

1676

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 PARK T. BYRD, whose name is to the Grand Jury otherwise unknown, did operate a passenger motor vehicle, to-wit, a Greyhound bus, over and upon Alabama State Highway 3, a public highway, in Baldwin County, Alabama, at nighttime, to-wit, at or about 10:30 PM o'clock, at a speed in excess of fifty miles per hour, to-wit, at a speed of sixty-two miles per hour, contrary to the provisions of an order establishing State speed zone on said Alabama State Highway 3, issued by the Director of Public Safety and the Highway Director of Alabama, and approved by the Governor of Alabama under the authority of Section 3 of Act Number 516, General Acts of Alabama of 1949, page 740, and 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 PARK T. BYRD, whose name is to the Grand Jury otherwise unknown, did operate a motor vehicle, to-wit, a Greyhound bus, upon a public highway of this State being, to-wit, Alabama State Highway 3, in Baldwin County, Alabama, at a rate of speed that was greater than was reasonable and proper, having regard to the traffic, and use of said highway, or so as to endanger or be likely to endanger property or the life and limb of persons, to-wit, at a rate of speed of sixty-two miles per hour

against the peace and dignity of the State of Alabama.

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

No. ....

## BALDWIN COUNTY

## Circuit Court

Spring..... Session, 1953.....

# THE STATE

**Vs.**

PARK T. BYRD

# INDICTMENT

## Speeding

No Prosecutor.

WITNESSES:

N. C. Stanley

R. E. Ethwady 100.9 = 11.35'

GRAND JURY NO. 26

A TRUE BILL

A TRUE BILL  
Robert E. Stapleton  
Foreman Grand Jury.

Filed in open Court and in the presence of

the Grand Jury on the 12<sup>th</sup> day of March, 1953.

.....  
*Archie J. Leitch* P., Clerk

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

the presence of 17 other Grand Jurors.

*Benjamin*  
Clerk.

Bail fixed \$ 200

*Wm. S. Hall*  
Judge.

1674  
Jail 8-2M--9-30

THE STATE OF ALABAMA }  
Baldwin ~~Mobile~~ County

We, U. S. Fidelity & Guaranty Co.,

as Surety, \_\_\_\_\_ and Park T. Byrd, as principal,  
agree to pay the State of Alabama Two Hundred (\$200.00) and no/100 -----Dollars  
unless the said Park T. Byrd \_\_\_\_\_ appear at the  
Fall \_\_\_\_\_ Baldwin  
\_\_\_\_\_ term of the Circuit Court of ~~Mobile~~ County

and from term to term thereafter, until discharged by law, to answer a criminal prosecution for the  
offense of exceeding the speed limit for a bus, \_\_\_\_\_

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 \_\_\_\_\_ day of July 1953

Sheriff

Deputy

x Park T. Byrd (L. S.)

UNITED STATES FIDELITY AND GUARANTY COMPANY (S.)

K. C. PTOMEY, ATTORNEY-IN-FACT

1676

## INFERIOR CRIMINAL COURT, MOBILE COUNTY

*Appearance* ~~APPEAL~~ BONDSTATE OF ALABAMA )  
COUNTY OF ~~MOBILE~~ Baldwin

KNOW ALL MEN BY THESE PRESENTS, That we Park T. Byrd, as Principal,  
and U.S. Fidelity & Guaranty Co. as Sureties, are held and firmly bound unto the  
State of Alabama in the sum of One Hundred (\$100<sup>00</sup>) Dollars, for which payment well and truly to be  
made to the State of Alabama do hereby bind ourselves, and our heirs and assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated the 19 day of November in the year of our Lord, one thousand  
nine hundred and fifty-two.

The condition of this Obligation is such that whereas the said Park T. Byrd has on the  
date of these presents ~~claimed an appeal to the Circuit Court of Mobile County, next to be held in and for the County of Mobile~~  
in the State aforesaid, at the ~~present~~ 19 Session, thereof ~~from a judgment rendered against him on the~~ Baldwin  
~~November 19, 1952, by Judge O. O. Taylor, Judge of the Inferior Criminal Court of Mobile County,~~  
M. R. Howell, Justice of the Peace in Baldwin  
State of Alabama.

NOW, if the said Park T. Byrd shall appear at said term of said Circuit Court, and  
from term to term thereafter until discharged by due process of law, then this obligation to be void, otherwise to remain  
in full force and virtue.

And we each do hereby waive all right of exemptions allowed us under the Constitution and Laws of the State of Ala-  
bama as to the collection of this bond if forfeited.

Park T. Byrd (L. S.)

U.S. FIDELITY & GUARANTY CO. (L. S.)

By: J. E. Shawney (L. S.)

Approved the 19 day of November, 1952

M. R. Howell  
Judge of the Inferior Criminal Court of Mobile County  
Justice of the Peace, Precinct 14  
Baldwin County, Alabama

110 1 4  
(CERTIFIED COPY)

# GENERAL POWER OF ATTORNEY

No. 63563

Know all Men by these Presents:

That the UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint

K. C. Ptomey

of the City of Mobile, State of Alabama  
its true and lawful attorneys ~~in and for the State~~ of

for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said

K. C. Ptomey

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this 15th day of June, A. D. 1949

UNITED STATES FIDELITY AND GUARANTY COMPANY.

(Signed)

By E. W. Levering, Jr.

Vice-President.

(SEAL)

(Signed)

Glover C. Trenholm

Assistant Secretary.

STATE OF MARYLAND

BALTIMORE CITY.

ss:

On this 15th day of June, A. D. 1949

E. W. Levering, Jr.

Vice-President of the UNITED STATES FIDELITY AND GUARANTY

COMPANY and Glover C. Trenholm

Assistant Secretary of said Company, with both of

whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland;

that they, the said E. W. Levering, Jr. and Glover C. Trenholm were respectively

the Vice-President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the cor-

poration described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the

seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation,

and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively, of the Company.

My commission expires the first Monday in May, 1950.

(Seal)

(Signed)

Frieda Walter

Notary Public.

STATE OF MARYLAND

BALTIMORE CITY.

Sct.

I, M. Luther Pittman

Clerk of the Superior Court of Baltimore City, which Court is a

Court of Record, and has a seal, do hereby certify that Frieda Walter, Esquire, before

whom the annexed affidavits were made, and who has thereto subscribed his name, was at the time of so doing a Notary Public of the

State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths and take

acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said

Notary, and verily believe the signature to be his genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this 15th day of June, A. D. 1949.

(SEAL)

(Signed)

M. Luther Pittman

Clerk of the Superior Court of Baltimore City.

COPY OF RESOLUTION

*That Whereas*, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

*Therefore, be it Resolved*, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performances of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

Also in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise, be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded for the security or protection of, by or for any person or persons, corporation, body, office, interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

I, **G. P. Moore**, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said Company to

**K. C. Ptomey**

of **Mobile, Alabama**, authorizing and empowering **him** to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company, duly called and held at the office of the Company in the City of Baltimore, on the 11th day of July, 1910, at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of said meeting.

*In Testimony Whereof*, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on **November 19, 1952**  
(Date)



Assistant Secretary.

CERTIFICATE BOARD OF DIRECTORS

(CERTIFICATE BOARD)

1014  
**CAPIAS**

Moore Printing Co.

THE STATE OF ALABAMA,  
Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

PARK T. BYRD

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

Speeding

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

W. J. [Signature]  
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.

C 201676

Returned

CAPIAS

No. 26

THE STATE

vs.

PARK T. BYRD

Greyhound Bus Co.  
Mobile, Ala.

Bail Fixed in This Case in Open Court at

\$ 20000

By HUBERT M. HALL  
Judge Presiding.

Attest: Clerk.

Jack Greyhound  
Extra Board -  
New Orleans, La.  
if he  
notified by Super. to go  
to Baldwin to Jail and  
be docked.

Executed this 1 day of July, 1953

By arresting the within

named Defendant

and placing him on Bond

Taylor Wilkins, Sheriff  
J. H. Hall, Deputy Sheriff

O. Miles

RECEIVED - 5-16-53  
RETURNED - 5-19-53

Not found in my County after diligent search  
and inquiry.

W. H. HOLCOMBE, Sheriff  
By R. A. Rooney, D.S.

1676  
Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	Speeding Bus.
No.	Vs. Carl J. Boyd.	

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to Highway Patrol	JUDGE'S FEES	
Returnable Nov 19- 1952	Warrant at 50c, Affidavit at 25c	75
Witness—For State	Bond at 50c, Sci. Fa. at 50c	
N.C. Stanley, Foley, Ala. ✓	Witnesses' Recognizances at 25c	
R. E. Etheridge, " ✓	Subpoena or Notice at 25c	
Came the defendant and	Continuance at 25c	
demand a jury trial, he bound	Trial of Misdemeanor at \$1.00	
over to the Spring Term of	Mittimus at 25c	
the Grand Jury. 1953.	Judgment on Forfeited Bond at 25c	
Bond \$100.00	Taking Bond, etc., on Appeal at \$1.00	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	
	Highway Patrol	2.00
	Arrest, \$2.00; Bond \$1.00; Sci. Fa., 50c	1.50
	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	

Other  
Witnesses are  
inside of this  
paper.

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