

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

Commonwealth of Virginia }
Vs. {

Victoria Davis. }
} 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 Ross Stanley, as a witness, who testified that he resided in Elkton, Rockingham County, Virginia; that he has known Victoria Davis for eighteen or twenty years; that she resides three miles south of Elkton and in Rockingham County; that he was at her residence on Sunday, in September 1913; that for sixty cents he purchased something to drink from her, either wine or cider, he "did not know what you might call it"; that Cecil Deane went with him to the place; that several persons were there, including Henry Moubray and the Baugher boy; that the cider or wine which he drank did not have much effect; that he was drinking when he went there; that the wine may have added some little, as every little bit helps; that he was feeling good when he went and he was feeling good when he came away; that what he got there did not add anything to his feeling and took nothing ~~for~~ ^{from} it; and he further testified that he could not have carried enough of the wine or cider which he purchased to have affected him.

Herman Baugher, another witness introduced in this behalf, testified that he was there on the 21st of September, 1913, when Henry Moubray, Ross Stanley, and others, were there; that he purchased a gallon of wine, paying the defendant \$1.00 therefor; that if you drank enough of it it would have some effect; that he was not drunk, but that Ross Stanley was drunk; that Stanley was drunk when he came and drunk when he went away, and that some of the others were apparently feeling the effects of some drink; that "I was feeling it a little myself"; that it was intoxicating, and the liquor was the color of wine.

Cecil Deane, another witness introduced in the same behalf,

testified that he went to Victoria Davis' with Stanley; that he saw Stanley get wine while there; that Stanley was drinking when he went there, and, just before entering the house, emptied his bottle of the whiskey he had gotten in Shenandoah, by drinking it; that the witness had been drinking and that the wine or cider which he drank at Victoria Davis' did not have much effect, if any, upon him. This witness further testified that Herman Baugher was not intoxicated.

And this was all of the evidence introduced on the part of the Commonwealth.

Whereupon the defendant, to maintain the issue upon her part, was sworn in her own behalf, and testified that she did not sell Stanley anything, but that she did sell Baugher some cider or grape juice which had been made a week or so, which was not strong enough to make them drunk. On cross-examination she said that the grape juice or cider had been made a couple of weeks; that Stanley was drunk when he came there and she was anxious to get rid of him and gave him some of the wine, but that he paid nothing for it; that, "If you would drink enough of it, it would make you drunk"; and that Baugher had paid her fifty cents.

Henry Moubray, another witness introduced on behalf of the defense, testified that it was not intoxicating, and was not fit to drink.

And this being all of the evidence on behalf of the Commonwealth and on behalf of the accused, the Court instructed the jury as is set out in defendant's Bill of Exception No. 2, which is herewith referred to and made part hereof.

Thereupon, after argument of Counsel, and after the Jury had rendered the following verdict, to-wit: "We the Jury find the defendant, Victoria Davis, guilty as charged in the indictment and impose a fine of fifty dollars," and before judgment ^{no recdence} thereon by the Court, the accused, by Counsel, moved the Court to set aside the verdict and grant her a new trial upon the ground that said verdict was contrary to the

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law and the evidence, which motion the Court overruled and refused to set aside said verdict and grant the accused a new trial and proceeded to enter judgment thereon in accordance with the verdict of the jury; to which ruling and judgment of the Court, the accused by Counsel excepted, and tenders this her first Bill of Exception, and prays that and together with the evidence hereinbefore set out the same may be signed, sealed and enrolled and made a part of the record, which is accordingly done this 15th day of November, 1913, within thirty days from the ending of the term at which said case was tried and such verdict and judgment rendered.

J. H. Haas, pro se (SEAL.)

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Know all Men by these Presents,

THAT WE Victoria Davis and D.C. Davis

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Five Hundred
and no/oo DOLLARS,

to the true payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals, and dated the 15th day of October,

1913, and in the 138 year of the Commonwealth, and we, and each of us hereby waive the benefit of the Homestead exemption as to the obligation of this bond, also any claim or right to discharge any liability to the Commonwealth arising under said bond or by virtue of said office, post, or trust, with Coupons detached from bonds of this State.

The condition of the above obligation is such, That Whereas the above bound Victoria Davis was on the 15th day of October, 1913 Convicted in the Circuit Court of Rockingham County of a misdemeanor in the charge of Selling Ardent Spirits on Sunday, and was thereupon required by the order of the Court to give bond as required by the Statute in such cases made and provided: Now therefore if the said Victoria Davis shall not within twelve months from the date of the said last mentioned order, fail to pay from the 15th day of October, 1913, violate any of the provisions of the Act of the General Assembly of Virginia approved March 15th 1910, and Codestabbing Chapter 170 of the General Assembly of Virginia of 1910, then this bond shall be void, otherwise to remain in full force and virtue

Victoria Davis. (Seal.)

D.C. Davis. (Seal.)

ROCKINGHAM COUNTY, TO-WIT:

This day 15 of October

the securit in in the above bond, personally appeared before O. H. Lee Young Clerk
of the Circuit Court of Rockingham County, and made oath that his property is worth \$ 500.00
after the payment of his debts, and those which he is security for and expect to have to pay.

Given under my hand this 15 day of October, 1903.

A Copy Teste.

Clerk.

O. H. Lee Young Clerk.

G. R. Berlin, Printer, Bridgewater, Va.

National Service

to J. Bank

Committee

Oct 15 1918

E. H. Lee Martz
CLERK.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

Commonwealth of Virginia
vs.
Victoria Davis.

Bill of Ex # ✓

Upon an indictment for a
misdemeanor.

Be it remembered that upon the trial of this cause, after the evidence set forth in Bill of Exceptions No. 1, which is here referred to and made part hereof, had been heard by the Jury and this being all the evidence introduced by either party, the defendant moved the Court to instruct the jury as follows, to-wit:

Instruction No. 1.

The Court instructs the Jury that in all criminal cases the law requires the guilt of the accused to be established by the evidence beyond a reasonable doubt before a conviction can be had. So in this case, before the accused can be found guilty the Jury must be satisfied beyond reasonable doubt that the defendant is guilty of the offence charged in the indictment. That is, they must be satisfied beyond reasonable doubt that she made a sale on Sunday as charged in the indictment, and that the thing sold was ardent spirits.

Wine or any mixture or liquid which will produce intoxication is ardent spirits within the meaning of the law.

Instruction No. 2.

The Court instructs the Jury that the Law presumes the accused to be innocent until she 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 her. Her guilt is not to be inferred, although the facts proven may be consistent with her guilt, but in

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY VIRGINIA

W. D. G.

Complaint of Virginia

a for damages for a
negligence

plaintiff's case

the first defendant that he
should f. o. m. sue him for \$150.00 for damage to his
car. He said he had been hit by a car driven by a
man who was driving very fast. The man
was driving so fast that he hit the plaintiff's car.
The plaintiff's car was damaged and he
had to pay for repairs. The plaintiff's car
was damaged because the defendant was
driving too fast.

Defendant No 1

I am the defendant in this case. I was driving my car
when I saw a car coming towards me. I tried to stop
but it was too late. The plaintiff's car hit mine. I
was not driving too fast. I was just driving at a
normal speed. I was not responsible for the accident.
I am sorry if I caused any damage to the plaintiff's car.
I will pay for the damage if the plaintiff
wants me to do so. I am sorry for any inconvenience
caused by this accident.

Defendant No 2

I am the defendant in this case. I was driving my car
when I saw a car coming towards me. I tried to stop
but it was too late. The plaintiff's car hit mine. I
was not driving too fast. I was just driving at a
normal speed. I was not responsible for the accident.
I am sorry if I caused any damage to the plaintiff's car.
I will pay for the damage if the plaintiff
wants me to do so. I am sorry for any inconvenience
caused by this accident.

order to convict her they must be inconsistent with her innocence. Mere suspicion or probability of her 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 her conviction, her guilt must be proven so clearly that there is no reasonable theory consistent with the evidence upon which she can be innocent.

To the giving of which instructions, the Commonwealth by its attorney objected, whereupon the court sustained the objection to Instruction No. 2, and gave Instruction No 1. to which action of the Court in sustaining the objections of the Commonwealth to Instruction No. 2, and ~~in refusing~~ to ^{to the Court} give ~~suspicion~~ ~~for~~ to instruct the Court as prayed for ~~therein~~ by the defendant, the defendant by counsel excepted and therefore prays that this, her second bill of exceptions may be signed, sealed and enrolled as a part of the record, which is accordingly done this 15th day of November, 1913. within thirty
days from the end of the term at which said case was
tried and verdict rendered.

J. N. Haas, Jr., Jr. (SEAL)

to the extent that it may meet the needs of the
and provide a service which may be available to the public at large.
and the same will be available to the public at large.
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(JASB) John A. S. B.

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 Vic Davis, alias Victoria Davis, for a writ of error and supersedeas to a judgment rendered by the circuit court of Rockingham County on the 23rd 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 Vic Davis, alias Victoria Davis 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:

Howard Jones

C.C.

In this chapter I have attempted all that
I could do in giving you all
that all
you want to know about
this place.

This town is very old, having existed since the year 1000 A.D. It was founded by a certain King named Ganga, who was a native of Bengal. He built a fort on a hill, which he called "Gangaraj". This fort was surrounded by a wall, and it contained a temple dedicated to the God Shiva. The town grew rapidly, and soon became a great commercial center. It was known for its trade in cotton, silk, and other goods. The people of this town were very friendly, and they welcomed all visitors with great hospitality. They were also known for their skill in handicrafts, particularly in weaving and embroidery. The town had a population of about 50,000 people at that time.

The Court instructs the Jury that in all criminal cases the law requires the guilt of the accused to be established by the evidence beyond a reasonable *le* doubt before a conviction can be had. So in this case, before the accused can be found guilty the Jury must be satisfied beyond reasonable doubt that the defendant is guilty of the offence charged in the indictment. That is, they must be satisfied *Beyond* reasonable doubt that she made a sale on Sunday as charged in the indictment, and that the thing~~s~~ sold was ardent spirits.

Wine or any mixture or liquid which will produce intoxication is ardent spirits within the meaning of the law.

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on the 21st — day of September —, in the year 1913, in the said County,

the said 21st day of September in the year 1913 being
Sunday, in Stonewall Magisterial District in said
County did unlawfully sell and dispense ardent
spirits -

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

Ross Stanley & Harry Maubray

.....witnesses sworn in open Court and sent to the
Grand Jury to give evidence.

Clerk.

Commonwealth

{ INDICTMENT.

vs.
Lie. Danie. Alvin S. Cushing
Devis
For Murderous

A TRUE BILL.

Oct 10th 1870
Chas 7.09
14.74
6.00
Subt 16.45
~~75-484~~

G. C. Warren
Foreman

Oct 15

1913 Oct 15
J. W. Cushing
J. D. Cushing

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 1903,
upon their oaths present that Vic Davis alias Victoria Davis —

on the day of in the year 1902, in the said County,
~~Within the last 12 months and at divers other times~~
~~Within the last 72 months in Stanwix Magisterial~~
~~District in said County did unlawfully sell by~~
~~retail ardent Spirits without having or since having~~
~~obtained a license as to no account to less —~~

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Bernard McDaniel

..... witness... sworn in open Court and sent to the
Grand Jury to give evidence.

..... Clerk.

Commonwealth

vs.

{ INDICTMENT.

Vic Davis alias Victoria
Davis
For Misdemeanor

A TRUE BILL.

H. E. Miller
 Foreman.

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 nos Pro
 Encl

In the circuit court of said county:
 County of Rockingham, North:

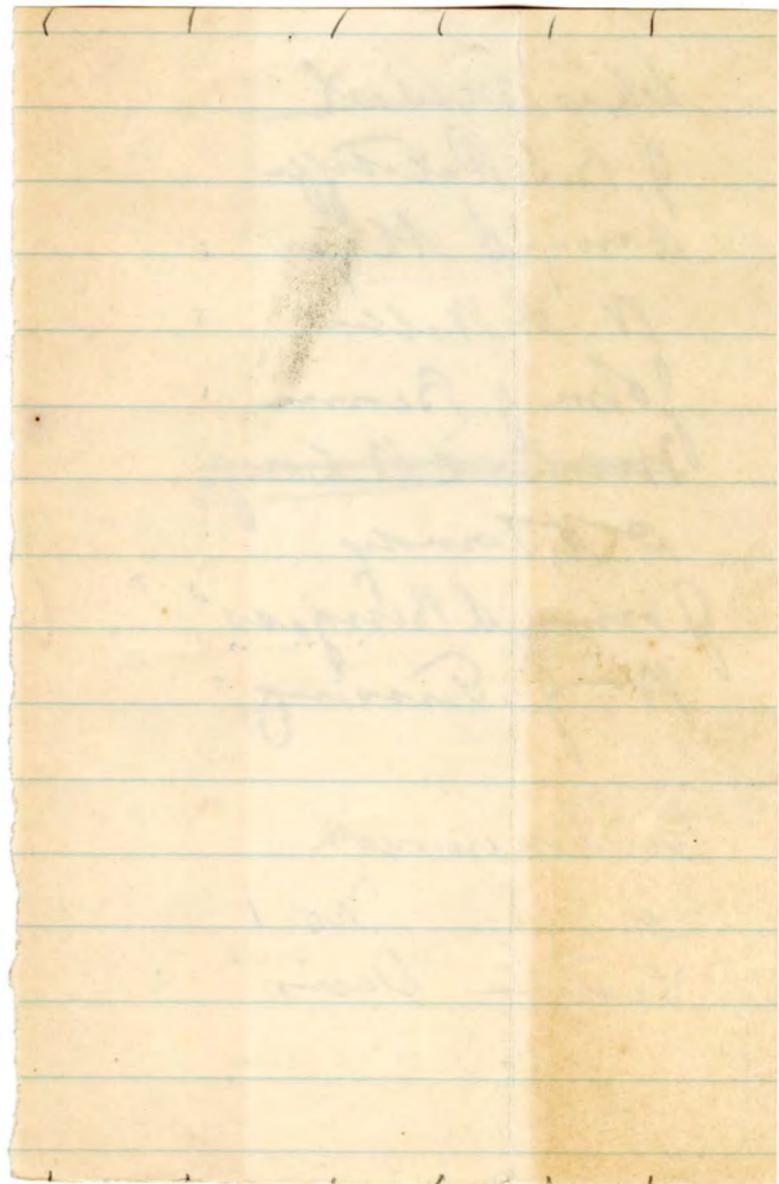
Commonwealth of Virginia

Chas M. Ward
J. B. S. Parfitt
Henry A. Meyer
W. H. Willan
John J. Beaman
~~Michael H. Long~~
A. H. Tandy
James L. Burgess
W. J. Garrison

Commonwealth

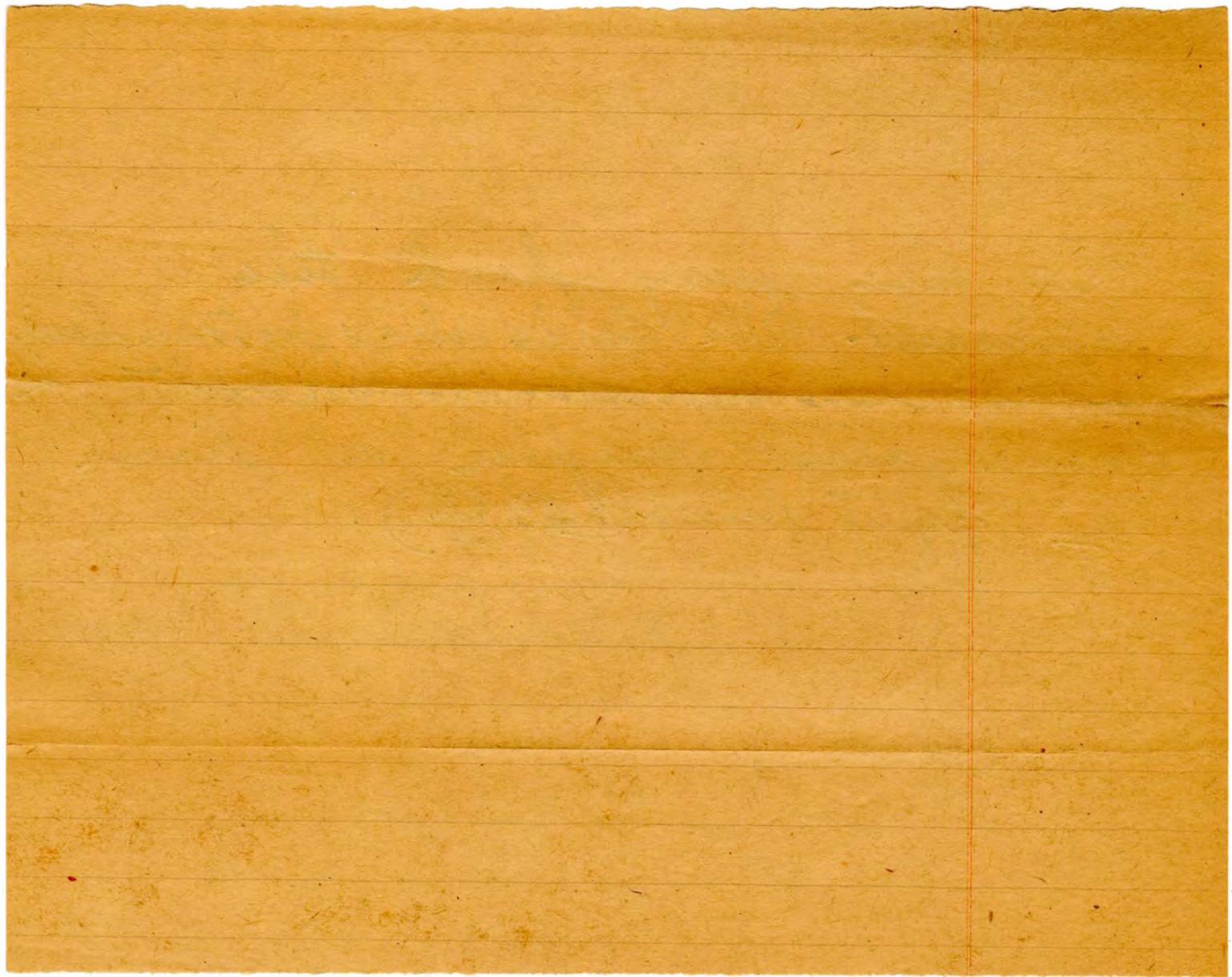
4 No 1

Victoria Davis



We the jury find the
defendant Dix Davis alias Victoria Davis
guilty as charged in indictment
and impose a fine
of fifty dollars (\$50₁₀₀⁰⁰).

J. B. S. Ratcliff (Foreman)



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 190³.,

upon their oaths present that Vic Davis alias Victoria Davis -