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1683

The State of Alabama,
Baldwin County.

CIRCUIT COURT

Spring Session

Term 19 54

On Appeal from County Court.

THE STATE vs. Rosetta Brown

The State of Alabama, by its Solicitor, complains of Rosetta Brown

_____ that
in said county and within twelve months before the commencement of this prosecution she did
assault Lydia Nell Gray with a weapon

contrary to law and against the peace and dignity of the State of Alabama.

Kenneth Cooper
Solicitor.

No. 1688

STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT

THE STATE
vs.

Rosetta Brown

CHARGE:

Assault With A Weapon

COMPLAINT

Filed

3-1

19

5-24

David ...
Clerk

MOORE PTG. CO.

*We the jury find the defendant
guilty As charged.
Fine .01 and cost. Court
C M Coyle*

12. 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.

*For
Hutchins
page*

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 her not guilty.

*Swi
1/10/1944
J. H. G.*

14. The court charges the jury that a reasonable doubt may arise, though there is no probability of the defendant's innocence in the testimony; and, if the jury have not an abiding conviction to a moral certainty of her guilt, then they should find her not guilty.

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7. The court charges the jury that if the evidence is not so convincing as to lead the minds of the jury to the conclusion that she is guilty, they must find her not guilty.

*From
Michael
Pulley*

9. 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 defendant's guilt, but is satisfied from the evidence, and the evidence alone, beyond all reasonable doubt, and to a moral certainty, of her guilt.

*From
Hull
200*

13. The court charges the jury that if, upon a consideration of all the evidence, the minds of the jury or any member of the jury is left in a state of reasonable doubt and uncertainty, by the evidence or any part of the evidence, of defendant's guilt, then you cannot convict the defendant.

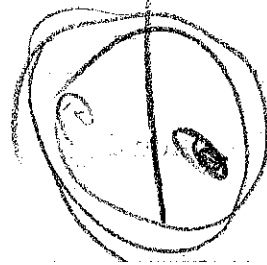
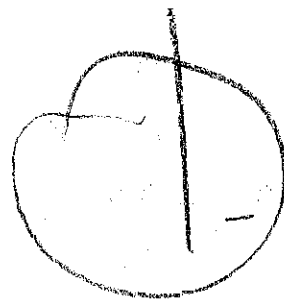
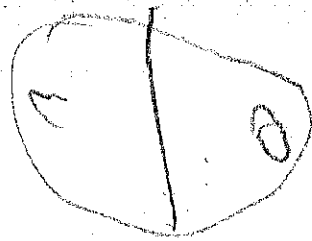
*Given
Proves
Proof*

11. 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 her.

*am
P. M. Kelley
Jury*

15. The court charges the jury that, if they have a reasonable doubt from the evidence of the defendant's guilt, they should find her not guilty.

*Ami
Hickes
Jury*



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 her.

*Some
other
pages*

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

*Gwen
Whitell
Jury*

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

Wm. H. ...

10. The court charges the jury that if after a full consideration of all the evidence the guilt of defendant is not proven to a moral certainty, then the jury must find defendant not guilty.

*no
more
jury*

11688

State vs. Arthur Brown

JURY LIST

Fall Term, September 27th, 1954

NO.	NAME	OCCUPATION	ADDRESS
1	Joe T. Worcester	farmer	Fairhope
2	Louis Jurkevich	farmer	Rabon 191
3	D. C. Johnson	logging	Bay Minette 91
4	Frank A. Kucera, Jr.	farmer	Silverhill 127
5	Charlie Zehner	inspector	Bay Minette 132
6	Clarence M. Underwood	farmer	Summerdale
7	M. D. Drinkard	dairy	Bay Minette 510
8	John William Spaulding	truck driver	Foley
9	Ossie V. Morris	farmer	Gateswood
10	Hugh S. Metcalf, Sr.	farmer	Foley 51
11	Charles E. Gantt	millman	Little River 106
12	Merwin Plash	fisherman	Bon Secour
13	Eugene F. Callaway	seafood dealer	Foley
14	Sibley B. Richerson	clerk	Stockton 106
15	G. M. Mills	carpentine	Magnolia Springs
16	William F. Bowkin	laborer	Robertsdale 52
17	Herman Dodge	merchant	Elberta 103
18	Howard Hall	parts clerk	Bay Minette
19	John M. Dukes	restaurant	Foley 129
20	Linton Rhodes	farmer	Summerdale
21	Henry C. Crawford, Jr.	farmer	Belforest 58
22	Cecil Vinson	laborer	Stapleton
23	Norman McInnis	Supt. Mill Co.	Stockton 57
24	Rud Shoria	laborer	Elkton 103
25	George H. Baldwin	produce dealer	Robertsdale 53
26	Mike Kaiser, Jr.	farmer	Elberta 57
27	Roy Norris	sea food dealer	Bon Secour
28	Basil Jurkevicz	Magnolia Springs	
29	Julius Schwart	farmer	Lillian 7
30	Louis Pollard	(negro) merchant	Foley
31	Ben C. Gates	M. P. dealer	Foley
32	George Dyson	farmer	Fairhope 5
33	M. O. Berglin	merchant	Fairhope 54
34	Charlie Hartzoff	electrician	Foley
35	Dan C. Hayes	farmer	Foley
36	Elbert E. Killion	carpenter	Foley 108
37	Jesse Porter	insurance	Foley 1311
38	McNeil Bush	merchant	Stapleton
39	Henry Bishop	bank cashier	Fairhope
40	Elbert M. Rhodes	farmer	Summerdale 1011
41	R. Harold Agee	merchant	Foley
42	Alfred Riebe	farmer	Elberta
43	Olando J. Maurer	farmer	Bay Minette 108
44	B. Marco	farmer	Belforest
45	George H. Carr	farmer	Foley
46	William C. Mayo	fisherman	Foley 56
47	W. D. Mitchell	laborer	Seminole 59
48	Walter L. Hammond	merchant	Robertsdale 104
49	Roy E. Dawson	live stock dealer	Robertsdale
50	Brick Lander	carpenter	Foley 54
51	Heurfin Parker	farmer	Bon Secour
52	Wm. P. Baldwin	produce agent	Robertsdale
53	Owen Eubanks	mechanic	Bay Minette 511
54	Verdis Verlon Hudson	liquid carriers	Bay Minette 55
55	John Götter	farmer	Elberta 135
56	Lovick Allen	inn keeper	Gulf Shores 135
57	C. M. Coghlan	farmer	Latham
58	I. B. Byrd	farmer	Stapleton
59	William C. Osborne	laborer	Foley
60	Lutcher Davis	electrician	Foley 129

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1688
Rosette Brown

[Faint, illegible handwritten text]

APPEAL BOND. 11078

THE STATE OF ALABAMA,
Baldwin County.

County Court, August 3 Term, 1953.

KNOW ALL MEN BY THESE PRESENTS, That we Rosetta Brown

_____, are held and firmly bound unto the State
of Alabama, in the sum of \$150.00 Dollars
for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, and
administrators, jointly and severally, firmly by these presents.

Witness our hands and seals, this the 3rd day of August, 1953.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bound-
en Rosetta Brown, was on the 3rd day of August, 1953
convicted in the County, of the offense Assault with a weapon

and by the judgment of said Court sentenced to \$10.00 fine and costs of court

And, whereas, the said Rosetta Brown

has this day prayed an appeal from said judgement to the Circuit Court of said County:

Now, if the said Rosetta Brown shall appear at
the next term of the Circuit Court, and from term to term thereafter until discharged, and abide
by and perform whatever sentence may be adjudged in said Court against him, then the above ob-
ligation to be void, otherwise to remain in full force and effect.

August 3, 1953
Defendant demands a trial of said
cause by jury.

James R. Owen
Attorney for Defendant

Rosetta Brown (L. S.)

H. N. Stucky (L. S.)

Alex J. Stucky (L. S.)

Approved:
W. C. Stewart
County Court Judge.

(L. S.)

4437

THE STATE OF ALABAMA
Baldwin County

COUNTY COURT

THE STATE
VS.

APPEAL BOND

Sureties.

Filed in the office of the Clerk of the
Circuit Court _____ day of

_____, 195_____.

_____, Clerk.

8891