

THE STATE OF ALABAMA

Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 171-A Term, Spring, 1940, 193

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Comanded to Summon Frank Leutner (Summerdale) John O. Black (Silverhill) Joe Swoboda (Silverhill) Armel Ard (Summerdale) Charlie Ard (Summerdale) Jim Toler (Robertsdale)

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 23rd day of April, 1940, 193, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Toler

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

Witness my hand this 22 day of March, 1940 A. D., 193

R. S. DUCK, Clerk.

Received in office MAR 25 1940, 193

Executed this \_\_\_\_\_, 193

By \_\_\_\_\_

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Sheriff.

ORIGINAL

For \_\_\_\_\_

No. 171-A. Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE  
Vs.

A. C. TOLER

STATE SUBPOENA

Issued this 22 day of

March, 1940, 193

Clerk.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

We, Dana Ard, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of

Five Hundred DOLLARS

unless the said Dana Ard appear at the

Fall Term, 1939 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 Perjury

We hereby waive as to all amount 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 and exemption to the amount of the above bond.

Dana Ard (Seal)

Lena Hail (Seal)

W. J. Langer (Seal)

W. J. Langer (Seal)

Taken and approved this the 16<sup>th</sup> day of May 1939

W. R. Stewart Sheriff

By \_\_\_\_\_ Deputy Sheriff.

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

**THE STATE OF ALABAMA,  
BALDWIN COUNTY**

*Circuit* Court

**SHERIFF'S OFFICE**

**THE STATE**

vs.

*Jana Ard*

**Sheriff's Appearance Bond**

Amount of Bond, \$ \_\_\_\_\_

Filed \_\_\_\_\_ 193\_\_\_\_\_

\_\_\_\_\_  
Clerk.

Moore Printing Co.

THE STATE OF ALABAMA }  
Baldwin County. }

CIRCUIT COURT

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Jim Zales

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 23 day of April, 1940, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Zales

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

Witness my hand this 22 day of March A. D., 1940

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County. }

CIRCUIT COURT

Case No. 171- Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Charlie Ard

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 23 day of April - 1940, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Zales

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

Witness my hand this 22 day of March A. D., 1940

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County. }

CIRCUIT COURT

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon

Arnold Ard

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 23 day of April, 1940, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Zales

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

Witness my hand this 22 day of March A. D., 1940

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon Frank Lentine

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 23 day of April, 1940, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Joler

there this Writ, with your endorsement thereon.

Witness my hand this 22 day of March A. D., 1940

Defendant, and have you then and

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon John O. Black

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, 1940, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Joler

there this Writ, with your endorsement thereon.

Witness my hand this 22 day of March A. D., 1940

Defendant, and have you then and

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon Jac Sunoboda

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 23 day of April, 1940, 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 DEFENDANT in a prosecution now pending in said Court, where- in the State of Alabama is Plaintiff and A. C. Joler

there this Writ, with your endorsement thereon.

Witness my hand this 22 day of March A. D., 1940

Defendant, and have you then and

R. S. DUCK, Clerk.

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# COURT CALENDAR

## BALDWIN COUNTY CIRCUIT COURT

### SECOND WEEK

## CRIMINAL JURY CASES

### Spring Term, 1938---Bay Minette, Ala.

#### CRIMINAL CASES SET FOR MONDAY, APRIL 25, 1938

278	State vs. John Benjamin. Assault with weapon.
267	State vs. Wilmer Shirey. Grand Larceny.
264	State vs. Dan Hadley and William Register. (Grand Larceny).
254	State vs. W. R. Nelson. Reckless Driving.
253	State vs. Herbert Weeks, et al. (Forfeiture).
242	State vs. John Arnette. (Petit Larceny)
216	State vs. Claude Yancy. (Public Drunkenness)
215	State vs. Sam White, Jr. Driving without license
214	State vs. Sam White, Jr. Driving without License
186	State vs. J. F. Byrd. (Malicious Injury to Animal)
187	State vs. J. F. Byrd. (Malicious Injury to Animal)
207	State vs. Oscar Daniels and Eugene Daniels. Assault with intent to murder
176	State vs. Earl Martin et al. (Forfeiture).
175	State vs. Walter Ard. Burglary, 2nd Degree
59	State vs. Jack Lambert. Grand Larceny
73	State vs. Marvin Jackson. Arson
98	State vs. Lamar Eubanks. (Assault to Murder).
126	State vs. Hilary Coleman and Lawrence Walker. (Petit Larceny).
145	State vs. Charlie Burkel. (V. P. L.)
270	State vs. Jesse Clyde Richberg. (Grand Larceny)
271	State vs. Jesse Clyde Richberg. (Petit Larceny)
236	State vs. Bles Bonehead. Reckless Driving.
181	State vs. Simon Hadley. Assault.
180	State vs. Simon Hadley. Assault and Battery
179	State vs. Ernest Rockard. Drawing Dangerous Weapon
278	State vs. Ernest Rockard. Assault with Weapon
147	State vs. A. B. McDill. (V.P.L.)
125	State vs. Frederick Baldwin. Burglary
58	State vs. James Bailey. Grand Larceny.
114	State vs. E. Fuelner Stuart. (Public Drunkenness)
210	State vs. Otis Phillips. Cutting and Removing Timber.
229	State vs. Elbert J. Ray. Grand Larceny.
232	State vs. James Denton Arrington. Grand Larceny
307	State vs. Leslie Bryars. (Petit Larceny)
308	State vs. Elmore Bryars. Petit Larceny.

#### CRIMINAL CASES SET FOR WEDNESDAY, APRIL 27, 1938

555	State vs. Robert Pierce. (Assault to Murder)
36	State vs. Esham Porter. Murder, 1st degree.
205	State vs. Esham Porter. Murder, 2nd degree.

- 51 State vs. Homer Cook. (V. P. L.)
- 71 State vs. A. C. Toler and Dana Ard. Grand Larceny.
- 12 State vs. Robert Powell. Emigrant Agent.
- 13 State vs. W. V. Phillips. Injury to animal.
- 18 State vs. Sam Dale. Murder, 2nd degree.
- 25 State vs. Floyd Malone. Trespass and Cutting Timber.
- 26 State vs. Roosevelt Johnson. Injury to building.
- 33 State vs. Hilbert Milstead, Howard Patterson and Elbert Agerton. Grand Larceny.
- 44 State vs. Pat Brock. Emigrant Agent.
- 45 State vs. Rufus Gibson. Reckless driving.
- 48 State vs. Robert Nims. Injury to animal.
- 47 State vs. Robert Nims. Injury to animal.
- 51 State vs. James Crabtree. Abusive language.
- 52 State vs. O. W. Daw. Malicious injury to property.
- 58 State vs. T. L. Pyron. Driving with improper trip ticket.
- 56 State vs. Brooks Schram and J. C. Heaton. Burglary, 2nd degree.

CRIMINAL CASES SET FOR THURSDAY, APRIL 28, 1938

- 58 State vs. John Moorer. (Petit Larceny)
- 73 State vs. Joe Cook and Homer Cook. A. & B.
- 77 State vs. Audrey Moorer. Grand larceny.
- 30 State vs. E. J. Vontier. Violating order of A. P. S. C.
- 31 State vs. E. J. Vontier. Violating order of A. P. S. C.
- 32 State vs. Jack Huggins. Petit larceny.
- 83 State vs. W. F. Bush. Injury to animal.
- 94 State vs. Hampton Bush. Injury to animal.
- 35 State vs. Sid Meaker. Trespass after warning.
- 36 State vs. Reuben Ewing. Trespass after warning.
- 57 State vs. C. W. Hurst. Violating game and fish law.
- 38 State vs. Roy Sandbrook. Driving without lights.
- 39 State vs. J. E. McMillan. Violating game law.
- 40 State vs. Melvin C. Lee. Affray.
- 41 State vs. Earl Johnson. Affray.

CRIMINAL CASES SET FOR FRIDAY, APRIL 29, 1938

- 92 State vs. L. G. Crosby. Driving without license.
- 93 State vs. M. Itzkoff. Dealing in furs without license.
- 94 State vs. Ada Robertson. Injury to animal.
- 95 State vs. Frank Cole. Assault and battery.
- 96 State vs. William Haupt. Violating game law.
- 97 State vs. J. Roy Smith. Violating game law.
- 98 State vs. Gordon Smith. Violating game law.
- 99 State vs. Marie Martin. Vagrancy.
- 100 State vs. Dan Hadley. (V.P.L.)
- 11 State vs. Hoil Hadley. Assault with weapon.
- 12 State vs. Bill Roland. Using automobile without consent of owner
- 13 State vs. Clayton Whigham. Violating Order A. P. S. C.
- 14 State vs. Charlie Turnbull. Violating Order A. P. S. C.
- 15 State vs. John Page. (V. P. L.)
- 16 State vs. J. A. Sims. Injury to animal.



Major Smith  
Night Watchman  
First Nat Bank  
on a hill  
Hess House  
Hess

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_  
Case No. 171-A Term, Spring, 1940, 193

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon T. J. Hand, Edward Hand (Mobile)

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 23rd day of April, 1940, 193—, 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 A. C. Toler

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

Witness my hand this 22 day of March, 1940 D., 193— R. S. DUCK, Clerk.

Mobile County

*no other address*

ORIGINAL

Received in office MAR 25 1940, 193

Executed this \_\_\_\_\_, 193

By \_\_\_\_\_

For \_\_\_\_\_

No. 171-A Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE

Vs.

A. C. TOLER

STATE SUBPOENA

Issued this 22 day of

March, 1940, 193

Sheriff.

Clerk.

*Returned  
April 24<sup>th</sup>  
1940  
Not served  
W. B. Stewart  
By M. B. H. D. S.*

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_  
Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon W. R. Dumbarton

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 22 day of April, 1940, 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 O. C. Jelen

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

Witness my hand this 22 day of March A. D., 1940. R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_  
Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon L. J. Hand

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 23 day of April - 1940, 193\_\_, 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 O. C. Jelen

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

Witness my hand this 22 day of March A. D., 1940. R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_  
Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon Edward Hand

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 23 day of April, 1940, 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 O. C. Jelen

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

Witness my hand this 22 day of March A. D., 1940. R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 171-A Term, Spring 1940, 1934

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon \_\_\_\_\_

John Ward

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 23 day of April, 1940, 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 A.C. John

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

Witness my hand this 22 day of March A. D., 1940

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon \_\_\_\_\_

Ed Davis

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 23 day of April, 1940, 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 A.C. John

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

Witness my hand this 22 day of March A. D., 1940

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County.

CIRCUIT COURT

SUB. No. \_\_\_\_\_

Case No. 171-A Term, Spring, 1940

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon \_\_\_\_\_

Charles Sehee

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 22 day of April, 1940, 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 A.C. John

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

Witness my hand this 22 day of March A. D., 1940

R. S. DUCK, Clerk.

THE STATE OF ALABAMA }  
Baldwin County. }

CIRCUIT COURT

SUB. No. \_\_\_\_\_  
Case No. 171-A. Term, Spring, 1940, 193\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Comanded to Summon W. R. Duckworth (Robertsdale), Charles  
Subee, Ed Davis, John Ware

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 23rd day of April, 1940, 193\_\_, 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 A. C. Toler

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

Witness my hand this 22 day of March, 1940 A. D., 193\_\_ R. S. DUCK, Clerk.

Received in office MAR 25 1940, 193—  
Executed this \_\_\_\_\_, 193—  
By 4

*Returned*  
*April 7 4/1940*  
*Not served*  
*WR Stewart*  
*By M B A D S.*

Baldwin County

ORIGINAL

For 171-A  
No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court

THE STATE  
Vs.

A. C. TOLER

STATE SUBPOENA

Issued this 22 day of  
March, 1940, 193—

Sheriff.

Clerk.