

Commonwealth.

of

William A. Baughen.

William H. Ruckelshaus

Wm H. Hader

O H Jordan

~~Charles L. Burner~~

John R. Carl

Perry L. Lineweaver

John de Holsungen

Robert A. Newton

~~David H. Braun Jr.~~

H. H. G. Davies

~~R. D. Breineman~~

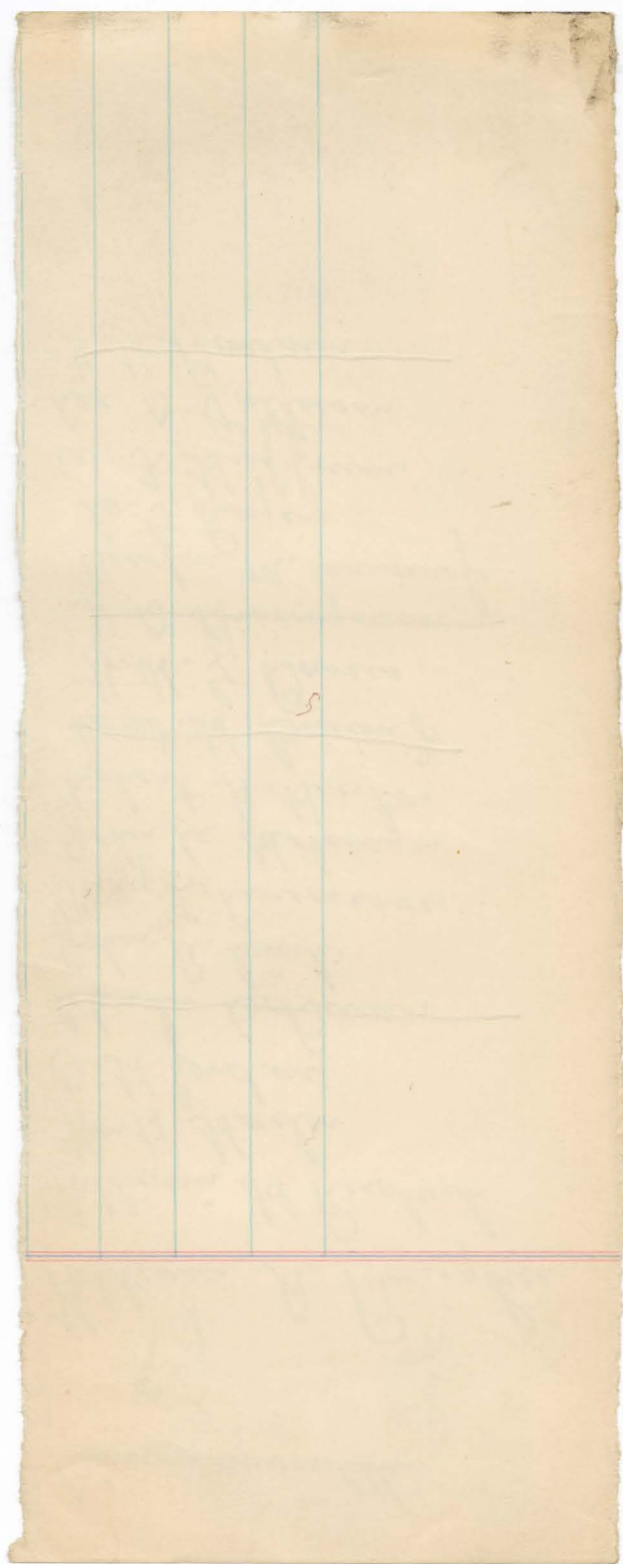
Newton M. Carisafe.

Le. G. Royer

W. F. Huffman

Lee O. Patterson

~~H. H. Brewster~~



Gn. 6

Haumea Sep

Commonwealth.

©

} Felony

William R. Baughen.

1 William H. Ruelush.

2 Wm H. Hasler

3 O. H. Jordan.

4 John R. Pearl

5 Perry L. Lienweaver.

6 John C. Holminger.

7 Robert B. Heaton.

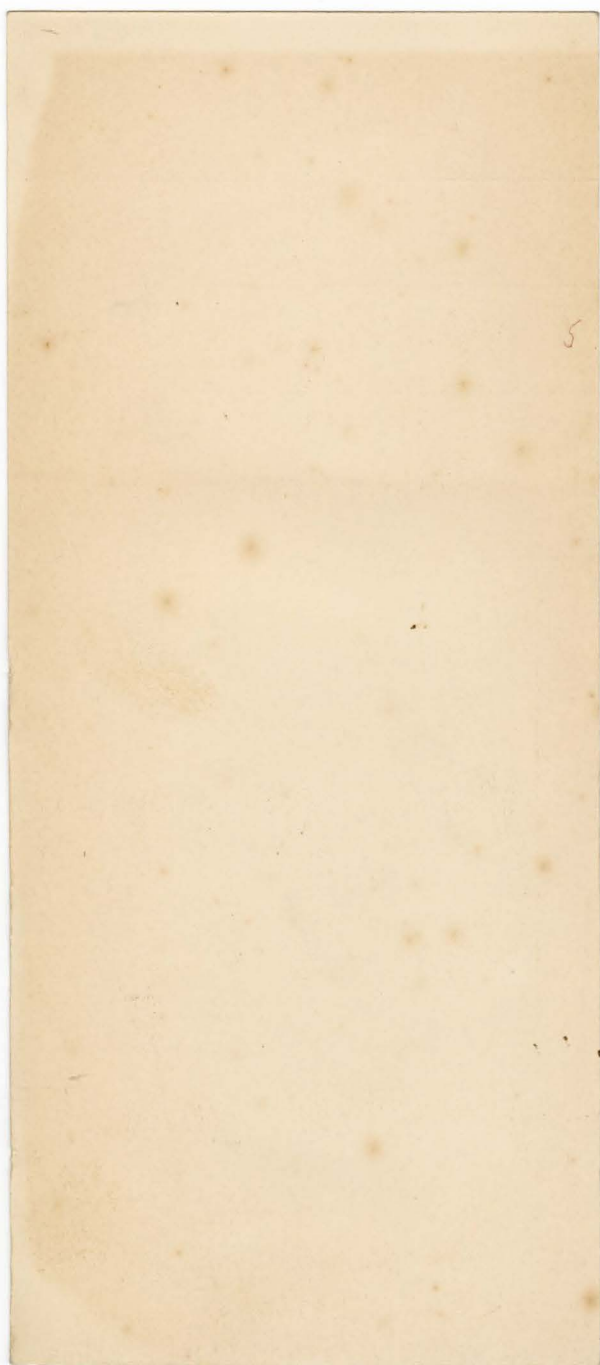
8 H. H. G. Bowers.

9 Newton M. Learesfe.

10 L. G. Royer.

11 W. F. Huffman.

12 Lee D. Patterson.





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

If you find the prisoner guilty as charged in the indictment, you will say so and ascertain his punishment which shall be confinement in the penitentiary for not less than five nor more than eighteen years.

~~If you find the prisoner not guilty as charged in the indictment~~  
~~and~~

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

If you find the prisoner guilty as charged in the indictment,

you will say so and ascertain his punishment which shall be con-

sent in the indictment for not less than five nor more than eight

years.

~~of the first of the prisoner not guilty as charged in the indictment~~



*Given as modified in int*

9

No. 14.

The court instructs the jury as a matter of law, that they are not to go beyond the evidence to hunt up doubts, nor are they to entertain such doubts as are merely chimerical or conjectural. A reasonable doubt must be based upon *or on the absence of evidence essential to prove of the guilt of the accused.* the evidence. It must not be an arbitrary doubt without evidence to sustain it. It must be serious and substantial in order to warrant an acquittal. It must be a doubt of a material fact or facts necessary for the jury to believe to find a verdict of conviction and not of immaterial and non-essential circumstances.

Given on September 11, 1911

No. 10

The court instructs the jury as a matter of law, that they are not to go beyond the evidence to hunt up doubts, nor are they to entertain such doubts as are merely chimerical or conjectural. A reasonable doubt must be based upon the evidence. It must not be an arbitrary doubt without evidence to sustain it. It must be serious and substantial in order to warrant an acquittal. It must be a doubt of a material fact or facts necessary for the jury to believe to find a verdict of conviction and not of immaterial and non-essential circumstances.



g in park

1st Park given

No.

The Court instructs the Jury that if they believe from the evidence that the prisoner maliciously set fire to the barn of S. J. Hensley as charged in the indictment, or that he set fire to a straw-stack located immediately by the said barn and so close thereto that the fire therefrom would of necessity ignite the said barn, and that in the said barn at that time were horses of S. J. Hensley ~~of~~ of the value of \$ \_\_\_\_\_ or more, they will find the prisoner guilty; and in determining the guilt or innocence of the accused upon this charge, they have the right to consider threats, if any, made by the accused against <sup>his feelings towards or relations with said Hensley,</sup> said Hensley prior to the burning of said barn, and to consider the opportunity, if any, said accused may have had to ~~have~~ start <sup>any</sup> said fire, and <sup>any</sup> evidence, ~~if any,~~ as to foot-prints or tracks leading towards said barn from the direction of <sup>the</sup> home of the accused, and leading from the said barn in the direction of the home of the accused, together with any other <sup>evidence of or facts</sup> ~~facts~~ or circumstances showing <sup>the guilt of the accused or</sup> ~~tending~~ tending to connect accused with the said crime.

implies that Court regards foot prints  
etc. as evidence showing guilt of accused



12/1/19

12/1/19

The court instructs the jury that if they believe from the evidence that the prisoner maliciously set fire to the barn of S. J. Hensley as charged in the indictment, of that he set fire to a straw-stack located immediately by the said barn and so close thereto that the fire therefrom would of necessity ignite the said barn, and that in the said barn at that time were horses of S. J. Hensley as of the value of \$ \_\_\_\_\_ or more, they will find the prisoner guilty, and in determining the guilt or innocence of the accused upon this charge, they have the right to consider threats, if any, made by the accused against said Hensley prior to the burning of said barn, and to consider the opportunity, if any, said accused may have had to make statements said fire, and evidence, if any, as to foot-prints or tracks leading towards said barn from the direction of home of the accused, and leading from the said barn in the direction of the home of the accused, together with any other facts or circumstances showing tending to connect accused with the said crime.

It is the duty of the jury to find the accused guilty if they believe from the evidence that the accused maliciously set fire to the barn of S. J. Hensley as charged in the indictment, of that he set fire to a straw-stack located immediately by the said barn and so close thereto that the fire therefrom would of necessity ignite the said barn, and that in the said barn at that time were horses of S. J. Hensley as of the value of \$ \_\_\_\_\_ or more, they will find the prisoner guilty, and in determining the guilt or innocence of the accused upon this charge, they have the right to consider threats, if any, made by the accused against said Hensley prior to the burning of said barn, and to consider the opportunity, if any, said accused may have had to make statements said fire, and evidence, if any, as to foot-prints or tracks leading towards said barn from the direction of home of the accused, and leading from the said barn in the direction of the home of the accused, together with any other facts or circumstances showing tending to connect accused with the said crime.



No. 7

The court instructs the jury that if they believe from the evidence that the prisoner maliciously set fire to the barn of S. J. Hensley as charged in the indictment, or that he set fire to a strawstack located immediately by the said barn and so close thereto that the fire from the straw stack would of necessity ignite the barn, and that in said barn at that time there were horses belonging to said Hensley of the value of \_\_\_\_\_ dollars or more, they will find the prisoner guilty.



No. 7

The court instructs the jury that if they believe from the evidence that the prisoner maliciously set fire to the barn of S. J. Henaley as charged in the indictment, or that he set fire to a strawstack located immediately by the said barn and so close thereto that the fire from the straw stack would of necessity ignite the barn, and that in said barn at that time there were horses belonging to said Henaley of the value of \_\_\_\_\_ dollars or more, they will find the prisoner

Guilty.

Given as modified in pencil

No. 6.

when a building is burned,

The court instructs the jury that ~~in this case, it is a~~  
<sup>is</sup> presumption of law that the fire was ~~of accidental origin~~ rather  
<sup>caused by an accident</sup> than ~~the deliberate and malicious act of the accused, and the~~  
<sup>by the act of the accused accompanied by a deliberate intent,</sup> burden is upon the commonwealth to prove, beyond a reasonable  
<sup>in this case</sup> doubt, (1) that the barn of S. J. Hensley was maliciously burned  
(6) and (2) that Baugher is the person who burned it; and, ~~that~~ unless  
it is so proven by the evidence, beyond every reasonable doubt,  
they must find Baugher not guilty, for evidence that the defendant  
had an opportunity to commit the crime, or that he cherished ill  
feelings, or made threats toward S. J. Hensley, are not of them-  
<sup>alone</sup> selves sufficient to justify a verdict of guilty.



*James as defendant in murder*

*James as defendant in murder*  
No. \_\_\_\_\_

The court instructs the jury that in this case, it is a presumption of law that the fire was of accidental origin rather than the deliberate and malicious act of the accused, and the burden is upon the Commonwealth to prove, beyond a reasonable doubt, (1) that the barn of S. J. Henneley was maliciously burned and (2) that Baughner is the person who burned it, and that unless it is so proven by the evidence, beyond every reasonable doubt, they must find Baughner not guilty, for evidence that the defendant had an opportunity to commit the crime, or that he cherished ill feelings, or made threats toward S. J. Henneley, are not of themselves sufficient to justify a verdict of guilty.

*Given as modified in final*

No. 5.

The court instructs the jury that the law contemplates ~~in~~  
~~this case~~ <sup>a</sup> concurrence of twelve minds in the conclusion of ~~the~~  
guilt before a conviction can be had, and if any individual member  
of the jury, after having duly considered all of the evidence in  
~~this~~ <sup>The</sup> case and after consultation with his fellow jurors, shall  
entertain a reasonable doubt as to the guilt of the accused, it is  
his duty not to surrender his own convictions, because the balance  
of the jury entertain different convictions with reference to the  
guilt or innocence of the accused.



*Handwritten text, possibly a signature or date, is visible at the top of the page.*

No. \_\_\_\_\_

The court instructs the jury that the law contemplates in this case a concurrence of twelve minds in the conclusion of the guilt before a conviction can be had, and if any individual member of the jury, after having duly considered all of the evidence in this case and after consultation with his fellow jurors, shall entertain a reasonable doubt as to the guilt of the accused, it is his duty not to surrender his own convictions, because the balance of the jury entertain different convictions with reference to the guilt or innocence of the accused.

Another given by Court in lieu of this  
& of similar one offered by Com.

No. \_\_\_\_\_.

The court instructs the jury that, in arriving at a verdict in this case, they are the sole judges of the facts and of the credibility of <sup>the witnesses</sup> each and every witness introduced, and they have a right to disregard the testimony of each witness or witnesses, who, in the opinion of the jury, may have testified falsely in this case, <sup>and to</sup> or give to the testimony of any such witness or witnesses such weight as, in the opinion of the jury, the same may be entitled to, and in ascertaining such weight, the jury may take into consideration the relationship of the witnesses to the parties, their interest, if any, in the result of the case, their temper, feeling, or bias, if any has been shown, demeanor while testifying, the reasonableness or unreasonableness of their statements, their apparent intelligence, and their means of information, and to give such credit to the testimony of such witness or witnesses as, under all the circumstances, they seem to be entitled to.



*Another given by Court in last year.*

No. \_\_\_\_\_.

The court instructs the jury that in arriving at a verdict in this case, they are the sole judges of the facts and of the credibility of each and every witness introduced, and they have a right to disregard the testimony of each witness or witnesses, who, in the opinion of the jury, may have testified falsely in this case, or give to the testimony of any such witness or witnesses such weight as, in the opinion of the jury, the same may be entitled to, and in ascertaining such weight, the jury may take into consideration the relationship of the witnesses to the parties, their interest, if any, in the result of the case, their temper, feeling, or bias, if any has been shown, demeanor while testifying, the reasonableness or unreasonableness of their statements, their apparent intelligence, and their means of information, and to give such credit to the testimony of such witness or witnesses as, under all the circumstances, they seem to be entitled to.



*Given as mod. in pencil*

No. 3.

The court instructs the jury that if the state relies for a conviction in this case upon evidence wholly or in part circumstantial, then it is essential that the circumstances should to a moral certainty actually exclude every <sup>reasonable</sup> hypothesis <sup>consistent with the proofs</sup> but the one that Baugher maliciously set fire to the barn of Solomon J. Hensley, and that unless they do to a moral certainty actually exclude every <sup>reasonable</sup> hypothesis <sup>consistent with the proofs</sup> but the one that Baugher maliciously set fire to the barn of Hensley, then they should find the prisoner not guilty.

Conn. vs

Wm A. Baughner

Indictment. asked  
+ refused or und-  
erstood as shown  
in the instructions  
given

given as shown in the

No. 3

The court instructs the jury that if the state relies for a conviction in this case upon evidence wholly or in part circumstantial, then it is essential that the circumstances should be such as to exclude every hypothesis, but the one that Baughner maliciously set fire to the barn of Solomon J. Hensley and that unless they do so a moral certainty actually excludes every hypothesis but the one that Baughner maliciously set fire to the barn of Hensley, then they should find the prisoner not guilty.



Rockingham Turnpike

Orchard (14 acres)

Old Barn

New Barn

Windmill

Pasture Field

Field cattle were in at  
time of fire

13-acre lot

Barn

Old house

Baughers House

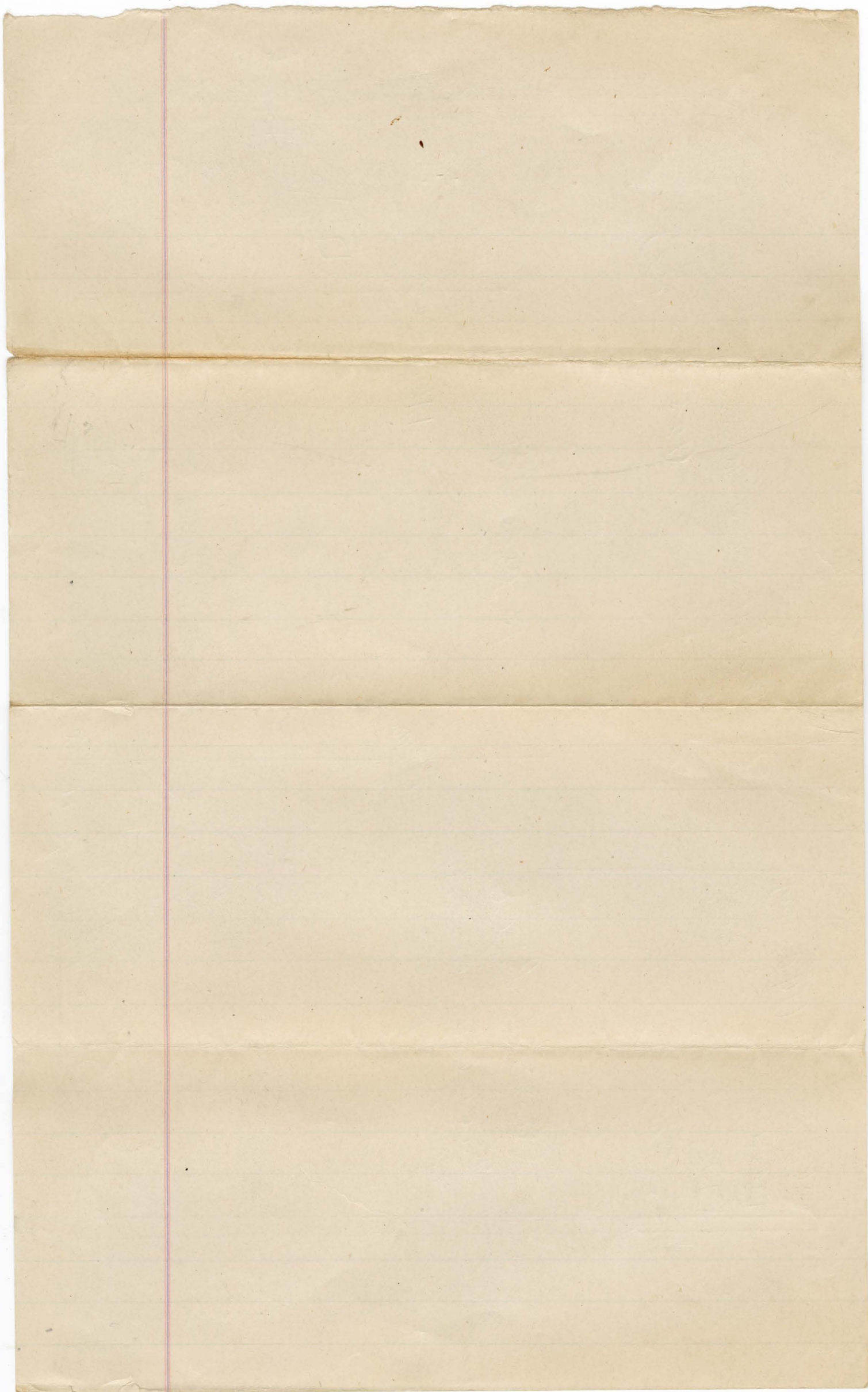
Wheat Field

Right of Way

C. and N. R.R.

Road by Baughers

Dr. Turner's Farm  
(125 acres)





No. 1

The court instructs the jury that the law presumes the accused to be innocent until he is proven guilty beyond all reasonable doubt and if there is upon the mind of the jury any reasonable doubt of the guilt of the accused, the law makes it their duty to acquit him. His guilt is not to be inferred because the facts proven may be consistent with his guilt, but they must be inconsistent with his innocence. Mere suspicion or probability of his guilt, however strong, is not sufficient to convict nor is it sufficient, if *merely* the greater weight or preponderance of evidence supports the charge in the indictment, but to warrant his conviction, his guilt must be proven so clearly that there is no reasonable theory consistent with the evidence upon which he can be innocent.



The court instructs the jury that the law presumes the accused to be innocent until he is proven guilty beyond all reasonable doubt and if there is upon the mind of the jury any reasonable doubt of the guilt of the accused, the law makes it their duty to acquit him. His guilt is not to be inferred because the facts proven may be consistent with his guilt, but they must be inconsistent with his innocence. Mere suspicion or probability of the 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 his conviction his guilt must be proven so clearly that there is no reasonable theory consistent with the evidence upon which he can be innocent.

No. 3

The Court instructs the jury that if the state relies for a conviction in this case upon evidence wholly or in part circumstantial, then it is essential that the circumstances should be of such a nature as to exclude every reasonable hypothesis consistent with the proofs but the one that the prisoner maliciously set fire to the barn of Solomon J. Hendley, and that unless they do to a moral certainty exclude every reasonable hypothesis consistent with the proofs except the one that the prisoner maliciously set fire to the barn of Hendley, then they should find the prisoner not guilty.

No. 2

The court instructs the jury that the law presumes every person charged with crime to be innocent until his guilt is established by the commonwealth beyond all reasonable doubt, and this presumption of innocence goes with the accused throughout the entire case and applies at every stage thereof, and if after having heard all the evidence in this case, the jury have a reasonable doubt of the guilt of the accused upon the whole case, it is their duty to give the prisoner the benefit of such doubt and to acquit him.



No.

The court instructs the jury that the law presumes every person charged with crime to be innocent until his guilt is established by the Commonwealth beyond all reasonable doubt, and this presumption of innocence goes with the accused throughout the entire case and applies at every stage thereof, and if after having heard all the evidence in this case, the jury have a reasonable doubt of the guilt of the accused upon the whole case, it is their duty to give the prisoner the benefit of such doubt and to acquit him.

100.5

The Court instructs the jury that if the state relies for a conviction in this case upon evidence wholly or in part circumstantial, then it is essential that the circumstances should to a moral certainty exclude every reasonable hypothesis consistent with the proofs but the one that Baugher maliciously set fire to the barn of Solomon J. Hensley, and that unless they do to a moral certainty exclude every reasonable hypothesis consistent with the proofs except the one that Baugher maliciously set fire to the barn of Hensley, then they should find the prisoner not guilty.

the witnesses and of the weight to be given to the evidence or any part of it. When witnesses testify opposite to each other, the jury is not bound to regard the weight of the evidence as evenly balanced; but they have the right, in determining the weight to be given to the testimony of the various witnesses, to take into consideration their interest in the result of the case, if they have any, their relationship to parties involved, their feeling or bias, if any is shown, their appearance and demeanor on the witness stand, their apparent candor and fairness, their apparent intelligence, the reasonableness or unreasonableness of their statements, their means of information and all the surrounding circumstances appearing on the trial, and to give or deny credit to the testimony of any witness as, under all the circumstances, they may deem proper or to such extent as they think proper.



Buttly.

set fire to the barn of Hensley, then they would find the prisoners not  
the same constant mixture blood except the one that Benches multicolored  
and that unless they do to a more satisfactory level reasonable pub-  
that Benches multicolored set fire to the barn of Solomon J. Hensley,



...the Court instructs the jury that the law contemplates a  
concurrence of twelve minds in the conclusion of guilt before a con-  
viction can be had, and if any member of the jury, after having duly  
considered the evidence, is not satisfied beyond a reasonable doubt that  
the defendant is guilty, then the Court instructs the jury that it is their duty to return a con-

No. 4

The Court instructs the jury that the law contemplates a  
concurrence of twelve minds in the conclusion of guilt before a con-  
viction can be had, and if any member of the jury, after having duly

The Court instructs the jury that, in arriving at a verdict  
in this case, they are the sole judges of the facts and of the credibil-  
ity of the witnesses and of the weight to be given to the evidence or  
any part of it. When witnesses testify opposite to each other, the jury  
is not bound to regard the weight of the evidence as evenly balanced; but  
they have the right, in determining the weight to be given to the testi-  
mony of the various witnesses, to take into consideration their interest  
in the result of the case, if they ~~have~~ <sup>have</sup> any, their relationship to parties  
involved, their feeling or bias, if any is shown, their appearance and  
demeanor on the witness stand, their ~~apparent~~ <sup>apparent</sup> candor and fairness, their  
~~apparent~~ <sup>apparent</sup> intelligence, the reasonableness or unreasonableness of their  
statements, their means of information and all the surrounding circum-  
stances appearing on the trial, and to give or deny credit to the testi-  
mony of any witness as, under all the circumstances, they may deem proper  
or to such extent as they think proper.



The Court instructs the jury that, in arriving at a verdict in this case, they are the sole judges of the facts and of the credibility of the witnesses and of the weight to be given to the evidence on any part of it. When witnesses testify opposite to each other, the jury is not bound to regard the weight of the evidence as evenly balanced; but they have the right, in determining the weight to be given to the testimony of the various witnesses, to take into consideration their interest in the result of the case, if they have any, their relationship to parties involved, their feeling or bias, if any is shown, their appearance and demeanor on the witness stand, their apparent candor and fairness, their apparent intelligence, the reasonableness or unreasonableness of their statements, their means of information and all the surrounding circumstances appearing on the trial, and to give or deny credit to the testimony of any witness as, under all the circumstances, they may deem proper or to such extent as they think proper.



No. 5

The Court instructs the jury that the law contemplates a concurrence of twelve minds in the conclusion of guilt before a conviction can be had, and if any member of the jury, after having duly considered all of the evidence in the case and after consultation with his fellow jurors, shall entertain a reasonable doubt as to the guilt of the accused, it is his duty not to surrender his own convictions because the balance of the jury entertains different convictions with reference to the guilt or innocence of the accused.





No. 6

The Court instructs the jury that when a building is burned, the presumption is that the fire was caused by an accident rather than by the act of the accused accompanied by a deliberate intent, and in this case the burden is <sup>upon</sup> ~~upon~~ the Commonwealth to prove, beyond a reasonable doubt, (1) that the barn of S. J. Hensley was maliciously burned, and, (2) that Baugher is the person who burned it; and unless it is so proven by the evidence beyond every reasonable doubt, they must find Baugher not guilty, for evidence that the accused had an opportunity to commit the crime, or that he cherished ill feelings, or made threats towards S. J. Hensley, are not of themselves alone sufficient to justify a verdict of guilty.

No. 2

The court instructs the jury that when a building is burned, the presumption is that the fire was caused by an accident rather than by the act of the accused accompanied by a deliberate intent, and in this case the burden is upon the Commonwealth to prove, beyond a reasonable doubt (1) that the barn of S. J. Henaley was maliciously burned, and, (2) that Bagher is the person who burned it; and unless it is so proven by the evidence beyond every reasonable doubt, they must find Bagher not guilty, for evidence that the accused had an opportunity to commit the crime, or that he cherished ill feelings, or made threats towards S. J. Henaley, are not of themselves alone sufficient to justify a verdict of guilty.



No. 7

The Court instructs the jury as a matter of law that they are not to go beyond the evidence to hunt up doubts, nor are they to entertain such doubts as are merely chimerical or conjectural. A reasonable doubt must be based upon the evidence or on the absence of evidence essential to proof of the guilt of the accused. It must not be <sup>an</sup> arbitrary doubt without evidence to sustain it. It must be serious and substantial in order to warrant an acquittal. It must be a doubt of a <sup>material</sup> ~~material~~ fact or facts necessary for the jury to believe to find a verdict of conviction and not of immaterial and non-essential circumstances.

No. 7

The Court instructs the jury as a matter of law that they are not to go beyond the evidence to hunt up doubts, nor are they to entertain such doubts as are merely chimerical or conjectural. A reasonable doubt must be based upon the evidence or on the absence of evidence essential to proof of the guilt of the accused. It must not be arbitrary doubt without evidence to sustain it. It must be serious and substantial in order to warrant an acquittal. It must be a doubt of a material fact or facts necessary for the jury to believe to find a verdict of conviction and not of immaterial and non-essential circumstances.



No. 8

The Court instructs the jury that in the nature of the case it is generally extremely difficult to prove by direct testimony that an incendiary actually set fire to property which has been destroyed, and direct testimony is not required to convict the accused of the crime of arson, but the evidence is sufficient if there is proof of coincidence of circumstances which conclusively prove (1) the fact that the crime has been perpetrated and (2) that the accused is the guilty party.

Jones 103Va.

June 10, 1931

believed and (3) that the accused is the father of the  
child born to the accused (1) the fact that the child has been  
admitted to the school of conductance of circumstances  
concerns the accused of the child of the accused and the accused is  
not been employed and the accused is not admitted to  
the school of the accused and the accused is not admitted to  
the school of the accused and the accused is not admitted to  
the school of the accused and the accused is not admitted to

Cam.

"

Wm A. Baughman

Instructions given

8



Commonwealth of Virginia, Rockingham County, To wit:  
To E. J. Carikoff Sheriff of Said County  
Whereas S. J. Hensley has this day made ~~complaint~~ <sup>complaint</sup> and  
information on oath before me J. M. Lam a Justice of Said  
County that William <sup>N</sup> ~~Baugh~~ <sup>R</sup> ~~Baugh~~ on the 15<sup>th</sup> day of April 1908  
in the right time in Said County did feloniously and maliciously  
burn two barns of the value of Two Thousand Dollars and three  
other out building of the value of Three hundred Dollars and  
Eleven heads of horses <sup>of the value of twenty two hundred Dollars</sup> which was in Said barns all the property  
of the Said S. J. Hensley Said property being situated in the Said  
County there are therefore in the name of the Commonwealth of  
Virginia to command you forthwith to apprehend the Said  
William <sup>N</sup> ~~Baugh~~ <sup>R</sup> ~~Baugh~~ and bring him before me or some other  
Justice of Said County to answer the Said Complaint and to  
be farther dealt with according to law given under my hand  
and Seal this 16<sup>th</sup> day of April 1908

J. M. Lam J.P. (Seal)



Commonwealth of Va  
vs  
William Baughen

Comm of Virginia  
vs. Baughen  
Wm. S. Baughen

April 17, 1908. The within named William  
Baughen is committed to the jail of  
Rockingham County, Va. for further exami-  
nation at Harrisonburg, Va. on Friday,  
April 24<sup>th</sup> 1908.

Wm. J. Baughen, J.P.

Executed the within  
warrant by arresting and  
delivering the body of  
William Baughen  
before me, J. Baughen, J.P.  
of Rockingham Co  
on April 17-1908  
J. Baughen, J.P.

Filed April 25-1908  
J. Baughen, J.P.



CERTIFICATE OF COMMITMENT FOR TRIAL.

VIRGINIA, COUNTY OF ROCKINGHAM---To-wit:

To the Clerk of the Circuit Court of said County:

I, W. J. Pounds, a justice of the peace of said county, do hereby certify that I have this day committed Wm. A. Baughen 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 15<sup>th</sup> day of February, 1908, in the said county, did feloniously and maliciously burn two barns of the value of \$2000.00, and three other outbuildings of the value of \$300.00, and 11 head of horses of the value of \$2200.00 which were in said barn, all the property of the said S. J. Kensley, said property being situated in the said County.

Given under my hand and seal, this 24<sup>th</sup> day of April, 1908.

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

Common th. of Virginia  
as Cert! of County  
Wm. A. Baugher



COMMITMENT TO ANSWER INDICTMENT.

VIRGINIA, COUNTY OF ROCKINGHAM---TO-WIT:

To the Sheriff.....of said County, and to the  
Keeper of the Jail thereof:

These are, in the name of the Commonwealth of Virginia, to command you, the said.....,  
forthwith to convey and deliver into the custody of the keeper of said jail, together with this warrant, the body of.....

Wm. A. Baughen....., charged be-  
fore me, Wm. J. Pounds....., a justice of

the peace of said county, on oath of S. J. Kearsley & others.....with a felony

by him committed, in this, that he, the said Wm. A. Baughen....., on the

15th day of February, 1908, in said county, did feloniously and  
maliciously burn two barns of the value of \$2000.00 and  
three other outbuildings of the value of \$300.00 and 11 head of  
horses of the value of \$2200.00 which were in said barn all the  
property of said S. J. Kearsley said property being situated  
in the said County

.....and you, the keeper of the said jail, are hereby required to receive the said

Wm. A. Baughen.....into your jail and custody, that he may be  
tried for the said offence before the county court of said county, and him there safely keep, until he shall be discharged

by due course of law. Given under my hand and seal, this 24th day of April, 1908.

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

Comma<sup>to</sup> of Virginia  
As: } Commitment  
Wm. A. Baughen



Commonwealth of Virginia, } To-wit :  
Rockingham County, }

Be it Remembered that on the 24 day of April 1908, Eaton  
Wm A. Baugher, J. E. Baugher and A. W. Baugher  
came before me H. W. Bestman Bail Commissioner

of the said county of Rockingham, and severally and respectively acknowledged themselves to be indebted to the  
Commonwealth of Virginia, in manner and form following, that is to say : the said J. E. Baugher

in the sum of Wm A. Baugher, J. E. Baugher & A. W. Eaton Dollars,  
in the sum of five thousand dollars (\$5000.00)  
good and lawful money of the United States, and the said

in the sum of \_\_\_\_\_ Dollars of like good and lawful money, to be  
respectively made and levied of their several goods and chattels, lands and tenements, and they severally waived  
the benefit of their Homestead Exemption as to this obligation, and also waived any claim or right to discharge any  
liability to the Commonwealth arising under this recognizance with coupons detached from the bonds of this State,  
to the use of the Commonwealth of Virginia if the said Wm A. Baugher  
shall make default in the performance of the conditions underwritten.

The condition of the above recognizance is such that if the above bound Wm A. Baugher  
\_\_\_\_\_ do and shall personally appear before the Circuit Court of Rockingham  
on the 1st day of the May Term next thereof, being the 18th day of  
May 1908 189, at the Court-house thereof, and then and there answer a bill of indictment  
to be preferred to the Grand Jury in and for said County against him the said Wm A. Baugher

for a felony by him committed, for  
unlawfully and feloniously burning two barns and three other outbuildings  
and 11 head of horses in said barns all the property  
of S. J. Henaley

whereof the said Wm A. Baugher stands charged, and shall not  
depart thence without the leave of said Court, then the above recognizance shall be void and of no effect, otherwise  
to remain in full force and virtue.

Taken and acknowledged before me, the day and year first above written.

H. W. Bestman Bail Comm.

Comm<sup>th</sup> of Va  
W. J. Ball  
Wm. A. Baughen



Commonwealth of Virginia,

COUNTY OF ROCKINGHAM, To-wit:

IN THE CIRCUIT 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.....May.....term, in the year 1908,  
upon their oaths present that.....

William A. Baugher

on the.....15th.....day of.....April....., in the year 190.....8, in the said County,

And in the night time of said day a certain barn of one Solomon J. Hensley there situate, said barn then and there containing live stock of said Solomon J. Hensley, to-wit, twelve horses, which said live stock was in said barn when and at the time said barn burned, and said barn and horses being then and there of the value of Two Thousand Dollars, feloniously and maliciously did burn

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of,

Grand Jury to give evidence.

.witness... sworn in open Court and sent to the

Clerk.

We the jury find the prisoner William S Baughen  
not guilty

Foreman

W. H. G. Bowers

Commonwealth

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vs.

INDICTMENT.

for a  
felony

William A. Baughen

A TRUE BILL.

A. N. Lindean

Foreman.

arranged & plea of  
n. l.