

Fourth. The court erred in the 13th paragraph of its charge in not sufficiently defining when homicide is justifiable, this being a fundamental requirement, the facts and issues of this case clearly requiring a full and complete charge upon ~~the~~ justifiable homicide. The charge here complained of being insufficient, the jury were misled thereby, to the injury and prejudice of defendants rights in the trial.

Fifth. The court erred in submitting to the jury the 16th paragraph of its charge, because not warranted by the evidence adduced on the trial, therefore not the law of the case, and was calculated to mislead the jury to defendants injury, and did so mislead them as shown by their verdict herein.

Sixth. The court erred in submitting to the jury the 25th paragraph of its charge, because the same was unauthorized by the evidence adduced on the trial, and was not the law of the case as made by the evidence, and was calculated to confuse, mislead and misdirect the minds of the jury as to defendants rights and privileges in the premises, under the law.

Seventh. The court erred in submitting paragraph 26th of its charge to the jury, because it was not the law of the case as made by the evidence on the trial, and for the reasons set forth in the sixth Assignment of Error.

Eighth. The court erred in submitting the 27th paragraph of its charge to the jury, because the charge nowhere defines and informs the jury what