

D-1 I charge you gentlemen of the jury that you must return a verdict for the Defendants.

Refused,
Seafair J. MacArthur
Judge

D-2 I charge you gentlemen of the jury that if you believe the evidence in this case, you must return a verdict for the Defendants.

Refused
Jesse J. Marshall
Judge.

D-3 The Court charges the jury that the burden of proof is on the Plaintiff in this case to reasonably satisfy your minds from the evidence of the truth of the material allegations of the Complaint, and I charge you that unless the Plaintiff has met that burden you cannot return a verdict in favor of the Plaintiff and against the Defendants.

Siven,
Jefair J. Washburn
Judge

D-4 The Court charges the jury that your verdict in this case should be based upon the evidence alone, and you should not permit your sympathy in any manner to influence your verdict.

Refused,
J. J. Marshall
Judge

D-8 I charge you gentlemen of the jury that in determining the credibility of the different witnesses testifying and the weight to be given their testimony, you have the right to take into consideration the interest and motive of any witness insofar as shown by the evidence, the conduct and demeanor of such witness while testifying the probability or improbability of the story told by the witness, in view of all the other evidence in the case, whether the witness has been impeached by showing that he or she has made contradictory statements as to material facts either in or out of Court, and from all these elements and circumstances, together with all the evidence, determine the credit to be given the testimony of such witness or witnesses.

¹
Given
Defair J. Maskeben
Judge.

D-9 I charge you, gentlemen of the jury, that if, after a fair consideration of all the evidence in this case, the mind of any one or more of the jury is not reasonably satisfied that the Plaintiff is entitled to recover, you cannot return a verdict in favor of the Plaintiff and against the Defendants.

Sweeney
Jeffrey G. Washburn
Judge.

D-12 I charge you gentlemen of the jury, that there is no presumption of negligence on the part of the Defendants from the mere fact that the Plaintiff left the road and struck a utility pole.

Given
Deputy J. Maslow
Judge.

D-13 I charge you gentlemen of the jury that in no case can negligence be assumed from the mere fact of the injury and the burden of proving the negligence alleged rests upon the Plaintiff.

Sween,
Sefair J. Masliah
Judge

D-14 I charge you, gentlemen of the jury, if you are reasonably satisfied from all of the evidence in this case that the Plaintiff's alleged injuries and damages were the proximate result of a mere accident on the occasion complained of, then you cannot find for the Plaintiff and against the Defendants.

Given,
J. J. Morrison
Judge.

D-29 I charge you gentlemen of the jury that you cannot award the Plaintiff any damages for permanent injury.

*Refused,
J. J. Madison
Judge*

D-30 I charge you gentlemen of the jury that you cannot award the Plaintiff any damages for lost income.

Refused
Debra J. Washburn
Judge

D-35 The Court charges the jury that you are authorized to take into consideration the physical facts and circumstances surrounding the accident, and if the testimony of any witness is in conflict with such physical facts, then the jury may take into consideration such conflict in determining what weight they will give to the testimony of such witness.

*Given,
Jefair J. Maslowski
Judge*

D-36 I charge you gentlemen of the jury that to constitute negligence for which an action at law may be maintained, there must not only be a causal connection between the negligence complained of and the injuries suffered, but the connection must be by a natural and unbroken sequence, without intervening efficient causes, so that, but for the negligence of the Defendant, if any, the injury would not have occurred. It must not only be a cause, it must be the proximate cause, that is, the direct and immediate efficient cause of the injury, and if you are reasonably satisfied from the evidence that Mrs. Minchew was herself guilty of the slightest negligence which proximately contributed to her own injuries and damages, then you cannot return a verdict in favor of Mrs. Minchew and against the Defendants.

*Given,
Joseph J. Massabian
Judge.*

D-37 The Court charges the jury that if you are reasonably satisfied from the evidence that Mrs. Minchew was guilty of negligence which proximately contributed even in the slightest degree to her injuries and damages, then you cannot return a verdict in favor of the Plaintiff and against the Defendants.

*Refused,
Jefair J. Marshall
Judge.*

D-39 The Court charges the jury that if you are reasonably satisfied from the evidence in this case that the Plaintiff was driving her truck at a speed in excess of the lawful speed limit, then the Plaintiff would be guilty of negligence as a matter of law. If you are further reasonably satisfied from the evidence that such negligence on the part of Mrs. Minchew contributed proximately to cause her injuries and damages, even in the slightest degree, then you cannot return a verdict in favor of the Plaintiff and against the Defendants.

Given
Sejour G. Marshall
Judge