

State of Alabama ex. rel Amelia Lombard, }
 vs.
 James M. Shoem.

Now comes the defendant and moves the Court to set aside the verdict rendered in this cause and grant him a new trial on the following grounds.

1st. The court erred in permitting the complainant, Amelia Lombard to give her reasons for telling Dr. Schowalter that the name of the baby's father was Malcomb Jensen.

2nd The court erred in permitting complainant Amelia Lombard, to testify that defendant's grandmother told her to say so.

3rd The court erred in refusing to allow Jim Slay to testify as to the contents of a letter received by him from Amelia Lombard which was shown at that time to be in the State of Mississippi.

4th The court erred in refusing to let the witness Gordon Marshall read from his notes what Amelia Lombard had testified on the hearing before the Justice of the Peace.

5th The court erred in permitting complainant Amelia Lombard to testify that Mrs. Watson told her the night she was at Mrs. Watson's mother's house that Jim Slay was, at that time, down at the oyster reefs—

6th Because the verdict was contrary to the weight of the evidence in the case.

7th Because ~~the verdict was contrary to~~ of newly discovered evidence as per affidavits on file.

8th Because the witnesses and complainants who swore that Jim Slay was not in Mobile on February 27th and 28th swore falsely as shown by affidavits filed herewith.

Frank H. Howell
 James H. Webb
 Attorneys for Respondent—

Filed Nov. 5th - 1908

M. H. H. Clerk,
 Motion refused & Dept
 4000 - Nov 7th - 08