

\$80 ³¹
1.61

~~Received~~

Harrisonburg, Va. Dec 15th 1920

No. 2413

Due 1/14

120 days after date, I promise to pay to the order
of Dr. W. C. Torrey

Eighty and ³/₁₀₀ Dollars
for value received, negotiable and payable at

The Peoples Bank of Harrisonburg
AT HARRISONBURG, VA.

without offset, and we the drawer and endorsers, each hereby waive the benefit
of our Homestead Exemption, as to this debt.

Credit the Drawer.

S. O. Smith

P.O.

Broadway Va



CAPITAL \$150,000.00.

115

115

8031
26
8057

TO S. O. SMITH:

You are hereby notified that on the 22nd day of June, 1921, I shall move the Circuit Court of the County of Rockingham, for a judgment against you for the sum of Eighty Dollars and Thirty-one Cents, (\$80.31), with interest thereon from the 14th day of April, 1921, until paid; the same being due to me from you as evidenced by a certain promissory negotiable note in the principal sum of Eighty Dollars and Thirty-one Cents, (\$80.31), executed by you to me on the 15th day of December, 1920, and due and payable 120 days after date at the Peoples Bank of Harrisonburg.

Given under my hand this 25th day of May, 1921.

W. E. Fabrey
By Counsel.

Ward Swank
Of Counsel.

Executed the within notice by delivering a true copy thereof to Smelter, the wife of S.O. Smelter at his usual place of abode, he not being found there, and the purport of said notice being explained to her the 2nd day of June, 1921

W. P. White Deputy
for W. L. Dillard S.R.C.

W. B. FAHNEY

v.

S. O. SMITH

Fifteen Day Notice.

To June 22, 1921.

Original.

Filed in the Clerk's Office
Rockingham County, Va.

JUN 3-1921

W. P. White Clerk

RECEIVED FEE 5.00 PAID

Ward Swank, p.q.

~~Executed by delivering a copy to S.O. Smelter's wife he not being found at his usual place of abode. The purport of same explained to her the 2 day of June 1921 for W. L. Dillard S.R.C.~~

VIRGINIA--County of Rockingham, To-wit:

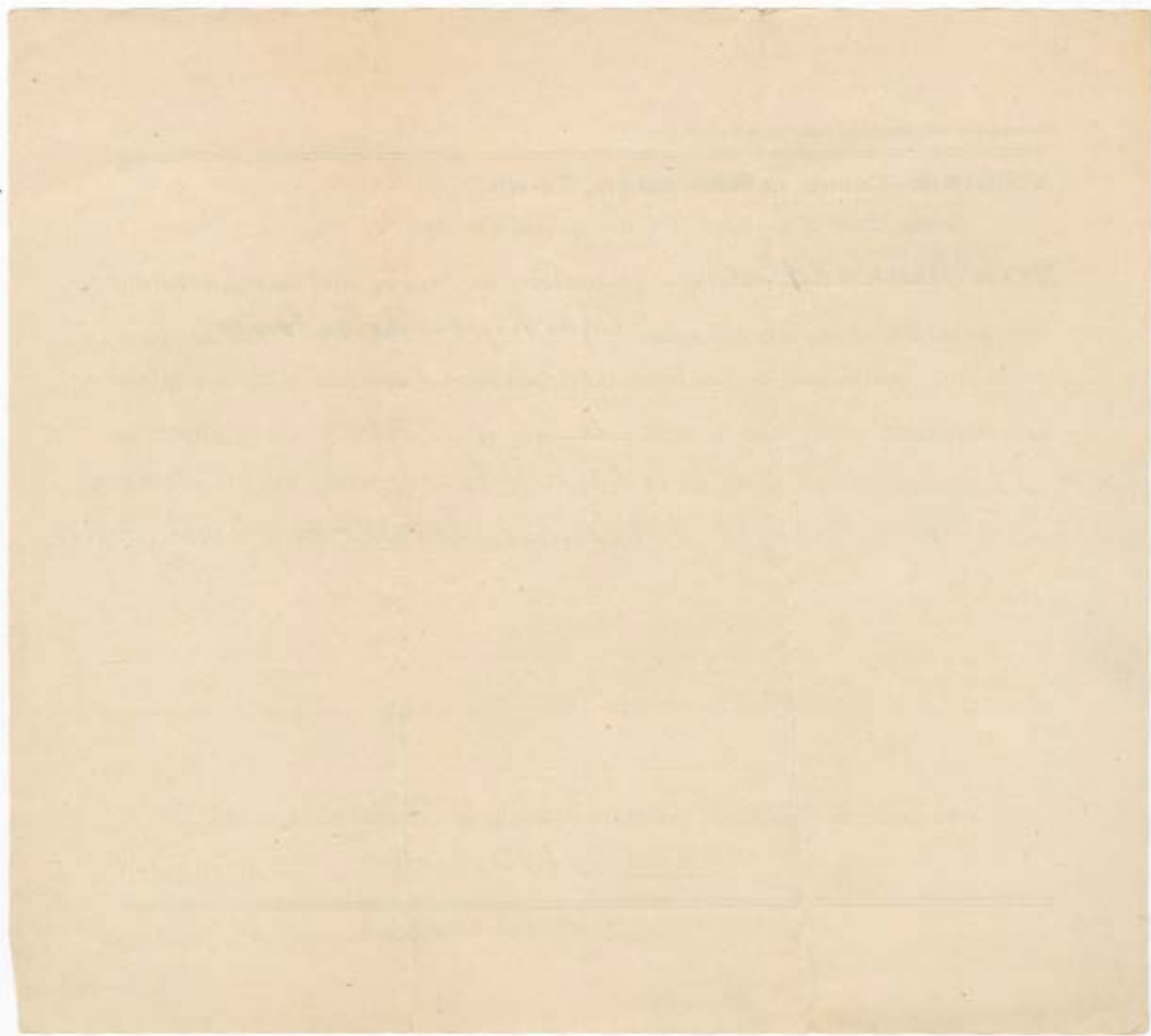
To the Clerk of the Circuit Court of said County:

W. S. Bruce and *R. H. Bridges*, a Justice of the Peace of said county, do hereby certify that I have this day committed *Chas. Byrd alias Chas. Jones* 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 *6* day of *Nov*, 19*07*, in the said county *did ten lawfully and feloniously with Malice and fore thought Murder and Kill one Mollie Flint*

Given under my hand and seal this *22* day of *Nov* 19*07*

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

R. H. Bridges J.P.



Arrest Warrant

COMMONWEALTH OF VIRGINIA, } TO WIT:
ROCKINGHAM COUNTY

To W. L. Dilliard Sheriff, a ~~Justice~~ of said County:

Whereas, Chas. Flick of the said County, has this day made complaint and information on oath before me, J. H. Bruce a Justice of the said County,

that Chas Byrd alias Chas Francis Col.

of the said County, on the 6 day of Mar 1921 in the said County did unlawfully and feloniously murder ^{with malice aforethought} and kill one Mollie Flick

These are therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend and bring before me, or some other Justice of the said County, the body of the said

Chas. Byrd alias Chas Francis
to answer the said complaint and to be further dealt with according to law. And you are required to summon

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

Given under my hand and seal this 7 day of Mar, in the year 1921.

J. H. Bruce J. P. (Seal)

This came before me for a full
examination witness. The defendant Chas Byrd alias
Chas James sent on to wait the return Grand Jury
of Rockingham Co.,

Mar. 22

L. H. Stone J.P.

ROGE. No. 10 is a writ Recognized in sum of fifty dollars
with Colman Taylor as Surety for his appearance for about
the first day of April next, 1921.

L. H. Stone J.P.

H. B. Bridson J.P.

Commonwealth

vs.

Arrest Warrant

Chas Byrd alias Chas
Francis

Executed the within warrant by arresting
and delivering the body of

Chas Byrd alias Chas Francis

before H. J. Cuybright
a Justice of Rockingham County, and by immo-
nizing the within named witnesses in person.

this 12 day of March 1921

L. P. Vance J.P.
Justice of the Peace

Charles Byrd alias Charles Francis Thomas's appearance before me and not
being ready for a preliminary hearing he is hereby committed
to jail. His next preliminary hearing shall be
before J. N. Stone on some other date of the said County
who ~~shall~~ be in the Sheriff's Office of said County March 16
1921 at 10 o'clock a.m.
Given under my hand this 12th day of March 1921
H. J. Cuybright J.P.

Commonwealth of Virginia
County of Rockingham

*Mr. E. J. ...
L. & O. ...*

COMMONWEALTH

vs.

CHARLES FRANCIS alias CHARLES BYRD

Charge to the Jury

If the jury find the accused, Charles Francis, alias Charles Byrd, not guilty, they will say so and no more.

If they find him guilty of murder in the first degree as charged in the indictment, they will say so and ascertain his punishment with death, or by confinement in the penitentiary for life, or for any term not less than twenty years.

If they find him not guilty of murder in the first degree but guilty of murder in the second degree, they will say so and ascertain his punishment by confinement in the penitentiary not less than five nor more than twenty years.

If they find him not guilty of either of the felonies aforesaid, but guilty of voluntary manslaughter they will say so and ascertain his punishment by confinement in the penitentiary not less than one nor more than five years.

If they find him not guilty of any of the felonies aforesaid, but guilty of involuntary manslaughter, they will say so and ascertain his punishment by confinement in the penitentiary not less than one nor more than five years; or, in their discretion, by a fine not exceeding \$1,000, or by confinement in jail not exceeding one year, or both.

Mr the Jury find ~~him~~ ^{himself} Not Guilty
L S Baker Foreman

Charge to the Jury

vs.

CHARLES FRANCIS BYRD

If the jury find the accused, Charles Francis

Byrd, not guilty, they will say so and so

If they find him guilty of murder in the first

degree as charged in the indictment, they will say so and

state his punishment with death, or by confinement in

the penitentiary for life, or for any term not less than

ten years.

If they find him not guilty of murder in the

second degree but guilty of murder in the second degree, they

will say so and ascertain his punishment by confinement in

the penitentiary not less than five nor more than twenty

years.

If they find him not guilty of either of the

felonies aforesaid, but guilty of voluntary manslaughter,

they will say so and ascertain his punishment by confinement

in the penitentiary not less than one nor more than five

years.

If they find him not guilty of any of the

felonies aforesaid, but guilty of involuntary manslaughter,

they will say so and ascertain his punishment by confinement

in the penitentiary not less than one nor more than five

years; or, in their discretion, by a fine not exceeding

\$1,000, or by confinement in jail not exceeding one year,

or both.

Commonwealth

v.

Charles Francis Byrd,
Charles Byrd

Charge to the Jury

D. W. Tamm
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 said Circuit Court at its April term, 1921, upon their oaths present, that Charles Byrd, alias Charles Francis, on the 6th day of March, 1921, in the county aforesaid in and upon one Mollie Flick feloniously, wilfully and of his malice aforethought did make an assault, and in some way, and manner and by some means, instruments and weapons to the Jurors unknown, he, the said Charles Byrd, alias Charles Francis, then and there feloniously, wilfully and of his malice aforethought, ^{did} inflict on and create in said Mollie Flick certain mortal injuries of which ~~mortal~~ wounds the said Mollie Flick, then and there shortly thereafter and on the following day about two A.M. did die, and so the jurors aforesaid, upon their oaths aforesaid, do say that the said Charles Byrd, alias Charles Francis, the said Mollie Flick in manner and form aforesaid, feloniously, wilfully and of his malice aforethought did kill and murder, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of Charlie Flick, Mrs. Emily V. Weaver, James Bane, Jr., Lee H. Flick, W. E. Lucas, Curtis Deal, Roy Norris, W. L. Dillard, A. M. Price, Harry Stanley, Lee Yates, Dr. J. M. Biedler, Phillis Nelson, John Humes, and Harry Solomon, witnesses sworn in court and sent before the grand jury to give evidence.

Frank H. Oliver ✓

C. L. Barnes "

W. S. " "

L. J. Thibault ✓

W. H. Heppman ✓

W. B. Fahrney ✓

~~C. J. Wally~~

~~J. H. Gussack~~

~~Charles Brock~~

Blanche Miller ✓

~~H. H. Smith~~

~~W. H. Burdette~~

Daniel Baker ✓

~~Charles Jones~~

~~W. L. Hoffman~~

L. H. Gyles ✓

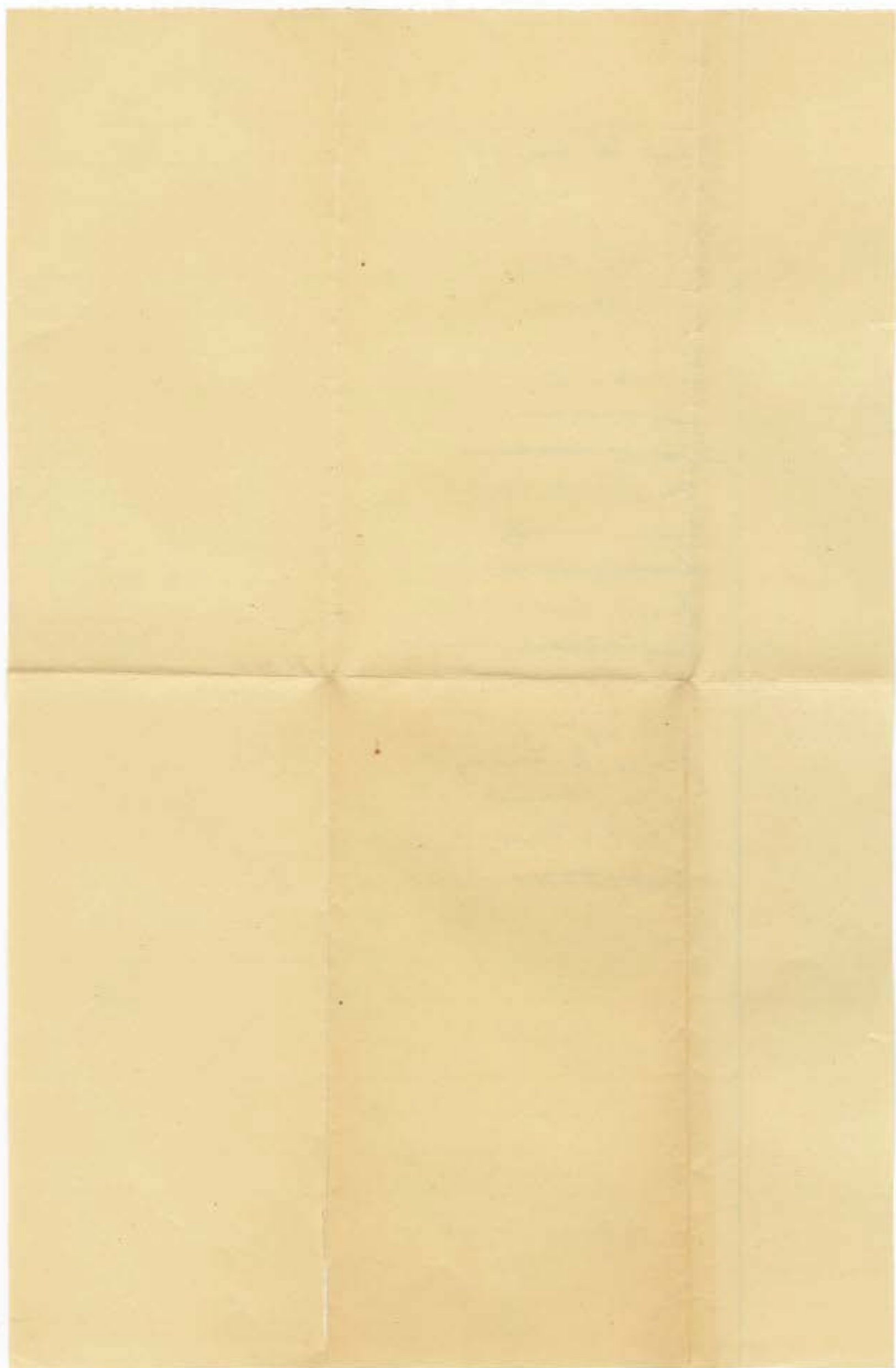
James E. Lindsey ✓

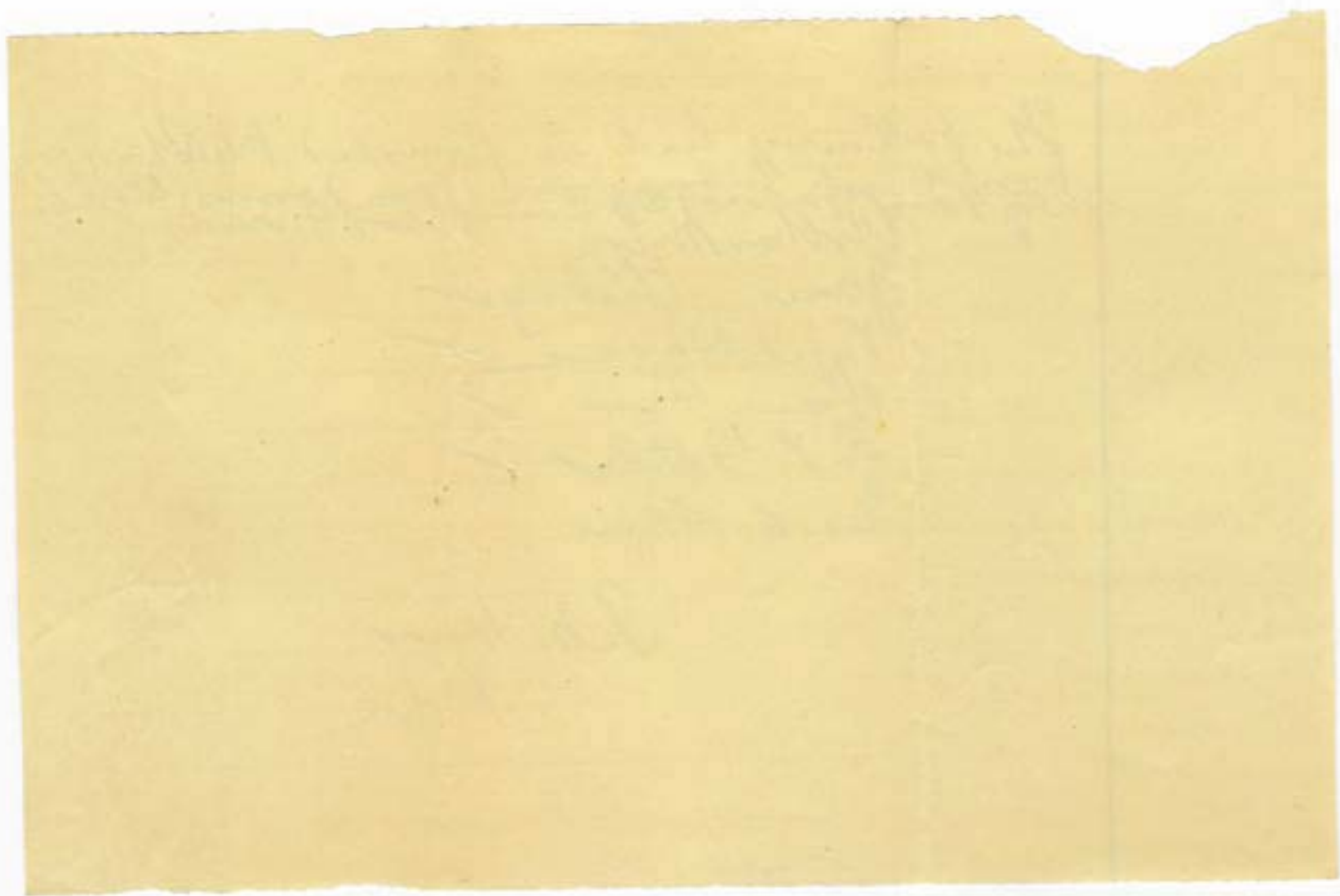
Frederic Hanson ✓

E. L. Fletcher ✓

~~Harry Jones~~

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IN THE NAME OF THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ROCKINGHAM COUNTY—GREETING:

You are hereby commanded to summon four persons of the county of Rockingham, to be taken from a list furnished by the Judge of the Circuit Court of Rockingham County residing remote from the place where the offense is charged to have been committed, and qualified in all other respects, to serve as Jurors, to attend and ^{submits} appear before the Circuit Court of Rockingham County, at the County Court House, on the 2nd day of June, 1921, to serve as Jurors upon the trial of Chas. Bird, charged with felony.

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

Witness, J. F. Blackburn, Clerk of our said Court, at the Court House, the 21 day of June, 1921 and in the 145 year of the Commonwealth,

J. F. Blackburn Clerk.

June 1921

CHAS. BYRD alias CHAS. FRANCIS

ADS

Indictment for a
Felony

COMMONWEALTH

June Term 1921

