

State of Alaska
vs
Sela Anderson

In Circuit Court of Baldwin County
Fall Term 1923

Comes the defendant, by her attorney, in this cause and moves the Court to arrest the judgment in this cause and that the verdict heretofore rendered in this cause be set aside and that the defendant be discharged and for grounds, says, it that the record shows that there was only one count in the indictment and that was for forgery and that at the trial of this cause no evidence was offered by the state showing that the Baldwin County Bank, upon which bore the alleged check, which was alleged to have been altered, forged or counterfeited, was in existence, which fact was necessary to have been proved to constitute forgery in the 1st degree under section 6901 of the criminal code.

2nd Because the Court erred in refusing defendant the affirmative charge of the jury which was "evidence in this case, they must find the defendant not guilty", which was said in writing by the defendant in this cause and which was refused by the Court.

3rd Because the Court erred in his general charge to the jury, wherein he instructed the jury that if they believed the evidence that the defendant did alter, forge or counterfeit the check offered in evidence, he is guilty of forgery in the 1st degree. The defendant's attorney moved for a verdict of acquittal on the ground that the evidence was insufficient to sustain the charge of forgery in the 1st degree.

4th Because the Court erred in his general charge in giving the law, when instructed the jury as follows: (another way)
(set out copy as taken from stenographer's notes)

Am L General Chgo pto Gov

J C Jenkins Attorney for
proprietor

State of Alabama
 vs
 Lola Anderson

In Circuit Court of Baldwin
 County, Alabama
 Spring Term 1923

✓ Comes the defendant in ^{the} above cause and
 moves the Court to set aside the verdict rendered
 in said cause and grant her a new trial
 in said cause and for grounds says
 ✓ 1st The Court erred in admitting in evidence
 over the objections of the defendant the check
 alleged to have been forged, altered
 or counterfeited, the same being a variance
 in the proof of the check as described and set out
 in the indictment 2nd The Court erred in not giving the
 affirmative charge as requested by the defendant.

J. Jenkins, atty for
 defendant

✓ Verdict set aside ^{and}
 motion for new trial
 granted

June 8/921
 John H. Leigh
 Judge