

State Of Alabama.

vs.

In Circuit Court, Baldwin County.

*Drug Taylor*

Now comes the defendant before sentence, and moves the court to arrest the judgment in this cause upon the following grounds to-wit:-

1st.

Because of the illegality of the Grand Jury, which preferred and returned the indictment in this:- That one Christopher Columbus Rodgers was a member of the Grand Jury, which preferred and returned the indictment in this cause to-wit:- at the Fall Term 1910 of the circuit court of Baldwin County, and said Rodgers was not drawn by the officer designated or prescribed by law.

2 nd.

Because one Christopher Columbus Rodgers was not drawn by any person authorized by law, as a juror, now was he drawn in pursuance of the order of any judge or any court, but notwithstanding this, said Rodgers served as a member of the Grand Jury which preferred and returned said indictment, without authority of law.

Wherefore defendant prays that the judgment and sentence upon the verdict rendered in this cause may be arrested, the indictment quashed, and the defendant discharged, or held to answer another indictment as the court may determine, or for such further order, as may be requisite and proper in the premises.

*W. H. Hawkins*

Attorney for Defendant.

*Hon. F. S. Stone*  
*Solicitor General*  
*for*  
*State*

*May 29<sup>th</sup> 1912*  
*Overruled*  
*at Gauley*  
*Judge*



State vs.  
Duff Taylor

Circuit Court, Spring Term 1912.

- Now comes the defendant, and moves the Court to set aside the verdict and grant him a new trial upon each of the following grounds separately:
- 1st. Because the verdict was contrary to the evidence.
  - 2nd. Because the verdict was contrary to the law.
  - 3rd. Because ~~was~~ the verdict was contrary to the law and evidence.
  - 4th. Because the verdict was contrary to the charge of the Court.
  - 5th. Because the Court erred in refusing to give Charge no two (2), at the request of defendant which request was in writing.
  - 6th. Because the Court erred in sustaining the motion to strike defendant's amendment to plea in abatement.
  - 7th. Because the Court erred in refusing the defendant's motion in arrest of judgment.

Hon. F. S. Stone      W. J. Hawkins  
Solicitor General      Atty for defendant.  
For State —

overruled  
May 31<sup>st</sup> 1912, A. E. Gaubly  
Judge