

OCT 7 1952

1378

THE STATE OF ALABAMA ---- JUDICIAL DEPARTMENT

THE ALABAMA COURT OF APPEALS

OCTOBER TERM, 1952-53

1 Div. 641

Mark Ganey

v.

State

Appeal from Baldwin Circuit Court

PRICE, JUDGE

Defendant was convicted for "reckless driving," an offense denounced by Section 3, Title 36, Code of Alabama, 1940, providing that "Any person who drives any vehicle upon a highway carelessly and heedlessly in wilful or wanton disregard

2.
of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of reckless driving," etc.

The jury assessed a fine of twenty-five dollars and the court imposed an additional punishment of ninety days in the Baldwin County jail.

The evidence for the State tended to prove that for a distance of nine-tenths of a mile, between the lake bridge and the double bridges, on the old Bay Minette-Stockton road in Baldwin County, defendant bumped his automobile six times into the back of an automobile driven by John Payne, bending Mr. Payne's bumper and tearing it loose from the car. Mr. Payne testified he was driving around thirty miles an hour. defendant would drive at a rate of 50 or 55 miles an hour until he hit Mr. Payne's automobile, then he would slow down, get a new start and hit it again. The road was of the corduroy type and was rough and sandy. Each time his automobile was bumped it would zigzag across the road. It was difficult to get it straightened up and almost impossible to control it and hold it in the road. In trying to get away from defendant he passed another car and defendant also passed it, almost crowding the other automobile into the bridge.

The testimony of defendant and his witnesses was to the effect that defendant was driving behind the Payne automobile at the time and place complained of, but he was only driving 20 to 35 miles per hour and never got closer than 20 feet to Mr. Payne. Defendant denied that he ever bumped into the automobile and testified there was plenty of room for both he and Mr. Payne to go around the other automobile in safety.

The conflict in the testimony presented a question for the determination of the jury. The evidence was sufficient, if believed by the jury under the required rule, to sustain the judgment of conviction. No error resulted in the court's denial of the motion for a new trial on the ground the verdict was

3.
contrary to the evidence.

It is insistently contended that the evidence in the case did not warrant the imposition by the court of the additional punishment of a jail sentence, and that such sentence was excessive, in view of the fact that the jury saw fit to impose only the minimum fine.

Title 36, Section 3 of the Code, supra, provides that upon conviction punishment may be by both fine and imprisonment of not less than five nor more than ninety days. Where the judge in imposing sentence does not exceed the authority given him by law, his discretion is not reviewable. Dunn v. State, 8 Ala. App. 382, 62 So. 379; Wood v. State, 28 Ala. App. 464, 187 So. 250; Rutland v. State, 31 Ala. App. 43, 11 So. 2d 768; Yates v. State, 31 Ala. App. 362, 17 So. 2d 776.

No reversible error appearing in the record, the judgment of the trial court is affirmed.

AFFIRMED.

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

1st Div., No. 641

Marsz Haney

Appellant.....

v.

Lester

Appellee.....

From

Section

Circuit Court

The State of Alabama,
City and County of Montgomery. }

I, Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, do hereby certify that the foregoing pages numbered from one to three inclusive, contain a full, true and correct copy of the opinion of said Court of Appeals in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, Charles Bricken, Jr., Clerk of the Court

of Appeals of Alabama, at the Capitol, this the

7 day of Oct, 1952

Charles Bricken, Jr.
Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

1st Div., No. 641

Maise Ganey
Appellant

vs.

Shelton
Appellee

From Baldwin Circuit Court.

COPY OF OPINION

BROWN PRINTING CO., MONTGOMERY 1916

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term 19. 52

To the Clerk of the Circuit Court

of Baldwin County—Greeting:

Whereas, the Record and Proceedings of the _____ Court
of said county, in a certain cause lately pending in said Court between _____

Marce Ganey, Appellant, _____
and _____

Shelley, Appellee, _____

wherein by said Court, at the _____ Term, 19____, it was considered
adversely to said appellant _____, were brought before our Court of Appeals, by appeal taken, pursuant
to law, on behalf of said appellant _____:

NOW, IT IS HEREBY CERTIFIED, That it was thereupon considered by our Court of Appeals, on the
7th day of October, 19. 52, that said judg-
ment of said _____ Court be in all things affirmed,

and that it was further considered that the appellant _____, ~~and~~ _____

pay the cost accruing on said appeal in this Court and in the Court below _____

Witness, Charles Bricken, Jr., Clerk of the Court
of Appeals of Alabama, at the Capitol, this the

7th day of Oct, 19. 52

Charles Bricken, Jr.
Clerk, Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

October Term, 1952

1st Div., No. 641

Mark Ganey
Appellant,
vs.

The State
Appellee.
From Baldwin County Court.

CERTIFICATE OF AFFIRMANCE.

THE STATE OF ALABAMA,
Baldwin County. }

Filed this 8th day of

Oct 1952

W. J. French
Clerk

The State of Alabama, }
Baldwin County.

CIRCUIT COURT

Fall Term, 1951
On Appeal from County Court Justice Court.

THE STATE vs. MARK GANEY

The State of Alabama, by its Solicitor, complains of Mark Ganey, whose name is to your
informant otherwise unknown than as stated, that
in said county and within twelve months before the commencement of this prosecution he did
drive a motor vehicle upon the old Bay Minette-Stockton road, a public highway,
in Baldwin County, Alabama, carelessly and heedlessly in wilful or wanton disregard
of the rights or safety of others, or without due caution and circumspection and
at a speed or in a manner so as to endanger or be likely to endanger a person
or property,

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

William R. Lantieri
Solicitor.

No. _____

STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE
vs.

Mark Ganey

CHARGE:

Reckless Driving

COMPLAINT

Filed *11-16* 19 *57*

Miss J. M. M. M.
Clerk

MOORE PTG. CO.

*We the jury find the Defendant guilty
of Reckless Driving at \$25.00*

*Joseph S. Mottall
Foreman*

THE STATE OF ALABAMA }
Baldwin County - Circuit Court }

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the16th.....
November.....Monday....., 1945, in a cer-
tain cause in said Court wherein STATE OF ALABAMA
Plaintiff, and MARK GANEY
Defendant, a judgment was rendered against said
MARK GANEY
to reverse which....., the said MARK GANEY
applied for and obtained from this office an APPEAL, returnable to the NEXT
Term of our COURT OF APPEALS. Court of the State of Alabama, to be held at Montgomery,
on the NEXT day of NEXT COURT OF APPEALS 194 next, and the necessary bond
having been given by the said MARK GANEY
with SILAS GANEY AND HENRY GANEY, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said
William R. Lauten or
....., attorney, to appear at the NEXT Term of our
said Supreme Court, to defend against the said Appeal, if HE think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this
day of, A. D., 194.....

Attest:

....., Clerk.

Executed 12-3 1941
by serving copy of within Summons and
Complaint on Citation

William R. Santen

Taylor Milburn Sheriff
By W F Hall Deputy Sheriff

CIRCUIT COURT
Baldwin County, Alabama

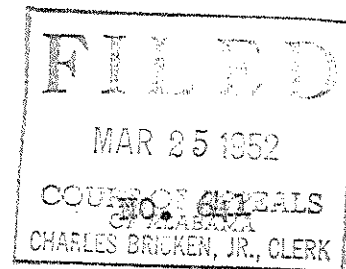
STATE OF ALABAMA

Vs. } Citation in Appeal

MARK GANEY

Issued 30th day of Nov., 1941

1ST DIV.



IN THE COURT OF APPEALS OF ALABAMA

MARK CANEY

APPELLANT

VS.

STATE OF ALABAMA

APPELLEE

APPEALED FROM THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

APPLICATION FOR WRIT OF CERTIORARI
SEEKING COMPLETION OF THE RECORD

Comes the State of Alabama, through its Attorney General,
Si Garrett, and applies to this Honorable Court for a writ of certio-
rari directed to Alice J. Duck, Clerk of the Circuit Court of Baldwin
County, Alabama, directing the said Clerk to correct the record in the
above styled cause as set out herein below:

The record does not contain a sworn affidavit in support of
the Solicitor's complaint if, in fact, said complaint was so supported.

And the State applies for a writ of certiorari directing the
said Clerk of the said Circuit Court to correct the record by com-
pleting the same as shown by the record of the said case in the office
of the said Clerk of the Circuit Court of Baldwin County, Alabama.

Respectfully submitted,


SI GARRETT
ATTORNEY GENERAL


ROBERT STRAUB
ASSISTANT ATTORNEY GENERAL

State vs Mark Gurney

Jury List For Fall Term Of Criminal Court

No.	Name	Occupation	Address
1.	BUD EADY, Farmer	Rabon	55
2.	M. D. DRINKARD, Dairy,	Bay Minette	512
3.	PAUL SCHULTZ, Oil Dealer,	Foley	
4.	DONOL PEARSON, Farmer,	Robertsdale	
5.	EARTIS LANDCASTLE, Paperwood,	Robertsdale	
6.	EDDIE L. MILES, Mechanic,	Loxley	102
7.	CHARLES HEAD, JR., Farmer,	Stapleton	
8.	JAMES HORN, Railroad,	Bay Minette	103
9.	ROBERT SANCA, Butcher,	Robertsdale	59
10.	ANDY COTTON, Printer,	Fairhope	107
11.	EDD HALL, Saw Mill,	Rabon	53
12.	CLAUD LAURENDINE, Butcher,	Foley	572
13.	LOVICK ALLEN, Inn Keeper,	Gulf Shores	107
14.	M. V. McWATERS, Lumber,	Stapleton	125
15.	J. SIMPSON LOWERY, Real Estate,	Bay Minette	108
16.	HUGH MEDCALF JR., Farmer,	Foley	
17.	FRANK A. KUCERA, JR., Farmer,	Silverhill	52
18.	RUSSELL CAMPBELL, Farmer,	Loxley	128
19.	GIRARD LUCASSEN, Plumber,	Fairhope	
20.	BENNIE KLUMPP, Farmer,	Fairhope	102
21.	JOE KRAUSS, Farmer,	Elberta	56
22.	J. D. MCKENZIE, Farmer,	Robertsdale	102
23.	WARREN D. GAUSE, JR., Wdg.,	Stockton	
24.	CLIFF BECK, Finance,	Pardido Beach	54
25.	HENRY FREZELL, Electrician,	Foley	106
26.	CARL B. WOODWORD, Farmer,	Foley	
27.	WILLIAM WILCOX, Produce,	Elberta	109
28.	GRADY THAMES, Farmer,	Robertsdale	58
29.	VIRGIL CHRISTENSEN, Florist,	Foley	
30.	A. C. COUNCIL, Shipyard,	Daphne	109
31.	CLARENCE M. UNDERWOOD, Farmer,	Summerdale	109
32.	JOE E. BROWN, Retired,	Magnolia Springs	1210

- ~~32. JOE E. B. BROWN, Retired, Magnolia Springs 1210~~
- ~~33. C. E. HANKINS, Farmer, Robertsdale S'~~
34. D. Z. NIX, Carpenter, Robertsdale
- ~~35. RALPH C. BROWN, Foley 510~~
- ~~36. RAY KENNEDY, Fict Worker, Bay Minette 1910~~
- ~~37. JACK JONES, Merchant, Bay Minette 1910~~
- ~~38. JAMES T. ALLISON, Mechanic, Fairhope 1912~~
39. VERNON KING, Farmer, Robertsdale
40. EARL McDANIEL, Farmer, Robertsdale
- ~~41. J. P. BAILY, Elec., Fairhope 1912~~
- ~~42. W. M. BUCKLEY, Painter, Fairhope~~
43. O. E. ARCHER, Mechanic, Fairhope
- ~~44. E. G. ANDERSON, Contractor, Fairhope 191~~
45. WALTER B. ANACKEN, Dairy & Farmer, Point Clear
- ~~46. SHELBY W. LANGSTON, Bank Officer, Bay Minette 191~~
- ~~47. GEORGE SCHLAF, Farmer, Elberta~~
48. FRANK KRISS, Farmer, Silverhill
- ~~49. WALDO C. TEEM, Farmer, Foley 191~~
- ~~50. CARL GULLEDGE, R.E.A., Robertsdale 191~~
- ~~51. ALEX V. LAZZARI, Farmer, Bellforest 57~~
- ~~52. CYRIL P. BIANCO, Soil Conservation, Foley 194~~
- ~~53. JOHN BURKHART, Farmer, Elberta S"~~
- ~~54. FRANKLIN HELTON, Carpenter, Foley 194~~

54

15

49

12

37

13

24

S +++++ +++++ +++++

20. ##### #####

1156

Div. No. _____

CERTIFICATE OF APPEAL. (Criminal Cases.)

No. 1378

Baldwin County, Circuit Court

MARK GANEY,

Appellant

VS.

The State of Alabama,
Appellee

The State of Alabama,

BALDWIN County, The Circuit Court of BALDWIN
County.

I, ALICE J. DUCK, Clerk of the Circuit Court
of BALDWIN County in and for said County and State, do
hereby certify that in the above stated case, which was tried and
determined in this Court on the 16th day of November 1951, and
the defendant convicted by a Jury of the offense of Reckless Driving
, and that on the 16th day of November 1951,
said defendant was sentenced to a term of \$25.00 and cost and 90 days in jail
, which said sentence was suspended
pending an appeal to the Court of Appeals Court of Alabama.

I further certify that on this the 13th day of November
1951, the defendant gave notice in writing of an appeal to the
COURT OF APPEALS Court of Alabama.

Witness my hand and the seal of this Court, this the 27th
day of November 1951.

Clerk of Circuit Court of
BALDWIN County, Alabama,

Mark Sany

-392

THE STATE OF ALABAMA,

Justice Court of T. C. HAND

Baldwin County

Precinct No. 4

Bay Minette, Ala.

To Any Sheriff of the State of Alabama:

You are Hereby Commanded to Summon

Cartwright, A. J. Nelson, George Harley, H. F. Hall.

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the

3 day of *Nov*, 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

Mark Kurney

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

Witness my hand this

31

day of

Oct

A.D., 195*1*

Justice of the Peace, Precinct No. 4

Executed in full, this the

3rd day of

Nov, 1951

Eugene Wilkin
Sheriff

Deputy Sheriff

m 1378

Case No. ~~2372~~ 2205

Justice Court of

T. C. HAND

Bay Minette, Ala.

The State

VS.

Mark Gainer

CHARGE :

Reckless Driving

DISPOSITION :

Found Guilty

Given 90 days

in jail.

Leg. Appealed

Moore Printing Co.

3 nov. 51

THE STATE OF ALABAMA, {
Baldwin County

We, Mark Gorney, as
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
Three Hundred DOLLARS
unless the said Mark Gorney appears at the
Nov 3 Term, 1954 of the Justice Court of Baldwin County, Alabama
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense
of Reckless Driving

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-
ing personal property from levy and sale under execution or other process for the collection of debt by con-
stitution 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 _____ 195_____

_____ Baldwin County, Ala.

T. M. Gorney L. S.

G. P. Farrell L. S.

Harold Stovill L. S.

Hillary Harvill L. S.

Taken and approved this the 31 day of Oct 1954

Taylor McElphree Sheriff

By W. F. Hoell Deputy Sheriff

THE STATE OF ALABAMA, {
Baldwin County

We, Mark Laney, as
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
Six hundred DOLLARS
unless the said Mark Laney appears 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 Reckless Driving

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-
ing personal property from levy and sale under execution or other process for the collection of debt by con-
stitution 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 _____ 195_____

_____ Baldwin County, Ala.

Taken and approved this the 3rd day of Nov 1951

E. M. G. Gray L. S.

H. P. Furrell L. S.

H. B. Harville L. S.

Hillary Harville L. S.

Lester A. Wilkins Sheriff

By _____, Deputy Sheriff

No. 1378

The State of Alabama,
Baldwin County.

Court

Sheriff's Office

THE STATE
VS.

Sheriff's Appearance Bond

Amount of Bond, \$

Filed, 195

, Clerk

RECORDED

STATE OF ALABAMA
BALDWIN COUNTY

Nº 2912

Case No. 2399

IN THE Justice COURT OF
BALDWIN COUNTY, ALABAMA

The State of Alabama

vs.

Before me, Mark Denny, Clerk of the Circuit Court of

Baldwin County, Alabama, personally appeared
who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the case of the State of Alabama vs. Mark Denny

Mark Denny 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 2.00 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 Stockton

Sheriff

Subscribed and sworn to before me this 2 day of Nov. 1951

Disposition of Case

Found Guilty } appealed to
Circuit Court jury trial

J. P.
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 \$ 2.00 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 2 day of Nov., 1951

J. P.
Judge of the above named court

Affidavit

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 Payne, John 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 21 Oct 1951 that one Mark Ganey

did operate a motor vehicle on the
highways of Alabama in a reckless
manner so as to endanger personal
property or human life.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 31

day of Oct A. D., 1951

, J. P.

John Payne
Dir
inst

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest

Mark Ganey

and bring him

before me to answer the State of Alabama on a charge

Reckless Driving

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

Witness my hand this 31 day of Oct, 1951

T. C. Hand, J. P.

The State of Alabama,
Baldwin County

JUSTICE COURT OF
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

Mark Goney

Witnesses for the State :

John Payne
L. H. Cortright
A. J. Helton
George Hartley
H. F. Hall.

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Mark Goney

Executed this 31 day of Oct. 1951

By arresting the within

named Defendant

and placing him in Jail

Jay W. Wilkins Sheriff
Hartley Hall Deputy Sheriff
Stockton

Allen

Warrant of Arrest

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA, }

Baldwin County }

To Any Lawful Officer of Said County---Greeting:

You are hereby commanded to arrest

Mark Gurney

and bring

him

accused

before the Judge of the ~~County~~ Court on the _____ day of _____

_____, 19____; to answer to the State of Alabama on a charge _____

Reckless driving

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

Witness my hand this the

25th

day of

Oct

19__*52*__

Deirdre L. Venable

Clerk of the Circuit Court.

ans

No. 1376

Page. _____

State of Alabama,
Baldwin County.

COUNTY COURT

THE STATE
VS.

Mark Hamer

Warrant of Arrest

Witnesses for the State :

Executed this 1 day of Nov 1952

by arresting the within named Defendant

and placing him

In Jail
J. P. Wilkins
Sheriff

D. S.

C. M.

STATE OF ALABAMA

V.

MARK GANEY,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

NOVEMBER TERM, 1951.

This day came the State of Alabama, by its Solicitor, William R. Lauten, Esquire, and the Defendant, in his own proper person, and by his attorney, and the said Defendant was arraigned on a complaint charging him with the offense of reckless driving, to which charge he pleaded not guilty. Thereupon came a jury of twelve good and lawful men, to-wit, Hugh S. Metcalf, and eleven others, who, being duly impaneled and sworn according to law, and having heard the evidence and charge of the Court, do say on their oaths:

"We the jury find the defendant guilty of reckless driving and fix fine at \$25.00.

Hugh S. Metcalf,
Foreman."

It is, therefore, considered and adjudged by the Court that Mark Ganey, the said Defendant, is guilty of reckless driving.

And the said Defendant, Mark Ganey, being asked by the Court if he had anything to say why the sentence of the law should not now be pronounced upon him, says nothing.

IT IS THEREUPON considered and adjudged by the Court that the Defendant is guilty of reckless driving and it is further considered and ordered, and it is the judgment and sentence of this Court that the Defendant pay a fine of Twenty-five Dollars (\$25.00) and costs of Court.

IT IS FURTHER considered and ordered by the Court and it is the further judgment and sentence of this Court that the said Mark Ganey serve a further and additional period of ninety (90) days in the Baldwin County Jail as additional punishment.

The Defendant gives notice of appeal from this judgment and sentence and it is ordered that sentence be suspended pending Defendant's appeal and that his appeal bond be fixed at Five Hundred Dollars (\$500.00).

Done this 16th day of November, 1951.

Julius A. Madlbury, Jr.
Judge

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

ATTORNEYS	CASE	CHARGE
<i>William Lauten</i>	THE STATE OF ALABAMA	
No. <i>2392</i>	Vs.	
	<i>Mark Giney</i>	<i>Reckless driving</i>

	DISPOSITION OF CASE	FEE	AMOUNT
	Affidavit made and Warrant Issued to <i>John Payne</i>	JUDGE'S FEES	
	Returnable <i>Circuit Court</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—For State <i>John Payne</i>	Bond at 50c, Sci. Fa. at 50c	
	<i>L. H. Castelle</i>	Witnesses' Recognizances at 25c	
	<i>A. J. Helton</i>	Subpoena or Notice at 25c	<i>1.25</i>
	<i>George Bentley</i>	Continuance at 25c	
	<i>H. P. Hall</i>	Trial of Misdemeanor at \$1.00	<i>1.00</i>
<i>3 Nov 51</i>	<i>after hearing evidence in case</i>	Mittimus at 25c	<i>25</i>
	<i>Def. was found guilty and sentenced</i>	Judgment on Forfeited Bond at 25c	
	<i>to serve 90 days in jail.</i>	Taking Bond, etc., on Appeal at \$1.00	<i>1.00</i>
	<i>Def. requested an appeal to Circuit</i>	Execution of costs at 25c	
	<i>Court and a trial by jury.</i>	CONSTABLE'S FEES	
	<i>Bond was set at \$500.00 which</i>	Subpoena or Notice at 25c	
	<i>was made and accepted by the</i>	Carrying Defendant before Justice,	
	<i>Court.</i>	each mile for himself and guard at 10c	
		Arrest, 50c	
		SHERIFF'S FEES	
		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 \$500 Day's Board at 30c	<i>2.50</i>
		WITNESS FEES	<i>2.00</i>
		Days at 50c	<i>5.00</i>
		" 50c	<i>5.00</i>
		" 50c	<i>5.00</i>
		" 50c	<i>5.00</i>
		" 50c	<i>5.00</i>
		" 50c	<i>5.00</i>
		" 50c	<i>5.00</i>
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

P. J. Lued
Justice of Peace

1378