

INDICTMENT

THE STATE OF ALABAMA }
Baldwin County.

Circuit Court, Spring Session, 195 3

The Grand Jury of said County charge that before the finding of this indictment ELMER BOY-
INGTON, whose name is to the Grand Jury otherwise unknown, unlawfully manufactured,
sold, gave away, or had in his possession a still, apparatus, appliance or device
or substitute therefor, to be used for the purpose of manufacturing prohibited
liquor, to-wit, whiskey, against the peace and dignity of the State of Alabama.

2. The Grand Jury of said County further charge that before the finding of this
indictment ELMER BOYINGTON, whose name is to the Grand Jury otherwise unknown,
unlawfully distilled, made or manufactured alcoholic or spirituous liquor, to-wit,
whiskey, a part of which was alcohol,

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, 1953

THE STATE

Vs.

ELMER BOYINGTON

INDICTMENT

Possession of Still & Distilling
No Prosecutor.

WITNESSES:

Taylor Wilkins

H. F. Hall

GRAND JURY NO. 40D

A TRUE BILL

Robert E. Stapleton
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 12th day of
March, 1953.

Deicy J. Leach Clerk
Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in

the presence of 17 other Grand Jurors.

Deicy J. Leach Clerk.

Bail fixed \$ 500

I. H. Hester
Judge.

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:
An indictment having been found against

Elmer Boyington

at the Spring Term, 1943, of the Circuit Court of Baldwin County, for the offense of

Possession of Still & Distilling

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 12th day of March, 1943

Price J. 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 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.

RECORDED

CAPIAS

No. 425

THE STATE
vs.

Elmer Boyington

Bail Fixed in This Case in Open Court at

\$500.00

By Robert M. Hall
Judge Presiding.

Attest : _____
Clerk.

Executed this 13 day of March 1933

By arresting the within

named Defendant

and placing him in Jail

Ray W. Wilkins Sheriff.
R. F. Hall Deputy Sheriff.

0 miles

The State of Alabama, {
Baldwin County

We, Elmer Boyington, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Five Hundred \$500.00 DOLLARS
unless the said Elmer Boyington appears at the
next Term, 1953 of the District Court of Baldwin County, Alabama
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Disturbing
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 constitu-
tion 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.

x Elmer Boyington L. S.

BROADUS, PIERCE & DICKERSON L. S.

BONDING COMPANY L. S.

By: Harold Payne L. S.

Taken and approved this the 13 day of March 1953

W. L. McPherson, Sheriff
By R. P. D. Taylor, Deputy Sheriff

1576

AFFIDAVIT

Printed by Moore Ptg. Co.

The 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 H. F. Hall 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 1953 that one Elmer Mayington

did manufacture sell, own, use or have in their
possession a still or apparatus to produce or remove
alcohol or substitute thereof to be used for the
purpose of manufacturing or distilling prohibited liquors
by themselves against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

day of Jan A. D., 1953
T. C. HAND, J. P.

H. F. Hall

WARRANT

THE STATE OF ALABAMA,
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Elmer Mayington and bring him

before me to answer the State of Alabama on a charge

distilling and having prohibited
liquors in possession

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

Witness my hand this 7 day of Jan, 1953
T. C. HAND, J. P.

No. 4096

Page

State of Alabama,
Baldwin County

Justice Court of

T. C. HAND

AFFIDAVIT

The State of Alabama,
vs.*Elmer Boyington*

Witnesses for the State:

H. F. Hall
Oite Sellers
Nyles Wilkins
Frank Oabson
*Edleigh Steadham*Justice Court of
BALDWIN COUNTY

Warrant of Arrest

THE STATE OF ALABAMA,
vs.*Elmer Boyington*Executed this 7 day of Jan 1953

By arresting the within

named Defendant

and placing him

Taylor Wilkins, Sheriff
Steadham, Deputy Sheriff*Lillian*

4096.

1598

The State of Alabama,
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon

H. F. Hall, Pete Sellers,

Jay Lee Wilkins, Frank Osborn, Edleigh Steadham

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

16 day of Jan, 1953; 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

Elmer Boyington

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

Witness my hand this 7 day of Jan

A. D., 1953

T. C. Hand

Justice of the Peace, Precinct No. 4

Executed in full, this the

8 day of

Jan, 1953

Taylor Wilburn
Sheriff

W. F. Hall
Deputy Sheriff

1598
STATE OF ALABAMA

Baldwin County

Case No.

4096

No.

4015

The State of Alabama

vs.

In the

Justice Court of
Baldwin County, Alabama

Before me, J. D. Land, Clerk of the Justice 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 100 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

day of

195

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 \$ 10.00 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

195

Judge of the above named court

1578
Appearance Bond

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County

We, Elmer Boyington, as

principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Five hundred DOLLARS

unless the said Elmer Boyington appears at the

Jan 16 Term, 1953 of the Judicial Court of Baldwin County, Alabama

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

Distilling

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.

Elmer Boyington L. S.

BROADUS, PIERCE & DICKERSON

BONDING COMPANY

By: C. V. Broadus L. S.

_____ L. S.

Taken and approved this the 8 day of Jan 1953

Jayla Wilkins, Sheriff

By: 14 F. Hall, Deputy Sheriff

1596
Appearance Bond

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County

We, Charles Warrington, as

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

\$100.00 DOLLARS

unless the said Charles Warrington appears at the

next Term, 1953 of the County Court of Baldwin County, Alabama

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

distilling
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.

Taken and approved this the 6th day of Feb 1953

Gayle Wilkerson, Sheriff

By _____, Deputy Sheriff

1578 Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

Attorneys	Case	Charge
	THE STATE OF ALABAMA.	
No. 4096.	Vs.	distilling & having prohibited liquor in possession.
	Elmer Doyington.	

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to H. F. Hall	Judge's Fees	
	Returnable Grand Jury.	Warrant at 50c, Affidavit at 25c	75
	Witness—for State H. F. Hall Dea. Sellers	Bond at 50c, Sci Fa at 50c	
	Jay Lee Wilkins, Frank Gibson	Witnesses' Recognizances at 25c	
	Ednaigh Steadham.	3 Subpoena or notice at 25c	1.75
		3 Continuance at 25c	.75
16 Jan 53	Case Continued to 23 Jan 53.	Trial of Misdemeanor at \$1.00	
22 Jan 53	" " to 30 Jan 53.	Mittimus at 25c	.25
30 Jan 53	" " to 6 Feb 53.	Judgment on Forfeited Bond at 25c	
6 Feb 53.	sy requested hearing he waived the Grand Jury.	Taking Bond, etc, on Appeal at \$1.00	
	Bond was set at \$6.00	Execution of costs at 25c	
6 Feb 53.	sy posted bond.	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	6.00
		Committing \$1.00, Releasing \$1.00	2.10
		4 Subpoenas at 25c Day's Board at 30c	2.00
		Witness Fees	10.00
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

1598