

1708

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court, FALL Session, 1953

The Grand Jury of said County charge that before finding this indictment Daniel Cooley, whose name is to the Grand Jury otherwise unknown, feloniously took and carried away one skill saw of the value of one hundred and twenty-five dollars (\$125.00), the personal property of James W. Roundtree,

No. of this Grand Jury 1708 1953	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree	Name of Grand Juror Daniel Cooley James W. Roundtree
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against the peace and dignity of the State of Alabama.

Kenneth Cooper
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

FALL SESSION Term 1953

THE STATE

Vs.

DANIEL COOLEY

INDICTMENT

GRAND LARCENY

No. Prosecutor.

WITNESSES:

James W. Roundtree

H.F. Hall

GRAND JURY NO. 26

A TRUE BILL

Clyde H. Gitt

Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the *16th* day of
September, 1953.

Arice J. ... Clerk.

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in

the presence of *17* other Grand Jurors.

Arice J. ... Clerk.

Bail fixed \$ *500*
M. ... Judge.

*After the jury found
the Defendant Not
Guilty as charged.
A.G. Cook*

CAPIAS

THE STATE OF ALABAMA, } To Any Sheriff of the State of Alabama:
Baldwin County

An indictment having been found against

Daniel Cooley

at the Fall Term, 1953, of the Circuit Court of Baldwin County, for the offense of

Grand Larceny

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 according to law.

Dated this 17th day of September, 1953

Henry J. Henshaw
Clerk 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 the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____

- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)
- _____ (L. S.)

Taken and approved _____ day of _____, 19_____

Sheriff of Baldwin County.

Whistler
1 Kings Ave
Ph 39741

CAPIAS

No. 26

THE STATE

vs.

DANIEL COOLEY

Bail Fixed in This Case in Open Court at

\$ 500.00

By H. M. Hall
Judge Presiding.

Attest: Alice J. Duck
Clerk.

Executed this 19 day of Sept, 1953

By arresting the within
named Defendant

and placing him in Jail

Jacob Wickham, Sheriff

J. M. Taylor, Deputy Sheriff

1708
Appearance Bond

Printed by Moore Printing Co.

The State of Alabama, {
Baldwin County

We, Daniel Cooley, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Five Hundred \$ 500 00 DOLLARS
unless the said Daniel Cooley appears at the
Fall Term, 1953 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

Grand Juror
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 constitu-
tion 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 _____, 195_____

_____ Baldwin County, Ala.

Taken and approved this the 19 day of Sept. 1953

Daniel Cooley L. S.

BROADUS, PIERCE & DICKERSON
BONDING COMPANY L. S.

By: Harold Ruge L. S.

Taylor McKinis, Sheriff

By J. P. Taylor, Deputy Sheriff

No. _____

The State of Alabama,
Baldwin County.

Court

Sheriff's Office

THE STATE

VS.

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed _____, 195

_____, Clerk

1708
Appearance Bond

Printed by Moore Printing Co.

The State of Alabama, }
Baldwin County }

We, Daniel Cooley, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
Five Hundred 500⁰⁰ DOLLARS
unless the said Daniel Cooley appears at the
Next Term, 1953 of the Grand Jury Court of Baldwin County, Alabama
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Grand Larceny

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 _____, 195_____

_____ Baldwin County, Ala.

Daniel Cooley L. S.
BROADUS, PIERCE & DICKERSON
BONDING COMPANY L. S.
~~By Harold Hayes L. S.~~
_____ L. S.

Taken and approved this the 23 day of March, 1953

Jay Lee Wilkins, Sheriff
By J. P. [Signature], Deputy Sheriff

No.-----

The State of Alabama,
Baldwin County.

_____ Court

Sheriff's Office

THE STATE

vs.

Sheriff's Appearance Bond

Amount of Bond, \$-----

Filed-----, 195-----

-----, Clerk

1708

5. The Court charges the jury that the jury must believe beyond a reasonable doubt, that the Defendant got the skill saw into his hands or actual possession before they convict him of larceny.

*Doni
1/27/68
JMS*

*Swi
1/1/1911*

1. The Court charges the jury that every man comes into the Court presumed to be innocent and that the State must prove beyond a reasonable doubt that the Defendant is guilty of the crime for which he is charged.

1708

Gwin
Mustall

2. The Court charges the jury that it is the burden of the State to prove beyond a reasonable doubt that the Defendant is guilty of the crime for which he is charged.

1708

*Smith
10/11/1944*

3. The Court charges the jury that if there is a reasonable doubt in a jurors mind as to the innocence of the Defendant then the Defendant cannot be found guilty of the crime for which he is charged.

1708

*Sovi
Murder*

4. The Court charges the jury that if any witness testifying has been impeached, then the jury may disregard the entire testimony of such witness, unless it be corroborated by other testimony not so impeached, and if after weighing all the testimony, and according to each part of it such weight as it is entitled, you are not convinced beyond all reasonable doubt that the Defendant ~~was~~ present at the time of the alleged larceny, then you should find the Defendant not guilty.

1708

STATE OF ALABAMA }
Baldwin County

Case No. 41394 No. 4186

The State of Alabama
vs.

In the Justice Court of
Baldwin County, Alabama

Before me, J. H. [Signature], Clerk of the Justice Court of
Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, in the above mentioned court, in
executing the warrant of arrest or in arresting the said defendant, I or one of my duly authorized deputies,
traveled 60 miles by the most direct route to the point of arrest and return, and I am entitled to
mileage at ten cents per mile to be taxed as costs in the case.

Point of arrest North Baldwin County Sheriff Taylor Wilkins

Subscribed and sworn to before me this 21 day of Mar 1953

Disposition warrant Grand Jury [Signature] Clerk of Court

After considering the above affidavit made by the Sheriff of Baldwin County, Alabama, I, as the trial
Judge of said court, do hereby approve the claim for mileage in the sum of \$ 6.00 incurred in the
making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the
clerk of the court to tax the said sum as part of the costs in said case.

This the 21 day of Mar 1953 [Signature]
Judge of the above named court

AFFIDAVIT

1708

Printed by Moore Printing Co.

State Of Alabama, }
Baldwin County. }

In the Justice Court of T. C. HAND

Before me, T. C. HAND, Justice of the Peace

in and for said County, personally appeared H. F. Hall, 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 6 March 1953, that one Daniel Cooley
feloniously took and carried away one
skil saw, the personal property of James W.
Rountree, valued at \$125.00

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 11

day of March, A. D., 1953

T. C. Hand, J. P.

H. F. Hall

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

Daniel Cooley

and bring him

before me

to answer the State of Alabama on a charge

Grand Larceny

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

Witness my hand this 11 day of March, 1953

T. C. Hand, J. P.

No. _____ Page _____

The State of Alabama,
Baldwin County

Justice Court of
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
VS.

David Cooley

Witnesses for the State:

James W. Roundtree
P. F. Hall

Justice Court of
Baldwin County

WARRANT OF ARREST

THE STATE OF ALABAMA,
VS.

David Cooley

Executed this 7th day of March 1953

By arresting the within

named Defendant

and placing him *in jail*

Taylor Wilkerson, Sheriff

P. F. Hall, Deputy Sheriff

Moore Co.

STATE OF ALABAMA
Plaintiff
VS.
DANIEL COOLEY,
Defendant

↓
↓
↓
↓
↓

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA
CRIMINAL DIVISION
NO. _____

Comes now the Defendant in the above styled
cause and hereby demands a trial by jury.

M. G. Marshall
Attorney for the Defendant

SEP 25 1953
MAIL ROOM, CIVIL

FILED

SEP 25 1953
MAIL ROOM, CIVIL

SEP 25 1953
MAIL ROOM, CIVIL

7

4394 ¹⁷⁰⁸
The State of Alabama, }
Baldwin County.

Justice Court of T. C. HAND
Precinct 4, Bay Minette, Ala.

To Any Sheriff of the State of Alabama:
You are hereby Commanded to Summon James W. Roundtree
H. F. Hall

personally to be and appear before the Justice Court, to be holden for Baldwin County, at my office on the
14 day of Mar 9 AM, 1953, 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

Daniel Cooley
Defendant, and have you then and

there this Writ, with your endorsement thereon
Witness my hand this 11 day of Mar.

T. C. Hand
Justice of the Peace, Precinct No. 4

Executed in full, this the

12 day of

March, 1953

Taylor Wilkins

Sheriff

J. H. Hall

Deputy Sheriff

State vs. Daniel O'Neal

JURY LIST

Fall Term, September 28th, 1953

NO. NAME OCCUPATION ADDRESS

- ~~1 Otto Moore, farmer, Fairhope~~
- 2 J. T. Morgan, farmer, Robertsdale
- ~~3 Chas. O. Bill, Standard Oil Co., Robertsdale~~
- ~~4 Willie Amos, clerk, Robertsdale~~
- ~~5 Richard Doering, automobile dealer, Foley~~
- 6 C. C. Cook, Clerk of Ch. C., Foley
- ~~7 J. M. Ponder, merchant, Fairhope~~
- ~~8 Fred Ingersoll, dairy, Fairhope~~
- ~~9 Jerry Volerucky, farmer, Robertsdale~~
- ~~10 Virgil V. Rhodes, Jr., dairyman, Bay Minette~~
- ~~11 Jesse Owen Stimpson, Jr., carpenter, Fairhope~~
- ~~12 A. C. Bryant, electrician, Bay Minette~~
- 13 Herron Steadham, merchant, Foley
- ~~14 Claude Cooper, farmer, Rosinton~~
- 15 John Crawford, inn keeper, Gulf Shores
- ~~16 Alex Trione, dry cleaner, Daphne~~
- ~~17 M. C. Cooper, carpenter, Robertsdale~~
- ~~18 A. Dewey Jackson, farmer, Lottis~~
- ~~19 Roy Mikkelson, farmer, Summerdale~~
- ~~20 Walter Jersild, quick freeze, Foley~~
- ~~21 Ernest H. Holmes, parts man, Bay Minette~~
- 22 Melton Moss, auto dealer, Foley
- 23 John L. Herron, auto sales, Bay Minette
- ~~24 Ellis Steadham, navy yard, Foley~~
- 25 James A. Thomas, railroad, Foley
- ~~26 Joe Pittman, defense, Gateswood~~
- ~~27 Ross Demis, fisherman, Bon Secour~~
- ~~28 Miley Thames, farmer, Robertsdale~~
- ~~29 John Young, radio, Bay Minette~~
- ~~30 Harold Stuart, presser, Bay Minette~~
- ~~31 George Dophilippi, farmer, Daphne~~
- 32 C. W. Moses, salesman, Robertsdale
- ~~33 Ralph Gantt, farmer, Little River~~
- ~~34 Henry Crawford, merchant, Fairhope~~
- 35 Robert Thompson, clerk, Foley
- ~~36 Joe Heidelberg, Jr., farmer, Silverhill~~
- ~~37 Ed Overton, Colonial Inn, Fairhope~~
- ~~38 Joe Affegri, hardware, Belforest~~
- ~~39 Leo A. Kuffski, fisherman, Bon Secour~~
- ~~40 William Nath, farmer, Bon Secour~~
- ~~41 Travis Barner, farmer, Elsanor~~
- ~~42 Stanley Langer, machinist, Robertsdale~~
- ~~43 Melvin M. Woodard, mechanic, Foley~~
- ~~44 Duncan J. Beech, farmer, Foley~~
- 45 G. E. Lipscomb, farmer, Foley
- ~~46 James Campbell, farmer, Rosinton~~
- ~~47 Albert Flowers, farmer, Bon Secour~~
- ~~48 Marvin Stanton, farmer, Rosinton~~
- ~~49 R. F. Long, farmer, Foley~~
- 50 John Norris, Jr., farmer, Foley
- ~~51 Deval Laurent, laborer, Foley~~
- ~~52 Alvin A. Irwin, farmer, Gateswood~~
- ~~53 Clarence Moore, farmer, Fairhope~~
- ~~54 Percy Pollard, salesman, Robertsdale~~
- 55 Joseph Dusek, Jr., defense, Lillian
- ~~56 James S. Minchew, laborer, Robertsdale~~

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43
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Manville

Aradon

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. <i>4394</i>	vs. <i>Samuel Cooley</i>	<i>Grand Larceny.</i>

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to <i>H. F. Hall</i>	Judge's Fees	
	Returnable <i>Grand Jury</i>	Warrant at 50c, Affidavit at 25c	<i>75</i>
	Witness—for State <i>James W. Roundtree</i>	Bond at 50c, Sci Fa. at 50c	
	<i>H. F. Hall.</i>	Witnesses' Recognizances at 25c	
		Subpoenas or notice at 25c	<i>50</i>
		Continuance at 25c	<i>25</i>
		Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	<i>25</i>
		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	
		Sheriff's Fees	
		Arrest \$4.00, Bond \$1.00, Sci Fa. 50c	<i>5.00</i>
		Guard \$2.00, Finger Printing 10c	<i>2.10</i>
		Subpoenas at 50c, Mileage <i>60</i>	<i>7.00</i>
		Witness Fees <i>recommended to jury</i>	<i>2.00</i>
		Days at 50c	
		Days at 50c	<i>50</i>
		Days at 50c	<i>50</i>
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	

14 Mar 53
21 Mar 53

Case Continued to 21 Mar 53
ref. requested hearing be waived
to Grand Jury.

Bond was set at \$500.00
ref. being unable to make bond
was ordered committed to jail

ref. posted bond.

O. S. Land

23 Mar 53

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