

4. The court charges the jury that before you can find this defendant guilty you must be satisfied from the evidence beyond a reasonable doubt that the Baldwin County Lands Association, a Corporation, at the time complained of was in possession of the land on which the trespass is alleged to have been committed.

Refused
D.W. Lare
Judge

3. The court charges the jury that before you can find the defendant guilty you must find that the Baldwin County Lands Association, a Corporation, was in exclusive possession of the property claimed and alleged to have been trespassed upon.

Refused
J. W. Hare
Judge

Refused
J. W. Hare
Judge

2. The court charges the jury that if you believe from the evidence that the Baldwin County Lands Association, a Corporation, and the Crosby Turpentine Company, a Partnership, were in joint possession of the property in question at the time of the alleged trespass, you must find for the defendant.

225
Circuit Court of Baldwin County

STATE VS. Edmund Malone

CLERK'S FEES		at	AMOUNT		SHERIFF'S FEES		at	AMOUNT	
Taking Affidavit	50				Arrest	2.00		4.00	
Issuing Capias	50				Bond	1.00		2.00	
Docketing	10		10		Guarding Prisoner	2.00			
State Subpoenas	25		7.00		Serving Subpoenas	50		14.00	
Recognizance	50				Summoning Jury in Capital Case				
Continuance by Defendant	25		1.00		Seizure	3.00			
Et. Forfeiture vs. Defendant	50				Mileage				
Trial	50		5.00		Miles at 10				
Judgment	25		25.00		Fees in County Court				
Sentence	25		25.00		Total Sheriff's Fees			20.00	
Order of Removal and Indictments	1.00				RECAPITULATION				
Issuing Execution	50				Clerk's Fees			12.85	
Issuing Sci. Fas	50				Sheriff's Fees			20.00	
Transcript and Cert Folios	15				Fine			25.00	
Final Record Folios	15		2.00		Solicitor's Fee			10.00	
Record for Supreme Court	15				County Court tax				
Certifying same	25				Justice's Fees			1.50	
Rec. Indict. at 15c per 100 words			75.00		Constable's Fees				
					Witness Fees in Circuit Court			86.15	
County Court Costs			12.85		Witness Fees in County Court				
					Removal Bill				
					Stenographer	5.00		5.00	
					Board				
					Days at				
					Trial Tax	3.00		3.00	
Total Clerks Fees								16.35	
					Total Costs and Fines			163.50	

WITNESSES:		AMOUNT
Grand Jury Term	193	
STATE WITNESSES		
Before Court of Conviction		
Term, 193		

~~459.00~~
~~40.25~~
~~86.15~~
163.50

~~Paul Foster 5.25 ✓~~
~~Alan Mitchell 7.75 ✓~~
~~Raymond Selman 5.25 ✓~~
~~Ed Cowan 5.25 ✓~~
~~Law 4.25 ✓~~
~~Brooks 5.25 ✓~~
~~W. Phaul 5.25 ✓~~
40.25

DATE 193

STATE OF CALIFORNIA

STATE OF CALIFORNIA

STATE OF CALIFORNIA

STATE OF CALIFORNIA

STATE OF CALIFORNIA

Bill of Costs

No.

STATE
VS.

Thyl Malone

Amount \$

MOORE PYS. CO.

CHIEF CLERK OF DISTRICT COURT

STATE OF CALIFORNIA

MOORE PYS. CO.

THE STATE OF ALABAMA, }
Baldwin County.

TO ANY SHERIFF OF THE STATE OF ALABAMA:
An indictment having been found against

Floyd Malone

at the April Term, 1937, of the Circuit Court of Baldwin County, for the offense of
Trespass by Cutting Timber

you are, therefore, commanded forthwith to arrest the said defendant and commit him
to Jail, unless he give bail to answer said indictment, and that you return this Writ ac-
cording to law.

Dated this 15th day of April 1937

R. S. Rush
Clerk of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
Baldwin County.

We, _____ as principal and
the other undersigned as sureties, agree to pay the State of Alabama _____
Dollars, unless the said _____ appears
at the _____ Term of the Circuit Court of Baldwin County, and from Term to Term
thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions
allowed us by the Constitution and Laws of Alabama.

Witness our hands and seals this _____ day of _____ 193_____

_____ (L. S.)

Taken and approved _____ day of _____ 193_____

Sheriff of Baldwin County.

CAPIAS

No. _____

THE STATE

vs.

FLOYD MALONE

Bail Fixed in this Case in Open Court at

\$ _____

By J

Judge Presiding.

Attest :

R. D. Dyer

Clerk.

MOORE PRINTING CO., BAY MINETTE, ALA.

Executed this 24th day of April 1934

named Defendant

Floyd Malone

and placing him

in jail

M. H. Wilkins

Sheriff

C. Hall

D. S.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

In the Justice Court of
J. J. Ganus,

Before me, J. J. Ganus, N. P. & Ex-Off. J. P.

in and for said county personally appeared O. W. Crosby,

who being duly sworn, deposes and says on oath that he has probable cause for believing and does believe
January, 21st 1937.

that in said county, on or about that one
Floyd Malone, committed the offense of trespassing in Baldwin

County, ~~Alabama, by going on land of another, cutting timber,~~
~~removing, and appropriating the same to his own use,~~

~~contrary to law.~~ Floyd Malone did knowingly enter upon the
land of another, and cut down timber growing thereon, ~~with intent to~~
Remove. and appropriate the same to his own use, contrary to law.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this

21st day of January, A. D. 1937

J. J. Ganus

J. P.

O. W. Crosby

The State of Alabama,
Baldwin County

TO ANY LAWFUL OFFICER OF SAID COUNTY, GREETING:

You are hereby commanded to arrest Floyd Malone,

and bring him before me at my office in Robertsdale, Ala. to Ans.

the State of Alabama on a charge Trespassing., on the land of another, cutting
timber, removing, and appropriating the same to his own use.

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

Witness my hand this 21st day of Jan. 1937

J. J. Ganus
J. P.

No. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County.

Justice Court of

J. J. Ganus,

THE STATE
vs.

Floyd Malone.

WARRANT and AFFIDAVIT

Witnesses for the State

O. W. Crosby,

A. B. McPhaul,

Herman Sidener.

J. H. Cooper

MOORE PRINTING CO., BAY MINETTE, ALA.

Executed this *11th* day of *Jan* 193*7*

By arresting the within

named Defendant

Floyd Malone

and placing him

in Jail

W. H. Sullivan

C. H. Anderson

SHERIFF'S APPEARANCE BOND

THE STATE OF ALABAMA }

BALDWIN COUNTY

We, Floyd Malone as principal and

The Undersigned

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

unless the said Floyd Malone appears at the

Spring Term, 1937 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 Cutting and removing timber.

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.

Floyd Malone (Seal)

E. E. Jones (Seal)

Ray Malone (Seal)

(Seal)

Taken and approved this 23th day of January, 1936

M. J. Wilkins Sheriff

By _____ Deputy Sheriff

No. _____

THE STATE OF ALABAMA
Baldwin County

Court _____

SHERIFF'S OFFICE

THE STATE

VS.

SHERIFF'S APPEARANCE BOND

Amount of Bond \$ _____

Filed _____, 193

Clerk _____

SHERIFF'S APPEARANCE BOND

THE STATE OF ALABAMA }

BALDWIN COUNTY

We, Floyd Malone as principal and

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

unless the said Floyd Malone appears at the

Fall Term, 1937 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 Trespass

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.

Floyd Malone (Seal)

W. H. Hodson (Seal)

Floyd Malone (Seal)

(Seal)

Taken and approved this the 26th day of April 1937

W. H. Hodson Sheriff

By _____ Deputy Sheriff

No. _____

THE STATE OF ALABAMA
Baldwin County

Court _____

SHERIFF'S OFFICE

THE STATE

VS.

SHERIFF'S APPEARANCE BOND

Amount of Bond \$ _____

Filed _____, 193 _____

Clerk _____

The State of Alabama, }
Baldwin County

Circuit Court, April Term, 19 37

(1)

The Grand Jury of said County charge that before the finding of this indictment Floyd Malone, alias Boss Malone, did knowingly enter upon the land of Baldwin County Lands Association, a Corporation, and cut down two trees growing thereon, with intent to remove and appropriate the same to his own use, contrary to law;

(2)

The Grand Jury of said County further charge that before the finding of this indictment Floyd Malone, alias Boss Malone, did willfully commit a trespass on the lands of Baldwin County Lands Association, a Corporation, by cutting down or carrying off two trees of the value of Five Dollars, with intent to convert same to his own use,

against the peace and dignity of the State of Alabama.

Ralph L. Jones
Solicitor of the Twenty-first Judicial Circuit.

R. S. DUCK
Register and Clerk Of The
Circuit Court, Baldwin County
Bay Minette, Ala.

Refused Charges

State vs. Floyd Malone

004
9-5
041
-52
85

Book
RECORDED
Ind-265

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

April Term, 1937

The State
VS.

Floyd Malone

INDICTMENT

Trespass by Cutting Timber
NO PROSECUTOR.

WITNESSES:

A. B. McPhaul

O. W. Crosby

Braxton Lowe *

J. D. Cooper *

Herman Sidener *

GRAND JURY NO. *27*

A TRUE BILL.

J. A. Quinn
FOREMAN GRAND JURY.

Filed in open court and in the presence of the

Grand Jury on the *15* day of

April 1937

R. S. Decker Clerk.

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in
the presence of *17* other Grand Jurors.

R. S. Decker Clerk.

B

*We, the jury find the defendant guilty as
charged in the indictment and assess the fine
at \$25.00*

Preston Snowden
Herman

CLARK

HEAD

ACCOUNT

AMOUNT PAID

100

100

100

AMOUNT PAID

AMOUNT PAID

AMOUNT PAID

138.15

2.1

140.25

AMOUNT PAID

AMOUNT PAID

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AMOUNT PAID

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

ATTORNEYS	CASE	CHARGE	
No. 115	THE STATE OF ALABAMA vs. Lloyd Malone	Trespassing by Removing Timber from Land belonging to another.	
DISPOSITION OF CASE		FEE'S	AMOUNT
1/21/37	Affidavit made and Warrant issued to Returnable 1/23/37 Witness—for State O.W. Crosby, A.B. McPhaul, J.D. Cooper, & Hermati Sidener. This case came up for hearing on Jan. 23rd 1937 2 o'clock P.M. The Defendant waived Preliminary to await the action of the next Grand Jury. & Demanding a Jury Trial. Bond was fixed at Two Hundred Dollars. Defendant not being prepared to immediately make Bond, was placed in Jail until Bond was made J.G. Gammon, J.P.	JUDGE'S FEES Warrant at 50c Affidavit at 25c Bond at 50c Sci Fa at 50c Witnesses' Recognizances at 25c Subpoena or notice at 25c Continuance at 25c Trial of Misdemeanor at \$1.00 Mittimus at 25c Judgment on Forfeited Bond at 50c 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 & guard at 10c Arrest 50c SHERIFF'S FEES Arrest \$2.00 Bond \$1.00 Sci Fa 50c Committing \$1.00 Releasing \$1 00 Subpoenas at 25c Days's Board at 30c WITNESSES FEES Days at 50c " 50c " 50c " 50c " 50c " 50c " 50c " 50c DEFENDANT'S COSTS Witnesses' Recognizance at 25c Subpoenas at 25c Executing Subpoenas	75 25 25 25 75 25 1.50 5 6.50

ORIGINAL--STATE SUBPOENA

MOORE PRINTING COMPANY BAY MINETTE, ALA.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 225 Term, Spring 1939

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon A. B. McPhaul, D. W. Crocker,

Braxton Lane, J. D. Cooper, Herman Sidenes, Aden Mitchell,

Bob Foster

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 26 day of April 1939, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and _____

Flayd Malone Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 21 day of March A.D., 1939.

R. S. DUCK, Clerk.

Received in office 3-28 1939

Executed this _____ 193_____

By _____

Braxton Lowe 3-25

A. B. McPhaul 4-7-39

O W Crosby 4-7-39

Herman Sidner 4-7-39

Aden Mitchell 4-7-39

Bob Foster 4-7-39

*COPIES
2-5-40*

W. R. Stuart

(Signature)

Sheriff.

ORIGINAL

For _____

No. 225 Page _____

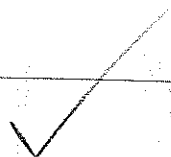
THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

THE STATE

vs.

Lloyd Malone



STATE SUBPOENA

Issued this 21 day of

March 1939

R. S. Duck

Clerk.

Received in office _____ 193

Executed this 4-4- 193 7

By _____

ORIGINAL

For _____

No. 225 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE

vs.

Flayd W. Jones

STATE SUBPOENA

Issued this 26

April 193 7

Res. D. C.

Sheriff.

ORIGINAL--STATE SUBPOENA.

MOORE PRINTING CO., DAY MINETTE, ALA.

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

Case No. 221 Term, _____ 1937

To Any Sheriff of the State of Alabama:

You Are Hereby Commanded to Summon

A. B. McPhaul
Louie J. D. Cooper
Adrian Mitchell
Rat Loulin

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 29 day of April, 1937, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Flayd Malone

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 26 day of April, A.D., 1937.

R. D. Lee
Clerk

193
ed in office 193
ed this 193

read in full
except
for - out of State
D. Cooper - out of State

W. J. King
Sheriff.

Robert M. ...

ORIGINAL

For _____
No. 225 Page (66)

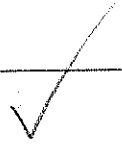
THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

THE STATE

vs.

Floyd Malone



STATE SUBPOENA

Issued this 1st day of

September 1938

R. S. DUCK

clerk - register

Clerk.

By Wm. Alice Thompson
Deputy

ORIGINAL---STATE SUBPOENA

THE STATE OF ALABAMA, }
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 225Term, Fall 1938

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

A. B. McPhaulW. Crosby - Braxton Lowe - J. D. Cooper -Herman Sidener - Aden MitchellBob Fosterpersonally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 22nd day of Sept 1938, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Lloyd Malone Defendant, and have you then and

there this Writ, with your endorsement thereon,

Witness my hand this 12th day of Sept A.D., 1938.

R. S. DUCK, Clerk.

By: Nan Alice Thompson

ORIGINAL...STATE SUBPOENA

CIRCUIT COURT

THE STATE OF ALABAMA, {
Baldwin County.

SUB. No. _____

Case No. 225Term, FALL1937

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

A. B. McPAUL, D. W. CROSEY, BRAXTONLOWE, J. D. COOPER, HERMAN SIDENER, ADER MITCHELL ANDBOB FOSTER *no*

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 29th day of September 1937, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and _____ Defendant, and have you then and

FLOYD MALONE

there this Writ, with your endorsement thereon.

R. S. Duck
 R. S. DUCK, Clerk.
Witness my hand this 2nd day of September A.D., 1937.

Received in office _____ 193

Executed this _____ 193

By _____

*Served on all
except
J. Cooper and
Bob Smith*

ORIGINAL

For _____

No. 225 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

THE STATE
vs.

FLOYD MALONE

STATE SUBPOENA

Issued this 2nd

September 193 7

R. S. DUICK

Sheriff.

Robert Smith N.W. J

THE STATE OF ALABAMA, {
Baldwin County.

CIRCUIT COURT

Case No. 225 Term, Full 193 8

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

J. D. Cooper out of State

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 27th day of Sept. 193 8, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and

Floyd Malone Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 1st day of Sept. A.D., 193 8.

R. S. DUCK, Clerk.

By: Han Alice Thompson
Deputy

THE STATE OF ALABAMA, {
Baldwin County.

CIRCUIT COURT

Case No. 225 Term, Fall 1938

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

Bob Foster out of State

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 27th day of Sept. 1938, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and

Henry Malone Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 1st day of Sept. A.D., 1938.

R. S. DUCK, Clerk.

By: Nan Alice Thompson
Deputy

THE STATE OF ALABAMA, {
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 210 Term, Fall 193 7

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

Out of State

J. D. Cooper

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 29 day of September 193 7, at 8:30 a m , and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Floyd Malone

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 2 day of Sept A.D., 193 7.

R. S. Duck
R. S. DUCK, Clerk.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

SUB. No. _____

Case No. 225 Term, Fall 193 7

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

Out of State

Bob Foster

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 29 day of September 193 7, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Floyd Malone

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 2 day of Sept. A.D., 193 7.

R. S. Duck
R. S. DUCK, Clerk.

THE STATE OF ALABAMA, {
Baldwin County.

CIRCUIT COURT

Case No. 225 Term, Spring 193 9

To Any Sheriff of the State of Alabama :

You are Hereby Commanded to Summon

J. D. Cooper
out of State

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 26 day of April 193 9, at 8:30 a. m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State of Alabama is Plaintiff and Floyd Malone

Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 21 day of March A.D., 193 9.

R. S. DUCK, Clerk.

By: Rudice Thompson
Deputy