

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

639

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No.	Vs.	
John Chason	Otis Williams	Bestardy

	Disposition of Case	Fees	Amount
W.C. Bebee, acting Solicitor	Affidavit made and Warrant Issued to Ada Mae Gross	Judge's Fees	
	Returnable to Justice court	Warrant at 50c, Affidavit at 25c	\$1.00
	Witness—for State Ada Mae Gross, Elizabeth Williams (Colo)	Bond at 50c, Sci Fa at 50c	
	Mrs W.W. Gross, Dr. L.D. Numan.	Witnesses' Recognizances at 25c	
		Subpoena or notice at 25c	\$1.00
		Continuance at 25c	\$1.00
		Trial of Misdemeanor at \$1.00	25
		Mittimus at 25c	
		Judgment on Forfeited Bond at 25c	\$1.00
	Comes the defendant and pleads not guilty, preliminary	Taking Bond, etc, on Appeal at \$1.00	
	hearing had and defendant bound over to circuit	Execution of costs at 25c	\$4.25
	court bond fixed at \$300.00.	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	\$3.00
		Arrest \$2.00, Bond \$1.00, Sci. Fa 50c	
		Committing \$1.00, Releasing \$1.00 (Guard)	2.00
		Subpoenas at 25c 50c Day's Board at 30c	2.00
		Witness Fees	\$7.00
		Days at 50c	
		" 50c	
		" 50c	2.00
		" 50c	
		" 50c	
		" 50c	
		" 50c	
		DEFENDANT'S COSTS	
		Witnesses' Recognizance at 25c	
		Subpoenas at 25c	
		Executing Subpoenas	

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

CIVIL SUBPOENA—ORIGINAL—In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred. Times Prtg. Co., Bay Minette.

THE STATE OF ALABAMA
BALDWIN COUNTY

} Case No. 639 No. 2 CIRCUIT COURT
Term, 1942

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Mr. R. D. Newman, Alabama, Palmer.
Ada Mae Gross, Vernie Gross, Elizabeth Williams, Lula Smith.
if to be found in your County, at the instance of the State.
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-
of, by 8 o'clock of the forenoon, on the 5th day of November., 1942
and from day to day and term to term of said Court until discharged by law, then and there to testify, and
the truth to say, in a certain cause pending, wherein The State of Ala. Plaintiff
and Otis Williams. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 26th day of Oct., 1942

R. A. Jones

Clerk

Received in office this _____ day of _____

194

SHERIFF

I have executed this writ

by serving all of the
within named, except
Lula Smith who is out
of state.

This 30th Oct 1942

W. B. Stuart, Sheriff

By M. B. Hamister, A.B.,
F. A. P. Pruitt

SHERIFF

ORIGINAL

No. 639.

Page _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

State

Plaintiff

VS.

Otis Williams.

Defendant

CIVIL SUBPOENA

Issued this 26th day of

Oct,

1942

W. B. Hamister

Clerk.

THE STATE OF ALABAMA
BALDWIN COUNTY

} Case No. 639. Nov. Term, 194 2

CIRCUIT COURT

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Bertie Williams. Maborn Williams. Jesse Daggett
L T Rhodes. Dr J F Bryars. Joe Hall and Maybelle Godwin.
if to be found in your County, at the instance of the Deft.

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8 o'clock of the forenoon, on the 5th day of November., 194 2

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein The State. Plaintiff

and Otis Williams. Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 20th day of October. 194 2

R. S. Duck

Clerk

Received in office this 23 day of

Oct

1942

W. R. Stuart

SHERIFF

I have executed this writ

10/30/42

by serving in full

ORIGINAL

No. 639

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

State of Ala.

Plaintiff

VS.

Otis Williams

Defendant

CIVIL SUBPOENA

Issued this 20th
Oct.

day of

1942

R. L. Lusk

Clerk.

W. R. Stuart
By A. P. P.

SHERIFF

SHERIFF'S APPEARANCE BOND

Printed, By Baldwin Times, Bay Minette, Ala.

THE STATE OF ALABAMA,
Baldwin County }

We, Otis Williams

principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Two Hundred Fifty & no/100 DOLLARS

unless the said Otis Williams appear at the Dec 23rd at 7 P.M. Term, 1940 of the Justice 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

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, Alabama.

Otis Williams (Seal)
F. D. Owens (Seal)
J. B. Kuylenstierna (Seal)
_____, (Seal)

Taken and approved this the 22 day of Dec, 1940.

W. R. Stewart, Sheriff
By M. B. Hammett, Deputy Sheriff

No. _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

Justice

Court

SHERIFF'S OFFICE

THE STATE

VS.

Otis Williams

Sheriff's Appearance Bond

Amount of Bond, \$250⁰⁰

Filed *12/22*, 19*41*

, Clerk.

Printed By Baldwin Times, Bay Minette, Ala.

THE STATE OF ALABAMA
BALDWIN COUNTY

} Case No. 039 Fall Term, 1941 CIRCUIT COURT

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

Maybelle Godwin, Leonard Ramsey
Lula Smith, Bama Palmer
Thos. A. Cal. Fla.

if to be found in your County, at the instance of the

Plty

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8.30 o'clock of the forenoon, on the 5th day of December, 1941

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein

State of Ala.

Plaintiff

and

Ohio Williams

Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 26th day of November, 1941

R. S. Duck

Clerk

Received in office this 26 day of

November

1941

W. R. Stuart

SHERIFF

I have executed this writ

by serving in full

ORIGINAL

No. 634

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

State of Alabama

Plaintiff

~~VS.~~

Olis Williams

Defendant

CIVIL SUBPOENA

Issued this 26th day of

November

1941

R. S. Duck

Clerk.

W. R. Stuart

SHERIFF

By M. B. Hamilton D.S.

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT
} Case No. 639 Fall Term, 1941

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

Birtie Williams, Mabel Williams
Jessie Baygett, L. J. Rhodes,
Dr. J. F. Baygett, Joe Hall

if to be found in your County, at the instance of the Deft.

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House there-

of, by 8:30 o'clock of the forenoon, on the 5th day of December, 1941

and from day to day and term to term of said Court until discharged by law, then and there to testify, and

the truth to say, in a certain cause pending, wherein State of Ala. Plaintiff

and Otis Williams Defendant.

Herein fail not and have you then and there this Writ.

Given under my hand and seal, this 26th day of November, 1941

R. S. Duck Clerk

Received in office this 26 day of

November

1941

W. R. Stuart

SHERIFF

I have executed this writ

by serving in full

ORIGINAL

No. 639

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

State of Alabama

Plaintiff

VS.

Otis Williams

Defendant

CIVIL SUBPOENA

Issued this 26th day of

November

1941

R. S. Luck

Clerk.

W. R. Stuart

SHERIFF

by Miss Hamilton

CIVIL SUBPOENA--ORIGINAL--In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred
Moore Printing Co. Bay Minette, Ala.

The State of Alabama,
Baldwin County

S. D. Page No. _____

Case No. 639

CIRCUIT COURT

Spring 1941

Term

within five days

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Gross, Dr. L. D. Newman

Ada Mae Gross, Elizabeth Williams, Mrs. W. W.

if to be found in your County, at the instance of the Plaintiff
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,
by 8:30 o'clock of the forenoon, on the 16th day of April, 1941

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain
cause pending, wherein State of Alabama,
and Otis Williams,

Plaintiff

Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 27th day of March, 1941

193

R. S. Auch

CLERK

The State of Alabama,
Baldwin County

S. D. Page No. _____

CIRCUIT COURT

Case No. 639

Spring 1941

Term, 193_____

To Any Sheriff of the State of Alabama, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Ada Mae Gross, Elizabeth Williams, Mrs. W. W.
Gross, Dr. L. D. Newman

if to be found in your County, at the instance of the Plaintiff

to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof,
by 8:30 o'clock of the forenoon, on the 16th day of April, 1941 193____, and from day to

day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain
cause pending, wherein State of Alabama, Plaintiff

and Otis Williams, Defendant.

Herein fail not, and have you then and there this Writ.

Given under my hand and seal, this 27th day of March, 1941, 193_____

R. S. Dyer

CLERK.

Received in office this

3/27/41

day of

193

W. R. Stuart

SHERIFF

I have executed this writ

Ada Mae Gross 3/29 P+B

Elizabeth Williams "

Mrs W. W. Gross "

Dr L. D. Newman "

W. R. Stuart

SHERIFF

B. C. Pruitt

ORIGINAL

No. 639

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

State of Alabama,

Plaintiff

VS.

Otis Williams,

Defendant

CIVIL SUBPOENA

Issued this _____ day of

193

Clerk.

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 Ada Mae Gross a single womanwho, being duly sworn, deposes and says on oath that ^{she} ~~he~~ has probable cause for believing and does believe~~that he has probable cause for believing and does believe~~
~~that he has probable cause for believing and does believe~~
~~that he has probable cause for believing and does believe~~
That ^{she} ~~he~~ is delivered of a bastard child, ~~that~~
and that Otis Williams is the father of said child,

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

21st day of December A. D., 1940Ada Mae GrossJ.M. Franklin N.P. Ex-O-J.P.THE STATE OF ALABAMA, }
BALDWIN COUNTY

TO ANY LAWFUL OFFICER OF SAID COUNTY—GREETINGS:

You are hereby commanded to arrest Otis Williamsand bring Him before Me to answerthe State of Alabama on a charge of bastardy

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

Witness my hand this 21st day of December 1940J.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.

Otis Williams
~~AdaxMnaxKRX~~

WARRANT AND AFFIDAVIT

WITNESSES FOR THE STATE

Ada Mae Gross

Elizabeth Williams, Mrs W. W. Gross,
and Dr. L. D. Newman.

Moore Printing Co., Bay Minette, Ala.

*Executed Dec 21, 1940 by
arresting the within named
defendant Otis Williams and
placing him in jail
W. R. Stuart Sheriff.*

639

NOTICE TO WITNESS TO PROBATE WILL

Moore Printing Co., Bay Minette, Ala.

The State of Alabama, Baldwin County

PROBATE COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA--GREETING:

You are hereby commanded to summon J. B. Blackburn & Org.
Sirmon Nelson of Bay Minette, Ala.
to appear in and before the Probate Court of said county, on the 20 day of Dec, A D
1940, to give evidence in a certain matter now pending in said Court, wherein

W. L. Brown has filed for
Probate an instrument of writing purporting to be the last will and testament of

J. L. Brown deceased.

And this you shall in nowise omit, under the penalty prescribed by law. Herein fail not, and
have you then and there this writ at the office of the Judge of said Court.

Witness,

G. W. Robertson

Judge of said Court

at office, this

4th

day of

Dec

, A. D. 1940

[Signature]
Judge of Probate.

Original

RECORDED
RECORDED

No. _____ Box _____

The State of Alabama
BALDWIN COUNTY
PROBATE COURT

IN THE MATTER OF THE APPLICATION OF

W. L. Brown

To Probate the Will of

J. L. Brown.

Deceased

NOTICE TO WITNESSES TO
PROBATE WILLS

Issued _____ day of _____ 19____

To _____

*J. B. Blackburn &
Ora Sirman Nelson,
B.M.*

Received in Probate Office
this 14 day of Dec., 1940
W. R. STUART, Sheriff

Executed this 7th day of
December 1940 by serving a
copy of within notice on
J. B. Blackburn and
Ora Sirman Nelson.

W. R. Stuart

Sheriff

G. B. L. Kuehn
J.D.

LAST WILL AND TESTAMENT OF J. L. BROWN.

IN THE NAME OF GOD, AMEN:

I, J. L. Brown, being of sound and disposing mind and memory, and imbued with the uncertainty of life and the certainty of death, and not acting under any duress, menace, fraud or influence of any person, circumstance or matter whatever, do freely and voluntarily make, publish and declare this my last will and testament, hereby revoking and cancelling all former wills by me at any time heretofore made.

FIRST.

I direct that my Executor, hereinafter named, as soon as he shall have sufficient funds applicable thereto, pay my funeral expenses, the expenses of my last sickness, and all of my just debts and obligations of every nature, in the order of priority prescribed by the laws of any state where this will may be admitted to probate.

SECOND.

I give, devise and bequeath to my wife, Laura J. Brown, all of my property, both real, personal and mixed, of which I shall die seized and possessed or to which I shall be entitled at my decease, for the term of her natural life and at her death to my son, William L. Brown in fee simple.

THIRD.

I hereby nominate and appoint my son, William L. Brown, to be Executor of this my last will and testament and direct that no bond for the faithful performance of his duties as such Executor be required of him in this state or in any other jurisdiction.

FOURTH.

I hereby authorize and empower my said Executor to do all things necessary for the complete administration of my estate, including the power to sell at public or private sale and without order of court any real or personal property belonging to my estate and to execute proper conveyance of same and to compromise, adjust or otherwise settle all claims, charges, debts and demands whatsoever against or in favor of my estate as fully as I could do if living.

IN TESTIMONY WHEREOF, I, the said J. L. Brown, have to this my last will and testament, contained in this and the preceding sheet, subscribed my name and affixed my seal on this the 17th day of November, 1933.

J. L. Brown (SEAL)

The writing contained in this and the preceding sheet was signed and sealed by the above named J. L. Brown, and by him published and declared as being his last will and testament, in the presence of us, who have hereunto subscribed our names as witnesses at his request, in his presence, and in the presence of each other, on this the 17th day of November, 1933.

L. B. Blackburn
W. L. Simon

RECORDED

LAST WILL AND TESTAMENT OF J. L.
BROWN.

Dated this 17th day of November,
1933.

*Filed in office of
Judge of Probate Court
Birmingham, Ala. B. Blackburn
Sept. 1940*
J. B. BLACKBURN
ATTORNEY AT LAW
BAY MINETTE, ALABAMA
J. L. Brown

THE STATE OF ALABAMA, } No. 639. CIRCUIT COURT
 Baldwin County } Term, 194

To Any Sheriff of the State of Alabama, Greeting:

You are hereby commanded, That of the goods and chattels, lands and tenements of
Ada Mae Gross. Plaintiff in the suit,
 you cause to be made the sum of 67 20. Dollars,
 costs of suit, created by said Plaintiff, for that, whereas, on the 5th day of
Nov. 1942, the said Plaintiff recovered by the Judgment of the said Circuit Court
 of said County, against Otis Williams.

Defendant
 to the suit, the sum of _____ Dollars,
 besides 67 20. Dollars, costs of suit;

upon which ~~Judgment and Execution has been issued and returned by the Sheriff, No property found.~~

AND HAVE YOU THAT MONEY ready to render to R S Duck.
 Clerk of said Court, and make return with this Writ and the Execution thereof, according to law.

Witness my hand this 11th day of Jan. 1943

R S Duck Clerk

CLERK'S FEES	\$	Cts	SHERIFF'S FEES	\$	Cts
For every Summons and complaint....	\$1.25		For Levying an Attachment.....	\$3.00	
Each copy thereof.....	30		Entering and Returning Attachment.....	25	
Entering a Sheriff's Return.....	20		Summoning Garnishee.....	1.50	
Docketing.....	25	25	Serving Summons on Writ.....	1.50	
Entering Apperance.....	20	40	Serving Notice Sci. Fa. Notice, etc....	65	
Filing.....	10	40	Serving..... 39. Subpoenas.....	65	25 35.
Every Order made in Court.....	30		Empanelling Jury.....	75	75
Copy thereof.....	25		Entering and Returning Execution....	25	1 50.
Every Trial with or without Jury.....	75		Collecting Costs Execution.....	1.50	
Entering up Judgment or copy threof..	30		Executing a Writ of Possession.....	2.50	
Issuing Execution.....	50	50	Taking and Approving Bonds.....	1.00	
Docketing Execution.....	25		Commissions.....		
Entering Return on Execution.....	20	20	Sheriff's Commission for Property		
Issuing Subpoenas..... 40	30	12 00	Sold Under Attachment.....		
Administering Oath.....	25		Seizing Personal Property on Writ		
Issuing Each Attachment Taking Bond	1.00		of Detinue.....	3.00	
Filing Attachment.....	10		ARREST Guard Bond.....	5 00	
Each Summons for Garnishee.....	50		RECAPITULATION		
Each copy.....	50			32 55	
Notice to Deft. in Garnishee on Sum-			Clerk's Fees.....	18 25	
mons and Copy, per 100 words.....	20		Sheriff's Fees.....	32 55	
Commissions to take Depositions or			Justice's Fees.....		
copy.....	75		Witness Fees in Justice of Peace Court		
Order to Execute Writ of Inquiry.....	30		Constable's Fees.....		
Copy of Interrogators, 15c per hundred			Commissioner's Fees.....		
words or.....	50		Printer's Fees.....		
Filing each Deposition and endorsing			Witness Fees in Circuit Court.....	8 40.	
same.....	20	3 00	Former Clerk's Fees.....		
Final Record, per hundred words.....	15		Stenographer's Fees.....	5.00 5 00	
Every Certificate.....	50		Trial Tax.....	3.00 3 00	
Taking Bond not otherwise provided					
for.....	75				
Witness Certificate..... 5	25	1 25			
Continuance.....	10	20			
Certificate of Judgment.....	50				
Order of Publication.....	1.00				
		18 25			
					67 20

No. ~~67~~ 639. Page.....

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

State of Ala.

Plaintiff...

vs.

Otis Williams.

Defendant...

Civil Execution for Costs
Against Plaintiff

Costs - - - - - \$ 67.20....

Civil Fee Book..... Page.....

Execution Docket..... Page.....

Filed..... Jan 11 3h....., 1943....

R. Beebe Clerk.

W C Beebe
Plaintiff's Attorney

Hybart & Chason.
Defendant's Attorney

Received in Sheriff's Office
this 11 day of Jan., 1943
W. R. STUART, Sheriff

COLLECTION COSTS FROM

Ada Mae Gross.

The State of Alabama, }
BALDWIN COUNTY

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

This day of 194....

Clerk.

Received in office

194....

Sheriff

Sheriff's Execution Docket, Page

Sheriff's Fee Book, Page

*Returned 3/23/1943
no property of Ada Mae
Gross found in my
County - W. R. Stuart & Sheriff
By [Signature]*

Sheriff

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution, I have at

o'clock, M., this day of 194.... levied

The State of Alabama, BALDWIN County

JUSTICE ~~COUNTY~~ COURT, January 9th Term, 19341

KNOW ALL MEN BY THESE PRESENTS, That we, Otis Williams
and the undersigned

_____, are held and firmly bound unto the State
of Alabama, in the sum of Three hundred and NO/100-x-x-x-x-x-x-x-x-x- Dollars
for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and adminis-
trators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the 9th day of January 1931

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above
bounden Otis Williams was, on the 9th day of January 1931
convicted in the County, of the offense Bastardy

and by the judgment of said Court ~~sentenced to~~ bound over to circuit court

And, whereas, the said Otis Williams
has this day prayed an appeal from said judgment to the Circuit Court of said County:

Now, if the said Otis Williams-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x- shall appear at
the next term of the Circuit Court, and from term to term thereafter until discharged, and abide by and
perform whatever sentence may be adjudged in said Court against him, then the above obligation to be
void; otherwise to remain in full force and effect.

Otis Williams (L. S.)
L. D. Rhodes (L. S.)
L. D. Owen (L. S.)
_____[L. S.]

Approved

J. M. Franklin N.P.B.-0
Justice of Peace
~~County Court Judge~~

THE STATE OF ALABAMA,

BALDWIN

County

COUNTY COURT

THE STATE
VS.

Otis Williams

APPEAL BOND

L.T. Rhodes and L.D. Owens

SURETIES

Filed in the office of the Clerk of the Circuit

Court _____ day of

_____, 193____

Clerk.