

1.

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.

Wm. H. Hare
Judge

5.

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.

Given
G. W. Hare
Judge

6.

The Court charges the Jury that the law does not require one who is assailed in his own place of business 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 protect himself from great bodily harm, provided he is without fault in bringing on the difficulty.

Given
J. W. Hall
Judge

8.

The Court charges the Jury that Defendant in this case was under no legal obligation 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.

*Winn
J. W. Hare
Judge*

13.

The Court charges the Jury that it is the law that Defendant had a right to protect himself from real or reasonable 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.

Given
J. W. Harl
Judge

12.

The Court charges the Jury that if Defendant shot deceased under a bona fide belief that he was in impending danger of his life, and he had, under all the circumstances reasonable cause to believe that he was in imminent danger at the time the shooting was done, it would be immaterial whether there was such danger or not.

Kieren
J. W. Hare
Judge

11.

The Court charges the Jury that the Defendant enters into this trial with a presumption of innocence, and this is a fact in the case, which must be considered with all the evidence, and should not be disregarded.

Kevin
J. W. Hare
Judge

14.

The Court charges the Jury that if, after considering all of 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.

*Wm
F. M. Hare
Judge*

7.

The Court charges the Jury that if, on a consideration of all the evidence in this case, you find the evidence so nearly balanced that the mere weight of it is on the side of the State, and not so heavy and strong as to satisfy you to a moral certainty that it is true, you cannot find the Defendant guilty.

Given
J. W. Ware
Judge

9.

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.

Winn
J. W. Hare
Judge

10.

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

Given
J. W. Ware
Judge

3.

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 him.

Kinen
J. W. Hare
Judge

2.

The Court charges the Jury that if the evidence, or any part thereof, after a consideration of the whole of such evidence, generates a well founded doubt of defendant's guilt, the Jury must acquit him.

Senior
J. W. Hare
Judge

4.

The Court charges the Jury that the 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 each satisfied from the evidence, and the evidence alone, beyond all reasonable doubt and to a moral certainty, of his guilt.

*Benjamin
J. W. Base
Judge*

THE STATE OF ALABAMA,

CIRCUIT COURT

BALDWIN COUNTY

Sub No. _____

Case No. 766

Term December, 194 5

To Any Sheriff of the State of Alabama:

You are hereby commanded to Summon Ethel Quaites, Willie Williams,

Marie Bonner, Jesse Wilson, Charlena Harris, Leon Wilson,

Norman Wilson, Rosie Jones, Jack Titus & Dr G. C. Godard

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 5th day of December, 194 5, at 8:30 a. m., and from day to day of said term, and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE STATE in a prosecution now pending in said Court, wherein the State

of Alabama is Plaintiff and Quinton Mitchell.

_____ Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 19th day of November, A. D. 194 5 R. S. DUCK, Clerk.

Received in office 11-19-45, 1945

Executed this Nov. 23rd, 1945

By Serving

Ethel Quates

Morie Bonner

Jessie Wilson

Charlena Harris

Leon Wilson

Norman Wilson

Rosie Jones

Jack Titus

Dr. G. C. Godard

Willie Williams

C. E. Garrett Sheriff

WRS

ORIGINAL

For _____

No. 766 Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT

THE STATE
Vs.

QUINTON MITCHELL

STATE SUBPOENA

Issued this 19th day of

November, 1945

R. S. Duck Clerk.

THE STATE OF ALABAMA }
 Baldwin County. }

CIRCUIT COURT

SUB. No. _____

Case No. 766.Term. December, 1935

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Comanded to Summon Elizabeth Mitchell, Jesse Wilson,
Norman Wilson. Will Kennedy, Dr. G. C. Godard, Jack Titus,

Capt. Joe Pose. Warraduke Dyson, John Wienand, Edwin Green ~~Warraduke~~

Tony Klumpp. Adolph Berglin, Fairhope, S. M. Tharp, E. B. Bn.

personally to be and appear before the Circuit Court, to be holden for Baldwin County, at the Court House thereof, in Bay Minette, on the 5th day of December, 1935, at 8:30 a.m., and from day to day of said term and from term to term thereafter until discharged, to give evidence and the truth to speak in behalf of THE DEFENDANT in a prosecution now pending in said Court, where-
 in the State of Alabama is Plaintiff and Quinton Mitchell

_____ Defendant, and have you then and there this Writ, with your endorsement thereon.

Witness my hand this 19th day of November. A. D., 1935.

R. S. DUCK, Clerk.

Received in office _____, 193

Executed this Nov 24th, 1935

By Serang

Elizabeth Mitchell

Jessie Wilson

Norman Wilson

Will Kennedy

Dr. G.C. Goddard

Jack Titus

Capt. Joe Rose

Marmaduke Dyson

John Wienand

Edwin Green

Tony Klump

Adolph Berger

S.M. Tharp

C.E. Garrett Sheriff.

WRS

ORIGINAL

For _____

No. 766.

Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court

THE STATE
Vs.

QUINTON MITCHELL.

STATE SUBPOENA

Issued this 19th day of

November., 1935.

R.S. Duck.

Clerk.

THE STATE OF ALABAMA,
Baldwin County }

No. 6

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You are hereby commanded to summon Rosie Johnson
Ember Wilson
Sainhope

to be and appear on the 9th day of April, 1945, before the Grand Jury of said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this 20 day of April, A. D., 1945

R. Luck Clerk.

ORIGINAL

No. 6

GRAND JURY SUBPOENA

I have executed this Subpoena by serving a copy thereof on the following persons, to-wit:

~~Rosa~~ Rosie Johnson
Ember Wilson

this 6th day of April, 1945

E.E. Horvath, Sheriff

Moore Printing Co., Bay Minette, Ala.

By - Fred Walters D.S.

THE STATE OF ALABAMA, }
Baldwin County }

No. 6

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You are hereby commanded to summon Quaits the wife of Anderson Quaites
Leon Wilson, Elizabeth Mitchell, Willie Williams, Marie Bonner,
Charalena Harris, Jessie Wilson, Norman Wilson,
All at Fairhope.

to be and appear on the 9th day of April, 1945, before the Grand Jury of said County, at the Court House thereof, then and there to testify and give evidence on behalf of the State of Alabama. Herein fail not, and make due return of this writ with your endorsement thereon.

Witness my hand this 30th day of March, A. D., 1945

R S Duck Clerk.

ORIGINAL

No. 4

GRAND JURY SUBPOENA

I have executed this Subpoena by serving a copy thereof on the following persons, to-wit:

Anderson Duets & Wife

Leon Wilson

Elizabeth Mitchell

Willie Williams

Marie Brown

Charles Harris

Jessie Wilson

Norman Wilson

this 30 day of March, 1945

C. O. Garrett

, Sheriff

Moore Printing Co., Bay Minette, Ala.

Jayson & Walters

THE STATE OF ALABAMA, {
Baldwin County.

We, Quentin Mitchell, as principal and
the undersigned A. O. Berglin and T. J. Klumpp
as sureties, agree to pay the State of Alabama, the sum of Two Thousand (2000) Dollars
unless the said Quentin Mitchell appears at the
Term, 1945 of the Circuit Court of Baldwin County, Alabama
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense
of murder
and we hereby waive the benefit of all laws exempting property from levy and sale under execution or
other process for collection of debt, by constitution of the State of Alabama, and we hereby severally certi-
fy that we have property over and above all debts and liabilities to amount of the above bond.

Quentin Mitchell (Seal)
A. O. Berglin (Seal)
T. J. Klumpp (Seal)

(Seal)

Taken and approved this the 22nd day of February 1945

By [Signature] RECORDED EX-107-11716 CONFIDENTIAL
J. P.

Handwritten signature

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

_____ COURT

Sheriff's Office

The State
vs.

Appearance Bond

Amount of Bond \$ _____

Filed _____ 19 _____

_____ Clerk

Faint, illegible text and markings on the right side of the page, possibly bleed-through or a second page.

February 19, 1945

Defendant: Quenton Mitchell

Charge: Murder on February 17, 1945

Plead not guilty by reason of self defense.

Witnesses:

Anderson Quait's wife
Leon Wilson
Elizabeth Mitchell
Willie Williams
Marie Bonner
Charalena Harris
Jesse Wilson
Norman Wilson

Bound to Grand Jury.

Howard Ruge, Recorder

THE STATE OF ALABAMA, { To Any Sheriff of the State of Alabama:
Baldwin County } An indictment having been found against

Quinton Mitchell

at the Spring Term, 1945, of the Circuit Court of Baldwin County, for the offense of

Murder Second Degree

you are, therefore, commanded forthwith to arrest the said Defendant and commit him

to jail, unless he give bail to answer said indictment, and that you return this Writ according to law.

Dated this 10th day of April, 1945

[Signature]
Clerk Circuit Court of Baldwin County.

THE STATE OF ALABAMA, {
Baldwin County. }

We, _____, as principal and

the other undersigned as sureties, agree to pay the State of Alabama _____

Dollars, unless the said _____ appears

at the _____ Term of the Circuit Court of Baldwin County, and from Term to Term

thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions allowed us by the Constitution and Laws of Alabama.

Witness our hands and seals this _____ day of _____, 194_____

- (L. S.)
(L. S.)
(L. S.)
(L. S.)
(L. S.)

Taken and approved _____ day of _____ 194_____

Sheriff of Baldwin County.

CAPIAS

No. 6

THE STATE
vs.

Quinton Mitchell

Bail Fixed in This Case in Open Court at

\$ ~~XXXXXX~~ 1000.00

By F W Har~~XXXXXXXX~~
Judge Presiding.

Attest : R S Duck,
Clerk.

Executed this 12 day of April 1945

By arresting the within

named Defendant

under Bond

and placing him

C. E. Garrett Sheriff.

Deputy Sheriff.

THE STATE OF ALABAMA,
Baldwin County

We, Quentin Mitchell, as

principal, and undersigned as sureties, agree to pay THE STATE OF ALABAMA, the sum of
One Thousand DOLLARS

unless the said Quentin Mitchell appear at the

Next Term, 1945 of the Circuit Court of Baldwin County, Alabama,
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Murder in the 2nd Degree.

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting personal property from levy and sale under execution or other process for the collection of debt, by constitution or laws of the State of Alabama, and we hereby severally certify that we have property over and above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this

the _____ day of _____, 194_____

Quentin Mitchell (SEAL)

A. O. Berglin (SEAL)

J. H. Kennedy (SEAL)

_____ (SEAL)

_____, Baldwin County, Ala.

Taken and approved this the 12 day of April, 1945

C. E. Garrett, Sheriff

By _____, Deputy Sheriff

No. _____

The State of Alabama,
BALDWIN COUNTY

_____ COURT

SHERIFF'S OFFICE

THE STATE

VS.

Quintess Mitchell

Sheriff's Appearance Bond

Amount of Bond, \$ _____

Filed *April 14*, 194_____

_____, Clerk.

THE STATE OF ALABAMA, {
Baldwin County }

Circuit Court, April Session ~~Term~~, 1945

The Grand Jury of said County charge that before the finding of this indictment

Quinton Mitchell, alias Quinten Mitchell, alias Quentin Mitchell,
unlawfully and with malice aforethought, killed Anderson Quaites,
by shooting him with a pistol, but without premeditation or
deliberation;

against the peace and dignity of the State of Alabama.

Ralph L. Jones

Solicitor of the Twenty-first Judicial Circuit.

760

No. _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

April Session ~~1944~~, 1945

THE STATE
vs.

Quinton Mitchell, alias
Quinton Mitchell, alias
Quentin Mitchell,

INDICTMENT

Murder, Second Degree
No Prosecutor.

WITNESSES:

- ✓ Ethel Quaites ✓
- ✓ Willie Williams ✓
- ✓ Marie Bonner ✓
- Jesse Wilson ✓
- Charlena Harris ✓
- Leon Wilson ✓
- Norman Wilson ✓
- Rosie Jones ✓
- ✓ Dr. G. C. Godard ✓
- Jack Titus

GRAND JURY NO. 6

A TRUE BILL,

Lewis W. Brannon
Foreman Grand Jury.

Filed in open Court and in the presence of the

Grand Jury on the 10th day of

April, 1945
P. J. [Signature]
Clerk

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in
the presence of 17 other Grand Jurors.

J. W. [Signature]
Clerk.

Bail fixed \$1000⁰⁰

J. W. [Signature]
Judge.

We the jury find
the defendant
not guilty
W. W. [Signature]
Foreman