INSTRUCTION NO.

the Court instructs the Jury that murder is the unlawful killing of any person with malice aforethought and is distinguished in Virginia as murder in the first degree and murder in the second degree. By murder in the first degree is meant that the prisoner must have been incited to the killing by malice and the killing must have been a wilful, deliberate and premeditated act on the part of the prisoner; that is to say, he must have willed deliberated and premeditated that he would kill the deceased or do him some serious bodily injury, the necessary result of which would be his death or from whichhe died.

all other murder is murder in the second degree. By voluntary manulaughter is meant the unlawful killing of a person without malice, setupt or implied, upon a sudden heat, on reasonable provocation or in mutual combat. ALL REPORTED

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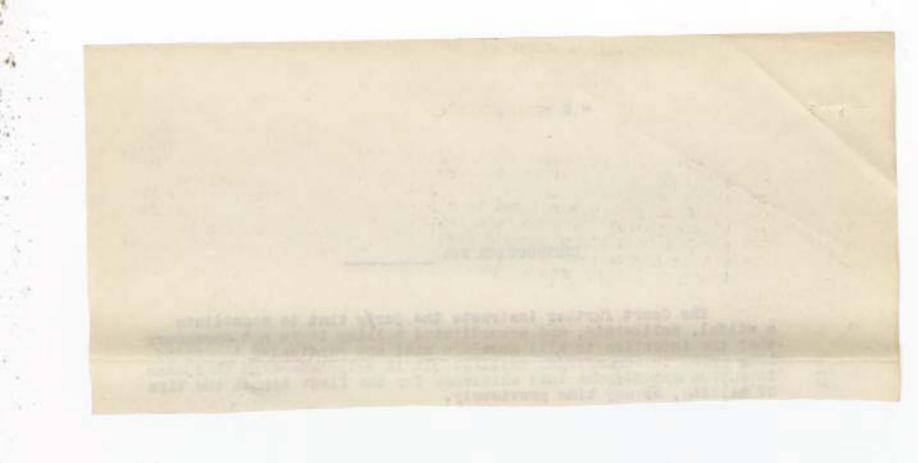
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Application of an authorise

INSTRUCTION NO.

The Court further instructs the jury that to constitute a wilful, deliberate, and premeditated killing it is not necessary that the intention to kill should e mist any particular length of time prior to the actual killing. It is only necessary that such intention should come into emistence for the first timent the time of killing. Or any time previously.

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INSTURCTION NO.

Peg. of

The Court instructs the jury that though they believe from the evidence that J. Milton Hensley threw a rock or rocks at Robt. Monger and struck him in the side, yet if they further believe that said Monger them retired to a point of safety, beent to his drill and took a pistol therefrom and returned toward soid Milton Hensley and fatelly shot him when said Hensley was making no effort to assault or injure said Monger them, the jury should find said Monger guilty of murder or manslaughter according as there were time to

(See Maor's Crim. Low. P.43)

mod.

The Court instructs the jury that a reasonable doubt is such a doubt as may be honestly and reasonably entertained as to some substantial and material fact essential to prove the affence charged. A reasonable doubt must be based upon the evidence or be such as is suggested by the evidence, or grows out of the evidence atself, or out of the lack of evidence. It must not be erbitrary doubt. It must be serious and substantial in order to warrant an accuittal. It must be a doubt of material fact or facts necessary for the jury to believe to find a verdict of confiction, and not of immaterial and non-essential circumstances.

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DISTRUCTION NO.

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The Court instructs that if they believe from the evidence that Robt. Monger maliciously shot and killed Milton Hensley, while he was at work or when he was making no attempt to asseult said Monger or his sons, then the jury should find the accused guilty of murder, even though the jury believe from the evidence that Claude Hensley had previously shot said Monger or shot at Jesse Monger.



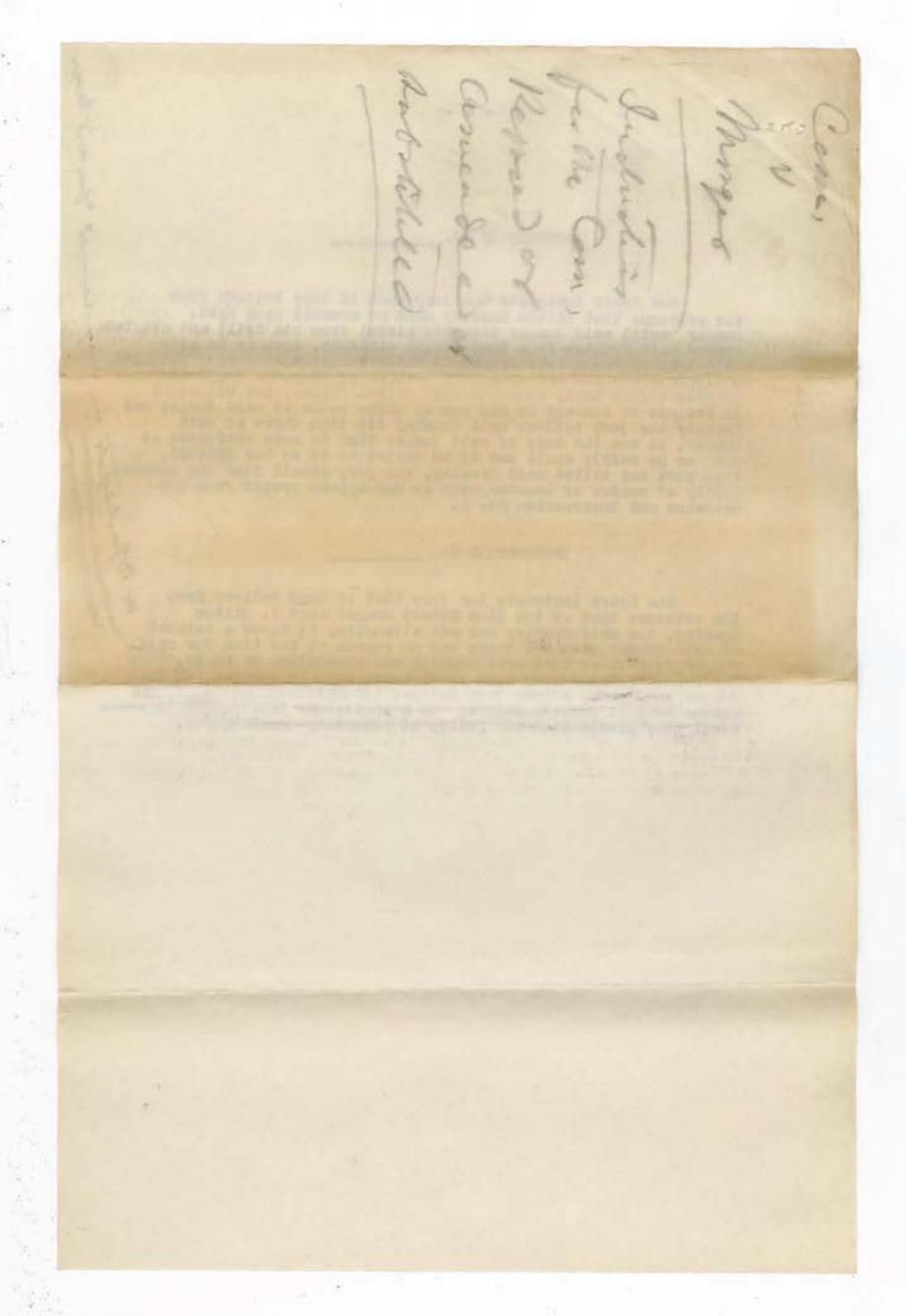
TESTRUCTION BO.

The Court instructs the jury that if they beliefe from the evidence that Hilton Hensley made no ascault upon Robt. Monger until said Monger drew his pistol from his drill and started toward said Hensley in a threatening attitude, such as to give said Hensley reasonable ground to believe that said Monger intended to immediately inflict upon said Hensley or his son, death or serious bodily harm, then the said Milton Hensley had the right in defense of himself or his son to throw rocks at said Monger and thought the jury believe said Hensley did then throw at said Monger, it was the duty of said Monger then to have retreated as fer as he safely could and if he failed to do so but instead, then shot and killed said Mensley, the jury should find the accused guilty of murder or manulaughter as may appear proper from the evidence and Instruction No. 1.

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DISTRUCTION NO.

The Court instructs the jury that if they believe from the evidence that at the time Robert Monger shot J. Milton Hensley, the said Hensley was not attempting to throw a hatchet at said Monger, and let there was no reason at the time for said Monger to believe that and Hensley was attempting so to do, then the jury are instructed that it is their duty to convict the said Monger, and sa



As to Robert Monger, for murder,

Charge.

If you find Robert Monger not guilty you shall say so and no more.

If you find him guilty of murder in the first degree you shall say so and then ascertain his punishment by death or by confinement in the penitentiary for life.

If you find him guilty of murder in the second degree you shall say so and then ascertain his punishment by confinement in the penitentiary so that such confinement shall not be less than five nor more than eighteen years.

If you find him not guilty of either of the aforesaid felonies but guilty of voluntary menslaughter you shall say so and then ascertain his punishment by confinement in the penitentiary so that such confinement shall not be less than one nor more than five years.

If you find him not guilty of any of the aforesaid felonies but guilty of involuntary manalaughter you shall say so and then ascertain his punishment by fine or by confinement in jail or by both so that such fine be not less than five dollars. Murder.

Robert Monger.

The Court instructs the jury that, if they be-

lieve from the evidence that at the time the deceased received his the them the face the face that the face the face that the face the face that the face the face the face the face the face that the face the face the face the face the face the face and actions of the deceased, as they appeared the conduct, words and actions of the deceased, as they appeared to him at the time, that the deceased designed or intended to kill the accused or do him some serious bodily harm and was also under a reasonable apprehension that there was immediate danger of the deceased carrying this purpose into execution, Fed should find the accused not guilty; and the Court instructs the jury that if they believe from the evidence the accused acted under reasonable apprehension as aforesaid, on should find him and not guilty. even though your should believe from the evidence that it turned out after the killing that the danger was apparent and not real; in other words, that the appearances were deceptive and there was in fact no purpose on the part of the deceased to kill the accused or do him serious bodily harm. The enquiry is not whether the here apprehended was notually intended by Milton but whether the arcumulances were such as the opinion of the purite warrant the accused in as a reasonable man in believing that me deceased was about to to him serious butiley harmound he did to believe.

(See Campbell case cited in Stoneman's case, 35 Gratt. Harrigan vs. Thomason, page 35; Parrish case, St Va. 15; Wharton, page 460; Parrish case, 81 Va. Dryadale vs. Georgia, 6 L. R. 4. 424 and note. Wharton, both rules, 1-455, 459, best rule as amended.)

HER COURT - A TOTAL CHEST CHEST STREET, -- THE SECOND STREET Line allowed the property and appears to the party and the A Tree Sale and the Contract of the system the houses and The ton the man and alleged the constraint of the particular may first on Duningso add he draw entrol country on fact of conto him satisfact off , many placed accurage and at have appropriated was so builty interited by hillers to the ground to however the care on it is Personally more on beautiful the one or hears deriver broade more many to he had the bolism A CONTRACT OF THE PARTY OF THE

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from the aucused. Claude Hensley fired upon him, then if the accused reasonably believed, under the circumstances, that he was in imminent danger of being killed, or of receiving serious bedily harm at the hands of Claude Hensley, he had the right to repel such assault by such force as he deemed necessary, even to the extent of killing said Claude Hensley; and, if they further believe from the evidence that while the accused was attempting to so repel such assault, by throwing rocks at the accused, or, the accused reasonably believed that Milton Hensley was about to throw a he taket at him, then the accused was justified in killing said Milton Hensley, and they must find him not guilty.

Those / vs. murch Robert Mongin



Rep.

The Court instructs the jury tent upon the trial of a criminal case by a jury, the law contemplates a concurrence of twelve minds in the conclusion of guilt before a conviction can be had. Not only is this true with respect to the guilt of the accused, but it is likewise true with respect to the degree of crime. Therefore, although the jury may believe from the evidence, that the accused is guilty of the killing of the deceased, still, 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, should entertain a reasonable doubt as to the degree of the guilt of the accused, it is his duty not to surrender his own convictions as to such degree of guilt simply because the balance of the jury entertain different convictions with respect to even degree. Therefore

The first of a stricted once by a jury, the last outstraint a new courtest of a jury the last of a strict a transmitted of the stricted of the

The Court instructs the jury, that in criminal trials, the party accused is entitled to the benefit of the legal presumption in favor of innocence, which in doubtful cases is always sufficient to turn the scale in his favor. It is therefore, a rule or criminal law, that the guilt of the accused must be fully proved. Heither a mere preponderance of evidence nor any weight of preponderant evidenct is sufficient for the purpose, unless it generate full belief of the fact to the exclusion of all reasonable doubt. Kibler's Case, 94 Vs. 813.

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case the law raises no presumption against the prisoner, but every presumption of law is in favor of innocence; he rests secure in that presumption until proof is adduced which establishes his guilt beyond reasonable doubt, and, in order to convict him, every material fact necessary to constitute the crime must be proved beyond a reasonable doubt, and, if the jury entertain any reasonable doubt upon any single fact, or element, necessary to constitute the crime, it is the jurys duty to give the prisoner the benefit of such doubt and acquit him.

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court has her retree to preming ten against the processed, but works senter every presumptions of her to he favor of impossion; he cente senter to he has been presented as a senter to be the senter to the head of the senter to consider the present to the part of the part of the senter to the senter to consider to the senter to t

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oircumstances 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 to the actual exclusion of every reasonable hypothesis of his innocence consistent with the fact proven. Henderson's case, 98 Va. 798.

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The Court instructs the jury that where any fact essential to the conviction of the accused is dependent on circumstantial evidence it is the duty of the jury to act upon such evidence with the utmost caution.

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The jury are instructed that even though they may believe from the evidence that Jesse Monger threw rocks at Claude Hensley, yet said Hensley had no right to shoot at said Jesse Monger unless he reasonably believed that he was thereby placed in imminent danger of death or serious bodily harm from which danger he could not extricate himself by retreating.

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Ver.

The Court instructs the jury that if they believe from the evidence, that the prisoner, at the time he shot
Wilton Hensley, acted under reasonable belief that he was in imminent danger of serious bodily harm at the hands of Milton
Hensley and Claude Hensley, and that it was necessary for him to
defend himself to avoid serious bodily harm, which was apparently
imminent, then they are instructed that the prisoner was justifiable in defending himself by such means as were reasonably neceseary, even to the extent of killing said Milton Hensley or said
Claude Hensley, and even though the jury should believe that appearances were deceptive and that there was in fact no design on
the part of said two men, or either of them, to kill the prisoner,
or to do him serious bodily harm.

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to determine the necessity of the prisoner killing the said
Milton Hensley, and defending himself against the said Milton
Hensley and Claude Hensley, the prisoner had a right to take into
consideration any bad feeling which the jury may believe the
evidence discloses the said Milton Hensley and Claude Hensley,
or either of them, had against him, the prisoner, together with
any threats by them or either of them, if any are shown by the
evidence, to do him, the prisoner, seriously bodily harm.

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The Court instructs the jury that men, when threatened with danger, must determine from the state of things surrounding them as to the necessity of resorting to self-defense and if they act from reasonable and honest convictions, they will not be held responsible criminally for a mistake as to the extent of the actual danger.

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The Court instructs the jury that even though they may believe from the evidence that Jesse Monger, without provocation, threw rocks at Claude Hensley, the latter was not thereby justified in firing upon said Jesse Monger with a pistol, and, if he did so fire upon Jaese Monger, or if the accused reasonably believed him to have so fired, and the appearances were such as to reasonably indicate to the accused that Claude Hensley intended to continue to fire on Jesse Monger; or, if, without provocation from the accused, said Claude Hensley fired upon the accused; then in either event, if the accused reasonably believed, under the circumstances, that he or said Jesse Monger, was in imminent danger of being killed, or of receiving serious bodily harm at the hands of Claude Hensley, he had the right to repel such assault by such force as he deemed necessary even to the extent of killing said Claude Hensley; and, if they further believe from the evidence that while the accused was attempting to so repel such assault, the deceased, Milton Hensley, interfered, by throwing rooks at the accused, or, the accused reasonably believed that Milton Hensley was about to throw a matchet at him, then the accused was justified in killing said Milton Hensley, and they must find him not guilty.

SOUTH THE THE TARE THE THE THE THE PERSON the extension that Jones Indiana vessition, watered resident objects the latter was not corner markettes in the state and these months a plant of second The state of the s an in reasonably indicate to the nonneed that Clause willing the tunded to continue to fire on Jesus Mongori or, 17, without and made garett and an arranged that the country and the contract the AND ADDRESS OF THE PARTY OF THE PARTY. THE SUPPLY OF THE STATE OF THE IN MY OF FIGURE WAS BEEN TO THE THE THE THE PARTY OF THE BREED REPORTED BY STOR COROS AS DESIGNED RECORDED OVER NO THE SECpresided rentant went it time explained country blan matrice to rear The line of the design of the least the design of the later of the later of streament route at the assumed, it, the assumed remember believed but made, will be foreign a would no drode has refuned andless that nonned was justified in villing man william Hainley, and Mannes applican for min bell terms

INSTRUCTION No. /

The Court instructs the jury that in Virginia it is perjury if any person to whom an oath is lawfully administered on any occasion wilfully swear falsely on such occasion, touching any material matter or thing.

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INSTRUCTION No 2.

The Court instructs the jury that if they believe from the evidence that the pateoner testified in the case of Commonwealth v. Robert Monger as alleged in the indictment, then in determining wheather such testimony was material to the issue in said case, the Court tells the jury that if that testimony was either directly or indirectly pertinent to the question of the guilt of the accused in that case, then the testimony of the prisoner was material.

And the Court further instructs the jury that the degree of materiality is of no importance.

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Instruction No. 3

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 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 a right in determining the weight to be given to the testimony of various witnesses, to take into consideration their interest in the result of the case, if they have any, their relationship to the 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 unresonableness of their statements, their means of information and all of the surrounding circumstances appearing on the trial, and to give or deny credit to the testimony of any witness, as, under the circums tances. they may deem proper or to such extent as they think proper.

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witnesses testin opposite to same cimit, the just an additional to remark the westerness. Seems to remark the westerness of the exidence of wealth belanced, but the large a sight in determinant the ensight to so cityen to the testinony of resistant statement, to the single to so cityen to their interest in the remails of the count, if they are may, that relationship to the mether involved, their feeling on the bits, if any is shour, their organization and the interest that the single feeling of their apparent and follower, their apparent and follower, their apparent and follower, their apparent and the follower, their apparent and the follower, their apparent and and to the country country at the the sections of the trial and the circum tensors at the the circum tensor.

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INSTRUCTION NO. 4

The Court instructs the jury that before the accused can be convicted of perjury, the falsity of the statement alleged to be perjured must be established either by the testimony of two witnesses or by the testimony of one witness and corrobsrating oiscumstances, and in either case the weight of the evidence must be such as to convince the jury beyond reasonable doubt that such statement was in fact false. The requirement, however, of two witnesses, or of one witness and corroborating circumstances, applies only to proof of the falsity of the testimony given by the accused alleged to be perjured. As to all other facts material or necessary to be proven to establish the guilt of the accused, one witness is sufficient if believed by the jury.

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Sine 'our instructs the farsty of the statement alleged to be convicted of perjury, the farsty of the statement alleged to be farjured must be established either by the testiment of two vitnesses or by the testiment of one site of the statement of the factor of the factor of the statement was one site of the statement, however, of two vitnesses, or of the size of the testiment of the size of the testiment of the size of the size

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 mends 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 the greater weight or preponderance of evidence supports the charge in the indictment, but to warrant the conviction, are 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 less presumes the account to be innocent entil he is preven entity beyons all remoundable able doubt, and if there is upon the mends of the jury any remonable doubt of the guilt of the account, the law makes it their duty to acquit ble. He guilt is not to be inferred because the inotes proven may be consistent with his innocense. Mare suspicion or probability of his guilt, nower atrong, is not sufficient to convict now is it as guilt-it the greener weight or preparates of widenes supports the unit of the innichant, but to servent and environs, are guilt that the proven so obserty that the conviction, are guilt that are no account to servent as services, are guilt that are no account the no reasonable theory consistent are no account who is not seen by innocent.



The Court instructs the jury that before the accused can be convicted of perjury, the Commonwealth must prove beyond every reasonable doubt that the accused on the trial of Robert Monger, referred to in the indictment, swore that at the time Robert Monger shot Milton Hensley, the said Milton Hensley was in the act of throwing a hatchet at the said Robert Monger, and they must further believe that the said statement was willfully made, and was material to the defense then being made in that case, and was false.

The Court instructs the jury that before the scoused can be convicted of perjury, the Commonwealth must prove beyond every researchle doubt that the scoused on the trial of Robert Concer, referred to the indistance, swore that at the time Robert Concer, referred to the indistance, swore that at the time Robert Concer, and they must further throwing a hetobet at the equal Robert Monger, and they must further bulleys that the said statement was sillifially made, and was material to the defence then being made in that ones, and was

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 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.

The Court instructs his jury as a matter of low that hisy are notice to beyond the evidence to hunt un doubts, nor are they to entered to beyond the evidence of the constant and the based upon the evidence, or on the accuse of evidence essential to erect of the mult of the accused. It must not be an arbitrary doubt without evidence to sontain it. It must be earlied and entertain in order to married an accustod. It must be earlied and entertail in order to married an accustod. It must be it a doubt at a material an accustod. It must be the a constant fact or constant of the institute in order to married an accustod. It must be samerally of material and must have to find a verdict of convintion and mot at the certain and must assembled of conventing of conviction and mot at the certain and must assembled of conventing of conventing

INSTRUCTION NO. 1.

The Court Instructs the Jury that if they believe from the evidence in this case beyond a reasonable doubt that Robert Monger shot Claude Hensley, as charged in the indictment, and that the defendant, Jesse Monger, was present aiding, abstring, counselling, advising or consenting to said crime, then the said defendant Jesse Monger is equally guilty with Robert Monger in the said crime.

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INSTRUCTION NO. 2

The Court instructs the Jury that in considering whether or not Jesse Monger aided, abetted, ocunselled, advised or consented to the shooting of Claude Hensley, they may consider all the acts and declarations of the said Jesse Monger at the time of the said shooting, both before and after the shooting of the said Claude Hensley, and if they believe from the whole evidence that the accused was so aiding, and abetting in said orime, then he is guilty in this case.

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INSTRUCTION NO. 3

The Court instructs the Jury that it is not necessary for the Commonwealth in this case to prove that the accused Jesus Monger actually participated in the shooting of Claude Mensley. If he was present and encouraged, incited or in any manner offered aid or consent to the shooting, he is guilty and liable to the same punishment as if he had actually done the shooting himself.

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INSTRUCTION NO 5

The Court instructs the jury that the credibility of the middle of the witnesses is a question exclusively for the jury, and the law is that, where a number of witnesses testify, directly opposite to each other, the jury is not bound to regard the weight of evidence as equally balanced. The jury have the right to determine, from the appearance of the witnesses on the stand, their manner of testifying, and their apparent candor and fairness, their apparent intelligence or lack of intelligence, and from all the other surrounding circumstances appearing on the trial, which witnesses are more worthy of credit, and to give credit accordingly.

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INSTRUCTION 6

The Court further tells the jury, that in determining the weight to be given to the testimony of different witnesses in this case, the jury are authorized to consider the relationship of the witnesses to the parties, if the same is proved; their interest, if any, in the result of this case, their temper, feeling, or bias, if any has been shown; their demeaner while testifying; their apparent intelligence, and their means of information; and to give such credit to the testimony of and witnesses as under all the circumstances that the content of the parties of the same and their means of information.

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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 Circuit Court of said county, at its March term, 1918, UPON THEIR OATHS PRESENT, that on the 6th day of December, 1917, in said county, at the Circuit Court in and for said county, and within the jurisdiction of said Court, at its November term, 1917, held at the Court House of said County by T. H. Haas, Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony. to-wit, for the felonious assault on Claude s. Hensley, as more fully appears from the records of said court, the said trial continuing from day to day, from the 6th day of December until its conclusion on the 12th day of December, 1917, and that upon the trial of the said Robert Monger for the felony aforesaid Jesse Fonger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court aforesaid, duly sworn by J.F. Blackburn, clerk of said Circuit Court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said trial should be the truth, the whole truth and nothing but the truth. the said Clerk of said Court then and there having authority by law to odminister the said oath; and that upon the trial of the said Robert Monger for the felony aforesaid it then and there became material to enquire what J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Heneley, who was killed at the time of the aforesaid assault by the said Robert Monger, and that thereupon the said Jesse Monger, being so sworn as a witness, did, then and there, on the said trial. in the County aforesaid, feloniously and willfully, awear felsely. touching a material matter, to-wit, that the said J. Milton Hensley temmental of virginia, each assess.

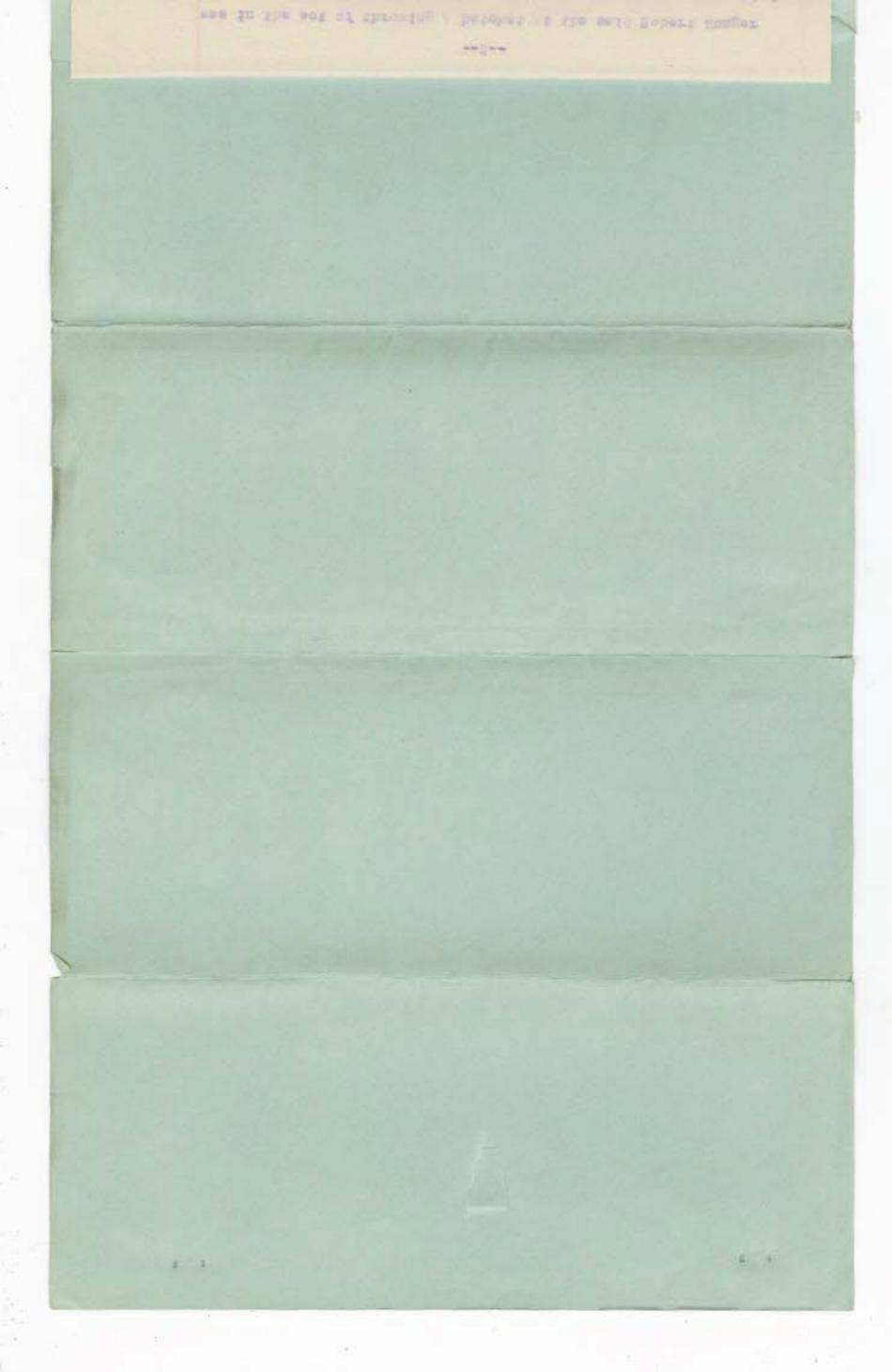
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and the burner of the communication of christian . In the tor the street and body of the founty of Rockington, and now attending the time of the tions of a store . After the plant to the first the court of the court For the test on the discharge of warmer, 1917, in each court, or the Circuit is and for eath lounty, and within the jurismit to bled . VIOL ment redmeson and in . Ammon bles to mothath .vanfet a rot dementation as no being as remod for a felong, to-mit, for the felonious assent on Cloude .. . consist of to-mit. -non-first first and , democrate of manufact and more example with will fitting whomen to gab size and most with or gab most unfamily send white Jack Man , VIRI, walmoner to was hire and me moreoforms mand. Shan-tohn until not the following trade them and to Inhat To trained no him wit manation is no tubou hims hi hetanggo wagner the sets sobert Longer one cam then and there, in sect county, and in the disput court eforests, dely every by of a tal of out to the the the state of the trans storments, that the evidence he should give upon the mild trial should be the fruth, the short and bothing but the truth, the said there of said fourt then and there having entending by and the fairer and given that here yether live and westernburch of wall avenue is a most of a person with whelet all wor weapon bredon blue the wealth are telegraphed and the authorized the second the main roams indicat sit his, the said to a said the taken the said him wit ad timesan blowersts mit to wait and to hollid har obert Mongor, and that theremen the said comes Mongor, being so a core on a linear, the mant there are the east trial, in the county storestin, feloutously and stillfully, means foliation felemon morter, to be not that the or gratten Introdum a paintend when he, the said Robert Monger, shot and killed him, the said J.
Milton Hensley; whereas, in truth and in fact, the said J.Milton
Hensley was not in the set of throwing a hatchet at the said Robert
Monger when he, the said Robert Monger, shot and killed him, the
said J. Milton Hensley; whereby the said Jesse Monger did, then
end there, upon the said trial, in the County aforesaid, feloniously
and willfully, awar falsely, and feloniously commit willful perjury against the peace and dignity of the Commonwealth of Virginia.
This indictment is found on the testimony of

witnesses sworn in Court and sent before the Grand Jury to give evidence.

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VO. Jesse Monger Commonwealth A grue Bill. Por a Felony. March Term, 1918. perjury. maictment No. 2.

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 Circuit Court of said county, at its March term, 1918, UPON THEIR CATHS PRESENT, that on the 6th day of December 1917, in said County, at the Circuit court in and for said County, and within the jurisdiction of said Court, at its November term, 1917, held at the Court House of said County by Hon. W.H. Hass, Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony, to-wit, for the felonious assault on one Claude B. Hensley, as more fully appears from the records of said Court, the said trial continuing from day to day, from the 6th day of December until its conclusion on the 12th day of December, 1917, and that upon the trial of the said Robert Monger for the felony aforesaid Jesse Monger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court sforessis, duly sworn by said court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said triel should be the truth, the whole truth and nothing but the truth, the seid court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony aforesaid it then and there became meterial to enquire what one J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley, who was killed at the time of the sforesaid assault by the said Robert Monger, on the said claude, and that thereupon the said Jesse Monger, being so sworn as a witness, did, then and there, on the said trial, in the County eforeseid, feloniously and willfully swear falsely, touching a material matter, to-wit, that the said J. Milton Hensley was in the act of throwing a hatchet at the said

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Robert Monger when he, the said Robert Monger, shot and killed him, the said J. Milton Hensley; whereas, in truth and in fact, the said J.Milton Hensley was not in the set of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot and killed him, the said J. Milton Hensley; whereby the said Jesse Monger did, then and there, upon the said trial, in the County aforesaid, feloniously and willfully, swear felsely, and feloniously commit willful perjury against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of ____

witnesses sworn in Court and sent before the Grand Jury to give evidence.

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his, the entd A, Maiton Hemiter, showing Johart indust when he, the said Hobert Sanger, shot and lelled March Term, 1918. Perjury in case of Com. v. Monte For assault on Claude Hensley.

Commonwealth

VB.

Indictment No B.

Jesse Monger

FOR A PRIOUY.

A TRUE BILL.

G. A. Erran

Harry M. Strickler Commonwealth's Attorney. 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 Circuit Court of said county, at its March Term. 1918. UPON THEIR OATHS PRESENT, that on the 6th day of December 1917, in said county. at the Circuit Court in and for said County, and within the jurisdiction of said Court, at its November term, 1917, held at the court House of said County by Hon. T.W. Haas. Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony. to-wit, for the felonious assault on one Claude B. Hensley, as more fully appears from the records of said Court, the said trial continuing from day to day, from the 6th day of December until its conclusion on the 12th day of December, 1917, and that upon the trial of the said Robert Monger for the felony aforeseid Jesse Monger appeared in maid court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court aforesaid, duly sworn by said Court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said trial should be the truth, the whole truth and nothing but the truth, the said court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony aforessid it then and there became material to enquire what one J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley, the was killed at the time of the aforesaid assault by the said Robert Monger, on the said Claude, and that thereupon the said Jesse Monger, being so sworn as a witness, did, then and there, on the said trial, in the County aforesaid, feloniously end willfully, swear falsely, touching a meterial matter, to-wit, that the said J. Milton Hensley was in the set of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot and

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This indictment is found on the testimony of

witnesses sworn in Court and sent before the Grand Jury to give evidence.

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Perjury in Com. v. Monger For murder of J. Milton Hensley

Commonwealth

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Jesse Monger

HOR

A TRUE BILL.

R. M. S. College

Harry M. Strickler Com. Atty.

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 Circuit Court of said county, at its Morch Term, 1918, UPON THEIR OATHS PRESENT, that on the 6th day of December, 1917, in said county, at the Circuit Court in and for said County, and within the jurisdiction of said court, at its November term, 1917, held at the court House of said County by Hon. T. N. Haas, Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony, to-wit, for the felonious assault on one Claude H. Hensley, as more fully appears from the records of said Court, the said trial continuing from day to day, from the 6th day of December until its conclusion on the 12th day of December, 1917, and that upon the trial of the said Hobert Monger for the felony aforesaid arthur Monger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court aforesaid, duly sworn by said court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said trial should be the truth, the whole truth and nothing but the truth, the said court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony sforesaid it then and there became material to enquire what one J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley. who was killed at the time of the aforesaid assault by the said Robert Honger, on the said Claude, and that thereupon the said Arthur Monger, being so sworn as a witness, did, then and there. on the said trial, in the County aforesaid, feloniously and willfully, swear falsely, touching a material matter, to-wit, that the said . Milton Hensley was in the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot

Community of Tirginia, County of The Clearly of Tourist or well county.

The joyurs of the Commonwealth of Virginia, in and for the body of the County of Sockingham, and now attending the minute fourt of seld county, at the M sel form; 1918, area to describe the many threat The state of -struct out single and for eath county, and size the turner Sign of said to brad . VISI must reduced at the . Juno blas to moliate thugely him all to subm. . mast. ". ". and we whence him to seron tourt, one whert respect on an indiction to an indiction, and indicate, eron an .cefere . sheef and to threese anothered at tot . the-or fully appears from the records of eath court, the maid trial continuing from day to day, from the tit day of December until the and nous fadt has . Mil. reduced to was dill add no authoriston triber blanarols usplet of for reggo Fredor blan and to Inter BEET TO TENEST MO DIES TOT RESULTED BE STED DESCRIPTION DESCRIPTION OF THE SECOND at his grader his of again the total again trade and the the limit times the companies of the contract of the contract of the contract of bloom of acceptes and fadt . Characte . Latet and more gastate accept give upon the gold trial should be the trial, the shole ruth and nothing but the truth, the seld ours then and times having onthereto by law to sintuiteer the outh outhit on the need of their wrest has mad it bisserols projet out for regard it then and the police and goldenes notling to one take outspace or falked an amaged confirm modeling white and the contract freeze Sine out name blue off of fireages Steepers of the other of the belief and the other high and appropriate said him administration and our region factor aren her ment bil seemily as cross on price teaming this -fift day glandinoist Alexandra gland; and al ferm him at a fully, seems foliately, tendence a material with the vesser, that tion outs of material to the end to the most notified at the end of the ent Babert wonger dust he, the east fobert tonger, shot

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and killed him, the said J. Milton Hensley; whereas, in truth and in fact, the said J. Milton Hensley was not in the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot and killed him, the said J. Milton Hensley; whereby the said Arthur Monger did, then and there, upon the said trial, in the County aforesaid, feloniously and willfully, awar falsely, and feloniously commit willful perjury against the peace and dignity of the Commonwealth of Virginia.

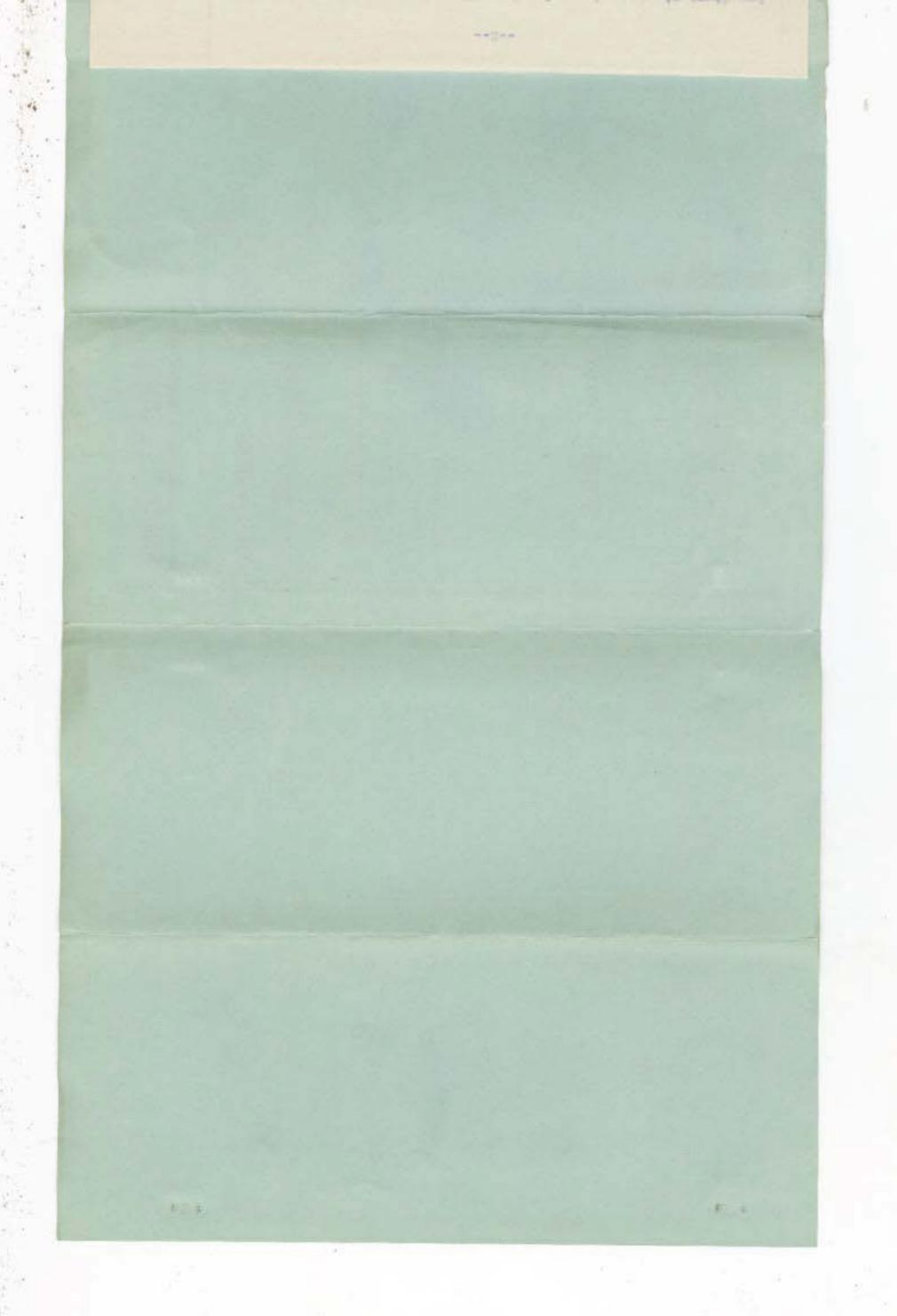
This indictment is found on the testimony of

witnesses sworn in Court and sent before the Grand Jury to give evidence.

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perjury in case of dom.v. Mongar yor asseult on Claude Hensley.

Commonwealth

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V8. D

Arthur Monger

Indictment No.B.

For A Felony.

A TRUE BILL.

S. A. S. Soroman.

Herry W. Strickler Commonwealth's Attorney.

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 Circuit Court of said county, at its March Term, 1918, UPON THRIB DATHS PRESENT, that on the 6th day of December, 1917, in said County, at the Circuit Court in and for said County, and within the jurisdiction of said Court, at its November term, 1917, held at the Court House of said County by T.N. Haas, Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony, to-wit, for the felonious assault on Claude B. Hensley, as more fully appears from the records of said court, the said trial continuing from day to day, from the 6th day of December until its conclusion on the 12th day of December, 1917, and that upon the trial of the said Robert Monger for the felony aforesaid Arthur Monger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said county, and in the Circuit Court afor said, duly sworn by J.F. Blackburn, Clerk of said Virguit Court, then and there sitting upon the trial sforessid, that the evidence he should give upon the said trial should be the truth, the whole truth and nothing but the truth. the said Clerk of said Court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony aforesaid it then and there became material to enquire what J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley, who was killed at the time of the aforesaid assault by the said Robert Monger, and that thereupon the said Arthur Monger, being so sworn as a witness, did, then end there, on the said trial, in the county aforesaid, feloniously and willfully, swear falsely. touching a material matter, to-wit, that the said J. Hilton Hensley

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In the Calcust Court of wall dountry

The furers of the Commonwealth of Virginia, in and for the body of the County of Bogkingham, and now attending the Ulegatt Court of said scores, it the march for , 1918, dry of the THE EXAMPLE OF the Str der of Concenter 1917, in which was no walnut one offered and order of the courty, and wathin the juries diction of seld downt, at the November term, 1917, held on the down house of said County by T.J. Hann. Judge of the said dayout Court, one nob re compar was tried on an indicament for a felous, townit, for the falantous assent on claude a semilary as more Colly spears from the records of set Court, the gat mort erasges will's tinuing from day to day, from the 6th day of December until its and how took and . Viel redmened to was stal and no noisulence trible blassengs and to remain from after edd to Inter to trade to be the manufill a serious blue at 1 stanger Team. the suid Hobert Monger and was then and there, in said frederican are disorit Court afor said, daly sworm of at at third and more matthin exect been next then the trial storments, that the evidence he should also upon the said this about of the train, the whole truth and nothing but the truth, the soid Clerk of soid Court then and there having particular and law to fairt ast more that has then bine and quietninha or wal call Hobert Monger for the felony foreseld it then ald there meds also as welcome untitle . dade automos of fatraton comped the send robert forger shet tim, the said ... willion marsler, who blan and ad figures a blan wrote and to will and to befill were saled that there and the character the aid intime conger, being no morn or a witness, aid, then and there, on the seid tried, th the county sformerid, felonicously and sillfully, seems telesis, touching a material matter, to-wit, that the wis ... Hitton incless wes in the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot and killed him, the said J. Milton Hensley; whereas, in truth and in fact, the said J.Milton Hensley was not in the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot and killed him, the said J.Milton Hensley; whereby the said Arthur Monger did, then and there, upon the said trial, in the County aforesaid, feloniously and willfully, awear falsely, and feloniously commit willful perjury against the peace and dignity of the Commonwealth of Virginia.

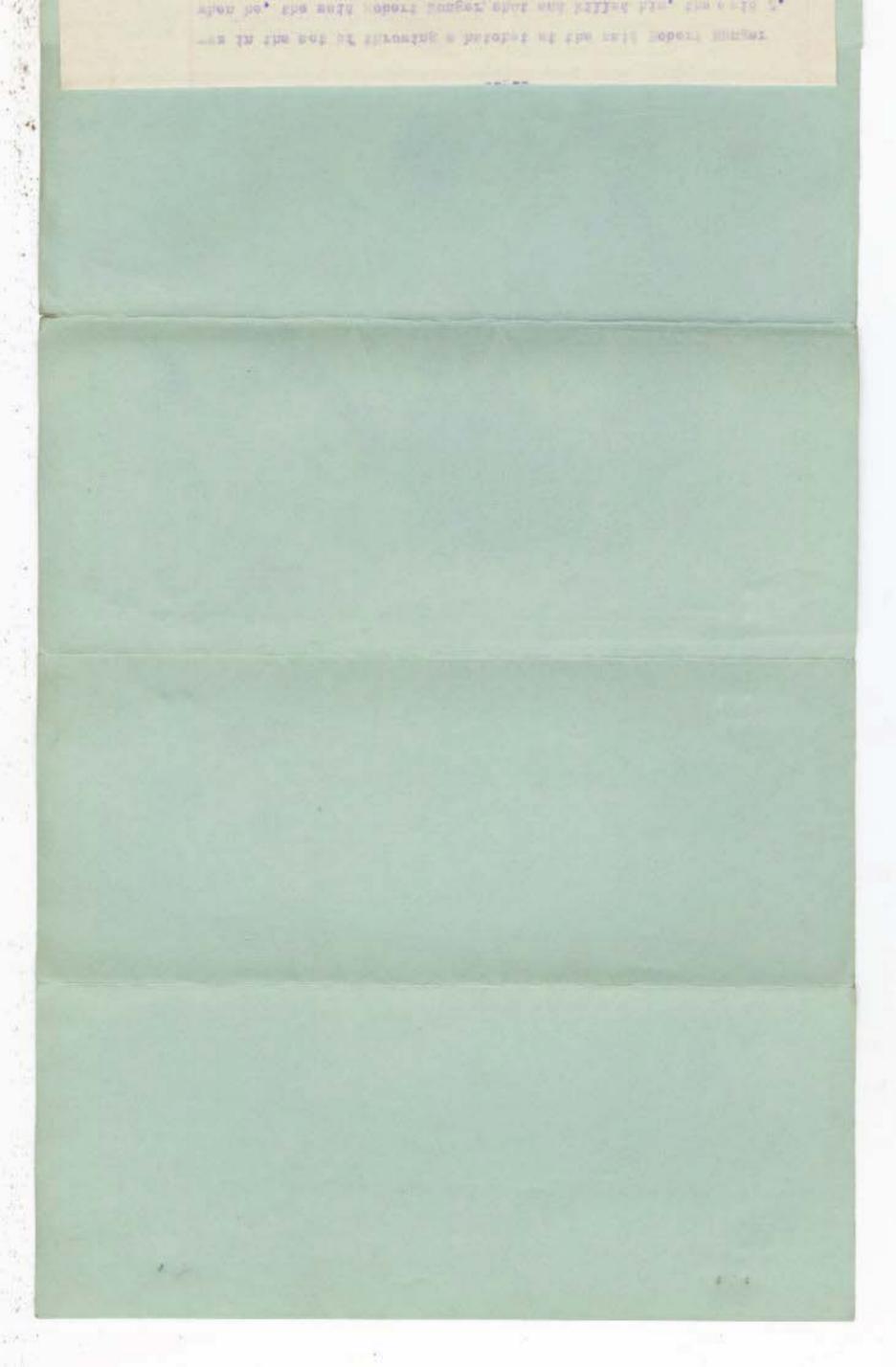
This indictment is found on the testimony of _

witnesses sworn in Court and sent before the Grand Jury to give evidence.

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Heroh Term, 1918. Per Jury

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Indictment No.2.

VB.

Arthur Monger

For a felony.

A THUE BILL.

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 Circuit Court of said county, at its Morch Term, 1918, EPCN THEIR CATHS PRESENT, that on the 5th day of October 1917, in said County, at the Circuit Court in and for said County, and within the jurisdiction of said court, at its September term, 1917, held at the court House of said County by Hon. T. N. Heas. Judge of the said circuit Court, one Robert Monger was tried on an indictment for a felony. to-wit, for the murder of one J. Milton Hensley, as more fully appears from the records of said court, the said trial continuing from day to day, from the 5th day of October, 1917, until its conclusion on the 13th day of October, 1917, and that upon the trial of the said Robert Monger for the felony aforesaid Arthur Monger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court aforessid, duly sworn by said Court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said trial should be the truth, the whole truth and nothing but the truth, the said Court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony sforesaid it then and there became material to enquire what J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley; and that thereupon the said Arthur Monger, being so sworn as a witness, did then and there on the said trial, in the county aforesaid, feloniously and willfully swear falsely, touching a material matter, to-wit, that the said J. Milton Hensley was in the act of throwing a hatchet at the said Robert Monger when he, the seid Robert Monger shot him, the said J. Milton Hensley: whereas, in truth and in fact, the said J. Milton Hensley was not

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This indictment is found on the testimony of

witnesses sworn in Court and sent before the Grand Jury to give evidence.

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Herjury in Com. v. Monger For Enter of J. H. Hensley

Commonwealth

Indictment No.A.

·BA.

Arthur Monger

AMOTER V EOF

S. Q.S. C. C. Coronan

Harry M. Strickler Commonwealth's Attorney.

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 Circuit Court of said county, at its March Term, 1918, UPON THEIR CATES PRESENT, that on the 5th day of October, 1917, in said County, at the Circuit Court in and for said County, and within the jurisdiction of said Court, at its September term. 1917, held at the Court House of said County by T.N. Heas, Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony, to-wit, for the murder of one J. Milton Hensley, as more fully appears from the records of said Court, the said trial continuing from day to day, from the 5th day of October, 1917, until its conclusion on the 13th day of October, 1917, and that upon the trial of the said Robert Monger for the felony aforesaid Jesse Monger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court sforessid, duly sworn by J.F. Blackburn, Clerk of said Circuit Court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said trial should be the truth. the whole truth and nothing but the truth, the said clerk of said Court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony aforesaid it then and there became material to enquire what J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley; and that thereupon the said Jesse Monger, being so sworn as a witness, did then and there on the said trial, in the County aforesaid, feloniously and willfully swear falsely, touching a material matter, to-wit; that the said J. Milton Hensley was in the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger shot him, the said J. Milton

.alabaty in Allacanamic County of Sockinghow, to-wit;

In the Sireuit Court of said county;

The jarous of the Communication of Virginia, in the for the bod the County of the County of Reddingson; and an interior of the County or the state of the party of the party of the state of th FRIGHTS, that on the 6th day of Detober, 1927, in seld doming, at the Circuit to and for said County, and within the Juriadisting of said Court, at its 'spiember term, 1917, held at the Court Course of east County by T.J. Hear, , mage of the east troubly count. one Robert Mongar age tried on an indistant for a feloug, to-wit, for the emider of one a, tiliter horning, as more fully appears The reduction fairs his end doors in throng and much to day, from the day at detober, 1917, until its sonolusion on the late day of Corcher, 1917, and that upon the trial of the meld Hobert Housest for the felow; sforestd fesses thought appeared in which trothe ages and to lighted an few tol anistin a an feros also and was then not there, in said county, and in the Circuit Court foresaid, daly sworm by J.R. Blackburn, Clark of maid . Street Court, them and there atteins upon the tries aforement, that the ovidence he amount of the most tring he had been been been been trucked. blan to Arala bina end parett out and maketon bus divid along and Size and redshrings of wal to girondes anived ered has send from out not read that agon the rate to read to the tor the tor follows afficient to them and there became untertal to encurre what .. Milton menisy was doing when the smit robert wager shot ting the said contracted that the tracted to the said Joseph blue and no want has mant hill sweetly a a record on the call tries, in the County Sterents, Indontonally and will folly moner calculate a material material country that the selection of the selection troduct him and in redered a patworns to toe and at any valuation nothing, a bine and , wind tonger manual finder that and , and made region Hensley; whereas, in truth and in fact, the said J. Milton Hensley was not in the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot him, the said J. Milton Hensley; whereby the said Jesse Monger did, then and there, upon the said trial, in the County aforesaid, feloniously and willfully, swear falsely, and feloniously commit willful perjury against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of _

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THE REAL AND ESS AND AND ADDRESS OF ASSESSMENT OF ASSESSMENT OF ASSESSMENT OF THE PARTY OF THE P Canelay; whereas, in truth and in rach, the entd J. Milton Hensley we the jury find the assured not quely.

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A TRUE BILL. R. R. S.	For a Felony.	Jesse Monger	va. Indictment No. 1.	Commonwealth	Perjury.
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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 Circuit Court of said county, at its Merch Term, 1918, UPON THEIR CATHS PRESENT, that on the 5th day of October 1917, in said County, at the Circuit Court in and for said County, and within the jurisdiction of said Court, at its September term, 1917, held at the Court House of said County by T.N. Haas, Judge of the said Circuit Court, one Robert Monger was tried on an indictment for a felony, to-wit. for the murder of one J.Milton Heneley, as more fully appears from the records of said court, the said triel continuing from day to day, from the 5th day of October, 1917, until its conclusion on the 13th day of October, 1917, and that upon the trial of the said Robert Monger for the felony aforesaid Arthur Monger appeared in said court as a witness for and on behalf of the said Robert Monger and was then and there, in said County, and in the Circuit Court aforessid, duly sworn by J.P. Blackburn, Clerk of said Circuit Court, then and there sitting upon the trial aforesaid, that the evidence he should give upon the said trisl should be the truth, the whole truth and nothing but the truth, the said clerk of said Court then and there having authority by law to administer the said oath; and that upon the trial of the said Robert Monger for the felony sforesaid it then and there became material to enquire what J. Milton Hensley was doing when the said Robert Monger shot him, the said J. Milton Hensley; and that thereupon the said Arthur Monger, being so sworn as a witness, did then and there on the said trial, in the County sforesaid, feloniously and willfully swear falsely. touching a material matter to-wit, that the said J. Milton Hensley was in the act of throwing a hetchet at the said Robert Monger when he, the said Robert Monger shot him, the said J. Wilton Hensley; whereas, in truth and in fact, the said J. Milton Hensley was not in

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the jurges of the Commonwellin of virginite, in and for the Attention of the Sugar of Bookingham, on no extending the States THE PARTY OF THE COURT OF THE COURT OF THE PARTY OF THE P the threath court is and for each county, and eithin the jurishingtion of said Court, at its Sectionber term, 1917, held of the court number of self County by ". Hear. Judge of the unit Circuit Court, ome Dubert Draudt ens tried on an in incident for a Caluny, to-wit, low the surfax of one J. Ellion Sansley, as more fully appears from the reserves of soid court, the said triel continuing from day as notice the fits on of Dotober, 1927, and il as nourisetten on the fact day of becober, total that upon the trial of the west Dobert from Fr for the felley sforeenld arthur nemous spreaded by PRINCE ISOCAL FEST OUT TO EDUCADED AS SON TO ASSESS A AN THOU SEED and our tren and there, in said names, and in the literate court street, silv more by A.F. dischess, Clark of atom vice Atherests Court, then and there sitting upon the vitel sigressid, that the evidence he should give upon the said trial ebool he the truth. the to Staff him and . Start hit the sathfan one Start efone and deniet than and toers hering authority by lew to similater the eard outh to remain the tries of the seld School Monger for the Andre original in the contract of the contract tuiltes mineley was dolen the ends towert monger shot atmath cast J. Hilliam Debalay; and there more more than only inclining manners. heirs on secon on a sitter a, did then end there on the most trial, in the County withering and allowing the the County of the County with the county of t rescond on the star and fact, the oil, the latter a sale of the called na in the car of this ing a h tohet t the said | obert langer when the mand mortist when our main four majoral fraction bran edt wer nt for our pefency norther, the est, the this this this contract the

the act of throwing a hatchet at the said Robert Monger when he, the said Robert Monger, shot him, the said J.Milton Hensley; whereby the said Arthur Monger did, then and there, upon the said trial, in the County aforesaid, feloniously and willfully, swear falsely, and feloniously commit willful perjury against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of _.

witnesses sworn in Court and sent before the Grand Jury to give evidence.

Or J. M. Budler, Clande B Hensley. Granion Hensley. Ott Brill

Samuel Hensley vont- 15mon anything about it for Hensley. In the ent of throwing a betchet at the said Robert Honger when he, the said Junited Heasley; the said Junited Heasley; shereby the said arthur Honger ald, then end there, upon the said twist, in the lowery expressed, reloctorely and willfully, seed tolundously county willful partney explant the seems falant the seems of the Commonwealth of Firsting series.

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A TRUE BILL N. C. Soldan Foremen.	For a Felony	Arthur Monger	vs. Indictment No.1.	Commonweelth	Perjury 1918.
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The Commonwealth of Virginia. Rockingham County, to-wit: In the Circuit 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 said Court at its September term, 1917, upon their oaths, present: Robert Monger, of said County, on the 10th day of August, in the year 1917, in the County aforesaid, in and upon one. Claude Hensley. did make an assault and him the said Claude Hensley, feloniously and maliciously, did shoot, with intent him the said Claude Hensley. then and there to maim, disfigure, disable and kill, against the peace and dignity of the Commonwealth of Virginia. And the jurors aforesaid, upon their oath aforesaid, do further present, that Jesse Monger, on the day and year first aforesaid, in the County aforesaid, feloniously and maliciously was present, counselling, siding, abetting, and assisting the said Robert Monger, the felony aforesaid to do and commit, and so the jurors, aforesaid, upon their oaths aforesaid, do say that the said Robert Monger and Jesse Monger in manner and form aforesaid, feloniously and maliciously, upon the said Claude Hensley, did make an assault, and him, the said Claude Hensley, did shoot with intent then and there to maim, disfigure, disable and kill the said Claude Hensley, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

evidence. Juste Pleuse Byth Biller Herbert Hearsley, Hiram a Husley

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We the gung & The account Robert Monger & Jesse Monger. Harry M. Strickler, Commonweelth's Attorney. Indictment. September Term 1917. For Pelony A TRUE BILL COMMONTEALTH V8.



Commonwealth of Virginia, Rockingham County, to-wit: In the Circuit Court of the said County:

The jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, now attending said Court, at its September term, 1917, upon their oaths, present: That Robert Monger, of the said County, on the 10th day of August, in the year 1917, in the County aforesaid, in and upon one, J. Milton Hensley, in the peace of God and the people of this Commonwealth, then and there being, feloniously, wilfully and of his malice aforethought, did make an assault; and that the said Robert Monger, with a certain pistol, then and there loaded with gunpowder and leaden bullets, which pistol he the said Robert Monger, in his hand then and there held and had, to. against and upon the said J. Milton Hensley, then and there feloniously, wilfully and of his malice aforethought, did shoot and discharge; and that the said Robert Monger, with the bullets aforesaid. out of the pistol aforesaid, then and there by force of the gunpowder and shot, sent forth as aforesaid, the said Robert Monger, in and upon the body of him the said J. Milton Hensley, then and there feloniously, wilfully and of his malice aforethought, did strike, penetrate, and wound, giving to the said J. Milton Hensley, then and there, with the bullets sforesaid, so as aforesaid shot, sent forth and discharged out of the pistol aforesaid, by the said Robert Monger, in and upon the body of the said J. Milton Hensley, one mortel wound of which said mortal wound the said J. Milton Hensley, in the County aforesaid, did languish, and languishing did live, and shortly thereafter the same day, said 10th day of August, in the year aforesaid, the said J. Milton Hensley, in the County aforesaid, of the said mortal wound died. And the jurors, upon their oath aforesaid, do further present that Jesse Monger, on the day and year first aforesaid, in the County aforesaid, feloniously, wilfully, and of his malice aforethought, was present, counselling, aiding, abetting, and assisting the said Robert Monger, the felony and murder aforesaid, to do and commit, and

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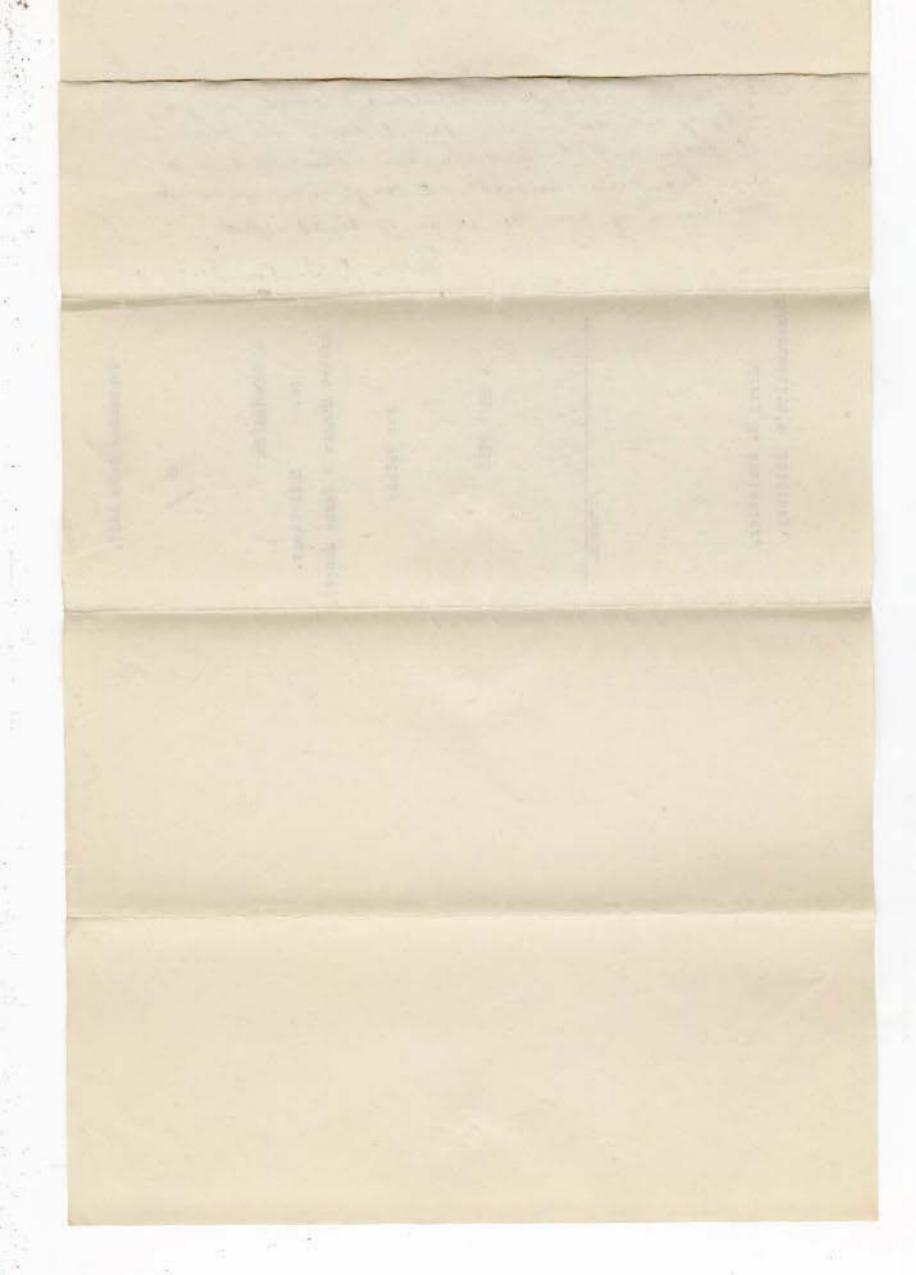
so the jurors aforesaid, upon their oath aforesaid, do say that the said Robert Monger and Jesse Monger, the said J. Milton Hensley. In manner and form aforesaid, feloniously, wilfully, and of their dalice aforethought, did kill and murder, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

witnesses sworn in upen Court and sent to the grand jury to testify.

Louis Pollavis.

the north labour Manager and Great Content, when we'll do nothing friendless.



September Term 1917, COMMONWEALTH Indictment. 78. Robert Monger & Jesse Monger, For Felony A TRUE BILL Harry M. Strickler, Commonwealth's Attorney.