

1454

INDICTMENT

THE STATE OF ALABAMA }  
Baldwin County.

Circuit Court, Spring Session, 1952

1. The Grand Jury of said County charge that before the finding of this indictment Frank Foley, whose name is to the Grand Jury otherwise unknown, did drive or move a vehicle on U. S. Highway 90, a public highway in Baldwin County, Alabama, which vehicle was equipped with low pressure or balloon tires and carried a wheel load in excess of nine thousand pounds, against the peace and dignity of the State of Alabama.
2. The Grand Jury of said County charge that before the finding of this indictment Frank Foley, whose name is to the Grand Jury otherwise unknown, did drive or move on U. S. Highway 90, a public highway in Baldwin County, Alabama, a vehicle equipped with low pressure or balloon tires carrying a rear axle load in excess of eighteen thousand pounds, against the peace and dignity of the State of Alabama.
3. The Grand Jury of said County charge that before the finding of this indictment Frank Foley, whose name is to the Grand Jury otherwise unknown, did drive on U. S. Highway 90, a public highway in Baldwin County, Alabama, a vehicle carrying an axle load in excess of eighteen thousand pounds.

against the peace and dignity of the State of Alabama.

WILLIAM R. LAUTEN  
Solicitor of the Twenty-Eighth Judicial Circuit.

RECORDED

No. ....

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

Spring Session, 19 52

THE STATE

Vs.

FRANK FOLEY

INDICTMENT

Overweight Truck

no Prosecutor.

WITNESSES:

Gene Curtis

E. E. Smith

C. E. Jarvis

J. H. Darby

R. O. Russell

GRAND JURY NO. 40

A TRUE BILL

W. R. Lapscomb  
Foreman Grand Jury.

Filed in open Court and in the presence of  
the Grand Jury on the 26th day of  
March, 1952.

Alice Henck, Clerk

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

the presence of 11 other Grand Jurors.

Alice Henck  
Clerk.

Bail fixed \$2000

J. Fairman  
Judge.

1454

AFFIDAVIT

Printed by Moore Ptg. Co.

The State of Alabama,  
Baldwin County

In the Justice Court of H. E. MILLS

Before me, H. E. MILLS, Justice of the Peace

in and for said County, personally appeared C.E. Smith 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 Jan 21 - 1952 that one Frank Foley  
did operate a truck that was  
overweight

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 21

day of Jan A. D., 1952  
H. Mills, J. P.

*[Signature]*

WARRANT

THE STATE OF ALABAMA,  
Baldwin County

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

Frank Foley  
and bring him

before me to answer the State of Alabama on a charge

overweight truck

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

Witness my hand this 21 day of Jan, 1952  
H. Mills, J. P.

Mittimus or Commitment

To the Jailer of Baldwin County:

THE STATE OF ALABAMA,  
Baldwin County.

On complaint of

charging

with the offense of

it appearing that such offense has been committed, and that there is sufficient cause to believe that

has been guilty thereof, you are  
therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this day of , 1952

Justice of the Peace.

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

State of Alabama,  
Baldwin County

Justice Court of  
H. E. MILLS

**AFFIDAVIT**

The State of Alabama,  
vs.

*Frank Foley*

Witnesses for the State:

*J. C. Whidden*  
*Gene Curtis*

Justice Court of  
BALDWIN COUNTY

**Warrant of Arrest**

THE STATE OF ALABAMA,  
vs.

*Frank Foley*

Executed this 21 day of Jan 1952

By arresting the within

named Defendant

and placing him

*under bond*

*P. E. Jones*, Sheriff

Deputy Sheriff

Criminal Docket \_\_\_\_\_

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

The State of Alabama,  
Baldwin County

Justice Court of  
H. E. MILLS

THE STATE OF ALABAMA,  
vs.

**MITTIMUS**

THE STATE OF ALABAMA,  
Baldwin County.

I, \_\_\_\_\_  
Justice of the Peace in and for said State and  
County, do and hereby certify that \_\_\_\_\_

the Defendant, is required to give bail in the sum  
of \$ \_\_\_\_\_ for his appearance at the  
195... Term of the \_\_\_\_\_

Court of \_\_\_\_\_ County, Ala.

Given under my hand this the \_\_\_\_\_  
day of \_\_\_\_\_, 195...

\_\_\_\_\_  
J. P.

1454

STATE OF ALABAMA

Baldwin County

Case No. 40-Capm No. 3395

The State of Alabama

In the County Court of  
Baldwin County, Alabama

Frank B. Lohy  
vs.

Before me, W. H. [unclear], Clerk of the Circuit 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 40 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 Lohy Taylor Wilkins Sheriff

Subscribed and sworn to before me this 30 day of April 1952

Disposition \_\_\_\_\_ Clerk Circuit 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 \$ \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_ 195 \_\_\_\_\_  
Judge of the above named court

1454

787

AHP- 4

Notice: This Bond must be signed with Ink and will not be approved if signatures are made with Pencil.

APPEARANCE BOND

THE STATE OF ALABAMA

THE JUSTICE COURT OF BALDWIN COUNTY

County

We, Frank S. Foley

Principal,

and

sureties, agree to pay to the State of Alabama

FRANK S. FOLEY

One hundred Dollars,

Dollars,

unless the said

appears before the

J.P. Jan. 1952

Court of

Baldwin County

on the

26 day of

Jan.

1952, and from day to day, and from term to term, thereafter, until discharged by

due course of law, to answer a criminal prosecution for the offense of

Overweight

And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama, and we hereby severally certify and solemnly swear that we have property free from all encumbrance, to the full amount of the above bond.

Witness our hands and seals this

21 day of Jan. 1952

1952

Approved this the 21 day of

1952

[Signature of Arresting Officer]

Arresting Officer.

Sign Top Line

NAME

ADDRESS

[Signature]

(L. S.)

(L. S.)

(L. S.)

(L. S.)

By

WARNING

Any person who willfully violates the above written bond, and fails to appear on the date and time set, shall be guilty of a misdemeanor punishable by fine and imprisonment regardless of the disposition of the charge above made.

State of Michigan  
County of \_\_\_\_\_

IN SENATE  
JANUARY 2, 1964

RESOLUTION NO. \_\_\_\_\_

WHEREAS \_\_\_\_\_

AND WHEREAS \_\_\_\_\_

IT IS THE POLICY OF THIS STATE \_\_\_\_\_

TO ENACT THE FOLLOWING \_\_\_\_\_

RESOLUTION \_\_\_\_\_

BE IT ENACTED BY THE SENATE \_\_\_\_\_

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1964 \_\_\_\_\_

IN WITNESS WHEREOF \_\_\_\_\_

I HEREBY CERTIFY \_\_\_\_\_

THAT THE ABOVE IS THE \_\_\_\_\_

TRUE AND CORRECT \_\_\_\_\_

STATE OF MICHIGAN \_\_\_\_\_

DEPARTMENT OF \_\_\_\_\_

RECORDS AND ADMINISTRATION \_\_\_\_\_

FILED \_\_\_\_\_

AT \_\_\_\_\_

ON \_\_\_\_\_

1964 \_\_\_\_\_

BY \_\_\_\_\_

DEPUTY SHERIFF \_\_\_\_\_

Sheriff \_\_\_\_\_

Deputy Sheriff \_\_\_\_\_

NO. \_\_\_\_\_

THE \_\_\_\_\_ COURT OF

\_\_\_\_\_ COUNTY

THE STATE

vs.

BOND

Filed \_\_\_\_\_

Sheriff \_\_\_\_\_

By \_\_\_\_\_

Deputy Sheriff \_\_\_\_\_

1454

AHP- 4

Notice: This Bond must be signed with Ink and will not be approved if signatures are made with Pencil.

APPEARANCE BOND

THE STATE OF ALABAMA } THE Justice COURT OF Baldwin COUNTY  
Baldwin County } We, Frank Foley Principal,  
and Charles Adams

Three Hundred (\$300.00) sureties, agree to pay to the State of Alabama  
Dollars,

unless the said Frank Foley

appears before the Circuit Court of Baldwin County on the      day of

Next Term 1945, and from day to day, and from term to term, thereafter, until discharged by  
due course of law, to answer a criminal prosecution for the offense of

Overweight Truck

And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama, and we hereby severally certify and solemnly swear that we have property free from all encumbrance, to the full amount of the above bond.

Witness our hands and seals this 26 day of Jan 1945

Approved this the 26 day of Jan, 1945,  
H. Mills  
Arresting Officer

Sign Top Line	NAME
<u>Frank Foley</u>	(L. S.)
<u>Charles Adams</u>	(L. S.)
<u>S. B. Adams</u>	(L. S.)
<u>Co.</u>	(L. S.)

ADDRESS
<u>Loyley Ala</u>
<u>312 Hwy. Del.</u>
<u>Chickasaw, Ala.</u>

By Justice

WARNING

Any person who willfully violates the above written bond, and fails to appear on the date and time set, shall be guilty of a misdemeanor punishable by fine and imprisonment regardless of the disposition of the charge above made.



NO. \_\_\_\_\_

THE \_\_\_\_\_ COURT OF

\_\_\_\_\_ COUNTY

THE STATE

vs.

BOND

Filed \_\_\_\_\_

Sheriff.

By \_\_\_\_\_

Deputy Sheriff.

1957

CAPIAS

Moore Printing Co.

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

An indictment having been found against

Frank S. Foley

at the Spring Term, 1952 of the Circuit Court of Baldwin County, for the offense of

overweight trucks

you are, therefore, commanded forthwith to arrest the said Defendant and commit

to jail, unless he give bail to answer said indictment, and that you return this Writ according to law.

Dated this 27th day of March, 1952

[Signature]  
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.

#1454

**CAPIAS**

No. 40

THE STATE

vs.

Frank S. Foley  
Rayley

Bail Fixed in This Case in Open Court at

\$ 500.00

By W. J. Mackinnon  
Judge Presiding.

Attest: \_\_\_\_\_  
Clerk.

Charles Adams  
37 1/2 Second St.  
Chickasaw Ala

Executed this 30 day of April, 1952

By arresting the within

named Defendant

Frank S. Foley

and placing him on Bond

Taylor Wilkins, Sheriff

Edley Steadler Deputy Sheriff

Rayley

15  
13  
28  
151  
175

1454

Appearance Bond.

Printed by Moore Ptg. Co.

THE STATE OF ALABAMA, {  
Baldwin County

We, Frank S. Foley, as principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of Two Hundred Dollars \$200.00 DOLLARS unless the said Frank S. Foley appears at the next Term, 1955 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 Overweight Truck

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 7 day of July 1955 L. S.  
E. E. Adams L. S.  
Baldwin County, Ala. L. S.

Taken and approved this the 30 day of April 1952  
Traylor Walker Sheriff  
By Allegre Stead 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

1454

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

ATTORNEYS	CASE	CHARGE
	THE STATE OF ALABAMA	
No.	Vs.	
	<i>Frank Foley</i>	<i>Overweight Truck</i>
	<i>W. M.</i>	

DISPOSITION OF CASE	FEES	AMOUNT
Affidavit made and Warrant Issued to <i>C.E. Jarman</i>	<b>JUDGE'S FEES</b> Warrant at 50c, Affidavit at 25c.....	<i>75</i>
Returnable	Bond at 50c, Sci. Fa. at 50c.....	
Witness—For State <i>Gene Curtis - E.E. Smith</i>	Witnesses' Recognizances at 25c.....	
	Subpoena or Notice at 25c.....	
	Continuance at 25c.....	
<i>Trial by Jury demanded</i>	Trial of Misdemeanor at \$1.00.....	
<i>Bond set &amp; made at</i>	Mittimus at 25c.....	
<i>\$300.00 for appearance at</i>	Judgment on Forfeited Bond at 25c.....	
<i>Circuit Court</i>	Taking Bond, etc., on Appeal at \$1.00.....	<i>1.00</i>
	Execution of costs at 25c.....	
	<b>CONSTABLE'S FEES</b>	
	Subpoena or Notice at 25c.....	
	Carrying Defendant before Justice, each mile for himself and guard at 10c	
	Arrest, 50c.....	
	<b>SHERIFF'S FEES</b>	
	Arrest, \$2.00; Bond \$1.00; Sci. Fa., 50c.....	
	Committing, \$1.00; Releasing, \$1.00.....	
	Subpoenas at 25c Day's Board at 30c	
	<b>WITNESS FEES</b>	
	Days at 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	" " 50c.....	
	<b>DEFENDANT'S COSTS</b>	
	Witnesses' Recognizance at 25c.....	
	Subpoenas at 25c.....	
	Subpoenas.....	

*L. M. Hill*

40

1454

FILED  
JAN 29 1952  
ALICE J. DUCK, Clerk