

Given Charges

David Lumley
vs.

City of Bay Minette

*Swain
Hustell
page*

12. The court charges the jury that the law does not presume that the defendant in this case was guilty of any negligence, and if you are able to reasonably reconcile all of the evidence in this case with the theory that the defendant was not guilty of negligence, it is your duty to do so, and in that event you should find for the defendant.

13. The court charges the jury that, if you believe from the evidence that the plaintiff sustained his injuries as the proximate result of a mere accident, it is your duty to return a verdict in favor of the defendant.

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14. The court charges the jury that you cannot find for the plaintiff if you believe from the evidence that the injuries to the plaintiff were in part caused by his own negligence, and that such negligence on his part proximately contributed to his injuries.

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