

Butter Choctaw Co Ala

December 24/59

Hon A. B. Moore, Governor of

Montgomery

Ala

Dear Sir

I propose  
to offer you a few reasons in support  
of the Protest, I forwarded you,  
against the petition praying a remission  
to remit the fines of Jesse Boykin,  
Christopher Boykin, & Samuel Boykin  
lately tried in this County & convicted  
& fined for an Appraiser.

I assisted the Solicitor in the  
prosecution of these d/ds, and I feel  
at liberty to state, that the evidence  
disclosed a most unprovoked & cold  
blooded assault, on the part of these men,  
resulting in the most unfortunate  
consequences.

Several honorable & impartial men,  
the neighbors of these men, have upon their  
oaths solemnly declared that the evidence  
justified the verdict. And as, latter day,  
I have never seen em paroled,

No appeal was taken, & no motion  
was made for a new trial. There was

no pretence that the Jury disregarded  
the Law or the evidence, or that the bias  
was in any particular respect. They  
thus virtually acquiesced in the verdict  
and Judgment.

They were defended by able attorneys,  
No exception was taken, but on the  
contrary, the rulings of the Court  
were satisfactory to all parties, and  
the Court has not in any manner  
disturbed the verdict of the Jury.

The fines were by no means  
excessive. Public opinion anticipated  
and justified the action of the Jury,  
and fully approved & sustained the verdict.

The Dps have the character of  
being lawless, violent & disorderly,  
They are almost constantly embroiled  
in fights & affrays, and involved in  
criminal litigation. They consume  
more or less of the time of all our  
civil courts, and annoy the Jurors  
of the County, with malicious & frivolous  
prosecutions & delays.

The plea of poverty, can avail them  
nothing. The estate of their father  
is worth over \$20,000. They have given  
good security, & fully incumbered their surties,

Their Junities are men of wealth,  
respectability, and influence in the town.  
They cannot be reduced to great  
extremes when such men endorse them,  
and when they are fully able to re-  
deeming them.

The fight was unprovoked,  
except on the part of one man named  
Kitchens. The assault was attended by  
circumstances of great aggravation.  
It was in the public road, in the  
midst of at least forty peaceable  
citizens. None of the parties used a  
knife, except these 2 fds. The result  
was that Kitchens was stabbed in the  
back, and is paralyzed & disabled &  
bed-ridden for life, and his family a  
charge upon the charity of the public.  
Three other men were stabbed by one  
of these 2 fds, and all of them in the  
back, except one. Two of them were  
under medical treatment for a long  
time, and the life of one, (besides  
Kitchens) was long despaired of.  
All this was done, by Jesse Boykin  
& others, and so far as he is concerned  
without the least provocation & with  
no circumstances to palliate his offence.

The Protest that has been sent to  
You is signed by none except the  
peaceable law abiding citizens of the  
County, and included in the number  
are some of the Jurors, who actually  
tried the case, according to the certificate  
of the clerk.

These and other reasons which  
may suggest themselves to the mind of  
Your Excellency, justify me, and a large  
majority of the people of this County,  
in earnestly protesting against any  
interference with the verdict of the  
Jury in this case.

I hold myself ready to establish  
every allegation in this paper, by com-  
petent proof.

I am with much respect

Your Obedt

Joshua Morse

I ask your attention also to the 1st Protest,  
and the one herewith forwarded.

Respectfully

J. Morse



11/11/11