

1960  
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 Willard Whitaker, whose name is to the Grand Jury otherwise unknown, did, while in an intoxicated condition, drive a motor vehicle on U. S. Highway 31, a public highway in Baldwin County, Alabama, 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 Willard Whitaker, whose name is to the Grand Jury otherwise unknown, did drive a motor vehicle on U. S. Highway 31, a public highway in Baldwin County, Alabama, while under the influence of intoxicating liquor,

against the peace and dignity of the State of Alabama.

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

No. ....

Spring ..... Session, 19.....52

Vs.

WILLARD WHITAKER

## Driving While Intoxicated

70 Prosecutor.

WITNESSES:

Harold Baker

GRAND JURY NO. 31

A TRUE BILL

W B L. Spence  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 26<sup>th</sup> day of  
March, 1952.

.....*David A. Black*....., Clerk

Presented in open Court to the presiding Judge by the Foreman of the Grand Jury, in

the presence of ...../..... other Grand Jurors.

*Recep. March*

Clerk.

Bail fixed \$500.00

Jesse J. Maskebury, Jr.  
Judge.

STATE OF ALABAMA

Baldwin County

Case No.

31

No. 3546

The State of Alabama

vs.

In the

Circuit Court of  
Baldwin County, Alabama

Before me, W. H. Wilkins, 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 41 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

12

day of

June 1952

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 \_\_\_\_\_ 1952

Judge of the above named court

THE STATE OF ALABAMA,

Baldwin County

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

Three Hundred DOLLARS

unless the said Willard Whitaker appears at the

Dec. 1 Term, 1951 of the Justice PE Mills J.P. at Spanish Fort 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

Willard Whitaker L. S.

\_\_\_\_\_ day of \_\_\_\_\_ 195\_\_\_\_\_

\_\_\_\_\_ L. S.

\_\_\_\_\_

\_\_\_\_\_ L. S.

\_\_\_\_\_ Baldwin County, Ala.

\_\_\_\_\_ L. S.

Taken and approved this the 23 day of Nov. 1951

Jayla McKin Sheriff

By J. D. Taylor, Deputy Sheriff

1 By Request of Claud Manning

1460

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

Case No. 1460 Term Fall, 1952

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon

Harold Baker

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 14<sup>th</sup> day of Nov., 1952, at 9:00 A. M., 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 William I. Whitaker

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

Witness my hand this 31<sup>st</sup> day of Oct., A. D., 1952 Alice J. Duck, Clerk.

## AFFIDAVIT

Printed by Moore Ptg. Co.

The State of Alabama,  
Baldwin County

In the Justice Court of \_\_\_\_\_

Before me, \_\_\_\_\_

Justice of the Peace

in and for 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 Nov 22-1951 that one Willard WhitakerDid operate a vehicle on the High  
way while under the influence of  
intoxicating liquors or drugs

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

Sworn to and subscribed before me this 22

day of \_\_\_\_\_

A. D., 1951

J. P.

## WARRANT

THE STATE OF ALABAMA,  
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest \_\_\_\_\_

and bring \_\_\_\_\_

before \_\_\_\_\_

to answer the State of Alabama on a charge

Driving while understood

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

Witness my hand this

22

day of

Nov., 1951

J. P.

State of Alabama,  
Baldwin County

Justice Court of

AFFIDAVIT

The State of Alabama,  
vs.

*Willard Whitaker*

Witnesses for the State:

*A. Baker*

Justice Court of  
BALDWIN COUNTY

Warrant of Arrest

THE STATE OF ALABAMA,  
vs.

*Willard Whitaker*

Executed this *22* day of *Nov*, 195*1*

By arresting the within

named Defendant

and placing him

*in jail*

*A. Baker*, Sheriff

*A. H. P.*, Deputy Sheriff

1460

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, Willard Whitaker Principal,  
 and C. J. Yancey

\$ (200.00) sureties, agree to pay to the State of Alabama  
 Dollars,  
 unless the said Willard Whitaker  
 appears before the Circuit Court of Baldwin County on the \_\_\_\_\_ day of  
Next Term 194\_\_\_\_, 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 \_\_\_\_\_  
W. W. S.

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 \_\_\_\_\_ 194\_\_\_\_

Sign/Top Line	NAME	ADDRESS
Approved this the <u>1</u> day of <u>Dec.</u> , 194 <u>5</u>	<u>Willard Whitaker</u> (L.S.)	<u>Highway Rte 1</u>
Arresting Officer. <u>H. M. Mc</u>	<u>C. J. Yancey</u> (L.S.)	<u>Highway Rte 1</u>
By <u>H. M. Mc</u>	(L.S.)	

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.



THE STATE OF ALABAMA,  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Willard Whitaker

at the Spring Term, 1952, 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 27<sup>th</sup> day of March, 1952

Benjamin A. Roberts  
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA  
Baldwin County

We, Willard Whitaker, as principal and

the other undersigned as sureties, agree to pay the State of Alabama \_\_\_\_\_

Dollars, unless the said Willard Whitaker appears

at the next 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 \_\_\_\_\_

Driving While Intoxicated

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\_\_\_\_\_

Willard Whitaker (L. S.)

C. J. Yarnway (L. S.)

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

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

Taken and approved 12 day of May, 1952

Ray W. Wilkins  
Sheriff of Baldwin County.

7001460

**CAPIAS**

No. 31

THE STATE

vs.

Willard Whitaker

Bail Fixed in This Case in Open Court at

\$ 300.00

By Alfred Washburn Jr.  
Judge Presiding.

Attest: \_\_\_\_\_  
Clerk.

me  
claudia young

Executed this 12 day of May, 1952

By arresting the within

named Defendant

and placing him on Bond

Jay B. Wilkins, Sheriff

H. F. Hall, Deputy Sheriff

Spanish Fort

1460

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	
	<i>Willard Whitaker</i>	<i>D. W. I.</i>
	<i>white male</i>	

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>H. Baker</i>	<b>JUDGE'S FEES</b>	
Returnable	Warrant at 50c, Affidavit at 25c	<i>75</i>
Witness—For State <i>H. Baker</i>	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	<i>25</i>
	Judgment on Forfeited Bond at 25c	
	Taking Bond, etc., on Appeal at \$1.00	<i>1.00</i>
	Execution of costs at 25c	
<i>Defendant demanded a trial by jury - Bond set + made at \$2000.00 for appearance at Circuit Court.</i>	<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>H. Miller</i>	<b>SHERIFF'S FEES</b>	
	Arrest, \$2.00; Bond \$1.00; Sci. Fa., 50c	<i>1.00</i>
	Committing, \$1.00; Releasing, \$1.00	<i>2.00</i>
	Subpoenas at 25c Day's Board at 30c	
	<b>WITNESS FEES</b>	
	Days at 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	" 50c	
	<b>DEFENDANT'S COSTS</b>	
	Witnesses' Recognizance at 25c	
	Subpoenas at 25c	
	Executing Subpoenas	

31

Branch Jerry

1480