

To the Hon. J. M. Haas, Judge of the Circuit Court of Rockingham County, Virginia.

On account of age and declining years and because he was a good Confederate Soldier, we, the undersigned, his neighbors, respectfully petition your Honor to release from the County jail Mr. James Crawford, Sr. held for the payment of a fine assessed against him for the illicit sale of ardent spirits.

We believe him unable to pay the fine and think that he will hereafter obey the law.

Respectfully Submitted.

Names

Names

G. L. Gentry	E. L. Gentry
W. H. Crawford	J. H. Good
J. L. Frazer	J. L. Gentry
B. R. Shibley	E. W. Gentry
John J. Wood	E. L. Gentry
W. H. Shibley	J. W. Gentry
Romon Moberg	J. H. Brainerd
	J. P. Barton
	J. C. Brainerd
	J. W. Brown
	J. W. Gentry
	J. M. Gentry
	W. H. Hight
	D. M. Falls
	W. H. Dodson
	G. M. Wood
	E. S. Leake
	J. R. Pharr

Names

Names

Y. Perroad

H. J. Davis

J. Bonbray

C. Simmons

J. Floyd Shippell

A. H. Collins

Francis M. Frazier

A. Snapp Station agent

Leiney Shippell

W. M. J. J. J.

Asphy Shippell

D. M. J. J. J.

J. W. Shippell

J. P. Early

Daniel Shippell

Robert, roach

R. A. J. J. J.

C. J. Carter

C. E. J. J. J.

John Decker

Geo. R. J. J. J.

R. J. Riddle of Elkton

J. H. Hammer

C. H. J. J. J. Sargent

C. W. Bieder

M. J. J. J. J.

J. J. J. J. J.

A. H. J. J. J.

J. J. J. J. J.

E. R. Harrison Major

L. C. Davis

C. M. Betty

C. W. Bangor

R. J. Walton

W. A. Shifflet

W. W. P. J. J.

A. P. J. J. J.

W. J. J. J. J.

B. P. J. J. J.

J. J. Heard - mdr

A. M. J. J. J.

Geo. J. Cash clerk

J. H. J. J. J.

J. J. J. J. J.

J. J. J. J. J.

Harry Lubric mdr

J. C. J. J. J. clerk

A. B. C. J. J. J. of Elkton

G. W. Bangor Constable

J. A. S. Kyger Magistrate

Return  
for  
from  
James, Cracker, & Co.

Instruction No. 1.

The Court instructs the Jury that before they can convict the accused of any offence under the indictment, they must believe beyond every reasonable doubt, ~~first~~ <sup>Either</sup> that the defendant sold wine to Herman Gooden within twelve months prior to the finding of the indictment, or ~~second~~ <sup>other</sup> that he sold some <sup>A</sup> mixture, preparation or liquid which would produce intoxication to the said Gooden within said time.

Instruction No. \_\_\_\_\_

The Court instructs the jury that before they can  
convict the accused of any offense under the indictment, they  
must believe beyond every reasonable doubt ~~that~~ that the  
defendant sold wine to Herman Gooden within twelve months  
prior to the finding of the indictment, or ~~arrest~~ that he  
sold some mixture, preparation or liquid which would produce  
intoxication to the said Gooden within said time.

✓

The Court instructs the jury that the law presumes the accused to be innocent, until he is proven guilty, beyond all reasonable doubt, and if there is upon the minds of the jury any reasonable doubt of the guilt of the accused, the law makes it their duty to acquit him. His guilt is not to be inferred, although the facts proven may be consistent with his guilt, but in order to convict him, they must be inconsistent with his innocence.

Mere suspicion or probability of his guilt, however strong, is not sufficient to convict, nor is it sufficient if the greater weight or preponderance of the evidence supports the charge in the indictment, but to warrant his conviction, his guilt must be proven, so clearly that there is no reasonable theory consistent with the evidence upon which he can be innocent.

*Faint handwritten notes or signatures, possibly including the name "F. J. ...".*

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doubt, and it rests upon the state of the jury any reasonable doubt  
of the guilt of the accused, the law makes it their duty to acquit him.  
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weight or preponderance of the evidence supports the charge in the  
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clearly that there is no reasonable theory consistent with the  
evidence upon which he can be innocent.

Carroll  
D. Campbell  
Reynolds

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Commonwealth of Virginia

vs.

James Crawford Sr

no. 3.

Upon an indictment for a  
misdemeanor.

Be it remembered that after the evidence set forth in Bill of Exceptions No. 1, filed in this cause, and which is here referred to and made part hereof, had been heard in full, which testimony was all the evidence introduced by the Commonwealth or the defendant upon the trial, the defendant tendered unto the Court, two Instructions as follows:

Instruction No. 1.

The Court instructs the Jury that before they can convict the accused of any offence under the indictment, they must believe beyond any reasonable doubt either that the defendant sold wine to Herman Gooden within twelve months before the finding of the indictment, or that he sold some other mixture, preparation or liquid which would produce intoxication to the said Gooden within said time.

Instruction No. 2.

The Court instructs the Jury that the Law presumes the accused to be innocent until he is proven guilty beyond all reasonable doubt. If there is upon the minds of the Jury, any reasonable doubt of the guilt of the accused, the law makes it their duty to acquit him. His guilt is not to be inferred, although the facts proven may be consistent with his guilt, but in order to convict him they must be inconsistent with his innocence. Mere suspicion or probability of his guilt, however strong, is not sufficient to convict nor is it sufficient, if the greater weight or preponderance of the evidence supports a charge in the indictment, but to warrant his conviction, his guilt must be proven so clearly that there is no reasonable the-

Commonwealth of Virginia

vs.

James Crawford

Upon an indictment for a misdemeanor.

8

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ory consistent with the evidence upon which he can be innocent.

To the giving of which instructions, the Commonwealth by its attorney objected, whereupon the Court gave Instruction No. 1, and sustained the objection on the part of the Commonwealth to Instruction No. 2, to which action of the Court in sustaining the objection to Instruction No. 2, and in refusing to instruct the jury as therein prayed for, the defendant by counsel excepted, and prays that this, his second bill of exceptions may be signed, sealed and enrolled, and made a part of the record in said cause, which is accordingly done, this Fifteenth day of November, 1913, within thirty days from the adjournment of the term of Court at which said case was tried and said ruling was made.

J. N. Haas, Judge (SEAL)

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 struction No. 2, in which action of the Court in sustaining the ob-  
 jection to Instruction No. 2, the defendant is held to be innocent.

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 that this, his second bill of exceptions may be signed, sealed and  
 enrolled, and made a part of the record in said case, which is to be  
 completed done, this fifteenth day of November, 1913, within thirty  
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*Boone*

J. M. Hume, Jr. (SEAL)

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Commonwealth of Virginia

vs.

James Crawford, *Dr*

*No. 3*

Upon an indictment for a  
misdemeanor.

Be it remembered that upon the trial of this cause, the Commonwealth to maintain the issue upon its part, introduced Herman Gooden, who testified as follows: That on September 23d, 1913, he was at Floyd Shifflet's store in Rockingham County, that he asked Floyd Shifflet if he had anything to drink, to which ✓ Shifflet replied, "Yes, some cider." That he tasted Shifflet's cider and did not like it, whereupon he asked James Crawford, who was present, if he had anything stronger; Crawford said yes he had some wine, but he neither gave it away nor sold it, but told him that if he would go over he would give him a drink; that Buster Shifflet, Eugene McDaniel and Ashby Shifflet went with witness to Crawford's house, but only the witness went into the house, the others stopping at the wood pile; that he got three pints of wine from Crawford there at his house in Rockingham County. Crawford drew it from a barrel in a closet; that he paid 25¢ a <sup>quart</sup> ~~pint~~ for it; that he drank one pint at Crawford's and got a quart in a bottle; that it made him feel good like drinking whiskey; that he went back to Floyd Shifflet's store, on down the road by Mr. Ellis' residence, and by Vernon Shifflet's store, and on to his home about a mile and a half south of Island Ford, which is four and a half miles distant from Crawford's residence; that he asked Vernon Shifflet to have a drink; said he paid Crawford 43¢; 12½¢ per pint and 5¢ for bottle; never got wine anywhere else that day; as they went to the house, they saw Tom Sellers lying asleep under a bush by the roadside.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Commonwealth of Virginia

James Crawford  
vs.  
W. S. M. Upon an indictment for a  
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Vernon Shifflet, another witness introduced in the same behalf, testified that he saw Herman Gooden with wine on a certain date in September; that Herman Gooden asked the witness to take a drink of wine with him; that he seemed like he had been drinking; that he hollered: "I am as drunk as hell", and that he had been drinking and was feeling it. This was shown to be the same occasion as that mentioned in the testimony of Herman Gooden.

Floyd Shifflet, another witness introduced in the same behalf, testified: That he kept a store near Crawford's in East Rockingham; that Gooden and James Crawford went from his store in September towards Crawford's residence; that before going, Gooden had asked witness if witness had anything to drink, to which witness replied, I have some cider; that thereupon he drew a glass of cider and handed it to Gooden, who remarked, "This is too sweet", and witness told him that was all he had. Then Gooden turned to Crawford who was present, and asked him if he had anything stronger, to which Crawford replied, "Yes." Gooden then asked Crawford, "Will you give me a drink?" to which Crawford replied, "I never refuse to give a man a drink", or words to that effect. They then left witness's store and went towards Crawford's residence, Buster Shifflet going with them. Later in the evening Herman Gooden came back by witness's store and talked with witness. He could not tell that he had been drinking at all at that time. He passed on by my store towards Vernon Shifflet's. On cross examination, witness said that Herman Gooden, before going to Crawford's, asked Crawford if he would sell him any wine, to which Crawford replied: "No. If you go over, I will give you a drink."

J. R. Ellis, another witness introduced in the same behalf, testified that he met Herman Gooden on the 23rd day of September, 1913, and spoke to him. That he observed that he was thick tongued, which caused the witness to observe him more carefully, and he looked back after he passed him and then noticed he was staggering as he walked.

Herbert Gooden, another witness introduced in the same behalf, testified that he was the father of Herman Gooden, that he

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Herbert Gooden, another witness introduced in the same behalf, testified that he was the father of Herman Gooden, that he

got with his son at Raines' store some three and one-half miles from Crawford's residence, that when he came to his son, he ascertained that he was under the influence of liquor; that he asked him what he had been drinking, to which his son replied, "I have been drinking wine," and that the quart bottle was nearly empty and that the son then and there drank the balance. Said he tasted the wine and it would intoxicate him. This was the same day his son was at Crawford's.

Clint Shifflet, another witness introduced in the same behalf, testified that he lives within three quarters of a mile of Crawford, that he had gone there for the purpose of purchasing wine, but that Crawford refused to sell him any. That he was often at Crawford's residence, and that he had never at any time seen wine sold at that place.

And this was all the evidence introduced on behalf of the Commonwealth, and thereupon the defendant, to maintain the issue upon his part, was sworn in his own behalf, and testified as follows: "I saw Herman Gooden at Floyd Shifflet's store. He asked Floyd Shifflet for a drink of cider. He complained that it was too sweet and he asked me, 'Have you any stronger?' to which witness replied 'Maybe'. He asked if I would sell him some, and I told him no, I had none to sell, but if you will go over, I will give you a drink. After I got to the house, I gave him a drink and he asked me if I could not put him some in a bottle, and I replied yes, and I did so, but it was not as much as a quart. I charged him nothing for it and he paid me nothing, for I told him I would not sell it to him when he went there. The amount that he got, would not have made him drunk.

And this being all the evidence introduced on behalf of the Commonwealth and on behalf of the accused, the Court instructed the Jury as is set forth in the Second Bill of Exceptions, which is here referred to and made part hereof, and thereupon after argument of counsel, the case was submitted to the Jury and after the Jury had rendered their verdict in words and figures following, to-wit: "We, the jury, find the defendant James Crawford, Sr., guilty as charged in the indictment, and assess his fine at \$50.00", and before judgment

*was returned*

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*James Crawford, Sr.*



thereon by the Court, the accused by counsel moved the Court to set aside the verdict of the Jury and grant him a new trial upon the ground that the verdict was contrary to the law and the evidence, which motion the Court overruled and refused to set aside said verdict and grant the accused a new trial, and entered judgment thereon against the defendant, to which ruling and judgment of the Court the accused excepts and tenders this, his First Bill of Exceptions, and prays that the same may be signed, sealed and enrolled, and together with the evidence hereinbefore set forth, may be made apart of the record which is accordingly done this Fifteenth day of November, 1913, within thirty days from the adjournment of the term of the Court at which said case was tried, and said ruling was made and judgment entered.

J. N. Haas, Judge (SEAL)

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J. M. H. [Signature]  
(SEAL)

VIRGINIA:

*In the Supreme Court of Appeals, held at  
the Library Building in the City of  
Richmond on Friday the 16th  
day of January, 1914.*

The petition of James Crawford, Sr., for a writ of error and supersedeas to a judgment rendered by the circuit court of Rockingham County on the 15th day of October, 1913, in a prosecution by the Commonwealth against the said petitioner, for a misdemeanor, the unlawful sale of ardent spirits, whereby it was considered by the said court that the said James Crawford, Sr., be fined the sum of fifty dollars and costs, having been maturely considered and the transcript of the record of the judgment aforesaid seen and inspected, the court being of the opinion that the said judgment is plainly right, doth reject said petition and refuse said writ of error and supersedeas, the effect of which is to affirm the judgment of the said circuit court.

A copy,

Teste:-

Stewart Jones C.C.

VIRGINIA

In the Supreme Court of Appeals, held at  
the Library Building in the City of  
Richmond on Friday  
the 15th  
day of January, 1914.

The petition of James Crawford, Sr., for a writ of error and supersedeas to  
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considered by the said court that the said James Crawford, Sr., he fined the  
sum of fifty dollars and costs, having been maturely considered and the trans-  
cript of the record of the judgment aforesaid seen and inspected, the court  
being of the opinion that the said judgment is plainly right, both in fact  
and in law, and that the said writ of error and supersedeas, the effect of  
which is to annul the judgment of the said circuit court.

A COPY

James Crawford, Sr.  
C.C.

VIRGINIA:

*In the Supreme Court of Appeals, held at  
the Library Building in the City of  
Richmond on Friday the 23rd  
day of January, 1914.*

The petition of James Crawford, Sr., for a writ of error and supersedeas to a judgment rendered by the Circuit Court of Rockingham County on the 13th day of October, 1913, in a prosecution by the Commonwealth against the said petitioner, for a misdemeanor, whereby it was considered by the court that the said James Crawford, Sr., be fined the sum of fifty dollars and costs, having been maturely considered and the transcript of the record of the judgment aforesaid seen and inspected, the court being of the opinion that the said judgment is plainly right, doth reject said petition and refuse said writ of error and supersedeas, the effect of which is to affirm the ~~xxx~~ judgment of the said circuit court.

A copy,

Teste:-

*Stewart*

C.C.

VIRGINIA

In the Supreme Court of Appeals held at

the Library Building in the City of

Richmond on Friday the 23rd

day of January, 1912.

The petition of James Crawford, Sr., for a writ of error and superseas to a

judgment rendered by the Circuit Court of Rockingham County on the 13th day

of October, 1910, in a prosecution by the Commonwealth against the said petiti-

tioner, for a misdemeanor, whereby it was considered by the court that the said

James Crawford, Sr., be fined the sum of fifty dollars and costs, having been

materially considered and the transcript of the record of the judgment aforesaid

seen and inspected, the court being of the opinion that the said judgment is

plainly right, and do reject said petition and refuse said writ of error and

superseas, the effect of which is to affirm the said judgment of the said

Circuit Court.

A copy

Witness

C.C.

*Wm. H. ...*

atto	1000
2 bread	6.40
4 case	<del>10.00</del>
my Alge	2.50
Waller	1.90
Beem	2.50
White Long	2.10
Doming	2.15
Burgess	2.40
Tissie	2.50
shff	
Waller	6.73
(Fair for all)	54.38

4331  


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1101

1605  


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5833

1000  
2960  
673  
500  


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4833

.....  
.....  
against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of.....

*Herman Gordon + Clint Shifflett*

.....  
Grand Jury to give evidence.

.....witness... sworn in open Court and sent to the

.....Clerk.



**Commonwealth of Virginia,**

**COUNTY OF ROCKINGHAM, To-wit:**

**IN THE CIRCUIT COURT OF SAID COUNTY:**

The jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham,  
and now attending the said Court at its *September* .....term, in the year 19*13*.,

upon their oaths present that *James Crawford Sr.* .....

.....  
.....

We, the jury, find the defendant, James  
Drauford, Sr., guilty as charged in the  
indictment and assess his fine at \$50.<sup>00</sup>

~~Fareman~~  
W. J. Fassing  
Fareman

on the 20<sup>th</sup> day of September, in the year 1903, in the said County,

~~and~~ and at divers other times within the last 12 months  
in Sturtevant Magisterial District in the said County  
did unlawfully sell by retail ardent spirits without  
their ~~and~~ having obtained a license as to do accord-  
ing to law -

Commonwealth

vs. { INDICTMENT. }

James Crawford Sr

For Misdemeanor

A TRUE BILL.

J Ed Miller Foreman.

1915 Silat  
pay ...  
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...  
...  
...  
...  
...  
...

RLD

<del>Chas M West</del>	10
<del>J. A. S. Ruff</del>	
Harry A. Heger	10
W. H. Weller	4
John J. Beaman	10
Michael W. Kery	6
W. S. Andy	6½
James S. Bury	9
W. J. Tussing	10

Communion  
no 3

James Brown Jr Sr =

Armen Socy  
~~Armen Shifflet~~  
 7 May  
 J. J. Heger  
 W. H. Weller  
~~W. H. Weller~~  
 6 line Shifflet

20 3

*[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]*

~~Chas. M. West~~

J. B. S. Ratcliff

Harry A. Meyer

W. H. Wells

John D. Beam

James S. Bingham

Wm. J. Fessenden

~~Michael W. Long~~

W. H. Sander

x  
x  
x  
x  
x  
x

R. H. Lee Mang

R. H. Lee Mang



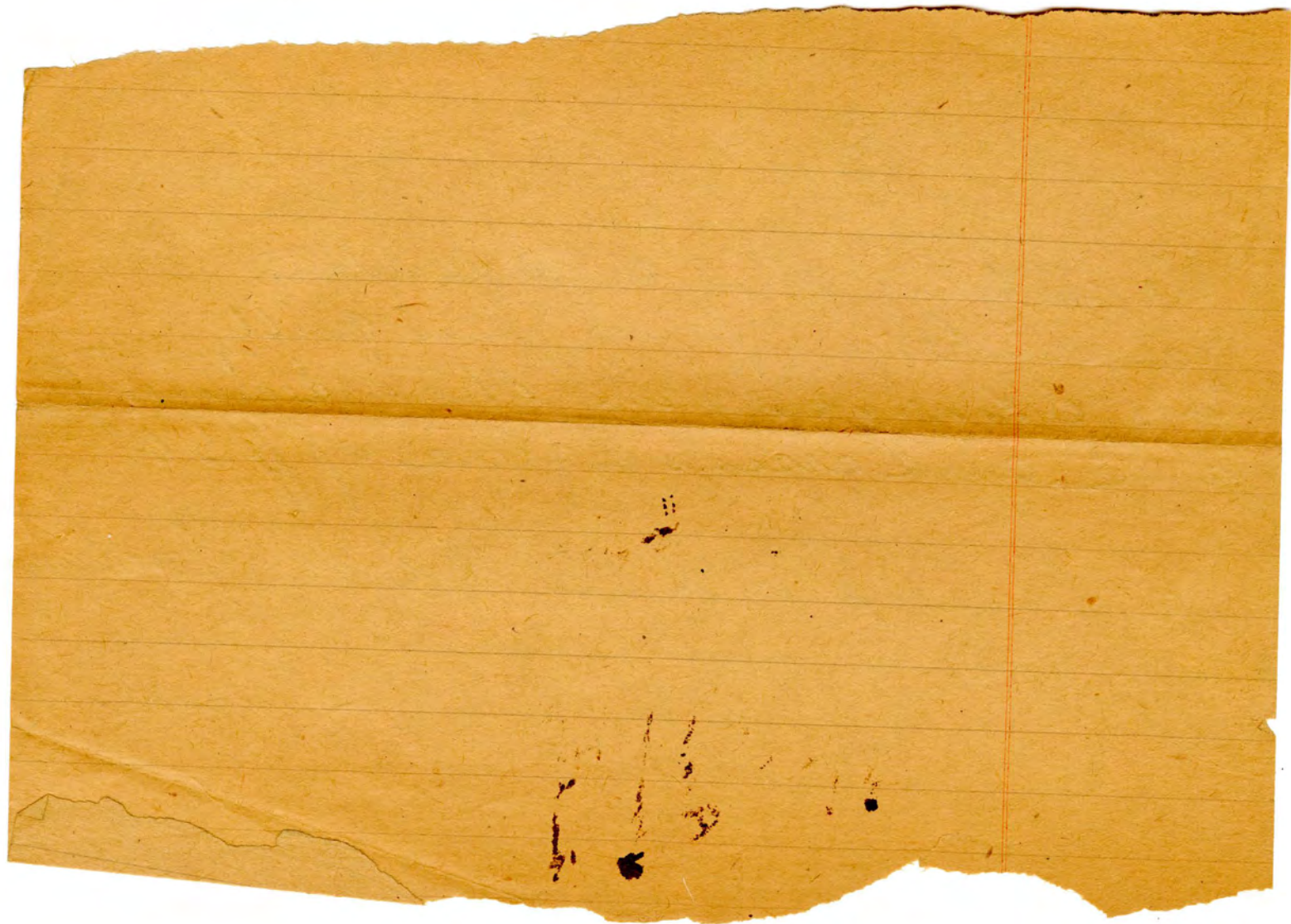
⑤

- 10 ✓ ~~Thomas West~~
- ✓ J. B. S. Hatcliff
- 10 ✓ Harry A. Alger
- ✓ W. H. Walker
- ✓ John J. Beaman
- ✓ L. H. Faraday
- ✓ James S. Burgess
- 10 ✓ ~~W. J. Fassings~~
- 6 ✓ Michael W. Long

W. H. M. W. H. M.

We, the jury find the defendant  
James Crawford Guilty  
as charged in the indictment  
and assess a fine of \$50<sup>00</sup>

J. B. & Ketchum Foreman



Pitelson

Asking for  
release from  
Jail  
of

James Crawford.

1914  
July 4<sup>th</sup>  
a counsel  
order

CHAS. A. HAMMER,  
ATTORNEY-AT-LAW,  
HARRISONBURG, VA.

ALVAN BUSHNELL CO., LAW STATIONERS, 942 MARKET ST., PHILA.

