tonart, Judge of the Inferior Criminal Court of Mobile County

who, being duly sworn, doth depose and say that..... is a resident of the State of Alabama, City and County of Mobile, a Householder and Freeholder therein, and that..... is worth exclusive of property exempt from execution and also over and above all just debts and liability, the amount expressed in this undertaking. Subscribed and sworn to before me

this..... day of....., 195.....

Judge of the Inferior Criminal Court of Mobile County.

NO.....
THE STATE OF ALABAMA

vs.

Offense.....

APPEAL BOND

\$.....

Defendant's address.....

GENERAL POWER OF ATTORNEY

No. 63563

Know all Men by these Presents:

That the UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint

K. C. Ptomey

of the City of **Mobile**, State of **Alabama**
its true and lawful attorneys ~~in and for the State~~ of

for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said

K. C. Ptomey

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this **15th** day of **June**, A. D. **1949**

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed)

By **E. W. Levering, Jr.**
Vice-President.

(Signed)

Glover C. Trenholm
Assistant Secretary.

STATE OF MARYLAND
BALTIMORE CITY.

ss:

On this **15th** day of **June**, A. D. **1949**, before me personally came **E. W. Levering, Jr.**, Vice-President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and **Glover C. Trenholm**, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland; that they, the said **E. W. Levering, Jr.** and **Glover C. Trenholm** were respectively the Vice-President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively, of the Company.

My commission expires the first Monday in May, **1950**.

(Seal)

(Signed)

Frieda Walter
Notary Public.

STATE OF MARYLAND
BALTIMORE CITY.

Sct.

I, **M. Luther Pittman**, Clerk of the Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that **Frieda Walter**, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed his name, was at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths and take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary, and verily believe the signature to be his genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this **15th** day of **June**, A. D. **1949**.

(SEAL)

(Signed)

M. Luther Pittman
Clerk of the Superior Court of Baltimore City.

COPY OF RESOLUTION

That Whereas, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

Therefore, be it Resolved, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performances of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

Also in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise, be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded for the security or protection of, by or for any person or persons, corporation, body, office, interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

I, G. P. Moore, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said Company to

K. C. Ptomey

of Mobile, Alabama, authorizing and empowering him to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company, duly called and held at the office of the Company in the City of Baltimore, on the 11th day of July, 1910, at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of said meeting.

In Testimony Whereof, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on November 19, 1952 (Date)

G. P. Moore

Assistant Secretary.



CHARTERED BOARD OF DIRECTORS

(CORPORATE SEAL)

11676

CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA }
Baldwin County }

To Any Sheriff of the State of Alabama:

An indictment having been found against

PARK T. BYRD

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

Speeding

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

W. J. ...
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.

201676

Returned

CAPIAS

No. 26

THE STATE vs.

PARK T. BYRD

To Greyhound Bus Co
Mobile Ala.

Bail Fixed in This Case in Open Court at

\$ 20000

By HUBERT M. HALL
Judge Presiding.

Attest: Clerk.

Jech Greyhound
Extra Board
New Orleans, La.
Will be notified by Super. to go
to Baldwinia to Jail and
be docked.

Executed this 1 day of July, 1953

By arresting the within
named Defendant

and placing him on Bond

Taylor Milprie, Sheriff

H. F. Hall, Deputy Sheriff

D. Miles

RECEIVED 5-16-53

RETURNED 5-19-53

Not found in my County after diligent search
and inquiry.

W. J. HOLCOMBE, Sheriff

By R. A. Roontz, D.S.

1014

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	Speeding Bus.
No.	Vs. Carl J. Boyd	

DISPOSITION OF CASE	FEE	AMOUNT
Affidavit made and Warrant Issued to Highway Patrol	JUDGE'S FEES	
Returnable Nov 19- 1952	Warrant at 50c, Affidavit at 25c	75
Witness—For State	Bond at 50c, Sci. Fa. at 50c	
M. C. Stanley, Foley, Ala. ✓	Witnesses' Recognizances at 25c	
R. E. Theridge, " ✓	Subpoena or Notice at 25c	
Came the defendant and	Continuance at 25c	
demand a jury trial, he bound	Trial of Misdemeanor at \$1.00	
over to the Spring Term of	Mittimus at 25c	
the Grand Jury, 1953.	Judgment on Forfeited Bond at 25c	
Bond \$10000	Taking Bond, etc., on Appeal at \$1.00	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	
	Highway Patrol	2.00
	SHERIFF'S FEES	
	Arrest, \$2.00; Bond \$1.00; Sci. Fa., 50c	1.00
	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	

M. R. Howell, J.P.
Precinct 14.
Foley, Ala

1676

Grain
Wheat and
barley & etc
paper