

The State of Alabama, } TO ANY SHERIFF OF THE STATE OF ALABAMA:  
Baldwin County

An indictment having been found against

Hubert Harville, alias Hubert Harville

at the spring Term, 1954 of the Circuit Court of Baldwin County, for the offense of

Leaving Scene of Accidents

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 12 day of March, 1954

Alvin J. Duck  
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 13 day of March, 1909  
TAYLOR WILKINS, Sheriff

2806

CAPIAS

No. 86

The State

vs.

Hubert Harville

Bail fixed in this case in open Court at

\$ 500<sup>00</sup>

By H. M. Hall  
Judge Presiding.

Attest: Clerk.

2806

Executed this 15 day of March, 1909

By arresting the within

named Defendant

and placing him in jail

Taylor Wilkin, Sheriff

J. W. Hume, Deputy Sheriff  
osm.

2806

2806

## APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We, Hubert M. Harville, as  
 principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of  
Five Hundred & 500.00 DOLLARS  
 unless the said Hubert M. Harville appears at the  
next Term, 1959 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  
J. S. A.

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 constitu-  
 tion 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.

Hubert M. Harville L. S.  
Arthur Harville L. S.  
Tom Brown L. S.  
 \_\_\_\_\_ L. S.

Taken and approved this the 15 day of March, 1959

Lester Wilkins, Sheriff  
 By Borman, Deputy Sheriff

March 15-59

Horn

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

Filed

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

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

\_\_\_\_\_  
\_\_\_\_\_  
**Sheriff's Appearance Bond**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

vs.

The State

\_\_\_\_\_  
\_\_\_\_\_  
**Sheriff's Office**  
\_\_\_\_\_

Court \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**State of Alabama**  
Baldwin County

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

STAT OF ALABAMA,  
Plaintiff,  
vs.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
CRIMINAL DIVISION

HUBERT HARVILLE, alias  
Hubert Harvill,  
Defendant.

Case No. 2806

DEMURRER

Comes the defendant by his attorney and for plea says:  
the State ought not further to prosecute this indictment against  
him, because;

1. The indictment does not charge any crime known to law.
2. The indictment, which attempts to charge an offense created by statute, does not describe the necessary ingredients created by the statute.
3. The indictment is drawn for an offense created by statute, but it is not framed on the statute so that the offense appears on the fact of the indictment either in the language of the act nor is it specifically set forth by facts constituting the offense so as to bring it within the description of the offense as given by the statute, leaving uncertain to implication its meaning.
4. The indictment is framed under a statute, but it does not prescribe the constituents of the offense in the words of the statute nor other words equivalent in meaning.
5. The indictment is not capable of being understood.
6. The indictment is vague and uncertain.
7. For aught that appears the defendant has committed no offense.

  
Kenneth Cooper

Attorney for Defendant

2806

2/18/06

TO THE OFFICE OF THE  
ATTORNEY GENERAL  
WASHINGTON, D.C.

RECEIVED  
MAR 20 1939

MAR 20 1939

RECEIVED  
MAR 20 1939

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WASHINGTON, D.C.

RECEIVED  
MAR 20 1939

FILED

MAR 20 1939

CLERK  
REGISTER

TO THE OFFICE OF THE ATTORNEY GENERAL  
WASHINGTON, D.C.

RECEIVED  
MAR 20 1939

TO THE OFFICE OF THE ATTORNEY GENERAL  
WASHINGTON, D.C.

RECEIVED  
MAR 20 1939

2806

# 2806 APPEARANCE BOND

Printed by Moore Ptg. Co.

The State of Alabama, {  
Baldwin County

We, Hubert Harvill, as  
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of  
\$500.00 Five Hundred DOLLARS  
unless the said Hubert Harvill appears at the  
Next Term, 1959 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  
~~XXXXXXXXXX~~ Leaving Scene of Accident

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 constitu-  
tion 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.

Hubert M. Harvill L. S.

Tom Dyer L. S.

Arthur Harvill L. S.

\_\_\_\_\_ L. S.

Taken and approved this the 15 day of Feb 1959

Taylor Williams, Sheriff

By Brunson, Deputy Sheriff

Feb 15-59  
Tolbert

Clerk,

19

Filed

Amount of Bond \$

Sheriff's Appearance Bond

The State  
vs.

Sheriff's Office

Court

State of Alabama  
Baldwin County

No.



2806

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

Attorneys	Case	Charge
No. 12404	THE STATE OF ALABAMA, Vs. Hubert Lawill	Leaving Scene of Accident

Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to Frank Hobles	Judge's Fees	
Returnable Grand Jury	Warrant at 50c, Affidavit at 25c	.75
Witness—for State Frank Hobles	Bond at 50c, Sci Fa. at 50c	
1211 Selma St., Mobile, Ala	Witnesses' Recognizances at 25c	
Phone HE. 38580	Subpoenas or notice at 25c	
{ Ethel Williams Wilson	Continuance at 25c	
{ Linda Wilson	Trial of Misdemeanor at \$1.00	
{ Spanish Fork.	Mittimus at 25c	.25
W. A. Talbert.	Judgment on Forfeited Bond at 25c	
B. F. Hyde,	Taking Bond, etc., on Appeal at \$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	
	Sheriff's Fees	
	Arrest \$5.00, Bond \$2.00, Sci Fa. 50c	7.00
	Guard \$2.00, Finger Printing 10c	3.00
	Subpoenas at 50c, Mileage 0	
	Witness Fees	
	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	

15 Feb. 59 waved Grand Jury.  
Bond Set \$500.00  
By. Porter L. L. L.

O. L. L. L.  
Justice Court

86-5p59

12404

Case No. ~~12344~~

333/

JUSTICE COURT OF

T. C. HAND

The State

VS.

Hubert Harvill

CHARGE

Leaving Scene Of Accident

DISPOSITION

157459

waved Grand jury  
Bond set \$500.00  
sup. Posted bond

2806

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 Frank Nobles 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 \_\_\_\_\_ that one Hubert Harvill  
did while operating a motor vehicle on the highway, become involved in an accident with  
another motor vehicle, and fled scene of said accident without stopping and complying  
with the law

\_\_\_\_\_ against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 10

day of February, A. D., 19 59

\_\_\_\_\_, J. P.

Frank Nobles

### WARRANT

State Of Alabama, }  
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Hubert Harvill

\_\_\_\_\_ and bring him

before \_\_\_\_\_ me \_\_\_\_\_ to answer the State of Alabama on a charge

Leaving scene of accident

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

Witness my hand this 10 day of February, 19 59

\_\_\_\_\_, J. P.

### MITTIMUS OR COMMITMENT

State Of Alabama, }  
Baldwin County. }

To the Jailer of Baldwin County:

On complaint of Frank Nobles

charging Hubert Harvill

with the offense of Leaving scene of accident

it appearing that such offense has been committed, and that there is sufficient cause to believe that \_\_\_\_\_

Hubert Nobles has been guilty thereof, you are  
therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this 10 day of February, 19 59

\_\_\_\_\_  
Justice of the Peace.

No. .... Page .....

# The State Of Alabama

BALDWIN COUNTY

Justice Court Of

T. C. HAND

## AFFIDAVIT

THE STATE OF ALABAMA

vs.

Hubert Harvill

Witnesses for the State

Frank Nobles  
1211 Selma St.,  
Mobile. HE 38580.

Echit Wilson.  
Linda Wilson.  
Spanish Fort.

W.A. Tolbert  
Q.F. Hyde

2806

JUSTICE COURT OF  
BALDWIN COUNTY

## Warrant Of Arrest

THE STATE OF ALABAMA  
vs.

Hubert Harvill

Executed this the 15 day of Feb 1959

By arresting the within

named Defendant

and placing him

*in jail*  
Taylor Wilkins, Sheriff

W.A. Tolbert, Deputy Sheriff

Highway Patrol

*Quiles*

Criminal Docket No. ....

No. .... Page .....

The State Of Alabama

Baldwin County

JUSTICE COURT OF

T. C. HAND

THE STATE OF ALABAMA

vs.

Hubert Harvill

## 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 hand this the.....

day of..... 19.....

..... J. P.

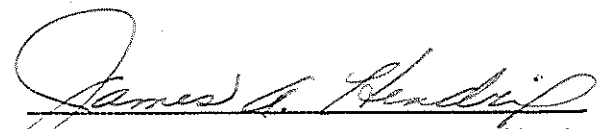
The State of Alabama,  
Baldwin County.

Circuit Court, Spring Session, 19 59

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

Hubert Harville alias Hubert Harvill whose name is to the Grand Jury otherwise unknown, did, leave the scene of an accident in an automobile which he was then driving and which automobile was involved in said accident on a public highway in Baldwin County, Alabama to-wit: Highway 31 at a point about two miles north of Stapleton, Alabama, and in which accident another vehicle which was involved therein was damaged and three people who were passengers in said motor vehicle were injured, towit: Ethel Wilson, Linda Wilson, and Frank Nobles, the driver of said vehicle, the owner of the vehicle being driven by Frank Nobles being Holmes and Waddell, Inc. A Corp.,

against the peace and dignity of the State of Alabama.

  
Solicitor of the Twenty-Eighth Judicial Circuit.

2806

RECORDED

2806

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

The State of Alabama

Baldwin County.

Circuit Court

Spring Term, 1959

The State

vs.

HUBERT HARVILLE ALIAS HUBERT  
HARVILL

LEAVING SCENE OF AN ACCIDENT

INDICTMENT

NO Prosecutor

WITNESSES:

Frank Nobles 1-60-3.75

Ethel Wilson

Nelson Grubbs

B. F. Hyde 1-0-2.75

Linda Wilson 1-40-2.75

Taylor Wilkins

GRAND JURY NO. 86

A TRUE BILL

*R. G. Hubbard*  
Foreman Grand Jury

Filed in open Court and in the presence of  
the Grand Jury on the 12 day of

*Mar*, 1959  
*Deigfrench*  
Clerk.

Presented in open Court to the presiding  
Judge by the Foreman of the Grand Jury, in the  
presence of 17 other Grand Jurors.

*Deigfrench*  
Clerk.

Bail fixed \$ 500<sup>00</sup>

*10mhu*  
Judge.