

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

THE TOWN OF FOLEY, a  
municipal corporation,

PLAINTIFF,

-vs-

RUDOLPH WEEKS,

DEFENDANT.

ON APPEAL FROM RECORDER'S COURT  
OF THE TOWN OF FOLEY, ALABAMA.

TRANSCRIPT

STATE OF ALABAMA )

BALDWIN COUNTY )

John Stark, Recorder of the Town of Foley, does hereby certify that at the times hereinafter stated, in the Recorders Court of the Town of Foley, Baldwin County, Alabama, the following proceedings were had and done:

1. June 28, 1933. Filed Affidavit for Warrant of John A. McCord, in the words and figures following, to-wit:

IN THE COURT OF THE RECORDER OF THE TOWN  
OF FOLEY, BALDWIN COUNTY, ALABAMA.

THE TOWN OF FOLEY, a  
municipal corporation,

Plaintiff,

-vs-

RUDOLPH WEEKS,

Defendant.

AFFIDAVIT FOR WARRANT.

STATE OF ALABAMA )

BALDWIN COUNTY )

Before me, John Stark, Recorder of the Town of Foley, a municipal corporation, of said county and state, personally appeared John McCord, who being duly sworn, says on oath that he has probable cause for believing and does believe that the offense of releasing cattle from the public pound of the Town of Foley, has been committed in said Town of Foley by Rudolph Weeks, on the 27th day of June 1933.

John A. McCord

Subscribed in my presence and sworn to before me, this  
28th day of June, 1933.

John Stark  
Recorder of the Town of Foley,  
Baldwin County, Alabama.

2. June 28, 1933. Issued Warrant in the words and figures following, to-wit: and delivered the same to John A. McCord, Town Marshall of the Town of Foley:

IN THE COURT OF THE RECORDER OF THE TOWN  
OF FOLEY, BALDWIN COUNTY, ALABAMA.

THE TOWN OF FOLEY, a  
municipal corporation,

Plaintiff,

-vs-

RUDOLPH WEEKS,

Defendant.

WARRANT

STATE OF ALABAMA)

BALDWIN COUNTY)

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are hereby commanded to arrest Rudolph Weeks and bring him before me at my office on the 30th day of June, 1933 next, at the hour of 9:00 A. M., to answer the State of Alabama and the Town of Foley of the charge of releasing cattle from the public pound of the Town of Foley, preferred by John McCord.

John Stark

Recorder of the Town of Foley,  
Baldwin County, Alabama.

3. Issued subpoenas for the following witnesses in behalf of the plaintiff: Rudolph Weeks, Foley, Alabama; W. C. Jetton, Foley, Alabama; John Thompson, Foley, Alabama and Rudolph Hesse, Foley, Alabama.

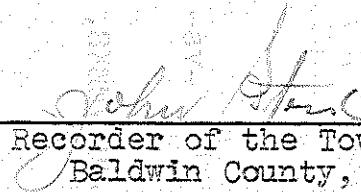
4. June 30, 1933. On this day came the defendant, and both sides being ready for trial the witnesses were duly sworn and examined, and upon determining the law and the evidence, the defendant was adjudged guilty under the defense charged and fined ten dollars (\$10.00) and costs and on default of the payment of the fine was sentenced to the municipal jail of the Town of Foley for twenty days.

5. June 30, 1933. Comes the defendant and prays an appeal to the next ensuing session of the Circuit Court, which is granted on his entering into bond with bond and sureties.

6. June 30, 1933. The defendant gave bond as required by law and appealed to the Circuit Court.

I, John Stark, do hereby certify that I am the duly appointed, qualified and acting Recorder of the Town of Foley, Baldwin County, Alabama; that the above and foregoing is a true, correct and complete transcript of all of the proceedings in the case of the Town of Foley vs Rudolph Weeks.

Dated at Foley, Alabama this 29th day of August, 1933.

  
Recorder of the Town of Foley,  
Baldwin County, Alabama.

**RECORDED**  
*12/17/33*

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

THE TOWN OF FOLEY, a  
municipal corporation,

PLAINTIFF,

-VS-

RUDOLPH WEEKS,

DEFENDANT.

TRANSCRIPT ON APPEAL FROM  
RECORDER'S COURT OF THE TOWN  
OF FOLEY, ALABAMA .

*Filed Aug 30, 1933*  
*M. A. Magney*  
*clerk*

Lloyd A. Magney  
Attorney at Law  
Foley, Alabama

LLOYD A. MAGNEY  
LAWYER  
FOLEY, ALABAMA

August 9th, 1934.

Mrs. Mary Alice Stone,  
Clerk of the Circuit Court,  
Bay Minette, Alabama,

Re: Town of Foley vs Rudolph Weeks. 7862

Dear Mrs. Stone:-

Will you please issue subpoenas  
in behalf of plaintiff for the following  
witnesses: Dr. John Stark, John Thompson,  
Rudolph Hesse and Russell Willis, and deliver  
them to the sheriff for service. Page 149

All of the witnesses live in  
Foley.

Very truly yours,

*Lloyd A. Magney*

LAM:PD.

Aug 10, 1937

W. H. ...

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FLOYD V. WAGNER

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LLOYD A. MAGNEY  
ATTORNEY AND COUNSELLOR AT LAW  
FOLEY, ALABAMA

August 29, 1953

Mrs. Mary Alice Stone,  
Clerk of the Circuit Court,  
Bay Minette, Alabama

Dear Mrs. Stone:

I enclose herewith transcript from the Recorder's Court of the Town of Foley in the Case of the Town of Foley vs Rudolph Weeks; also a complaint to be filed in this same case.

This is an appeal from a conviction against the defendant and should be docketed and handled by you as appeals on conviction in County Courts are handled.

Very Truly yours,

LAM:LP

*Lloyd A. Magney*

LLOYD A. MAGNEY  
ATTORNEY AND COUNSELLOR AT LAW  
FOLEY, ALABAMA

February 6, 1934

Mrs. M. A. Stone,  
Clerk of Circuit Court,  
Bay Minette, Alabama

Dear Mrs. Stone:

RE: Town of Foley vs. Weeks.

I enclose herewith the appeal bond in this case.  
Doctor Stark should have sent it with the transcript.

I take it that you will enter the usual conditional judgment of forfeiture against the sureties, in favor of the Town of Foley, and the proper notice of said conditional judgment as provided by sections 3388 and 3389 of the Code and that you will deliver the notices to the sheriff with instructions to serve the same upon the sureties.

The sureties are W. M. Stewart of Bay Minette and Jacob Lewis of Foley.

Very truly yours,



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 will be barred.

Gill Ptg. & Sta. Co., Mobile—Re-Order No. 720

THE STATE OF ALABAMA

BALDWIN COUNTY

S.D. Page No. ....

CIRCUIT COURT

Case No. *9862*

*August*

Term, 193*4*

To any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon

*X Mr. John Stark, + John  
Thompson, Rudolph Hesse, + Russell  
Willis*

*(Foley, Alabama)*

if to be found in your County, at the instance of the

*Plaintiff*

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

by *10* o'clock of the forenoon, on the *21* day of *August* 193*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 *The Town of Foley* Plaintiff

and *Rudolph Weeks* Defendant.

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

Given under my hand and seal, this *10* day of *August* 193*4*

..... Clerk.

Received in office this.....day of

.....193.....

Sheriff.

I have executed this writ

*by Deputy*

*Copy on*

*De John Stark  
John Thompson  
Russell Williams*

*653/1115*

*M.R. Stark*  
Sheriff.

ORIGINAL

No. *9862*

Page *149*

THE STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

*The Town of Foley*

Plaintiff

VS.

*Russell Williams*

Defendant

CIVIL SUBPOENA

Issued this.....

*10*

.....day of

*August*

.....193.....

*J.W. Stone*

Clerk.

IN THE RECORDER'S COURT OF THE TOWN OF FOLEY,  
BALDWIN COUNTY, ALABAMA.

THE TOWN OF FOLEY, a  
municipal corporation,  
  
Plaintiff,  
  
-vs-  
  
RUDOLPH WEEKS,  
  
Defendant.

APPEAL BOND.

STATE OF ALABAMA    }  
BALDWIN COUNTY     }

KNOW ALL MEN BY THESE PRESENTS, that we, Rudolph Weeks, as principal, and the undersigned as sureties, do acknowledge ourselves indebted to the Town of Foley, a municipal corporation, and to John Stark, Recorder of the Town of Foley, and his successors in office, in the penal sum of Fifty (\$50.00) Dollars, to the payment of which, well and truly to be made, we bind ourselves.

Sealed with our seals and dated this the 30th day of June, 1933.

Now the condition of this obligation is that whereas the above bounden Rudolph Weeks, was convicted in the above entitled court, of the offense of releasing cattle from the public pound of the Town of Foley, and sentenced to pay a fine of \$10.00 and costs of court taxed at \$ 17.50, and whereas, the said Rudolph Weeks intends to appeal from such judgment and sentence to the Circuit Court of Baldwin County, Alabama;

Now if the said Rudolph Weeks shall appear before the aforesaid Circuit Court of Baldwin County, Alabama, until discharged by due course of law, then this obligation shall be null and void but otherwise to remain in full force and effect.

Rudolph Weeks (SEAL)

[Signature] (SEAL)

Jacob Lewis (SEAL)

Taken and approved this the  
30th day of June, 1933.

John Stark  
Recorder of the Town of Foley.

Civil Case  
No. 9862

THE TOWN OF FOLEY, a municipal  
corporation,

Plaintiff,

-VS-

RUDOLPH WEEKS,

Defendant.

APPEAL BOND

Filed Feb. 7<sup>th</sup> 1994  
W. D. Stone  
Clerk

Recorded in the town of Foley.

Approved by the town of Foley.

(257)

(257)

THIS BOND IS NOT VALID UNLESS IT IS SIGNED BY THE TOWN OF FOLEY.

THE TOWN OF FOLEY, a municipal corporation, is the plaintiff in the above entitled case.

THE TOWN OF FOLEY, a municipal corporation, is the plaintiff in the above entitled case.

RECORDED

RECORDED IN THE TOWN OF FOLEY.

THE TOWN OF FOLEY, a  
municipal corporation,  
PLAINTIFF,

-vs-

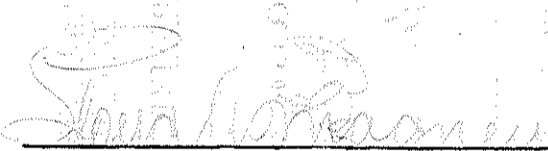
RUDOLPH WEEKS,  
DEFENDANT.

STATE OF ALABAMA )  
BALDWIN COUNTY )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
ON AN APPEAL FROM THE RECORDER'S  
COURT OF THE TOWN OF FOLEY.

COMPLAINT

The Town of Foley, a municipal corporation, in Baldwin County, Alabama, by its attorney, complains of Rudolph Weeks that he did, on or about the 27th day of June, 1933, within the police jurisdiction of the Town of Foley, release certain cattle from the public pound of the Town of Foley, contrary to the provisions of a valid, existing ordinance of the Town of Foley, duly adopted and ordained by the Town council of said Town prior to the commission of said act, prohibiting the releasing of any cattle or other animals which had been impounded therein, from the public pound of the Town of Foley, within the corporate limits and police jurisdiction of said Town.

  
Town Attorney of the Town of Foley,  
Baldwin County, Alabama.

RECORDED

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

THE TOWN OF FOLEY, a  
municipal corporation,

PLAINTIFF,

-VS-

RUDOLPH WEEKS,

DEFENDANT.

ON AN APPEAL FROM THE RECORD\*  
ER'S COURT OF THE TOWN OF  
FOLEY.

COMPLAINT

*Filed Aug 30, 1933  
m. a. Magney  
clerk*

Lloyd A. Magney  
Attorney at Law  
Foley, Alabama