

Given Charges

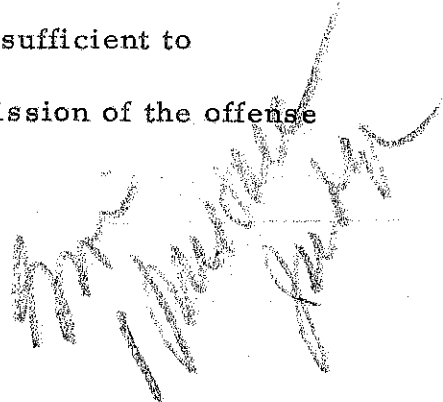
State of Alabama

vs

Rufus Howard Hursey

March 30 - 1955

62. The Court charges the jury that the defendant Howard Harden cannot be convicted upon the testimony of Patsy Ruth Hornbeck unless corroborated by testimony of other witnesses as to material elements of the offense which other testimony must be sufficient to connect the defendant, Howard Harden, with the commission of the offense independently of the testimony of Patsy Ruth Hornbeck.



59. The Court charges the jury that a conviction of felony cannot be had in Alabama on the testimony of an accomplice or of numerous accomplices unless such testimony is corroborated by other evidence tending to connect the defendant with the commission of the offense; and the rule is that "such other evidence" to be sufficient must be believed by the jury beyond a reasonable doubt, and if such other evidence merely shows the commission of the offense, or the circumstances thereof, it is not sufficient.

Handwritten signature and date: 10/10/1968

66. The Court charges the jury that there is an entire absence of any evidence in this case which would justify the jury in rendering a verdict against this defendant upon the theory that this defendant participated in the actual homicide of the deceased, Leroy Miller.

*Don
1/10/68
J. H. H.*

71. The Court charges the jury that there is some evidence in this case that Patsy Ruth Hornbeck aided or assisted her husband, and others, in advance of the murder of Leroy Miller in and about making preparations for flight upon their return from the mission which she understood they had undertaken to perpetrate the crime of the murder of Leroy Miller and if this be true, the Court charges the jury that as a matter of law, Patsy Ruth Hornbeck was an accomplice.

Handwritten signature/initials

85. The Court charges the jury that Patsy Ruth Hornbeck, by her own testimony, had knowledge that her husband and one Denton, intended to commit the crime of killing Leroy Miller and with such knowledge, and in advance of the commission of the murder, proceeded to pack suitcases and arrange luggage to facilitate a speedy flight on the part of herself and the purporters of the homicide without delay upon their return to the cabin and such conduct on her part makes her an accomplice whose testimony cannot be considered by the jury unless corroborated by testimony of witnesses who were not accomplices, believed to be true, which connects the defendant with the offense charged in the indictment.

*For
1/10/41
J. H. H.*

48. The Court charges the jury that if any witness in this case has been impeached, the jury may consider the testimony of such witness in the light of such impeachment and accord such testimony such weight and credibility as the jury may determine such testimony entitled to receive.

Wm. H. Miller
1/10/1911

72. The Court charges the jury that Patsy Ruth Hornbeck by her own testimony, admits knowledge of facts putting her on notice that her husband and another were departing from their abode where they were lodged upon a mission to murder Leroy Miller for hire and admits that she knew of the plans and conspiracy to kill Leroy Miller for hire and with such knowledge, she admits that she made preparations for the flight of her husband and another upon their return to their place of abode after the killing of Leroy Miller, she did join with them in the flight as a fugitive from justice to avoid apprehension and punishment for the killing of Leroy Miller and the Court charges the jury that these admissions, if believed by the jury to be true, constitute her an accomplice of the killers of Leroy Miller.

Handwritten signature/initials

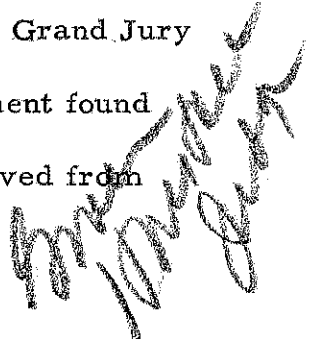
58. The Court charges the jury that under the law of the State of Alabama, the conviction of a defendant cannot be had upon the uncorroborated testimony of an accomplice and the Court further charges the jury that under the evidence in this case, Patsy Ruth Hornbeck, as a matter of law, is an accomplice.

[Handwritten signature]
10/10/40

51. The Court charges the jury that evidence sufficient to convince the jury beyond all reasonable doubt that Howard Harden had opportunity to commit the offense charged in the indictment, without more, is insufficient to support a conviction of said defendant.

*Proven
1/10/10
R. J. J.*

54. I charge you, gentlemen of the Jury, that the indictment in this case has no weight as evidence and should be given no consideration by the jury except that it is an accusation made by the Grand Jury against the defendant charging him with the offense embraced in the indictment and is a means provided by law whereby a man accused of offense against the criminal law may be brought to trial, and the defendant when indicted by the Grand Jury is presumed to be innocent of each offense embraced in the indictment found by the Grand Jury until every reasonable doubt of his guilt is removed from the minds of the jury by the evidence admitted in the case.



14. The Court instructs the jury that it is the duty of each and every juror on the panel to make up his own verdict for himself and to be governed by his own judgment and conscience alone, after conferring with his fellow jurors, and if any single juror on this panel, after conferring with his fellow juror, is not satisfied by the evidence to a moral certainty of the guilt of the defendant, it is the sworn duty of the jury to vote "not guilty" and never to yield his judgment but firmly stand by it so long as he is not satisfied by a reasonable doubt of the defendant's guilt even though every other fellow juror on the panel disagree with him.

*Sworn
H. H. Hall
Jury*

49. The Court charges the jury that mere opportunity to commit a crime is insufficient to support a verdict of guilty against a defendant.

Wm. H. Miller
12/10/54
Just

52. The Court charges the jury that evidence sufficient to convince the jury beyond all reasonable doubt that Howard Harden had a motive to commit the offense charged in the indictment, without more, is insufficient to justify his conviction of the offense charged in the indictment.

*Wm. H. [unclear]
10/10/54
[unclear]*

79. The Court charges the jury that it is not lawful for the jury to base a verdict of guilty upon its conjecture, surmise or suspicion of guilt but such a verdict of guilty must be based upon a firm and abiding conviction in the mind of the jury of the truth of facts beyond all reasonable doubt and to a moral certainty inconsistent with any hypothesis except that of guilt on the part of the defendant, Howard Harden.

*Howe
Harden
Jury*

61. The Court charges the jury that if the witness, Patsy Ruth Hornbeck, is not corroborated by evidence of other witnesses believed by the jury to be true and sufficient to convince the jury beyond all reasonable doubt that the defendant is connected with the commission of the offense charged in this indictment, the jury would then acquit the defendant.

[Handwritten signature]

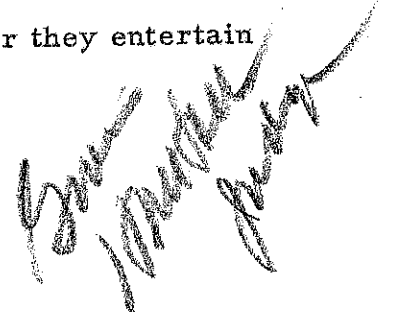
5. The Court charges the Jury that the burden is on the State to show and it is the duty of the State to show beyond a reasonable doubt and to the exclusion of every other reasonable hypothesis every circumstance necessary to show that the defendant is guilty; and unless the State has done that in this case, it is your duty, gentlemen of the jury, to render a verdict of not guilty.

*Given
1/11/1911*

41. The Court charges the jury that the weight of the evidence, the credibility of each and every witness in the case and the sufficiency of the evidence to convince you beyond a reasonable doubt, are questions solely and exclusively for the determination of the jury.

Handwritten signature

43. The Court charges the jury that a single reasonable doubt of the defendant's guilt arising out of the evidence in this case after considering all the evidence, is sufficient for the acquittal of the defendant and it is for the jury to say under all the evidence whether they entertain such doubt.

A handwritten signature in dark ink, appearing to be "J. M. Smith", is written diagonally across the right side of the page. The signature is stylized and somewhat cursive.

47. A single reasonable doubt of the defendant's guilt arising out of the evidence in this case after considering all the evidence is sufficient for the acquittal of the defendant and it is for the jury to say under all the evidence whether they entertained such doubt.

*James
H. [unclear]
[unclear]*

44. The presumption of innocence raised by the law goes with the defendant until the evidence proves his guilt beyond all reasonable doubt and to a moral certainty.

Handwritten signature/initials

29. The Court charges the jury that if the jury has a reasonable doubt as to whether or not the testimony of any witness is induced by the hope of sharing in any reward which may have been offered for the conviction of the perpetrator of the homicide of the deceased, Miller, then the jury should consider that element in determining what, if any, credibility the jury will accord the testimony of such witness, and if the jury have any reasonable doubt as to the truthfulness of the testimony of such witness, the jury should not consider such testimony, the credibility of which is doubtful, in arriving at its verdict in this case.

*Swain
1 full page
Jury*

Green Island

10. If any member of the jury has a reasonable doubt of the guilt of the defendant growing out of any part of the testimony on a consideration of all the testimony, then the jury cannot find the defendant guilty.

*Guilty
Huntley
guilty*

45. The Court charges the jury that in considering the testimony of any witness undertaking to identify this defendant as the perpetrator of the offense charged in this indictment, long delay on the part of such witness in making his knowledge of the identity of the perpetrator of the offense known to authorities may be considered in determining what credibility, if any, the jury will accord the testimony of such witness.

*10/10/68
J. M. [unclear]
J. M. [unclear]*

11. The Court charges the jury that a "reasonable doubt" is that state of the case which, after the entire comparison and consideration of all the evidence, leaves the minds of the jurors in that condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge; it is your duty as jurors to acquit the defendant.

*Benjamin
H. Mulford
Judge*

9. The Court charges the Jury that if they are not satisfied beyond a reasonable doubt to a moral certainty and to the exclusion of every other reasonable hypothesis but that of the guilt of the defendant, then they should find him not guilty; and it is not necessary to raise a reasonable doubt, that the jury should find from all the evidence, a probability of defendant's innocence, but such a doubt may arise even when there is no probability of his innocence in the testimony and if the jury have not an abiding conviction to a moral certainty of his guilt, it is the duty of the jury to acquit him.

*Given
to the
jury*

28. The Court charges the jury that in reaching a verdict in this case, the jury may consider any pecuniary interest that any witness may have in the result of your verdict in weighing the testimony of such witness, including any hope of receiving, or sharing in, any reward offered by any State or County Government, or any individual, firm or corporation, to be paid in the event of a conviction of a defendant charged with the homicide of deceased, Leroy Miller.

*James
Miller
Jury*

36. The Court charges the jury that if any State's witness has exhibited prejudice or anger against the defendant and satisfied you that such witness has not testified truthfully and is not worthy of belief and you think the testimony of such witness should be disregarded, you may disregard such testimony of such witness altogether.

Handwritten signature
10/10/10

34. The Court charges the jury that the jury may consider the testimony of any witness in the light of enmity or ill-will which such witness may entertain toward the defendant in determining the credence which the jury will accord the testimony of such witness.

*Given
1/10/1911
R. B. H.*

60. If the jury believe that the entire charge against this defendant rests upon the testimony of the witness Patsy Ruth Hornbeck, and that in giving of her testimony she has testified willfully and falsely to any material part of her evidence, the jury may, if the jury see fit, eliminate her testimony entirely and refute her testimony entirely.

*James
Hornbeck
Patsy*

63. The Court charges the jury that if the jury be reasonably satisfied that any witness has willfully and corruptly sworn falsely as to any material fact, the jury is authorized in the exercise of its sound discretion to reject all or any part of the testimony of such witness.

Handwritten signature/initials

35. The Court charges the jury that the jury may consider such reputation as a witness may appear from the evidence to have in determining what credibility the jury will accord the testimony of such witness.

Handwritten signature
1/10/10
Handwritten signature

76. The Court charges the jury that if the jury, after consideration of all the evidence in this case, is in a state of uncertainty, confusion or doubt with regard to the guilt of the defendant, the jury should acquit the defendant.

How much jury

38. The Court charges the jury that the evidence in this case is circumstantial and the innocence of defendant must be presumed by the jury until the case is proved against him in all its material circumstances, proved beyond any reasonable doubt; that is to find him guilty as charged, the evidence must be strong and cogent, and unless it is so strong and cogent as to show defendant's guilt to a moral certainty, the jury must not find him guilty.

*Given
1/10/11
Jury*

40. The Court charges that each member of this jury has the right to consider the opinion of any expert who has testified in this case in the light of the common experience and common sense of such juror and when considered in the light of such common experience and common sense by such juror, such juror is not bound to accept the opinion testimony of such expert as true but may accord such testimony such weight and credibility as in the exercise of his own sound common sense such juror thinks such testimony is entitled to receive.

For the Court
1/10/1944
W. H. Jones

42. The Court charges the jury that every reasonable doubt as to
the guilt of the defendant must be resolved in favor of the defendant.

Wm. H. Miller
10/10/1911
Wm. H. Miller

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

Ex. 18, E. 10, 11.

Swain
10/10/10
Judge

56. The Court charges the jury that the presumption of innocence attends this defendant throughout the trial and stays with him until the State, by the testimony admitted in evidence by the Court and believed by the jury to be true is so strong and convincing that the jury is convinced beyond all reasonable doubt by such testimony admitted in evidence that the defendant is guilty of some one offense charged in the indictment.

Handwritten signature
1/10/1914
J. J. J.

25. The Court charges the jury that each individual member of this jury has the unqualified right to believe, or disbelieve, all or any part of the testimony of any witness in this case and his conscience in that respect cannot be bound by any instruction or argument and in the exercise of his judgment in this respect, each member of the jury should be unembarrassed by any direct or indirect instruction from the Court bearing on its sufficiency or credibility.

*Given for
1/11/11
Jury*

39. I charge you, gentlemen, that the only just foundation for a verdict of guilty in this case is that the entire jury shall believe from the evidence beyond a reasonable doubt and to a moral certainty that the defendant is guilty as charged in the indictment to the exclusion of every probability of innocence and every reasonable doubt as to his guilt and if the testimony in this case has failed to furnish the aforesaid measure of proof and to impress the minds of the jury with such proof of the defendant's guilt, the jury should find him not guilty.

*Done
1/10/1904
Jury*

4. The Court charges the jury that the humane provision of the law is such that upon the evidence, there should not be a conviction unless to a moral certainty it excludes every other reasonable hypothesis, than that of the guilt of the accused. No matter how strong may be the facts, if they can be reconciled with the theory that some other person may have done the act, then the guilt of the defendant is not shown by that full measure of proof which the law requires.

Ami
1/10/1911
Ami

46. The jury is instructed by the Court that proof of a single fact by a preponderance of the evidence inconsistent with defendant's guilt when taken in connection with all the evidence, justifies an acquittal of the defendant and in that event the jury must find the defendant not guilty.

Done
1/10/00
John

55. The Court charges the jury that the burden of convincing this jury by the evidence and beyond all reasonable doubt that the defendant is guilty is upon the State, the defendant being presumed by the law to be innocent until the State carries that burden.

[Handwritten signature]
10/10/10

70. The Court charges the jury that if under the evidence in this case, the jury has a reasonable doubt as to whether Patsy Ruth Hornbeck was an accomplice of the person, or persons, who actually killed Leroy Miller, the jury would not be authorized to convict this defendant upon her uncorroborated testimony.

Handwritten signature/initials

82. The Court charges the jury that no member of this jury is under any duty whatsoever to join with the other members of the jury in returning a verdict in this case merely for the purpose of being agreeable with such other member of this jury and each member of the jury should vote his honest and abiding conviction based upon the evidence after considering all the evidence in the case in the light of the instructions of the Court and should not return a verdict of guilty against this defendant until he, in his own mind, is convinced by the evidence beyond all reasonable doubt and to a moral certainty that such verdict of guilty is a true verdict.

Wm. H. Hall
10/10/1911
John

64. The Court charges the jury that if the jury be reasonably satisfied that a witness has been impeached, the jury is authorized in the exercise of its sound discretion to reject all or any part of the testimony of such witness.

[Handwritten signature]

33. If the jury have a reasonable doubt of the truth of the State's evidence, you cannot convict the defendant.

*Don't
forget
jury*

22. The Court charges the jury that in order to convict this defendant of any offense charged in this indictment, the testimony must be clear and convincing to the exclusion of every reasonable hypothesis consistent with the innocence of the defendant.

Handwritten signature

37. The Court charges the jury that if, looking at all the evidence in the case, your minds are left in such a state of doubt or uncertainty that you cannot say beyond a reasonable doubt whether defendant is guilty or not guilty, then this is such a doubt as will entitle this defendant to an acquittal and you should so find.

*By the Court
1/21/68
[Signature]*

74. The Court charges the jury that if the mind of any member of this jury be in state of confusion, uncertainty or doubt as to the guilt of Howard Harden, the jury would not be authorized to convict him.

Handwritten:
10/20/20
J. H. H.

15. If, after considering all the evidence in this case, any member of the jury is not satisfied beyond a reasonable doubt of the truthfulness of the evidence of the State's witnesses, the defendant should not be convicted.

Swain
H. M. Hall
W. J. Hall

8. The Court charges the Jury that if there is a probability that accused is innocent, there is a "reasonable doubt" as to his guilt.

*Senior
Judge
Gulley*

68. The Court charges the jury that before the defendant in this case can be convicted, the jury must ascertain beyond all reasonable doubt and to a moral certainty from the evidence in this case that Leroy Miller was feloniously murdered by a killer whose identity must be ascertained from the believable evidence and beyond all reasonable doubt and in addition thereto must ascertain beyond all reasonable doubt that the defendant in this case had entered into an unlawful consipracy with the killer of the said Leroy Miller and must further believe from the evidence and beyond all reasonable doubt that the killing of said Leroy Miller was parpertrated by the said killer as an act in furtherance of the object of the said unlawful consipracy.

*900
1/10/1944
J. H. Miller*

6. Before the Jury can convict this defendant, the jury must be satisfied to a moral certainty not only that the proof is consistent with the defendant's guilt but that it is wholly inconsistent with every other rational conclusion; and unless the Jury are so convinced by the evidence of the defendant's guilt that they would each venture to act upon that decision in matters of highest concern and importance to their own interest, then they must find the defendant not guilty.

*Given
H. H. H. H. H.
Jury*

17. The Court charges the jury that if the jury have a reasonable doubt with regard to the truthfulness of testimony of a particular witness, the jury should refuse to consider such testimony in arriving at its verdict and if such testimony so believed to be untrue shall be the only evidence with regard to a material element necessary to convict this defendant, then the jury should refuse to convict this defendant.

Green Hill
10th June

78. The Court charges the jury that if the jury, after hearing all the evidence in this case, is unable beyond all reasonable doubt just which witness to believe, or to disbelieve, and is in a state of confusion, uncertainty or doubt as to the truth of the matter, the jury should then acquit the defendant, Howard Harden.

Handwritten signature/initials

80. The Court charges the jury that so long as any member of the jury has any substantial doubt as to the truth of any fact testified to by any witness, such juror should not consider such fact as evidence against the defendant.

Wm. H. Hester
Jeff

75. The Court charges the jury that if the jury, after consideration of all the evidence in this case, is in a state of uncertainty, confusion or doubt, with regard to the guilt of the defendant, the jury would not be authorized to convict the defendant.

Wm. J. [unclear]
[unclear]
[unclear]

26. The Court charges the jury that the innocence of the defendant is presumed until his guilt is established by the evidence in all material aspects in this case beyond a reasonable doubt to a moral certainty, and it may also be said that the 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.

Swain
1/10/1934
Wm. H. H. H.

81. The Court charges the jury that while it is highly desirable that the jury be harmonious in its deliberation and that each member thereof give earnest and careful consideration to the reasoning of other jurors based upon the evidence, there is no duty on the part of any member on this jury to join with other members of the jury in returning a verdict against this defendant until such member of the jury, in his own individual capacity, is convinced by the evidence and beyond all reasonable doubt and to a moral certainty that the defendant is guilty.

*For
10/10/10
Jury*

65. The Court charges the jury that there has been certain testimony in this case, which if believed, would impeach the witness Patsy Ruth Hornbeck and would authorize the jury in the exercise of its sound discretion to reject all or any part of the testimony of said Patsy Ruth Hornbeck admitted in evidence by the Court.

[Handwritten signature]
1/10/1918

27.. The Court charges the jury that in reaching a verdict in this case, the jury may consider any pecuniary interest that any witness may have in the result of your verdict in weighing the testimony of such witness.

Swain
1/10/11
W. H. H.

30. The Court charges the jury that the indictment is not evidence
of facts charged therein.

*From
Matter
J. H.*

86. The Court charges the jury that if Patsy Ruth Hornbeck cooperated with her husband and another in and about preparing for a flight to escape punishment for a crime which she knew or had reason to believe would be committed, in order that her husband and another might speedily flee from the scene and avoid, escape or delay detection and punishment, then such cooperation on her part rendered her an accomplice whose testimony may not be considered by the jury unless corroborated by witnesses who were not accomplices and whose testimony is believed by the jury beyond all reasonable doubt and is sufficient to connect the defendant with the commission of the offense.

*Howe
10/10/44
JWH*

50. The Court charges the jury that evidence sufficient to satisfy the jury beyond all reasonable doubt that Howard Harden had opportunity to commit the offense charged in this indictment is insufficient to support a verdict of guilty against said defendant.

Handwritten signature/initials
10/11/11
J. J.

69. The Court charges the jury that any person who aids, assists or abets, or stands by ready and willing to aid and assist in the perpetration of a crime or who lends encouragement to the perpetration of a crime is an accomplice.

Wm. H. Hall
Wm. H. Hall
Wm. H. Hall

23. The Court charges the jury that the jury is the sole Judge as to
the weight and credibility of the testimony of any witness.

*Given
Hundred
full*

87. The Court charges the jury that any person who, with knowledge of the intention of another, to commit a crime, stands by ready, able and willing to aid and assist in a flight from the scene of the crime or from the community in the crime was committed for the purpose of avoiding or delaying detection, is an accomplice.

Handwritten signature/initials

57. The Court charges the jury that under the law of the State of Alabama, a conviction of a defendant cannot be had upon the uncorroborated testimony of an accomplice.

Howe
10/10/68
John

C. The court charges the jury that the fact, if it be a fact, that Samuel J. Harnbeck and Patsey Ruth Harnbeck were registered at the Tutwiler Hotel in Birmingham from the 8th day of August 1952 to the 13th day of August 1952, can not be considered by the jury as evidence connecting Harward Harden with the offense charged in this indictment sufficient in law to corroborate Patsey Ruth Harnbeck.

for
10/10/52
JWH

7700
D- The court charges the jury that the fact, if it be a fact, that Denton and Heflin, or either of them, were guests or patrons of Cardinal College or Restaurant, on one or more occasions, is insufficient to connect Howard Hadden with the offense charged in this indictment.

Wm. Marshall
Jr.

B. L. The court charges the jury that the witness Smith has admitted his conviction of Petty Larceny, which is a crime involving moral turpitude, and impeaches him, and the jury is authorized to consider his testimony in the light of this impeachment, and may, in the exercise of its sound discretion, reject all, or any part, of his testimony.

Wm
17th Feb 1888
J. H. H.

67. The Court charges the jury that in order for the jury to convict the defendant in this case, the jury must be convinced by the evidence admitted in testimony and believed by the jury to be true beyond all reasonable doubt and to a moral certainty that the defendant in this case entered into an unlawful conspiracy with others to procure others unlawfully to kill the deceased, Leroy Miller and must further be convinced beyond all reasonable doubt and to a moral certainty by the evidence admitted in testimony and believed by the jury to be true, that in furtherance of said conspiracy and in accomplishment of its object, a fellow conspirator fired the fatal shot inflicting the wound of which the said Leroy Miller died.

Amie
10/10/1968
JS

13. The Court charges the jury that the only foundation for a verdict of guilty in this case is that the entire jury shall believe from the evidence beyond a reasonable doubt and to a moral certainty that the defendant is guilty of some offense charged in the indictment, to the exclusion of every probability of his innocence, and every reasonable doubt of his guilt, and, if the prosecution fails to furnish such measure of proof, and so impress the minds of the jury of his guilt, they should find him not guilty.

*Guilty
H. H. H. H.
J. H. H.*

77. The Court charges the jury that if the jury is unable to reconcile all the testimony in this case and is in a state of confusion, doubt or uncertainty as to the credibility of witnesses whose testimony must be believed beyond all reasonable doubt in order to sustain a conviction, the jury should then acquit the defendant.

*For
1/10/1941
J. H. [unclear]*

32. The Court instructs the jury that the presumption of innocence is an evidentiary fact and attends a defendant throughout his trial and until his guilt has been established by the evidence beyond a reasonable doubt; and a mere suspicion, no matter how strong, is not sufficient to overturn this presumption of innocence; such facts and circumstances that only give rise to a suspicion of guilt would not justify a verdict of conviction.

*Given
that fact
jury*

7. The Court charges the jury that if, after looking at all the evidence in this case and considering it fully, your minds are left in such a state of uncertainty that you cannot say beyond a reasonable doubt that the defendant is guilty of the offense charged, then this is such a doubt as would entitle the defendant to an acquittal and you should so find.

*Sumner
H. H. H. H.
Jury*

19. The Court charges the jury that the jury is authorized to take into consideration any interest of any witness testifying in this case which may be shown by the evidence, and may consider such testimony of such witness in the light of such interest of said witness and if the jury be reasonably satisfied that such witness is influenced to testify falsely by reason of such interest, the jury may reject the whole or any part of the testimony of said witness.

*Given
1/10/1914
J. H. J.*

12. If there is from the evidence, a reasonable probability of the
defendant's innocence, the jury should acquit the defendant.

*From
10/10/10
Jury*

20. The Court charges the jury that it is the duty of the jury to observe the manner and demeanor of each witness on the witness stand and to consider all the circumstances under which said witness has been brought to give his testimony in the case in determining the weight and the credibility which the jury will accord to the testimony of such witness.

*Given
1/10/1918
J. J. J.*

24. The Court charges the jury that it is the sole province of the jury to determine in the light of all the circumstances in evidence in this case, the manner and demeanor of each witness upon the witness stand, the interest, if any, which such witness has shown by the evidence to have in this case, what credence or reliance the jury will accord the testimony of each witness in this case.

Handwritten signature
1/10/1917

18. The Court charges the jury that if the jury believe that any witness in this case has willfully and corruptly testified falsely as to any material fact, the jury would then be authorized, in the exercise of its own sound discretion to reject the whole or any part of such testimony of such witness.

*Given
1/11/11
Jury*

21. The Court charges the jury that if after considering all the circumstances under which a witness may testify including the manner and attitude of the witness on the witness stand and any interest which the jury may find the witness to have, the jury has a reasonable doubt as to the truthfulness of the testimony of such witness, the jury is authorized to reject the whole or any part of said testimony of such witness.

*Benjamin
10/11/1911
J. H. [unclear]*