

State Of Alabama.

vs.

In Circuit Court, Baldwin County.

Vannine Lee

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.

2nd.

Because one Christopher Columbus Rodgers was not drawn by any person authorized by law, as a juror, nor 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.

Nov. 27th - 1912 -

Motion overruled
A. E. Gambler
Judge