

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

Attorneys <i>For defendant</i> No. <i>H. J. Wilkins</i> <i>att'y for City</i> <i>C. S. Chason</i>	Case <i>City Foley</i> THE STATE OF ALABAMA, Vs. <i>William B. Giles</i>	Charge <i>Speeding Auto</i>
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Disposition of Case	Fees	Amount
Affidavit made and Warrant Issued to	Judge's Fees	
Returnable <i>mon 25th 1961</i>	Warrant at 50c, Affidavit at 25c	
Witness—for State <i>City</i>	Bond at 50c, Sci Fa. at 50c	
<i>W. L. Lee</i>	Witnesses' Recognizances at 25c	
<i>O. L. Bodenhamer</i>	Subpoenas or notice at 25c	
<i>J. W. B. Givens</i>	Continuance at 25c	
<i>Come, the defendant or</i>	Trial of Misdemeanor at \$1.00	
<i>his atty, and demands</i>	Mittimus at 25c	
<i>trial by jury. He is</i>	Judgment on Forfeited Bond at 25c	
<i>bound over to the Circuit</i>	Taking Bond, etc., on Appeal at \$1.00	
<i>Court. next term</i>	Execution of costs at 25c	
<i>Bond \$200.00</i>	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	
	Guard \$2.00, Finger Printing 10c	
	Subpoenas at 50c, Mileage	
	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	

M. R. Howell
City Recorder

Jury
acquittal

~~W.A. 8-5525~~

William Gordon Giles
Charged Speeding.

W. L. Lee Arresting
Officer.

O. L. Bodenhamer
J. W. Bain Sr.
Witness for City

FILED

APR 27 1968

APR 7 1987
ALICE J. DUCK, CLERK
REGISTER

Comes now the Defendant, William
B. Giles, in the case of The City of
Tuluy, Alabama vs William B. Giles
and by his Attorney demands a
trial by jury.

Done this 25th of March, 1961

Ray J. Walter, Jr. atty

FILED

APR 7 1961

ALICE J. DUCK, CLERK
REGISTER

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FILED
APR 17 1961
FBI - NEW YORK
REGISTER

1311
APR 17 1961
FBI - NEW YORK

Each Probate Judge, Sheriff, and the Clerk and Register of the Circuit Court is required by law to preserve this slip or pamphlet in a book kept in his office until the Act is published in permanent form.

ALABAMA LAW

(Special Session, 1961)

Act No. 63

H. 209—Cornett.

AN ACT

To amend further Section 198 of Title 13, Code of Alabama 1940, in relation to the duties of circuit clerks.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 198 of Title 13, Code of Alabama 1940, as amended, is amended further to read as follows:

"Section 198. (a) It is the duty of the clerk of the circuit court: 1. To sign and issue all summons, subpoenas, writs, executions, and other processes, under the authority of the court. 2. To keep an appearance docket of civil cases, in which must be entered all the civil actions, the names of the parties, the character of action, the names of the attorneys by whom the same are brought, and the sheriff's return. 3. To keep a trial docket of civil cases, in which must be entered all the civil cases standing for trial, in the order in which they are brought, the names of the attorneys employed, the character of action, and the orders which have been made in each cause. 4. To keep a trial docket of criminal cases, in which must be entered all the criminal cases in their order, the character of the offense, the return of the sheriff, the orders which have been made in each case at any previous setting, and the names of the attorneys for the defense. 5. To keep a motion docket for entering all motions intended to be submitted to the court. 6. To keep separate subpoena dockets for civil and criminal cases, in which must be entered the cases in which any subpoenas are issued, the name of the witnesses, the time of the issue and the return of the sheriff. 7. To keep an execution docket, in which must be entered every execution issued, specifying the names of the parties, the amount of the judgment, and the day and year of its rendition, the amount of costs, the character of the execution, the date of its issue, the person to whom delivered and the date of such delivery, the day when returned, the return in full on the same page on which the execution is entered, and the number of the execution. 8. To keep a book, in which must be entered the minutes of each day's proceedings during the session of the

court, and the orders and judgments in the order in which they are made or rendered. 9. To record in well-bound books within six months after the final determination of any suit or prosecution, all the proceedings relating thereto, not previously recorded under section 5 of title 7, except the subpoenas, affidavits for continuance, commissions to take testimony, evidence and executions. 10. To enter on the fee book, execution docket, and on the execution, the name of the attorney for the plaintiff in the judgment. 11. To keep and file the books and dockets and papers in relation to, and the records of all suits which have been determined in the county court, and deposited with them, as they are required to keep and file the books, dockets, papers, and records of suits in the circuit court; and to issue all writs of execution, scire facias, writs of error, or other process on the judgments of such court, returnable as if such suits had been determined in the circuit court. 12. To keep all the papers, books, dockets and records belonging to their office, with care and security; the papers filed, arranged, numbered and labeled, so as to be of easy reference; and the books, dockets, and records, properly lettered; and to allow parties to inspect the records free of charge. 13. To attend court during the sessions thereof, with all the papers belonging to the session, so filed as to be of easy reference; to keep in the courthouse during such session; convenient of access, the execution dockets for the two preceding sessions; and to administer all oaths, and take all affidavits in relation to causes or proceedings pending therein. 14. To make out and deliver, on application and payment of the legal fees therefor, to any person applying for the same, a correct transcript, properly certified, of any paper or record in their offices. 15. To make out transcripts, as required by law, in all cases of appeal to the supreme court or court of appeals. 16. To render to the county treasurer, court of county commissioners, or board of revenue, as of December thirty-first and June thirtieth of each year, a statement in writing and under oath, of the fines assessed and forfeitures obtained during the preceding six months, the amount of each, and against whom each was assessed or obtained, and also what money they have received for the county, specifying from whom, on what account, and the amount in each case; and, after deducting from such amount five per cent for their compensation, they must pay the balance to whomsoever is custodian of the county funds. 17. To keep direct and reverse indexes of all record books in their offices, which must always be in good and substantial, well-bound books; but they are not required to prepare new indexes where those already in the office are sufficient. 18. To certify to the chief justice the number of

civil and criminal cases disposed of and the number remaining on the docket of their courts within twenty days after the adjournment of any special or regular session of the court. 19. To notify the chief justice that the judge of the court will not attend or hold the next session, and if such fact is not ascertained for more than three days before the beginning of such session, they shall notify the chief justice of the fact by telegram. 20. To perform such other duties as are, or may be, required of them by law.

"(b) Documents required to be recorded under this section may be recorded by means of a photograph or photostat machine, and it shall not be necessary that the documents in a particular case shall be recorded in assembled or collected fashion; that is to say, it shall not be necessary that the documents in a particular case be recorded upon pages in continuous numerical sequence; and, on the contrary, it shall be a sufficient compliance with the provisions of this section or any other provision of law requiring recordation that the documents are anywhere recorded in the record books. When the record of documents in a particular case is not kept in assembled or collected fashion, the clerk shall note on the trial docket, or other appropriate docket, and also on the original document recorded, the book number and page number where each particular document is recorded; and shall upon the filling up of any record book place a list in the front of the book showing in numerical order the docket numbers of each and every case whose documents have been recorded in the book, and showing alongside the docket numbers respectively the page or pages in the book where the documents in a particularly numbered case are recorded."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 15, 1961

Time: 4:02 P.M.

I hereby certify that the foregoing copy of an Act of the Legislature of Alabama has been compared with the enrolled Act and it is a true and correct copy thereof.

Given under my hand this 21 day of September, 1961.

OAKLEY MELTON, JR.,
Clerk of the House

STATE OF ALABAMA
BALDWIN COUNTY

Know All Men By These Presents: That we, William Gordon Giles

as principal, Ted Childress as sureties,
are held and firmly bound unto the City of Foley in the sum of \$ 200⁰⁰ Dollars,
for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors
and administrators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the 25 day of March, 1961.

The conditions of the above obligation is such, that, whereas, the above bounden

William Gordon Giles
~~has~~ on the 25 day of March, 1961, ~~convicted in the Municipal~~ Demanding Trial
by jury in writing Court of the said City of Foley, of the offense of Speeding, and

~~by the judgement of said Court sentenced to the payment of a fine of \$~~

~~Dollars, or _____ days in Jail.~~

And, whereas, the said William Gordon Giles has
this day prayed on appeal from said Judgement to the Circuit Court of said County.

NOW, if the said William Gordon Giles shall
appear at the next term of the Circuit Court, and from term to term thereafter until dis-
charged, and abide by and perform whatever sentence may be adjudged in said Court
against him, then the above obligation is to be void; otherwise to remain in full force and
effect; and each of us to waive our exemptions as to personal property.

WITNESS our hands and seals this the 25 day of March, 1961.

William G. Giles (SEAL)

Ted Childress (SEAL)

____ (SEAL)

____ (SEAL)

APPROVED:

W.R. Horrell
Judge of the Municipal Court

on this the 25 day of March, 1961

3320

FILED
APR 27
ALICE J. DUCK

FILED
APR 27 1961
ALICE J. DUCK
CLERK
REGISTER

ED
1961
CLERK
REGISTER

W. G. Gandy

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