

10948

State of  
vs  
Allen } Testimony

Barnett. - Scuffle & altercation in Store, Stamford  
came out. Allen also came out. Took  
off coat. "If any man wants to whip me come  
on."

Stamford -

Smith -

If you believe from the testimony that the defendant  
Allen endeavored to provoke a fight, if you believe  
him to have used insulting language to the witness  
Stamford for the purpose of inducing the witness to  
attack him then you will find him "guilty". If  
not you will find a verdict of "not guilty"  
unless the force exercised by the defendant was  
greater than was necessary to repel the assault.

Defndt. - Asks. That the defendant used no more  
force than was necessary to repel the  
assault.