

No. 10. The State vs. Benj. J. Postell.

The State of Alabama,
Baldwin County,

Circuit Court of Baldwin County
Spring Term 1909.

Be it remembered that a Court was begun and held for the County of Baldwin State of Alabama, on the Fourth Monday in March, 1909, the same being the 27th day of the Month, His Honor Saml B. Browne 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 venire 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: S. S. White, W. M. Gilmore, W. A. Trumstall, J. M. Standard, E. L. Ard, Aubrey Suarez, Louis Glendenning, Wm. St. Harding, E. M. Richardson, Wm. St. Harvard, Geo. Durant, T. H. Boyle, Chas. A. Swift, W. W. Waldrup, Jas. A. Carney, J. G. Timney, R. T. Shipway, John Johnson, J. B. Davis all of whom answered to their names except Aubrey Suarez and Chas. A. Swift, and proof having been made to the satisfaction of the Court that the said Aubrey Suarez and Chas. A. Swift have good and sufficient excuse for their nonattendance, It is ordered by the Court that they be and are excused, 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 and there duly and legally impanelled, sworn and charged by the Court. T. H. Boyle, having been appointed and sworn by the Court as foreman of said Grand Jury S. S. White, W. M. Gilmore, W. A. Trumstall, J. M. Standard, E. L. Ard, Louis Glendenning, Wm. St. Harding, E. M. Richardson, Wm. St. Harvard, Geo. Durant, W. W. Waldrup, Jas. A. Carney, J. G. Timney, R. T. Shipway, John Johnson, J. B. Davis, And the said Grand Jury then retired under the charge of J. B. Byrne 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,
Baldwin County,

Circuit Court
Spring Term, 1909.

The Grand Jury of said County charge that before the finding

of this Indictment Benjamin Poston alias Ben Poston
in the presence or hearing of a woman member of
abusive insulting or obscene language against the peace
and dignity of the State of Alabama.

James N. Granade,
Solicitor of the Thirteenth Judicial Circuit

Endorsed: No Prosecutor. A true Bill.

Witnesses: L. G. Entree,
J. W. Boyles, Foreman of the Grand Jury

Filed in open Court 27th day of March, 1909

W. J. Hall, Clerk.

Copies

The State of Alabama,

Baldwin County To any Sheriff of the State of Alabama:

An indictment having been found against Ben Poston
alias Ben Poston at the Spring Term 1909 of the Circuit Court
of Baldwin County, for the offense of Abusive, insulting or obscene
Language, 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 27th day of March, 1909

J. M. Gage, Clerk of the Circuit Court of Baldwin County.

Received March 27, 1909, Executed April 15th 1909 by arresting placed
him jail.

J. A. Booth, Sheriff

And. The State of Alabama, (Baldwin County) We, Ben Poston alias Ben Poston
agree to pay the State of Alabama One Hundred Dollars unless
the said Ben Poston Ben Poston appears at the Fall 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 Abusive insulting or
obscene Language. In signing the above Bond, we and each
of us, agree to waive all legal rights of exemptions allowed us by
the Constitution and Laws of Alabama.

Witness our hands and seals this 15 day of April 1909,

Given and approved 15 day of
April, 1909

J. A. Booth, Sheriff Baldwin County

Ben Poston

J. M. Gage

His 5

Ben

John H. Poston [Signature]