

1686

The State of Alabama, }

Baldwin County.

CIRCUIT COURT

Spring Session

Term, 1954

On Appeal from County Court.

THE STATE vs.

W. H. Fail

The State of Alabama, by its Solicitor, complains of

W. H. Fail

that

in said county and within twelve months before the commencement of this prosecution he did,

*on or about 24 March, 1953, while
intoxicated, drive a motor vehicle
upon a highway of Baldwin County,
Alabama.*

contrary to law and against the peace and dignity of the State of Alabama.

Kenneth Cooper

Solicitor.

No. 1686

STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE
vs.

W. H. Fair

CHARGE:

Driving While
Intoxicated

COMPLAINT

Filed 3-1 19 54

Archie J. Hirsch
Clerk

AFFIDAVIT

Printed by Moore Printing 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 Mrs. Jeffair J. Mashburn 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 24 March '53 that one W. F. Fail

did commit a motor vehicle law violation of Ala. while under the influence of liquor, beverages or drugs
against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 25

day of March, A. D., 1953

J. P.

Mrs. Jeffair J. Mashburn Jr.

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest W. F. Fail and bring him

before me to answer the State of Alabama on a charge

Driving while intoxicated

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

Witness my hand this 25 day of March, 1953
J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County

Justice Court of
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
VS.

W. H. Fails

Witnesses for the State:

*Mrs. Telfair J. Mackburn
Burton Young
R. J. Branger
Edwigh Steadham
Fred Post.*

Printed by Moore Printing Co.

Justice Court of
Baldwin County

WARRANT OF ARREST

THE STATE OF ALABAMA,
VS.

W. H. Fails

Executed this *25* day of *mar* 19*13*.

By arresting the within

named Defendant

and placing him

in jail

Taylor Watkins, Sheriff
Edwigh Steadham, Deputy Sheriff

6 mi north west B. m.
12 mi.

Appearance Bond

11686

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County }

We, W. W. Fail, as

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

Three Hundred DOLLARS

unless the said W. W. Fail

appears at the

next Term, 1957 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

Driving While Intoxicated
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.

W. W. Fail L. S.

J. J. W. W. W. L. S.

J. J. Davidson Jr L. S.

_____ L. S.

Taken and approved this the _____ day of April 1957

P. J. Faced Sheriff

By Justice of Peace

Deputy Sheriff

Defendant demands
a trial of this cause
by Jury.

The State of Alabama,
Baldwin County

We, W. H. Fail, as

principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Three Hundred - \$300.00 DOLLARS

unless the said W. H. Fail appears at the

April 1st Term, 1953 of the Jessie J. Ward Court of Baldwin County, Alabama

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

Driving While Intoxicated

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.

W. H. Fail L. S.

BROADUS, PIERCE & DICKERSON
BONDING COMPANY L. S.

By: Harold Ray L. S.

Taken and approved this the 28 day of March, 1953

James M. Williams, Sheriff
By W. H. Fail, Deputy Sheriff

No. 4416

The State of Alabama,
Baldwin County.

Court

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$

Filed _____, 195

_____, Clerk

Printed by Moore Printing Co.

4716

1686

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

R. J. Granger, Edlich, Steadman, Buntch, Young, Fred Post

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

28 day of *March* *4 P.M.*, 195*3*, 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

W. H. Friel

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

Witness my hand this *25* day of *March*, A. D. 195*3*.

C. J. Friel
Justice of the Peace, Precinct No. 4

Executed in full, this the

27 day of

March, 1953

Joseph Wilkins
Sheriff

W F Hall
Deputy Sheriff

Court of T. C. HAND
T. C. HAND, Justice of the Peace

Mr. Telfair J. Mashburn Jr. who, being
 as probable cause for believing and does believe that in said County,

53. that one W. H. Tail
is Vehicle on the highways of
under the influence of alcohol
or drugs.

the peace and dignity of the State of Alabama
 before me this 25
, A. D., 1953.
, J. P.

Mr. Telfair J. Mashburn Jr.

BAMA,

Kail.

Witnesses for the State:

Mrs. Selpin J. Mashburn
Barton Young.

Printed by Moore Printing Co.

County, Greetings:

est. *W. L. Fair*

and bring *him*

to answer the State of Alabama on a charge

the interested

's writ with your return thereon

v, 19 *53*.

O. L. Fair

J. P.

11686

iler of Baldwin County:

J. Washburn Jr.

mitted, and that there is sufficient cause to believe that

has been guilty thereof, you are
your custody, and detain him until he is legally discharged.

, 1952.

P. J. Land

Justice of the Peace.

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

Attorneys	Case	Charge
No. <u>4416</u>	THE STATE OF ALABAMA,	
<u>J. B. Coleman</u>	Vs. <u>W. H. Fair</u>	<u>driving while intoxicated</u>

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to <u>Mrs. Zelfai Mosher</u>	Judge's Fees	
Returnable <u>Circuit Court</u>	Warrant at 50c, Affidavit at 25c	<u>.75</u>
Witness—for State <u>Mrs. Zelfai Mosher</u>	Bond at 50c, Sci Fa. at 50c	
<u>Robert Young</u>	Witnesses' Recognizances at 25c	
<u>R. J. Givens</u>	Subpoenas or notice at 25c	<u>1.25</u>
<u>Edw. H. Hadden</u>	Continuance at 25c	<u>.25</u>
<u>Fred Post</u>	Trial of Misdemeanor at \$1.00	<u>1.00</u>
	Mittimus at 25c	<u>.25</u>
	Judgment on Forfeited Bond at 25c	
	Taking Bond, etc., on Appeal at \$1.00	<u>1.00</u>
	Execution of costs at 25c	<u>.25</u>
	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	<u>3.00</u>
	Guard \$2.00, Finger Printing 10c	<u>.10</u>
	Subpoenas at 50c, Mileage	<u>.50</u>
	Witness Fees	
	Days at 50c	<u>.50</u>
	Days at 50c	<u>.50</u>
	Days at 50c	<u>.50</u>
	Days at 50c	<u>.50</u>
	Days at 50c	<u>.50</u>
	Days at 50c	<u>.50</u>
	Days at 50c	<u>.50</u>
	Defendant's Costs	
	Witnesses' Recognizance at 25c	
	Subpoenas at 50c	
	Executing Subpoenas	

28 Mar 53

1 Apr 53

Case Continued to 1 Apr 53.

After hearing evidence in case

def. was found guilty and fined

\$300.00 plus cost due to previous

conviction.

def. attorney appealed and requested

trial by jury.

Bond was set at \$300.00

def posted Bond.

The Court requested driving license

be suspended pending appeal

hearing.

Ch. Lawrence

1686