

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 Circuit Court of said county, ^{at its January Term 1917} UPON THEIR OATHS PRESENT, that Calvin Bare since November 1st, 1916, in said County, did manufacture and unlawfully dispense and give away intoxicating cider containing more than one per cent of alcohol by volume in violation of the prohibition act of Virginia,

against the peace and dignity of the Commonwealth of Virginia.

~~AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO FURTHER PRESENT, that~~

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

This indictment is found on the testimony of _____

_____,
witnesses sworn in Court and sent before the Grand Jury to give evidence.

Jan. Term, 1917.

COMMONWEALTH

vs. Indictment

Calvin Bear

For Felony
For Misdemeanor

A TRUE BILL

G. R. Eastham

Foreman

We the jury find the accused guilty as charged in the indictment and fix his punishment as a fine of fifty dollars and at our discretion for being days in jail

H. M. Shuler Jr Foreman

Defendants Bill of Exception No. 2

In the Circuit Court of Rockingham County, ~~December~~ January
Term, 1917.

Commonwealth of Virginia

v. Indictment for Misdemeanor

Calvin Bare

Be it remembered that upon the trial of this cause the Commonwealth to mantain the issue on its part introduced the following witnessess , all of whom were first duly sworn , who testified as follows :

D.E.CROUSHORN , Sheriff of Rockingham county , being introduced as aforesaid, and being examined by H. M. Strickler , Attorney for the Commonwealth , and ~~cross~~ cross examined by C.R.Winfield , attorney for the defendant , testified , in general effect , as follows:

By authority of a warrant issued under the provisions of § 22 of the Prohibition Act of 1916 , I went , on Nov. 30, 1916 , to the residence of the defendant Calvin Bare , in Rockingham county .

The place where he lives is not immediately on the public road , but is approached by a lane leading therefrom .

The order of location of the buildings ,as approached from the public road is as follows : First the barn ; second a small chicken house ; third the outhouse in which the cider was found (this being a single story weatherboarded structure ,about 10 x 12 feet) and between that and the actual dwelling several other small structures ,probably a pig pen and a smokehouse .

I found defendant at home . Asked him if he had any cider and he said yes he had , in the ^{newly-built} outhouse , and at my request he took me there and unlocked the door , which was locked ^A ~~with~~ ^a ~~gate~~ night latch . There were no bars or anything like that in there .

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Original copy of Book of the Law, Constitution of Universal Man

1981, New York

Commissioned to Alvin Karpis

Commissioned to Michael J. Jackson

et al.

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~~padlock. This outhouse stands at the distance of about across the
room, or eighty feet from the dwelling.~~

I found there one barrel nearly full of cider. This barrel had a small hole in it near the top, through which cider could be drawn by inserting a tube or straw. Also found a half barrel furnished with a spiggott, and about half full of cider, or vinegar.

I tasted the cider from both barrels. That from the larger barrel tasted to me like sharp cider, and that from the smaller barrel tasted ~~more like vinegar~~. Defendant said that the ~~smaller barrel was~~ larger barrel contained sweet cider and the smaller one cider that was made for vinegar and that his wife had put yeast, or "rivils" into it to make it ferment quicker and change it into vinegar. Also he had not been sealing it but said that he had been allowing persons to come and drink of the cider and would tell them that it was there, and would unlock the door when he wanted to give cider to any person. He said further that the persons to whom he had been giving cider drank mostly out of the larger barrel. The smaller barrel, he said had sprung a leak before the time he had laid a floor in the building, and that some of the contents had been lost in that way. The boys, he said, had been stealing his cider before he put a floor in the building and a lock on the door and that some of it had gone in that way. He also said that he had made up a lot of applebutter from cider made during the season ~~before from Johnson apples~~. He also said that the vinegar had been made three to four weeks, and that the cider had been made from ~~Genet apples~~ ~~Genet apples~~, about two weeks before the time that I was talking to him.

I also found in the outhouse an old stove, not put up, three ~~one gallon~~ ^{two empty barrels,} buckets of molasses, in cans with tightly fitting lids, which buckets or cans were full of molasses. Also found a lantern ^{a pint cup,} chains, some tools, an empty jug, a roll of roofing and possibly some other small articles not noted by me were there.

While I was at the place I saw two people approach. ^{two fellows in a buck board. They were still driving & left another man Lewis Beagi Ray, was here while I was there. I asked him whether he had drunk any of the cider and} From each of the two barrels containing the liquids I filled a quart bottle and numbered these bottles as No. 1 & No. 2 - No. 1 was from the ^{in testimony to the人民 of Barre.} smaller barrel, which ~~None said was for vinegar, and No. 2 from the large barrel.~~ In order that the samples so drawn might be safely carried I put small punctures through the corks and stuck the corks back into the necks of the bottles, lightly. I was traveling in my car.

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The samples were wrapped in an old robe , placed in the car and so carried by me to my home in Harrisonburg . The distance by the road traveled is about 22 miles . The samples were placed by me in a cool room - the coolest room in my house , which is a brick house , furnace heated . I ~~saw~~ remember ~~that~~ ^{that} one window of this room was open . ^{and the heat was cut off from the room.} I can not say that this room was in fact as cool as the outhouse in which defendant had kept the cider . We have , on occasion had canned fruits and things of that kind to freeze in this room .

On Decr. 1, 1916 , the two bottled samples , kept by me as aforesaid, were, by me , heavily wrapped in paper , placed in a specially prepared box , the spaces tightly filled in by stuffing with paper and the box nailed up and sealed . The box was also heavily wrapped in paper and furnished with a handle , so that it might be carried like a suit case . The package so prepared I delivered on the morning of Decr. 2, 1916 , to Frank L. Dovel , Chief of Police , of Harrisonburg , to be by him taken and turned over to the State chemist , at Richmond , for analysis and report .

I know that cider is subject to changes in strength . When first made it is non intoxicating , and then will naturally change , according to ~~accordance with~~ the conditions under which it is kept or handled .

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FRANK DOVEL, Chief of Police of City of Harrisonburg, another witness in the same behalf being examined and cross examined by counsel, as aforesaid, testified in effect as follows:

On the morning of Decr. 2, 1916, at Harrisonburg, I received the package from Sheriff Croushorn, as testified to by him.

I took this package with me on the train, from Harrisonburg, to Richmond, Va., via Staunton, a distance of about 162 miles.

The cars appeared to be heated to about the ordinary degree.

The package was placed by me on the floor of the car, in my seat, and was so carried to Richmond, change of cars being made at Staunton. On arrival at Richmond I took the package to the office of the State Chemist, delivered it to some person there in charge, saw the package opened, and took from the person to whom I

*identifying the samples. The receipt referred to was indeed an
receipt given (Here copy the receipt signed by G.
C.M. Madison, Chemist -) when the package was opened the bottles
were quite tight and no liquid had worked. It
was on the way from Harrisonburg to Richmond the temperature in the cars was such as is
usual. I did not at any time get cold feet, and was comfortable
in the rest of my body. I was raised in the country, have seen
cider made, have drank it when sweet, and know that it changes in
strength from perfectly sweet when made, to sharper, or stronger
as it gets older and as it may be more or less influenced by the
temperature in which it is kept &c.*

D. FULK, another witness in the same behalf being examined and cross examined by counsel, as aforesaid, testified in effect, as follows:

I have at various times seen people going to and coming from the house of the defendant. I know that defendant had some cider on hand before November 1, 1916. Before that date he on one occasion gave me some cider to drink. Since that date I have not gotten any cider or other drink from the defendant.

At the time defendant was building the house in which the cider was kept he told me he was building it for a grain house.

Defendant had no other place suitable for the storage of his wheat rye or corn, and there was no cellar under his dwelling.

I live near the home of defendant and never saw any signs of intoxication in the persons I have noticed coming from his place. The cider he gave me before Nov. 1, 1916, was not intoxicating.

It was not working at that time - showed no signs of working.

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TOM BARE , another witness in the same behalf , being duly examined and cross examined by counsel , as aforesaid , testified , in effect , as follows:

I am about 14 years old and live with my father , the defendant . I remember having seen Willy Reedy , Sam Miller and Berlin Turner about the place , a good while ago , several weeks before Croushorn was there . On the day Croushorn was there Reedy came up on horseback . I saw no signs of intoxication in any persons seen by me about the place at any time , and I dont know that any of the persons named by me got any cider . The three named by me I only saw once about the place so far as I recollect .

The smaller barrell that was kept in the outhouse was the vinegar barrell . During the season of 1916 defendant had had made from apples grown on his own place , five barrels of cider .

Two barrels were used in making applebutter and a considerable part of one barrel was slipped out by some persons .

The "rivils " were put into the vinegar barrel by my mother . The molasses found in the outhouse was intended for family use , and other things to eat such as apples , beans &c had some times been kept there . The outhouse was needed on the place for the keeping of grain &c .

WILL REEDY , another witness in the same behalf being examined and cross examined by counsel , as aforesaid , testified in effect as follows : I got some sweet cider from defendant , at the outhouse , about two weeks before Croushorn was there . Defendant told me I could have some out of the large barrel and that the other was for vinegar . I drank about a pint from the smaller barrel and it tasted more like vinegar . It was in the day time .

I was not influenced by what I drank . The only way I felt it was that I could feel it going down my throat as I swallowed it . I think I could have drank five or six pints of the cider and not have felt intoxicated from it . It was given to me by defendant , I paid nothing for it .

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BERLIN TURNER, another witness in the same behalf being duly examined and cross examined by counsel as aforesaid, testified, in effect, as follows:

The defendant gave me some cider. I dont remember how long it was before Croushorn was there. I think at that time a floor had partly been laid in the outhouse.

I only remember getting ~~the~~ cider from the defendant on this one occasion. I got some from both of the barrels. The sweet cider from the larger barrel tasted to me the best.

I felt no intoxicating effects from what I drank.

I saw there, at defendants, when I got the cider, Charles Ritchie and Willy Reedy. I can not positively swear this was in November.

LEWIS BEN REEDY, another witness in the same behalf, being examined and cross examined by counsel, as aforesaid, testified, in effect, as follows:

The defendant gave me some of his cider, some three ^{ten in the building where he kept it} days before Croushorn was there. I drank from both of the barrels. The smaller barrel tasted more like vinegar.

I did not feel the effects of what I drank.

EDWARD SHOEMAKER, another witness in the same behalf, being examined and cross examined by counsel, as aforesaid, testified, in effect, as follows:

The defendant gave me some cider to drink, I think after Nov. 1, 1916. Probably two or three weeks before Croushorn was there. ^{Just a little bit sharp.} I drank from both barrels, and both were sweet cider at that time. The outhouse where the cider is kept is a necessary building for defendant to have for convenient use of his place in the storage of his grain. He had no other place so far as I know where it would have been convenient or suitable to keep his cider.

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joctie ni bellifed , bisserole se , leenoo vd berimaxe évorò bas beñias
; avotioñ an

teñio eme , teñio eit lo eme en evng fñshñelet eit
je. amit I , siwoñ san hñcõamõr-erõas en di yorò vol redunc

toññat en di yorò vol redunc , eleññat en di yorò vol redunc

, amit I janw to ajoñle eit leñt Joy I

benimaxe gais , tññed ense eit ni assentiv radions , YCRRU UNI RYCR
benimaxe gais , tññed ense eit ni assentiv radions , benimaxe gais ,
joctie ni bellifed , bisserole se , leenoo vd berimaxe évorò bas beñias
; avotioñ an

Joy I , amit oñ teñio eme en evng fñshñelet eit

je. amit I , siwoñ san hñcõamõr-erõas en di yorò vol redunc
toññat en di yorò vol redunc , eleññat en di yorò vol redunc

, amit I janw to ajoñle eit leñt Joy I , amit oñ teñio eme en evng fñshñelet eit
ni eauñ eit lo eme en evng fñshñelet eit , amit oñ teñio eme en evng fñshñelet eit
enit wa I en leñt oñ teñio eme en evng fñshñelet eit , amit oñ teñio eme en evng fñshñelet eit
, teñio eit gaoñ of eleññat to ñññad couññate ñññad couññate

CHAS. W. RITCHIE, another witness introduced in the same behalf, being examined and cross examined by counsel as aforesaid, testified, in effect, as follows:

I live about 150 yards from the defendant. From my house I can see his and from my front door I can look right into the outhouse where the cider was kept. Defendant gave me, in this grain house, in ~~the~~ November, 1916, some cider to drink. I think about three different times. ^{I drank from the big barrel.} I drank enough of it for it to feel heavy on my stomach. It had no kick. I felt no intoxicating effects from it. ^{Wife and Jake Rucci were there the second time - saw them get cider from the little barrel.} The outhouse is certainly a proper and necessary building for defendant to have for a grain house and is located just at the place, with reference to his other buildings, where, if the place was mine, I would want to have it for a grain house, and for an outhouse. The house of the defendant is small and he has no other place for convenient or proper storage of his grain and other things. ^{There wasn't any grain here though. Boxed grain was - - -} I have never seen any intoxicated persons at or about the place of the defendant and have not seen or heard of any disturbance caused by his cider. ^{This witness said the ~~second~~ time he was there in November, 10 days before Commonwealth was here and the 3^d time was the next morning, and the first time was several weeks before that, and that ~~the~~ the 2^d and 3^d time, you understand, it was beginning to ferment, etc. etc. it didn't have any kick in it.} And the Commonwealth further to maintain the issue on its part introduced and read in evidence to the jury the whole of the following written and printed document, to-wit:

(Here insert the whole of the paper on which the certificate of analysis of the cider is written)

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• babilissi , billesciole es leemoo qe benimare seoro bus babilisse qubu
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seccoq var mort , justoeteb off corl abisay 801 doctia evit .

• mi oini d'it' dool usc l' doob mort qd mort bus sli com me l'
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It is stipulated and agreed between the prosecutor and counsel for the defendant that the evidence showed the the following further facts :

That each giving away of cider, as shown by the testimony, was done by the defendant in the building referred to in the testimony as the outhouse.

That there was no evidence in the cause as to any sale of any cider or ardent spirits of any character by the defendant.

The Court certifies further that all of the witnesses who testified to getting cider of the defendant, testified that they got it and drank it in the building in which it was kept, and that there was no testimony to the effect that the defendant had sold it, but all testified that it was given to them.

for lessons has been selected and new ones have been prepared for
the animal's benefit and to make some time off from his studies.

Yesterdays and today he has been writing more than
usual and it is evident that he is making good progress.

The cause of his absence on Saturday was

that he had to go to the city to attend a
meeting at the hall of the National Guard. He
is invited to go to the meeting by his
friends, who are mostly young men, and he
has now made many friends there. He
has been invited to go to the meeting
again next Saturday, so he will be able to
attend again.

And thereupon the Commonwealth rested and the defendant likewise rested. Which said testimony and written evidence is all of the evidence introduced on the part of the Commonwealth, and the defendant offered no witnesses or other testimony in his behalf.

And the taking of testimony on both sides having been concluded the Court instructed the jury as follows :

(Here insert the three instructions granted, numbering them respectively 1, 2, & 3)

And thereupon, after hearing argument by counsel, the jury retired to consult of its verdict, and having duly considered thereof the jury returned to the court the following verdict, which was duly signed by the foreman and read aloud ~~according~~ to them, by the Clerk, and acquiesced in by each of the jury, the said verdict being in the words and figures following, to-wit:

(Here insert the verdict)

Whereupon the defendant, by his counsel, moved the court to set aside the said verdict as contrary to the law and the evidence, and to grant a new trial. Whereupon the court having heard argument and having considered of its decision, declined to set aside the said verdict and overruled said motion to set the same aside, and entered its judgment in the following words and figures, to-wit:

(here insert the judgment)

To which action on the part of the court in overruling said motion to set aside said verdict and grant a new trial, and in entering judgment upon said verdict, the defendant by his counsel excepted, and tendered this his Bill of Exceptions, and prayed that the same be signed, sealed, enrolled and made part of the record, which is accordingly done, this 30 day of March, 1917.

J.H. Haas, Judge

8

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conductive and to the air sensitive medium has optimized this result.
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✓ Prof. Dr. H. M.

2

The Court instructs the jury that while the law of this State allows a person to make cider of any strength from fruit of his own raising, for domestic consumption at his own home; and, furthermore, allows one in his own home, to give ardent spirits, including cider of more than one per cent alcohol, to another person, or to other persons, yet the right to give to another person cider containing more than one per cent of alcohol by volume, or any other ardent spirits, can only be exercised in the home of the giver; and the Court further tells the jury that the definition of the word home, in the sense in which that word is used in the law in this connection, can not be extended to, and does not include, the outhouse mentioned in the evidence in which the accused kept his cider; and therefore that if the jury believe from the evidence beyond reasonable doubt that the cider dispensed or given away by the defendant, ^{after Nov. 1, 1916,} as shown in the evidence, contained at the time more than one per centum of alcohol by volume, then they should find the accused guilty as charged in the indictment and fix his punishment at a fine of not less than \$50.00 and not more than \$500.00, and confinement in jail for not less than one month and not more than six months.

5

to wai eft elidw jasit yuri eft aforitani tmoor eft
morc dymette yrs to rebio etom of morce a swolle afts eft
mwo sin to poltymoneo oitsemob tot , gniset mwo sin to tini
evig of emod mwo sin ni em swolle , exomtentn , bns ; emod
lodosse fnes teg em mard etom to rebio gniiboni , stiriya tnebri
evig of thair eft jey , amoyek mard of to , mardet teftom of
to fnes teg em mard etom gniiboni rebio mardet teftom of
ed yllo yrs , stiriya tnebri rento yrs to emulov yd lodosse
mardet teftom fnes eft bns ; rebig eft to emod eft ni besiome
ni eses eft ni , emod brow eft to mardet eft jasit yuri eft
ton yrs , poltymoneo sin ni wai eft ni bns si brow jasit mard
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eft bns bns yuri mard , emulov yd lodosse to mardet teft
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eft mard xis

3
The court instructs the jury that in order to justify them in finding the accused guilty as charged in the indictment, they should first be convinced of his guilt, from the evidence, beyond a reasonable doubt. In every criminal trial the accused is entitled to the benefit of every reasonable doubt that may arise from the evidence, or from the lack of evidence, and should the Commonwealth fail to prove, by the evidence, beyond a reasonable doubt, the facts necessary to warrant a conviction, then the jury must acquit.

Can & Bon

Schmidlin Sonn
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Mad. & To be called
with his daughters

No. 2.

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m'fisewmme t'au m'fisewmme s'au

Commonwealth of Virginia,
County of Rockingham, to-wit:

In the Circuit Court of said County:

1
The jurors of the Commonwealth of Virginia, in and for
the body of the County of Rockingham, at its January term, 1917,
and now attending the Circuit Court of said county, UPON THEIR
OATHS PRESENT, that Calvin Bear since November 1, 1916, in the
said County, did unlawfully manufacture, sell, offer, keep, store,
and expose for sale, give away and dispense ardent spirits in vio-
lation of the prohibition act of Virginia, against the peace and
dignity of the Commonwealth of Virginia.

2
AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID,
DO FURTHER PRESENT, that Calvin Bear since November 1, 1916, in the
said County did unlawfully manufacture, unlawfully dispense and give
away intoxicating cider, containing more than one per centum of
alcohol by volume in violation of the prohibition act of Vir-
ginia, against the peace and dignity of the Commonwealth of
Virginia.

3
AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID,
DO FURTHER PRESENT that Calvin Bear since November 1, 1916, in the
said County did unlawfully manufacture vinegar from cider and
fruit and did unlawfully sell, dispense and give away same as a
beverage, in violation of the prohibition act of Virginia, against
the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of _____
witnesses sworn in Court and sent before the Grand Jury to give
evidence.

January Term, 1917.

Prohibition.

Commonwealth

vs. Indictment

Calvin Bear.

For a Misdemeanor,

A TRUE BILL

as to 2nd *January*

G. R. Eastham

Foreman

Harry M. Strickler,
Commonwealth's Attorney.

3
The Commonwealth of Massachusetts, by its Attorney General, Harry M. Strickler, and the Commonwealth's Attorney, G. R. Eastham, Foreman of the grand jury, do find and present that on the 2nd day of January, 1917, at Boston, in the County of Suffolk, State of Massachusetts, Calvin Bear, did then and there wilfully violate the provisions of section 13 of chapter 133 of the General Laws of Massachusetts, by introducing into his possession, and having in his possession, a quantity of alcohol, which he knew to be adulterated, and fit only for sale, and to have been sold by some person or persons unknown, and to have been introduced into the Commonwealth of Massachusetts for the purpose of being sold for consumption within the Commonwealth.

To witness whereof, the undersigned have hereunto set their hands and seals, this 2nd day of January, 1917.

Commonwealth v. Calvin Bare. INSTRUCTION A.

The court instructs the jury that it is lawful for any person to manufacture and keep for domestic consumption, at his home, cider from fruit of his own raising, regardless of the alcoholic strength, or to manufacture from fruit, cider not containing more than one percent of alcohol, by volume, for use or sale, or for vinegar

INSTRUCTION B.

Commonwealth v. Bare.

The court instructs the jury that the word home as used in the law here to be applied, means the permanent residence, or abiding place of a person (other than a club, hotel, boarding house etc.) and includes with the actual dwelling house, or place, all outbuildings commonly used and intended for necessary or convenient use in connection with the use of the whole as a home.

Whether or not the cider given away by the accused was at the time of such giving of greater strength than is by law allowed, where the giving is not shown to be within the home of the giver, and whether or not the giving occurred within the home of the accused are questions of fact to be determined by the jury, upon the evidence.

Commonwealth v. Calvin Bare,

Instruction C.

The Court instructs the jury that a person having a home, as defined by the law, and by the instructions given, may lawfully give away CIDER, in such home: Provided that such giving is in no wise a shift or device to evade the provisions of the law. And the Court further instructs the jury that if they believe from the evidence that the giving of cider by the accused, as charged in the indictment, and shown in the evidence, occurred only within the home of the accused, in the sense in which home has been defined to them, and that such giving was in no wise a shift or device to evade the provisions of the law, they will find the accused not guilty.

A INSTRUCTION
Commonwealth v. Staliv Bate

that for law is at this point that the Commonwealth of Massachusetts
and the Commonwealth of New Hampshire are the two states of which the
Court has jurisdiction to decide the question of whether or not the
Commonwealth of Massachusetts has the right to tax the income of
residents of the Commonwealth of Massachusetts for the purpose of
providing for the education of the children of the Commonwealth.

INSTRUCTION B

Commonwealth v. Bate

bear as soon as may be done by the Commonwealth of Massachusetts
to the Commonwealth of New Hampshire, whereupon it shall be
certified to the Commonwealth of Massachusetts by the
Commonwealth of New Hampshire that the same has been
presented to the Commonwealth of Massachusetts by the
Commonwealth of New Hampshire, and that the same
has been presented to the Commonwealth of Massachusetts
as soon as may be done by the Commonwealth of Massachusetts.

It is now necessary to determine whether the Commonwealth of Massachusetts
is entitled to receive any compensation from the Commonwealth of New Hampshire
for services rendered in connection with the payment of taxes.
The Commonwealth of Massachusetts has the right to receive such compensation
as may be necessary to defray the expenses of the Commonwealth of Massachusetts
in the performance of its duties under the Constitution of the United States
and the laws of the Commonwealth of Massachusetts.

Commonwealth v. Staliv Bate

INSTRUCTION C

as soon as may be done by the Commonwealth of Massachusetts
in the Commonwealth of Massachusetts, and the Commonwealth of Massachusetts
shall be entitled to receive such compensation as may be necessary
to defray the expenses of the Commonwealth of Massachusetts
in the performance of its duties under the Constitution of the United States
and the laws of the Commonwealth of Massachusetts.

A,

Commonwealth v. Calvin Bare

INSTRUCTION E.

Reprod

The court instructs the jury that before they would be justifiable in finding the accused guilty, it would be necessary for them to believe, from the evidence, beyond all reasonable doubt, that the accused, at some time after November 1st, 1916, at some place not within the home of the accused (as home has been defined) gave away cider which at the time of such giving, was of greater strength than one percent of alcohol, by volume.

And the jury are further instructed that while the official analysis of the samples of cider is competent evidence that the samples of cider analysed were, each, at the time of the completion of the analyses, of the strength certified to in said report, it is not evidence of the strength of the cider from which such samples were drawn, either at the time when the cider was given away by the accused, or at the time when such samples were drawn from the barrels.

The jury in reaching a conclusion as to the strength of the cider at the time it was given away by the accused should take into consideration the evidence as to the effect that may have been had on the aging or strengthening of the samples by the period of time that elapsed between the last date of giving by the accused and the drawing of the samples; the effect of the shaking and the changes of temperature to which the cider may have been subjected in the drawing and carrying of the samples to Richmond and all things that may have tended to increase the strength of the samples analysed up to the date of completion of the analyses.

Reproduced

Reproduced

A
• PERI AVIS • V MISCEWNOLO

Garcia

—HOTELADA—

TODA VIDA ENTRENA A TUA PEP

SIMON DE JESUS BECOS ENT GUINHO DE ESTALHENTO ED TICOU VERA VIDA
POSSER HA INVENTO CONHECIVE ED PORTUGUESE DE PINTURA. QUASE SEMPRE
HA DITO QUE NUNCA TEVE AMIGO DAQUELE QUAIS, BECOS ENT FALA QUAIS
O BEMTEB NEED USA ENTRADA AS QUASES ENT LO ENTRAR ED NUNCA FOR EASY, MAS
SIGURAMENTE TENTOU, VALVIA DEVE LO CALVIA ENT JA DOLDE REBIO QUE ENQUANTO

EMPLOY VA, TODESLO LO SEDOZAR QUAIS MAIS

ENTROU QUAIS TODESLO LO SEDOZAR

-TAM BEMTEB ENT TALDE JAHN BECIMENTO MUITO ERA VIRA ENT BEM

LO SEDOZAR ENT JAHN CONHECIVE QUASES AL REBIO LO SEDOZAR ENT LO BEMTEB

-TAM BEMTEB ENT LO SEDOZAR ENT LO CALVIA ENT LO BEMTEB, BECIMENTO REBIO
CONHECIVE FOR AL JAHN, TROCAR BIAS MI O BEMTEB SIGURAMENTE ENT LO BEMTEB
CONHECIVE, MUITO QUAIS SEDOZAR DOIS DIFERENTES TENDENCIAS LO BEMTEB
SUDI ENT LO NO, BECOS ENT QUAIS VERA NOVIG FOR REBIO ED MUITO BEMTEB ENT JAHN

, SEDOZAR ENT MUITO MUITO VERA SEDOZAR DOME REBIO
ENT LO SIGURAMENTE ENT QUAIS SEDOZAR QUAIS GALDOSER MI VIRA ENT

—TODESLO QUAIS QUAIS BECOS ENT QUAIS VERA NOVIG, ENT JAHN ENT JAHN,
ENT JAHN ENT QUAIS GALDOSER ED QUAIS CONHECIVE ENT BEMTEB

-ED BECIMENTO JAHN ENT JAHN TODESLO ENT QUAIS SEDOZAR ENT LO SIGURAMENTE, NO
MAIS QUAIS TODESLO

ED LO SEDOZAR ENT LO BEMTEB ENT QUAIS GALVIA LO SEDOZAR JAHN ENT JAHN

ENT QUAIS CONHECIVES LO SEDOZAR ENT LO BEMTEB ENT JAHN ENT JAHN

-LO VALVIA LO SEDOZAR ENT JAHN BECIMENTO NEED ED QUAIS REBIO ENT QUAIS
ASSISTOR OF BECOS ED QUAIS JAHN PINTAR HA BEMTEB QUAIS CONHECIVE, ED

LO SEDOZAR ENT JAHN ENT QUAIS CONHECIVES QUAIS REBIO ENT LO SIGURAMENTE ENT

, SEDOZAR ENT

Giver in author

Commonwealth v. Calvin Bare . INSTRUCTION A.

The court instructs the jury that it is lawful for any person to manufacture and keep for domestic consumption , at his home , cider from fruit of his own raising , regardless of the alcoholic strength , or to manufacture from fruit, cider not containing more than one percent of alcohol , by volume , for use or sale ,or for vinegar

Vinegar omitted from above as granted in R.S. 2007

Commonwealth v. Calvin Bare . INSTRUCTION B.

Withdrawn

The court instructs the jury that it is lawful for any person to manufacture and keep cider from fruit , for the purposes of vinegar, not to be used as a beverage, and non intoxicating cider containing not more than one percent of alcohol ,by volume , for use or sale .

Should cider so manufactured become, by natural process , of greater strength than one percent alcohol , it would be unlawful for such person to continue the sale thereof , or to continue the giving away thereof , except in his home , but it would not be unlawful for such person to continue to keep such cider in his home and there give it away, as the law permits the giving of ardent spirits in the home of the giver .

in manner

INSTRUCTION ~~A~~ B.

Rejected

Commonwealth v. Bare.

The court instructs the jury that the word home as used in the law here to be applied, means the permanent residence, or abiding place of a person (other than a club, hotel, boarding house etc.) and includes with the actual dwelling house, or place, all outbuildings commonly used and intended for necessary or convenient use in connection with the use of the whole as a home.

Whether or not the cider given away by the accused was at the time of such giving of greater strength than is by law allowed, where the giving is not shown to be within the home of the giver, and whether or not the giving occurred within the home of the accused are questions of fact to be determined by the jury, upon the evidence.

Compare 8th instruction

G. M. C. T. I.

George

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beas yinommoq agnibisudno lls ,esqib ro ,conebizer tnelembeq erit
ear erit njiw noifcenncoq ni ear tnelembeq ro ,yinommoq erit aebifont bas
smot s as elorw erit ro
ro amit erit ds aw beasocoq erit yd yewa nevig table erit son ro ,yinommoq
gnivig erit ererw ,bewolle wsl yd si nati hghera resef ro ,yinommoq
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C.

Commonwealth v. Calvin Bare,

Instruction D.

Repassed

The Court instructs the jury that a person having a home, as defined by the law, and by the instructions given, may lawfully give away CIDER, in/ such home: Provided that such giving is in no wise a shift or device to evade the provisions of the law. And the Court further instructs the jury that if they believe from the evidence that the giving of cider by the accused, as charged in the indictment, and shown in the evidence, occurred only within the ~~evidence~~ home of the accused, in the sense in which home has been defined to them, and that such giving was in no wise a shift or device to evade the provisions of the law, they will find the accused not guilty.

Frank

9

Chancery Office at Quito in Peru

Government

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yfliowsi ven , havig emeritieni emi qd hns , wai emi qd hns
et givig dore harrt harrt : emer done harrt , the Chancery
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Commonwealth v. Calvin Bare.

INSTRUCTION D.

The court instructs the jury that before they would be justifiable in finding the accused guilty, it would be necessary for them to believe, from the evidence, beyond all reasonable doubt, that the accused, at some time after November 1st, 1916, at some place not within the home of the accused (as home has been defined) gave away cider which at the time of such giving, was of greater strength than one percent of alcohol, by volume.

And the jury are further instructed that while the official analyses of the samples of cider is competent evidence that the samples of cider analysed, were, each, at the time of the completion of the analyses, of the strength certified to in said report, it is not evidence of the strength of the cider from which such samples were drawn, either at the time when the cider was given away by the accused, or at the time when such samples were drawn from the barrels.

The jury in reaching a conclusion, as to the strength of the cider at the time it was given away by the accused should take into consideration the evidence as to the effect that may have been had on the ageing or strengthening of the samples by the period of time that elapsed between the last date of giving by the accused and the drawing and analyses of the samples; the effect of the shaking and the changes of temperature to which the cider may have been subjected in the drawing and carrying of the samples to Richmond and all things that may have tended to increase the strength of the samples analysed up to the date of completion of the analyses,

INSTRUCTION I

ed bnow yest erore tayt pefore the lira atitance the eoty edd
the comit inceasra the lira atitance the lira atitance the eoty edd
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and emor as) books edd to emor edd minish ion easy emit to
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employ yd, Golocls to treatre emr want nymets rether to aw
edd elish tant beforetan rafftire ers lira atitance edd
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to emit edd to nose, ore, beylans tis to selfss edd tant
nt of hettres nymets edd to seylans edd to moitelous edd
tis edd to nymets edd to somehise ion si tis troter biss
edd new emit edd to tentis, aw tris were selfss now hold wort
now new emit edd to to, books edd yd news nevle as tis
allred edd more nwer ore selfss
nymets edd ot as conofation a gindess si ynt edd
hlding books edd yd news nevle as tis emit edd to tis edd to
yan tant fefts edd ot as somehise edd conofation ion edd
yd selfss edd to amnemnts to ginge edd no ben need even
giving to etch tant edd neewted besale tant emit to boirer edd
edt; selfss edd to seylans and givans edd bns books edd yd
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, selfss edd to moitelous to

E.

Commonwealth v. Calvin Bare.

Instruction F.

Murphy as he stands

The court instructs the jury that in order to justify them in finding the accused guilty as charged in the indictment, they should first be convinced of his guilt, from the evidence, beyond a reasonable doubt. In every criminal trial the accused is entitled to the benefit of every reasonable doubt that may arise from the evidence, or from the lack of evidence, and should the Commonwealth fail to prove, by the evidence, beyond a reasonable doubt, the facts necessary to warrant a conviction, or if any one of the facts necessary to show the guilt of the accused is consistent with a theory of his innocence, then the jury must acquit.

Jury, see T.C. & W. Va #116 page 636,

State v. Kems, 47 W.Va. 266; 348.S.734

Taylor v. Commonwealth 90 Va. 109-118

(See 3rd)

Done by me

Con.

Calvin Bone

Lathaniel for

Acme D. Co.

Den on March 1

Commonwealth v. Civil Case

Information

at most value of real estate in order to qualify from
the court's jurisdiction in case of bankruptcy or
insolvency, such as before filing a complaint against
another's property, notwithstanding that it is intended to
add of being at present in trust for the use of
to a cohesive soil series with its properties to J. S. Jones
as owner of the same by the Commonwealth for the benefit of
the poor of the State, and to combine with other
soil of the same class to one great body, and to
make common with the same, and to have and hold
the same in trust for the benefit of the poor of the State.

Commonwealth v. Calvin Bare.

Instruction E.

The court instructs the jury that in order to justify them in finding the accused guilty as charged in the indictment, they should first be convinced of his guilt, from the evidence, beyond a reasonable doubt. In every criminal trial the accused is entitled to the benefit of every reasonable doubt that may arise from the evidence, or from the lack of evidence, and should the Commonwealth fail to prove, by the evidence, beyond a reasonable doubt, the facts necessary to warrant a conviction, or if any one of the facts necessary to show the guilt of the accused is consistent with a theory of his innocence, then the jury must acquit.

Commonwealth v. Gaylor Case

Information E

Whitney of New York City filed suit against the Commonwealth of Massachusetts for filing a complaint against him as a citizen of the United States, and he was denied his right to file a defense. The Commonwealth filed a motion to dismiss the complaint, and the court granted it. The Commonwealth appealed to the Supreme Court of Massachusetts, which affirmed the lower court's decision. The Commonwealth then appealed to the Supreme Court of the United States, which denied the appeal.

Jury nullity

Commonwealth

vs.

Calvin Bear.

Copy this one on a
separate sheet of paper

F.

INSTRUCTION G.

The Court instructs the jury that in order to justify a verdict of guilty, the jury should, upon the evidence, be convinced, beyond a reasonable doubt, that some of the cider shown in evidence to have been given away by the accused, after November 1st, 1917, was, at the time of such giving, of greater alcoholic strength than one per cent, by volume: That the burden of the proof to show such fact, by the evidence, beyond a reasonable doubt, rests upon the Commonwealth; and if, upon full consideration of the evidence, there should remain upon the mind of the jury a reasonable doubt that the cider given away by the accused (as shown in evidence) was at some one or more of the times of such giving, of such greater strength than one per cent. of alcohol by volume, then the accused is entitled to the benefit of such doubt that may arise, upon the evidence, and if such doubt exists in the mind of the jury, then the verdict should be not guilty.

Commonwealth

AB

Gaylor West

SECTION 6

The County Interceptor will be used in order to track the interceptor's position, bearing, speed, altitude and direction of travel, to bring it to a height of 6000 ft above ground, beyond a radius of 10 miles of the receiver station, so that the receiver can pick up the signal and determine its position. The signal is transmitted by the receiver station at a frequency of 10 MHz, and is received by the interceptor at a frequency of 10 MHz. The receiver station transmits a signal to the interceptor at a rate of 10 Hz, which is used to update the interceptor's position and velocity. The interceptor also transmits a signal to the receiver station at a rate of 10 Hz, which is used to update the receiver station's position and velocity.

Intercepting the signal sent by the receiver station at a rate of 10 Hz, the interceptor can determine its position and velocity. The receiver station also transmits a signal to the interceptor at a rate of 10 Hz, which is used to update the interceptor's position and velocity. The interceptor also transmits a signal to the receiver station at a rate of 10 Hz, which is used to update the receiver station's position and velocity.

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Commonwealth

vs.

Calvin Bear.

INSTRUCTION F.

The Court instructs the jury that in order to justify a verdict of guilty, the jury should, upon the evidence, be convinced, beyond a reasonable doubt, that some of the cider shown in evidence to have been given away by the accused, after November 1st, 1917, was, at the time of such giving, of greater alcoholic strength than one per cent, by volume: That the burden of the proof to show such fact, by the evidence, beyond a reasonable doubt, rests upon the Commonwealth; and if, upon full consideration of the evidence, there should remain upon the mind of the jury a reasonable doubt that the cider given away by the accused (as shown in evidence) was at some one or more of the times of such giving, of such greater strength than one per cent. of alcohol by volume, then the accused is entitled to the benefit of such doubt that may arise, upon the evidence, and if such doubt exists in the mind of the jury, then the verdict should be not guilty.

Commonwealth

vs

Calvin Best

INTRODUCTION

The Court of Appeal in this case held that the Government of Canada had no authority to require a telephone company to furnish a telephone connection to an individual who had never used or intended to use it. The court held that the power of the Canadian government to regulate communications was limited to the provision of services to the public and did not extend to the regulation of private communications. The court also held that the Canadian government did not have the power to require a telephone company to furnish a telephone connection to an individual who had never used or intended to use it.

But the Court refused to give said instructions F. asked for by the defendant, and to this action of the Court, refusing to give said instructions F., the defendant excepted, and now tenders this his fourth Bill of Exceptions, which he prays may be signed, sealed and made part of the record of said cause, which is accordingly done this 9th day of March, 1917, within thirty days from the rising of the Court at which said trial was ^{had} ~~heard~~, which Court adjourned on the 17th day of February 1917.

J. N. Haas, Judge Seal

But the Court ~~had~~ ^{will} ~~now~~ ^{will} give us a hearing on the
basis of the fact that the Court ~~has~~ ^{will} ^{now} given us the ^{right}
to file a bill of exceptions to the facts which we
have ^{now} ^{will} ^{now} file before the Court ~~has~~ ^{will} ^{now} give us
the right to file such a bill of exceptions. But the Court ~~had~~ ^{will} ^{now} give us
the right to file such a bill of exceptions. But the Court ~~had~~ ^{will} ^{now} give us
the right to file such a bill of exceptions.

Wm. J. Smith, Jr.

But the Court refused to give the said five instructions and asked for by the defendant, or any of them, and refused to instruct the jury orally as requested by the Attorney for the Commonwealth and gave to the jury the three instructions set out in defendant's Bill of Exceptions No. 1; and to the action of the Court in refusing to give the instructions asked for by defendant, and each of them, as aforesaid, the defendant by counsel excepted, and now tenders this his third Bill of Exceptions, which he prays may be signed sealed and made part of the record in said cause, which is accordingly done this 9th day of March, 1917, within thirty days from the rising of the Court at which said judgment was given, which Court adjourned on the 17th day of February, 1917.

J. N. Haas, Judge 

But the County Court of Beaver and the
District of Beaver has, went to ask to ask to the defendant for the boxes
of the Commonwealth for the Attorney for the Commonwealth to the defendant as well as
a defendant in the case of the Commonwealth for the Commonwealth to the
defendant in the County of Beaver; I am asked to file
as much to do with the Commonwealth to the defendant as well as
a defendant who has, before he goes to the Commonwealth and the
boxes being as you may say, in the Commonwealth to the
attorney of the Commonwealth, cause him to be sent to the
County Court of Beaver, never was the defendant as well as
the Commonwealth to the Commonwealth to the Commonwealth to the
Court of Beaver, I am asked to file.

John H. C.

COMMONWEALTH of VIRGINIA v. CALVIN BARE,

On Indictment for Misdemeanor.

DEFENDANTS BILL of EXCEPTIONS NO. 1

In the Circuit Court for Rockingham County, January Term, 1917.

Be it remembered that when the indictment in this cause was found and returned into court, the defendant, by counsel, appeared and demurred to the said indictment, on the ground that the same is not sufficient in law.

And thereupon, after joinder in the said demurrer, and after the court had heard the argument of counsel ~~concerning~~, the court sustained the said indictment and overruled the said demurrer.

To which action of the court in so sustaining the said indictment and overruling the said demurrer the defendant by counsel excepted, and tendered this his Bill of Exceptions No. 1, which he prays may be signed, sealed, enrolled and made part of the record, which is accordingly done, this 3rd day of March, 1917, and within thirty days from the adjournment of the court at which final judgment was entered in the said cause, which adjournment was on the 17th day of February, 1917.

J. H. Haas, pro se Deed

CELESTE HAN

DETERMINATION FOR MEDICATIONS

TO THE EXPENSES OF THE HOSPITAL
OF THE CITY OF TORONTO

FOR THE TREATMENT OF MARY ANN COOK
AGE 22 YEARS, RESIDENCE 124 ST. CLAIR AVE.
BORN JUNE 15, 1858, WEIGHT 100 LBS.
SICK WITH TUBERCULOSIS OF THE LUNGS.

THE DISEASE IS OF LONG DURATION AND PROGRESSIVE.
THE PATIENT IS WEAK AND EXHAUSTED.
THERAPY HAS BEEN TRIED BUT WITH NO
RELIEF.
THE DISEASE IS OF LONG DURATION AND PROGRESSIVE.
THE PATIENT IS WEAK AND EXHAUSTED.
THERAPY HAS BEEN TRIED BUT WITH NO
RELIEF.
THE DISEASE IS OF LONG DURATION AND PROGRESSIVE.
THE PATIENT IS WEAK AND EXHAUSTED.
THERAPY HAS BEEN TRIED BUT WITH NO
RELIEF.

END

Commonwealth of Virginia

vs.

Calvin Bare

Defendant's Bill of Exceptions No. 3.

Be it remembered that upon the trial of this cause, after the evidence had been closed and both the Commonwealth and the Defendant had rested the attorney for the Commonwealth requested the Court to instruct the jury orally upon the law of the case, and the defendant by his counsel moved the Court to give the jury the following five instructions, to-wit:

Government of Victoria

as

Governor General

Datingant's Bill of Exemption No. 8.

Be it remembered upon the first of this cause, after
the evidence had been given and heard by the Government and the Deponent
and had tested the sufficiency of the Government and understood the Court
of Justice of the trial before whom this case, and the deponent
had given his evidence to give the following
evidence, to wit:

Commonwealth of Virginia

vs.

Calvin Bare.

Defendant's Bill of Exceptions No. 4.

Be it remembered that upon the trial of this cause after the Court had rejected the five instructions asked by defendant as set out in defendant's Bill of Exceptions No. 3, and had settled the instructions to be given in the case, and which were subsequently given to the jury, as set out in defendant's Bill of Exceptions No. 2, but before the same were in fact given to the jury, the defendant by counsel moved the Court to give the jury the following instructions, marked F: to-wit:

Commonwealth of Virginia

. a.

State of

Delegated's Bill to Exemption No. 4.

Be it remembered that the law of the Commonwealth of Virginia, as contained in the General Assembly of 1832, provides that all persons shall be liable to the payment of taxes on their estates held by them, except such persons as are entitled to exemptions from taxation, and that no tax shall be levied or collected on any person who is entitled to an exemption.

In view of the above, the Legislature of the Commonwealth of Virginia, having considered the subject, and having determined to grant an exemption to all persons whose estates exceed \$5,000, and who are not entitled to any other exemption, has passed the following resolution:

Commonwealth of Virginia

v.

Calvin Bare.

Defendants Bill of Exception No. 5.

Be it remembered that upon the trial of this cause, after the evidence had closed and after both the Commonwealth and the defendant had rested, the defendant by Counsel moved the Court to instruct the jury as set out in defendant's bills of exceptions No. 3 and No. 4, which bills are here referred to and made part of this bill of exceptions, and the attorney for the Commonwealth moved the Court to instruct the jury orally upon the law of the case, but the Court overruled the motion of the defendant to give the instructions prayed for by him as aforesaid, and declined to give the same and likewise declined to instruct the jury orally, and in lieu of the instructions asked by the defendant and of the request of the attorney for the Commonwealth gave to the jury the instructions set out in defendant's bill of exceptions No. 2, which bill is made a part of this bill by reference; and to the action of the Court in giving No. 2 of said instructions given by the Court the defendant, by counsel, excepted and now tenders this his fifth Bill of Exceptions and prays that the same be signed, sealed, enrolled and made part of the record, which is accordingly done, this 9th day of March, 1917.

J. H. Haas, Attala

Commonwealth of Virginia v. Calvin Bare.

Defendants Bill of Exceptions No. 6

Be it remembered that during the trial of this cause the Commonwealth introduced and read in evidence, to the jury the whole of the following paper writing, to-wit:

(Here insert the whole of the written and printed document on which the analyses of the cider appears, including therein the letter at the upper part of the paper signed G.W.Coiner, Commissioner.)

Thereupon, after the whole of the said paper writing had been put in evidence, as aforesaid, and before the Commonwealth had rested in the introduction of its evidence, the defendant, by counsel, moved the Court to instruct the jury that such part of said paper writing as appeared above the signature of G.W.Coiner, Commissioner, was not proper evidence in the cause and that the same should be disregarded by the jury.

Thereupon the Court declined so to instruct the jury.

And thereupon the defendant, by counsel, excepted to such ruling of the Court and tendered this his Bill of Exceptions and prayed that the same be signed, sealed, enrolled and made part of the record, which is accordingly done, this 30 day of March, 1917.

J.N. Haas, Judge

51

• , etas nivis oariv , v signif. to diffusion
of , oil emulsion to fill surfaces
such as to limit the initial rate of diffusion
and thus reduce the effective rate of loss by reabsorption. (Mitsumoto,
et al., 1960, Jap. J. Appl. Phys., 1, 166.)
This method has been used to obtain a low rate of loss
from dried galactosol , where water is to act as a solvent and oil as an
(Yamashita , Yamamoto , Gotoh , Ochiai , Yamada , 1960, Jpn. J. Appl. Phys., 1, 166.)
and which may be due to slow oil release .
The diffusion coefficient of emulsified oil is increased
by adding oil , because oil is solubilized in the oil
galactosol due to high concentration of oil .
Oil was , Yamamoto , Gotoh , Ochiai to examine the effect between
the degranulation of biocides such as zinc oxide and the effective amount
of oil .
, just after treatment of oil treated surface by diffusion
& action due to diffusion , leaves of microalgae are made to sink
just beyond the boundary of emulsion due to surface tension and
decrease the effect of zinc oxide on the surface of algae .
After , diff. to the oil 5% side , the viability of

algal growth

Commonwealth of Virginia

v.

Calvin Bare

Defendants Bill of Exceptions No. Ex 7

Be it remembered that upon the trial of this cause, before the impanneling of the jury had been completed, the defendant, by counsel, called the attention of the Court to the fact that there had been no arraignment of the defendant, to which the Court replied that arraignment was not necessary.

Thereupon, the defendant not having been arraigned and no plea having been entered by him and no issue joined, the trial of the cause was proceeded with, and the jury having been impaneled and having heard the evidence and the argument of counsel, and received the instructions of the Court, rendered its verdict of ~~conviction~~ guilty, against the said defendant, as by the record shown.

Thereupon the defendant, by counsel, moved the Court in arrest of judgment, and for a new trial, on the grounds that there had been no arraignment of the defendant, no plea entered by him, and no issue joined in the cause, and on the further grounds asserted in support of the defendants demurrer to the indictment.

But the Court ~~at~~ declined to arrest judgment in the cause and thereupon proceeded to enter its judgment on the said verdict, as by the record shown.

To which action of the Court the defendant, by ~~the~~ counsel, excepted and tendered this his Bill of Exceptions and prayed that the same be signed, sealed, enrolled and made part of the record, which is accordingly done, this 3^d day of March, 1917.

J. N. Haas, Judge

✓

✓ another part of the same

✓ a letter with instructions and the following
✓ instructions and a telephone number and to call him at 11 AM
✓ but would send some info to you and to no longer call before 11 AM
✓ and better have some info to him before he comes
✓ instructions for new telephone
✓ instructions need arrived for telephone and a request

✓ later and a better time or the time of persons need arrived being on the
✓ bus telephone and given you and the main telephone and count and to
✓ telephone bus and issues to telephone and the sensible off travel given
✓ according to Jelbrev and telephone , and to telephone and
✓ phone proper and you can , telephone time and telephone which
✓ will never , telephone and justified and requested

✓ and telephone and the telephone and the telephone
✓ and you telephone help on , telephone and to telephone and the telephone
✓ telephone always ready and no bus , excuse and no telephone time or the
✓ telephone and of telephone telephone and to telephone
✓ excuse and no telephone always of telephone and you and the
✓ and you , telephone time and no telephone and ready of telephone required for
✓ , more phone and and

✓ and you , telephone and to telephone and to the
✓ bus telephone to Lili and said telephone bus telephone , telephone
✓ and to telephone and bus telephone , telephone and said all said telephone
✓ said ~~and~~ to cap for said , and telephone and said .

✓ Prof. Smith M.L.

Commonwealth of Virginia v. Calvin Bare.

Defendants Bill of Exceptions No. 72 8

Be it remembered that upon the trial of this cause the jury after having retired to their room to consider of their verdict presently returned ~~to the bar of the~~ ^{into} court and submitted their verdict in the following words and figures, to-wit:

" We the jury, according to the evidence and instructions, find the defendant guilty as charged, and find accordingly the minimum penalty under the law " (signed) A.M. Spitzer, Foreman.
inquired of the jury whether they meant by their verdict to fix the punishment of Thereupon the Court instructed the Clerk to write out the verdict of the jury in proper form and in pursuance with such instruction the said Clerk wrote out the verdict in the following words and figures, to-wit : " We the jury find the accused guilty as charged in the indictment, and fix his punishment at a fine of fifty dollars and confinement for thirty days in jail ", which verdict was, without ~~retirement~~ ^{again retiring} from the ~~bar of the~~ ^{jury box} court, there signed by the said A.M. Spitzer, Foreman, and upon being read by the Clerk to the jury and the jury being polled was acquiesced in by all of the jury.

Thereupon, at a later day of the term, after the last mentioned verdict so written out by the said Clerk had been substituted for the verdict first found, as aforesaid, and had been entered upon the record, the defendant, by counsel, moved the Court to enter an order, nunc pro tunc, setting forth the facts as to the rendition and correction, as aforesaid, of the said verdict, and to arrest judgment on the verdict so entered, and grant the defendant a new trial.

Thereupon the Court overruled said motion and to such action of the Court the defendant, by counsel, excepted, and tendered this his Bill of Exceptions, which he preys may be signed, sealed, enrolled and made part of the record, which is accordingly done, this 3^d of March, 1917.

J. N. Haas, Judge

the accused at a fine of \$50. and confinement in jail for one month and upon this answering what his said no in the Court

Car Barn

Bills of Ex-
change

d 11

also add to fair and now add Deterioration

allowing right to substance of paper which is

Jolbrey right to justify and make

bill, and should be presented at a discount
-up minimum of 5% unless otherwise provided, referred to below, which
~~amounts shall be held at a discount with the amount of 5%~~
~~allowance to the County Independent of the City of New York~~
-if more than expenses in form, of which will be Jolbrey and
other principal add to Jolbrey and the other that this bill will not
be given because will fail, and as " " it is so, enough has
will be sent to Jolbrey at his bus., demandant will be paid no
less Jolbrey holds, " less of the sum of three dollars five
cents add to Jolbrey sum, ~~and all to~~ ~~the~~ ~~most~~ ~~the~~ ~~value~~ ~~which~~
bus given add to this sum of three dollars five cents, and nothing less
, sum add to him to his bus because he believed he had
done nothing to him, and so, do you
believe he done bad things and if the bill is not
sent now bus, because he may have done something else than the
sum of three dollars five cents or less, ~~and~~ ~~the~~ ~~most~~ ~~the~~ ~~value~~ ~~which~~
add no Jolbrey fees of bus, Jolbrey bills add to, Bills will be paid
, faild seen a publisher add to bus, because of Jolbrey

nothing done of bus nothing done before we give the County Independent
add to publisher bus, because it seems us, publisher add to
County Independent add to publisher to faild add to bus
before we give the County Independent add to bus

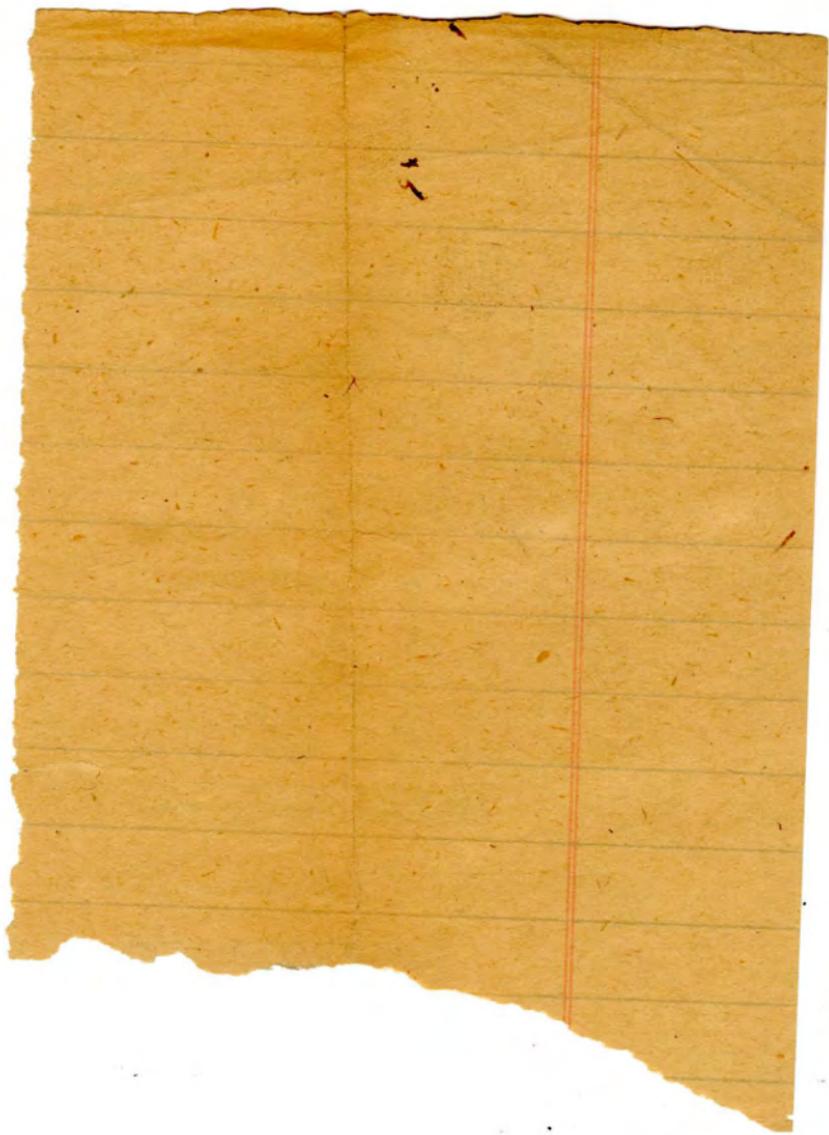
C et al, and publisher add to Jolbrey, money add to bus
John Smith A.C.

Com-

8 — Jan'y 31st

Bovine Bone

- 1 W. O. Myers
- 2 Jos. H. Moore
- 3 J. H. Fitch
- 4 R. T. Adams
- 5 J. B. Hinman
- 6 C. M. Spilzer &
- 7 ~~E. J. Rice~~
- 8 O. O. Emmons
- 9 ~~C. H. Smith~~



Bone Place
vs
Olive Bone

(1)
order 2 3 4

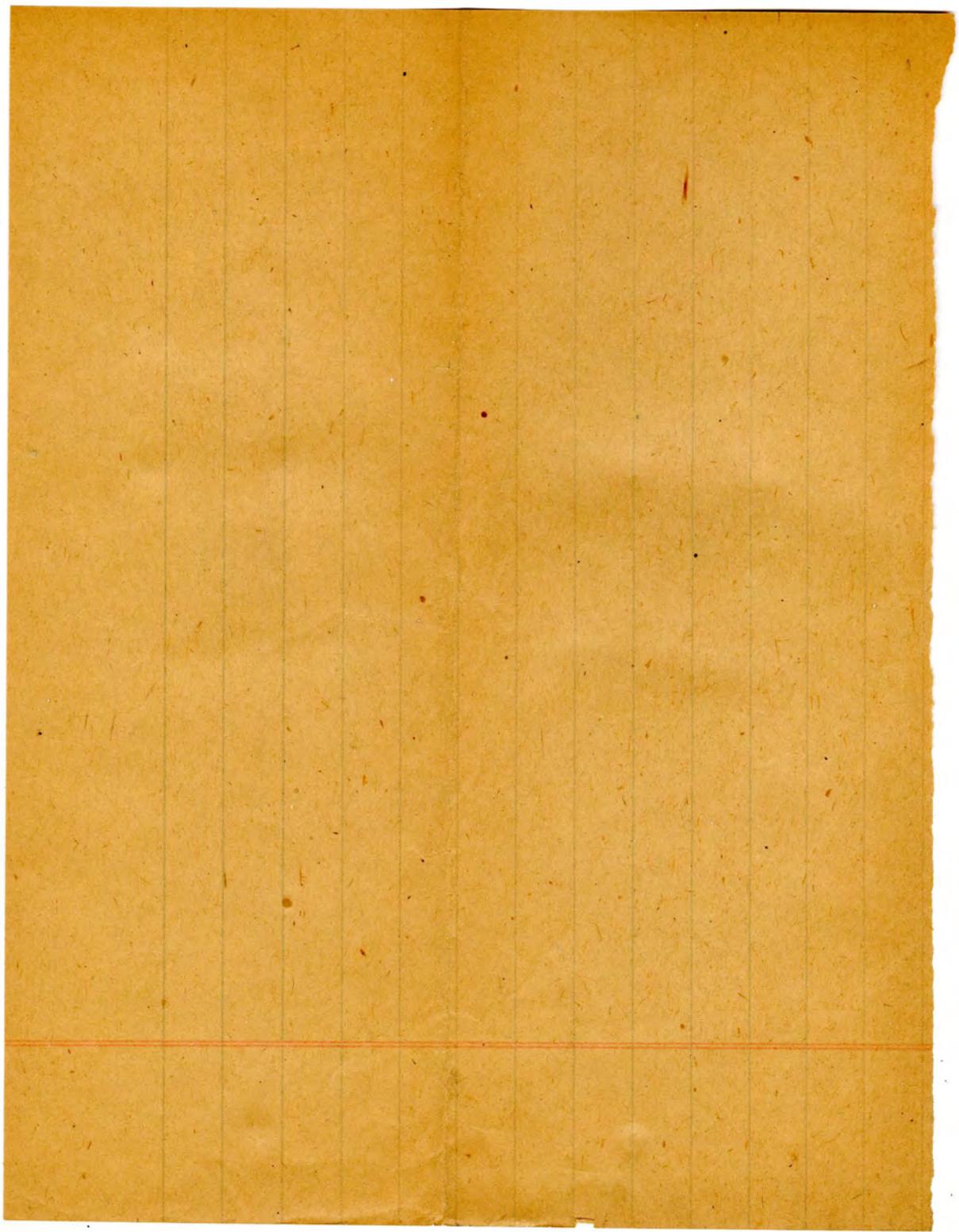
(2)
order 2 3 4

(3)

Order - 241 - Jan 30, 1917

(4)
order 243

5
order - 261.



Commonwealth

VS

{ _____

Palmer Bare

