

1535

**INDICTMENT**

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

Circuit Court, Fall Session, 195 <sup>2</sup>

The Grand Jury of said County charge that before the finding of this indictment BENJAMIN H. CURTIS, JR., whose name is to the Grand Jury otherwise unknown, unlawfully drove a motor truck on U. S. Highway 90, a public highway, in Baldwin County, Alabama, outside the limits of any city or incorporated town, at a speed of, to-wit, fifty miles per hour, the maximum speed prima facie lawful then and there being forty miles per hour, 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 BENJAMIN H. CURTIS, JR., whose name is to the Grand Jury otherwise unknown, unlawfully drove a motor truck on U. S. Highway 90, a public highway, in Baldwin County, Alabama, at such speed, to-wit, fifty miles per hour, as to endanger the life, limb, or property of other persons,

against the peace and dignity of the State of Alabama.

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

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No. ....

RECORDED

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

Fall Session, 19 52

THE STATE

Vs.

BENJAMIN H. CURTIS

INDICTMENT

Speeding

No Prosecutor.

WITNESSES:

H. Baker

R. J. Granger

GRAND JURY NO. 45

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.

*Archie J. Leitch*, Clerk

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

the presence of 12 other Grand Jurors.

*Archie J. Leitch*, Clerk.

Bail fixed \$ 200.00

*J. J. Massabury Jr.*  
Judge.

THE STATE OF ALABAMA, }  
Baldwin County

We, Benjamin H. Curtis, 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 Benjamin H. Curtis 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 Speeding

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.

B. H. Curtis Jr. L. S.

Johnnie Phillips L. S.

Amos Garrett L. S.

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

Taken and approved this the 26 day of Nov 1952

Taylor Wilkins, Sheriff

By Edwige Stradham, Deputy Sheriff

1350  
**CAPIAS**

Moore Printing Co.,

THE STATE OF ALABAMA,  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Benjamin H. Curtis

at the Fall Term, 1952, of the Circuit Court of Baldwin County, for the offense of

speeding

you are, therefore, commanded forthwith to arrest the said Defendant and commit

to jail, unless give bail to answer said indictment, and that you return this Writ according to law.

Dated this 16 day of Oct, 1952

David L. Smith  
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.

CAPIAS

No. 45

THE STATE

vs.

Benjamin H. Curtis Jr  
Robertsdale, Ala

Bail Fixed in This Case in Open Court at

\$ 200 00

By J. J. Mashburn Jr  
Judge Presiding.

Attest: Alice J. Duck  
Clerk.

Wm A. Amos Garrett

Executed this 26 day of Nov, 1952

By arresting the within

named Defendant

Benjamin H. Curtis

and placing him on Bond

Taylor Watkins, Sheriff

Edlugh Steadham, Deputy Sheriff

Robertsdale, Ala.

1555

## 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 H. Baker 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 June 13-1952 that one Benjamin Curtis

Did operate a truck on the High  
way that was speeding

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 13

day of June A. D., 1952  
H. Mills, J. P.

H. Baker, C.P.

## WARRANT

THE STATE OF ALABAMA,

Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

Benjamin Curtisand bring himbefore me to answer the State of Alabama on a chargeSpeeding truck

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

Witness my hand this 13 day of June, 1952  
H. 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.

No. \_\_\_\_\_ Page \_\_\_\_\_

State of Alabama,  
Baldwin County

Justice Court of

H. E. MILLS

**AFFIDAVIT**

The State of Alabama,  
vs.

*Benjamin  
Curtis*

Witnesses for the State:

*D. J. Frazier*

Justice Court of  
BALDWIN COUNTY

**Warrant of Arrest**

THE STATE OF ALABAMA,  
vs.

*Benjamin  
Curtis*

Executed this *13* day of *June* 195*2*

By arresting the within

named Defendant

and placing him

*under Bond*

*H. Baker* *A.H.P.*  
\_\_\_\_\_, Sheriff

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

Criminal Docket \_\_\_\_\_

No. \_\_\_\_\_ Page \_\_\_\_\_

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

195\_\_ Term of the \_\_\_\_\_

Court of \_\_\_\_\_ County, Ala.

Given under my hand this the \_\_\_\_\_  
day of \_\_\_\_\_, 195\_\_

\_\_\_\_\_, J. P.

1550

6-21-52 1270

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, Benjamin Curtis Principal,

and \_\_\_\_\_

\_\_\_\_\_ sureties, agree to pay to the State of Alabama  
\$1000.00 Dollars,

unless the said Benjamin Curtis  
appears before the J.P. Court of Baldwin County on the 14 day of

June 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

Speeding 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 13 day of June 1952

Sign Top Line	NAME	ADDRESS
Approved this the 13 day of	B. H. Curtis Jr.	
June, 1952		
H. Baker		
Arresting Officer.		
By _____		

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.



1555  
STATE OF ALABAMA

Baldwin County

Case No.

No. 3918

The State of Alabama  
vs.

In the Circuit Court of  
Baldwin County, Alabama

Before me, Wm. W. 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 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 Shelburne Sheriff

Subscribed and sworn to before me this 29 day of Nov 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

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 Circuit COURT OF Baldwin COUNTY  
Baldwin County } We, John Kikley Jr. B.H. Curtis, Jr. Principal,  
 and Dr. Amos Garrett,

(100.00) One Hundred sureties, agree to pay to the State of Alabama  
B. H. Curtis, Dollars,  
 unless the said Demands a Jury Trial.  
 appears before the Circuit Court of Baldwin (Next Term) County on the        day of  
1952 ~~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 Speeding a 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 21st day of June, 1952. ~~1952.~~

Sign Top Line	NAME	ADDRESS
Approved this the <u>21</u> day of	<u>B. H. Curtis Jr.</u> (L. S.)	<u>Robertsdale Ala</u>
<u>June</u> , 19 <u>52</u>	<u>Amos Garrett</u> (L. S.)	<u>Robertsdale Ala</u>
Arresting Officer.	(L. S.)	
By <u>H. E. Mice</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.

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	
	<i>Benjamin Curtis</i>	<i>Speeding truck</i>

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>H. Baker</i>	JUDGE'S FEES	
Returnable	Warrant at 50c, Affidavit at 25c.....	<i>75</i>
Witness—For State <i>R. J. Gargner</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.....	
	Judgment on Forfeited Bond at 25c.....	
	Taking Bond, etc., on Appeal at \$1.00....	<i>1.00</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.....	

*Trial by jury demanded*  
*Bond set & made at*  
*(100.00) for appearance at*  
*Circuit Court*

*H. Meier*

Handwritten notes on lined paper, including the word "Cousin" and various illegible scribbles.

1. *Introduction*