

Given Charges

State vs. Frank Claire Brown

Charge # 1

The court charges the jury the defendant is presumed to be innocent until the evidence convinces the jury beyond all reasonable doubt that he is guilty; and if, upon a consideration of all the evidence, the jury have a reasonable doubt, growing out of all the evidence, they must acquit the defendant.

Given  
by the Court

Charge # 2

The law does not presume that the defendant is guilty in this case, but, on the contrary, presumes as a matter of law and fact that the defendant is innocent, and that presumption of innocence goes with him in this trial until removed by proof of facts actually proving that he is guilty beyond a reasonable doubt.

Given  
10/11/11  
Judge

Charge # 3

The presumption of innocence attends the accused as a matter of evidence, and is sufficient in itself to authorize the acquittal of defendant, and to displace this presumption of innocence, the state is required to offer evidence that convinces you beyond all reasonable doubt as to the guilt of defendant.

Gwin  
1/11/11

Charge # 4

Gentlemen of the jury, I charge you that the legal presumption of innocence is to be regarded by the jury, in every case, as a matter of evidence, to the benefit of which the accused is entitled, and, as a matter of evidence it attends the accused until his guilt is, by the evidence, placed beyond a reasonable doubt.

Given  
/ Mr. Lee

Charge # 5

The court charges the jury that the innocence of Defendant is presumed until his guilt is established by the evidence in all the material aspects of the case beyond a reasonable doubt, to a moral certainty, and it may also be said that evidence of guilt must be strong and cogent, and unless it is so strong and cogent as to show that defendant is guilty to a moral certainty, defendant should be acquitted.

Brown  
H. H. Hall  
Judge

Charge # 7

In order to make out a case against the Defendant that would authorize you to find him guilty as charged, the court charges the jury that it is incumbent upon the State to satisfy the jury from the evidence in the case beyond a reasonable doubt, that the Defendant was guilty of something more than simple negligence merely on the occasion complained of.

Given  
1/11/11  
Jury

Charge # 8

If you believe from the evidence in this case that the evidence establishes mere negligence on the part of the defendant on the occasion of the deceased's death, and nothing else but mere negligence, then you must find the Defendant not guilty.

Given  
10/11/11  
J. H. H.



Charge # 10

You are instructed that manslaughter in the first degree is also embraced in this indictment. In Manslaughter in the first degree, there must be either a positive intention to kill, or an act of violence (from) which, ordinarily, in the usual course of events, death or great bodily harm may ensue.

Speci  
Indictment