

Commonwealth of Virginia,

COUNTY OF Rockingham, TO-WIT:

IN THE COUNTY 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
February term, in the year 1903, upon their oaths present that

Perry H. Shaver and Jane Bible
on the 21st day of August, in the year 1902, in the said County,

feloniously did break and enter a certain house commonly called a
Chicken House the property of Mrs. M. E. Pennybaker
and not adjoining to or occupied with the dwelling house of the said
M. E. Pennybaker with intent to commit larceny therein and
eighteen chickens of the value of Three — Dollars of the goods and
chattels of the said Miss Kate Pennybaker in the said
Chicken House then being, feloniously did steal, take and carry
away against the peace and dignity of the Commonwealth.

And the jurors aforesaid upon their oaths aforesaid do
further present that Perry H. Shaver and Jane Bible of the 21st day
of August in the year 1902, in the said County
feloniously did enter without breaking, in the night time of that
day a certain house, commonly called a Chicken House,
the property of Mrs. M. E. Pennybaker and not
adjoining to or occupied with the dwelling house of the said Mrs. M. E.
Pennybaker with intent to commit larceny there-
in and eighteen chickens of the value of Three
Dollars of the goods and chattels of the said Miss Kate Pennybaker
in the said Chicken House then being, feloniously
did steal, take and carry away

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

witness sworn in open

Court and sent to the Grand Jury to give evidence.

, Clerk.

Commonwealth

INDICTMENT FOR A

vs.

{ *Felony*

Perry H. Shaver and
Jane Bible

A TRUE BILL.

Geo. W. Hedrick Foreman.

We the jury find the prisoner Jane Bible not guilty.
J. M. Davis Foreman

Commonwealth of Virginia,

COUNTY OF

Rockingham

, TO-WIT:

IN THE COUNTY 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

February

term, in the year 1903, upon their oaths present that

Perry H. Shaver and Jane Bible

on the 5th day of January, in the year 1903, in the said County,

feloniously did break and enter a certain house commonly called a

chicken house the property of Isaac Barton and not adjoining

to or occupied with the dwelling house of the said Isaac Barton

with intent to commit larceny therein and seven chickens of the

value of Two Dollars of the goods and chattels of the

said Mary Etta Barton in the said chicken house then being,

feloniously did steal, take and carry away against the peace and

dignity of the Commonwealth.

And the jurors aforesaid upon their oaths aforesaid do further

present that Perry H. Shaver and Jane Bible on the 5th day of January 1903 in the said County feloniously did enter without breaking, in the night time of that day a certain house commonly called a chicken house, the property of Isaac Barton and not adjoining to or occupied with the dwelling house of the said Isaac Barton, with intent to commit larceny therein and seven chickens of the value of Two Dollars of the goods and chattels of the said Mary Etta Barton in the said chicken house then being, feloniously did steal, take and carry away ~~AGAINST~~

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

witness sworn in open

Court and sent to the Grand Jury to give evidence.

, Clerk.

Commonwealth

INDICTMENT FOR A

vs.

Felonv

Perry H. Shaver ^{and}

Jane Bible

A TRUE BILL.

Geo. W. Hedrick ^{Foreman.}

We the Jury find the prisoner Perry H. Shaver guilty ~~of the~~ of felony, as charged in the indictment, and accorde him his punishment at confinement in the penitentiary for one year.

J. M. Wells Foreman

We the Jury find the prisoner Jane Bible not guilty
J. M. Wells Foreman

The Jury are further instructed that the prisoner is presumed to be innocent until he is proven to be guilty beyond every reasonable doubt.

The jury are further instructed that the prisoner
is presumed to be innocent until he is proven to be guilty
beyond every reasonable doubt.

If you find the prisoner not-guilty- you will say so + no more

If you find the prisoner guilty- of housebreaking in manner & form as charged in the indictment- you will say so & ascertain his punishment- which shall be confinement in the penitentiary not-less than one nor more than ten years or, in your discretion confinement in jail not- ~~less than~~ ^{Exceeding} twelve months + fined not-exceeding five hundred dollars.

If you find the prisoner not-guilty- of housebreaking in manner & form as charged in the indictment- but-guilty- of Petit Larceny you will say so + ascertain his punishment- which shall be confinement in the County Jail not-less than fifteen days nor more than six months or by fine of not-less than five dollars nor more than one hundred dollars - or both.

on May 1st 1903.

The Court instructs the jury that the law presumes the accused to be innocent until she is proven guilty beyond a 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 her, and that 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 evidence supports the charge in the indictment, but to warrant ~~her~~ conviction her guilt must be proved so clearly that there is no reasonable theory consistent with the evidence upon which she can be innocent.

The Court instructs the jury that unless they believe from the evidence beyond a reasonable doubt that the chickens sold to Myers by the accused have been identified as the chickens of Miss Kate Pennybacker they must acquit the accused.

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her guilt, however strong is not sufficient to convict, nor is

any evidence, however strong, which tends to establish a probability of guilt,
supports the charge in the indictment, but to sustain her conviction
her guilt must be proved so clearly that there is no rea-
sonable theory consistent with the evidence upon which she can
be innocent.

The Court instructs the jury that unless they believe from
the evidence beyond a reasonable doubt that the chickens sold
to them by the accused have been identified as the chickens
of Miss Kate Pennybacker they must acquit the accused.

The Court instructs the jury that in order to convict the accused of the crime alleged against her in the indictment every material fact necessary to ~~xxxxxx~~ constitute the crime must be proved beyond a reasonable doubt, and if the jury have a ~~xxxxxx~~ reasonable doubt upon a material fact, or element, necessary to constitute the crime it is their duty to give the accused the benefit of such doubt and acquit her.

The Court instructs the jury that the possession of property recently stolen is a circumstance which the jury have a right to consider along with other circumstances tending to show the guilt of the accused, but that the mere exclusive possession^{on}_A of property recently stolen is not even prima facie evidence of house breaking as charged in the indictment.

The Court instructs the jury that in order to con-

vict the accused of the crime alleged against her in the in-
dictment every material fact necessary to sustain conviction
the crime must be proved beyond a reasonable doubt, and if the
jury have a ~~reasonable~~ reasonable doubt upon a material fact, or
if they are in doubt as to the guilt of the accused, they must
to give the accused the benefit of such doubt and acquit her.

The Court instructs the jury that the possession of

of property recently stolen is a circumstance which the jury
have a right to consider along with other circumstances tending
to show the guilt of the accused, but that the mere exclusive
possession of property recently stolen is not even prima facie
evidence of house breaking as charged in the indictment.

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *Elizabeth Ford, Geo W Reedy &*

Mrs Geo. W. Reedy

to appear before the Judge of the County Court of Rockingham County, at the Court-House, at 10
o'clock, a. m., on the *2nd* day of *this May* Court ~~next~~, being the *19* day of
May 190*3*, to testify and the truth to say in behalf of the Commonwealth against

Perry St. Chaves & Jane Bible

who stands charged with and indicted for *felony*
And this *they* shall not omit under the penalty of £100. And have then and there this Writ.

Witness, JOSEPH S. MESSERLEY, Clerk of our said Court, at the Court-House, the
18 day of *May* 190*3*. and in the *127*th year of the Commonwealth.

J S Messerley, Clerk.

Commonwealth
vs

Perry H Shaver Jane Bell

Elizabeth Ford	✓	On	Person
Geo. W. Reedy		On	11 1/2
Mrs Geo. W. Reedy		on	=

To 2nd Day of May Term
being May 19, 1903.

J. A. Lamb RE

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY--GREETING:

You are hereby commanded to summon *Bettie Bible Daniel Bible David
Homer Benj Showalter John Will Showalter Will Hlt Furry
Phil Reedy Jacob Retchiff Mary F. Haure Ella Haure*

to appear before the Judge of the County Court of Rockingham County, at the Court-House, on the
1st day of the *April* Court ~~next~~, being the *20* day of *April*
190*3*, to testify and the truth to say on behalf of *Jane Bible*

in a certain matter of controversy in our said Court, depending and undetermined between
Commonwealth Plaintiff,
and *Jane Bible* Defendant.

And this *they* shall in no wise omit, under the penalty of £100. And have then and there this
Writ. Witness, JOSEPH S. MESSERLEY, Clerk of our said Court, at the Court-House, the
15 day of *April* 190*3*, and in the *27*th year of the Commonwealth.

J. S. Messerley, Clerk.

Jane Bible

1810

ads J. Spas.

The Commonwealth

Rettie Bible =

Samuel Bible =

David Brown =

Benj Shwatter =

John Will Shwatter =

Will With Junny =

Philip Reedy =

Jacob Ratcliff =

Mary F. Hauke =

Eliza Hauke

Served the Simmons
own Person

First day of April let.
being April 20. 19 03