

1269

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court, FALL Session, 1950

The Grand Jury of said County charge that before finding this indictment Harry Wilson, whose name is to the Grand Jury otherwise unknown, did sell or convey personal property, consisting of one 1941 GMC truck and three head of cattle, upon which he had given a written mortgage, lien, or deed of trust, and which was then unsatisfied, without first obtaining the consent of the lawful holder thereof,

against the peace and dignity of the State of Alabama.

*Kenneth Cooper*  
Solicitor of the Twenty-Eighth Judicial Circuit.

**RECORDED**

No. ....

**THE STATE OF ALABAMA,**

**BALDWIN COUNTY**

**Circuit Court**

FALL SESSION ~~Term~~ 1950.....

THE STATE

Vs.

HARRY WILSON

**INDICTMENT**

SELLING OR CONVEYING MORTGAGED  
PROPERTY. No. Prosecutor.

WITNESSES:

VERNON UNDERWOOD

R.C. POTTS

LUTHER BYRD

ALFRED NEWMAN

GRAND JURY NO. 34

A TRUE BILL

*Orin Talley*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 6<sup>th</sup> day of  
Nov, 1950.

*Archie J. Leuch* 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 J. Leuch* Clerk.

Bail fixed \$ 7500<sup>00</sup>  
~~xx~~

*Jeffrey J. Masliberry, Jr.*  
Judge.

Approved A. To obtain and to verify the money and balance

CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA }  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Harry Wilson

at the Fall Term, 1922, of the Circuit Court of Baldwin County, for the offense of

Selling or Conveying Mortgaged Property

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 6th day of Nov, 1922

Ben 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 the State of Alabama.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

\_\_\_\_\_ (L. S.)

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
Sheriff of Baldwin County.

MOVED TO LOXEY.  
RECORDED

CAPIAS

No. 34

THE STATE

vs.

Harry Wilson

Bail Fixed in This Case in Open Court at

\$ 75000

By Delmar J. Mackburn Jr.  
Judge Presiding.

Attest: Delmar J. Mackburn Jr.  
Clerk.

Executed this 14 day of Dec, 1950

By arresting the within

named Defendant

and placing him In Jail

Taylor Wilkins, Sheriff

Da Jackson, Deputy Sheriff

Loxey 40 miles

THE STATE OF ALABAMA }  
Baldwin County

We, Harry Wilson, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Seven Hundred and Fifty 00/100 DOLLARS unless the said Harry Wilson appear at the next Term, 1951 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

Selling or Conveying Mortgage Property

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.

Harry Wilson (Seal)  
G. Harris (Seal)  
A. J. Livingston (Seal)  
Cecil H. Shree (Seal)

Taken and approved this the 18 day of Dec., 1950

E. Taylor Williams, Sheriff  
By D. A. Jackson, Deputy Sheriff

No. 1269

RECORDED

THE STATE OF ALABAMA  
BALDWIN COUNTY

COURT

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$

Filed \_\_\_\_\_, 19\_\_

\_\_\_\_\_, Clerk

Moore Printing Co., Bay Minette, Ala.

I, F. F. Fountain, Sheriff of Escambia County, certify that this is a good and sufficient bond and if presented to me in my County I would approve same.

*F. F. Fountain*  
\_\_\_\_\_  
Sheriff Escambia County

21 November 1950

Mr Alfred Newman  
Alberta, Alabama

Dear Mr Newman:

Returned herewith is the note signed by Harry Wilson in the amount of \$374.00, and dated Sept 4th, 1946.

There was a ture bill in this case, and it has been set for trial on the 7th of December, next. You will be summoned to ap ear as a witness in said trial, and it is requested that you bring this note with you at that time. Without this note it will not be possible to go to trial.

With best personal regards,

Sincerely yours,



Kenneth Cooper

1 incl;

61. (59) (59) False pretense, obtaining signature by (Section 113  
Statute 113)

A. B. (in falsely pretend to C. D. with intent to procure defraud  
(Section 113) (Section 113)

(Section 113), the false making of (Section 113) (Section 113)

State Board of Elections  
Hiram, Michigan

One 1941 Buick  
2 head of cattle. Sold twice  
June 17, 1947 to Luther Boyd



Title 14-363

69

THE STATE OF ALABAMA }  
BALDWIN COUNTY

JUSTICE COURT OF T. C. HAND  
Precinct 4, Bay Minette, Ala.

To Any Sheriff of the State of Alabama:  
You Are Hereby Commanded to Summon

*R. a. Potts*

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the  
9 day of Aug. 10 AM, 1950, and from day to  
day of said term, and from term to term hereafter, until discharged, to give evidence and the truth to  
speak in behalf of the STATE, in a prosecution now pending in said Court, wherein the State of Alabama  
is Plaintiff and Harry Wilson

Defendant, and have you then and  
there this Writ, with your endorsement thereon.

Witness my hand this 7 day of Aug, A. D. 1950

*[Signature]*  
Justice of the Peace, Precinct No. 4

Executed in full, this the

8 day of

aug, 1954

Taylor W. Wilburn  
Sheriff.

W. F. Wall  
Deputy Sheriff.

GRAND JURY SUBPOENA — ORIGINAL

THE STATE OF ALABAMA, }  
Baldwin County

No. 34

TO Any Sheriff of the State of Alabama — Greetings:

You are hereby commanded to summon

Ussner Underwood

Virgil Pumphrey

Luther Byrd

Alfred Newman

to be and appear on the 31 day of October 1950 before the Grand Jury of said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this 10th day of October A. D., 1950

Alison J. Davis Clerk.

✓

ORIGINAL

No. 34

**GRAND JURY SUBPOENA**

I have executed this Subpoena by serving a copy thereof on the following persons, to-wit:

Vernon Anderson  
Ursula J. Anthony  
John B. Boyd  
Alfred Waterman

this 18 day of Oct 1948

Raymond M. Taylor, Sheriff

Ray

D.O.M.P

THE STATE OF ALABAMA,  
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY—GREETING:

You are hereby commanded to arrest Harry Wilson

and bring him before the Judge of the County Court on the 2nd day of

May 1949, to answer to the State of Alabama on a charge

Disposing of Mortgaged Property

*did dispose of or use personal property to which Worthey Trust to RA Patton State Bank of Elberta had a claim on bond May 31, 1947*

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

Witness my hand this 16th day of April, 1949

*W. J. Leach*  
Clerk of the County Court

No. ~~473~~

Page ~~3395~~

3391

The State of Alabama,  
Baldwin County

COUNTY COURT

THE STATE  
vs.

HARRY WILSON

WARRANT OF ARREST

*Belmont  
New Simon  
Alva*

Executed this 17 day of June, 1910  
by arresting the within named Defendant,

and placing him

*in jail*

*Jay B. Wilkins*  
Sheriff.

*Page 174-10*  
D. S.

*Belmont. 50m*

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. <i>1269</i>	Vs. <i>Harry Wilson</i>	<i>seizure of mortgaged property</i>

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to <i>R.C. Potts</i>	<b>JUDGE'S FEES</b>	
	Returnable <i>Grand Jury</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—For State <i>R.C. Potts</i>	Bond at 50c, Sci. Fa. at 50c	
		Witnesses' Recognizances at 25c	
		Subpoena or Notice at 25c	<i>25</i>
		Continuance at 25c	<del>25</del>
<i>9 Aug 50</i>	<i>Def. was brought before me and requested that hearing be waived to Grand Jury. Bond was set at \$200.00. Def being unable to make bond was ordered committed to jail.</i>	Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	<i>25</i>
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	
		Execution of costs at 25c	
		<b>CONSTABLE'S FEES</b>	
		Subpoena or Notice at 25c	
		Carrying Defendant before Justice, each mile for himself and guard at 10c	
		Arrest, 50c	
<i>10 Aug 50.</i>	<i>Bond made</i>	<b>SHERIFF'S FEES</b>	
		Arrest, \$2.00; Bond \$1.00; Sci. Fa. 50c	<i>3.00</i>
		Committing, \$2.00; Releasing, \$1.00	<i>2.10</i>
		Subpoenas at 25c Day's Board at 30c	<i>50</i>
		<b>WITNESS FEES</b>	
		Days at 50c	<i>50</i>
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		<b>DEFENDANT'S COSTS</b>	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

*R. C. Potts*  
*Justice of Peace*



THE STATE OF ALABAMA, BALDWIN COUNTY

\$ 374.00

Elberta, Ala., Sept. 4th 1946 194

On the 4th day of March, 1947, for value received, I, or we, promise to pay to State Bank of Elberta or order \*\*\*\*Three hundred seventy four\*\*\*\* DOLLARS

with int. from maturity at 8% per annum. at its office in Elberta, Ala. I or we hereby waive all rights of exemption under the Constitution and Laws of the State of Alabama as to the collection of this debt; and I or we agree to pay all cost of recording this instrument, a reasonable attorney's fee and all other expenses incident to the collection of the same, incurred in any manner, whether by suit or otherwise. And to secure the above note as well as all else I or we now, or hereafter may owe to State Bank of Elberta before the full payment hereof, I or we hereby grant, bargain, sell and convey to said State Bank of Elberta all my or our livestock and increase, gathered crops now on hand, and household and kitchen furniture of every kind and description. The said State Bank of Elberta is hereby authorized and empowered to buy, or have assigned to it any note or mortgage or other lien that I or we may have executed to, or owe to any other person, firm or corporation on any property, and such debt together with all other debts and obligations that I or we now owe or may hereafter owe to the said State Bank of Elberta under this instrument, or otherwise, shall also be secured by such mortgage or lien so transferred to it as fully as if originally made to it. I or we also bargain, sell and convey to State Bank of Elberta the following personal property, to-wit:

Four head cows described as follows: one jersey milch cow, one jersey heifer 1 1/2 years old, one jersey heifer about one year old, one hereford white faced bull, age 1 1/2 years old; One 1941 model G.M.C. 1/2 ton pick up truck, Motor #A 32863760, Serial #CC1014732

All cows and increase, all hogs and increase, and all other personal property not herein specially named, owned by me or us now, or at any time before the full payment of all debts secured by this note and mortgage; also my or our entire crops, of every kind and description, raised by me or us, or in which I or we may be interested during the years 194, 194, 194, in Baldwin County, Alabama, or elsewhere, including all rents and advances due or to become due to me or us as landlord for said years. I or we hereby declare that the said property is my or our own, and that there is no lien or encumbrance on the same. If the said State Bank of Elberta has to litigate with any other parties in any way for the recovery of any of said property, or its value, I or we agree to pay every expense incurred by reason of such litigation, including a reasonable attorney's fee. I or we agree to hold all fertilizers and supplies advanced under this mortgage, or purchased with moneys so advanced, as the property of and subject to the order of said State Bank of Elberta. In the event I or we fail to pay this note, or any debt secured hereby, when due, or should I or we sell, dispose of, remove, abandon, mistreat or injure, any of the above mentioned property, without the consent of the said State Bank of Elberta or should the said State Bank of Elberta for any reason, or no reason deem the debt, or debts secured hereby to be insecure, then on the happening of either of said events, the said State Bank of Elberta at its option, and without notice to me or us, may declare all debts evidenced or secured hereby due and payable, and it may seize, take possession of and sell any or all of said property at public outcry, for cash, to the highest bidder, or at private sale, where said property is located or at the State Bank of Elberta building in Elberta, Alabama after posting for one day or more written notices in three public places in Elberta, Alabama, and in the event of a sale of any property under this contract, the State Bank of Elberta is hereby authorized to become the purchaser thereof.

WITNESS my or our hand and seal, this the 4th day September 6, 1946

ATTEST: [Signature]

[Signature] L. S. [Signature] L. S.

P. O.

9-4-46

Harry Wilson 57

The endorser of this note agree to pay all cost of collection, including a reasonable attorney's fee, whether costs are incurred by suit against any one or more of the makers or endorsers, or otherwise, and each endorser expressly waives all right to claim exemptions under the Constitution and Laws of the State of Alabama, or any of these United States as to this debt should note not be paid at maturity. Notice and protest and all steps necessary to bind each endorser hereon on the non-payment of this note are hereby waived by each endorser. The State Bank of Elberta, is hereby authorized by each surety and endorser hereof to apply at any time any funds in said bank belonging to any one or more of said endorsers to the payment of this debt.

+ H. H. Potts

ENDORSEMENT ON PRINCIPAL	BALANCE DUE ON PRINCIPAL
6-30-1947	\$ 200.00
10-1-1948	\$ 312.00
4-19-1949	\$ 302.40
6-30-1949	\$ 226.00
9-19-1949	\$ 235.00
12-30-1949	\$ 232.50

ENDORSEMENT ON INTEREST	to	1947
5-9-1947	to 6-4-1947	\$ 7.00
6-6-1947	to 6-24-1947	\$ 2.00
6-20-1947	to 9-24-1947	\$ 3.50
10-1-1948	to 11-10-1948	\$ 13.90
4-19-1949	to 4-10-1949	\$ 4.76

6-30-1949 \$ 2.40  
 9-19-1949 \$ 2.00  
 12-30-1949 \$ 1.75  
 4-19-1949 \$ 1.08  
 SEP 18 1950 \$ 1.50  
 m. 60  
 r 85  
 1.45  
 State Bank Elberta

101769

STATE OF ALABAMA, BALDWIN COUNTY

Filed Jan 6, 1947 8 AM

Recorded *Wiley* book 23 page 78

and I certify that the following Privilege Tax has been paid.

Deed Tax \_\_\_\_\_  
 Mortgage Tax \_\_\_\_\_ 60

*W. H. Stewart*  
Judge of Probate

By *W. H. Stewart*

ENDORSEMENT ON PRINCIPAL	BALANCE DUE ON PRINCIPAL
A-22-1950	\$ 892.00
SEP 18 1950	\$ 826.00
SEP 20 1950	\$ 1500.00
19	\$
19	\$
19	\$

THE STATE OF ALABAMA }  
Baldwin County

We, Harry Wilson, as

principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of 300.00

Three Hundred DOLLARS

unless the said Harry Wilson appear at the

~~July 3~~ NEXT Term, 19 50 of the County 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

Disposing of Mortgage Property

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-----

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----- Baldwin County, Ala.

H. W. Wilson (Seal)

Jessie C. Wilson (Seal)

Robert J. Wilson (Seal)

M. G. Thompson (Seal)

Taken and approved this the 10 day of June, 19 50

Paula Weir, Sheriff

By M. D. Taylor, Deputy Sheriff

THE STATE OF ALABAMA }  
Baldwin County

We, Harry Wilson, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of \_\_\_\_\_

Three Hundred DOLLARS

unless the said Harry Wilson appear at the

next Term, 1950 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

suspending of mortgaged Property

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 Harry Wilson (Seal)

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ H. W. Fusco (Seal)

\_\_\_\_\_ Racine Williams (Seal)

\_\_\_\_\_, Baldwin County, Ala. M. P. Wilson (Seal)

Taken and approved this the 10 day of Aug, 1950

Taylor Walker, Sheriff

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

BILL OF SALE

THE STATE OF ALABAMA

BALDWIN COUNTY,

KNOW ALL MEN BY THESE PRESENTS; That for and in consideration of Four Hundred DOLLARS cash in hand paid to the undersigned Harry Wilson by Luther Byrd, receipt of which is hereby acknowledged, the said Harry Wilson does hereby transfer, assign, set over and convey to and unto the said Luther Byrd all right, title and interest which the undersigned has in and to the following described personal property, to-wit: one 1941 GMC 1/2 ton Pick-Up, Motor No. A 2283760, 1947 License tag - Alabama 5 HL 496 warranted free from all liens and encumbrances.

IN WITNESS WHEREOF, the said Harry Wilson has executed this instrument on this 17th day of June 1947.

Witness:

L. M. J. Ehat

Harry Wilson

By

THE STATE OF ALABAMA, }  
Baldwin County

COUNTY COURT

Before me, ALICE J. DUCK, Clerk of the Circuit Court of said county, personally appeared

\_\_\_\_\_, 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 31, 1947 Harry Wilson did dispose of mortgaged  
property as follows

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

against the peace and dignity of the State of Alabama \_\_\_\_\_

Sworn to and subscribed before me this

16 day of April, A. D., 1949

Alice J. Duck  
Clerk of the Circuit Court

R. A. Potts

*From Unrecorded Papers 1947*

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

Page \_\_\_\_\_

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**The State Of Alabama,  
BALDWIN COUNTY**

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**COUNTY COURT**

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VS.

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HARRY WILSON

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**COUNTY COURT COMPLAINT**

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WITNESSES FOR THE STATE

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vernon Underwood

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---

Virgil Pumphrey

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Luther Byrd

---

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Alfred Neuman

STATE OF ALABAMA }  
BALDWIN COUNTY }

No. 2129

Case No. 34

IN THE Circuit COURT OF  
BALDWIN COUNTY, ALABAMA

The State of Alabama

vs.

Harry Wilson  
Before me, Alice G. Dyck, Clerk of the Circuit Court of  
Baldwin County, Alabama, personally appeared Jay Wilson,  
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. Harry Wilson 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 40 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

Jay Wilson  
Sheriff

Subscribed and sworn to before me this 15 day of Dec. 1950.

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 \_\_\_\_\_, 195\_\_\_\_\_.

Judge of the above named court



AFFIDAVIT

Printed by Moore 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 R. C. Potts 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 31 May 1947 that one Harry Wilson

did without consent or permission sell or dispose of one 1941 G. M. C. Truck and three head of cattle to Luther Byrd on which the State Bank of Elberta, R. C. Potts held a note for three hundred Seventy Four dollars (\$374.00)

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 16

day of April A. D., 1947

R. C. Potts

J. P.

WARRANT

STATE OF ALABAMA, {  
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Harry Wilson and bring him

before me to answer the State of Alabama on a charge disposed of mortgaged Property.

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

Witness my hand this 16 day of April, 1947

J. P.

No. 1269

Page \_\_\_\_\_

**THE STATE OF ALABAMA**

Baldwin County.

JUSTICE COURT OF

**T. C. HAND**

**AFFIDAVIT**

THE STATE OF ALABAMA,

vs.

*Harry Wilson*

Witnesses for the State :

*R. A. Batts*

Justice Court of  
Baldwin County

**WARRANT of ARREST**

The State of Alabama,  
vs.

*Harry Wilson*

Executed this 7 day of Aug, 1950

By arresting the within

named Defendant

and placing him

*in Jail*

*Jay L. Walker*, Sheriff

*J. F. Wolf*, Deputy Sheriff