

Given Charges

W 2067

John P. Acernan Jr.

vs

Matthew Jenkins

6. The Court charges the Jury that if you are reasonably satisfied from the evidence in this case that the plaintiff's intestate was guilty of contributory negligence on the occasion complained of, which proximately contributed even in the slightest degree to cause his alleged injuries, then you cannot give a verdict in favor of the plaintiff on Count Seven of the Amended Complaint based on simple negligence.

*Given
Huskey
Judge*

5. The Court charges the Jury, that if you find from the evidence that the defendant was negligent as charged in the Amended Complaint, yet if you further find from the evidence that plaintiff's intestate had knowledge of his danger and failed to use ordinary care to avoid being injured, then the plaintiff is not entitled to recover in this case, and it is your duty to return a verdict for the defendant.

Handwritten:
Find for
defendant

4. The Court charges the Jury that, if plaintiff's
intestate came to his death by reason of a mere accident,
the plaintiff cannot recover.

*Gwen
Huntress*