

may hereafter have, under the Constitution and laws of the State of Alabama. Hereby certify that have property free from all incumbrance, to the full amount of the above bond.

Witness our hands and seals this 21 day of March, 1910
 Taken and approved
 March 21. 1910
 E. A. Booth, Sheriff.

Andrew Washington

Mattie x Hall

John ^{his} x Tolbert
 man

L.S.
 L.S.
 L.S.

No 42. The State versus John Aikew, Emmer Walker, Frank Hardy.

Affidavit The State of Alabama } Justice Court of
 Calhoun County } D. C. Byrne, a Notary Public, & officio J. P. Thomas & J.
 Personally appeared before me D. C. Byrne, a Notary Public & ex officio Justice of the Peace in and for said County Thomas A. Booth who being duly sworn, says on oath that he has probable cause for believing and does believe that within 3 days before making of this affidavit in said County Emmer Walker and Frank Hardy did wantonly or maliciously place an impediment or obstruction to wit: a cross tie on the railroad track of the Louisville and Nashville Railroad Company, a corporation in such manner as to render an engine car or other vehicle to diverge or be thrown from the track against the peace and dignity of the State of Alabama.

Subscribed & sworn to before me this 8 day of November, 1909
 D. C. Byrne, N. O. & off. J. P.

Warrant of Arrest The State of Alabama }
 Calhoun County } To any lawful officer of said County,
 Greeting:-

You are hereby commanded to arrest Emmer Walker and Frank Hardy and bring them before me at my office in said County to answer the State of Alabama on a charge

Enoch Walker, Frank Hardy, John Askeu, (Contd)

of wantonly or maliciously placing an impediment or obstruction to wit: a Crosstie on the railroad track south of the Louisville and Nashville Railroad Company, a corporation in such a manner as to render an engine, car or other vehicle to diverge or be thrown from the track preferred by Thomas A. Booth Sheriff.

Witness my hand this 8 day of November, 1909

D. C. Byrne, N. P. Ex off. J. P.

Attorney for the State of Alabama.

Sheriff's
Return

Received in office this 8th day of Nov, 1909

T. A. Booth,

Executed Nov 8, 1909 by arresting the within named defendants and placing them in jail.

T. A. Booth, Sheriff

affidavit

The State of Alabama, } Justice Court of
Baldwin County }

Personally appeared before me D. C. Byrne, N. P. & Ex officio Justice of the Peace in and for said County, Francis Stone who being duly sworn, says on oath that he has probable cause for believing and does believe that within 30 days before making of this affidavit in said County John Askeu did wantonly or maliciously place an impediment or obstruction, to wit: a Crosstie on the railroad track of the Louisville and Nashville Railroad Company a corporation in such as to render an engine car or other vehicle to diverge or be thrown from the track against the respect and dignity of the State of Alabama.

Francis Stone

Subscribed & sworn to before me this 16th day of November, 1909

D. C. Byrne, N. P. Ex off. J. P.

Sheriff's
Return

Received in office this 16th day of November, 1909

Executed by arresting the within named defendant and the said defendant Nov 16, 09 John Askeu and placing him in jail.

T. A. Booth,

Sheriff.

Enoch Walker, Frank Hardy & John Aker. (Continued)

Organization
of Court & Grand
Jury.

The State of Alabama,
Baldwin County }

Circuit Court
Spring Term, 1910.

Be it remembered that a Court was begun and held for the County of Baldwin, State of Alabama on the Fourth Monday in March, 1910 the same being the 28th day of the Month: His Honor Samuel D. Browne, Judge Presiding, also were present the Clerk of said Court and the Sheriff of said County where the following proceedings were had:

And now comes Thomas B. 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 jurors at the present term of the Circuit Court, to wit: - Louis Pose, Luther Arnold, Andrew Skynn, Kelsey Ryals, Sam Page, Carl Perkins, Thomas Asthite, John Skynn, Isidore Neil, Harrison B. White, Alex Adrew, George R. Swift, Chas T Clark, Rufus Byars, George Foster, James M. Thompson, Joseph Skynn, John & Skynn, Jack Skynn, Charles Thompson, John & Underwood, Joseph A. Weeks, Henry Williams, Fred Thompson, Thomas H. Taylor, Marshall O. Underwood, W. Frank Barberow, Thomas Wilson, Sr., Joe Worcester, James Owen, Charles C. Styron, Joe Page, Carl J. Person, Joseph Pierce, James A. Byars, Charles Dees, Walter Watta, Carl White, Donald J. Wallace, Warren Taylor, Fred C. Sweet, Thomas E. Priester, Manuel Pose, Sam Overstreet, Carl Schindler, S. Levi Clark, Nebraska K. Ardis, Peter Pichert. Thereupon the Court required all persons named in the venire to be called, all of whom answered to their names except Chas T Clark, James M. Thompson, Joseph Skynn, Marshall O Underwood, W. Frank Barberow, Fred C Sweet and Manuel Pose, and proof having been made to the satisfaction of the Court that the said Chas T Clark, James M Thompson, Joseph Skynn, Marshall O Underwood, W. Frank Barberow, Fred C Sweet and Manuel Pose have good and sufficient excuse for their non attendance, it is ordered by the Court that they be and are excused. Alex Adrew and S. Levi Clark in open Court submitted reasons why they should not serve as jurors at the present term of this Court and asked the Court to excuse them which upon consideration it is ordered by the Court that they be and are excused, thereupon after hearing all excuses and claims of exemptions

Enoch Walker, Frank Hardy and John A. Underwood (Contd)

and disqualifications and after passing upon all of the excuses or claims, caused the names of all the jurors in attendance upon the Court who were not excused by the Court to be written on separate slips of paper or cards and placed in a hat or box and thereupon the Judge of the Court did in open Court draw from the hat or box the names of eighteen (18) jurors who were then duly and legally impanelled, sworn and charged by the Court as the Grand Jury for the present term of the Court as follows: John H. Underwood having been appointed and sworn by the Court as foreman of said Grand Jury George Foster, John H. Wynn, Charles Thompson, Rufus Bryars, Jack Shyren, Joseph A. Parks, Henry J. Williams, Thomas H. Paylor, Thomas Wilson, Sr., Fred Thompson, Charles C. Styron, James Croen, Joseph Pierce, Joe Worcester, Carl J. Persons, Joe Page, and Jas. A. Bryars. And the said Grand Jury then retired under the charge of Walter H. Sibley who had been duly appointed and sworn by the Court as Bailiff to said Grand Jury.

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

Indictment

The State of Alabama
Bullock County

Circuit Court
Spring Term, 1910

1. The Grand Jury of said County charge that before the finding of this Indictment John A. Underwood, Enoch Walker and Frank Hardy did place an impediment or obstruction, to wit: A "Railroad" Cross Tie on the track of the Louisville & Nashville Railroad in such a manner as to render liable any engine, car or other vehicle to diverge or be thrown from the track of said railroad.

2. And said Grand Jury further charge that before the finding of this Indictment John A. Underwood, Enoch Walker and Frank Hardy did place an impediment or obstruction on the railroad track of the Louisville & Nashville Railroad in such a manner as to render liable any engine, car or other vehicle to diverge or to be thrown from the track thereof against the peace and dignity of the State of Alabama.

James M. Granade
Solicitor of the Thirtieth Judicial Circuit
Endorses: No Prosecutor. A true bill.

J. H. Underwood, Foreman of the Grand Jury.

Witnesses: J. C. Comer, L. T. Smith, John Fitzpatrick, Joe Page, P. A. Booth
 Bail fixed in open Court at \$500 Five Hundred Dollars
 the 1st day of April, 1910

Samuel B. Browne, Judge

Filed in open Court 1st day of April, 1910
 W. G. Hall, Clerk.

Capias

The State of Alabama

Baldwin County

To any Sheriff of the State of Alabama
 An indictment having been found against Frank Hardy
 at the Spring Term 1910 of the Circuit Court of Baldwin
 County, for the offense of Placing Obstruction on Railroad
 Track 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 1st day of April, 1910

W. G. Hall, Clerk of the Circuit Court of
 Baldwin County.

Executed April 2-1910 by arresting the within named defendant
 and placing him in jail.

T. H. Booth, Sheriff.

Removers State of Alabama

vs

John A. New, Enoch Walker, and Frank Hardy

Circuit Court
 Spring Term 1910

Now comes the defendants and demurs to the
 indictment in this case separately upon each of the
 following grounds:

To the 1st Count,

1st Because it charges no offense known to the law

2nd It does not allege that any obstruction was
 placed on the track of a railroad.

3rd It does not allege that said alleged act was
 wantonly or maliciously done.

4th It does not allege that the said obstruction was
 liable to cause an engine, car or other vehicle to deraile
 or be thrown from the track.

To the Second Count,

1st Because it does not allege or describe the alleged

obstruction.

2nd It does not state the kind or description of the alleged obstruction.

3rd It does not allege that said alleged act was wantonly or maliciously done.

4th It does not allege whether the Louisville & Nashville Railroad Company was a corporation or a partnership.

Leslie Hall, Atty for Defendants.

Filed April 6 - 1910

W. J. Hall, clerk

No 43. The State versus Percy Roberts.

Offidavit

The State of Alabama, } Justice Court of
Calhoun County

Personally appeared before me, H. W. Slaughter, a Justice of the Peace in and for said County, Longworth who being duly sworn says, that William Roberts, Tom Roberts, & Percy Roberts within twelve months before making this affidavit in said County committed an assault and battery with a knife stick and other weapons on the person of Henry Reese against the peace and dignity of the State of Alabama.

Longworth

Subscribed and sworn to before me this 2nd day of Decr 1909,
H. W. Slaughter.

Warrant

The State of Alabama, }
Calhoun County

To any lawful officer of said County, Greeting:-
You are hereby commanded to arrest William Roberts, Tom Roberts & Percy Roberts and bring take them before the County Court in order to answer the State of Alabama on a charge of Assault & Battery with a knife and other weapons preferred by Longworth.

Witness my hand this 28 day of June, 1910

H. W. Slaughter, J. P. Acting Public & off.