

STATE OF ALABAMA,

BALDWIN COUNTY.

TO W. R. STUART, SHERIFF OF BALDWIN COUNTY, ALABAMA, AND EACH OF  
HIS AUTHORIZED DEPUTIES, SEPARATELY AND SEVERALLY:-

You are hereby commanded to have and produce the  
body of William W. Smith alleged to be detained by you by whatso-  
ever name the said William W. Smith is known or called before me  
at the Court House in Bay Minette, Alabama, on the 29<sup>th</sup>  
day of June, 1944, at 10 o'clock A. M. to do and receive  
what shall then and there be considered concerning the said  
William W. Smith.

Dated this 24<sup>th</sup> day of June, 1944.

J. M. Lark  
Judge of the Circuit Court of  
Baldwin County, Alabama.

White 868

3/ Pante  
Wm. W. Smith

File 0 June 29/1944

Re Butler  
Clerks

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

CIRCUIT COURT

Case No. 868. June. Term, 1944

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Irene Smith. Johnnie Davis. B D Cobb.

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 10 o'clock of the forenoon, on the 29th day of June., 1944

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 Ex parte. William. W Smith. X P L A W K K

and \_\_\_\_\_ Defendant.

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

Given under my hand and seal, this 26th day of June. 1944

\_\_\_\_\_  
Clerk

Received in office this \_\_\_\_\_ day of

194

SHERIFF

I have executed this writ

By serving  
Ernie Smith  
J. Davis  
B. D. Cobb

SHERIFF

ORIGINAL

No. 868.

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THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

EX PARTE WILLIAM W SMITH.

Plaintiff

VS.

Defendant

CIVIL SUBPOENA

Issued this 26th day of

June, 1944

R S Duck.

Clerk.

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

} Case No. 868.

June.

Term, 194 4

To any Sheriff of the State of Alabama, GREETING:

868

You are hereby commanded to summon Amelia Smith. Cornelia Smith. Onelia Smith.  
Sam Caldwell. Link Brantley. W J. Hall. Eugene Bodiford Al Shirey, Will Osborn  
if to be found in your County, at the instance of the Harold Stabler. W B Wingard. R. W. Lynton.

Deft.

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

of, by 10 o'clock of the forenoon, on the 28th day of June, 194 4

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 \_\_\_\_\_ Plaintiff

and Exparte. William W Smith. Defendant.

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

Given under my hand and seal, this 26th day of June, 194 4

B S Duck

Clerk

Received in office this \_\_\_\_\_ day of

194

SHERIFF

I have executed this writ

By serving  
Anelia Smith  
Cornelia Smith  
Anelia Smith  
Sam Caldwell  
Link Brantley  
W. J. Hall  
Eugene Bodiford  
Will Osborne  
Harold Stabler  
W. B. Wingard  
R. J. Linton

W. R. Street  
By John R. Davis

SHERIFF

ORIGINAL

No. 868.

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

EX PARTE WILLIAM W SMITH.

Plaintiff

VS.

Defendant

CIVIL SUBPOENA

Issued this 26th. day of

June.

194 4

R S Duck.

Clerk.

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

CIRCUIT COURT  
} Case No. 868. June. 29th. Term, 1944

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon Ophelia Caneer. ans Eugens Dadiford.

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 10 o'clock of the forenoon, on the 29th. day of June., 1944

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 Ex parte. William W Smith. Plaintiff

and \_\_\_\_\_ Defendant.

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

Given under my hand and seal, this 29th. day of June, 1944

R. L. Dyer Clerk

Received in office this \_\_\_\_\_ day of

\_\_\_\_\_ 194 \_\_\_\_\_

SHERIFF

I have executed this writ

*by serving a copy  
on Eugene Bodiford  
and Ophelia Career.  
This 29th day of June*

*W. R. Stuart*  
*1382 Geneva St*  
SHERIFF

ORIGINAL

No. 868. \_\_\_\_\_

Page \_\_\_\_\_

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Ex parte, William W Smith,

Plaintiff

VS.

Defendant

CIVIL SUBPOENA

Issued this \_\_\_\_\_ 29th. \_\_\_\_\_ day of

June. \_\_\_\_\_

194 <sup>4</sup>

R S Duck,

Clerk.



# Hybart & Chason

ATTORNEYS AT LAW

Bay Minette, Alabama

C. L. HYBART  
J. CHASON

June 26, 1944.

Mr. R. S. Duck  
Clerk, Circuit Court  
Bay Minette, Alabama.

Dear Bob:

RE: WILLIAM W. SMITH.

Judge Hare has issued a Writ of Habeas Corpus returnable before him in the Courthouse here at 10:00 o'clock A. M. on Thursday June 29. It is necessary that a subpoena issue for the witnesses that appeared before the committing magistrate who was W. E. Cooney at Foley, and also that subpoena issue for the defendant's witnesses. It is my understanding that the following witnesses appeared for the State, viz:-

Irene Smith  
Johanna Davis  
B. D. Cobb

*Philida Carter*  
*Eugene Bodiford*

Please issue a subpoena for them.

We also would like to have the following witnesses subpoenaed for the defendant.

Amelia Smith  
Cornelia Smith  
Onelia Smith  
Sam Caldwell  
Link Brantley  
W. J. Haff  
Eugene Bodiford  
Al Shirey  
Will Osburne  
Harold Stabler  
W. B. Wingard  
R. J. Lynton.

*Done 6-26-44*  
*10 am*

Yours very truly,

HYBART & CHASON

BY *Chason*

JC:ESM

STATE OF ALABAMA,  
BALDWIN COUNTY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, ALABAMA:-

Now comes William W. Smith and shows unto this  
Honorable Court as follows:-

That he is held in the County Jail of Baldwin County,  
Alabama, in Bay Minette, Alabama, in the custody of W. R. Stuart,  
Sheriff of Baldwin County, Alabama; that this petitioner is being  
restrained of his liberty; that he has been confined in jail for  
failing to enter into an undertaking to keep the peace as required  
by W. E. Cooney, Justice of Peace, Beat 14, Baldwin County, Alabama;  
and that he is not guilty of having threatened to commit a breach  
of the peace as set out in the complaint against him. This petition-  
er has attached hereto and made a part hereof a copy of the Mittimus  
or Commitment under which he is being held, which was issued out  
of the Justice Court of W. E. Cooney on June 4, 1944.

WHEREFORE, your petitioner prays that a Writ of  
Habeas Corpus be issued immediately directed to the said W. R.  
Stuart as Sheriff of Baldwin County, Alabama, commanding him to  
bring the body of your petitioner before your Honor at a time and  
place to be by you appointed, together with the cause of detention  
of petitioner.

William W. Smith.

Sworn to and subscribed before  
me this 21 day of June, 1944.

John Rason  
Notary Public, Baldwin County,  
Alabama.

TO THE HONORABLE R. L. JONES, CIRCUIT SOLICITOR OF THE  
21ST JUDICIAL CIRCUIT OF ALABAMA, OR H. M. HALL, COUNTY SOLICITOR  
OF BALDWIN COUNTY, ALABAMA:

You are hereby given notice that the above and fore-  
going matter will come on for hearing before the Honorable F. W.  
Hare, Judge of the Circuit Court of Baldwin County, Alabama, at

10 A. M. on the 27 day of June, 1944.

Hyatt & Pearson  
Attorneys for Petitioner.

MITTIMUS OR COMMITMENT

TO THE JAILER OF BALDWIN COUNTY:

STATE OF ALABAMA

BALDWIN COUNTY.

On complaint of Irene Smith charging William W. Smith with the offense of Peace Proceeding, it appearing that such offense has been committed, and that there is sufficient cause to believe that William W. Smith has been guilty thereof, you are therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this 4 day of June, 1944.

W. E. Cooney

Justice of Peace

\$2000.00 Bond

Specified the within writ by producing the body of  
William W. Smith on the 29th day of June 1944  
together with the Original writ issued by W.E.  
Cooney, Justice of Peace in and for Baldwin County  
Alabama, dated the 4th day of June 1944, charging  
the said William W. Smith with a Peace Offense  
by virtue of a ~~Writ~~ Writ, a copy of which is  
hereto attached. Said William W. Smith is held in  
my Custody

W.R. Stuart  
Sheriff, Baldwin Co Ala  
by B.F. Spencer  
Deputy Sheriff

868  
RECORDED  
PETITION.

~~IRENE SMITH,~~

~~vs.~~  
~~Officer~~

~~WILLIAM W. SMITH~~

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

~~AT LAW.~~

FILED JUNE 29, 1944.

B.F. Spencer  
Clerk.

LAW OFFICES  
HYBART & CHASON  
Bay Minette, Alabama

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