

1453

1453

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Spring Session, 1952

1. The Grand Jury of said County charge that before the finding of this indictment John Waters, whose name is to the Grand Jury otherwise unknown, did drive or move a vehicle on U. S. Highway 90, a public highway in Baldwin County, Alabama, which vehicle was equipped with low pressure or balloon tires and carried a wheel load in excess of nine thousand pounds, against the peace and dignity of the State of Alabama.
2. The Grand Jury of said County charge that before the finding of this indictment John Waters, whose name is to the Grand Jury otherwise unknown, did drive or move on U. S. Highway 90, a public highway in Baldwin County, Alabama, a vehicle equipped with low pressure or balloon tires carrying a rear axle load in excess of eighteen thousand pounds, against the peace and dignity of the State of Alabama.
3. The Grand Jury of said County charge that before the finding of this indictment John Waters, whose name is to the Grand Jury otherwise unknown, did drive on U. S. Highway 90, a public highway, in Baldwin County, Alabama, a vehicle carrying an axle load in excess of eighteen thousand pounds,

against the peace and dignity of the State of Alabama.

WILLIAM R. LAUTEN
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court

Spring Session, 1952

THE STATE

Vs.

JOHN WATERS

INDICTMENT

Overweight Truck

no Prosecutor.

WITNESSES:

Genen Curtis

C. E. Jarvis

J. H. Darby

R. O. Russell

GRAND JURY NO. 38

A TRUE BILL

W R Lapscomb
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 26th day of

March, 1952.

Archie Newick 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 Newick
Clerk.

Bail fixed \$200⁰⁰

Jeffrey J. Maslberry, Jr.
Judge.

AFFIDAVIT

Printed by Moore Ptg. Co.

The 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 C. E. Jarvis 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 Jan 15, 1952 that one John Waters

operated motor vehicle, which
was over weight on highway

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 15

day of

JanA. D., 1952H. E. Mills

J. P.

C. E. Jarvis

WARRANT

THE STATE OF ALABAMA,
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

John Waters

and bring

before

me

to answer the State of Alabama on a charge

Overweight Truck

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

Witness my hand this

15

day of

Jan, 1952

H. E. Mills, J. P.

Mittimus or Commitment

To the Jailer of Baldwin County:

THE STATE OF ALABAMA,
Baldwin County.

On complaint of

charging

with the offense of

it appearing that such offense has been committed, and that there is sufficient cause to believe that

_____ has been guilty thereof, you are
therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this _____ day of _____, 195____

Justice of the Peace.

State of Alabama,
Baldwin County

Justice Court of
H. E. MILLS

AFFIDAVIT

The State of Alabama,
vs.

John Waters

Witnesses for the State:

C. E. Jarvis
J. C. Whidden

Justice Court of
BALDWIN COUNTY

Warrant of Arrest

THE STATE OF ALABAMA,
vs.

John Waters

Executed this 15 day of Jan 1955

By arresting the within

named Defendant

and placing him

Under Bond

C. E. Jarvis Sheriff

Deputy Sheriff

Criminal Docket _____

The State of Alabama,
Baldwin County

Justice Court of
H. E. MILLS

THE STATE OF ALABAMA,
vs.

MITTIMUS

THE STATE OF ALABAMA,
Baldwin County.

I, _____
a Justice of the Peace in and for said State and
County, do and hereby certify that _____

the Defendant, is required to give bail in the sum
of \$ _____ for his appearance at the
1955 Term of the _____

Court of _____ County, Ala.

Given under my hand this the _____
day of _____, 1955

J. P.

1953

711

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

COURT OF

COUNTY

County

We,

Principal,

and

sureties, agree to pay to the State of Alabama

Dollars,

unless the said

appears before the Court of County on the day of

1942 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

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 day of 1942

Approved this the day of

Sign Top Line

NAME

ADDRESS

(L. S.)

(L. S.)

(L. S.)

(L. S.)

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.

Mills

NO.

THE

COURT OF

COUNTY

THE STATE

vs.

BOND

Filed

Sheriff.

By

Deputy Sheriff.

[Handwritten notes and signatures in the left margin, including "Mills" and various illegible signatures.]

Evergreen Dist.

1453

ALABAMA HIGHWAY PATROL
ARREST TICKET
MONTGOMERY, ALABAMA

No 6681

E

Date 1-15-52 1952

County Justice Court H.E. Mills Case No. Judge or J. P.

Name John Mackey Waters White Colored Age 49 Drivers License No. UNK.

Address City Prichard State Ala.

Charge Overweight Vio. Sect. No. 11-11-36

Place of Arrest U.S. 31-90-Houseway Time () A.M. 4:35 P.M.

Model 1951 Make Ford Body Type Pole Truck

Motor No. License No. 5# 1233 Carrier Tag No.

Owner Driver Address

Employed by Self Address

Case Set for 1-19-52 () A.M. (400) P.M. Case Closed 19

Disposition—Sentence () Mo. () Yr. Fine \$ Arrest \$ Bond \$ Witness \$

Final Disposition

Remarks 19195 Drive Axle

This is to Certify that this Court has received the Fine and Cost or Closed this case as stated above. Signed

Officers W.K. Jarvis J.R. Whitten Badge Nos 139 & 21

Quadruplicate—To Sergeant

1453

STATE OF ALABAMA

Baldwin County

Case No.

38-~~Page~~ No.

3380

The State of Alabama

vs.

In the

Circuit Court of
Baldwin County, Alabama

Before me, Miss Duck, 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 above case, 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 50 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

Sheriff

Subscribed and sworn to before me this

24 day of

April 1957

Disposition

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 _____ 1957

Judge of the above named court

1453

SHERIFF'S APPEARANCE BOND.

Moore Printing Co.

THE STATE OF ALABAMA
Baldwin County

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

DOLLARS

unless the said John Walter appear at the

Nest Term, 194 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

Overweight Trucks

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

19 day of Jan, 1952

[Signature] (Seal)
John Walter (Seal)
Loyley Allen (Seal)
Lea Bell (Seal)

_____, Baldwin County, Ala.

Taken and approved this the

19 day of Jan, 1952

_____, Sheriff

By

H. Miles, Deputy Sheriff

THE STATE OF ALABAMA, {
Baldwin County

We, John Waters, as
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
Two Hundred Dollars \$200.00 DOLLARS
unless the said John Waters appears at the
next Term, 1952 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 Overweight Truck

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

21 day of April 1952

John Waters L. S.
John D. Pulliam L. S.
C. O. Hobbs L. S.

----- Baldwin County, Ala.

----- L. S.

Taken and approved this the 21 day of April 1952

Taylor Williams Sheriff

By Edleigh Strachan Deputy Sheriff

CAPIAS

Moore Printing Co.,

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
 Baldwin County }

An indictment having been found against

John Waters

at the Spring Term, 1932, of the Circuit Court of Baldwin County, for the offense of

Overweight Truck

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 27th day of March, 1932

David L. Roberts
 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.

1453

CAPIAS

No. 38

THE STATE

vs.

John Waters
John William Waters

Bail Fixed in This Case in Open Court at

\$ 200.00

By Alvin Mashburn, Jr.
Judge Presiding.

Attest: _____
Clerk.

Soyley

Executed this 21 day of April, 1952

By arresting the within

named Defendant

John Waters

and placing him on Bond

Laylor Wilkins, Sheriff

Edleigh Steadham, Deputy Sheriff

Robert Dale

1453

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	
	John Waters	Overweight Trucks
	White Male	

DISPOSITION OF CASE		FEE'S	AMOUNT
Affidavit made and Warrant Issued to	C. E. Jarvin	JUDGE'S FEES	
Returnable		Warrant at 50c, Affidavit at 25c	75
Witness—For State	J. C. Whiddens	Bond at 50c, Sci. Fa. at 50c	
		Witnesses' Recognizances at 25c	
		Subpoena or Notice at 25c	
		Continuance at 25c	
		Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	1.00
		Execution of costs at 25c	
		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	
		Committing, \$1.00; Releasing, \$1.00	
		Subpoenas at 25c Day's Board at 30c	
		WITNESS FEES	
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

1453

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