

COMMONWEALTH VS. WM. R. HALTERMAN .

INSTRUCTION NO. 1

The Court instructs the jury that if they believe from the evidence the defendant Wm. R. Halterman did not at and about the time of the finding of the barrel of mash on the land of his brother , Andy Halterman , have the exclusive possession of that part of the land on which the mash was found -- such possession as would have entitled him to prevent the owner and all other persons from entering on , or exercising any authority over such part of the land -- then the fact that the barrel of mash was so found does not raise any presumption of law ~~or~~ ~~of fact~~ , that the defendant was the guilty person , and no burden of proof would thereby fall on him to account for the presence of such mash on such land .

~~Transcript of Court 12-11-75~~  
~~Royal 131 12-11-75, 100-1000~~  
2

~~COMMONWEALTH VS. WM. R. HALTERMAN~~

The Court instructs the jury that the prisoner is presumed to be innocent until proven guilty , and the burden is upon the Commonwealth to prove his guilt , and not upon the accused to prove his innocence .



INSTRUCTION NO. 1

The Court instructs the jury that if they believe from the evidence that the defendant, W. R. Barker, did not at any time of the finding of the barrel of man on the land of his brother, Andy Kalkman, have the exclusive possession of that land, and if they believe that the defendant, W. R. Barker, would have entitled him to prevent the other and that other persons from entering on or exercising any authority over any part of the land -- then the fact that the barrel of man was found there does not raise any presumption of law that the defendant, W. R. Barker, is the guilty party, and the burden of proof will thereby fall on him to account for the presence of such man on such land.

2

The Court instructs the jury that the prisoner is presumed to be innocent until proven guilty, and the burden is upon the Commonwealth to prove his guilt, and not upon the prisoner to prove his innocence.



Commonwealth of Virginia ) To-wit:

City or County of Rockingham  
In the Circuit Court of the County of Rockingham.

First  
Count

BE IT REMEMBERED That W. W. Earman Attorney for the Commonwealth for the said County of Rockingham and who for the said Commonwealth prosecutes in this behalf, in his proper person comes into the said Court on this the 17th day of April, in the year 1928, and upon the complaint in writing, verified by the oath of W. T. Penrose, a competent witness, gives the said Court here to understand and be informed that Paulson Natterman on the 22nd day of February, in the year 1928, in the said County of Rockingham, did unlawfully keep in his possession about 25 gal. of mash.

against the peace and dignity of the Commonwealth of Virginia.

Second  
Count

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives the said Court to understand and be informed that said \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, in the year 192\_\_\_\_, in the said \_\_\_\_\_ of \_\_\_\_\_, did unlawfully \_\_\_\_\_

against the peace and dignity of the Commonwealth of Virginia.

Third  
Count

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives the said Court to understand and be informed that said \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, in the year 192\_\_\_\_, in the said \_\_\_\_\_ of \_\_\_\_\_, did unlawfully \_\_\_\_\_ against the peace and dignity of the Commonwealth of Virginia.

W. W. Earman

Attorney for the Commonwealth.

VIRGINIA:— County of Rockingham, To-wit:

This day W. T. Penrose personally appeared before me Pauline M. Andrews a Notary Public for the City of Harrisonburg Virginia, and made complaint and information on oath that Paulson Natterman within twelve months prior to this date, to-wit on the 22 day of Feb., 1928, in the County of Rockingham

1. ~~Manufactured undistilled ardent spirits;~~
2. ~~Sold ardent spirits;~~
3. ~~Transported ardent spirits;~~
4. ~~Owned and had in his possession a still, still cap, worm, tub, fermenter, and other appliances connected with a still, and mash and other substances, capable of being used in the manufacture of ardent spirits;~~
5. ~~Unlawfully possess ardent spirits.~~

Sworn to this 17th day of April, 1928

W. T. Penrose

Pauline Andrews  
N. P.



*Caroline Williams*

Sworn to the  
We the jury find the defendant *Ransom Holloman*  
guilty as charged in the indictment and his fine  
punishment as we would in fact and a fine  
of \$5000

*L. B. Walker*  
Foreman

- 1—Manufactured and distilled ardent spirits;
- 2—Transported ardent spirits;
- 3—Gold ardent spirits;

in the County of *Patrick* and State of *Virginia*  
within twelve months prior to this date to wit on the *22d* day of *July*, 1928,

complaint and information on oath that

*W. T. P.* personally appeared before me *Caroline Williams*

VIRGINIA:—County of *Patrick* and State of *Virginia* To-wit:

*R. H. Holloman*  
Attorney for the Commonwealth.

and dignity of the Commonwealth of Virginia.

did unlawfully

on the *22d* day of *July*, in the year 1928, in the said *County* of *Patrick* against the peace

of the said Court to understand and be informed that said

name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the

ago the peace and dignity of the Commonwealth of Virginia.

on the *22d* day of *July*, in the year 1928, in the said *County* of *Patrick* unlawfully

the said Court to understand and be informed that said

name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the

**Commonwealth of Virginia**

vs. } **MISDEMEANOR**

*Ransom Holloman*

**Information for Violation Prohibition Law.**

**Witnesses:**

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\_\_\_\_\_

Filed \_\_\_\_\_ 192\_\_

Clerk.

By \_\_\_\_\_ D. C.

Count

informed that *Ransom Holloman* on the *22d* day of *July*, 1928, in the year 1928, in the said *County* of *Patrick* and State of *Virginia* a competent witness gives the said Court here to understand and be

BE IT REMEMBERED that *R. H. Holloman* Attorney for the Commonwealth for

In the *General* Court of the County of *Patrick*

Commonwealth of Virginia } To-wit:

Count

Count



In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *Ambrose Halterman &*  
*William Halterman*

*Andy Halterman*

to appear before the <sup>*Mag.*</sup> Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10 o'clock,  
a. m., on the *17th* day of *March* 19 *28*, to testify and the  
truth to say in behalf of the Commonwealth against *Lawson Halterman*

who stands charged with and indicted for a ~~felony~~ misdemeanor.

And this *you* shall not omit under penalty of £100. And have then and there this Writ.

Witness, *F. J. Arguebright* Clerk of our said Court, at the Court House, the *15th* day of

*March*, 19 *28*, and in the year of the Commonwealth.

*F. J. Arguebright, Jr.*, Clerk.





COMMONWEALTH OF VIRGINIA,

To the Sheriff of Rockingham County, GREETING:

You are hereby commanded to summon Ransom Halterman,  
if he be found in your bailiwick, to appear before the Circuit Court of  
Rockingham County forthwith, to answer us of a certain misdemeanor where-  
of he stands charged by information filed in Court by the attorney for  
the Commonwealth.

And have then and there this Writ. WITNESS, J. Robert Switzer,  
Clerk of our said Court at the Court House the 18th day of April, in the  
152d year of the Commonwealth.

J. Robert Switzer, Clerk.  
J. Z. [unclear] D.C.

Comm

V.P.

Ransom Hallman

April 20 1928

This day delivered a true  
copy of the foregoing to  
Mrs Ransom Hallman  
Jesse H. Thompson, D.D.

2

~~Robert Taylor~~  
Clerk.



Hal Lerman  
11<sup>th</sup>

T. B. Good	3.30
C. B. Hollax	2.80
J. R. Wampler	90
W. J. Myers	2.20
<del>P. T. Kaiser</del>	<del>1.50</del>
<del>J. H. Spader</del>	<del>2.40</del>
C. F. May	2.20
<b>+</b>	<hr/>
	14.30

11	5.58
50	2.75
<hr/>	1.50
5.30	.30
1.50	<hr/>
<hr/>	10.30
7.00	
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In the Circuit Court of Rockingham County,

April

Term 1908,

John Doe

this day presented in Court an account against the Court

of Rockingham for the sum of \$20 <sup>50</sup>, for Service

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which being sworn to, was examined and approved by the Court, and ordered to be certified to the Treasurer of this county for payment.

J. F. Blackburn

Clerk.



The Court instructs the jury that circumstances of suspicion, however strong or grave they may be, are not *alone* sufficient to justify a verdict of guilty .



The Court instructs the jury that circumstances of  
assault, however strong or grave they may be, are not  
sufficient to justify a verdict of guilty.

We the Jury find the prisoner W M R Hallerman  
Guilty,

And fix his penalty at a  
sentence of 30 days and a fine of \$50. 00







# 499

COMMONWEALTH

VS Information (Pro.)

RANSOM HALTERMAN

T. B. Good

C. B. Hollar

J. R. Wampler

W. J. Myers

C. F. May



Set May 11 - 1928  
June



81



20-4446