

If you find him not-guilty you will say so and no more - If you find him guilty of maliciously striking, cutting, wounding or stabbing the said James Spitzer with intent to maim, disfigure, disable or kill as charged in the indictment you will say so and then ascertain the term of his confinement in the penitentiary so that such term be not less than one nor more than ten years - If you find him not guilty of maliciously but guilty of unlawfully striking, cutting, wounding or stabbing the said James Spitzer with intent aforesaid you will say so and then ascertain the term of his confinement in the penitentiary so that such term be not less than one nor more than five years or in your discretion confinement in the County Jail not exceeding twelve months and fine not exceeding five hundred dollars - If you find him not guilty of either of the felonies aforesaid but guilty of assault and battery you will say so and then ascertain the term of his confinement in the County Jail and the amount of his fine or either, so that such fine be not less than five dollars -

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State of Virginia - Rockingham County - To wit -

In the County Court of the 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 - upon their oath present, that Charles Eaton on the 16th day of July in the year 1890 in the said County, in and upon the body of Charles Spitzer did wilfully, unlawfully, maliciously and feloniously make an assault, and then and there, with a knife in his hand had and held, him the said Charles Spitzer did wilfully, unlawfully, feloniously and maliciously strike, cut wound and stab, with intent then & there him the said Charles Spitzer to wilfully unlawfully, maliciously and feloniously maim disfigure, disable, and kill against the peace and dignity of the Commonwealth of Virginia.

This Indictment is found on the testimony of Charles Spitzer, James Spitzer, ~~Dr. A. S. Miller~~, Charles Higgs and ~~Thomas Wise~~ witnesses sworn in Court and sent before the Grand Jury to give evidence

Commonwealth
vs } Indictment
Charles Eaton

For Assault with
intent to maim, dis-
figure, disable + Kill

A true bill
A. M. Newman Jr

Tuesday 28

State of Virginia - Rockingham County - To wit -
In the County Court of the 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 - Upon their oath present, that
Charles Eaton on the 16th day of July in the year 1898 in
the said County, in and upon the body of James Spitzer
did unlawfully, wilfully, maliciously and feloniously
make an assault; and then and there, with a knife
in his hand had and held, then the said James Spitzer
did wilfully, unlawfully, maliciously and feloniously
strike, cut, wound, and stab; with intent then and there
then the said James Spitzer to wilfully, unlawfully,
maliciously, and feloniously maim, disfigure, dis-
able and kill, against the peace and dignity of the
Commonwealth of Virginia - This indictment is found
on the testimony of James Spitzer, Charles Spitzer, Dr.
A. S. Miller, Charles Higge and Thomas Wise witnesses
sworn in Court and sent before the Grand Jury to
give evidence -

Commencement
no indictment
Charles Eaton
for assault with intent
to maim, disfigure,
disable or kill
A. M. Freeman
Foreman

We, the Jury find the prisoner
guilty as charged in the
indictment and fix his
term of confinement in the
Penitentiary at two (2) years
Wm. H. Foley, Foreman

Maliciously
We, the Jury find the
prisoner guilty of malicious
assault as charged in the
indictment, and fix his
term of confinement in
the Penitentiary for the
term of Two (2) years
Wm. H. Foley, Foreman

We the Jury find the Prisoner Charles
Eaton guilty of Maliciously striking,
cutting, maiming and stabbing, James Spitzer
with intent to maim, disfigure, disable and Kill
in the said James Spitzer
in manner and form as charged in the indictment
and ascertain the term of his Confinement
in the Penitentiary at two years
Wm. H. Foley Foreman

State of Virginia - Rockingham County - To wit -

In the County Court of the 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 - Upon their oath present, Charles Eaton on the 16th day of July in the year 1843, in the said County in and upon the bodies of Charles Spitzer and James Spitzer did wilfully, unlawfully, maliciously and feloniously make an assault, and then and there, with a knife in his hand had and held, then the said Charles Spitzer and James Spitzer did wilfully, unlawfully, maliciously and feloniously strike, cut, stab, and wound, with intent then & there then the said Charles Spitzer and James Spitzer to wilfully, unlawfully, maliciously and feloniously maim, disfigure, disable and kill against the peace and dignity of the Commonwealth of Virginia - This indictment is found on the testimony of Charles Spitzer, James Spitzer, ~~A. S. Miller, Charles Higgs and Thomas W. W.~~ witnesses sworn in Court and sent before the Grand Jury to give evidence -

Campden v. Charles Eaton
vs Judgment

For Assault with
intent to maim, dis-
figure, disable & kill

At the Hill -

Jacob Tomkinson For

Jacob Tomkinson

State of Virginia - Rockingham County - To wit -

In the County Court of the said County -

The Jurors of the Commonwealth of Virginia, in and for the County of Rockingham and now attending the said Court upon their oath present - that Charles Eaton on the 20th day of June in the year 1893 in the said County did unlawfully, but not feloniously, destroy deface and injure certain property not his own - to wit - certain fence the property of B. F. Spitzer, the said fence enclosing the land of the said B. F. Spitzer against the peace and dignity of the Commonwealth of Virginia - This indictment is found on the testimony of B. F. Spitzer, Charles Spitzer, James Spitzer Harry Hunkel & ~~John Cook~~ witnesses sworn in Court and sent before the Grand Jury to give evidence

Companionwealle
vs Judicium
Charles Eaton

For Trespass

A new bill

Jacob Funkhouser Forum

~~Jacob Funkhouser~~

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ^{Shenandoah} ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *Simon P. Fogle. L. M. Heuble. Edgar
Zinkle & G. Rice*

to appear before the Judge of the County Court of Rockingham County, at the Court-House, at 10
o'clock, a. m., on the *8th* day of *this November* Court next, being the *28th* day of
November 189*3*, to testify and the truth to say in behalf of the Commonwealth against
Charles Eaton

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
22nd day of *November*, 189*3*, and in the *118th* year of the Commonwealth.

J. S. Messerley, Clerk.

Shenandoah County

Commonwealth

© } Spal. 184

Charles Eaton

Simon P. Fogle

L. M. Hinkle

Edgar G. Rice

W. G. Rice

Accepted & delivered to the within
names Simon P. Fogle L. M.
Hinkle Edgar G. Rice & W. G.
Rice, each a true copy of the
within summan on the 25
day of Nov 1893

W. L. Givolle D.S.
J. C. P. Wightman S.S.C.

To 8 Day of November let.
being November 28. 1893.

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *Simon P. Fogle, L. M. Keukle, Benj. F. Spitzer, Hon. Lytton, Mes Ann Lytton Henry Keukle*

to appear before the Judge of the County Court of Rockingham County, at the Court-House, at 10 o'clock, a. m., on the *8th* day of the *November* Court next, being the *28th* day of *November*, 189*3*, to testify and the truth to say in behalf of the Commonwealth against *Charles Eaton*

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 *22nd* day of *November*, 189*3*, and in the 11*8*th year of the Commonwealth.

J. S. Messerley, Clerk.

Expenditure Nov 27/93. in the within
named parties. J. W. Weyburn - 50¢
Geo. V. H. Lane. 50¢

Commonwealth.

of Spae. 106
Charles Eaton

Simon P. Fozle
L. M. Deuble
Benj. F. Spitzer
Ann Lyttor
Mrs Ann Lyttor
Henry Deuble.

To 8th day of November let
being November 28. 1893.

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *J. D. Mills, Michael Minnick,*
Joseph Minnick, David Minnick, John Thomas,
Michael Thomas, Jacob Beaver, Nathan Dove,
Frank Alexander, David Fry,

to appear before the Judge of the County Court of Rockingham County, at the Court-House, on the

8th day of this *November* Court next, being the *28th* day of *November*
1893, to testify and the truth to say on behalf of *Charles Eaton,*

in a certain matter of controversy in our said Court, depending and undetermined between

The Commonwealth Plaintiff,
and *Charles Eaton,* 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

20th day of *November* 1893, and in the *18th* year of the Commonwealth.

J. S. Messerley, Clerk.

Executed Nov 27/93. in all of the
within named parties except
John B. Michael, Thomas who
are non-residents.

J. W. Burston Deputy
J. W. V. Williams S. C. C.

Charles Eaton
ads } Sprs.

The Commonwealth

J. D. Mills
Michael Minsick
Joseph Minsick
David Minsick
John Thomas
Michael Thomas
Jacob Beaver
Nathan Dove
Frank Alexander
David Fry

To the 1st day of November
Term being November
28, 1893,

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA

TO THE SHERIFF OF ^{Shenandoah} ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon

Ross Sims,

to appear before the Judge of the County Court of Rockingham County, at the Court-House, on the

8th day of this *November* Court next, being the *28th* day of *November*
189*3*, to testify and the truth to say on behalf of *Charles Eaton,*

in a certain matter of controversy in our said Court, depending and undetermined between

The Commonwealth Plaintiff,
and *Charles Eaton* Defendant.

And this *he* 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

20th day of *November* 189*3*, and in the *118th* year of the Commonwealth.

J. S. Messerley, Clerk.

Charles Eaton
ads } Spa

The Commonwealth
Shenandoah Co.,

Ross Sims

Executed & delivered to the
the within named: Ross Sims
a true copy of the within Summons
on this 26 day of Nov 1893
at G. G. G. D. S.
C. P. Wightman, S. S.

To the 8 day of November
Term being November
28, 1893,

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ROCKINGHAM COUNTY--GREETING:

You are hereby commanded to summon *Twenty* persons of the County of Rockingham, to be taken from a list furnished by the Judge of the County Court of Rockingham, residing remote from the place where the offence is charged to have been committed, and qualified in all other respects, to serve as Jurors, to attend and appear before the County Court of Rockingham County, at the Court House, on the *2nd* day of the *December* Court next, being the *19th* day of *December* 18*93* to serve as Jurors upon the trial of *Charles Eaton* charged with felony.

And this they shall in no wise omit, under the penalty of £100. And have then and there the names of said persons and this writ.

Witness, *J. S. Messerley*, Clerk of our said Court, at the Court House, the *17th* day of *December*, 18*93*, and in the 11*8*th year of the Commonwealth.

J. S. Messerley Clerk.

Executed Dec. 13, 1893 as to H. J. Ramsello and
N. L. Wagner, James M. Coffman not found.

R. J. Demelt,
Supt. for 178 Sam'l Co. C.

Executed Dec 15/93. by

summoning. David. R. Beard,

John. W. Nealer & John. G. Begun.

J. W. Hamilton, Deputy
for V. H. Lane. S. M. C.

J. A. Nichols with
for V. H. Lane & R. J.

Today of Dec. 14.
being December 19. 1893

Commonwealth.

© } *Reuris Facias*
Charles Eaton

Wm. H. Shaw, not found
Geo. W. Hoffmann W. H. Chapman
W. G. & Martin Thomas G. Moore
Sam. White, Perry & Bayler
J. W. Shierkling, Thomas Kell
G. W. Shierkling, Dan G. O'S

Executed Dec. 15th 1893 as to W. H. Foley,
J. D. Clock, A. G. Shurpety, W. W. Long,
Samuel F. Layton art. George

J. C. Pevercoat Dept.
for W. H. Lane S. M. C.

To the Sheriff of Rockingham County.

The following list of persons of the County of Rockingham, residing remote from the place where the offence is charged to have been committed, and in other respects qualified to serve as Jurors, is furnished you, from which you shall take the Veniremen summoned by you to serve as Jurors upon the trial of Charles Eaton

..... charged with felony, set for the 2^m day of the December Term, 1893, of the County Court of the County aforesaid, being the 19^r day of December, 1893

- G. A. Gay C
- W. J. Runkle S
- James W. Stinespring C
- J. W. Long S
- David R. Beard L
- Thomas Kille S
- 24 Benj. Leine S
- W. G. Wagner S
- Samuel L. Layton S
- 18 John J. Peam L
- Peter A. Bazzle S

- D. S. Sherkey S R
- W. S. Foley S R
- James M. Koffman S
- J. D. Glick S R
- W. E. Le Martin C n
- Wm. F. Shaver S
- Thomas G. Dovel S
- Geo. W. Huffman S
- W. S. Chapman S
- John M. Dasher L
- J. D. Glick S

19

22

Geo. G. G. G. G.
County Judge

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IN THE NAME OF THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ROCKINGHAM COUNTY--GREETING:

You are hereby commanded to summon *J. D. Mills Michael Minnertt*
Joseph Minnertt David Minnertt John Thomas
Michael Thomas. Nathan Dwe & David Fry.

to appear before the Judge of the County Court of Rockingham County, at the Court-House,
on the *2nd* day of the *December* Court next, being the *19th* day of
December 1893, to show cause if any *they* can, why *they* should
not be fined and attached for *their* contempt to us offered, in failing to attend the said
Court at the *November* Term last, as a witness on behalf of *Charles*
Eaton ad. The Commonwealth

And have then and there this Writ. Witness, *J. S. Messerley* Clerk
of our said Court, at the Court House, the *19th* day of *December* 1893,
and in the 11⁸th year of the Commonwealth.

J. S. Messerley CLERK.

Expenditure Dec 18/93: as fall
of the winter named parties
except John Thomas who
lives in Shuman doah
County. D. W. Stanton
D. H. Stanton
D. H. Stanton

Charles Eaton
ado. } Rules. 178

The Commonwealth

- J. S. Mills
- Michael Minnick
- Joseph Minnick
- David Minnick
- John Thomas
- Michael Thomas
- Nathan Dove
- David Fry

To. 2nd day of Dec let.
being Dec. 19. 1893

To the Sheriff of Rockingham County.

The following list of persons of the County of Rockingham, residing remote from the place where the offence is charged to have been committed, and in other respects qualified to serve as Jurors, is furnished you, from which you shall take the Veniremen summoned by you to serve as Jurors upon the trial of Charles Eaton

charged with felony, set for the 2nd day of the September Term, 1893, of the County Court of the County aforesaid, being the 19 day of September, 1893.

✓ Giles S. Moyer	hoeffler	S.	✓	20
✓ H. S. Nicholas		S.	✓	
✓ Benj. F. Kishing		S.	✓	
✓ S. D. Heatwole		le	✓	
le M. Martz		P.	✓	
✓ J. H. Lewis		S. 24.	✓	
Daniel D. Hampler		le	✓	
✓ John H. M ^c Mullen		L.	✓	
✓ le H. Right		S.	✓	
✓ H. S. Coffman		le 86.	✓	
✓ Ambrose M. Spitzer		P.	✓	
P. E. Shank		P.	✓	
E. le Rolston		S.	✓	
R. E. Stating		le	✓	
E. le Gygler		P.	✓	
Emanuel J. Swope		S.	✓	
H. J. H. Good		S.	✓	
Geo. H. Ruebush		S. +	✓	
Newton S. Heatwole		S.	✓	
Peter H. Hagerdon		le +	✓	
Newton E. Armentrout		L.	✓	
le S. Manzy		18 S.	✓	

Geo. E. Callan

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY--GREETING:

You are hereby commanded to summon Twenty persons of the County of Rockingham, to be taken from a list furnished by the Judge of the County Court of Rockingham, residing remote from the place where the offence is charged to have been committed, and qualified in all other respects, to serve as Jurors, to attend and appear before the County Court of Rockingham County, at the Court House, on the 2nd day of the September Court next, being the 19th day of September 1893 to serve as Jurors upon the trial of Charles Eaton charged with felony.

And this they shall in no wise omit, under the penalty of £100. And have then and there the names of said persons and this writ.

Witness, J. S. Messerley, Clerk of our said Court, at the Court House, the 11th day of September 1893, and in the 118th year of the Commonwealth.

J. S. Messerley Clerk.

Executed Sept-12/93 on G. W. Ryd. Peter H. Wigdorn
 Geo H. Reubush, F. S. Coffman, Benjamin F.
 Keeling, Daniel B. Wanfler, not found. P. G. Platt
 Executed Sept 13/93. on John H. McMillan, Wm. H. Ryd.
 Executed Sept 14 1893. V. N. Lane, S. D. E.
 Andrew Arnold Executed on September 14/93.
 Sept 14 1893. Executed on P. A. Rank Sept 14 1893.
 Executed on E. A. Zigler. September 14/93.
 Wm. Fray. See W. H. Lane & Co.

Commonwealth
 © Vicini Fracis
 Charles Eaton.

To 2nd day of Sept. let.
 being September 19. 1893.

Executed Sept 15-1893 by summoning
 J. S. Houghton, Justice. J. Deaton
 & L. Rollins & coroner & juror
 P. W. Houghton. Sept
 14/93 by summoning. Also J. Maguire
 W. S. Macintosh, R. J. Summitt, P. H. Mason,
 P. A. Mearns, R. S. Summitt, Sept 14
 on N. V. N. Lane.

To the Sheriff of Rockingham County.

The following list of persons of the County of Rockingham, residing remote from the place where the offence is charged to have been committed, and in other respects qualified to serve as Jurors, is furnished you, from which you shall take the Veniremen summoned by you to serve as Jurors upon the trial of Charles Eaton

..... charged with felony, set for the 5th day of the August Term, 1893, of the County Court of the County aforesaid, being the 25th day of August, 1893

~~Joseph I. Hall~~
Geo. M. Crebaugh
A. W. Kuntz
Simon Brown
J. F. Lingweaver
L. P. Kayler
Abraham Pickering
D. P. Shaw
Peter A. Whitesel
Isaac Bowman

Eli Layman
James M. Mason
Edward R. Eiler
J. W. Rhodes.
David Better
Michael H. Thomas.
James M. Chapman.
R. C. Lister
G. F. Hasler
Jonas H. Blosser
E. P. Myers.

Geo. Beattam
County Judge

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ROCKINGHAM COUNTY--GREETING:

You are hereby commanded to summon *Twenty* persons of the County of Rockingham, to be taken from a list furnished by the ~~Judge of the~~ County Court of Rockingham, residing remote from the place where the offence is charged to have been committed, and qualified in all other respects, to serve as Jurors, to attend and appear before the County Court of Rockingham County, at the Court House, on the *5th* day of the *August* Court next, being the *25th* day of *August* 18*93* to serve as Jurors upon the trial of *Charles Eaton* charged with felony.

And this they shall in no wise omit, under the penalty of £100. And have then and there the names of said persons and this writ.

Witness, *J. S. Messerley*, Clerk of our said Court, at the Court House, the *22nd* day of *August*, 18*93*, and in the 11*8*th year of the Commonwealth.

J. S. Messerley Clerk.

Commonwealth.

} Venire
} Facies.

Charles Eaton

To. 5th day of Aug. 1893.
being August 25. 1893.

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *Joseph Miranick*,

to appear before the Judge of the County Court of Rockingham County, at the Court-House, on the
2^o day of the *September* Court next, being the *19^o* day of *September*
189³, to testify and the truth to say on behalf of *Charles Eaton*

in a certain matter of controversy in our said Court, depending and undetermined between
The Commonwealth Plaintiff,
and *Charles Eaton*, 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

9^o day of *September* 189³, and in the 11⁸th year of the Commonwealth.

J. S. Messerley, Clerk.

Joseph Mironick

$$\begin{array}{r} 12 \\ \hline 42 \\ 44 \\ 21 \\ \hline \end{array}$$
$$\begin{array}{r} 618 \\ \hline \end{array}$$

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

You are hereby commanded to summon Charles Eaton

to appear before the Judge of the County Court of Rockingham County, at the Court House, on
the 1st day of September, Court next, being the 18th day of September
1893, to answer an indictment of the Grand Jury, found at the August Term last, of
said Court for Trespass

And have then and there this Writ. Witness, S. Messerley
JOSEPH ~~T.~~ LOGAN, Clerk of our said
Court, at the Court House, the 11th day of September 1893, and in the 10th year
of the Commonwealth.

J. S. Messerley CLERK.

Executed September 14 1893.
of Charles Eaton by being at his

home
Wm M Eagle.

For Wk Lam & Co.

To 1st day of Sept. Ct
being Sept 18. 1893

Charles Eaton

Charles Eaton

181
C. Anonymous.
for Indictment

Commonwealth.

for Wk Lam & Co.

Wm M Eagle.

Specified Sept 14/93, On Charles Eaton
by exhibiting a true copy of the within
document to his maker, the being over
fifteen years of age and after examining
husband of same he Charles Eaton not verify
found at his true place of abode

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *Thomas Wise*

to appear before the Judge of the County Court of Rockingham County, at the Court-House, at 10 o'clock, a. m., on the *21st* day of the *September* Court next, being the *19th* day of *September* 189*3*, to testify and the truth to say in behalf of the Commonwealth against *Charles Eaton*

who stands charged with and indicted for *Felony*
And this *he* 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 *11th* day of *September*, 189*3*, and in the *118th* year of the Commonwealth.

J. S. Messerley, Clerk.

Exchanged Sept 18 1893 By delivery. a
copy of this went to Thomas Wise in
pursuance of a legal order for J. H. Lam etc.

in hand.

Commonwealth

©
J. H. Lam

1893

Charles Eaton

Thomas Wise

To this day of Sept Oct.
being September 19 1893

Commonwealth.

©

Charles Eaton

W. J. Runkle	25
James M. Stinespring	4
David R. Beard.	12
Thomas Kille	10
Benj. Levine	
W. L. Wagner	25
John J. Beam	22
Peter H. Bazzle	
A. G. Sherfy	20
W. H. Foley	16
J. D. Glick	
W. E. Martin	
Thomas G. Dovel	14
George W. Huffman	22
W. H. Chapman	
John W. Hasler.	18

