

1613

INDICTMENT

THE STATE OF ALABAMA
Baldwin County.

Circuit Court, Spring **Session, 195³**

The Grand Jury of said County charge that before the finding of this indictment ERNEST 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 with the load thereon had a gross weight of, to-wit, 53,200 pounds, the maximum total gross weight allowable by law for said vehicle being then and there, to-wit, 52,000 pounds, in violation of Title 36, Section 89, Code of Alabama of 1940, as amended, and

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, 19 53.....

THE STATE

Vs.

ERNEST HENRY

INDICTMENT

Overweight vehicle

No Prosecutor.

WITNESSES:

M. Daughtrey

J. E. Lindsay

GRAND JURY NO. 23A

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 -

Alice J. Hensley 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. Hensley Clerk.

Bail fixed \$ 200

J. E. Lindsay

Judge.

Affidavit

Printed by Moore Ptg. Co.

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 Oct. 28-1952 that one Earnest Henry

Did operate a truck on the right
way that was overweight

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 28day of Oct A. D., 1952H. E. Mills, J. P.M. Daughtry

Warrant

STATE OF ALABAMA, {
BALDWIN COUNTY

To Any Lawful Officer of Said County, Greetings :

You are hereby commanded to arrest

Earnest Henryand bring himbefore me to answer the State of Alabama on a chargeOverweight Truck

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

Witness my hand this 28 day of Oct, 1952H. 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 _____, 195____

Justice of the Peace.

No. _____ Page _____

The State of Alabama,
Baldwin County

JUSTICE COURT OF

H. E. MILLS

AFFIDAVIT

THE STATE OF ALABAMA,
vs.

Carnest Henry

Witnesses for the State :

J. C. Lindsay
M. Daughtry

Justice Court Of
Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Carnest Henry

Executed this 28 day of Feb. 1952

By arresting the within

named Defendant

and placing him

under Bond

M. Daughtry Sheriff

Deputy Sheriff

Criminal Docket No. _____

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
19 ____ Term of the _____
Court of _____ County, Ala.

Given under my hand this the _____
day of _____, 19____
_____, J. P.

1613

1971

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 J. P. COURT OF Baldwin COUNTY
Baldwin County } We, Earnest Henry Principal,
 and _____

_____ sureties, agree to pay to the State of Alabama
Two Hundred and 00/100 Dollars,
 unless the said Earnest Henry

appears before the J. P. Court of Baldwin County on the 1 day of
Nov. 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 _____

Overweight Gross 61.220 - 2420 over Taken 37.200 - 1200 over
on taken
 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 sol-
 emnly 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 _____ 1952

Sign Top Line	NAME	ADDRESS
<u>Earnest Henry</u>	(L. S.)	<u>Bay Minette</u>
	(L. S.)	<u>E.C. Johnson</u>
	(L. S.)	
	(L. S.)	

Approved this the 28 day of Oct, 1952
J.E. Lindsay 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.

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
\$200.00 Two Hundred DOLLARS
unless the said Ernest H. 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 Truck

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

1 day of Nov., 1952
H. E. Meese

_____ Baldwin County, Ala.

E. C. Johnson L. S.

E. C. Johnson L. S.
Bay Bennett L. S.

_____ L. S.

Taken and approved this the _____ day of _____ 1952

_____, Sheriff

By _____, Deputy Sheriff

Evergreen Dist.

1613
ALABAMA HIGHWAY PATROLN^o A15268

E

Date 10-28 1952

ARREST TICKET
MONTGOMERY, ALABAMA

BALDWIN County J. P. Court H. E. MILLER Case No. Judge or J. P.

Name ERNEST HENRY ☒ W. ☐ C. ☒ M. ☐ F. Age 30 Drivers License No. 106-826

Address City BOY MONTGOMERY State ALA

Charge OVERWEIGHT Vio. Sect. No. 990 of TITLE 36

Place of Arrest B. R. 90-31 Time (1000) A. M. () P. M.

Model 1951 Make FORD Body Type TRACTOR TRAILER

Motor No. License No. 511-226 Carrier Tag No.

Owner E. C. JOHNSON Address BOY MONTGOMERY ALA

Employed by SAME Address

Case Set for 11-1 1952 () A. M. (5) P. M. Case Closed 19

Disposition—Sentence () Mo. () Yr. Fine \$ Arrest \$ Bond \$ Witness \$

Final Disposition 11-1 1952 61220 - Overweight 2420

Remarks Johnson 37200 - 1200 over on Johnson

This is to Certify that this Court has received the Fine and Cost or Closed this case as stated above.

Signed

Officers M. D. [Signature] & C. E. [Signature] Badge Nos. 212 & 221

Quadruplicate—To Defendant

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

ERNEST HENRY

at the SPRING Term, 1953, of the Circuit Court of Baldwin County, for the offense of

Overweight 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 12th day of March, 1953

[Signature]
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA,
Baldwin County

We, Ernest Henry, as principal and

the other undersigned as sureties, agree to pay the State of Alabama \$200.00 (Two Hundred)

Dollars, unless the said Ernest Henry 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

Overweight Vehicle

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_____.

[Signature] (L. S.)

[Signature] (L. S.)

____ (L. S.)

____ (L. S.)

Taken and approved 14th day of March, 1953

[Signature]
Sheriff of Baldwin County.

W1613

CAPIAS

No. 23 A

THE STATE

vs.

ERNEST HENRY

Bail Fixed in This Case in Open Court at

\$ 2.0000

By HUBERT M. HALL
Judge Presiding.

Attest: _____
Clerk.

Executed this 14th day of March, 1953

By arresting the within

named Defendant

and placing him

under Bond

John Walker, Sheriff

_____, Deputy Sheriff

Om

1613

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	<i>75</i>
Witness—for State	<i>J. C. Lindsay</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 at \$200.00
for appearance at Circuit Court

N. C. Miller

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