

INSTRUCTIONS.

GENTLEMEN OF THE JURY:

If you believe from all the evidence in this case, beyond a reasonable doubt, that the defendant, Homer Guinn, in Mercer County, Ky., and within 12 months before the issuance of the warrant in this case, committed a breach of the peace, in Nevada Mercer County, Ky. by cursing Rena Sanders, or by calling her bad names, such as being a slut, or damn slut, or by jerking her out on to the pike ~~at~~ almost doing so, or by jerking her at all while she had hold of the gate at Henry Sanders house; or that he committed said breach of the peace by cursing and abusing Henry Sanders, or by calling him a damn son of a b-----h, or by drawing a rock or rocks on the said Henry Sanders, you will find said defendant guilty and fix his punishment at a fine of not less than 1c nor more than \$100.00, or at confinement in the county jail not less than five days nor more than fifty days, or both so fine and imprisonment in your discretion. If your fine is for imprisonment you will say in your verdict whether or not such imprisonment shall be at hard labor.

2. If upon the whole case you have a reasonable doubt of the defendant having been proven guilty, you will find him not guilty.

~~If you believe from the evidence that the defendant, in procuring rocks, was to ward off an attack by Henry Sanders, you are instructed that the defendant had a right to resist any such attack by all means as necessary to prevent an assault on him by said Sanders.~~