

Endorsed;

No. 19. The State vs. John E. Smith.

J. T. Bradley,
Foreman of the Grand Jury.

Witnesses: Milton Cooper, R. E. Cooley, Jim Porterfield.

Filed in open Court 30th day of October, 1908
J. M. Volz, Clerk.

Removers,

State

vs.
Andrew J. Mathes

Defendant demurs to the indictment
1st Because said indictment fails to
allege that said offense was committed
after the act under which same is drawn went into
effect.

Trans S Stone &
Leslie Hall,
Attys for Defendant

Filed March 31st 1909
H. Hall, Clerk

affidavit

No. 19. The State vs. John E. Smith.
The State of Alabama, }
Baldwin County } County Court.

Before me, Jas M. Volz, Clerk of the Circuit Court and
ex officio Clerk of the County Court of said County, in said State
personally appeared Ed S. Miller who being duly sworn accord-
ing to law, doth depose and say that he has probable cause
for believing, and does believe that John E. Smith assaulted and
beat the affiant, the said Ed S. Miller, and that said offense
has been committed in said County and State by the said John E.
Smith within the last past twelve months and before the making
of this affidavit, against the Peace and Dignity of the State of
Alabama.

Ed S. Miller

The above subscribed and sworn to before me this
18th day of May, 1908.

Jas M Volz, Clerk of the Circuit Court
ex officio Clerk of the County Court.

Filed this 18th day of May, 1908.
J. M. Volz, Clerk.

Warrant of Arrest

The State of Alabama, (Baldwin County) County Court,

To my lawful officer of the State of Alabama: You are hereby commanded to arrest John E. Smith and bring him before the Judge of the County Court on the 16th day of June, 1908 to answer to the State of Alabama on a charge of Assault & Battery preferred by Ed. J. Miller.

Witness my hand this 19th day of May, 1908, Jas. M. Sacks, Clerk of the Circuit Court & Ex officio Clerk of the County Court

Received the 19th day of May, 1908, I have executed this writ this the 19th day of May, 1908 by arresting the within named defendant and released on bond May 19, 1908 J. A. Booth, Sheriff.

Bond to County Courts

The State of Alabama, (Baldwin County) County Court

We John E. Smith defendant and and agree to pay to the State of Alabama One Hundred Dollars unless John E. Smith appears at the next term of the County Court at Bay Minette in Baldwin County, Alabama, and from day to day and from term to term thereof until discharged by law, to answer a Complaint against him in said Court for the offense of Assault & Battery.

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

Witness our hands and seals this 19 day of May, 1908.

John E. Smith, Seal, A. J. Mathes, Seal, W. H. Burns, Seal, H. H. Cooper, Seal.

Taken and approved May 19, 1908, J. A. Booth, Sheriff.

Organization of Circuit Court July.

The State of Alabama, (Baldwin County) Circuit Court, Fall Term, 1908.

Be it remembered that a Court was begun and

for the County of Baldwin State of Alabama, on the Fourth Monday in October, 1908, the same being the 26th day of the month; His Honor Saml B. Brown Judge Presiding, also were present the Clerk of said Court and the Sheriff of said County when the following proceedings were had: And now comes Thomas A. Booth Sheriff of said County and returns into Court his venue facias served upon the following good and lawful men who had been duly and regularly drawn in accordance with law to serve as Grand Jurors at the present term of the Circuit Court to wit: C. S. Tompkins, P. H. McAdams, John Mobley, J. B. Bradley, Chas. Head, James Bryan, Joe Ferricars, M. C. Underwood, Oscar Johnson, F. R. Group, Thos. Hadley, W. B. Gunn, G. B. Childress, W. B. Thomley, A. Weston, G. R. Suarez, J. P. Lipscomb and Tillman Lambert, all of whom answered to their names except M. C. Underwood and proof having been made to the satisfaction of the Court that the said M. C. Underwood had a good and sufficient excuse for his non attendance, it is ordered by the Court that he be and is excused. It is further ordered by the Court that P. H. McAdams (who was present in Court) be and he is excused upon a sufficient excuse being rendered. And the following of said persons so summoned to serve as Grand Jurors were then duly examined as to qualification by the Court and were then duly and legally empanelled, sworn and charged by the Court, J. B. Bradley having been appointed and sworn by the Court as Foreman of said Grand Jury; C. S. Tompkins, John Mobley, Chas. Head, James Bryan, Joe Ferricars, Oscar Johnson, F. R. Group, Thos. Hadley, W. B. Gunn, G. B. Childress, W. B. Thomley, A. Weston, G. R. Suarez, J. P. Lipscomb and Tillman Lambert. And the said Grand Jury then retired under the charge of M. C. Booth who had been duly appointed and sworn by the Court as Bailiff to said Grand Jury.

And the said Grand Jury among other indictments returned the following:

Indictment

The State of Alabama (Circuit Court
Baldwin County) Fall Term 1908

The Grand Jury of said County charge that before the finding of this Indictment, John E. Smith assaulted Ed G. Miller by cutting him with a knife, against the peace and dignity of the State of Alabama.

James A. Grand, Solicitor of the
Thirteenth Judicial Circuit

Advised

No prosecutor: A true bill.

J. H. Bradley

Treman of the Grand Jury.

Witnesses: Ed G Miller, H. C. Gender, A. S. Martin, J. M. Pettefield, U. A. Irwin, Hugh Gagan, R. R. Kendrick, Miss Mary Fenwick, Miss Pearl Campbell, W. Young & Ahlberg, H. H. Irwin.

Filed in open Court 30th day of October 1908
J. M. Kolz, Clerk.

No. 28. The State vs Lawrence Gray.

The State of Alabama,
Baldwin County

Know all men by these Presents:

Before me, H. J. Davis Justice of the Peace, in and for said County, personally appeared Dr M. Coghlan who, being duly sworn deposes and says, that he has probable cause for believing and does believe, that in said State and County That Lawrence Gray is guilty of using abusive and obscene language in presence of his family, against the peace and dignity of the State of Alabama.

M. Coghlan, MD

Sworn to and subscribed before me this 18th day of May, 1908.

H. J. Davis, Justice of the Peace.

The State of Alabama,
Baldwin County

To any lawful officer of said State:

Complaint on oath having been made before me, that the offense of using abusive and obscene language has been committed against the peace and dignity of the State of Alabama, and accusing Lawrence Gray thereof, you are therefore commanded forthwith to arrest the said Lawrence Gray and bring him before me at my office.

This the 18th day of May, 1908

H. J. Davis, Justice of the Peace.

Recd May 18th 1908 executed by arresting Lawrence Gray
Returned May 19th 1908.

R. P. Slaughter,

The State of Alabama,
Baldwin County

W. Lawrence Gray principal, and his securities, acknowledge ourselves indebted to the

Bond