

Charge 3.

I charge you gentlemen of the jury that if you believe from the evidence that the defendant had quit his argument with the deceased and was returning to his home with the intention of leaving the scene of the difficulty and that the deceased made a felonious assault upon him and that the defendant was free from fault in bringing on that difficulty and his life or limb was in imminent or apparent danger and he had no reasonable mode of escape, then he had the right to resist the assault of the deceased and to use such force as necessary in defense of his person.

*Given
Hunt
Rth*

Charge 4.

I charge you gentlemen of the jury that if the evidence has generated in your minds a reasonable doubt that the defendant had abandoned the argument between himself and the deceased for the purpose of leaving the scene of the difficulty and the deceased made a felonious assault upon him and that the defendant was free from fault in bringing on that difficulty and his life or limb was in imminent or apparent danger and he had no reasonable mode of escape, then he had the right to resist the assault of the deceased and to use such force as necessary in defense of his person.

*Good
1st all
judges*

Charge 5.

The court charges the jury that if the jury, upon considering all the evidence, have a reasonable doubt about the defendant's guilt, arising out of any part of the evidence, they should find him not guilty.

Grier
Mutter
RST

Charge 6.

The court charges the jury that if there is one single fact proved to the satisfaction of the jury which is inconsistent with the defendant's guilt, this is sufficient to raise a reasonable doubt, and the jury should acquit him.

*Given
10/10/49
JST*

Charge 7.

The court charges the jury that unless each of you are convinced beyond a reasonable doubt of the guilt of the defendant, from the evidence in the case, then you should not convict him.

Burr
Hawker
Jiff

Charge 8.

The court charges the jury that each jurymen must be separately satisfied, beyond a reasonable doubt and to a moral certainty, that defendant is guilty of the crime charged, or you cannot convict him.

Given
10/11/11
Jury

Charge 9.

The court charges the jury that the absence of sufficiently satisfying evidence before the jury may offer ground for reasonable doubt of the defendant's guilt.

*Sub-
10/10/68
put*

Charge 10.

The court charges the jury that good character itself may, in connection with all the evidence, generate a reasonable doubt and entitle the defendant to an acquittal, even though without such proof of good character you would convict.

*Gives
1/11/11
Jury*

Charge 11.

The court charges the jury that proof of good character, if proved to your reasonable satisfaction, may be sufficient to authorize you to acquit defendant, when taken in connection with all the other testimony.

*Given
1/11/1968
Judge*

Charge 12.

The court charges the jury that good character itself is part of the evidence in this case, and if the jury upon a consideration of all the evidence have a reasonable doubt growing out of any part of the evidence, the jury will give the defendant the benefit of such doubt and acquit him.

*Given
K. M. O'Connell
Jury*

Charge 13.

The court charges the jury that the defendant is authorized under the statute, to testify in his own behalf, and the jury have a right to give full credit to his statements.

*Swear
17th Mar 1944
Jury*

Charge 14.

The court charges the jury that the burden is upon the state, 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.

*Good
Hawkins
for*

Charge 15.

The court charges the jury that the burden is on the state to convince you of defendant's guilt to the exclusion of every reasonable doubt, and by evidence that overcomes the presumption of fact, that the law surrounds the defendant with, that he is innocent of crime.

*Sw- / Hester
for*

Charge 16.

The court charges the jury that the legal presumption of innocence is to be regarded by the jury in every case as a matter of evidence, to the benefit of which the accused is entitled; and, as a matter of evidence, it attends the accused until his guilt is, by the evidence, placed beyond a reasonable doubt.

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

Charge 17.

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

*Gives
1/10/1918
R. J.*

Charge 18.

The court charges the jury that if the deceased made a sudden, unprovoked, murderous attack upon defendant, the deceased at the time being armed with a deadly weapon, and, in the act of effectuating upon the defendant his murderous purpose, and after considering all the evidence in the case you find this to be true, then I charge you that the defendant was under no duty to retreat but had the right to stand his ground and to kill his assailant.

Swi / Murderer

Charge 19.

The court charges the jury that a citizen may repel force by force in defense of his person against one who manifestly intends or endeavors by violence or surprise to take his life, and, if you believe from the evidence that the defendant was entirely free from fault in bringing on the difficulty and did not enter the fight willingly and in good faith believing that he was in imminent peril, the defendant was not obliged to retreat and under such circumstances defendant had the right to take the life of the deceased.

*Given
1/20/1914
J. H. H.*

The Court charges the jury that if there is one single fact proved to the satisfaction of the jury which is inconsistent with the defendant's guilt, this is sufficient to raise a reasonable doubt, and the jury should acquit him.

Defendants Requested Charge Number 6

*Guar
10/10/68
page*

The Court charges the jury that the defendant is authorized under the statute, to testify in his own behalf, and the jury have a right to give full credit to his statements.

Defendants Requested Charge Number 14

*Given
the jury
gives*

The Court charges the jury that if any individual juror is not convinced of defendant's guilt beyond all reasonable doubt, and to a moral certainty, the jury cannot convict.

Defendants Requested Charge Number 12

Emi
KM/tee
guy

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.

Defendants Requested Charge Number 10

*Order
This Day
Judge*

The Court charges the jury that the burden is upon the state, and it is the duty of the state, to show, beyond all 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.

Defendants Requested Charge Number 16

*Given
H. M. G. G.
Jury*

The Court charges the jury that the law does not require one who is assailed in his own dwelling to retreat from it, but the law permits him, and says that it is his right, to stand his ground, and kill his assailant, if it is necessary so to do to save his life, or to protect himself from great bodily harm, provided he is without fault in bringing on the difficulty. And in this case the court charges the jury that if they believe from the evidence that the deceased so acted as to create in the mind of defendant reasonable belief that himself or any member of his family was in danger of his life or sustaining great bodily harm at the hands of the deceased, the the defendant, under the law, had a right to shoot deceased, and take his life, if such shooting was necessary to protect his own life, or that of any member of his family, from sustaining great bodily harm at the hands of the deceased.

Defendants Requested Charge Number 17

*Given
Muller
Just*

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 as charged in the indictment, to the exclusion of every probability of his innocence, and every reasonable doubt of his guilt, and, if the prosecution has failed to furnish such measure of proof, and to so impress the minds of the jury of his guilt, they should find him not guilty.

W. W. Miller
W. W. Miller
W. W. Miller

Defendants Requested Charge Number 9

The Court charges the jury that each juryman must be separately satisfied, beyond a reasonable doubt and to a moral certainty, that defendant is guilty of the crime charged, or you cannot convict him.

Defendants Requested Charge Number 8

Given
Will you
just

The Court charges the jury that defendant cannot be convicted in this case unless each and every juror is not only reasonably satisfied from the evidence of defendants guilt, but is satisfied from the evidence, and the evidence alone, beyond all reasonable doubt, and to a moral certainty, of his guilt.

Defendants Requested Charge Number 7

*Given
Hunt*

The Court charges the jury that if they believe from the evidence that the deceased was of a violent and blood-thirsty character, they are to take such evidence into consideration in determining whether or not the defendant is guilty.

Defendants Requested Charge Number 4

*Given
(Mr. [unclear])
[unclear]*

The Court charges the jury that, if the jury, upon considering all the evidence, have a reasonable doubt about the defendant's guilt, arising out of any part of the evidence, they should find him not guilty.

Defendants Requested Charge Number 5

*Given
10/11/82
Judge*

The Court charges the jury that if, from the testimony, there is a probability of defendant's innocence, that is a just ground for a reasonable doubt; and, if such probability exists in this case, you cannot convict the defendant.

Defendants Requested Charge Number 13

*Over
Hester
Ruff*

The Court charges the jury that no presumption of law arises that one who assaulted another with a deadly weapon intended to kill him.

Defendants Requested Charge Number 3

*Shirley
Kuehn
Jury*

The Court charges the jury that the probability that some other person may have done the killing is sufficient to create a reasonable doubt of the guilt of the defendant, and therefore for his acquittal.

Defendants Requested Charge Number 15

*over
10 minutes
off*

The Court charges the jury that they must find the defendant not guilty, if the conduct of the defendant upon a reasonable hypothesis is consistent with his innocence.

Defendants Requested Charge Number 11

*Don
W. G. H.
get*

Known Charges

State

vs.

Willie Johnson -