

3605

June 12, 1963

Mr. Edward A. Wallace  
57 S. Section Street  
Fairhope, Alabama

Re: State of Alabama  
vs: Edward A. Wallace  
case no. 3605

Dear Sir:

The check in the amount of \$38.50, that you mailed to me for payment of the cost in the above styled cause has been returned to me a second time endorsed "Not sufficient funds," hence the Judge has instructed me to write you to be in court next Wednesday, June 18, for Proper arrangements.

Yours truly,

---

Clerk.

AJD/eb

COPY

To be dismissed  
when other  
case is paid.

TELEPHONES: ALPINE 6-8106-7-8-9

# McQUIDDY PRINTING COMPANY

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BRUCE FULK

STATE OF ALABAMA  
VS  
EDWARD A. WALLACE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW, NO. 3605

MOTION TO QUASH

Comes now the accused, Edward A. Wallace, by his attorney,  
and moves to quash the affidavit heretofore filed in said cause,  
and as grounds therefore assigns the following:

1. That the activity engaged in by the accused at the time  
of arrest and at the time of the making of the affidavit, was  
solely and strictly a matter of interstate commerce.

2. That the activity engaged in by the accused at the time  
of arrest is not such as would subject him to the license required  
by the state and for the non-possession of which the affidavit  
was made.

3. That the affidavit and the arrest constitute an inter-  
ference with interstate commerce.

4. That the sole activity of the accused was the transport-  
ation of his own shrimp in his own vehicle from Louisiana to  
Florida, and only constituted a passing through the State of Ala-  
bama.

  
Attorney for accused, E. A. Wallace

FILED

OCT 6 1962

ALICE L. DICK, CLERK  
COURT

THE STATE OF ALABAMA

*Baldwin* County }

We *Edward A Wallace*

agree to pay to the State of Alabama *\$500.00* *five Hundred* Dollars,

unless the said *Edward A Wallace*

appear on the *14th* day of *April*, 19 *62*, in the Justice Court

of *Judge Sam Stevens J. P.*, and from time to time thereafter

until discharged by law, to answer a criminal prosecution for the offense of

*Wick transport raw shrimp by motor  
Vehicle Within the state of Alabama  
With Out a proper License*

and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for collection of debt, by the Constitution and Laws of the State of Alabama, and we hereby severally certify that we have property free from all encumbrance, to the full amount of the above bond.

Approved this the *5* day of  
*April*, 19 *62*

District Game Warden

By \_\_\_\_\_  
Deputy Game Warden

*E. A. Wallace* (L. S.)  
*Apalachicola* (L. S.)  
*Joe Hysick* (L. S.)  
(L. S.)  
(L. S.)  
(L. S.)

**THE STATE OF ALABAMA**

.....County

**THE STATE OF ALABAMA**

vs.

**BAIL BOND**

66n

**AFFIDAVIT**

Printed by Moore Printing Co.

State Of Alabama, }  
Baldwin County. }

In the Justice Court of

Before me,

Justice of the Peace

in and for said County, personally appeared James L. Dean 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 April 5<sup>th</sup> 1962 that one Charles A. Wallace

Did Transport saw Shump. by Motor Vehicle  
within the State of Alabama without a  
proper License.

against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this 5<sup>th</sup>

day of April, A. D., 1962

J. P.

James L. Dean

**WARRANT**

State Of Alabama, }  
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

and bring

before

to answer the State of Alabama on a charge

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

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

J. P.

**MITTIMUS OR COMMITMENT**

State Of Alabama, }  
Baldwin County. }

To the Jailer of Baldwin County:

On complaint of \_\_\_\_\_

charging \_\_\_\_\_

with the offense of \_\_\_\_\_

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Justice of the Peace.

The State Of Alabama

BALDWIN COUNTY

Justice Court Of

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Witnesses for the State

*James A. Allen*  
*Carl W. Ryan*

DESCRIPTION

Height \_\_\_\_\_ Weight \_\_\_\_\_

Color \_\_\_\_\_ Sex \_\_\_\_\_

Age \_\_\_\_\_ Hair \_\_\_\_\_

Address \_\_\_\_\_

JUSTICE COURT OF  
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA  
vs.

Executed this the ..... day of ..... 19.....

By arresting the within named Defendant

and placing him or her .....

....., Sheriff

....., Deputy Sheriff

....., Highway Patrol

Personally appeared the under signed,  
who being duly sworn desposes and says:  
I am a Deputy Sheriff of Baldwin Co.,  
Ala., In the above case, in the above  
mentioned Court in executing the warr-  
ant of arrest of the defendant. I traveled

.....  
miles by the most direct route to point of  
arrest and return, and the Sheriff is en-  
titled to milage at 10c per mile. Point of  
arrest: .....

Signed .....

Subscribed and sworn to before me this

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

.....  
Clerk J. P. Court

No. *97* .....

Page .....

The State Of Alabama

Baldwin County

JUSTICE COURT OF

THE STATE OF ALABAMA  
vs.

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.



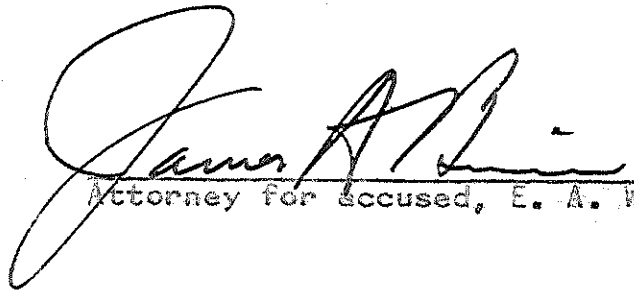
STATE OF ALABAMA  
VS  
EDWARD A. WALLACE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW, NO. 3605

MOTION TO QUASH

Comes now the accused, Edward A. Wallace, by his attorney, and moves to quash the affidavit heretofore filed in said cause, and as grounds therefore assigns the following:

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3. That the affidavit and the arrest constitute an interference with interstate commerce.
4. That the sole activity of the accused was the transportation of his own shrimp in his own vehicle from Louisiana to Florida, and only constituted a passing through the State of Alabama.

  
Attorney for accused, E. A. Wallace

# APPEAL BOND

THE STATE OF ALABAMA  
COUNTY OF BALDWIN }

KNOW ALL MEN BY THESE PRESENTS, That we Edward Angelo Wallace  
as principal, and Joseph Hips h and  
Lucille Hips h as sureties are held and firmly bound unto the STATE OF  
ALABAMA ~~City of Fairhope~~  
In the sum of Five Hundred (\$500.00) Dollars, for the payment of which well and truly to be made to  
the ~~City of Fairhope~~ STATE OF ALABAMA, we do hereby bind ourselves, and our heirs and assigns, jointly and severally, firmly by  
these presents.

Sealed with our seals and dated the 18 day of April in the year of our Lord,  
one thousand nine hundred and sixty two.

The Condition of this Obligation is such, That whereas the above bounden Edward Angelo  
Wallace has on the day of the date of these presents claimed an APPEAL  
to the Circuit Court, next to be held in and for the County of Baldwin, in the State aforesaid, at the next Term  
thereof, from a judgment rendered on the 18th day of April 1962, by Sim Stevens  
~~Esq., Recorder of the City of Fairhope and Ex-officio Justice of the Peace, in and~~  
for said ~~City~~ County, against said Edward Angelo Wallace requiring him to pay said State of Alabama  
One Hundred & no/100 (\$100.00) Dollars, plus cost ~~as a fine, or~~

NOW if the said Edward Angelo Wallace 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 of full force and effect.

SEALED AND DELIVERED IN PRESENCE OF

Edward Angelo Wallace (Seal)  
Lucille Hips h (Seal)  
Joseph Hips h (Seal)

I DEMAND TRIAL BY JURY  
Edward Angelo Wallace  
Edward Angelo Wallace

**State of Alabama**  
**County of Baldwin**

Personally appeared before me

Recorder of the City of Fairhope

and

and each, who being duly sworn, deposes and says that he is a resident of the State of Alabama, County of Baldwin, a householder and freeholder therein, and that he is worth exclusive of property exempt from execution, the amount expressed in this undertaking.

Subscribed and Sworn to before me

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

Recorder.

Approved.....

19.....

Recorder

**APPEAL BOND**

**CITY OF FAIRHOPE**  
**VS.**

JAMES A. BRICE

ATTORNEY AT LAW  
FOLEY, ALABAMA

P.O. Box 298

WHITEHALL 3-3601

October 5, 1962

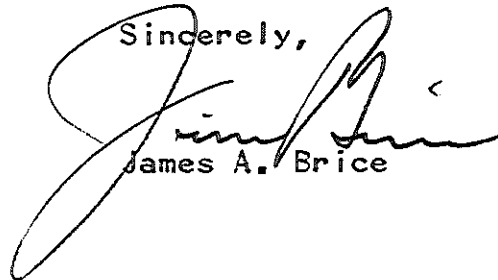
Mr. J. A. Hendrix  
Circuit Solicitor  
Bay Minette, Alabama

Dear Mr. Hendrix:

I am enclosing a copy of motion to quash affidavit  
in the criminal case number 3605.

Kindly call Judge Hall and advise me when it will be  
convenient for a private and separate hearing on the motion  
prior to the next non-jury criminal setting.

Sincerely,



James A. Brice

JAB:j

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

| Attorneys       | Case                         | Charge                             |
|-----------------|------------------------------|------------------------------------|
|                 | THE STATE OF ALABAMA;        | <i>Transporting Shrimp without</i> |
|                 | Vs.                          | <i>proper License</i>              |
| <i>Brice</i>    | <i>Edward Angelo Wallace</i> |                                    |
| <i>July Ala</i> |                              |                                    |

| Disposition of Case                                      | Fees                                    | Amount        |
|----------------------------------------------------------|-----------------------------------------|---------------|
| Affidavit made and Warrant Issued to <i>James L Dean</i> | Judge's Fees                            |               |
| Returnable                                               | Warrant at 50c, Affidavit at 25c        | <i>\$2.00</i> |
| Witness—for State <i>James L Dean</i>                    | Bond at 50c, Sci Fa. at 50c             |               |
| <i>Carl W Ryan</i>                                       | Witnesses' Recognizances at 25c         |               |
| <i>James L Allen</i>                                     | Subpoenas or notice at 25c              |               |
|                                                          | Continuance at 25c                      |               |
|                                                          | Trial of Misdemeanor at \$1.00          |               |
|                                                          | Mittimus at 25c                         |               |
|                                                          | Judgment on Forfeited Bond at 25c       |               |
|                                                          | 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                              |               |
|                                                          | 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                     |               |

*Case heard April 14<sup>th</sup> 1962*  
*found guilty fined \$50.00 and Cost*  
*of Court*  
*Defendant demanded jury trial*

*Conservation Dept* *\$4.50*

3605