

71613
INDICTMENT

THE STATE OF ALABAMA } Circuit Court, Spring Session, 195³
Baldwin County. }

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, 1953.....

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 -

Doris J. Wren Clerk

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in
the presence of 12 other Grand Jurors.

Doris J. Wren Clerk.

Bail fixed \$500

H. W. Moore

Judge.

Affidavit 1613

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

Ernest Henry
Did operate a truck on the night
way that was overweight

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 28
day of Oct A. D., 1952
H. 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 Ernest Henry and bring him before the 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 28 day of Oct, 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 _____

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. C. Lindsey
M. Daughtry

Justice Court Of

Baldwin County

WARRANT of ARREST

The State of Alabama,
vs.

Ernest Henry

Executed this 28 day of Oct 1952

By arresting the within

named Defendant

and placing him

Under Bond

M. Daughtry H. H. P.
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, Ernest Henry, Principal,
and _____

Two Hundred and 00 _____ sureties, agree to pay to the State of Alabama
Dollars,
unless the said Ernest 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) Total 37.200 - 1200 over on sale

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 19

Approved this the 28 day of

Oct, 1952

J. E. Lindsey
Arresting Officer.

By _____

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

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 \$200⁰⁰ Two Hundred ~~in~~ DOLLARS unless the said Ernest J. Henry appears at the Next Term, 195¹ 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 Drunk.

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. Mee

Baldwin County, Ala.

Ernest Henry L. S.
E. C. Johnson L. S.
By Mee L. S.
Bog Mee L. S.

L. S.

Taken and approved this the _____ day of _____ 195_____

, Sheriff

By _____, Deputy Sheriff

Evergreen Dist.

1613

ALABAMA HIGHWAY PATROL
ARREST TICKET
MONTGOMERY, ALABAMA

No. A15268 E

Date 10-28 1952

1952

Court H. E. Miller

Case No.
Judge or J. P.

Baldwin County J. P.

Case No.
Judge or J. P.

Name ERNEST HENRY

W. C. M. F. Age

Drivers

License No.

Address

City BIRMINGHAM

State ALA

Charge OVERWEIGHT

Vio. Sect. No. 650 of TITLE 26

Place of Arrest B. B. 90-31

Time (10:00) A. M. () P. M.

Model 1951 Make FORD

Body Type TRACTOR/ TRAILER

Motor No.

License No. 511-123

Carrier Tag No.

Owner E. C. JOHNSON

Address BIRMINGHAM, ALA

Employed by SAME

Address

Case Set for 11-1 1952

() A. M. () P. M. Case Closed

19

Disposition Sentence () Mo. () Yr. Fine \$

Arrest \$

Bond \$

Witness \$

Final Disposition OVERWEIGHT 61220 - BIRMINGHAM 2420

Remarks Johnson 37200 - 1200 over on trailer

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

Signed

Officers M. Shultz & C. S. Johnson

Badge Nos. 612 & 621

Quadruplicate To Defendant

C. S. Johnson

1010

CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
Baldwin County } 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

Rey J. Clark
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_____

Ernest Henry (L. S.)
CC Johnson (L. S.)

(L. S.)

(L. S.)

Taken and approved 14th day of

March, 1953

Taylor Willard
Sheriff of Baldwin County.

NO 1613

CAPIAS

No. 23 A

THE STATE

vs.

ERNEST HENRY

Bail Fixed in This Case in Open Court at

\$ 2000

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

Loyd Wilkins, Sheriff

, Deputy Sheriff

O'Neil

1613

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA, Vs. Ernest Henry	Overweight Truck
No.		

1613