

1748

STATE OF ALABAMA,	§	IN THE CIRCUIT COURT OF
PLAINTIFF,	§	BALDWIN COUNTY, ALABAMA
VS	§	CRIMINAL TERM
MARION HAROLD GATES,	§	
DEFENDANT.	§	

Comes the Defendant in said cause and for demurrer to said complaint shows unto this Honorable Court, separately and severally as follows, to-wit:

1.

The affidavit on which the warrant is based is defective as being so uncertain and indefinite that same charges no offense.

2.

The acts of Defendant, as set forth in the affidavit, on which the warrant is based, do not constitute a violation of law.

3.

That the act complained of is not a crime under the allegations of said complaint.

4.

That the affidavit on which the warrant is based charges two offenses.

[Handwritten Signature]
 Attorney for the Defendant

Good morning
Murray
Kendall

STATE OF ALABAMA

PLAINTIFF,

VS

HARION HAROLD GATES

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CRIMINAL TERM.

Comes the Defendant and moves this Honorable Court to quash the Solicitors complaint and as a basis for said motion says separately and severally:

1.

That the said Solicitor's complaint is a variance from the original affidavit in Justice Court.

2.

That the Solicitor's complaint states a new cause of action from said original affidavit issued in Justice Court.

[Handwritten Signature]
Attorney for the Defendant.

From 3/22/54
Mueker
Rue

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Appearance Bond

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

We, Marion Herman Gates, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Two Hundred DOLLARS unless the said Marion Herman Gates appears at the next Term, 1952 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 Hunting at night.

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 _____ 195____

Baldwin County, Ala.

Marion Herman Gates L. S.
Mary Phillip L. S.
J. M. Moore L. S.
_____ L. S.

Taken and approved this the 22 day of Nov 1952

P. S. Land, Sheriff
By Justice of Peace, Deputy Sheriff

No. _____

The State of Alabama,
Baldwin County

Grand Jury Court

Sheriff's Office

THE STATE
vs.

Merrill Herald Peters

Sheriff's Appearance Bond

Amount of Bond, \$ *2.00⁰⁰*

Filed _____, 195

_____, Clerk

AFFIDAVIT

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Printed by Meora Printing 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 D. W. Walters 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 14 Nov. 1953, that one Manion Harold Gates
did attempt to take captured & protected game
at night with lights & gun

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 14th

day of Nov, A. D., 1953.

O. J. Land, J. P.

D. W. Walters

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Manion Harold Gates

and bring him

before me to answer the State of Alabama on a charge

Hunting at night.

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

Witness my hand this 14th day of Nov, 1953.

O. J. Land, J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

Merion Harold Estes

Witnesses for the State:

D. W. Walters
Franklin Paul

Not guilty
[Signature]

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
vs.

Merion Harold Estes

Executed this 14 day of Nov 1953

By arresting the within

named Defendant

and placing him

On Bond

D. W. Walters - Sheriff
[Signature]

Deputy Sheriff

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did take, catch or kill or attempt to take, catch or kill an animal, to-wit, a deer, protected by the laws of this State with a headlight or other artificial light, and with a shotgun or rifle, between sunset and daylight of the following day, said act complained of being done in violation of rules and regulations duly promulgated by the Director of Conservation of the State of Alabama,

JURY LIST

SPRING TERM, MARCH 22nd, 1954

State
v.
Marion H. Bates

NO.	NAME	OCCUPATION	ADDRESS
1.	Howard Langham	Farmer	Lexley
2.	George Kaiser	Farmer	Foley
3.	Henry Riggs	Farmer	Lottis
Robertsdale			
4.	Francis Harrel	Farmer	Robertsdale
5.	John J. Gallagher	Hotel	Fairhope
6.	Virgil Christensen	Florist	Foley
7.	R. Howard Vaughn, Jr.	EM Farmer	Robertsdale
8.	Alfred K. Sossam	Banker	Liberta
9.	Claud Laurensine	Butcher	Foley
10.	Ray Survant	Linsman	Foley
11.	Charles W. Barnhill	Farmer	Robertsdale
12.	John K. Morland	Nursery Business	Daphne
13.	R. H. Young	Merchant	Fairhope
14.	Chester A. Stapleton	Merchant	Bay Minette
15.	D. L. Mix	Carpenter	Robertsdale
16.	Sims Parker	Farmer	Sea Breeze
17.	W. T. Cannon	Merchant	Lexley
18.	Pink Creamer	Barber	Fairhope
19.	Francis L. Irwin	Farmer	Foley
20.	Thomas W. Walters	Farmer	Foley
21.	Joe Mack Smith	Farmer	Silverhill
22.	W.H. Wallace Parker	Mill	Stockton
23.	Wesley J. Jacobs	Oil Dealer	Robertsdale
24.	J. R. Wilson	Chevrolet Dealer	Bay Minette
25.	J. Sweet Jack	Mechanic	Bay Minette
26.	Carl Russell	Filling Station	Robertsdale
27.	Wesley W. Cobbart	Justice	Foley
28.	Carl Pittman	Real Estate	Fairhope
29.	Jessie M. Andrew	Telephone Oper.	Daphne
30.	Harold B. Warren	Master & Teacher	Fairhope
31.	Henry Pipkin	Mechanic	Bay Minette
32.	Harold Gilbert	Mechanic	Bay Minette
33.	P. H. Leatherwood	Clerk	Daphne
34.	John Newberry	Laborer	Robertsdale
35.	Ray Peterson	Laborer	Foley
36.	Carl Mack	Bookkeeper	Magolia Springs
37.	Ed May	Farmer	Daphne
38.	S. Carter	Contractor	Blount
39.	Victor Smith	Farmer	Silverhill
40.	Wesley Smith	Farmer	Liberta
41.	C. S. Powell	Farmer	Bay Minette
42.	Harold Davidson	Salaman	Bay Minette
43.	Harold White	Clerk	Bay Minette
44.	Robert Lee	Clerk	Bay Minette
45.	Robert Lee	Laborer	Robertsdale
46.	James Thomas	Farmer	Foley
47.	James Thomas	Brookley Field	Robertsdale
48.	J. Arthur Smith	Farmer	Bellevue
49.	John Smith	Farmer	Foley BFD
50.	Howard Smith	Farmer	Fairhope
51.	James A. Smith Jr.	Mill	Stockton
52.	J. H. Clark Jr.	Merchant	Robertsdale

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

Attorneys	Case	Charge
No. 5509	THE STATE OF ALABAMA, vs. maison Harold Gates	Hunting at night

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <i>D. W. Walter</i>	Judge's Fees	
Returnable <i>Circuit Court</i>	Warrant at 50c, Affidavit at 25c	75
Witness—for State <i>D. W. Walter</i>	Bond at 50c, Sci Fa. at 50c	
<i>Frank Paul</i>	Witnesses' Recognizances at 25c	
<i>23 Nov 52.</i>	<input checked="" type="checkbox"/> Subpoenas or notice at 25c	50
<i>after hearing evidence in case</i>	Continuance at 25c	
<i>by us, found guilty and fined</i>	Trial of Misdemeanor at \$1.00	1.00
<i>\$50.00 plus cost.</i>	Mittimus at 25c	
<i>we appealed circuit court trial by</i>	Judgment on Forfeited Bond at 25c	
<i>jury.</i>	Taking Bond, etc., on Appeal at \$1.00	1.00
<i>Bail set \$200.</i>	Execution of costs at 25c	
<i>my father bond.</i>	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	3.00
	Guard \$2.00, Finger Printing 10c	
	Subpoenas at 50c, Mileage	
	Witness Fees	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Days at 50c	
	Defendant's Costs	
	Witnesses' Recognizance at 25c	
	Subpoenas at 50c	
	Executing Subpoenas	

D. W. Walter
Justice of Peace

