

Refused Charges

State of Ala  
vs

Levitt L. Heflin

Refused  
to answer  
prop

The Court charges the jury, that if, after considering all the evidence in this case, you have a reasonable doubt as to the presence of the defendant near the scene of the killing, then you should acquit the defendant.

The Court charges the jury that no matter how strong the circumstances may be, if they can be reconciled under the evidence with a reasonable theory that some other person than the defendant, L. L. Heflin, is guilty, the jury must acquit L. L. Heflin.

*Refused  
J. L. Heflin  
Judge*

The Court charges the jury that the humane provision of the law is, that there should not be a conviction upon the evidence 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 acts, then the guilt of the accused is not shown by that full measure of proof which the law requires.

*Refused  
J. M. J.*

D-1.

I charge you gentlemen of  
the jury that if you believe the  
evidence in this case you cannot  
convict the defendant.

Refused  
Huntman  
just

D-2 I charge you gentlemen of the jury  
that you cannot find the  
defendant guilty as charged.

Refused  
Jury  
Jury

D. 3 I charge you gentlemen of the  
jury that if you believe the evidence  
you must find the defendant not  
guilty.

Refused  
your honor

D 4 I charge you gentlemen of the jury  
that if you believe the evidence in  
this case you must find the defendant  
not guilty as charged

Respectfully  
Your honor  
Jury