

1093

THE STATE OF ALABAMA,
Baldwin County

We, John W. Berry, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five hundred dollars DOLLARS unless the said John W. Berry appear at the next Term, 1949 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 Driving While Intoxicated

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 _____, 19____

_____, Baldwin County, Ala.

J. W. Berry (Seal)
Chas. S. Harvey By R. J. Foster *ally in fact* (Seal)
A. F. Harvey By R. J. Foster *ally in fact* (Seal)
_____, Baldwin County, Ala. (Seal)

Taken and approved this the 14th day of May, 1949
Joyce W. Wilkins, Sheriff
By Joe Dickerson, Deputy Sheriff

No. 1093

THE STATE OF ALABAMA,
BALDWIN COUNTY

COURT

SHERIFF'S OFFICE

The State

VS.

Sheriff's Appearance Bond

Amount of Bond, \$

Filed

, Clerk

THE STATE OF ALABAMA, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

John H. Berry

at the Spring Term, 1949, of the Circuit Court of Baldwin County, for the offense of

Driving While Intoxicated

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 24 day of March, 1949.

Amos J. Duck
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 Alabama.

Witness our hands and seals this _____ day of _____, 194_____.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 194_____.

Sheriff of Baldwin County.

J. Phillips
2723 Fillingim St
Mobile
4 o'clock Waterman

CAPIAS

1093

No. 50

THE STATE
vs. 8/4/26/49

John H. Berry
2723 Fillingim St

Bail Fixed in This Case in Open Court at
\$500⁰⁰

By J. J. Mashburn
Judge Presiding.

Attest: Alice J. Duck
Clerk.

April 30 49
This warrant may
be executed
any day

Executed this 3 day of May, 1949

By arresting the within
named Defendant

and placing him in Jail

_____, Sheriff
Howell Kaonty Deputy Sheriff

M. E. R 60 mar

DEPARTMENT OF REVENUE
SHERIFFS OFFICE

[Faint, mostly illegible text from the reverse side of the document, including "Department of Revenue" and "Sheriff's Office"]

THE STATE OF ALABAMA,
Baldwin County

} Circuit Court, Spring Session, 1949

The Grand Jury of said County charge that before the finding of this indictment John W. Berry, whose name is to the Grand Jury otherwise unknown, did operate, or drive a motor vehicle upon a highway of Baldwin County, State of Alabama, while under the influence of intoxicating liquors, or drugs,

against the peace and dignity of the State of Alabama.

Kenneth Cooper
Solicitor of the Twenty-eighth Judicial Circuit.

No. _____

**THE STATE OF ALABAMA,
Baldwin County**

Circuit Court

Spring Session, 194**9**

THE STATE

Vs.

JOHN W. BERRY

INDICTMENT

DRIVING WHILE INTOXICATED

NO

Prosecutor.

WITNESSES:

A. R. PHILLIPS

F. F. HAMMOND

GRAND JURY NO. 50

A TRUE BILL

Frank J. Peterson

Foreman Grand Jury.

Filed in open Court and in the presence of

the Grand Jury on the 23rd day of

March, 1949

Archie Leuck Clerk.

Presented in open Court to the presiding Judge by the Foreman of the Grand Jury, in the presence of 17 other Grand Jurors.

Archie Leuck Clerk.

Bail fixed \$ 50000

Julian J. Maslibury Jr. Judge.

THE STATE OF ALABAMA, }
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:
An indictment having been found against

John W. Berry

at the Spring Term, 1949, of the Circuit Court of Baldwin County, for the offense of

D. W. I. (Driving while Intoxicated)

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 18th day of April, 1949.

Alice 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 Alabama.

Witness our hands and seals this _____ day of _____, 194_____.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 194_____.

Sheriff of Baldwin County.

Corp. Philippine
1093

CAPIAS

No. 1093

THE STATE
vs.

John W. Berry
963- Luzon St

Bail Fixed in This Case in Open Court at
\$ _____

By _____
Judge Presiding.

Attest: _____
Clerk.

Handwritten note:
Return back
to court
to change
charge

Executed this 3 day of May, 1949

By arresting the within
named Defendant

and placing him in Jail

Taylor W. Hill, Sheriff

H. F. Hall, Deputy Sheriff

Faint vertical text on the right side of the page, possibly bleed-through from the reverse side.

Notice: This Bond must be signed with Ink and will not be approved if signatures are made with Pencil.

APPEARANCE BOND

THE STATE OF ALABAMA } THE Justice COURT OF Baldwin COUNTY
Baldwin County } We, John W. Berry Principal,

and _____

_____ sureties, agree to pay to the State of Alabama
Three Hundred (\$300.00) Dollars,

unless the said John W. Berry
appears before the Circuit Court of Baldwin County on the 12 day of
Next term, and from day to day, and from term to term, thereafter, until discharged by
due course of law, to answer a criminal prosecution for the offense of

D. W. J.

And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama, and we hereby severally certify and solemnly swear that we have property free from all encumbrance, to the full amount of the above bond.

Witness our hands and seals this 12 day of Mar. 1949

Approved this the 12 day of
Mar., 1949

Sign Top Line	NAME
<u>John W. Berry</u>	(L. S.)
<u>J. C. P. [unclear]</u>	(L. S.)
<u>John F. Thomas</u>	(L. S.)
_____	(L. S.)

ADDRESS

By H. E. [unclear] Arresting Officer.

WARNING

Any person who willfully violates the above written bond, and fails to appear on the date and time set, shall be guilty of a misdemeanor punishable by fine and imprisonment regardless of the disposition of the charge above made.

This is a good and sufficient bond and if presented to me in my County would be accepted by me.

W.H. Holcombe, Sheriff

By: *W.H. Holcombe* D.S.

NO. _____

THE _____ COURT OF

_____ COUNTY

THE STATE

vs.

BOND

Filed _____

Sheriff.

By _____

Deputy Sheriff.

THE STATE OF ALABAMA, }
Baldwin County }

We, John W Berry, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Five hundred and 10/100 DOLLARS

unless the said John W Berry appear at the Mar 9 Term, 19 49 of the Justice H.E. Miles Court of Baldwin County, Alabama, and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of Driving while intoxicated (alias)

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 _____, 19____

_____, Baldwin County, Ala.

✓ John Berry (Seal)
✓ J W Pierce (Seal)
✓ John F Thomas (Seal)
_____, (Seal)

Taken and approved this the 5th day of March, 19 49

Taylor Wilkins, Sheriff
By John Diehman, Deputy Sheriff

This Bond applying to alias warrant

This is a good and sufficient bond and would be accepted by me in my County.

W. H. Holcombe, Sheriff

By: W H Holcombe

No. _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

_____ COURT

SHERIFF'S OFFICE

The State

vs.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____

_____, Clerk

STATE OF ALABAMA,
Baldwin County.

IN THE JUSTICE COURT OF

Before me, H. C. Miceo

in and for said County, personally appeared A. R. Phillips 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 Dec 24 that one John W Berry
operated a vehicle on the Highway in
Baldwin Co. while under the influence
of intoxicating liquor or drugs

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 24
day of Dec, A.D. 19 48
H. C. Miceo, J.P. A. R. Phillips

WARRANT

STATE OF ALABAMA }
BALDWIN COUNTY }

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to arrest John W Berry
and bring him

before me to answer the State of Alabama on a charge
D. W. I.

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

Witness my hand this 24 day of Dec., 19 48
H. C. Miceo, J.P.

Handwritten initials

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT OF

H. C. Rice

AFFIDAVIT

THE STATE OF ALABAMA

vs.

John W. Berry

WITNESSES FOR THE STATE:

A. R. Phillipps
J. S. Hammond
Zellie Griffin
H. J. Wall

JUSTICE COURT OF
BALDWIN COUNTY

WARRANT OF ARREST

THE STATE OF ALABAMA

vs.

John W. Berry

Executed this *24* day of *Dec*, 19 *48*

By arresting the within

named Defendant

and placing him *in jail*

A. J. P. P. P., Sheriff

Deputy Sheriff

AFFIDAVIT

alias warrant Moore Printing Co., Bay Minette, Ala.

STATE OF ALABAMA,
Baldwin County.

IN THE JUSTICE COURT OF

H. E. MILLS

Before me, H. E. MILLS, Justice of the Peace

in and for said County, personally appeared A. R. Phillips 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 Dec 24, 1949 that one John W. Berry
did operate a vehicle on the Highway
in Baldwin Co. while under the
influence of intoxicating liquor or
drugs.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 24
day of Jan, A.D. 19 49
H. E. Mills, J.P. H. E. Mills

WARRANT

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETINGS:

You are hereby commanded to arrest John W. Berry
and bring him

before me to answer the State of Alabama on a charge
D. W. I.

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

Witness my hand this 24 day of Jan, 19 49
H. E. Mills, J.P.

THE STATE OF ALABAMA

BALDWIN COUNTY

JUSTICE COURT OF

H. E. MILLS

AFFIDAVIT

THE STATE OF ALABAMA

vs.

John W. Berry

WITNESSES FOR THE STATE:

A. R. Phillips
J. S. Hammond

*The within warrant
may be executed
in Mobile Co
1/25/49*

JUSTICE COURT OF
BALDWIN COUNTY

WARRANT OF ARREST

THE STATE OF ALABAMA

vs.

John W. Berry

Executed this *27* day of *March*, 19*49*

By arresting the within

named Defendant

and placing him *In Jail*

A. P. Tucker, Sheriff

A. W. O., Deputy Sheriff

STATE OF ALABAMA }
BALDWIN COUNTY }

Nº 1170

Case No. 50

IN THE Circuit COURT OF
BALDWIN COUNTY, ALABAMA

The State of Alabama

vs.

John W. Berry

Before me, Allice J. Buck, Clerk of the Circuit Court of
Baldwin County, Alabama, personally appeared Taylor Wilkins,
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. John W. Berry
John W. Berry in the above mentioned court, in executing the warrant
of arrest or in arresting the said defendant, I or one of my duly authorized deputies, traveled 60
miles by the most direct route to the point of arrest and return, and I am entitled to mileage at ten cents
per mile to be taxed as costs in the case.

Point of Arrest

Mobile to line Taylor Wilkins
Sheriff

Subscribed and sworn to before me this 4 day of May, 19 49

Disposition of Case

Clerk Circuit Court

After considering the above affidavit made by the sheriff of Baldwin County, Alabama, I, as the trial
Judge of said court, do hereby approve the claim for mileage in the sum of \$ _____ incurred in the
making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the
clerk of the court to tax the said sum as part of the costs in said case.

This the _____ day of _____, 19 _____

Judge of the above named court

THE STATE OF ALABAMA

~~Mobile~~ County

Baldwin/

We John W. Berry

A. F. Harvey

and Alice G. Harvey

agree to pay the State of Alabama

Three hundred

Dollars

unless the said

John W. Berry

appear at the

Jan 1 1949 Justice Mill

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

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

offense of

D. M. I

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 26 day of Dec, 1948

Taylor Wilkins Sheriff

Zellie B. Guffin Deputy

J. W. Berry (L. S.)
A. F. Harvey (L. S.)
Alice G. Harvey (L. S.)

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 _____, 194_____

Sheriff of Mobile County.

No. _____

THE STATE
VS.

APPEARANCE BOND

Filed _____ day of _____ 194_____

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, W.H. Holcombe, Sheriff of Mobile County, Alabama, do, hereby certify that the within bond is a good and sufficient bond and if presented to me in Mobile County, I would accept same.

This the 25th day of Dec. 1948

W. H. Holcombe
W.H. HOLCOMBE, Sheriff of Mobile County, Alabama.

By H. C. Hall D.C.

THE STATE OF ALABAMA,
Baldwin County.

No. 1093

CIRCUIT

COURT

SPRING

Term, 194 9

To Any Sheriff of the State of Alabama—Greeting :

You are Hereby Comanded to Notify JOHN W. BERRY, L. W. PIERCE, and

JOHN F. THOMAS

that at the SPRING Term, 194 9 of the Circuit Court of said County, a judgment

was rendered against JOHN W. BERRY of which the following is a copy :

THE STATE
VS.

JOHN W. BERRY

Indictment for

DRIVING WHILE INTOXICATED

It appearing to the Court that the said JOHN W. BERRY

together with L. W. PIERCE, and JOHN F. THOMAS

agreed to pay the State of Alabama

the sum of THREE HUNDRED DOLLARS

unless the said JOHN W. BERRY appeared at this term of the

Court to answer in this case; and the said JOHN W. BERRY

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

County, recover of the said JOHN W. BERRY, L. W. PIERCE, and JOHN F. THOMAS

on said undertaking,

the sum of THREE 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 JOHN W. BERRY, L. W. PIERCE, and JOHN F. THOMAS

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 19th day of April A. D. 194 9

Alvin J. Roberts Clerk.

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No. 1093

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT

THE STATE
VS.

JOHN W. BERRY

Sci. Fa. to Defaulting Defendant
and Bail

Issued ~~19~~ April, 1949

Alice J. Welch
Clerk.

RECEIVED IN OFFICE

194

Sheriff

I have executed this writ,

this _____, 194

by serving copy on _____

Sheriff

Deputy Sheriff

THE STATE OF ALABAMA,
Baldwin County.

No. 1093

CIRCUIT COURT

SPRING Term, 1949

To Any Sheriff of the State of Alabama—Greeting :

You are Hereby Comanded to Notify JOHN W. BERRY, L. W. PIERCE, and JOHN F. THOMAS

that at the SPRING Term, 1949 of the Circuit Court of said County, a judgment was rendered against JOHN W. BERRY of which the following is a copy:

THE STATE VS. JOHN W. BERRY	}	Indictment for DRIVING WHILE INTOXICATED
-----------------------------------	---	---

It appearing to the Court that the said JOHN W. BERRY together with L. W. PIERCE, and JOHN F. THOMAS

_____ agreed to pay the State of Alabama the sum of THREE HUNDRED DOLLARS

unless the said JOHN W. BERRY appeared at this term of the Court to answer in this case; and the said JOHN W. BERRY

having failed to appear, it is therefore ordered that the State of Alabama for the use of BALDWIN County, recover of the said JOHN W. BERRY, L. W. PIERCE, and JOHN F. THOMAS

_____ on said undertaking, the sum of THREE 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 JOHN W. BERRY, L. W. PIERCE, and JOHN F. THOMAS 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 19th day of April A. D. 1949

W. J. Duck Clerk.

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Go

No. 1093

Page

RECEIVED IN OFFICE

4121

1949

Taylor Wilkins

Sheriff

I have executed this writ,

this _____, 194

by serving copy on _____

Sheriff

Deputy Sheriff

Moore Printing Co., Bay Minette, Ala.

The State of Alabama,
Baldwin County.

CIRCUIT

COURT

THE STATE
VS.

JOHN W. BERRY

Sci. Fa. to Defaulting Defendant
and Bail

Issued 19 April _____, 1949

Alice J. Newkirk

Clerk.

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	
	<i>John W. Berry</i>	<i>D. U. I.</i>

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>A. R. Phillips</i>	JUDGE'S FEES	
Returnable	Warrant at 50c, Affidavit at 25c	<i>1.25</i>
Witness—For State <i>A. R. Phillips - J. B. Hammond</i>	Bond at 50c, Sci. Fa. at 50c	<i>.50</i>
<i>Defendant asks for and received</i>	Witnesses' Recognizances at 25c	
<i>three continuances - Third Continuance</i>	Subpoena or Notice at 25c	
<i>Defendant failed to appear in Court</i>	Continuance at 25c	<i>.75</i>
<i>Alias warrant issued & served -</i>	Trial of Misdemeanor at \$1.00	
<i>on appearance in Court the</i>	Mittimus at 25c	<i>.25</i>
<i>Defendant served notice for</i>	Judgment on Forfeited Bond at 25c	
<i>trial by Jury. Bond set at</i>	Taking Bond, etc., on Appeal at \$1.00	<i>2.25</i>
<i>\$300.00 & made by Defendant</i>	Execution of costs at 25c	
<i>for appearance at next term</i>	CONSTABLE'S FEES	
<i>of Circuit Court</i>	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	<i>4.00</i>
	Committing, \$1.00; Releasing, \$1.00	
	Subpoenas at 25c Day's Board at 30c	<i>1.00</i>
	WITNESS FEES	
	Days at 50c	
	" " 50c	
	" " 50c	
	" " 50c	
	" " 50c	
	" " 50c	
	" " 50c	
	DEFENDANT'S COSTS	
	Witnesses' Recognizance at 25c	
	Subpoenas at 25c	
	Executing Subpoenas	

H. E. Tynes

1093