

State of Alabama
Choctaw County. To his Excellency
A. B. Moore Governor

of the State of Alabama Come your petition-
ers and respectfully represent unto your Excellen-
cy and respectfully pray your Excellency to
grant their petition and request:

On the At the Spring Term of the Circuit Court
of the County aforesaid an indictment
was found by the grand jury of said
County against James G. Slater Sheriff
of Choctaw Co. Ala. for failing to make a
statement in writing
~~report~~ of such monies as had come into
his hands due said County as is required
by Section 782 of the Code of Ala.

At the fall Term 1857, of the Circuit Court
of the County aforesaid there was no
Session or sitting of the Court as the judge
did not attend and therefore no monies
came into the hands of the Sheriff as the
result of the judgments of said Term
of the Court. On the trial of the case
of the State vs James G. Slater as afo-
said on the exhibition of the books
and docket of said Sheriff and such
other proof as was adduced introduced

by the State it was found that there
were but two (\$200) dollars in the hands
of said sheriff due the County which
had not been paid by him to the
sheriff treasurer previous to the Spring
Term of the Circuit Court 1858 at
which said indictment was found.
~~The State at the trial of said case~~
~~did not show that the treasurer kept~~
~~any office as such at the Court~~
~~houses or elsewhere in said County.~~
As there was no Court at the Fall Term
of the Circuit Court 1857, and as the
amount of money so consequent thereof
in the hands of the sheriff due said
County of Choctaw was very small
your petitioners respectfully represent
that in their opinion it was only
an innocent neglect on the part of
said sheriff that he did not make
a report of the same to the County
Treasurer as the law requires, ~~and~~
~~that it might have been made the proof~~
~~at the trial of said indictment~~
~~was practicable to do so as the same did~~
~~not show where said Treasurer kept~~
~~his office.~~

Under the Charge of the
Court the jury brought in a verdict

of guilty and find said sheriff one
hundred dollars the lowest
fine in such cases known to the law.
Considering the facts in this case we
your petitioners respectfully pray your
Excellency to ~~order~~ remit said fine
imposed upon said sheriff, as we
think the imposition of said fine
under the circumstances is a
great hardship on said sheriff
and that it is a case which appeals
to the salutary power reserved by our
Constitution and laws in your
Excellency and is one of those cases
contemplated by the people in ^{the} framing
of our Constitution of State Government
in giving to your Excellency the power
to interpose in your discretion to protect
the innocent and in discretion against
the evils of a ^{too} rigid construction of
our penal statutes, and we your
petitioners will as in duty bound ever
pray so.

T. L. Williams

Lopho Winder

Thos. Wimbler

Chas. G. Brascoe

William McHarris

Wm. Shirley

F. S. Denson

J. H. Nelson

J. H. Bowling

Isaac Jackson

W. S. Horne

John W. Pennington

Joshua Morse

County Department

1 Nov 1858

For the reasons set forth
in this petition & the bill

of the solicitor herewith
filed, all but ten dollars
of the fine against the deft
Domen Stahn is remitted
upon the payment of the
ten dollars & the cost.

A. B. Moore

I, John C Chapman, Clerk of the Circuit Court of
Choctaw County hereby certify that the first twelve
names signed to the foregoing petition are the names
of the persons who tried the case referred to & described
in said petition.

Given under my hand and
the seal of said Court this
first day of November
in the year of our Lord
One thousand Eight hundred
and fifty Eight

J. C. Chapman, Clerk

