

G. A. C

J. B. S

E. B. C

Commencement

Jan }
Feb }

F. Pierce Sprinkel

1 J. H. Hartman

2 J. W. Chapman

3 J. H. Haney

4 Chas. C. Layman

5 Geo. H. Bailey

6 Benjamin Jerns

7 Horner F. Dove

8 W. C. Fleming

9 C. L. Rhodes

10 E. S. Harman

11 Chas F. Coopers

12 Moffat H. Brown

July 25th - 06

Recd. papers in
felony case v.
J. Price Sprinkle
& warrant & other
papers v. Wade
H. Silas.

E. D. Crawford.

Commonwealth

②

F. Pierci. Spunkel

J. H. Hartman.

~~Carver W. Bennett.~~

~~Jerry L. Bennett.~~

J. W. Chapman.

J. K. Harey.

Chas. G. Kayman.

~~C. L. Taylor.~~

Geo. H. Bailey.

Benjamin Jewels.

Horner J. Dove.

~~Walter D. Heavins.~~

W. L. Fleming.

C. L. Rhodes.

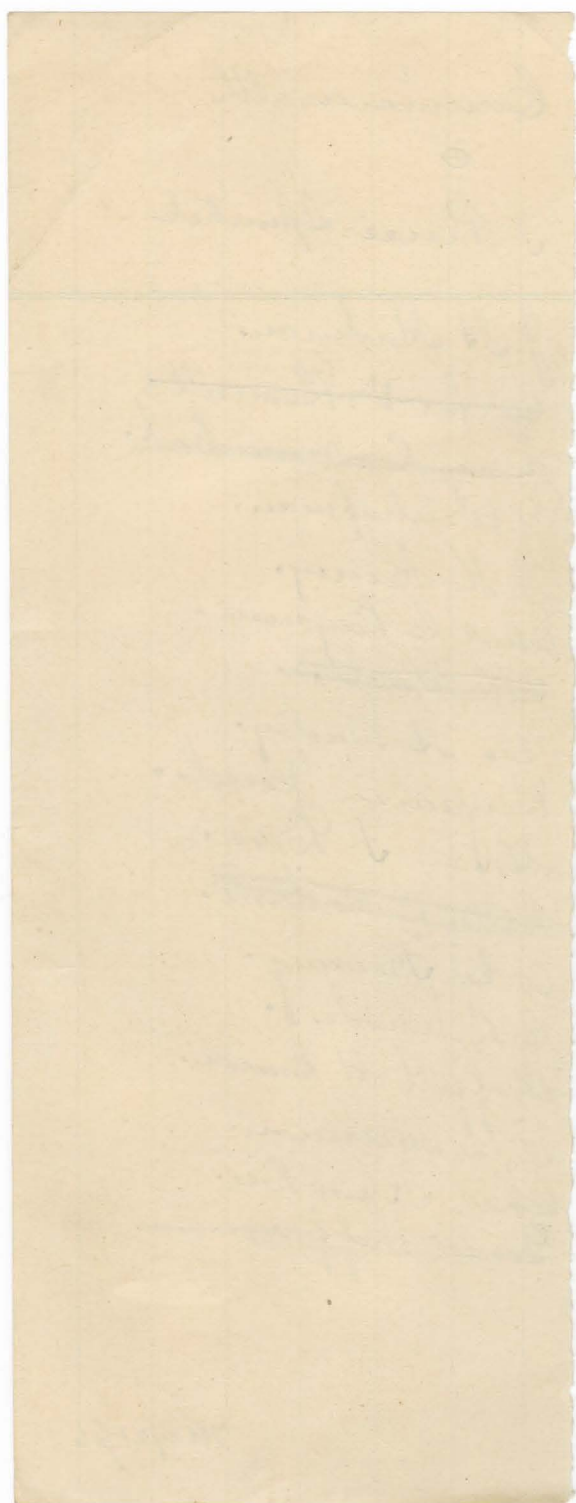
Moffett H. Brown.

E. S. Harman.

Chas. F. Brooks.

~~Geo. W. Huffman.~~

May 22/66.



COMMONWEALTH OF VIRGINIA,
ROCKINGHAM COUNTY,

TO-WIT:

To *The Sheriff*, a Constable of said County:

WHEREAS, *C. A. Keaton* of the said county, has this day made complaint and information on oath before me, *W. J. Poind* a Justice of the said county, that

Franklin Pierce Sprinkle and Ome Deeds
of the said county, on the *or about 29th* day of *December* 190*5*, in the said county, did

feloniously and unlawfully take, steal and carry away nine hogs, the property of said C. A. Keaton, and of a value exceeding fifty dollars

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 the said County, the body of the said *Franklin*

Pierce Sprinkle and Ome Deeds to answer the said complaint, and to be farther dealt with according to law. And you are required to summon

C. A. Keaton, J. L. Armentrout, Z. H. Armentrout and W. H. Armentrout

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

Given under my hand and seal this *9th* day of *January* in the year 190*6*.

W. J. Poind J. P. [SEAL.]

Executed the within
warrant by arresting the
body of Olaus Deeds
and delivering him
before W. J. Raint, a
Justice of Rockingham
County this 13th day
of January 1906

L. R. Black
L. R. B.

January 13, 1906
Upon examination
the within named
Olaus Deeds, is found
not guilty and is
discharged.
W. J. Raint, Jp.

January 13, 1906,
The within named
F. Pierce Sprinkle
arriving examination
is committed for trial
before the Circuit Court
of Rockingham Co.
W. J. Raint, Jp.

Commonwealth

vs.

Arrest Warrant.

Franklin Pierce Sprinkle
and Olaus Deeds

Executed the within warrant
by arresting and delivering the
body of F. P. Sprinkle
before W. J. Raint
a Justice of Rockingham County
and by summoning the within
named witnesses in person, this

13 day of January 1906
E. J. Carnickhoff, C.

Constable of Rockingham County.

Filed Jan 13/06
W. J. Raint
C. J.

Costs
Justice
Sheriff

1.00

Witnesses

C. A. Hutton .50

J. L. Hancock .50

Frank Bone .50

James Baker .66

L. R. Black .50

W. L. Dillard .50

E. J. Carnickhoff .50

Robt. Brown 30.4.16

Total

Certificate of Commitment for Trial.

[Code, §§3970-71.]

VIRGINIA, COUNTY OF Rockingham, TO-WIT:
Circuit

To the Clerk of the ~~County~~ Court of said County:

I, Wm. J. Pounds, a justice of said county, do hereby cer-

tify that I have this day committed Franklin Pierce Sprinkel
to the jail of said county, that he may be tried before the Circuit court of said county, for a
felony by him committed, in this, that he, on the 29th day of December,

1905, in the said county, feloniously and unlawfully take,
steal and carry away nine hogs, the property
of C. A. Kinton of value exceeding fifty
dollars

Given under my hand and seal, this 13th day of January, 1906

Wm. J. Pounds, J. P. [L. S.]

Court of Va

N. } Certificate of
Commitment

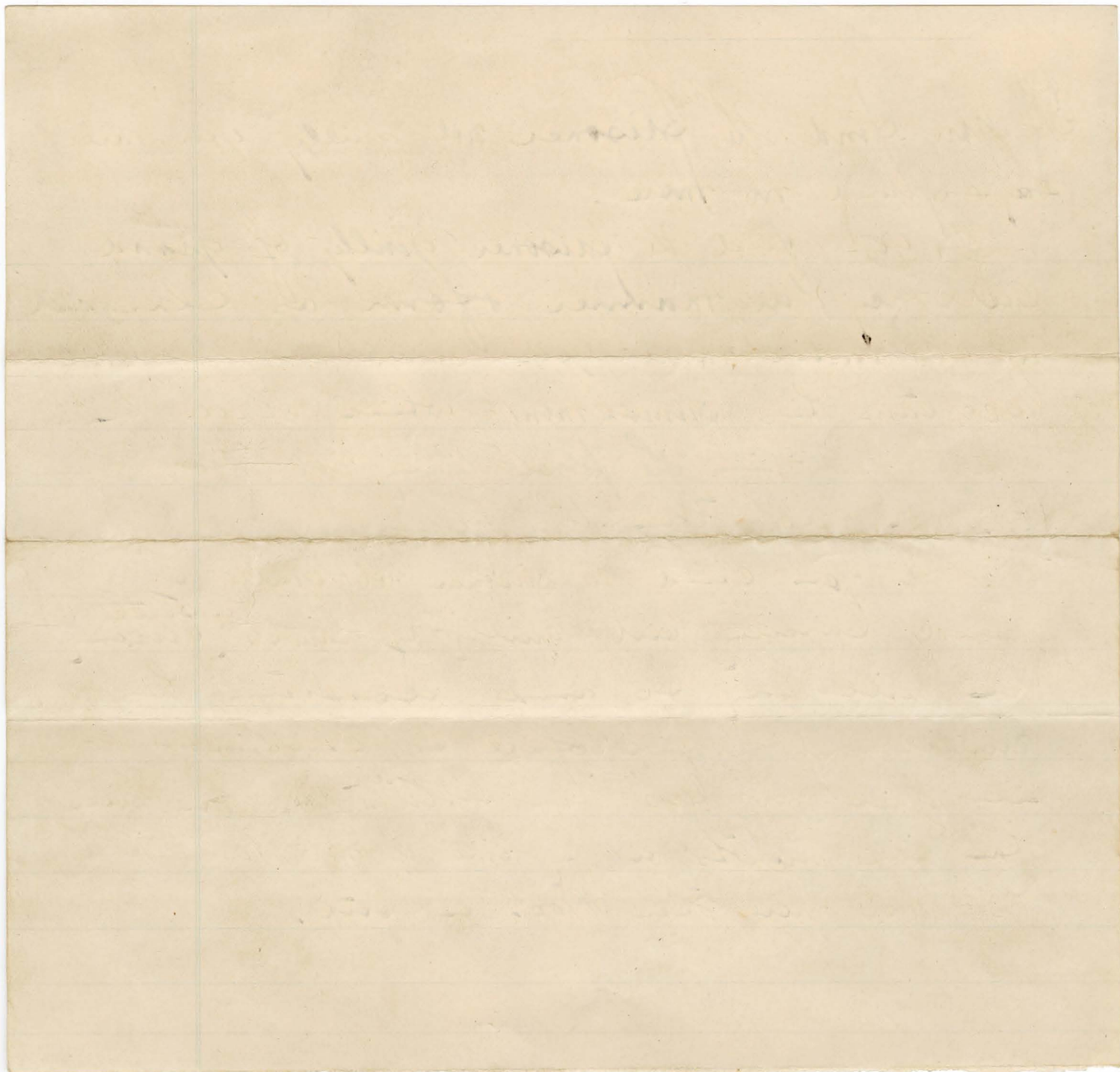
J. Pierce Spink

Filed Jan 13/06
O. W. M. M.
C. M.

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

If you find the prisoner guilty- of grand larceny in manner & form as charged in the indictment- you will say so and ascertain his punishment- which shall be confinement- in the penitentiary not- less than one nor more than ten years.

If you find the prisoner not-guilty- of grand larceny but- guilty- of simple ^{larceny} ~~larceny~~ you will say so and ascertain his punishment- which shall be confinement- in jail not- less than fifteen days nor more than six months or by fine of not- less than \$5⁰⁰ nor more than \$100. or both.



(1)

The Court instructs the jury that if they believe from the evidence that the nine hogs of C.A.Henton ,in the indictment mentioned,were stolen on the 29th day of December 1905 and that shortly thereafter said hogs were found in the exclusive possession of the prisoner then the jury are justified in presuming that the prisoner ~~wa~~ guilty of the larceny of said hogs.

Good day to Mother and to

all the family in England and Ireland.

Remember me to all the family in Ireland and to all the family in England.

With love to all the family in Ireland and to all the family in England.

With love to all the family in Ireland and to all the family in England.

With love to all the family in Ireland and to all the family in England.

(1)

2

Review

The Court instructs the jury that if they believe from the evidence that C.A. Menton's nine hogs were stolen and that shortly thereafter they were found in the exclusive possession of the prisoner, then the burden is on the prisoner to show by satisfactory evidence how such possession was secured by him and if he fail to do this or if the evidence shows that the prisoner has given a false account or contradictory accounts or an incredible account of how said hogs came into his possession~~x~~ or if the evidence shows circumstances, other than ^{mere} the possession, calculated to awaken suspicion against him, then the presumption of his guilt is greatly strengthened .

4

W. J. ...

The Court instructs the jury that if they believe from the evidence that C.A. Newton's knife were stolen and that shortly thereafter they were found in the exclusive possession of the prisoner, then the burden is on the prisoner to show by satisfactory evidence how such possession was secured by him and if he fail to do this or if the evidence shows that the prisoner has given a false account of contradictory accounts or an incredible account of how said knife came into his possession or if the evidence shows circumstances other than the possession, calculated to awaken suspicion against him, then the presumption of his guilt is greatly strengthened.

INSTRUCTION No. 1.

The Court instructs the Jury that the prisoner is presumed to be innocent until he is proven to be guilty beyond every reasonable doubt by the Commonwealth, and that the burden of proving the guilt of the accused rests upon the Commonwealth, and that to warrant a conviction of any offense every fact necessary to establish his guilt must be proven beyond every reasonable doubt by the Commonwealth, and especially is this true where, ~~as in this case~~, the conviction is sought upon circumstantial evidence alone, which is always to be acted on with the utmost care and caution.

Prathers' Case 85 Va., p. 125-6.

INSTRUCTION No. 2.

The Court further instructs the Jury that circumstances of suspicion, no matter how grave ~~or strong~~, are not proof of guilt, and that the accused must be found not guilty, unless the fact of his guilt is proven beyond every reasonable doubt and to the actual exclusion of every other reasonable hypothesis consistent with his innocence.

Henderson's Case, 98 Va., 798.

INSTRUCTION No. 1.

The Court instructs the jury that the prisoner is presumed to be innocent until he is proven to be guilty beyond every reasonable doubt by the Commonwealth, and that the burden of proof for the guilt of the accused rests upon the Commonwealth, and that to warrant a conviction of any offense every fact necessary to establish his guilt must be proven beyond every reasonable doubt by the Commonwealth, and especially in this case where, ~~the~~ the conviction is based upon circumstantial evidence alone, which is always to be acted on with the utmost care and caution.

Pratt's Case, 88 Va., p. 128-8.

INSTRUCTION No. 2.

The Court further instructs the jury that circumstances of suspicion, no matter how grave ~~and~~, are not proof of guilt, and that the accused must be found not guilty, unless the fact of his guilt is proven beyond every reasonable doubt and to the actual exclusion of every other reasonable hypothesis consistent with his innocence.

Henderson's Case, 88 Va., 798.

INSTRUCTION No. 2.

The Court further instructs the Jury that although they may believe from the evidence and beyond every reasonable doubt that the facts proven are consistent with the guilt of the prisoner, yet, if, at the same time, they believe that the facts proven, are consistent with his innocence, then they must find him not guilty.

29 Gratt., p. 814.

INSTRUCTION NO. 2

The court further instructs the jury that although they may believe from the evidence and beyond every reasonable doubt that

and, if the same also, they believe that the facts proven, are
consistent with his innocence, then they must find him not guilty.

28 Grant, p. 814.

Spencer

*Quinn P
modified*

The Court instructs the jury that if they believe from the evidence that the stolen hogs were found recently after they were stolen in the exclusive possession of the accused such possession affords a presumption that he stole them and in order to repel that presumption it is incumbent upon him when called upon for that purpose to give a reasonable account of how he came into the possession of them, and if he gives such an account, then it is ~~ix~~ incumbent on the Commonwealth to prove beyond a reasonable doubt that such account is false, but if he gives an unreasonable account of it, or contradictory account or an incredible account, it devolves on the prisoner to sustain such account by other evidence.

The Court instructs the jury that if they believe from the
evidence that the stolen hogs were found recently after they were
stolen in the exclusive possession of the accused such possession
affords a presumption that he stole them and in order to rebut
that presumption it is incumbent upon him when called upon for
that purpose to give a reasonable account of how he came into the
possession of them, and if he gives such an account, then it is his
incumbent on the Commonwealth to prove beyond a reasonable doubt
that such account is false, but if he gives an unreasonable account
or if he gives a contradictory account or an incredible account, it devolves
on the prisoner to sustain such account by other evidence.

Commonwealth of Virginia,

COUNTY OF Rockingham, TO-WIT:
Circuit
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
March term, in the year 1906, upon their oaths present that

H. Pierce Sprinkel

on the 29th day of December, in the year 1905, in the said County,
nine logs of the value of Sixty Dollars
of the goods and chattels of C. A. Hinton
feloniously did steal, take and carry
away

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of James Amment
Josiah Boser H. A. Hinton
Walter C. Hinton witness sworn in open
Court and sent to the Grand Jury to give evidence.

_____, Clerk.

Commonwealth

v.s.

INDICTMENT FOR A

larceny

J. Pierce Sprinkle

A TRUE BILL.

John W. Totten

Foreman.

1936 Mod. Lt. Annapolis, Md. N. 2
+ case set for April 4, 1906

J. W. Sprinkle & P. W. Sprinkle

We the jury find the prisoner, ^{J. Pierce Sprinkle} guilty of grand larceny, ^{in manner and form as charged in the indictment} and fix his punishment at eighteen ^{months} ^{confinement} in the penitentiary

C. L. Rhoads
foreman

Commonwealth of Virginia,

COUNTY OF Rocking Lane TO-WIT:

IN THE Circuit ~~COUNTY~~ COURT OF SAID COUNTY:

The jurors of the Commonwealth of Virginia, in and for the body of the County of

Rocking Lane, and now attending the said Court at its
March term, in the year 1906, upon their oaths present that

J. Pierce Sprinkle

on the 29th day of December, in the year 1906, in the said County,

nine logs of the value of Six Dollars
of the goods and chattels of C. A. Horton
feloniously did steal, take and carry
away

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

James Amantout
Jonas Baker

witness, sworn in open

Court and sent to the Grand Jury to give evidence.

, Clerk.

Commonwealth

INDICTMENT FOR A

VS.

{ Felony

H. Pierce Sprinkel

A TRUE BILL.

John W. T. Folger

Foreman.

March term

rel. pro