

Given  
Charges.

State vs.  
Eugene Garner

Defendants  
Charge  
2.

THE COURT CHARGES THE JURY THAT IF THEY FIND FROM THE EVIDENCE THAT WITNESS W.P. BLACKMON HAS MADE CONTRIDICTORY STATEMENTS AS TO MATERIAL FACTS IN THIS CASE, OR ANY OTHER SUCH FACTS, THE JURY MAY LOOK TO THESE CONTRIDICTORY STATEMENTS IN ORDER TO DETERMINE WHAT CREDENCE THEY WILL GIVE TO THE TESTIMONY OF SAID WITNESS.

*Given, per the jury*

*Defendant's*  
*Charge*  
3.

THE COURT CHARGES THE JURY THAT IF BY THE EVIDENCE SHOWN, THE JURY IS SATISFIED THAT THE CONFESSION OBTAINED BY THE STATE BECAUSE OF THE MENTAL CONDITION OF THE DEFENDANT, THE JURY SHOULD DISREGARD THE CONFESSION.

*Ever Menden Judge*

*Defendants  
Charge  
4,*

THE COURT CHARGES THE JURY THAT IF BY THE EVIDENCE SHOWN, THE JURY IS SATISFIED THAT AT THE TIME OF THE CRIME ALLEGED BY THE STATE, THE DEFENDANT WAS AFFLICTED WITH A MENTAL DISEASE, AND THAT BY REASON OF SAID MENTAL DISEASE, HE DID NOT KNOW THE MEANING OF RIGHT AND WRONG, AND THE CRIME ALLEGED WAS CONNECTED TO THE MENTAL DISEASE ~~XXXXXXXXXXXXX~~ ~~THE CRIME~~ IN THE NATURE OF CAUSE AND EFFECT, THE JURY SHOULD ACQUIT THE DEFENDANT.

*Save* *Amended* *file*

Defendants  
Charge  
5.

THE COURT CHARGES THE JURY THAT IN WEIGHING THE TESTIMONY OF WITNESSES, THE JURY HAVE THE RIGHT TO CONSIDER THEIR APPEARANCES ON THE STAND, AND THEIR MANNER, AND THEIR OPPORTUNITIES OF KNOWING WHAT THEY ARE TESTIFYING ABOUT. *Mr. / Mr. Lee Judge*

Defendants  
Charge  
6

THE COURT CHARGES THE JURY THAT THEY MUST TAKE THE CONFESSIONS  
IN CONNECTION WITH OTHER EVIDENCE IN THE CASE, TO-WIT THE  
EVIDENCE CONCERNING THE INSANITY OF THE DEFENDANT, AND THUS  
GIVE THE CONFESSION THE WEIGHT THEY DEEM PROPER.

Sum. M. H. Judge

*Defendant's  
Charge*

7

THE COURT CHARGES THE JURY THAT THE TESTIMONY OF A WITNESS  
FOR THE PROSECUTION WHO IS SHOWN TO BE UNWORTHY OF CREDIT,  
IS NOT SUFFICIENT TO JUSTIFY A CONVICTION, WITHOUT CORROBORATING  
EVIDENCE: AND SUCH CORROBORATING EVIDENCE MUST TEND TO SHOW  
THE GUILT OF THE DEFENDANT.

*Given*  
*Wm. H. Jones*

Foley Ala  
Jan. 26, 1953

I Eugene Garner age 20 and  
I reside at Foley, Ala, % General  
Delivery. Do hereby make the  
following statement freely and  
voluntarily without any promises  
and no threats having been  
first warned of my Constitutional  
right knowing that anything  
I say can and may be used  
against me if it is so desired.  
At app. 10 or close around  
10:00 Clock Friday night Jan  
23, 1953, We (J. W. Cross  
and my Brother Virgil Garner)  
left Franklin Harper home in  
Franklin Harper's Car going to

Twenty-eight Years of ACTION—RESULTS  
TRAFFIC BUREAU of ALEXANDER GOLBUS  
CHICAGO, ILLINOIS

Eugene Garner



Pensacola, Florida to the  
Dixie Duane night club.  
The street which I do not  
know. We went in the night  
clubs while in the Dixie  
duane we drank a few Beers.  
and close to closing time  
Mr. Blackman and some more  
men got into the car with  
us and went to the club  
Shelia on Highway 90.  
We did not go into Club Shelia  
as J.W. Cross said this  
fellow (Mr. Blackman) wants  
to go home. We drove to  
Mr Blackman home, that is  
By the Church house.

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TRAFFIC BUREAU of ALEXANDER GOLBUS  
CHICAGO 8, ILLINOIS

Eugene Garner

my Blackman got out of  
the car. J. W. Cross asked  
Mr Blackman if he wanted  
to go to Mobile, Ala. J. W.  
Cross keep begging them  
to get in the car, Mr  
Blackman got back into the  
car. We drove back and  
gas up at a filling station  
from the filling station we  
drove and came back to  
Lillian highway and then  
back to Foley, Ala. We  
(J. W. Cross and myself) drop  
Virgil Garner my Brother  
off at the house. After dropping  
my Brother off we drove toward

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CHICAGO 8, ILLINOIS

Eugene Garner

Robertsdale, Ala. We turn  
off some little road, I don't  
know the name. We went  
down the road about a  
mile and stopped. Then  
we all got out. J. W. Cross  
said we want your money  
to Mr. Blackman. Mr. Blackman  
run. We run after him  
and he fell. J. W. Cross  
said if he didn't give  
~~us~~ the money he would  
shoot him. Mr. Blackman  
give him six dollar a  
five and one and some change  
Then J. W. Cross said see  
that road run or I will

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TRAFFIC BUREAU of ALEXANDER GOLBUS  
CHICAGO 8, ILLINOIS

Eugene Farmer

shoot you. then he  
run (Mr Blackman). we  
then went up to the Pan  
Am the other side of  
Robertdale, ala. We then  
went up to two (2) miles  
of Trisco City, ala and the  
car burned up. it was a  
1940 (4) door Pontiac with  
the right back spring broken.

The above statement is true  
as I have read same.

Eugene Gorman

Frank Gibson  
Elmer A. Headman

John H. Rowley

John L. Davis

Twenty-eight Years of ACTION—RESULTS  
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CHICAGO 8, ILLINOIS

States Epl

3/24/53

Def. A.

I charge you that if you, and each of you, are convinced beyond all reasonable doubt and to a moral certainty that the Defendant is guilty as charged, but you are reasonably satisfied that the Defendant was insane at the time, and incapable of distinguishing right from wrong or unable to do right, then your verdict would be "Not guilty by reason of Insanity."