

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	
	Elton Cooper	Bastardy

269

	DISPOSITION OF CASE	FEES	AMOUNT
	Affidavit made and Warrant Issued to Clara Mixon	JUDGE'S FEES Bastardy	\$1.00
	Returnable To Justice court	Warrant at 50c, Affidavit at 25c	1.00
	Witness--- for State Clara Mixon	Bond at 50c, Sci Fa at 50c appearance	50
		Witnesses' Recognizances at 25c	
		Subpoena or notice at 25c	
		Continuance at 25c	
		Trial of Misdemeanor at \$1.00	\$1.00
		Mittimus at 25c	
		Judgment on Forfeited Bond at 50c	\$2.50
		Taking Bond, etc , on Appeal at \$1.00	
		Execution for 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 \$2.00, Bond \$1.00, Sci Fa 50c	\$3.00
		Committing \$1.00, Releasing \$1.00	2.00
		Subpoenas at 25c	\$5.00
		WITNESSES FEES	
		Days at 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

June 6th 1936

Comes the defendant and pleads not guilty trial
 proceeded with and after hearing the evidence
 of both the plaintiff and the defendant the court
 rendered judgement against the defendant and fixes
 his bond at \$300.00 for his appearance at the circuit
 fall term of the Circuit court of Baldwin County,

J. M. Grawther
 N.P.Ex-0.,J.P

HOSPITAL STAFF

J. O. ENZOR, M. D.
O. O. ENZOR, M. D.
R. E. ENZOR, M. D.
AL ENZOR, JR.
L. D. PARKER, M. D.
W. F. McGRUFF, M. D.
J. L. ADAMS, M. D.
M. J. HENDERSON, B.S.

Enzor Brothers Hospital

MISS ETHEL KELLEY, R. N.
SUPERINTENDENT

CRESTVIEW, FLORIDA

Sept. 23, 1936

This is to Certify That,

Clara Mixon is sick in Enzor Bros Hospital,

Signed, *O. O. Enzor* M.D.

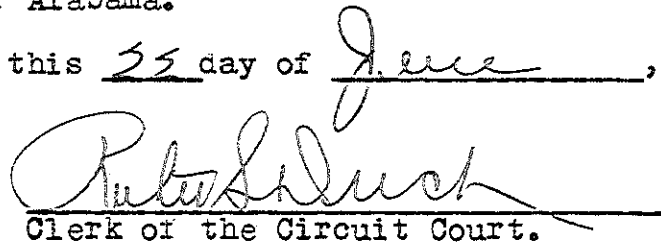
SUMMONS

STATE OF ALABAMA :
BALDWIN COUNTY :
 : IN THE CIRCUIT COURT, FALL TERM, 1936.

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded to summon S. L. Leak, of Bay Minette, Alabama, to appear within thirty days from the service of this writ, in the Circuit Court of Baldwin County, Alabama, at the place of holding the same, then and there to answer to the Complaint of the Canterbury Motor Company, a Corporation of the State of Alabama.

Witness my hand, this 25 day of June, 1936.


Clerk of the Circuit Court.

COMPLAINT

CANTERBURY MOTOR CO., a Cor-
poration of the State of Alabama,
Plaintiff,

vs.

S. L. LEAK,

Defendant.

At Law, No. 269
IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA,
FALL TERM, 1936.

Suit on a Promissory Note

The Plaintiff claims of the Defendant the sum of One Hundred Twenty Seven and 96/100 Dollars (\$127.96), due by Promissory Note made by him on the 21st day of July, 1930,, and payable on September 21st, 1930, which said note is under seal, with interest thereon from the 30th day of December, 1932, together with costs of this suit and a reasonable attorney's fee, as provided in said promissory note; and as part thereof, the Defendant has waived all right to claim any of his property of a personal nature as exempt from levy, execution, sale, or other legal process under the Constitution and laws of the State of Alabama, or any State.


LESLIE HALL, Attorney for Plaintiff.

2-500
CANTERBURY MOTOR COMPANY,
A Corporation,
Plaintiff,

vs.

S. L. LEAK,
Defendant.

Executed by serving a copy
of the within on S. L. Leak

This 22nd day of June 1936

M. H. Wilkins, Sheriff.

By Loring Rogers D.S.

SUMMONS

and

COMPLAINT

Original

IN THE CIRCUIT COURT

BALDWIN COUNTY

ALABAMA

Filed in Office this 22
day of June, 1936.

Robert L. Davis
Clerk of the Circuit Court.

LESLIE HALL
ATTORNEY AT LAW
BAY MINETTE, ALABAMA

STATE OF ALABAMA)
BALDWIN COUNTY)

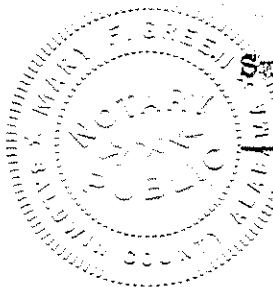
AFFIDAVIT AS TO ATTORNEY'S FEE

Before me, Mary J. Green,
a Notary Public in and for said County in said State, per-
sonally appeared John Chason,
who, being first duly and legally sworn, doth depose and
say:

I am a practicing Attorney at Law in Bay Minette,
Baldwin County, Alabama; I am familiar with attorneys' fees
generally charged in the Courts in said State and County; I
have examined the file in the case of Canterbury Motor Com-
pany vs. S. L. Leak, Law Side No. 269, in the Circuit Court
of Baldwin County, Alabama, and from such examination I do
state that the sum of Twenty Five Dollars (\$25.00) is a
reasonable attorney's fee in such a case.

John Chason
Sworn to and subscribed before me on this the 30th day of
July, 1936.

Mary J. Green
Notary Public, Baldwin County, Alabama.



RECORDED

check

7-554

CANTERBURY MOTOR CO.,
A Corporation,
Plaintiff,

vs.

S. L. LEAK,
Defendant.

AFFIDAVIT

AS TO

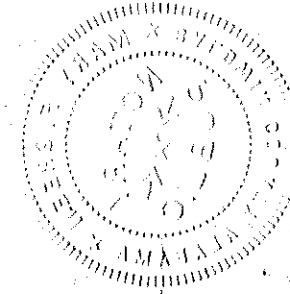
ATTORNEY'S FEE

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALA.

FALL TERM, 1936.

Filed July 30th 1936
R. L. Duck



STATE OF ALABAMA,
BALDWIN COUNTY.

By virtue of an Alias execution issued out of the Circuit Court of Baldwin County, Alabama, on April 7, 1941, on that certain Judgment in favor of Canterbury Motor Company, as Plaintiff and against S. L. Leak as Defendant, which Judgment was recovered July 31, 1936, I have on this day levied on all the right, title and interest of S. L. Leak in and to the following described personal property, viz:-

Stock of goods, groceries, wares and merchandise now located in the store building on Railroad Street in Bay Minette, Alabama, known as the Store of S. L. Leak, together with all counters, shelves, refrigerators, showcases, and all other appliances and fixtures situated or located therein.

Dated this 12th day of May, 1941.

W. R. Stuart
Sheriff.

And on May 17th 1941. I was paid \$11.47 being Sheriff Com. & Balance of Court Cost. The Judgment was settled between the Plaintiff's Atty John Chason & The deft S. L. Leak

W. R. Stuart Sheriff

Sheriff Com	9 22
Collecting	1.50
ret et	25
Baldwin Treas	50
	<u>\$11 47</u>

The State of Alabama,

CIRCUIT COURT

No. 278

Baldwin County.

April

Term, 1941

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

YOU ARE HEREBY COMMANDED, That of the goods and chattels, lands and tenements of

you cause to be made the sum of one hundred eighty four and 37/100 DOLLARS, which Carterburg Motor Company Plaintiff, recovered of S. L. Leak Defendant.

on the 31 day of July, 1936, by the Judgment of our Circuit Court held for the County of Baldwin, besides the sum of Twenty and 1/100 DOLLARS, costs of suit, and have the same to render to the said R. S. Duck, and make return of this Writ and the execution thereof, according to law.

Interest from _____, 19____, to _____, 19____.

Witness, my hand this 7 day of April, 1941. R. S. Duck Clerk.

CLERK'S FEES			AMOUNT	SHERIFF'S FEES			AMOUNT		
Issuing.....	Summons and Complaint.....	\$1.25	1	25	Serving and Returning.....	Summons.....	\$1.50	1	50
Issuing.....	copies of same.....	.30		30	Serving and Returning.....	Writs.....	1.30		
Issuing.....	Branch Summons and Complaint.....	1.25			Serving and Returning.....	Subpoenas for.....	Wit. .65		
Issuing.....	copies of same.....	.30			Levying.....	Attachment.....	3.00		
Entering.....	Sheriff's Return or copy of above.....	.20		20	Entering and Returning.....	Attachment.....	.25		25
Docketing Cause.....		.25		25	Summoning and Returning.....	Garnishee.....	1.50		
Entering.....	Appearances.....	.20			Serving and Returning.....	Sci. Fas.....	Notices 1.50		
Filing.....	3. Pleas.....	Demurrers.....	.10	30	Impaneling Jury.....		.75		
	Affidavits, Certified.....	.25			Collecting Cost, Execution.....		1.50		50
	Commissions to take Depositions.....	.75			Taking and Approving.....	Replevin Bonds.....	1.00		
	copies of Interrogatories.....				Claim Bonds.....		1.00		
	Notices of Filing Interrogatories.....	.50			Garnishment Bonds.....		.75		
Filing.....	Packages of Depositions.....	.10			Forthcoming Bonds.....		1.00		
Inclosing.....	Packages of Depositions.....	.10			Bail Bonds.....		1.00		
	Orders in Court.....	.30		30	Detinue Bond.....		1.00		
	Continuances.....	.10			Writ of Possession.....		5.00		
Issuing.....	Subpoenas for.....	Witnesses.....	.30		Making Deed.....		5.00		
Trial and Incidents.....		.75			Collecting Money on Execution.....				
Entering.....	Judgment.....	.30		20	Writ of Restitution.....		2.00		
Issuing.....	Execution.....	.50		50	Sheriff's Commissions.....				
Entering.....	3. Sheriff's Return of Execution.....	.20		25	Sheriff's Deed.....				
Issuing.....	Certiorari.....	Sci. Fas.....	.75		Seizing Personal Property in Detinue.....		3.00		
Filing.....	Certiorari, etc.....	.15							
Issuing.....	Notices.....	.75			Former Sheriff's Fees.....				
Issuing.....	copies of same.....	.50			TOTAL SHERIFF'S FEES.....			3	25
Taking.....	Bonds.....	.75			WAIVER.....	NO WAIVER.....			
Filing.....	Bonds.....	.10			RECAPITULATION.....				
Issuing.....	Attachment Writ.....	and taking Bond 1.00			Judgment for.....	for.....		184	50
Filing.....	Attachments.....	.10			Interest from.....				
	Summons of Garnishee.....	.50			Damages.....				
Swearing and Ent.....	Answer of Garnishee.....				Clerk's Fees.....			6	32
Complete Record, 15c per 100 words.....				200	Sheriff's Fees.....			3	25
Transcript to Supreme Court.....					Justice of Peace Fees.....				
Certificate of Appeal to Supreme Court.....		.75			Witness Fees in Justice of Peace Court.....				
	Notices of Appeal.....	.75			Constable's Fees.....				
	Appeal Bond.....	.75			Commissioner's Fees.....				
Certificate of Judgment.....		.50		50	Commissioner's Residence.....				
	Witness Certificates.....	.25			Printer's Fees.....				
					Garnishee's Fees.....				
					Witness Fees in Circuit Court.....				
					Former Clerk's Fees.....				
					Trial Tax.....			3	0 0
TOTAL CLERK'S FEES.....			6	35	TOTAL FEES.....			197	00

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

YOU ARE HEREBY COMMANDED, That of the goods and chattels, lands and tenements of

you cause to be made the sum of One hundred eighty four and 5/100 DOLLARS,
while Canterbury Motor Company Plaintiff,
recovered of S. L. Leak Defendant,
on the 31 day of July, 1936, by the Judgment of our Circuit Court held for the County of
Baldwin, besides the sum of Eleven and 1/100 DOLLARS,
costs of suit, and have the same to render to the said R. S. Duck, and make return of this Writ and
the execution thereof, according to law.

Interest from _____, 19____, to _____, 19____.

Witness, my hand this 7 day of April, 1936,
R. S. Duck, Clerk.

CLERK'S FEES		AMOUNT		SHERIFF'S FEES		AMOUNT	
Issuing	Summons and Complaint	\$1.25	1 25	Serving and Returning	Summons	\$1.50	1 50
Issuing	copies of same	.30	30	Serving and Returning	Writs	1.30	
Issuing	Branch Summons and Complaint	1.25		Serving and Returning	Subpoenas for Wit.	.65	
Issuing	copies of same	.30		Levying	Attachment	3.00	
Entering	Sheriff's Return of copy of above	.20	20	Entering and Returning	Attachment	.25	25
Docketing Cause		.25	25	Summoning and Returning	Garnishee	1.50	
Entering	Appearances	.20		Serving and Returning	Sci. Fas. Notices	1.50	
Filing	2. Pleas Demurrers	.10	30	Impaneling Jury		.75	
	Affidavits, Certified	.25		Collecting Cost, Execution		1.50	1 50
	Commissions to take Depositions	.75		Taking and Approving	Replevin Bonds	1.00	
	copies of Interrogatories				Claim Bonds	1.00	
	Notices of Filing Interrogatories	.50			Garnishment Bonds	.75	
Filing	Packages of Depositions	.10			Forthcoming Bonds	1.00	
Inclosing	Packages of Depositions	.10			Bail Bonds	1.00	
	Orders in Court	.30	30		Detinue Bond	1.00	
	Continuances	.10		Writ of Possession		5.00	
Issuing	Subpoenas for Witnesses	.30		Making Deed		5.00	
Trial and Incidents		.75		Collecting Money on Execution			
Entering	Judgment	.30	20	Writ of Restitution		2.00	
Issuing	Execution	.50	50	Sheriff's Commissions			
Entering	Execution Sheriff's Return of Execution	.20	25 20	Sheriff's Deed			
Issuing	Certiorari Sci. Fas.	.75		Seizing Personal Property in Detinue		3.00	
Filing	Certiorari, etc.	.15					
Issuing	Notices	.75		Former Sheriff's Fees			
Issuing	copies of same	.50		TOTAL SHERIFF'S FEES		3 25	
Taking	Bonds	.75		WAIVER NO WAIVER			
Filing	Bonds	.10		RECAPITULATION			
Issuing	Attachment Writ and taking Bond	1.00		Judgment for for		184 50	
Filing	Attachments	.10		Interest from			
	Summons of Garnishee	.50		Damages			
Sweating and Ent.	Answer of Garnishee			Clerk's Fees		6 34	
Complete Record, 15c per 100 words			2 10	Sheriff's Fees		3 25	
Transcript to Supreme Court				Justice of Peace Fees			
Certificate of Appeal to Supreme Court		.75		Witness Fees in Justice of Peace Court			
	Notices of Appeal	.75		Constable's Fees			
	Appeal Bond	.75		Commissioner's Fees			
Certificate of Judgment		.50	50	Commissioner's Residence			
	Witness Certificates	.25		Printer's Fees			
				Garnishee's Fees			
				Witness Fees in Circuit Court			
				Former Clerk's Fees			

State of Alabama,
COUNTY.

RCUIT COURT.

Burg Motor Co.

VS.

Plaintiff

L. Leab

Defendant

EXECUTION FOR COSTS
INST DEFENDANT

Plaintiff for \$ *184.50*

19

19

\$

\$ *11.10*

\$ *195.60*

ok *74* Page *228*

ocket *5* Page *23*

ril *7*, 19*41*

R.S. Duck
Clerk

lie Hall
Plaintiff's Attorney

Defendant's Attorney

COLLECT COSTS FROM
DEFENDANT

The State of Alabama,
Baldwin COUNTY.

I hereby certify that the within Judgment and costs in
this case are correct, and there was a waiver of exemp-
tion as to personal property under the Constitution and
Laws of Alabama.

This *7* day

of *April*, 19*41*

R.S. Duck
Clerk.

Received in Office

April 7th, 19*41*

W.B. Hunt
Sheriff.

Sheriff's Execution Docket, page

Sheriff's Fee Book, page *269*

The State of Alabama,
Baldwin COUNTY.

By virtue of the within Execution, I have, at
levied.

Sheriff.

PLAINTIFF'S WITNESSES

Amc

DEFENDANT'S WITNESSES

TOTAL

SHERIFF'S APPEARANCE BOND

269

THE STATE OF ALABAMA }

BALDWIN COUNTY

We, Elton Cooper as principal and
the undersigned

as sureties, agree to pay the State of Alabama the sum of Three Hundred Dollars,

unless the said Elton Cooper appears at the

Spring Term, 1938 of the Circuit Court of Baldwin County, Alabama,

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

and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for the collection of debt, by the constitution of the State of Alabama, and we hereby severally certify that we have property over and above all debts and liabilities to the amount of the above bond.

Elton Cooper (Seal)

J. W. Trammis (Seal)

W. G. Growick (Seal)

(Seal)

Taken and approved this the 15 day of Oct 1937

M. H. Wilkins Sheriff

By E. V. Anderson Deputy Sheriff

THE STATE OF ALABAMA,
BALDWIN COUNTY.

We, Elton Cooper _____ as principal and

The undersigned

as sureties, agree to pay the State of Alabama the sum of Three hundred----- Dollars,

unless the said Elton Cooper appears at the

Fall Term, 1936 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

BASTARDY

and we hereby waive the benefit of all laws exempting property from levy and sale under execution or other process for the collection of debt, by the constitution of the State of Alabama, and we hereby severally certify that we have property over and above all debts and liabilities to the amount of the above bond.

Elton Casper (Seal)

A. L. Hall, (Seal)

(Seal)

(Seal)

Taken and approved this the 6th day of June 1936

J M Franklin S-10

By _____ Deputy Sheriff

No. _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT

Court

SHERIFF'S OFFICE

THE STATE

VS.

ELTON COOPER

SHERIFF'S APPEARANCE BOND

Amount of Bond, \$ 300.00

Filed

June 6, 1936

Butler L. Jones, Clerk

M. P. E. O. J. P.

The State of Alabama,
Baldwin County

IN THE JUSTICE COURT OF
J.M. Franklin

Before me, J.M. Franklin, N.P. Ex-O. J. P.

in and for said County, personally appeared Clara Mixon

who being duly sworn, deposes and says on oath, that ^{she} ~~he~~ has probable cause for believing and does believe

that in said county, ~~xxxxxxx~~ THAT ~~xxxxxxx~~

a single woman
~~Clara Mixon~~ is pregnant with a bastard child and Elton Cooper is the
father of said child,

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

23rd day of May A. D., 1936

Clara Mixon

J. M. Franklin N.P. Ex-O. J. P.

THE STATE OF ALABAMA,
Baldwin County.

O ANY LAWFUL OFFICER OF SAID COUNTY, GREETING:

You are hereby commanded to arrest Elton Cooper

and bring Him before Me to answer

the State of Alabama on a charge Of bastardy

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

Witness my hand this 23rd day of May 1936

J. M. Franklin
N.P. Ex-O. J. P.

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY.

JUSTICE COURT OF

J.M. Franklin

THE STATE
VS.

Elton Cooper

WARRANT and AFFIDAVIT

WITNESSES FOR THE STATE

Clara Mixon,

MOORE PTG CO.

Executed the 28 day of May 1926

By arresting the within

named Defendant

Elton Cooper

and placing him

in Jail

M. Wilkins
Sheriff

D. B.