

No. 19. The State vs Eli Moyer alias Eli Moy.

Affidavit of The State of Alabama, (Evidence of Jonathan White in Case of Complaint. Baldwin County) Eli Moyer resisting arrest by presenting a double barrel shot gun; I Jonathan White being duly sworn do say and depose that on the 22nd day of June, 1909, while assisting W. A. Parker a constable, in trying to arrest Eli Moyer, he Eli Moyer did present a double barrel shot gun on me and I had to shoot him in self defense.

Jonathan White,
Subscribed & Sworn to before me on this the 10th day of July, 1909.
C. H. Duisbach, Justice of the Peace.

Bond. The State of Alabama, (Baldwin County) County Court
I, Eli Moyer, Defendant, and agree to pay to the State of Alabama, One Hundred Dollars unless Eli Moyer 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 resisting a officer. And we and each of us hereby waive all right 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 23 day of July, 1909

Eli ^{his} Moyer (seal)

B. F. McMillan (seal)

Malcolm M. McMillan (seal)

Taken and approved July 3, 1909
J. A. Booth, Sheriff.

Organization of Court and Grand Jury. The State of Alabama, (Baldwin County) Circuit Court of Baldwin County
Fall 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 October, 1909, the same being the 25th day of the Month. His Honor Samuel B. Browne, Judge Presiding, also were present the Clerk of said Court and the Sheriff of said County when the following proceedings were had:

Eli Moyer (Contd)

And now comes Thos A Booth, Sheriff of said County and returns
 unto Court his return 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: Henry Lewis, Frank Earle, Jack
 Myrum, A B Crosby, Joseph Stenzel, E. S. Strong, John J Resmondo,
 Cyard Roberts, B. L. Randall, M. H. Roach, J. J. Hohman, Jas M Bishop
 Frank Byars, T. W. Richerson, T. M. McKenzie, John Stenzel,
 B. F. Feist, A. L. Nelson, all of whom answered to their names
 except Jas M Bishop and John Stenzel and proof having
 been made to the satisfaction of the Court that the said
 Jas M Bishop and John Stenzel have good and sufficient
 excuse for their non attendance. It is ordered by the Court
 that they be and are hereby 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 duly
 and legally empanelled sworn and charged by the Court. B. F.
 Feist having been appointed and sworn by the Court as
 foreman of said Grand jury: Henry Lewis, Frank Earle, H. S.
 Stammers, Jack Myrum, A B Crosby, Joseph Stenzel, E. S. Strong,
 John J Resmondo, Cyard Roberts, B. L. Randall, M. H. Roach,
 J. J. Hohman, Frank Byars, T. W. Richerson, T. M. McKenzie, and
 A. L. Nelson. And the said Grand jury then retired under
 the charge of Sam Martin 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 1909

The Grand jury of said County charge that, before the finding
 of this Indictment Eli Moyer alias Eli Moy did unlawfully
 present a firearm at Jonathan White, to wit, a gun, against
 the peace and dignity of the State of Alabama.

Frank S. Stone

Special Solicitor of the Thirtieth Judicial Circuit, Alabama

To Prosecutors. A true Bill.

B. F. Feist, Foreman of the Grand jury.

Witnesses: Jonathan White, M. A. Parker.

Filed in open Court, October 29-1909, J. H. Hall, Clerk