

1501

1501

**INDICTMENT**

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**THE STATE OF ALABAMA**  
**Baldwin County.**

**Circuit Court, Fall Session, 195 2**

The Grand Jury of said County charge that before the finding of this indictment EARNEST HENRY, whose name is to the Grand Jury otherwise unknown, unlawfully drove a motor vehicle on U. S. Highway 90, a public highway, in Baldwin County, Alabama, which vehicle was equipped with low pressure or balloon tires, and unlawfully carried a wheel load in excess of nine thousand pounds, contrary to law and

against the peace and dignity of the State of Alabama.

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

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RECORDED

No. ....

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

Fall Session, 1952

THE STATE

Vs.

EARNEST HENRY

INDICTMENT

Overweight Motor Vehicle

No Prosecutor.

WITNESSES:

M. Daughtry

J. Floyd

R. E. Etheridge

GRAND JURY NO. 90

A TRUE BILL

*John H. Evans*  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 16<sup>th</sup> day of  
Oct, 1952.

*Alice J. Church*, Clerk

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

the presence of 17 other Grand Jurors.

*Alice J. Church*  
Clerk.

Bail fixed \$ 200<sup>00</sup>/<sub>1</sub>

*J. J. Masloway, Jr.*  
Judge.

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 M. Daughtry 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 Sept. 23-1952 that one Ernest Henry

will operate a truck on the High  
way that was overweight

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 23

day of Sept. A. D., 1952

H. E. Mills, J. P.

M. Daughtry FHP

Warrant

STATE OF ALABAMA, {  
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest

Ernest Henry

and bring them

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 23 day of Sept., 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 \_\_\_\_\_, 1952

Justice of the Peace

The State of Alabama,  
Baldwin County

JUSTICE COURT OF

H. E. MILLS

AFFIDAVIT

THE STATE OF ALABAMA,  
vs.

*Ernest Henry*

Witnesses for the State:

*J. Floyd*  
*R. E. Etheridge*

*Grand Jury*  
*No. 90*

Justice Court Of  
Baldwin County

WARRANT of ARREST

The State of Alabama,  
vs.

*Ernest Henry*

Executed this *23* day of *Sept* 19*22*

By arresting the within

named Defendant:

and placing him

*under Bond*

*M. Daugherty*, Sheriff

Deputy Sheriff

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  
19 \_\_\_\_ Term of the \_\_\_\_\_  
Court of \_\_\_\_\_ County, Ala.

Given under my hand this the \_\_\_\_\_  
day of \_\_\_\_\_, 19 \_\_\_\_  
\_\_\_\_\_, J. P.

1720

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

BALDWIN

County

THE JUSTICE COURT OF BALDWIN COUNTY

We, EARNEST HENRY Principal,

and

THREE ONE HUNDRED sureties, agree to pay to the State of Alabama Dollars,

unless the said

EARNEST HENRY

appears before the JUSTICE Court of BALDWIN County on the 21 day of

SEPTEMBER 1952, 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

OVER LOAD TRUCK

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 23 day of September 1952

Sign Top Line	NAME	ADDRESS
Approved this the 23 day of September, 1952	<i>Frank ...</i> (L. S.)	
<i>M. D. ...</i> Arresting Officer.	<i>E. C. Johnson</i> (L. S.)	
By	(L. S.)	
	(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.

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Appearance Bond

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,

Baldwin County

We, Ernest Henry, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Two Hundred \$200.00 DOLLARS unless the said Ernest Henry 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 Motor Vehicle

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

\_\_\_\_\_

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

Ernest Henry L. S.

[Signature] L. S.

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

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

Taken and approved this the 19 day of Oct. 1952

Jasper Wilkins, Sheriff

By [Signature], Deputy Sheriff

THE STATE OF ALABAMA,  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:  
An indictment having been found against

Earnest Henry

at the Fall Term, 1942 of the Circuit Court of Baldwin County, for the offense of

overweight motor vehicle

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 16<sup>th</sup> day of Oct, 1942

Alice 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 Alabama.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_.

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

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

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

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

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

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_\_.

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

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**CAPIAS**

No. 90

**THE STATE**

vs.

Earnest Henry

Bail Fixed in This Case in Open Court at

\$ 200.00

By J. J. Mashburn Jr.  
Judge Presiding.

Attest: Alice J. Lemke  
Clerk.

Executed this 19 day of Oct, 1942

By arresting the within

named Defendant

and placing him in Jail

J. W. Wilson, Sheriff

J. W. Taylor, Deputy Sheriff

0 miles



1501

Appearance Bond

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA,  
Baldwin County

We, Ernest Henry - E.C. Johnson, as  
principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of  
(200<sup>00</sup>) Three Hundred DOLLARS  
unless the said Ernest Henry appears at the  
next Term, 195     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 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

2 day of Oct, 1952  
H. Price  
Baldwin County, Ala.

\_\_\_\_\_  
L. S.  
E.C. Johnson  
\_\_\_\_\_  
L. S.  
Ernest Henry  
\_\_\_\_\_  
L. S.

Taken and approved this the \_\_\_\_\_ day of \_\_\_\_\_ 195\_\_\_\_\_

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

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No.	Vs. <i>Ernest Henry</i>	<i>Overweight Truck</i>

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <i>M. Daughtry</i>	Judge's Fees	
Returnable	Warrant at 50c, Affidavit at 25c	75
Witness—for State <i>J. Floyd - R. C. E. Theidge</i>	Bond at 50c, Sci Fa at 50c	
<i>A. H. P.</i>	Witnesses' Recognizances at 25c	
	Subpoena or notice at 25c	
	Continuance at 25c	
	Trial of Misdemeanor at \$1.00	
	Mittimus at 25c	
<i>Trial by Jury demanded -</i>	Judgment on Forfeited Bond at 25c	
<i>Bond set at \$300.00</i>	Taking Bond, etc, on Appeal at \$1.00	1.00
<i>for appearance at Circuit Court</i>	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	

*H. Jones*

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