

1551

**INDICTMENT**

**THE STATE OF ALABAMA** } **Circuit Court, Spring Session, 1952**  
**Baldwin County.** }

The Grand Jury of said County charge that before the finding of this indictment Lemmie Miller, whose name is to the Grand Jury otherwise unknown, unlawfully manufactured, sold, gave away, or had in his possession, a still apparatus, appliance, or a device or substitute therefor, to be used for the purpose of manufacturing liquors or beverages prohibited by law,

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.

LENNIE MILLER

INDICTMENT

Possession of Still

No Prosecutor.

WITNESSES:

Lawrence Fountain

C. H. Martin

Edleigh Steadham

H. F. Hall

Taylor Wilkins

GRAND JURY NO. 67

A TRUE BILL

W. R. Lipscomb  
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.

Archie F. Luck, 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 F. Luck, Clerk.

Bail fixed \$ 750.00

Julian J. Marshall, Jr.,  
Judge.

Affidavit

1557

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 Jaylor Wilkins 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 4 Dec 51 that one Lemmie J. Miller

did manufacture, sell, give away or have in  
his possession, a still or apparatus or appliance  
or some device or substitute thereof to be used for  
the purpose of manufacturing or distilling  
prohibited liquors or beverages

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 4

day of Dec. A. D., 1951

T. C. Hand, J. P.

Jaylor Wilkins

Warrant

STATE OF ALABAMA, {  
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest

Lemmie J. Miller

and bring him

before me to answer the State of Alabama on a charge

distilling.

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

Witness my hand this 4 day of Dec., 1951

T. C. Hand, J. P.

No. 245-8

Page \_\_\_\_\_

The State of Alabama,

Baldwin County

JUSTICE COURT OF

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,

vs.

Lemmie J. Miller

Witnesses for the State :

Edleigh Stedham

Jaylon Wilkins

W. F. Hall.

Lawrence Fountain.

J. D. Horn.

C. H. Martin.

Jed M. Whitehead.

George Hentley.

Justice Court Of  
Baldwin County

WARRANT of ARREST

The State of Alabama,

vs.

Lemmie J. Miller

Executed this 4 day of Dec 1951

By arresting the within

named Defendant

and placing him

In Jail  
L. P. Walker, Sheriff

Deputy Sheriff

Spanish Fort 44 mi

## CAPIAS

Moore Printing Co.,

THE STATE OF ALABAMA,  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Lemmie Masonat the Spring Term, 1952, of the Circuit Court of Baldwin County, for the offense ofPossession of & Distillingyou are, therefore, commanded forthwith to arrest the said Defendant and commit himto jail, unless he give bail to answer said indictment, and that you return this Writ according to law.Dated this 27th day of March, 1952

W. J. Jones  
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.

*CP*

CAPIAS

No. 67

THE STATE

vs.

Lemmie Miller  
2812 Hall St

Bail Fixed in This Case in Open Court at

\$ 2500

By Leif J. Markburg  
Judge Presiding.

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

Josephine St.  
Adm. of 1st Ave  
Pritchard

Executed this 10 day of Nov., 1952

By arresting the within

named Defendant

Lemmie Miller

and placing him in the

Mobile County Jail  
J. H. Holcomb, Sheriff

W. E. Coniff, Deputy Sheriff

1557

JAIL 6-2M-2-50

THE STATE OF ALABAMA }

BALDWIN  
Mobile CountyWe LENNIE MILLERPIERCE BROTHERS BONDING CO andagree to pay the State of Alabama SEVEN HUNDRED FIFTY Dollarsunless the said LENNIE MILLER appear at theNEXT term of the Circuit Court of BALDWIN ~~Mobile~~ County

and from term to term thereafter, until discharged by law, to answer a criminal prosecution for the offense of

POSSESSION OF STILL FIND DISTILLING

AND WE HEREBY WAIVE ALL RIGHT OF EXEMPTION ALLOWED US UNDER THE  
CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS TO THE COLLECTION OF  
THIS BOND IF FORFEITED.

Approved:

The 10 day of Nov., 1952W. H. Holcombe SheriffH. C. Hall DeputyL. J. Miller (L. S.)G. W. Price (L. S.)C. W. Brasher (L. S.)B. G. Price (L. S.)

THE STATE OF ALABAMA

Mobile County  
Baldwin

We Limmie Miller

C.V. Broadus

and L.W. Pierce

agree to pay the State of Alabama Five hundred. ----- Dollars

unless the said Limmie Miller appear before

J.P. Hand. Baldwin  
the Judge of the Inferior Criminal Court of Mobile County, on the 14 day

of December, 1951, at the hour of 10 A. M., and from day to day thereafter until

discharged by law, to answer to a criminal prosecution for the offense of

Distilling

AND WE HEREBY WAIVE ALL RIGHT OF EXEMPTION ALLOWED US UNDER THE  
CONSTITUTION AND LAWS OF THE STATE OF ALABAMA AS TO THE COLLECTION OF  
THIS BOND IF FORFEITED.

Approved:

The 6 day of Dec, 1951  
Lester Wilkins Sheriff  
Deputy

Limmie J. Miller (L. S.)  
C.V. Broadus (L. S.)  
L.W. Pierce (L. S.)  
By C.V. Broadus (att in fact)



THE STATE OF ALABAMA  
County of Mobile

Personally appeared before me, B. L. Fawcett, Sheriff of Mobile County

who, being duly sworn, doth depose and say that \_\_\_\_\_ is a resident of the State of Alabama, County of Mobile, a householder and freeholder therein and that \_\_\_\_\_ is worth, exclusive of property exempt from execution, and also over and above all just debts and liabilities, the amount expressed in this undertaking.

Subscribed and sworn to before me, this \_\_\_\_\_

day of \_\_\_\_\_, 194 \_\_\_\_\_

Sheriff of Mobile County.

Baldwin

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

THE STATE

VS.

APPEARANCE BOND

Filed \_\_\_\_\_ day of \_\_\_\_\_ 194 \_\_\_\_\_

State of Alabama ( )  
County of Mobile ( )

I W.H. Holcombe, Sheriff of Mobile County, Alabama, hereby certify that the within bond is a good and sufficient bond and presented to me in Mobile County, I would accept same. The Broadus, Pierce, and Dickerson Bonding Company is further qualified under Sec 201 of Act 199 to protect the State or its political sub-divisions on this bail bond.

This the 5th day of December 1951.

W. H. Holcombe  
W.H. Holcombe, Sheriff of Mobile County, Alabama

STATE OF ALABAMA,

Plaintiff,

vs.

L. J. MILLER,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Now comes the Defendant in the above entitled  
cause, and demands a trial by jury.

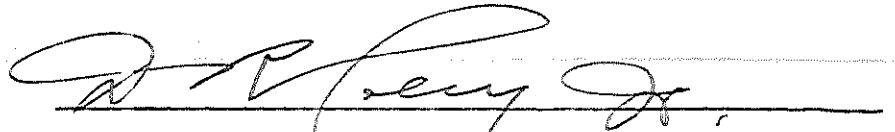
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ATTORNEY FOR DEFENDANT

STATE OF ALABAMA,  
Plaintiff,  
vs.  
L. J. MILLER,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Now comes the Defendant in the above entitled  
cause, and demands a trial by jury.

  
ATTORNEY FOR DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

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STATE OF ALABAMA,  
Plaintiff,  
vs.  
L. J. MILLER,  
Defendant.

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DEMAND FOR JURY TRIAL

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*Filed 11-20-82*  
*Amey. French*  
*clerk*

D. R. COLEY, JR.,  
ATTORNEY FOR DEFENDANT

1557

LAW OFFICES OF  
D. R. COLEY, JR.

302-6 FIRST FEDERAL SAVINGS BUILDING

106 ST. JOSEPH STREET

MOBILE, ALABAMA

SYDNEY S. PFLEGER  
CHRIS C. DE LANEY

November 17, 1952

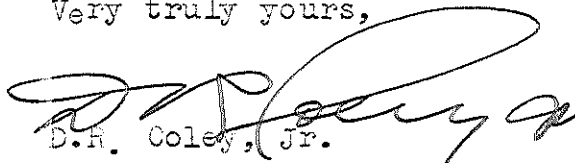
Mrs. Alice Duck,  
Clerk, Circuit Court,  
Baldwin County,  
Bay Minette, Alabama.

Dear Mrs. Duck:

I am enclosing herewith demand for jury  
trial in the matter of the State vs. L. J. Miller.

I will appreciate it if you will advise  
me when this case is set for trial.

Very truly yours,

  
D.R. Coley, Jr.

C/D

2458

1557

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

*Edleigh Staddon, Taylor Wilkins, H. F. Hall*  
*Lawrence Fountain, J. D. Horn, C. H. Martin, Ed M. Whitehead, George Hartley*

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

*14* day of *Dec*, 1951, 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

*Lemmie J. Miller*

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

Witness my hand this

*10*

day of

*Dec*

A.D., 1951

*[Signature]*  
Justice of the Peace, Precinct No. 4

Executed in full, this the

13 day of

Dec, 1951

Lester Wilkins  
Sheriff

H F Hall  
Deputy Sheriff

1557

STATE OF ALABAMA }  
BALDWIN COUNTY

Nº 2965

Case No. 2458

IN THE Justice COURT OF  
BALDWIN COUNTY, ALABAMA

The State of Alabama

vs.

Gennie J. Miller

Before me,

J. C. Ward

Justice, 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. Gennie J. Miller  
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 44 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

Spanish Fort

Joseph Wilkins

Sheriff

Subscribed and sworn to before me this

5

day of

Dec

195

Disposition of Case

Issued to Grand jury

O. J. Ward

Clerk Circuit Court

Justice

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 \$ 4.20 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

20

day of

Nov

195

O. J. Ward

Judge of the above named court



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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No. <i>7458</i>	Vs.	
<i>Huber Hall</i>	<i>Lemmie J. Miller</i>	<i>distilling</i>

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to <i>Jayles Wilkins</i>	JUDGE'S FEES	
	Returnable <i>Grand Jury</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—For State <i>Edleigh Standland, Jayles Wilkins, H. F. Bell, Lawrence Fountain, J. D. Horn, C. H. Martin, Ted W. Whitehead, George Hartley.</i>	Bond at 50c, Sci. Fa. at 50c	
<i>14 Dec 1951</i>	<i>up. attorney requested case be continued until 20 March 1952 (13 Continuances)</i>	Witnesses' Recognizances at 25c	
<i>20 Mar 1952</i>	<i>up. attorney requested hearing be moved to Grand Jury. Bond was set at <u>500.00</u></i>	<i>8</i> Subpoena or Notice at 25c	<i>2.00</i>
		<i>13</i> Continuance at 25c	<i>3.25</i>
		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	
		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	<i>5.00</i>
		Committing, \$2.00; Releasing, \$1.00	<i>2.10</i>
		<i>8</i> Subpoenas at <i>250</i> Day's Board at 30c	<i>3.50</i>
		WITNESS FEES	<i>4.40</i>
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

*T. J. Land*  
*Justice of Peace*

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