

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,

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

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 3

THE STATE

Vs.

DANIEL COOLEY

INDICTMENT

GRAND LARCENY

No. Prosecutor.

WITNESSES:

James W. Roundtree

H.F. Hall

GRAND JURY NO. 26

A TRUE BILL

Oliver H. Gittel

Foreman Grand Jury.

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

W. 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.

W. J. ... Clerk.

Bail fixed \$ *500*

M. ... Judge.

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

1708
CAPIAS

Moore Printing Co.

THE STATE OF ALABAMA,
Baldwin County

To Any Sheriff of the State of Alabama:

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

Barney J. Hensck
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.

Whittier
1 Kings Ave
Pk 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

Taylor Weisbur, Sheriff

J. M. Taylor, Deputy Sheriff

RECEIVED
CLERK OF SUPERIOR COURT
COUNTY OF LOS ANGELES
SEP 23 1953

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 Magist 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 Jurors

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 FIERCE & DICKERSON L. S.
BONDING COMPANY L. S.
By: Harold Keys L. S.

Taken and approved this the 19 day of Sept. 1953

James M. Hopkins, Sheriff
By W. B. Taylor, Deputy Sheriff

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, PERCE & DICKERSON
BONDING COMPANY L. S.
Paul R. [Signature] L. S.
_____ L. S.

Taken and approved this the 23 day of March, 1953

Wm. B. [Signature], Sheriff
By [Signature], Deputy Sheriff

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
1/17/68
Jury*

Gwin
10/11/1944

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.

*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.

*Wm
10 Mistall*

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.

*Save
1/11/72*

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

Daniel Colby

Before me, *J. C. Ward*, 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 *Mobile to home of Taylor Wilkins* Sheriff

Subscribed and sworn to before me this 23 day of Mar 1953

Disposition *warrant Grand Jury* *O. L. Luce* 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

O. L. Luce
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
skill 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

D. 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

D. Hand, J. P.

No. _____

Page _____

The State of Alabama,
Baldwin County

Justice Court of
T. C. HAND

AFFIDAVIT

THE STATE OF ALABAMA,
VS.

Daniel Cooley

Witnesses for the State:

James W. Roadtree ✓
H. F. Hall ✓

Justice Court of
Baldwin County

WARRANT OF ARREST

THE STATE OF ALABAMA,
VS.

Daniel Cooley

Executed this *7-2* day of *March* 19*50*

By arresting the within

named Defendant

and placing him *in jail*

Taylor Wilburn, Sheriff
H. F. Hall, Deputy Sheriff
Mobile Co.

STATE OF ALABAMA	¶	IN THE CIRCUIT COURT
Plaintiff	¶	OF BALDWIN COUNTY,
VS.	¶	ALABAMA
DANIEL COOLEY,	¶	CRIMINAL DIVISION
Defendant	¶	NO. _____

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

M. C. Marshall
Attorney for the Defendant

FILED

SEP 25 1953

ALICE J. DUCK, Clerk

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

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

Jay W. Walker

Sheriff

W. A. Wall

Deputy Sheriff

Notary Public for the State of Missouri
My Comm. Expires on 11/1/53

State vs. Janet Caskey

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 Volorucky	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	Lottie
19	Roy Mikkelsen	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 Bennis	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 Cantt	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 Allegri	hardware	Belforest
39	Leo A. Kuffski	fisherman	Bon Secour
40	William Nall	farmer	Bon Secour
41	Francis 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

13
 43
 12
 31
 32 11

S XXXX XXXX

D H H H H H H H H H H H H H H H H

1708

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

Attorneys	Case	Charge
	THE STATE OF ALABAMA,	
No. 4394	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	75
	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	50
		Continuance at 25c	25
		Trial of Misdemeanor at \$1.00	
		Mittimus at 25c	25
		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	5.00
		Guard \$2.00, Finger Printing 10c	2.10
		Subpoenas at 50c, Mileage <i>60</i>	7.00
		Witness Fees <i>rec. committed to jail</i>	2.00
		Days at 50c	
		Days at 50c	50
		Days at 50c	50
		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

23 Mar 53

ref. posted bond.

C. S. Taylor

1708