

The State of Alabama

vs

Conzie Smith

In The Circuit Court of  
Baldwin County, Alabama

Criminal Division

Motion to Dismiss Appeal

Comes the State of Alabama in the above styled cause, by its Solicitor, and moves the Court to dismiss the appeal in the said cause; and assigns the following as grounds therefor:

1. The time allowed by law for such appeal has expired.

2. The defendant has failed to give notice of such appeal as required by law.

3. The defendant is now free under an appeal bond in the amount of \$750.00, as set by the court upon an oral request by the defendant's attorney; the defendant has failed to take the further necessary steps to perfect said appeal, or to make or give written notice thereof.

Wherefore the State of Alabama makes motion that said appeal be forthwith dismissed.

The State of Alabama

By

Solicitor for Baldwin County

The State of Alabama,  
Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Congie Smith

at the Fall Term, 1958 of the Circuit Court of Baldwin County, for the offense of

Grand Larceny

you are, therefore, commanded forthwith to arrest the said Defendant and commit

to jail, unless give bail to answer said indictment, and that you return this Writ according to law.

Dated this 10 day of Sept, 1958

W. 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 the State of Alabama.

Witness our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

\_\_\_\_\_  
(L. S.)

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Sheriff of Baldwin County

Received in Sheriff's Office  
this 12 day of Sept, 1958  
TAYLOR WILKINS, Sheriff.

**CAPIAS**

No. 4-6

The State

vs.

Conzie Smith

597 Seminary St.

Richard E. Eason

Bail fixed in this case in open Court at

\$ 500.00

By H. M. Hall  
Judge Presiding.

Attest: \_\_\_\_\_  
Clerk.

~~The within warrant may be executed in Mobile County, Alabama.~~

~~Judge of the Court of General Sessions  
of Mobile County~~

Executed this 19 day of Sept, 1958

By arresting the within

named Defendant

and placing him In Jail

Taylor Wilkins, Sheriff

W. O. Garner Deputy Sheriff

Mobile Co. Line

THE STATE OF ALABAMA

IN THE CIRCUIT COURT.

Baldwin County.

We \_\_\_\_\_ and

Conzie Smith

agree to pay to the State of Alabama the

sum of Seven hundred fifty and n0/100 Dollars, unless the saidConzie Smith

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 \_\_\_\_\_

Grand Larceny

And we, and each of us, hereby waive all exemptions we may have to any personal property under the Constitution and Laws of the State of Alabama as to the collection of the penalty of this bond.

Witness our hands and seals this 27th day of March, 19 59

The condition of the above obligation is such that, whereas the above bound \_\_\_\_\_

Conzie Smith

was duly convicted in the Circuit Court of

BaldwinCounty on the 21 day of March, 19 59,

of the above stated offense, and has duly applied for and obtained an appeal from said conviction and sentence to the Court of Appeals for the State of Alabama, and the amount of his appeal bond has been duly and legally fixed at said above stated sum:

Now, therefore, if the said Conzie Smith

shall appear at the next term of the Circuit Court of Baldwin County, and from term to term thereafter until discharged by law, and abide the judgment of the said Court of Appeals for the State of Alabama, then this obligation to be void and of no effect; otherwise to remain in full force and effect.

Conzie Smith (Seal.)

Orene Cochran by R.L. Sturtevant (Seal.)

Peter A. Crulich by R.L. Sturtevant (Seal.)

\_\_\_\_\_ (Seal.)

Approved this 27 day of March, 19 59

Alvin J. Hurd Clerk.

No. 2704

**THE STATE OF ALABAMA**

Baldwin County.

**CIRCUIT COURT OF**

Baldwin County

**THE STATE  
vs.**

CONZIE SMITH

**APPEAL BOND TO COURT OF  
APPEALS  
CRIMINAL CASES**

Filed in office this the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Clerk.

The State of Alabama

vs

Conzie Smith

In The Circuit Court of  
Baldwin County, Alabama

Criminal Division

Motion to Dismiss Appeal

Comes the State of Alabama in the above styled cause, by its Solicitor, and moves the Court to dismiss the appeal in the said cause; and assigns the following as grounds therefor:

1. The time allowed by law for such appeal has expired.
2. The defendant has failed to give notice of such appeal as required by law.
3. The defendant is now free under an appeal bond in the amount of \$750.00, as set by the court upon an oral request by the defendant's attorney; the defendant has failed to take the further necessary steps to peffect said appeal, or to make or give written notice thereof.

Wherefore the State of Alabama makes motion that said appeal be forthwith dismissed.

FILED  
OCT 14 1959  
ALICE J. DUCK, CLERK  
REGISTER

The State of Alabama  
By James G. Hendrix  
Solicitor for Baldwin County

The State of Alabama, }

Baldwin County.

We, CONZIE SMITH IRENE COCHRAN & PETER V. CROLICH, as  
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of  
SEVEN HUNDRED FIFTY DOLLARS

unless the said CONZIE SMITH appears at the

NEXT Term, 1958 of the Grand Jury Court of Baldwin County, Alabama

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

GRAND LARCENY

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 \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ Baldwin County, Ala.

Taken and approved this the 24 day of July 1958

This is to certify that this bond has been signed by two good and sufficient sureties and if presented to me I would accept same.

By Gaylor Wilkins, Sheriff

Braman, Deputy Sheriff

Conzie Smith L. S.

Union Bonding Co L. S.

Irene Cochran & Peter V. Crollich L. S.

By Peter V. Crollich L. S.

July 24-58  
Horn  
M<sup>c</sup>Donald

This is to certify that this bond is of  
two good and sufficient sureties and  
presented to me I would accept same.

Sheriff, Mobile County, Ala.

By: Ray A. Bridges Sheriff

by James B. Chambers  
Asst. Chief Deputy

No. \_\_\_\_\_

The State of Alabama,  
Baldwin County

\_\_\_\_\_ Court

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$ \_\_\_\_\_

Filed \_\_\_\_\_, 195\_\_\_\_

\_\_\_\_\_, Clerk



The State of Alabama, }

Baldwin County.

We, CONZIE SMITH IRENE COCHRAN & PETER V. CROLICH, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of SEVEN HUNDRED FIFTY DOLLARS

unless the said CONZIE SMITH appears at the

NEXT Term, 1958 of the Grand Jury Court of Baldwin County, Alabama and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of GRAND LARCENY

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 \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ Baldwin County, Ala.

Taken and approved this the 24 day of July, 1958

This is to certify that this bond has been signed by two good and sufficient sureties and if presented to me I would accept same.

By Leo Wilkins, Sheriff  
Brennan, Deputy Sheriff

Conzie Smith L. S.  
Union Bonding Co. L. S.  
Irene Cochran & Peter V. Crollich L. S.  
By Peter V. Crollich L. S.

July 22-58

Horn

M E Donald

No. \_\_\_\_\_

The State of Alabama,  
Baldwin County

\_\_\_\_\_ Court

Sheriff's Office

THE STATE

This is to certify that this bond is signed  
by two good and sufficient sureties and if  
presented to me I would accept same.

Sheriff, Mobile County, Ala.

By: Ray A. Bridges Sheriff

by  
James B. Chambers  
Past Chief Deputy

VS.

Sheriff's Appearance Bond

Amount of Bond, \$ \_\_\_\_\_

Filed \_\_\_\_\_, 195\_\_\_\_\_

\_\_\_\_\_, Clerk

Printed by Moore Ptg. Co.

7074

The State of Alabama, }

Baldwin County.

We, Conzie Smith Peter V. Crolich and Irene Cochran, as principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of Five Hundred (\$500.00)-----DOLLARS

unless the said Conzie Smith appears at the Ninth Term, 1958 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 Grand Larceny

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 -----, 19-----

----- Baldwin County, Ala.

Taken and approved this the 23rd day of Sept, 1958

By -----, Deputy Sheriff

Conzie Smith L. S.  
Irene Cochran L. S.  
Peter V. Crolich L. S.  
By Peter V. Crolich L. S.  
Jayes Wilkin, Sheriff

2704

No. 2204

The State of Alabama,  
Baldwin County

Court

Sheriff's Office  
THE STATE

VS.

This is to certify that this bond is signed  
by two good and sufficient sureties and if  
presented to me I would accept same.

Sheriff, Mobile County, Ala.

By: Ray D. Bridges

By: J.C. McWaters

Sheriff's Appearance Bond

Amount of Bond, \$

Filed , 195

, Clerk

Printed by Moore Ptg. Co.

40 33479

THE STATE OF ALABAMA  
Baldwin County

Circuit Court, FALL Session, 19 58

The Grand Jury of said County charge that before the finding of this indictment \_\_\_\_\_

CONZIE SMITH,

whose name is to the Grand Jury otherwise unknown, feloniously took and carried away \_\_\_\_\_  
one case canned beef, of the value of \$9.35, one case of spam of the  
value of \$10.20, one case vienna sausage of the value of \$8.40, two dozen  
cans of coffee of the value of \$18.36, one case of sardines of the value  
of \$7.80, one case of tuna fish of the value of \$12.94, all of said items  
being of the value of \$67.05,  
the personal property of Autrey Greer and Sons, Incorporated, a corporation,

against the peace and dignity of the State of Alabama.

*Kenneth Cooper*  
KENNETH COOPER.

Grand Jury No. 46

A TRUE BILL—:

E. J. Matthews  
Foreman Grand Jury.

Filed in open Court on the 10 day of  
Sept, 1958  
in the presence of the Grand Jury.

Wesley A. French  
Clerk.

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

presence of 17 other Grand Jurors,

and filed by order of Court this 10

day of Sept, 1958

Wesley A. French  
Clerk.

Bail fixed at \$ 500.00

this 11 day of Sept, 1958

W. J. French  
Judge Presiding.

RECORDED

No. \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

FALL Session, 1958

STATE OF ALABAMA  
vs.

CONZIE SMITH

GRAND LARCENY  
INDICTMENT

No Prosecutor.

WITNESSES:

DOUGLAS GRAHAM /- 90. 4158

DEPUTY FISHER (Mobile)

C.M. DOWDLE

J.D. HORN

We the jury find the defendant guilty  
as charged in the indictment  
J. B. McMill  
Foreman

## AFFIDAVIT

Printed by Moore Printing Co.

State Of Alabama, }  
Baldwin County. }In the Justice Court of T. C. HANDBefore me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared J. D. Horn 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 27 May 1958 that one Conzie Smith  
feloniously took and carried away food and canned merchandise, the personal property  
of Greer's No. 19 Foley, Ala., valued at \$ 100.00

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 16  
day of July A. D., 19 58  
C. I. Lued, J. P.

## WARRANT

State Of Alabama, }  
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Conzie Smith

and bring him  
before me to answer the State of Alabama on a charge  
Grand Larceny

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

Witness my hand this 16 day of July, 1958C. I. Lued, J. P.

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

Justice Court Of

T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA

vs.

2-67162

Conzie Smith

59A ~~Levin~~  
Seymour St  
Dunwoody

Witnesses for the State

J. D. Horn

Grits Graham

Officer Dowdle

Deputy Fisher (Mobile)

H. C. Blake "

The within warrant may be executed in Mobile County, Alabama.

*William M. ...*  
Judge of the Court of General Sessions  
of Mobile County

Executed 7/21/58

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

*Huckabee Hendrix*

JUSTICE COURT OF  
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA

vs.

Conzie Smith

Executed this 22 day of July 1958

By arresting the within

named Defendant

and placing him

*in Jail*

*James W. ...*, Sheriff

*J. ...*, Deputy Sheriff

Highway Patrol

*Mobile Co. line*



2704  
JURY LIST

Spring Term, March 23, 1959

NO	NAME	OCCUPATION	ADDRESS
1	Akers, Redus M.	Insurance	Bay Minette
2	Allegrì, Joe	Hardware	Belforest
3	Allen, James E., Jr.	Farmer	Lillian
4	Alms, Arthur N.	Farmer	Elberta
5	Baggett, Lonnie L.	Farmer	Halls Fork
6	Barton, John S.	Banker	Bay Minette
7	Beasley, Wilson C.	Merchant	Bay Minette
8	Beck, John	Mechanic	Foley
9	Becker, Earl V.	Mailman	Bay Minette
10	Bryant, Bertram	Salesman	Bay Minette
11	Bryant, Roy Woolf	Farmer	Bay Minette
12	Burmeister, William B.	Grower and Shipper	Foley
13	Byrd, Claude		Newport, Bay Minette
14	Clifton, Clifton		Brookley Field, Summerdale
15	Corley, Alexander R.		Brookley Field, Bay Minette
16	Davis, Barney	State Emp.	Gulf Shores
17	Deering, Richard	Merchant	Foley
18	Duck, Davis	Farmer	Bay Minette
19	Flowers, John B.	Farmer	Gulf Shores
20	Foy, Preston	Electrician	Fairhope
21	Frolick, Joseph	Farmer	Silverhill
22	Griffith, Joel B.		Brookley Field, Fairhope
23	Hadley, John T.	City Emp.	Foley
24	Hall, Hamilton F.	Policeman	Robertsdale
25	Heuler, Albert	Salesman	Loxley
26	Kichler, Fred H.	Farmer	Elberta
27	Kichler, Walter P.	Farmer	Elberta
28	King, Henry Lowell	Banker	Elberta
29	King, Vernon	Farmer	Robertsdale
30	Kitchner, Joe	Farmer	Elberta

- ~~30~~ ~~Krischer, Joe, Farmer, Elberta~~ 108  
~~31~~ ~~Krischer, William, Well Man, Elberta~~ 107  
~~32~~ ~~Lenderman, Clarence T., Farmer, Gulf Shores~~ 106  
33 Lynam, Joseph F., Farmer, Lottie  
34 McCarthy, James G., Merchant, Bay Minette  
35 McGill, Harold B., Merchant, Perdido  
36 Nelson, J. L., Jr., Laborer, Fairhope  
~~37~~ ~~Newell, E. E., Salesman, Fairhope~~  
~~38~~ ~~Palmer, James J., Salesman, Robertsdale~~ 102  
~~39~~ ~~Parker, Floyd B., Millman, Stockton~~ 1010  
40 Phillips, Mayben, Farmer, Little River  
~~41~~ ~~Quinley, John H., Farmer, Bay Minette~~ S  
~~42~~ ~~Quinley, Walter E., Farmer, Bay Minette~~ S  
~~43~~ ~~Rush, Howard, Gov't. Emp., Montrose~~ 1010  
~~44~~ ~~Sheppard, Lloyd, Farmer, Foley~~ 53  
~~45~~ ~~Simms, Ben E., Merchant, Daphne~~ S 5  
~~46~~ ~~Steigerwald, Robert P., Presser, Foley~~ 103 48  
~~47~~ ~~Stimpson, Carl, Clay Products, Fairhope~~ 106 36  
~~48~~ ~~Strickland, Marvin, Laborer, Bay Minette~~  
~~49~~ ~~Thompson, Wilton, Farmer, Stockton~~ S7 53  
50 Waters, J. Douglas, Farmer, Gateswood  
~~51~~ ~~Woerner, Carl, Farmer, Elberta~~ 101  
~~52~~ ~~Woodward, C. H., Merchant, Fairhope~~ 101  
~~53~~ ~~Paul Titus~~ 1012

P. XXXX XXXX #

D ##### H H

2704  
State  
vs  
Corrie Smith

The State of Alabama, }

Baldwin County

No. 166  
46

To Any Sheriff of the State of Alabama—Greetings:

You are hereby commanded to summon

Fritz Graham  
Law's Grocery - Water St.

if to be found in your County, at the instance of the State of Alabama, to appear before the Circuit Court of Baldwin County, at the Court House thereof, in said County, on the 9 day of September, 1958, at 8:00 A.M. o'clock, and from day to day thereafter, until discharged, to give evidence and the truth to speak before the Grand Jury of said County, concerning certain matters to be investigated by the said Grand Jury. Herein fail not, and have you then and there this Writ.

Witness my hand this 22 day of Aug. A. D., 1958.

Attest:

Alice J. Duck Clerk.

Printed by Moore Ptg. Co.

10 L.L.C. Buy - 9.35  
 1 Jam - 10.20  
 1 L.L.V. Sugar - 8.40  
 29 M.H. Coffee - 18.36  
 10 Sausage - 7.80  
 1 L.L. G. L. Tea - 12.94  
 1 L.L. Coffee - 6.70  


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 73.79  
 67.05

74.00  
 74.00  
 4.00  
 78.00

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

Attorneys	Case	Charge
No. <u>11605</u>	THE STATE OF ALABAMA, Vs. <u>Conzie Smith</u>	<u>Grand Larceny</u>

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <u>J. D. Horn</u>	Judge's Fees	
	Returnable <u>Grand Jury</u>	Warrant at 50c, Affidavit at 25c	<u>25</u>
	Witness—for State <u>J. D. Horn</u>	Bond at 50c, Sci Fa. at 50c	
	<u>Gits Graham</u>	Witnesses' Recognizances at 25c	
	<u>officer Bowdle</u>	Subpoenas or notice at 25c	
	<u>Deputy Sheriff Fisher (Mobile Co.)</u>	Continuance at 25c	
	<u>W. C. Blake</u>	Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	<u>25</u>
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	
		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>5.00</u>
		Guard \$2.00, Finger Printing 10c	<u>2.10</u>
		Subpoenas at 50c, Mileage	<u>6.00</u>
		Witness Fees	
		Recommitted to jail	<u>2.00</u>
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

24 July 58

wanted Grand Jury  
Bond set \$750  
Re. Committed to jail.

24 July 58

ref. Later Posted Bond

J. D. Horn  
Justice Court

THE STATE OF ALABAMA }  
Baldwin County - Circuit Court }

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the 4th  
Monday in March, 1959, in a cer-  
tain cause in said Court wherein STATE OF ALABAMA  
Plaintiff, and CONZIE SMITH  
Defendant, a judgement was rendered against said  
CONZIE SMITH  
to reverse which judgment, the said CONZIE SMITH  
applied for and obtained from this office an APPEAL, returnable to the next  
Term of our ~~Court~~ Court of Appeals ~~Court~~ of the State of Alabama, to be held at Montgomery,  
on the        day of       , 1959 next, and the necessary bond  
having been given by the said CONZIE SMITH  
with Irene Cochran by A. L. Sturtevant Atty in fact and Peter V. Crolichby A. L. Sturtevant Atty in fact, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said State of Alabama  
or James A. Hendrix  
, attorney, to appear at the next Term of our  
said Supreme Court, to defend against the said Appeal, if they think proper.

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this 27th  
day of April, A. D., 1959

Attest:

Alice J. Duck, Clerk.

Received \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
and on 29 day of June 1969  
I served a copy of the within Citation  
on \_\_\_\_\_

By service on James Hendrix

TAYLOR WILKINS, Sheriff

By W. R. Talbot D. S.  
o-m

No. 2704

**CIRCUIT COURT**  
**Baldwin County, Alabama**

STATE OF ALABAMA

Vs. } Citation in Appeal

CONZIE SMITH

Issued \_\_\_\_\_ day of \_\_\_\_\_, 195\_\_\_\_



THE STATE OF ALABAMA--JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 59

To the Clerk of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said County, in a certain cause lately pending in said Court between

Conzie Smith, Appellant,

and

The State, Appellee,

wherein by said Court, at the Term, 19, it was considered adversely to said appellant, were brought before our Court of Appeals, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 17th day of November 19 59,

that the said appeal be and stand dismissed; and that it was further considered that the appellant, ~~and~~

~~sureties on the appeal bond~~

pay the costs accruing on said appeal in this Court and in the Court below

Witness Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, at the Capitol, this the 17th day of November 19 59

Charles Bricken, Jr.  
Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

October Term, 19<sup>59</sup>

1st Div. No. 808

Conzie Smith

Appellant.....

v.

The State

Appellee.....

From Baldwin Circuit Court

CERTIFICATE OF DISMISSAL

No opinion

The State of Alabama,

County.

} Filed

this

day of

FILED

19

11-18-59

ALICE J. DICK, CLERK

CERTIFICATE OF APPEAL. (Criminal Cases).

No. 2704

BALDWIN County, Circuit Court

ONZIE SMITH, Appellant

VS.

The State of Alabama,  
Appellee

The State of Alabama,

BALDWIN County, The Circuit Court of BALDWIN  
County.

I, Alice J. Duck, Clerk of the Circuit Court  
of Baldwin County in and for said County and State, do  
hereby certify that in the above stated case, which was tried and  
determined in this Court on the 24th day of March, 1959, and  
the defendant convicted by a Jury of the offense of Grand Larceny  
, and that on the 27th day of March, 1959,  
said defendant was sentenced to a term of 3 years in the penitentiary  
 which said sentence was suspended  
pending an appeal to the Court of Appeals Court of Alabama.

I further certify that on this the \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_, the defendant gave notice in writing of an appeal to the  
Court of Appeals ~~Court~~ of Alabama.

Witness my hand and the seal of this Court, this the 16  
day of April, 1929

*Wm. J. Alcock*  
Clerk of Circuit Court of

Clerk of Circuit Court of  
~~Baldwin~~ County, Alabama,

(Code 1940, Title 7, Sec. 754)

2704

court of  
appeals

The State of Alabama, }

Baldwin County

TO ANY SHERIFF OF THE STATE OF ALABAMA:

An indictment having been found against

Conzie Smith

at the Fall Term, 1958 of the Circuit Court of Baldwin County, for the offense of  
Grand Larceny, and his appeal to The Court of Appeals dismissed on the  
24th day of November 1959

you are, therefore, commanded forthwith to arrest the said Defendant and commit him  
to jail, unless

give bail to answer said indictment, and that you return this Writ  
according to law.

Dated this 27th day of November, 1959

[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 hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
 (L. S.)

\_\_\_\_\_  
 (L. S.)

\_\_\_\_\_  
 (L. S.)

\_\_\_\_\_  
 (L. S.)

Taken and approved \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
 Sheriff of Baldwin County

Received in Sheriff's Office  
this 2 day of Dec, 1959  
TAYLOR WILKINS, Sheriff

2704

CAPIAS

No. 2704

The State

vs.

Conzie Smith

59 A Seminary St.  
Pinehurst, Ala

Bail fixed in this case in open Court at

\$

By Judge Presiding.

Attest: Clerk.

12-7-59

Stark & Shirley

Executed this 8 day of Dec, 1959

By arresting the within

named Defendant

and placing him In Jail

Taylor Wilkins, Sheriff

W. O. James, Deputy Sheriff

Mobile

The State of Alabama

vs

Conzie Smith

In The Circuit Court of  
Baldwin County, Alabama

Criminal Division

Motion to Dismiss Appeal

Comes the State of Alabama in the above styled cause, by its Solicitor, and moves the Court to dismiss the appeal in the said cause; and assigns the following as grounds therefor:

1. The time allowed by law for such appeal has expired.
2. The defendant has failed to give notice of such appeal as required by law.
3. The defendant is now free under an appeal bond in the amount of \$750.00, as set by the court upon an oral request by the defendant's attorney; the defendant has failed to take the further necessary steps to perfect said appeal, or to make or give written notice thereof.

Wherefore the State of Alabama makes motion that said appeal be forthwith dismissed.

The State of Alabama

By

Solicitor for Baldwin County

2704

The State of Alabama  
In the District Court of  
Baldwin County, Alabama  
Criminal Division

vs  
Gonzalo Smith

Motion to Dismiss Appeal

Gonzalo Smith, the State of Alabama in the above styled cause, by its Solicitor, and moves the Court to dismiss the appeal in the said cause; and assigns the following

as grounds therefor:

1. The time allowed by law for such appeal has expired.
  2. The defendant has failed to give notice of such appeal as required by law.
  3. The defendant is now free under an appeal bond in the amount of \$750.00, as set by the Court upon an oral request by the defendant's attorney; the defendant has failed to take the further necessary steps to perfect said appeal, or to make or give written notice thereof.
- Wherefore the State of Alabama makes motion that said appeal be forthwith dismissed.

The State of Alabama  
Solicitor for Baldwin County