

The Court charges the jury that the defendant in this case was under no legal obligations to retreat from the place where the difficulty occurred, but he had a right to stand his ground and repel an attack, if such attack was made.

Defendants Requested Charge Number 18

Burris
Ward
gdy

The Court charges the jury that if, after looking at all the evidence in this case, your minds are left in such a state of doubt or uncertainty that you cannot say, beyond a reasonable doubt, whether the defendant acted upon a well-founded and reasonable belief that it was necessary to take the life of the deceased to save himself from great bodily harm or death, or that he shot before such impending necessity arose, then this is such a doubt as will entitle this defendant to an acquittal, and you should so find.

*Given
Muller
Jury*

Defendants Requested Charge Number 19

The Court charges the jury that it is the law that defendant had a right to protect himself from real or reasonably apparent felonious assault upon himself by the deceased, and if, on considering the evidence or any part of it, when considered with the whole evidence, you have a reasonable doubt as to whether defendant was justified in taking the life of deceased in defending himself from such assault, it will become your duty to acquit him.

*Done
K. M. G. for*

Defendants Requested Charge Number 20

Dear Sister I am going to try and get
this ~~letter~~ to you while you are here if I
can if not I will have it mailed it costs
me a dollar to slip one out of here I cant write
one to Florence some of them will get it and
she wont never know I wrote it. I wrote one
to Bell I hope she will go to see Florence
and tell her what I said to tell her I am
going to tell you the same thing I told her
and I hope you will see Florence for me
I am going to tell you as near as I can
what I told the sheriff and I want you to
tell Florence or send this letter to her. One
I dont know what she told the sheriff but from
what he says it is for from what I told him
we have got to get together on what we
tell in court after I see a lawyer I may
change my whole story and if we both
deny anything about it that lawyer Mr
Chase said they couldnt prove anything
on us he said I made a mistake by
telling anything at all I told him I did that
to get my wife out of jail and thats what
I did I know Jim and her folks are going
to help her it seems that if you talk to Jim
and you all get together you can do more
for both of us because you cant help one
without helping the other that is the way I
see it and I think you and Jim will see
it the same as I do. Carrie be sure and dont
let me down on this I have got to depend
on some body getting to Florence for me
that can talk to her close and coach
her on what to say if the lawyer tells me
to change it I will get word to you
some how make through him and you or
him one can see her I know she is
willing to do as I say if her folks dont influence
her too much and I think if you read this
letter to her she will understand and will do
as I say. you know yourself if we had thought
we would be involved later it wouldnt me
have made a story to have told the same
(over)

thing and not ② have told it different
the sheriff ought to know that. I am all
over he may be back just where he started
from. I want you to talk to the Sheriff
and see if he want to let Florence come to
see me or sure want try to discuss the
case with her and will warn her not to
bring it up. I am praying from 10 to 15
times a day to see her. And I believe that
God will open the way for me to see her.
Jim is a Mason (that is why I wanted
Bullock to talk to him so I guess you can
do as well as him I had forgot about
you being and Eastern Star. Mamma and
Bea had each give me a dollar and
Mr. Taylor had let me keep it is why I
had a dollar to get Bella's letter out of
here. I want you to see if she got it you
can tell her I wrote you one too and if
you can be sure and see Florence as soon
as you can you can send word by the
messenger or you don't get a word alone
with me in the office some times Mr.
Taylor stops out for a minute or too he did
when Bea and Alpha was over her
that's when she told me it was not the
sheriff's fault that Florence didn't come to see
me so by Florence calling up here Saturday
I thought Jim and the boys had agreed to
let her come so now I don't know what
to think I am still hoping and praying
that I get to see her soon (that is all I
seem to care to live for you just don't
realise what she means to me I know we
have had our ups and downs but in a long
life this she has always been faithful to
look out for me such as bringing me
little things I need and keeping my clothes
clean for me I feel like sometimes taking
my own life just sitting here and
thinking of her. it is not right for them
whoever it is to keep her away from me
now don't get me wrong about what

you see are ^③ doing for me I know
that every one of you are really going to
bat for me and certainly do appreciate it
you all have been wonderful to me to come
and see me and to bring and send the nice
things you have to me but you can
understand how I feel about Florence and
how bad I want to see her and I know
she feels the same way about me, I
want you to please make every effort you
can to get the way cleared for me to
see her at least once in a while if it is
the sheriff he sure want back on his
word because he told me if I would tell
him what I did he would turn her loose and
would let her come to see me anytime in
reason during visiting hours please talk to
him and also to Jim and see if they will let
you bring her to see me. That is what I told
the sheriff as near as I can remember

I said that on the Friday night he come to
our house he was pretty drunk (I mean
Leslie see the man who was killed) and
that he was mad when he come in he had
already had a fuss and fight with his neighbor
Willie Miller. and that he started the
fuss with Florence and I told them to shut
up and that she did but he kept on and I
told him again and he covered me and told
me he was going to get her told off and
started around the table with the knife after
me and that I saw my the front room
and grabbed my rifle and fired at him
that I didn't know where I hit him but
he kind of fell in a crouch like and
then got up and went out the
kitchen door and that was the last I
saw of him I told him I didn't know
what he did with the knife and that I didn't
see any flash light if he had one I didn't
know about it I told him I had been
(Over)

drinking quite a bit of beer & told him there was not much blood and that Florence rinsed it up & told him that when Leslie ran at me with the knife that Florence run in the room that we didnt use and when she came back out I told her I had shot him at he had left out the back door and she told me not to worry ~~about~~ about him that he wasnt hurt bad that he was only drunk and would go and sleep it off and go on home. And that after he was reported missing we still didnt think anything about it because she said it was not unusual for him to go off and stay home a week to 5 months without letting any one know where he was at. I told him I didnt know what time it was but I thought it was some time between 11 and 12 o'clock and that we went on to bed and next morning I went to Pensacola and came back home Sunday morning.

that is as near as I can remember what I told him on the statement I signed the Sheriff showed me and old battered flashlight and said it belonged to Leslie Lee and was found near my house & told him I didnt know any thing about it. So I want you to read this letter over several times so you wont miss any thing in it and will understand it. When you get this letter come to see me and just say that you had a letter from Jomnie and I will know you got the letter ok. and I am going to tell the jailer to give you 10 dollars of my money and you mail it to Jomnie R. Dilton.

General Delivery Bay Minette Ala and I will have it picked up and brought to me and you can also tell me if you have talked to Florence and have got it all

straight with 5 then and anything else
you want to tell me I have got to have
a little money up here so please don't let
me down when I get him to give you the
money you put it in a letter and mail
it to the name I told you to it is no
one here but I will have it picked up.
to let me know you got the letter just say
to me that you had a letter from
Tommy and to let me know you are
going to answer it I will ask you have
you answered it and you can tell me
you have or are going to answer it in
a day or two and I will know when to
send to the P.O. for it don't forget the
name Tommy R. DITZ Gen. Del. Baymunde
Ala. So please for my sake don't let me
down I know you want to help me and
this is the only way I know you can help
me sometime when I get the chance to talk
to you I will tell you the whole story
until then just please help me all you can
and for God's sake please try to bring
Florence to see me if only for a few minutes
talk to the Sheriff or holden if you will he
will let you bring her to see me and also if
you talk to Jack and you all try to get
together you all can help both of us better
than trying to pull apart. I don't know what
they are holding Florence for whether for a
material witness or being an accessory
or and find out and let me know in the
letter and be sure and tell me you are
going to write to Tommy so I will know to
send to the P.O. for the letters and be sure
and put the money in it that is the only way
I can get any for my money they will let
me have a dollar or so up here if any
body gives it to me but don't let me
have any of mine so please ask you again
don't let me down and please do all
you can to bring Florence to see me or open
the way so she can come herself (over)

regardless of what. ⁶ you do be sure and send
this letter so I will know if they are getting
out of here OK. there is no trust of spending
money on them for nothing, but I think I can
trust the one I am sending them by and I
will be sure if you let me know you get
this by saying you got a letter from Jommie
there is a picture? I want to talk to you and
will write you from time to time if these
letters get out OK. And if you want to tell me
anything always write to me or tell me you
have had a letter from Jommie and I
will know to send to the P.D. I want write
any more until I hear from you but be sure
and don't let me down I will never forget you
~~what~~ for what help you give me and all
of the rest too. I don't know yet how I am
going to get this letter to you but regardless
of whether it is mailed or not or let at the
Hotel for you be sure and answer
it and also when you see me just say,
you had a letter from Jommie and I will
know you got it and please don't forget to
see Florence alone when you talk to her
any time in the morning from 9 to 11 is a
good time to see her. I also want you
to pick up my last check for me and get it
cashed and send it along with the ten
dollars I got for you I will tell you about
it when I see you if you can ship me
a letter by the way a book
or cigarettes do that instead of nothing
it and I will be more sure of getting it
but if you can't let me know you I have
mailed it by saying you wrote to Jommie
will close. How I hope to hear from
you soon please don't let me down I am
anxious to know if you get this OK
please bring Florence to see me
if you can

I am going to try ⁽²³⁾ and get this to you while
you are over here but if I don't will mail it
to Pensacola and you come back over here
Just as soon as you can and try to do what
you can for me there is plenty that has got to
be done I know but above all I had rather
see Florence than anything I know of now
I can't hardly eat or sleep for thinking about
her it is not right for her not to be allowed
to see me in presence of some one like
I have to see you all I think it would
be a good idea for you all to get
together with Jim and all get the same
lawyer for both of us then he could
talk to both of us and ~~we~~ would have a
much better chance to defend us than he
would otherwise what do you think
about it and if you have talked to Jim
what does he say about it Florence told me
that she would never let them influence
her again and I want you to tell her I said
so and tell her I said she would be better
off here in jail that I did at least get to see
her she must have made it alright with her
folks to see me by her calling up here last
Saturday so it must be the sheriff is so sure
lived to me I sure want you to talk to
him and every one you can and find out
just why I can't see her and tell me why
and try to arrange for me to see her if it is
humanly possible you don't know what it
means to me and what it would mean just
to see her for a few minutes and just
say a word or two to her I will stop
now and hope to hear from you soon
don't forget Jammie R. Bitty. I may get more
than 10 dollars and give to you if so
keep part of it for me till next time

Sister I thought of something else I wanted to
tell you they have what is known as the
grape vine in these kind of places and I
heard by the grape vine that after the term of
court was over which will be in a week
or two they will set a bond for me if it is
not too much I am going to try to make it
so I can get out where I can talk to Florence
and some others and plan a defence I
don't know for sure I will get a bond but
I heard that I would regardless of what I tell
you in the office about the money I have
them to give to you you be sure and send
it to me I owe a little grocery bill and
the man thinks they will electrocute me
before he gets his so old man Taylor wants
me to send him what I have down there.
if I can see Florence she can get the tools
I had charged on the bill that I didn't use
and return them and get credit for them
and then the bill won't be so much.
whenever you get for a lawyer see if you
can't make arrangements for me to give him
letters to mail to you and for him to bring
mail to me without it costing a dollar
everytime I send on or get one you can
explain to him that I can't get mail out of here
but it costs me a dollar everytime I have
one shipped out of here you know he can see
me anytime in private he wants to see me
and please sister don't forget to make every
effort you can to make it so I can see
Florence I don't want to talk about the case
with her and you can tell her not to try and
talk to me about it that you can get word to
me and from me and you will tell her
things I want to tell her and things she
wants to tell me. it seems like at times
I will go crazy if I don't get to see her (Over)

AFTER FIVE DAYS RETURN TO

Tommy R. R. R.
Gen. Wolf
Bay Minette Ala



Mrs. Carrie E. Munn
3812 W. Lee St.
Pensacola

March 11
March 25, 1945
FLA.

Stetson 12
Dear Belle. I know I can trust you so
I am going to ask you to do a favor for
me. I am going to tell you as near as
I can just what I told the sheriff and
I want you to go to Florence and tell her
and read it to her be sure that nobody
else hears you tell her (I done that to get
her out of jail) and tell her I said for her
do not forget that either I can change my
story and have her brought back to jail
I don't know what she told the sheriff but what
he tells me it is for some what I told him
please tell don't let me down on this
it means so much to both of us and
some day I will tell you all the details
about it. Tell Florence no matter
what she has told for her to change it
when she goes in Court just like I have
told it for I am not going to change my
story unless I deny everything which
that lawyer told me if he hadn't told
anything they couldn't prove a thing
against me I told what I did to get her
out of jail and when she goes in
Court she better tell the same thing I tell
if I get a lawyer and he tells me to change
my story I will get him to see Florence
if he can and tell her exactly what to
say. I would like for you to go over all
of it several times with her so she can
thoroughly understand it. I also want you
to tell her how much I miss her and tell
her I know her too well for her to let Jim
bluff her in to not coming to see me. Tell
(over) her

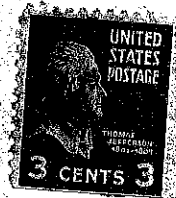
to talk to Jim and tell him it is for her
own good as well as mine for her to see
me and it may not be a bad idea for
you to talk to him and tell him it
will be to her own good for her to visit
me once in a while if they try to leave
me holding the bag I am going to spill
all I know and make it hard on her.
not because I am mad at her but to
get even with her folks and all please
tell her that too. There is so much I want
to tell you and haven't got room but please
go see her for me and coach her in
what I am going to write on another
page and if you can't talk a word out
two with her when you come please
nod your head if everything is alright
and let her see her and she is
going to say as I say from what the
sheriff told me she told an entirely
different story from me and she sure
had better change it tell her she has
got a good excuse that she was sick
they had to get the doctor to her and she
don't know what she told them then.
you can use your own judgement
about seeing Jim but I sure do
want to see Florence tell her to try
and come to see me if she cares
I think she will come regardless of
what they say or do they are only

trying to bluff her and she knows
it tell her she had better tell him or
who ever is on her bond and reason
with them if they really want to help
her they had better let her come to see
me. this is what I told the sheriff just
as near as I can remember I told him
that Jerry Lee come to our house between
11 and 12 o'clock as near the time as I can
remember I didn't know exactly what time
and that he was drunk and I also mad
he already had a quarrel and fight with
Willie Miller and that he started to fuss
with Florence and I told them both to
shut up and that she did but he cursed
me and said he was going to get her told
off and he got up from the chair and got
his knife and started around the table
after me (I was trying to light the stove
and make coffee) and that I ran around
the table into the front room and grabbed
my rifle from on top of the Chifferobe
and fired at him and that he dropped
in a crouch and then got up pretty
quick and left out the kitchen door
and that is the last I saw of him that
my wife told me not to worry about
him that he wasn't hurt very bad he
was only drunk and would go and sleep
it off some where and that after
he didn't show up I still didn't think
anything about it because she told
me it was not unusual for him to go
off and stay from a week to four
months without letting any one know
where he was at I thought he had
got scared and left town so I didn't
think any more about it (Over)

I said I didnt know what he did
with the knife and that I didnt see
any flash light at all I dont know
whether he had one or not (The
Sheriff showed me and a old battered one
and said it was Leslies and was found
near my house) I told him there was
not much blood and that Florence
removed it up I told him we went
to bed shortly after that and that I
went to persacola Saturday morning and
come back Sunday I told him that
Florence ran out of the kitchen and into
that room we didnt use as Leslie
started after me and she didnt see me
fire the gun I told him we were at
home tending our own business that I
had been drinking beer and that she
had been playing a harp and we had
been singing and he had no right at
my house at all and he got what he
ask for that is all I told him so I
will continue with my letter to you
Bill I think it would be better for some
body to talk to Jim that is Florence's
son and get together with him and
try and get the same lawyer in that
way he can talk to both of us and
we can get everything straight you
know a lawyer is the only one
that can talk to me without any one
hearing it that is why I have got to have
one of some kind if I can get one
I want to see Bubler and get him to talk
to Jim and the Sheriff also they are
all masons and I think of Bubler
talks to Jim and explains to him

that it will be ⑤ best for his mother to
visit me and for us all to pull together
he will see it is best and wait for leg
here to come to see me. Well I sure do
miss her and I believe that if it was
explained to Jim and he was put in
my place how much it would mean to
him to see his wife he would tell her to
come to see me. If Jim only knew
I could make it awfully hard for
Laurie but I love her too much to
hurt her if I don't have to and I want you
to tell her that I am going to protect
her all I can if she will pull with
me but if she don't call Jim's bluff
and come to see me I am going to
make it as hard as I can for her not
for her sake but to get even with her
folks tell her she knows they are only
bluffing her and I know it and that if
she talks to them right and explains to
them that I am trying to protect her
but I can make it hard on her they will
see it our way and let her come to see
me. Well it will mean more to me than
anything at all if I can only see her
once or twice a week I believe she
wants to come and if she only makes up
her mind to come see me she will
tell them and come on to see me
they are not going to go off her word
that is only bluff I know the sheriff
told me I could see her and I don't
believe he will go back on his word
(over)

Sis if you like ^(b) you can read this
letter to Florence it may be better if
you did. but please don't let me
down and if there is anything in the
world you can do to help me find
a way for Florence to visit me please
help me it means more to me than
anything if I can only see her for a
few minutes once in a while I have
prayed daily for God to open a way for
me to see her and I believe he will
tell her if she wants to see me to
pray earnestly and talk to them every
day and a way will be opened for us
to see each other. she is always
so good to see about my clothes and
bring me little things from home
that mean so much to me. of course I
am always glad to see any of you all
especially you because you have
been so kind to me but you know
how it is there is no one can take
her place. so sis I am going to
depend on you to ~~help me~~ ^{help me} in every way you can to get to see
her I don't want to talk about this
case with her and tell her if she gets
to see me not to mention it or they
may not let her see me. I am
~~writing~~ ^{writing} a than I am going to see
her soon and I believe God is going
to open a way soon so please help
me well and God bless you for
what you have done please don't let
me down will never forget you



Mrs. George M. Eddies
1203 N. Green St.
Pensacola
Fla

State's Ex 417
March 25, 1953

Given Charges

State vs. Jesse Wiley Hines