

Affidavit

(1340)

Printed by Moore Ptg. 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 Taylor Wilkins 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 2 May 1951 that one W. H. Failsdid operate a motor vehicle on the highway
of Alabama while under the influence of
alcoholic liquor, beer or drug.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

day of May A. D., 1951T. C. Hand, J. P.Taylor Wilkins

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

W. H. Fails

and bring

himbefore me to answer the State of Alabama on a chargeof W. D.

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

Witness my hand this 2 day of May, 1951T. C. Hand

J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County

JUSTICE COURT OF
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

W. H. Fail

Witnesses for the State :

Taylor Williams
W. D. Taylor
George Hartley

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

W. H. Fail

Executed this 2 day of May 1951

By arresting the within

named Defendant

W. H. Fail

and placing him

In Jail

Taylor Williams

Sheriff

, Deputy Sheriff

J. M. H.

STATE OF ALABAMA
COUNTY OF BALDWIN

STATE OF ALABAMA
V.
W. H. FAIL

TO THE SHERIFF OF SAID COUNTY OR ANY PROBATION OFFICER:

You are hereby commanded to arrest the above named defendant, W. H. Fail, and bring him before the Court on June 12, 1951 at 10:00 o'clock A. M., for a hearing to determine whether the order of Probation heretofore made in this cause shall be revoked.

Witness my hand this the 1st day of June, 1951.

J. L. P. Maddux, Jr.
Circuit Judge

1340

W. W. Fair

warrant

Executed 10-8-51
by arresting W. W.
Fair and placing
him in Jail

Taylor Wilkins Sheriff
147 Hall P. S.

1802

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

Jaylen Welborn, W.D.

Jaylen, George / Lantley
personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
3 day of *May*, 195*1*, and from day to
day of said term, and from term to term thereafter, 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 *W. H. Fails*

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

Witness my hand this *2* day of *May*, A.D., 195*1*

J. J. Ladd
Justice of the Peace, Precinct No. 4

Executed in full, this the

2 day of

May, 1951

Taylor Wilburn
Sheriff

W. F. Hall
Deputy Sheriff

STATE OF ALABAMA
PROBATION OFFICER'S REPORT
ON
DELINQUENT PROBATIONERS

May 31, 1951

Date

TO JUDGE: Telfair J. Mashburn
IN RE: William H. Fail 1340 Baldwin
Name Court No. County
OFFENSE: D.W.I. SENTENCE: 6 months Hard Labor
RACE: White SEX & AGE: Male--54
DATE OF PROBATION: 5-14-51 PROBATION PERIOD 2 years
DATE OF DELINQUENCY: 5-24-51

DELINQUENCY CHARGES

1. Going to Montgomery without permission
2. Arrested by the Montgomery City Police and charged with D.W.I. and Collision. Fined \$100. and costs in the D.W.I. case and \$25. and costs in the Collision case.
- 3.

REMARKS: The subject on May 24th left Baldwin County in his car and went to Montgomery County without first securing permission from this officer. On May 14th the day he was placed on probation he was given specific instructions that he was not to leave the county without first securing officer's permission. He failed to live up to this condition of probation.

SUPERVISION SUMMARY: While in Montgomery on May 24th he had several drinks and was arrested for Driving While Intoxicated and colliding into the rear ends of two cars, one car belonging to Horace Nelson a Negro, whose home address is 415 Underwood Street, Montgomery and the other car belonged to Major Growder who lives on Hall Street, Montgomery. The subject appeared in City Court on May 25th and was charged with Driving While Intoxicated and Collision. He was fined \$100. and costs in the D.W.I. case and \$25. and costs in the Collision case.

This subject at the time he was placed on probation was specifically told that the main source of his trouble was his drinking. At this time the subject was ordered to abstain from the use of any intoxicating beverages. He promised that he would not touch the stuff. However, as can be seen he has failed to live up to his promise. Furthermore he has violated an important condition of his probation.

SUPERVISION SUMMARY:

William H. Fail was placed on probation on May 14, 1951 charged with D.W.I. He received a sentence of 6 months Hard Labor suspended and placed on probation for a period of two years. On the same date officer explained to him the conditions of probation with greatest emphasis being placed on his one great weakness, drinking. At this time he promised that he would never drink again. Officer went to the subject's home and spoke with his wife in an effort to help the subject to conquer his drinking. The subject on the day he was placed on probation was given his Order of Probation and monthly report blanks. This officer during the first interview anticipated problems due to the fact that he is a known alcoholic. As stated above the subject has not lived up to the conditions of his probation by leaving Bay Minette and going to Montgomery County without permission and while in Montgomery County the subject had several drinks which resulted in his being arrested for Driving While Intoxicated and Collision.

It is the recommendation of this officer that the subject's probation be revoked and subject be made to serve his 6 months at Hard Labor. The subject can be located at his home in Bay Minette.

Joseph N. Bivona
Joseph N. Bivona
Probation Officer

JNB:hbt

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. 1803.	Vs.	
	W. H. Fail	Driving while Intoxicated

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to <i>Jaylow wilkins</i>	JUDGE'S FEES	
	Returnable <i>Circuit Court</i>	Warrant at 50c, Affidavit at 25c	75
	Witness—For State <i>Jaylow wilkins</i>	Bond at 50c, Sci. Fa. at 50c	
	<i>W. D. Taylor</i>	Witnesses' Recognizances at 25c	
	<i>George Hartley</i>	3 Subpoena or Notice at 25c	75
		Continuance at 25c	
		Trial of Misdemeanor at \$1.00	1.00
		Mittimus at 25c	25
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	
		Execution of costs at 25c	275
		CONSTABLE'S FEES	
		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	2.00
		Committing, \$1.00; Releasing, \$1.00	2.00
		2 Subpoenas at 50c Day's Board at 30c	1.00
		WITNESS FEES	
		Days at 50c	50
		" 50c	50
		" 50c	50
		" 50c	50
		" 50c	50
		" 50c	50
		" 50c	50
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

3 May 51

def. was brought before me and after hearing the evidence in case the def. was found guilty and fined \$100.00 plus cost and 6 months in jail.

def. requested that an appeal be given to the Circuit Court which was granted and bond was set at \$750.00.

def. being unable to make bond was ordered committed to jail.

J. H. Fail - Justice of Peace

1340