

1864

The State of Alabama,
Baldwin County.

CIRCUIT COURT

September

Term, 1954

On Appeal from County Court.

THE STATE vs. W. H. NEAL

The State of Alabama, by its Solicitor, complains of W. H. Neal

that
in said county and within twelve months before the commencement of this prosecution he did
engage in the taking, killing or capturing or commercial or non-game fish from
the public impounded waters and navigable streams of the State of Alabama by the
use in such fishing operations of ^{fishing traps - with} lawful fish traps, without marking their location
by bouys or floats and identifying such traps by showing the license number in
plain figures upon the bouys or floats, and without any bouy or bouys bearing the
name and address of the owner,

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

Kenneth Cooper
Solicitor.

Aug 10.

No. _____

STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE
vs.

W. H. NEAL

CHARGE:
USING UNMARKED FISHING GEAR.

COMPLAINT

Filed September 7 19 54

Arceff...
Clerk

MOORE FIG. CO.

*evr, the jury find
the defendant
not guilty as
charged in indictment
W. H. Hammond
Foreman*

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 _____ Fred Smith _____ 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 10 Aug 1954 that one W. D. Neal

did take a 15 min. call or attempted to take
call on Bill, fish in date trap that was
unmarked or tagged and no boxes.

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

Sworn to and subscribed before me this 10

day of Aug, A. D., 1954

_____, J. P.

Fred Smith

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County. Greetings:

You are hereby commanded to arrest W. D. Neal

and bring him

before me to answer the State of Alabama on a charge

unmarked & tag trap
of Commercial Fisherman

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

Witness my hand this 10 day of Aug, 1954

F. D. Smith, J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County.

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.

W. A. Neal

Witnesses for the State:

*Samuel Piden
Webber Watters
Homer Watters
Fred Smith*

Justice Court of
Baldwin County

Warrant of Arrest

The State of Alabama,
vs.

W. A. Neal

Executed this 10 day of Aug, 1954

By arresting the within

named Defendant

and placing him

On bond

Fred Smith Sheriff
Dist. Clerk

Deputy Sheriff

1864

THE STATE OF ALABAMA

Baldwin County

We,

W. H. Neal

agree to pay to the State of Alabama

\$100.00

Dollars,

unless the said

appear on the

10

day of

Aug

1954

in the Justice Court

of

Judge Howard

and from time to time thereafter

until discharged by law, to answer a criminal prosecution for the offense of

Shot trap

unmarked killing game

and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for collection of debt, by the Constitution and Laws of the State of Alabama, and we hereby severally certify that we have property free from all encumbrance, to the full amount of the above bond.

Approved this the 10 day of

Aug

1954

J. H. Smith

Conservation Officer

By

Deputy Conservation Officer

W. H. Neal

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

The State of Alabama,
Baldwin County.

We, W. H. Reed

principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of

Two hundred DOLLARS

unless the said W. H. Reed appears at the

next Term, 1954 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

Unlawful taking of Commercial Vehicle

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.

W. H. Reed L. S.

James G. Play L. S.

C. H. Matthews L. S.

_____ L. S.

Taken and approved this the 16 day of Aug 1954

_____, Sheriff

By James G. Play, Deputy Sheriff

W. H. Reed
James G. Play
C. H. Matthews

APPEARANCE BOND

APPEARANCE BOND

APPEARANCE BOND

APPEARANCE BOND

APPEARANCE BOND

APPEARANCE BOND

State
vs.

W. H. Neal

1869

1864

The Court charges the jury that no matter how strong be the facts, if they can be reconciled with the theory that some other person may have done the act, then the guilt of the defendant is not shown by the full measure of proof, which the law requires.

*Wm
M. Kelley
Judge*

1866

The Court charges the jury that the burden is on the state to convince you of defendant's guilt to the exclusion of every reasonable doubt, and by evidence that overcomes the presumption of fact, that the law surrounds the defendant with, that he is innocent of crime.

Frank J. [unclear]
1866

4864
The Court charges the jury that the burden is upon the State, and it is the duty of the State, to show, beyond all reasonable doubt, and to the exclusion of every other reasonable hypothesis, every circumstance necessary to show that the defendant is guilty; and, unless the State has done that in this case, it is your duty, Gentlemen of the Jury, to render a verdict of not guilty.

*Give
10 minutes
out*

1864

The Court charges the jury that the burden is upon the state to show, beyond a reasonable doubt and to the exclusion of every other reasonable hypothesis every circumstance necessary to show that the defendant is guilty; and, unless the state has done that in this case, it is your duty, gentlemen of the jury, to render a verdict of not guilty.

*Ben
H. H. H. H.*

1866

The Court charges the jury that the defendant enters into this trial with a presumption of innocence, and this is a fact in the case, which must be considered with all the evidence, and should not be disregarded.

The Court charges the jury that the legal presumption of innocence is to be regarded by the jury in every case as a matter of evidence, to the benefit of which the accused is entitled; and, as a matter of evidence, it attends the accused until his guilt is, by the evidence, placed beyond a reasonable doubt.

*Sm
1/2/20/21
R. J. P.*

h 981

1864

The Court charges the jury that the innocence of defendant is pre-seumed until his guilt is established by the evidence in all the material aspects of the case beyond a reasonable doubt, to a moral certainty, and it may also be said that evidence of guilt must be strong and cogent, and, unless it is so strong and cogent as to show that defendant is guilty ^{of the crime} a moral certainty defendant should be acquitted.

*From
1864
page*

1864

The Court charges the jury that the legal presumption of innocence is to be regarded by the jury in every case as a matter of evidence, to the benefit of which the accused is entitled; and, as a matter of evidence, it attends the accused until his guilt is, by the evidence, placed beyond a reasonable doubt.

*Given full
1/11/11
J. J. J.*

1864

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

Attorneys	Case	Charge
No. 6437	THE STATE OF ALABAMA, vs. W. H. Neal.	Unmanned fishing gear of Commercial fishermen.

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <i>Thos. Smith</i>	Judge's Fees	
Returnable <i>Circuit Court</i>	Warrant at 50c, Affidavit at 25c	.75
Witness—for State <i>Samwood, Rilev.</i>	Bond at 50c, Sci Fa. at 50c	
<i>Webber Walters.</i>	Witnesses' Recognizances at 25c	
<i>Worner Walters.</i>	Subpoenas or notice at 25c	
<i>Thos. Smith</i>	Continuance at 25c	
<i>16 Aug 04</i>	Trial of Misdemeanor at \$1.00	1.00
<i>after hearing evidence in case</i>	Mittimus at 25c	
<i>he was found guilty and</i>	Judgment on Forfeited Bond at 25c	
<i>fined \$150.00 plus costs.</i>	Taking Bond, etc., on Appeal at \$1.00	1.00
<i>he appealed Circuit Court trial</i>	Execution of costs at 25c	
<i>by jury.</i>	Constable's Fees	
<i>paid out \$2.00</i>	Subpoena or Notice at 25c	
<i>by Postal Bond.</i>	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	

P. Lead
Justice of Peace

