

J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

JANUARY 5, 1940.

Mr. R. S. Duck,
Circuit Clerk,
Bay Minette, Alabama.

Attention: Mr. H. E. Smith, Deputy
Clerk:

Dear Sir:

In reply to your inquiry relative to the forfeiture in the case of the State of Alabama v. Herbert Weeks, you are hereby notified that the total amount of the forfeiture, namely, \$138.00 was paid to me as attorney for Mrs. Herbert Weeks. \$75.00 of the money was paid to me on March 3, 1938, when the case was continued and the balance was paid me on or about the date the forfeiture was made final. Some of the money was paid by C. W. Robertson, Probate Judge. That is to say: Some payments that had been made by Herbert Weeks which should have gone to his wife, had accumulated in the Judge's office because the wife refused to accept them after the forfeiture proceedings had been commenced, but due to the length of time that has elapsed since the matter was closed, I do not remember just when or how much was paid by the Probate Judge.

The amount of \$138.00 referred to above was expended by me by paying on October 4, 1938, the sum of \$5.75 to R. S. Duck, to cover one-half of the costs. This payment was made by my Trust Account Check No. 32. On the same date I paid to Emily Weeks, the wife of Herbert Weeks, the sum of \$107.25, which payment was evidenced by my Trust Account Check No. 33. The remainder of the money was retained by me in payment of my fee.

I trust that this will furnish you the desired information but if I can furnish you any other information about the matter, I shall be very glad to do so.

Very truly yours,

J. B. Blackburn
J. B. BLACKBURN.

JBB:CS

[Handwritten scribble]

Filed Jan 5-1940
R. S. Duck
Clerk
By T. E. Smith
Deputy

#253

R. S. DUCK

Register and Clerk of the Circuit
Court, Baldwin County

Bay Minette, Alabama

January 18, 1940.

Mrs. Emily Weeks,
Star Route,
Magnolia Springs, Ala.

Dear Mrs. Weeks:

The September 1938 term of the Circuit Court of Baldwin County, Alabama awarded to you and minor children a judgment, against one Herbert Weeks, John G. Evans and Jacob Lewis in the amount of \$136.00.

In the audit of the clerk's books we do not find a receipt for this amount from you, we have however a letter from Hon. J. B. Blackburn, in which he states that he made payment of this amount to you.

Please advise us if this money has been paid to you.

Very truly yours,



R. P. Egerton, Asst. Examiner of Accts.



R. G. Powers, Asst. Examiner of Accts.

Jan. 23 1940

I have received payment
in full.

Mrs Emily Weeks.

NOV 2 1939
RECEIVED
COURT CLERK'S OFFICE
JAN 25 1940

Filed Jan 25-1940

R. S. Duck
Clerk

W. E. Smith
Deputy

The State of Alabama }
Baldwin County

No. _____
Circuit, COURT.
Sept. Term, 193 _____

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING :

YOU ARE HEREBY COMMANDED to notify _____

John G Evans. and Jacob Lewis. Sureties,

that at the _____ Term, 193, _____ of the Circuit Court of said County,

a judgment was rendered against Them. of which the following is a copy:

THE STATE
vs.
Herbert Weeks.

INDICTMENT FOR

It appearing to the Court that the said Herbert Weeks.

together with: John G Evans and Jacob Lewis.

\$ 8.00 per week to the
Director of Public Welfare
of Baldwin County State of Alabama

the sum of Five Hundre.d DOLLARS

unless the said Herbert Weeks. Failed. to pay as Provided in Said Bond.

Court to answer in this case; and the said _____

having failed to appear, it is therefore ordered that the State of Alabama, for the use of

_____ County, recover of the said

~~XXXXXXXXXXXX~~.....Herbert Weeks. John G Evans. and Jacob Lewis.

_____ on said undertaking,

the sum of Five Hundred.:::;: ;;; Dollars

unless they appear at the next Term of this Court and show cause why this judgment should not be made absolute"

You will, therefore, by serving a copy hereof, notify the said Sureties

_____ that the said judgment will

be made absolute against Them. at the next term of said Court,

unless they then appear and show cause against the same.

Witness my hand, this 17th day of August. 193 7

Richard Clerk

No. 263

Foley

Page _____

RECEIVED IN OFFICE

193

Sheriff

I have executed this writ,

this 1st Day of Sept 1937

by serving copy on

Jacob Lewis and
John G. Evans

The State of Alabama
Baldwin County

Orbit COURT

THE STATE
vs.

Hamlet Roberts

**Sci. Fa. to Defaulting Defendant
and Bail.**

Issued 2/18 1937

R. S. Lewis

Clerk

M. H. Wilkins

Sheriff

John R. Davis

Deputy Sheriff.

[Faint, mostly illegible text and stamps on the right side of the document, including what appears to be a date stamp 'SEP 20 1937' and a signature 'J. H. ...']

THE STATE OF ALABAMA,
Baldwin County.

We, Herbert Weeks, as

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

Three Hundred DOLLARS

unless the said Herbert Weeks appear at the

May Term, 1938 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 Non Support

We hereby waive as to all amount 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 and exemption to the amount of the above bond.

Herbert Weeks (Seal)

(Seal)

(Seal)

(Seal)

Taken and approved this the 2 day of March 1938

M. N. Wilkins Sheriff

By L. Wall Deputy Sheriff

STATE,

-vs-

HERBERT WEEKS ET AL.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Now come John G. Evans and Jacob Lewis, and object to the Court making the forfeiture final on that certain Bond purporting to have been executed by Herbert Weeks, Principal, and John G. Evans and Jacob Lewis, as Sureties, wherein the said principal and sureties agreed to pay the State of Alabama the sum of Five Hundred Dollars (\$500.00), unless the said Herbert Weeks paid the sum of Eight Dollars (\$8.00) per week to the Director of Public Welfare of Baldwin County, Alabama, for fifty-two weeks next following January 8th, 1937, on the grounds:-

1st. That said Bond is not in statutory form.

2nd. That said Bond stipulates that said payment should be made to the Director of Public Welfare of Baldwin County, Alabama, wherein the statute requires that such Bonds should be payable to the Clerk of the Juvenile Court, the Court of Domestic Relations or Probate Court, such as the case might be.

Hybart & Phasou
Attorneys for John G. Evans and
Jacob Lewis.

OBJECTIONS.

STATE,

-VS-

HERBERT WEEKS ET AL.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

LAW SIDE.

Filed September 26, 1938

R. S. Dush
Clerk.

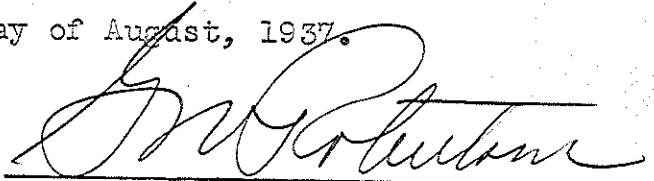
By: Walter Thompson
Deputy

Walter Thompson
Deputy

STATE OF ALABAMA,
BALDWIN COUNTY.

I, G. W. Robertson, Probate Judge of Baldwin County, Alabama, and as such officer, Judge of the Juvenile Court of Baldwin County, Alabama, do hereby certify that on, to-wit, the 8th day of January, 1937, Herbert Weeks, as Principal, and John G. Evans and Jacob Lewis, as Sureties, executed a Probation Bond in the penal sum of FIVE HUNDRED (\$500.00) DOLLARS, conditioned as provided by law, which provided that said Principal, Herbert Weeks was to pay EIGHT (\$8.00) DOLLARS per week to the Director of Public Welfare of Baldwin County, for fifty-two weeks, payments to be made as provided in said bond, the original which is hereto attached. I further certify that the said Principal and Sureties have failed to carry out and discharge the undertakings as provided in said bond, which is hereby transmitted to the Honorable Robert S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, for forfeiture, as provided in Section 4490, in the 1923 Code of Alabama.

Dated this the 17th day of August, 1937.


PROBATE JUDGE.

Circuit Court of Baldwin County

STATE VS. Herbert Wells

Forfeiture

CLERK'S FEES	AT	AMOUNT	SHERIFF'S FEES	AT	AMOUNT
Taking Affidavit	50		Arrest	2.00	2 00
Issuing Capias	50	50	Bond	1.00	2 00
Docketing	10		Guarding Prisoner	2.00	
State Subpoenas	25		Serving <u>3</u> Subpoenas	1.50	4 50
..... Recognizance	50		Summoning Jury in Capital Case		
..... Continuance by Defendant	25		Seizure	3.00	
Et. Forfeiture vs. Defendant	50	50	Mileage .. Miles at 10c		
Trial	50		Fees in County Court		
Judgment	25		Total Sheriff's Fees		8 50
Sentence	25		RECAPITULATION		
Order of Removal and Indictments	1 00		Clerk's Fees		3 00
Issuing .. Execution	50		Sheriff's Fees		8 50
Issuing <u>3</u> Scire Facias	50	15 00	Fine		
Transcript and Cert. Folios ..	15		Solicitor's Fee		11 50
Final Record .. Folios	15	50	County Court Tax		
Record for Supreme Court	15		Justice of Peace Fees		
Certifying same	25		Constable's Fees		
Rec. Indict. at 15c per 100 words ..			Witness Fees in Circuit Court		
			Witness Fees in County Court		
County Court Costs			Removal Bill		
			Stenographer	5.00	
			Board .. Days at		
			Trial Tax	3.00	
Total Clerk's Fees		3 00	Total Costs and Fines		

WITNESSES:	AT	AMOUNT
Grand Jury Term	193	
<p style="text-align: center;">STATE WITNESSES</p> <p style="text-align: center;">Before Court of Conviction</p> <p style="text-align: center;">Term, 193</p>		

STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT.

January Term, 1938.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

YOU ARE HEREBY COMMANDED TO notify Herbert Weeks, John G. Evans and Jacob Lewis that at the Fall Term, 1937, of the Circuit Court of said County, a judgment was rendered against them of which the following is a copy:

THE STATE

vs.

BOND FORFEITURE.

HERBERT WEEKS, Et al.

It appearing to the Court that the said Herbert Weeks, together with John G. Evans and Jacob Lewis agreed to pay the State of Alabama the sum of Five Hundred (\$500.00) Dollars, unless the said Herbert Weeks paid the sum of \$8.00 per week to the Director of Public Welfare of Baldwin County, Alabama, for fifty-two weeks next following the date of January 8, 1937, and said bond, together with a certificate by the Honorable G. W. Robertson, Probate Judge of Baldwin County, Alabama, and as such officer, Judge of the Juvenile Court of Baldwin County, Alabama, to the effect of the failure of the said principal and sureties thereon to carry out and discharge their undertakings in said bond, having been transmitted by the Honorable G. W. Robertson, as such Judge to R. S. Duck, as Clerk of this Court for forfeiture as provided by Section 4490 of the 1923 Code of Alabama; it is therefore ordered that the State of Alabama recover of the said Herbert Weeks, John G. Evans and Jacob Lewis the sum of Five Hundred (\$500.00) Dollars unless they appear at the next term of this Court and show cause why this judgment should not be made absolute.

You will therefore, by serving a copy hereof, notify the said Herbert Weeks, John G. Evans and Jacob Lewis that the said judgment will be made absolute against them at the next term of said Court, unless they then appear and show cause against the same.

Witness my hand this 17 day of January, 1938.



Clerk.

1950

1950

1950

1950

Executed by serving a copy of the within writ on John Evans this 17th day of Jan 1950
M. H. Wilkins - Sheriff
By Saylor Wilkins P.S.

Executed by serving copy on Jacob Lewis, this Jan 18 1938
Homer Walters
D.S.

Herbert Weeks not found in my County after diligent search and inquiry. 1/2/37
M. H. Wilkins - Sheriff
By Saylor Wilkins P.S.

Saylor

McQUIDDY PRINTING CO.

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NASHVILLE, TENN.

290
22 2-14-38 = 3-4-38

44 6-19-38 = 7-11-38

67 9-30-38 = 10-5-38 *order of copy*

2 Bonds	2.00
3 arrest	6.00
3 Guard	6.00
3 Acire Jouis	4.50
1 subpoena	.50
	<hr/> 19.00

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT.
January Term, 1938.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

YOU ARE HEREBY COMMANDED TO notify Herbert Weeks, John G. Evans and Jacob Lewis that at the Fall Term, 1937, of the Circuit Court of said County, a judgment was rendered against them of which the following is a copy:

THE STATE

vs.

BOND FORFEITURE.

HERBERT WEEKS, Et al.

8-20-37
X
RECORDED
INDEXED
JAN 24 1938
X
It appearing to the Court that the said Herbert Weeks, together with John G. Evans and Jacob Lewis agreed to pay the State of Alabama the sum of Five Hundred (\$500.00) Dollars, unless the said Herbert Weeks paid the sum of \$8.00 per week to the Director of Public Welfare of Baldwin County, Alabama, for fifty-two weeks next following the date of January 8, 1937, and said bond, together with a certificate by the Honorable G. W. Robertson, Probate Judge of Baldwin County, Alabama, and as such officer, Judge of the Juvenile Court of Baldwin County, Alabama, to the effect of the failure of the said principal and sureties thereon to carry out and discharge their undertakings in said bond, having been transmitted by the Honorable G. W. Robertson, as such Judge to R. S. Duck, as Clerk of this Court for forfeiture as provided by Section 4490 of the 1923 Code of Alabama; it is therefore ordered that the State of Alabama recover of the said Herbert Weeks, John G. Evans and Jacob Lewis the sum of Five Hundred (\$500.00) Dollars unless they appear at the next term of this Court and show cause why this judgment should not be made absolute.

X
You will therefore, by serving a copy hereof, notify the said Herbert Weeks, John G. Evans and Jacob Lewis that the said judgment will be made absolute against them at the next term of said Court, unless they then appear and show cause against the same.

Witness my hand this 17 day of January, 1938.

R. S. Duck
Clerk.

[Handwritten signature]

Witness my hand this 17 day of January, 1933.

said Court, unless they then appear and show cause against the same. Judgment will be made absolute against them at the next term of said Herbert Weeks, John O. Evans and Jacob Lewis that the said ^X You will therefore, by serving a copy hereto, notify the judgment should not be made absolute.

appear at the next term of said Court and show cause why this Jacob Lewis the sum of five hundred (\$500.00) Dollars unless they or Wiseman recover of the said Herbert Weeks, John O. Evans and the 1933 Code of Alabama; it is therefore ordered that the State Clerk of this Court for Territory as provided by Section 4630 of the Honorable G. W. Robertson, as such Judge to R. G. Duck, as discharge their undersigning in said bond, having been furnished failure of the said principal and sureties thereon to carry out and travelle Court of Baldwin County, Alabama, to the effect of the of Baldwin County, Alabama, and as such officer, Judge of the with a certificate by the Honorable G. W. Robertson, Probate Judge here following the date of January 9, 1933, and said bond, together Public Welfare of Baldwin County, Alabama, for fifty-two weeks Herbert Weeks paid the sum of \$5.00 per week to the Director of from the sum of five hundred (\$500.00) Dollars, unless the said with John O. Evans and Jacob Lewis agreed to pay the State of Ala- -3- It appearing to the Court that the said Herbert Weeks, together HERBERT WEEKS, et al. as: BOND FORFEITURE.

THE STATE
the following is a copy:

Court of said County, a Judge in and returned against them of which Evans and Jacob Lewis that at the Fall Term, 1932, of the Circuit

YOU ARE HEREBY COME NEEDED TO NOTIFY Herbert Weeks, John O. Evans and Jacob Lewis that at the Fall Term, 1932, of the Circuit
TO ANY PERSONS OF THE STATE OF ALABAMA, ORIGINALLY:
BALDWIN COUNTY,
STATE OF ALABAMA
HERBERT WEEKS, JAMES,
CIRCUIT COURT.

RECORDED IN COURT
8-426
Duck

Received of R. S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, the original Probation Bond for Non-Support in the case of the State versus HERBERT WEEKS, charged with non-support of his wife and children, dated January 8th, 1937, and signed by Herbert Weeks, John G. Evans, and Jacob Lewis, and approved by G. W. Robertson, Judge of the Juvenile Court, on Jan. 8th, 1937, and off record in State Final Record, 9--- page 100-E.

John G. Evans.

STATE OF ALABAMA,
BALDWIN COUNTY.

I, G. W. Robertson, Probate Judge of Baldwin County, Alabama, and as such officer, Judge of the Juvenile Court of Baldwin County, Alabama, do hereby certify that on, to-wit, the 8th day of January, 1937, Herbert Weeks, as Principal, and John G. Evans and Jacob Lewis, as Sureties, executed a Probation Bond in the penal sum of FIVE HUNDRED (\$500.00) DOLLARS, conditioned as provided by law, which provided that said Principal, Herbert Weeks was to pay EIGHT (\$8.00) DOLLARS per week to the Director of Public Welfare of Baldwin County, for fifty-two weeks, payments to be made as provided in said bond, the original which is hereto attached. I further certify that the said Principal and Sureties have failed to carry out and discharge the undertakings as provided in said bond, which is hereby transmitted to the Honorable Robert S. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, for forfeiture, as provided in Section 4490, in the 1923 Code of Alabama.

Dated this the 17th day of August, 1937.

G. W. ROBERTSON,
PROBATE JUDGE.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

The Juvenile Court of
Baldwin County.

We Herbert Weeks, principal, (and John G. Evans and Jacob Lewis, sureties) agree to pay the State of Alabama the sum of Five Hundred Dollars, for the payment of which, well and truly to be made, we bind ourselves, our administrators and executors:

THE CONDITION of the above obligation is such that whereas, the Juvenile Court of said County did on the 8th day of January, 1937, on plea of guilty, find the above bounden Herbert Weeks guilty of Non-Support of his wife and children and did assess a fine of ONE HUNDRED & NO/100 Dollars against the said Herbert Weeks and did sentence him to imprisonment to hard labor for a term of 12 months.

AND WHEREAS, the Judge of said Court did, in his discretion, suspend the payment of said fine and sentence, and did place the said Herbert Weeks on probation for a period of 12 months, upon the following terms and conditions, to-wit: That the said Herbert Weeks pay the sum of \$8.00 per week to the Director of Public Welfare of Baldwin County, Alabama for 52 weeks next following this date and did require the said Herbert Weeks to enter into bond, with sureties, to comply with such terms and conditions and the orders of the Court;

NOW, if the said Herbert Weeks shall well and truly comply with the orders of the Court as herein set forth, then this obligation to be void; otherwise to remain in full force and effect. And as against this obligation we waive all right of exemptions to claim any personal property as exempt from levy and sale under the laws of Alabama.

Witness our hands and seals this the 8th day of January, 1937.

Herbert Weeks	(L.S.)	Address: Mag Springs, Ala
John G. Evans	(L.S.)	Foley, Ala
Jacob Lewis	(L.S.)	" "

Approved 8th day of Jan, 1937

G. W. ROBERTSON,
Judge Juvenile Court of Baldwin
County.