

Certificate of Commitment for Trial.

[Code, §§3970-71.]

VIRGINIA, COUNTY OF *Rockingham*, TO-WIT:

To the Clerk of the County Court of said County:

I, *L. P. Souder*, a justice of said county, do hereby certify that I have this day committed *Charles Naglerod* to the jail of said county, that he may be tried before the county court of said county, for a felony by him committed, in this, that he, on the *14* day of *October*, *1900*, in the said county, *Did feloniously break and enter the dwelling house of Thornton A. Dool in said County, and took therefrom one double barrel shot gun*

Commonwealth's costs incurred before me in this examination is \$ 5.95-

Given under my hand and seal, this *16* day of *March*, *1900*

L. P. Souder, J. P. [L. S.]

Printed and Published by
T. B. S. [illegible]

Certificate of Commitment for Trial

County of [illegible] No. [illegible]

(Code, 1886-7)

TO-WIT:

VIRGINIA COUNTY
In the Court of the County Court of said County:

That I, the undersigned, a Justice of said County, do hereby certify that I have this day committed to the jail of said County, that he may be tried before the County Court of said County, for a crime, the nature of which is set forth in the indictment, this, the [illegible] day of [illegible] 18[illegible].

Witness my hand and seal, this [illegible] day of [illegible] 18[illegible].

[illegible signature]

18[illegible]

~~Charles Nazbrod~~

2 J

Charles Nazbrod

Samuel W Lincoln 18
to E Swans.

~~O. S. Cowley~~

Michael Hasler

John L. Hawey

Thomas J. Martin

Calvin D. Newton

Samuel Gardner

~~Amos Steward~~

E. N. Myers.

~~Patterson Greener~~

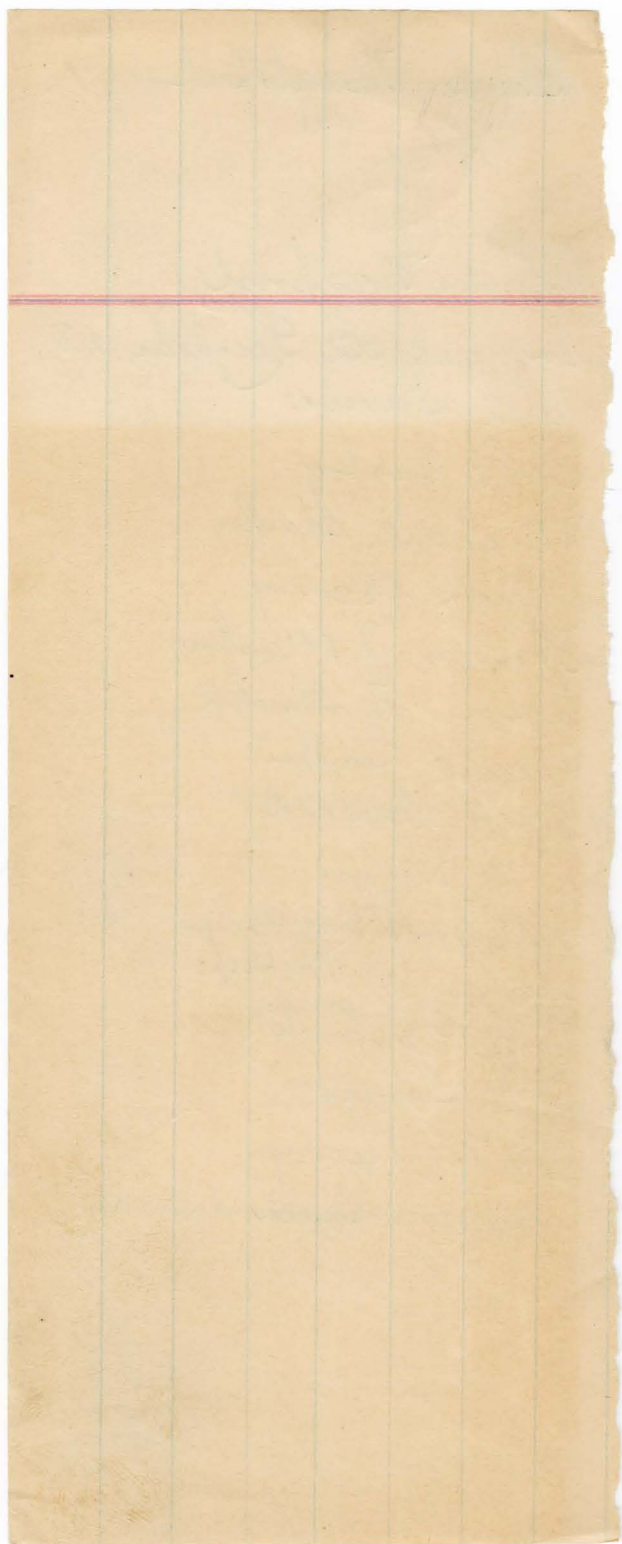
Hawey J. Phillips

~~J. E. Heatwole~~

~~J. A. Swans.~~

H. A. Perry

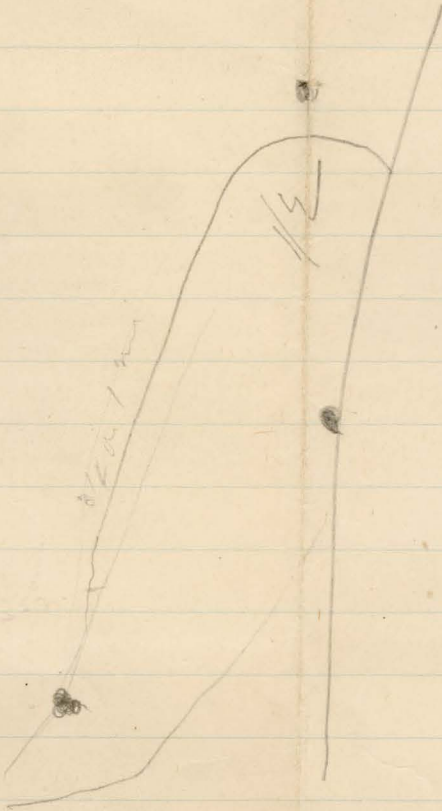
~~Muir Hamis~~



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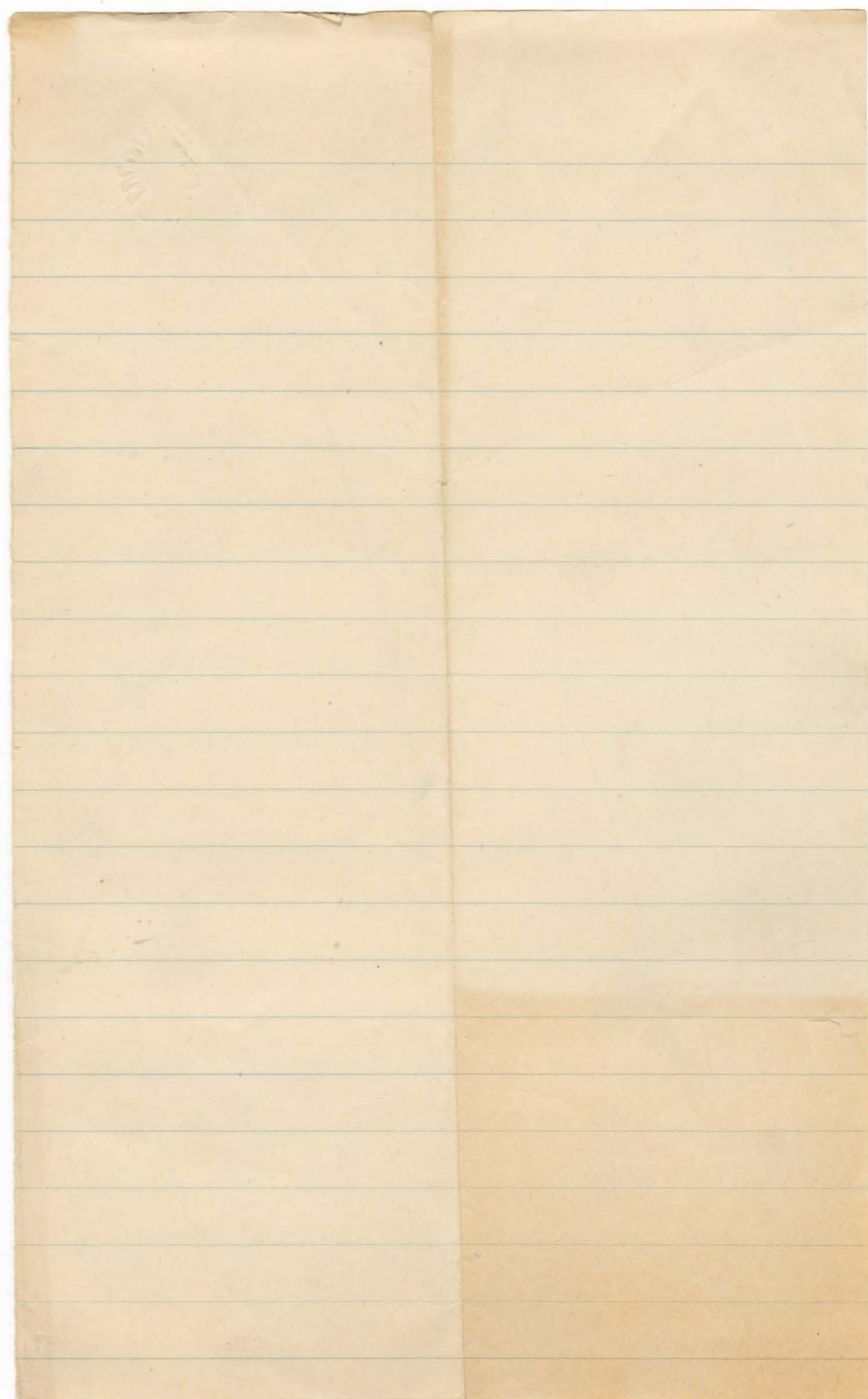
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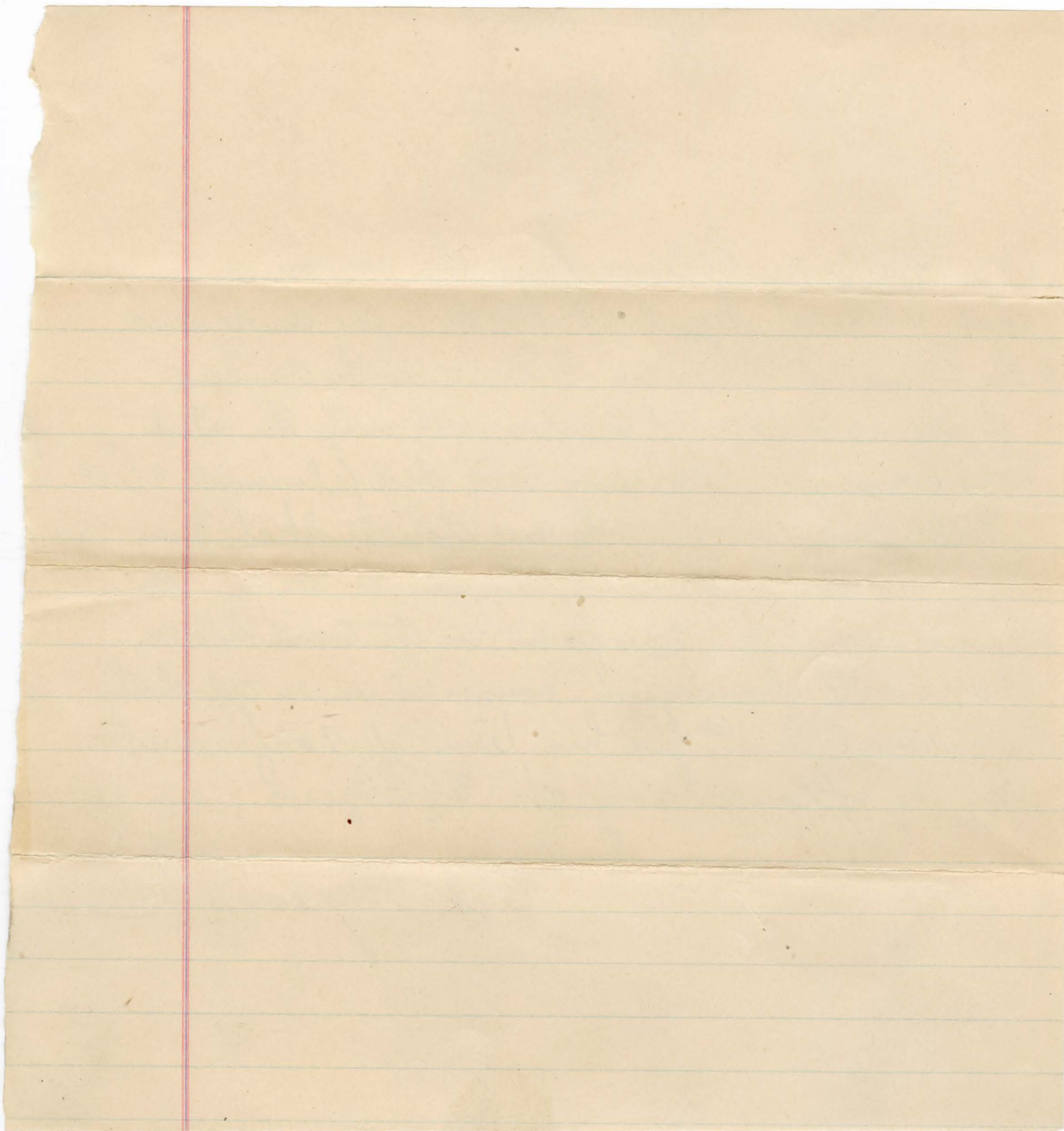
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We the jury believe from the evidence
that Charles Hazelrod broke into and entered
the house of Thornton A. Dove in the day time
of the 14th day of October 1899 with the intent
to commit larceny and did feloniously steal,
take and carry away one double shot-gun
the property of said Thornton A. Dove, the
same being the gun found in the said Charles
Hazelrod's possession - concealed in an oil cloth
sabbard, and ^{we} fit his term of confinement
in the penitentiary at 3½ years.

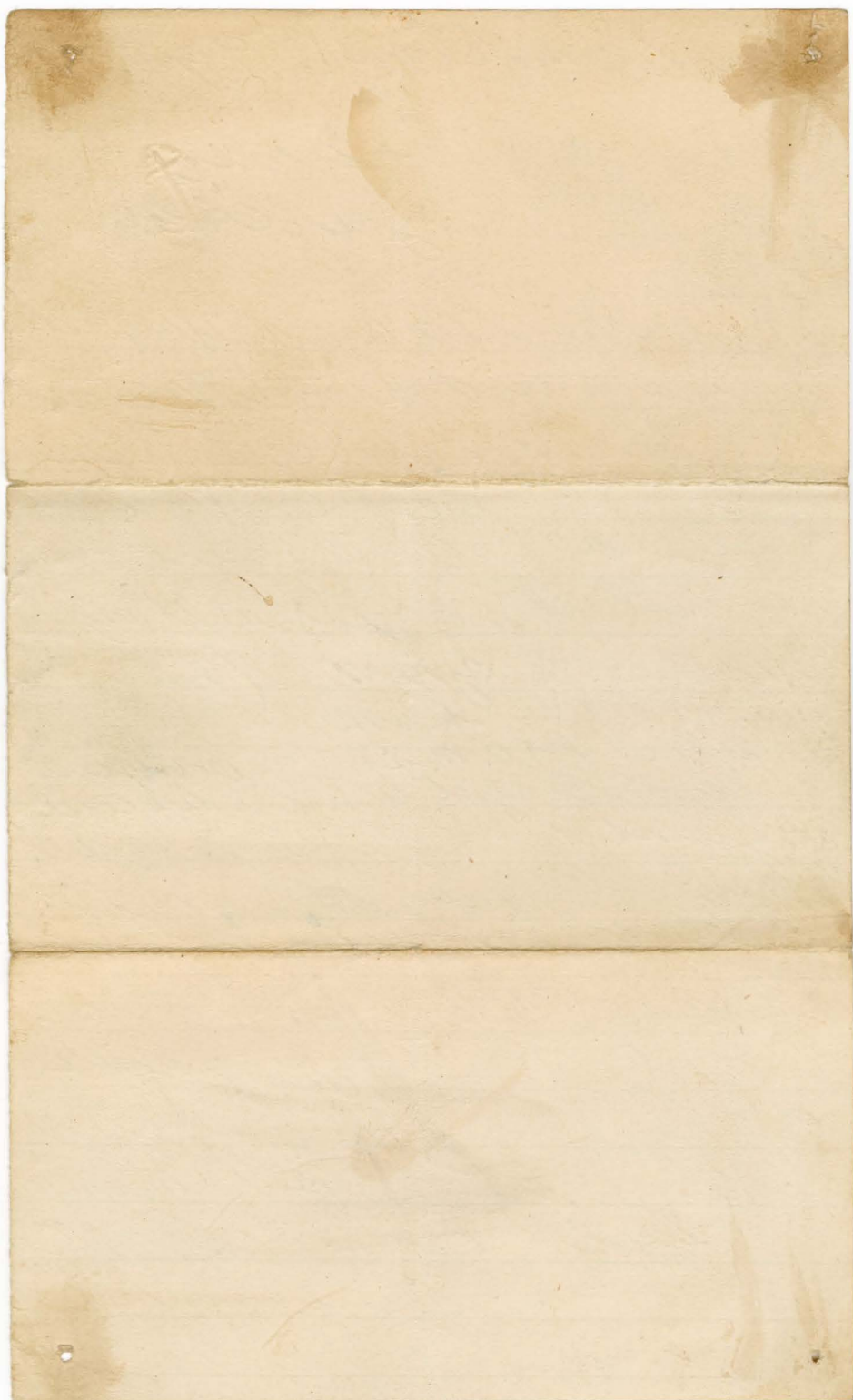
E. N. Myers, foreman



October 1899

Wm Charles

My brother you see
were by a judge filed to
lead the state or you will
hang you on that. I don't
trouble help old Grim
with that school. If he here
you'll make the school house
to hell if he gets in it will
William Grim. We will
protect him to stay
away from there or you
might get what we are
going to do. Charles we
mean it. You know the
Gors Company and the
Gors and Squire and
the Perl New Oberier
Yankey and some
others too help to hang you
you will Grim and that
dirty brider can't fit
to live in the estate.



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 Naglerod, charged with felony, set for the 4th day of the September Term, 1900, of the County

Court of the County aforesaid, being the 20th day of September, 1900.

Samuel M. Lincoln
le & Ingers

O. P. Corley

Michael Harber

John L. Hawey

Thomas J. Martin

Calvin A. Denton

Daniel Garber

Wm. H. Howard

E. N. Myers.

Patterson Premier

Hawey J. Phillips

J. E. Heatwille

J. A. Ingers

W. A. Berry

Muir Haines

Geo. E. Crutten

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ROCKINGHAM COUNTY—GREETING:

You are hereby commanded to summon Sixteen 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 offense 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 County Court House, on the 4th day of the September Court next, being the 20th day of September 1900 ~~189~~ to serve as Jurors upon the trial of Charles Raymond 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. Messuley, Clerk of our said Court, at the Court House, the 7 day of September 1900, ~~189~~ and in the 25th year of of the Commonwealth.

J. S. Messuley Clerk.

Created by summarizing the sixteen
names given in the list furnished
by the court & herewith returned
Sept - 20 - 1900 J. N. Switzer d. A. 6

To the day of Sept. let
being September 20 - 1900

Commonwealth
of Maine
Charles Naglerod

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY,--GREETING:

You are hereby commanded to summon

L. P. Smider

to appear before the Judge of the County Court of Rockingham County, at the Court-House, on the
10th day of *this August* Court next, being the *30* day of *August*
190*0*, to testify and the truth to say on behalf of *Charles Nazlerd*

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

Commonwealth

Plaintiff,

and *Charles Nazlerd*

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

21st day of *August*

190*0*, and in the *12th* year of the Commonwealth.

J. S. Messerley

Clerk.

Evande Dufour is with his married

person

August 22/1900

CPC Family & Co for
J. A. S. Wilgins & Co.

To 10th day of Aug. let.
being August 30, 1900

Charles Naglerod

ads. of Spas. 121

The Commonwealth

L. P. Borden

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon *E. L. Maukey Steven Freed Manasses
Freed Silas Rigglesman Edward Freed Wm C Dove Thomas Beau
Thurston R Dwe C R Fawley*

to appear before the Judge of the County Court of Rockingham County, at the Court-House, at 10
o'clock, a. m., on the *10* day of the *August* Court ~~was~~, being the *30* day of
August 1900, ~~1899~~, to testify and the truth to say in behalf of the Commonwealth against
Charles Nazlerod

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
21st day of *August 1900*, ~~1899~~, and in the *125th* year of the Commonwealth.

J. S. Messerley, Clerk.

Executed upon its within named
persons. Aug 22/1900
C.R. Fawley S.D. for
J.A. Switzer S.R.C.,
Edw. Yankey not found

To 10 day of August let
being August 30 1900

Commonwealth.

of the State.

128

Charles Nazlerod

E. L. Yankey
Silas Reggleman
Edward Freed
Low G. Dove
Thornton A. Dove
C. R. Fawley
Steve Freed
Manasses Freed

Executed

as to

NOT

By delivering a true office copy of the
within

to

in person.

Deputy for
John A. Switzer, S. R. C.

IN THE NAME OF THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY---GREETING:

You are hereby commanded to summon

Bernie Bear

to appear before the Judge of the County Court of Rockingham County, at the Court-House, at 10 o'clock, a. m., on the *4* day of *this September* Court next, being the *20* day of *September 1900*, to testify and the truth to say in behalf of the Commonwealth against

Chas Naglerod

who stands charged with and indicted for

felony murder

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 *17* day of *September 1900*, 189*9*, and in the *125*th year of the Commonwealth.

J. S. Messerley, Clerk.

Commonwealth

is

Chas. Naglerod.
1st 1st

To 4th day of Term
being September 20
1900,

Presented upon the within named
papers, this the 20 day of
September 1900
Attest my D^o for
J. B. Smith, D^o etc.

If you find the prisoner ~~not~~ guilty -
you will say so + two more.

If you find ~~him~~ ^{the prisoner} guilty of burglary
in manner + form as charged in
the indictment - you will say so
+ then ascertain his punishment -
which may be death or in your
discretion confinement in the
penitentiary not less than five
nor more than eighteen years.

If you find the prisoner ^{not} guilty
the burglary aforesaid but guilty
of house breaking ^{with intent to commit larceny} you will say so
+ then ascertain the term of his confine-
ment in the penitentiary so that such
time shall be not less than two
nor more than 10 years or in your
discretion confinement in jail ~~not~~ exceeding
twelve months + fine not exceeding
five hundred dollars.

the first of the year
the first of the year
the first of the year

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Warrant of Arrest.

[Code, §§3955-6, amended, Acts 1897-8, p. 398; Hurst's Guide & Manual, p. 473; Mayo's Guide (45—old ed.), 29.]

VIRGINIA, COUNTY OF *Rockingham*, TO-WIT:

To the Sheriff or any Constable of said County:

Whereas *Thornton A. Dows* has this day made complaint and information, on oath, before me *L. P. Souder*, a justice of said county, that *Charles Nazlerod*, on the *14* day of

October, 18*99*, in said county, *Did feloniously break and enter the dwelling house of the said Thornton A. Dows between 2 o'clock P.M. and 6 o'clock P.M. with intent to commit larceny therein, and that the said Charles Nazlerod one double barrel shot gun of the value of \$10.00 of the goods and chattels of the said Thornton A. Dows then being in the said dwelling house feloniously did steal, take and carry away.*

These are, therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend and bring before me or some other justice of said county, the body of the said *Charles Nazlerod*, to answer the said complaint and further to be dealt with according to law. And you are hereby required to summon

Eduard Freed and Thomas Bear.

to appear and give evidence in behalf of the Commonwealth on the examination touching the the said offence.

Given under my hand and seal, this *5* day of *February* 1900

L. P. Souder., J. P. [L. S.]

[A justice now has jurisdiction to try, on a warrant, any misdemeanor,—i. e., any offence not punishable by death or confinement in the penitentiary; and may also try indictments for certain misdemeanors sent before him by the county court—see Code, §4106, amended, Acts 1897-8, p. 289. If the warrant be for felony, but the evidence discloses a misdemeanor only, embraced in the charge of felony, the justice should convict for the misdemeanor—see Code, §3969, amended, Acts 1895-6, p. 935. A justice of the peace cannot issue or try warrants in a city or town, if the mayor or police justice is not absent from the corporation, nor too unwell, nor so situated as to render it improper, for him to act—see Code §§3955-6, amended, 1897-8, p. 68. If the offence is punishable by a fine only, and the accused is not likely to flee from justice, a mere summons to appear at a certain time and place would be better—see Hurst's Guide & Manual, p. 486, and p. 414, No. 1. For endorsement authorizing execution of warrant in another county, and warrant transferring accused to county where crime was committed, see Code, §§3957-8, and Hurst's Guide & Manual, p. 117, Nos. 13 and 14. For warrant discharging accused from custody when bail is found, see Hurst's Guide & Manual, p. 118, No. 16. For forms of judgments of conviction, see Hurst's Guide & Manual, pp. 337-8, Nos. 5, 6, 8, and 10.]

Commonwealth
U.S.
Charles Nagler wd.

To the Clerk of the Court
John, G. S. Wilgus, D. R. E.

Filed Aug 14/1900
J. S. Massey, Clerk

Speculid's ^{verant} within by meeting & delivering the
body of Charles Nagler & by the S. P. S. under a justice
of Rockingham County by summoning the within
named witnesses in person this the 8th day of March
1900.

The Court instructs the Jury that, unless they believe from the evidence that, the prisoner actually broke and entered the dwelling house of Thornton A. Dove in the night time of October 14th 1899, they can not not convict him of burglary.

The Court instructs the jury that, unless they believe from the evidence that, the prisoner in the day time broke and entered, or in the night time entered the dwelling house of Thornton A. Dove with the intent to committlarceny, then they must find the prisoner not guilty.

The Court instructs the Jury that, the prisoner is presumed to be innocent until his guilt is established and proven beyond a reasonable doubt.

The Court instructs the Jury that, unless they believe from the evidence that, the prisoner is guilty of the charge whereof he stands indicted, and that his guilt has been proven beyond a reasonable doubt, then they must find the prinoner not guilty.

The Court instructs the jury that, unless they believe from the evidence that the prisoner actually broke and entered the dwelling house of Thornton A. Dove in the night time of October 14th 1899, they can not convict him of burglary.

The Court instructs the jury that, unless they believe from the evidence that the prisoner in the day time broke and entered, or in the night time entered the dwelling house of Thornton A. Dove with the intent to commit larceny, then they must find the prisoner not guilty.

The Court instructs the jury that, the prisoner is presumed to be innocent until his guilt is established and proven beyond a reasonable doubt.

The Court instructs the jury that, unless they believe from the evidence that the prisoner is guilty of the charge whereof he stands indicted, and that his guilt has been proven beyond a reasonable doubt, then they must find the prisoner not guilty.

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 August term, in the year 1900, upon their oaths present that

Charles Hazelrod

on the 14th day of October, in the year 1899, in the said County,

in the night-time of that day feloniously and burglariously did break and enter the dwelling house of Thomson N. Dove situated in said County, with intent the goods and chattels in said dwelling house then being feloniously and burglariously to steal, take and carry away and one double barrel muggle loading gun of the value of \$10.00 of the goods and chattels of the said Thomson N. Dove in said dwelling house then being feloniously and burglariously 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.

He the Jury find the prisoner Charles Nagelrod not guilty of
the Burglary as charged in the indictment, but guilty of breaking
and entering the dwelling house of Thornton A. Dove, ~~in~~ the daytime
with intent to Commit Larceny in manner and form as charged in
the Indictment, and ascertain ^{his punishment} the term of his ^{at} Confinement in
the penitentiary at three and one half years
E. N. Myers Foreman

Commonwealth

INDICTMENT FOR A

U.S. } Burglary
Chas. Nagelrod

A TRUE BILL.

W. C. McAllister
Foreman.

Commonwealth -

© J. Papers

Charles Naglerod

