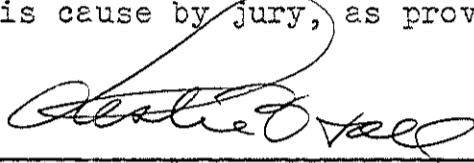


STATE OF ALABAMA ) Criminal Docket;  
VS. )  
WOODROW ADAMS, ) IN THE CIRCUIT COURT OF  
Defendant. ) BALDWIN COUNTY, ALABAMA.  
(Injury to Animal) ) Appeal from County Court.

Defendant's Demand for Jury

Comes now the Defendant, Woodrow Adams,  
by his Attorney, Leslie Hall, and files this his demand  
for a Trial of this cause by jury, as provided by law  
in such cases.



LESLIE HALL, Attorney for the Defendant.

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#241

STATE OF ALABAMA,

vs.

WOODROW ADAMS,  
Defendant.

---

Injury to Animal,  
Appeal from County Court.  
Baldwin County, Alabama.

---

Defendant's Demand for  
Trial by Jury.

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Filed in Office this  
18th day of June, 1937.

*N. J. Duck*  
Clerk of Circuit Court,  
Baldwin County, Ala.

RECORDED & INDEXED  
JUN 21 1937  
BALDWIN COUNTY, ALA.  
CLERK OF CIRCUIT COURT

SHERIFF'S APPEARANCE BOND

THE STATE OF ALABAMA }

BALDWIN COUNTY

We,

Woodrow Adams

as principal and

The Undersigned

as sureties, agree to pay the State of Alabama the sum of Five hundred Dollars,

unless the said Woodrow Adams appears at the

June Term, 1937 of the County Court of Baldwin County, Alabama,

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

of Melicious injury to animals

and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for the collection of debt, by the constitution of the State of Alabama, and we hereby severally certify that we have property over and above all debts and liabilities to the amount of the above bond.

Woodrow Adams (Seal)

A. J. ... 13 (Seal)

D. P. ... (Seal)

(Seal)

Taken and approved this the 10th day of May 1937

M. H. ... Sheriff

By \_\_\_\_\_ Deputy Sheriff

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

*September*

Term, 19<sup>37</sup>

On Appeal from County Court.

THE STATE vs.

*Woodrow Adams*

The State of Alabama, by its Solicitor, complains of

*Woodrow Adams*

that

in said county and within twelve months before the commencement of this prosecution he did

*recklessly, wantonly, or maliciously, disable,  
disfigure or injure one horse, the personal  
property of Loyd Thomas*

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

*Ralph K. Jones*

Solicitor.

We the jury find  
the defendant not  
guilty

E. O. Hand  
Foreman

No. \_\_\_\_\_

**STATE OF ALABAMA,**  
Baldwin County.

**CIRCUIT COURT**

THE STATE  
vs.

*Woodrow Adams*

**CHARGE:**

*Malicious Injury  
to Property*

**COMPLAINT**

Filed

*September 30,* 193*7*

*R. A. Welch*

Clerk

THE STATE OF ALABAMA,  
BALDWIN COUNTY

In the Justice Court of  
J.M. Franklin

Before me, J.M. Franklin, N.P.E -O.J.P

in and for said county personally appeared C.N. Anderson

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 May 9th 1937 that one

Woodrow Adams-----unlawfully, wantonly, or maliciously, diabled, disfigured,

or injured one Horse and ~~one~~ the property of Lupt House

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

9th day of May

A.D 1937

J.M. Franklin

N.P. Ex-O J. P.

C.N. Anderson

THE STATE OF ALABAMA {  
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, Greeting :

You are hereby commanded to arrest woodrow Adams

and bring Him before County Court

the State of Alabama on a charge of Malicious injury to animals,

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

Witness my hand this 9th day of May 1937

J.M. Franklin

N.P. Ex-O Justice of the Peace

No \_\_\_\_\_ Page \_\_\_\_\_

**THE STATE OF ALABAMA**

BALDWIN COUNTY

JUSTICE COURT OF

J.M. Franklin

**THE STATE**

VS.

Woodrow Adams

**WARRANT AND AFFIDAVIT**

WITNESSES FOR THE STATE

C.N. Anderson, John R Davis

Lonnie Bryars, Lloyd Thomas

M.H. Wilkins, Pat Van-Iderstine

Executed this 10th day of May 1937

By arresting the within  
named Defendent  
Woodrow Adams

and placing him under Bond

M.H. Wilkins  
Sheriff

D. S.

COUNTY COURT OF BALDWIN COUNTY

274

STATE VS.

*Wardman Adams*

CLERK'S FEES	AT	AMOUNT	SHERIFF'S FEES	AT	AMOUNT
Taking Affidavit.....	50		Executing Warrant .....	2.00	2 00
Issuing ..... Capias .....	50		Approving Bond .....	1.00	1 00
Docketing .....	10	10	Serving <sup>5</sup> Subpoenas ..... Each	.50	2 50
Issuing <sup>4</sup> Subpoenas .....	25	1 50	Serving Sci. Fas .....		
Each Order of Continuance .....	25		Guard Fee .....	2.00	2 00
Entering ..... Forfeiture .....	50		Seizure .....	3.00	
Final Judgment of Forfeiture vs. Defendant .....	50		Miles ..... at 10c .....		
Entering .. Forfeiture vs. Witness .....	25		Total Sheriff's Fees .....		7 50
Final Judgment vs. Witnesses .....	25		COUNTY COURT TAX		
Trial .....	50	50	Taking Affidavit & Issuing Warrant .....	1.00	
Judgment .....	25	25	Trial, Judgment, Entry, Etc. ....	5.00	
Final Judgment and Sentence .....	25	35	Judgment Forfeited Bail .....	3.00	
Final Record .....		1 00	Judgment Defaulting Witness. ....	2.00	
Issuing ..... Execution .....	50	3 65	Total County Court Tax .....		
Issuing ..... Scire Facias .....	50		RECAPITULATION		
Recognizance .....	50		Fine .....		
Certificate .....	25		Clerk's Fees .....		3 65
			Sheriff's Fees .....		7 50
			County Court Tax .....		5 40
			Solicitor's Fee .....		10 00
			Witness Fee .....		
			Justice of Peace Fees .....		7 50
			Constable's Fees .....		3 65
			Removal Bill .....		2 69
			Board ..... Days At .....		
			Trial Tax .....	\$3.00	
Total Clerk's Fees .....			Total Fine and Cost .....		



# TRANSCRIPT

Appeal from County Court to Circuit Court.

STATE 387

## AFFIDAVIT OR COMPLAINT.

THE STATE OF ALABAMA,  
Baldwin County.

COUNTY COURT.

J. M. FRANKLIN, N.P. EX-O. J.P.

Before me, ~~J. M. FRANKLIN, Clerk of the Circuit Court~~ of said County, in said State,

personally appeared ..... C. N. ANDERSON .....

who, being duly sworn according to law, doth depose and say that he has probable cause for believing, and does believe, that ..... Woodrow Adams ..... unlawfully, wantonly, or maliciously, disabled, disfigured, or injured one Horse, the property of Lloyd Thomas.

and that said offense has been committed in said County and State by the said

WOODROW ADAMS

within the last twelve months and before the making of this affidavit, against the PEACE and DIGNITY of the State of Alabama.

C. N. ANDERSON

The above subscribed and sworn to before me this ..... day of ..... 192..

J. M. FRANKLIN, N.P. Ex-O. J.P.

~~Clerk of the Circuit Court~~

## WARRANT OF ARREST.

THE STATE OF ALABAMA,  
Baldwin County.

COUNTY COURT.

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to arrest

WOODROW ADAMS

and bring him before the Judge of the County Court on the ..... day of

192.., to answer the State of Alabama on a charge of

MALICIOUS INJURY TO ANIMALS

preferred by

Witness my hand, this 9th day of May 1927

J. M. FRANKLIN, N.P. Ex-O. J.P.

~~Clerk of the Circuit Court~~

## AMOUNT OF BAIL FIXED.

I hereby fix bail in this case at \$ ....., which the arresting officer may take.

Clerk of the Circuit Court.

## SHERIFF'S RETURN.

Received ..... and Executed 10th day of May 1927, by arresting

the within named Defendant and placing him under bond

M. H. WILKINS

Sheriff.

By ..... Deputy Sheriff.

APPEARANCE BOND.

MPCO.

THE STATE OF ALABAMA,  
Baldwin County.

COUNTY COURT.

We, WOODROW ADAMS, as principal, and  
the undersigned

as sureties, agree to pay the State of Alabama, the sum Five hundred Dollars,

unless the said WOODROW ADAMS appears at the  
June Term, 1937 of the County Court of Baldwin County, Alabama,  
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the  
offense of Malicious Injury to Animal  
and we hereby waive the benefit of all laws exempting property from levy and sale under execution  
or other process for the collection of debt, by the constitution State of Alabama, and we hereby  
severally certify that we have property over and above all debts and liabilities to the amount of the  
above bond.

WOODROW ADAMS (Seal)

S. H. LINDSAY (Seal)

D. P. EDDINS (Seal)

(Seal)

Taken and approved 10th day of May 1937

M. H. WILKINS Sheriff.

By \_\_\_\_\_ Deputy Sheriff.

JUDGMENT ENTRY.

THE STATE  
No. 374 vs.

COUNTY COURT,

WOODROW ADAMS

June Term, 1937

June 7th, 1937 On hearing the evidence in this case the Court is  
satisfied of the guilt of the Defendant and hereby awards the following punishment; A fine of

\$120.00 and the costs of this  
proceeding; \$25.90 The Defendant having failed to pay said Fine

and Costs or to secure the same, it is hereby ordered by the Court that he be and hereby is sen-  
tenced to perform hard labor for the State of Alabama for the use of Baldwin County for a period of  
\_\_\_\_\_ days

to pay said fine, and an additional period of \_\_\_\_\_ days

to pay the costs of this proceeding.

G. W. ROBERTSON Judge of County Court

The Defendant prays an appeal from the Judement of this Court to the next ensuing Term  
of the Circuit Court, which is hereby granted, and his Bond fixed at \$ 250.00, and Defen-  
dant demands trial by a jury, sentence is hereby suspended pending appeal.

G. W. ROBERTSON Judge of County Court.

CERTIFICATE TO TRANSCRIPT.

THE STATE OF ALABAMA,  
Baldwin County.

R. S. Duck  
I, T. W. Richerson, Clerk Circuit Court and Ex-Officio

Clerk of the County Court of Baldwin County, Alabama, hereby certify that the above and foregoing  
is a true and correct copy of all the proceedings had in said County Court in the case of State of  
Alabama vs. Woodrow Adams

Witness my hand, this 14th day of June 1937

R. S. Duck  
Clerk of the Circuit Court and Ex-Officio Clerk of the County Court.

The State of Alabama, Baldwin County

COUNTY COURT, June Term, 1937

KNOW ALL MEN BY THESE PRESENTS, That we, Woodrow Adams,  
S. D. Lindsey and D. P. Eddins

are held and firmly bound unto the State of Alabama, in the sum of Two hundred fifty 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 \_\_\_\_\_ day of June 1937

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Woodrow Adams was, on the 7<sup>th</sup> day of June 1937 convicted in the County, of the offense Injuring an animal

and by the judgment of said Court sentenced to fine of \$100.00

And, whereas, the said Woodrow Adams has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said Woodrow Adams 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.

Woodrow Adams (L. S.)  
S. D. Lindsey (L. S.)  
D. P. Eddins (L. S.)  
\_\_\_\_ (L. S.)

Approved [Signature]  
County Court Judge.

THE STATE OF ALABAMA,

Baldwin County

COUNTY COURT

THE STATE  
VS.

Woodrow Adams

APPEAL BOND

S. D. Lindsey

D. P. Eddins

SURETIES

Filed in the office of the Clerk of the Circuit

Court 9 day of

June, 1937  
[Signature] Clerk.

Refused  
Judge

8. I charge, you, Gentlemen of the Jury, that in order to constitute a legal tender, it is only necessary for the person making the alleged tender to make the best possible tender that can be made under the circumstances surrounding the case, taking into consideration the nature of the article tendered, its size, movability, nearness to the place of tender, and all other surrounding circumstances.

Refused  
Judge

9. I charge, you, Gentlemen of the Jury, that a prosecution for a misdemeanor is not commenced until an affidavit charging the commission of an offense is signed and sworn to according to law.

Refused  
Judge

12. I charge you, Gentlemen of the Jury, that the fact, if it is a fact, that the alleged tender was coupled with a condition ~~xxxxxx~~ will not destroy the legal effect of the tender, unless the condition was such as to be prejudicial to the owner.

Refused  
Judge

11. I charge you, Gentlemen of the Jury, that if a bona fide offer of full compensation is made, a refusal of such offer by the owner is an implied waiver of the production of the money or thing offered, and then the defendant is not required to produce the actual money ~~xx~~ or thing.

Refused  
Judge

13. I charge you, Gentlemen of the Jury, that a condition attached to a tender, requiring the return of the property if the one making the tender is convicted of the offense charged, ~~is~~ will not destroy the legal effect of the tender.

Refused  
Judge

14. I charge you, Gentlemen of the Jury, that a lawful fence against mules, horses, and cattle is a fence made of three or more wires securely fastened to trees or posts not more than eight feet apart, the wires being not more than fifteen inches apart, and the top wire at least four feet from the ground.

Refused  
Judge

10. I charge you, Gentlemen of the Jury, that a prosecution for a misdemeanor is not commenced by the mere calling of officers of the law.

*Witness  
J. W. Moore  
Judge*

1. The Court charges the jury that unless the State has proved to your satisfaction, beyond a reasonable doubt, that the defendant shot the horse, as charged in the complaint, the jury must find the defendant not guilty.

*Witness  
J. W. Moore  
Judge*

2. The Court charges the jury that unless the State has proved to your satisfaction, beyond a reasonable doubt, that the defendant shot the horse unlawfully, wantonly, or maliciously, the jury must find the defendant not guilty.

*Witness  
J. W. Moore  
Judge*

5. I charge you, Gentlemen of the Jury, that if you believe the evidence in this case, you must find the defendant not guilty.

*Refused  
J. W. Moore  
Judge*

4. The Court charges the jury that there is no testimony in this case which shows or tends to show the value of the alleged injury or damage to the owner of the property, and that, therefore, you must find the defendant not guilty.

*Refused  
J. W. Moore  
Judge*

3. The Court charges the jury that unless the State has proved to your satisfaction, beyond a reasonable doubt, that the value of the horse injured was something definite, the jury must find the defendant not guilty.

*Refused  
J. W. Moore  
Judge*

6. I charge you, Gentlemen of the Jury, that if you believe from the evidence in this case that, at the time of the alleged injury to the animal that the animal injured was trespassing upon a growing crop, inclosed by a lawful fence, you may consider such fact in mitigation or justification, as the jury may determine.

*Refused  
J. W. Moore  
Judge*

7. I charge you, Gentlemen of the Jury, that if you believe from the evidence in this case that, before the commencement of the prosecution, compensation for the alleged injury was made or tendered to the owner, you must find the defendant not guilty.

Woodrow Adams

Jury List, Second Week, Sept. 27, 1937

- 1 Cleveland C. Gantt, Merchant, Little River
- ~~2 Howell W. Slaughter, Jr., Farmer, Tensas~~
- 3 Young A. Cox, Merchant, Stockton
- 4 William H. McMillan, Farmer, Stockton
- ~~5 Thomas Coleman, Naval Stores, Perdido 58 on~~
- ~~6 William H. Hayard, Naval Stores, Perdido 0~~
- ~~7 James A. Morris, Farmer, Gateswood 0~~
- 8 Harold Stuart, Contractor, Bay Minette
- ~~9 J. Carlisle McDavid, Furniture, Bay Minette 57~~
- 10 J. Hilary Brown, Cobbler, Bay Minette
- 11 Fred Thompson, Farmer, Bay Minette
- 12 Ernest D. Hand, Bookkeeper, Bay Minette
- ~~13 Holt A. Stuart, Farmer, Bay Minette 54~~
- 14 Herbert Sawyer, Farmer, Stapleton
- 15 C. Ernest Boan, Farmer, Stapleton.
- ~~16 E. Velpo Thomas, Farmer, Loxley 56~~
- ~~17 Harry Bill, Jr., Farmer, Loxley 0~~
- ~~18 Normin Racine, Clerk, Robertsdale 213~~
- ~~19 George Sharretts, Farmer, Summerdale 214~~
- 20 William W. Manning, Barber, Foley
- 21 Charles Hecht, Taxi Driver, Foley
- ~~22 Toney Leiterman, Farmer, Elberta 96~~
- ~~23 Fred Tabert, Farmer, Elberta 278~~
- ~~24 Jim Hermetz, Farmer, Elberta 278~~
- ~~25 Ernest G. Heuer, Farmer, Elberta 278~~
- ~~26 John Schenk, Carpenter, Elberta 278~~
- ~~27 Jacob Frank, Farmer, Elberta 210~~
- 28 Paul Kaiser, Farmer, Elberta
- ~~29 Andrew Krueger, Farmer, Lillian 269~~
- ~~30 Ignatz Lurwig, Farmer, Lillian 269~~
- ~~31 Werneth Allen, Oysterman, Bon Secour 53~~
- ~~32 Homer Flowers, Farmer, Bon Secour 215~~
- ~~33 Clyde Robinson, Farmer, Bon Secour 55~~
- ~~34 Jim Beck, Clerk, Belforest 25~~
- ~~35 John H. Hill, Farmer, Belforest 0~~
- ~~36 Ed E. Grace, Potteryman, Daphne 1~~

5/8 / IIII III  
2/15 / IIII IIII IIII