

Com. res. C. N. Fleming

~~W. H. Harrison~~

E. R. Shank

B. C. Brown

~~S. C. Brown~~

Jno. W. Haaler

A. P. Simpson

L. S. Estes

+

to appear before the Judge of the Criminal Court by summons, at the Court House thereof, at 10 o'clock, a. m., on the _____ day of _____, 19____, to testify and the truth to say in behalf of the Commonwealth against

who stands charged with and indicted for a felony inasmuch as

And this _____ shall not omit under the penalty of £100. And have then and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the day of _____, 19____, and in the 14____th year of the Commonwealth.

_____, Clerk.

Case 2-4-1

The Court instructs the jury that the question of whether the law in Virginia in regard to the practice of medicine is just or unjust is a question that the jury should not consider, that is a question which must be determined by the Legislature of Virginia and as long as the law remains as it is upon the Statute Books it is the duty of the jury to follow the law.

German

C. N. Snow

The Court instructs the jury that if they believe from the evidence that the Mutual Telephone Company put the name of C. N. Dewey as "Dr. C. N. Dewey" in the phone directory without consulting C. N. Dewey, and the said C. N. Dewey was informed and advised of this fact between June 1, 1925 and February 15, 1926, and allowed his name to remain "Dr. C. N. Dewey" in said directory he became responsible therefor as much so as if he in person directed that his name be placed in said directory as "Dr. C. N. Dewey".

The Court instructed the jury that it may believe from the evidence that the Mutual Telephone Company was the owner of C. E. Dewey as "Mr. C. E. Dewey" in the phone directory without committing C. E. Dewey, and the said C. E. Dewey was likewise and advised of this fact between June 1, 1933 and February 15, 1935, and allowed his name to remain "Mr. C. E. Dewey" in said directory he became responsible therefor as much as if he in person directed that his name be placed in said directory as "Mr. C. E. Dewey".

The Court instructs the jury that if they believe from the evidence beyond a reasonable doubt that the defendant practiced medicine in the County of Rockingham, Virginia, as charged in the indictment, the burden of proof is upon him to prove his right to practice.

The Court instructs the jury that if they be-
lieve from the evidence beyond a reasonable doubt that
the defendant practiced medicine in the County of Hous-
ington, Texas, as charged in the indictment, the per-
son of whom is dead and to prove his identity.

The Court instructs the jury that the statute of Virginia defines what constitutes practicing medicine in Virginia, and even though the jury may believe from the evidence that the defendant has not done to persons coming to his office what other physicians may do or may have done to such persons; yet if the jury believe from the evidence that the defendant opened an office in the County of Rockingham, Virginia, for the purpose and announced to the public his readiness to heal, cure, or relieve those suffering from disease of the mind or body; or announced to the public in any manner a readiness or ability to heal, cure, or relieve those who might be suffering from disease of the mind or body, for a compensation; then the defendant was practicing medicine under the statute; and if the jury further believe that this was done in the County of Rockingham at the time set out in the indictment, and that at that time the defendant was without license, then the jury should find the defendant guilty.

The Court instructs the jury that the statute of Vir-
ginia defines what constitutes practicing medicine in Virginia,
and even though the jury may believe from the evidence that the
defendant has not been so licensed, it is not for the jury to
determine whether or not he has been so licensed; but it is
for the jury to believe from the evidence that the defendant opened an
office in the County of Henrico, Virginia, for the purpose
and announced to the public his readiness to heal, cure, or
relieve those suffering from diseases of the mind or body; or
announced to the public in any manner a readiness or ability to
heal, cure, or relieve those who might be suffering from di-
seases of the mind or body, for a compensation; then the statu-
te was violated unless the defendant was at that time
so licensed. If the jury believe that this was done in the County of Henrico
at the time set out in the indictment, and that at that time
the defendant was without license, then the jury should find
the defendant guilty.

The Court instructs the Jury that if they believe from the evidence beyond a reasonable doubt that the defendant, D. M. Dewey, did within the time between June 1, 1925 and February 16, 1926, use in connection with his name the word "Dr", "Doctor", or any other title, word, letter or designation intending to imply or designate himself as a practitioner of medicine in any of its branches, or being able to heal, cure or relieve those who are suffering with injury or deformity or disease of mind or body, without first having received a certificate issued by the State Board of Medical Examiners of Virginia, entitling him to such and causing the same to be registered as required by law, then they will find him guilty and fix his punishment at not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) and in addition may imprison him in jail for a term not exceeding six months.

The Court instructed the jury that if they believe from the evidence beyond a reasonable doubt that the defendant, D. R. Dewey, did within the time between June 1, 1933 and February 18, 1935, use in connection with his name the word "Doctor", or any other title, word, letter or device, with intent to imply or designate himself as a practitioner of medicine in any of the States, or being able to heal, cure or relieve persons who are suffering with injury or disability or disease of mind or body, without first having received a certificate issued by the State Board of Medical Examiners of Virginia, advising him to do so and bearing the name to be registered as required by law, then they will find him guilty and fix his punishment at not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) and in addition may imprison him in jail for a term not exceeding six months.

Instructions for Court

Refused - Oral Given

The Court instructs the jury that if they believe from the evidence beyond a reasonable doubt that the defendant, C. H. Dewey, did within the time between June 1, 1925 and February 15, 1926;

1. Open an office in the County of Rockingham for the purpose of healing, curing or relieving human diseases, disorders, displacements, injuries and ailments for compensation; or

2. Advertise in the County of Rockingham a readiness to heal, cure and relieve persons suffering from injury, deformity, or disease of the body or mind for compensation; or

3. Use in connection with his name the word "Doctor" or "Dr." intending by said designation to imply his ability to heal, cure or relieve persons suffering from injury or deformity, or disease of body or mind;

Without first having received a certificate issued by the Virginia Board of Medical Examiners entitling him to practice medicine and cause the same to be registered as required by law, they will find the defendant guilty and fix his punishment at not less than Fifty Dollars nor more than Five Hundred Dollars, and in their discretion imprison him in jail for a term not exceeding six months.

Witness - Good Person
Statement for Court

The Court instructed the jury that it may believe that the witness heard a reasonable doubt that the defendant, J. H. Dwyer, did within the time between June 1, 1933 and February 15, 1935;

1. Open an office in the County of Washington for the purpose of making, caring or relieving human disease, dis- orders, displacements, injuries and ailments for compensation; or
2. Advertise in the County of Washington a treatment for heat, cure and relief of various ailments from injury, disease, or disease of the body or mind for compensation; or
3. Use in connection with his name the word "Dwyer" or "Dr." intending by said advertisement to imply his ability to heal, cure or relieve various ailments from injury or disease, or disease of the body or mind;

Without first having received a certificate issued by the Virginia Board of Medical Examiners entitling him to practice medicine and cause the same to be registered as required by law, they will find the defendant guilty and his punishment at not less than fifty dollars nor more than five hundred dollars, and he shall be confined in jail for a term not ex- ceeding six months.

Instructions for Defense Ref.
Oral Given

The jury are instructed that even though they may believe from the evidence that in one or more publications the word "doctor" or the abbreviation "D^r" was used in connection with the name of C. H. Dwyer, yet unless they further believe from the evidence, beyond a reasonable doubt, that such use of such designations was authorized by said Dwyer, and was intended by him to imply or designate him as a practitioner of medicine, they must acquit him.

The jury are instructed that since there is ~~no~~ evidence in the case ^{showing} that C. H. Dwyer, within the period covered by the indictment, did no more than engage in the business of a messenger, within that particular sphere, they cannot find him guilty because of the business in which he actually engaged.

Ref.

Harrisonburg Grocery Co., Inc.

Wholesale Groceries

Harrisonburg, Va.

DR. C. N. DEWEY

Drugless Physician
And Electro Specialist

124 E. Market St.

Phone 510

See
MILLERS' STORE
Harrisonburg, Va.
for
SHOES
and save a dollar

HISEY'S MODEL BARBER SHOP

41 E. Elizabeth St.

Opposite Post Office

Harrisonburg, Va.

THE VENDA

THE POPULAR PRICED MERCHANDISE STORE

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Harrisonburg, Va.

Recharge and Repair
Any Make Battery

Phone 234

Inspection and Distilled
Water Free

C. L. FURR

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6 and 8 Hour Charging Service on
6 and 12 Volt Batteries

STATION

Corner Liberty and W. Elizabeth
HARRISONBURG, VIRGINIA

WALTER TROBAUGH

Electrical Contractor and Dealer

The Home of Things Electrical

Harrisonburg, Va.

Phone No. 316

102 S. Main Street

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Letterheads, Envelopes, Sale Bills, Statements, Tracts, Circulars,
Catalogs or Printing of any kind, call

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Harrisonburg, Va.

W. M. MENIFEE

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Wood, Coal, Flour, Hay, Grain, etc.

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MENNONITE CLOTHING
FOR MEN AND YOUNG MEN
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and Building Material
Pratt's Poultry Feed

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First-class Watch and Clock Repairing a Specialty.
Graduate Registered Optometrist at your service.
Broken Lens Replaced in 30 Minutes.
We Grind Lenses.

HEALTH INSURANCE

HEALTH PROMOTION

GOOD FEELING AND

DISEASE PREVENTION



Health—What A Blessing

"Hold it, my friend, hold it." It is easier to be well than to be sick, and it is much better. "An ounce of prevention," said a great and wise person, "is better than a pound of cure." At times you may have noticed a slight mental depression and that you were not quite up to your usual physical standard of excellency, this is Nature's warning that serious results will follow if her danger signal is unheeded. What about your vitality? Is it running at par? You should care more for your health than for anything else.

Keep free from the disturbing factors of diseases. Grippe, cold, "flu," indigestion, dizziness, rheumatism, poor circulation, lame back, headache, sleeplessness, torpid liver, mal-assimilation, auto-intoxication, constipation, irritability, nervousness, lack of reserve. Do not allow these to begin nagging you, for they will make you an easy prey for disease germs. Keep yourself above them and thus be free from them. *Feel good. Enjoy living.*

Tired people will appreciate the restfulness following an application of a scientific

massage. Professional people will be able to think better. Singers and speakers will be able to use their voices to better effect. Society people will more thoroughly enjoy a social function, after receiving one of our up-to-date massages. This treatment will enable many to enter with more zest into any of the normal pleasures or functions of life. They will improve circulation, develop the body. For aesthetic purposes we believe them unsurpassed. They will improve form, countenance, figure and carriage. They are restorers of relaxed and flabby tissues, helping to restore them to their normal, glowing freshness, firmness, and tone. Osteopathic massage is a real paying investment, in that it helps in keeping the body up to the highest point of efficiency and health. When you have health, you ought to conserve it.

It is a well known fact that disease germs of any kind find great difficulty in securing a lodging place in any healthy bodily tissue, while diseased and weakened tissues afford good nesting-places for them.

When you are tired or in a run-down condition, when you do not rest or sleep

as well as you should, a few of our massage treatments, either somapathic, electric, magnetic, macheno-therpic, osteopathic, neuropathic or general, will make you strong to resist disease. We give any needed. *Two treatments per month is the best health insurance known.*

Many of the best people of the community, in fact, many tourists, traveling men, singers, lecturers, business and show people, take our health promotion and disease preventative treatment.

*Call or Phone
for Time*

C. N. DEWEY

OSTEOPATHIC MASSEUR

Phone 510

124 E. Market St.

In the Name of the Commonwealth of Virginia:

Sergeant, Roanoke City
To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*D. J. W. Preston, Secy State
Board Med. Examiners*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court
House thereof, at 10 o'clock, a. m., on the *15th* day of *Feb.* 19*26*
to testify and the truth to say in behalf of the Commonwealth before the Grand Jury
vs. *C. N. Devery*

who stands charged with and indicted for a felony misdemeanor.

And this *he* shall not omit under the penalty of £100. And have then
and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the
6th day of *Feb.* 19*26* and in the *154th* year of the Commonwealth.

J. F. Blackburn, Clerk.

Comm.

vs.

C. N. Denny

Roanoke

Feb. 15, 1926

Spa

Executed the within ~~same~~ on the
within named

Dr. J. W. Prestene

on February-10-1926

by handing ⁱⁿ a true copy hereof in
person

within the City of Roanoke, Va., where
he resides

H. E. Mayhew

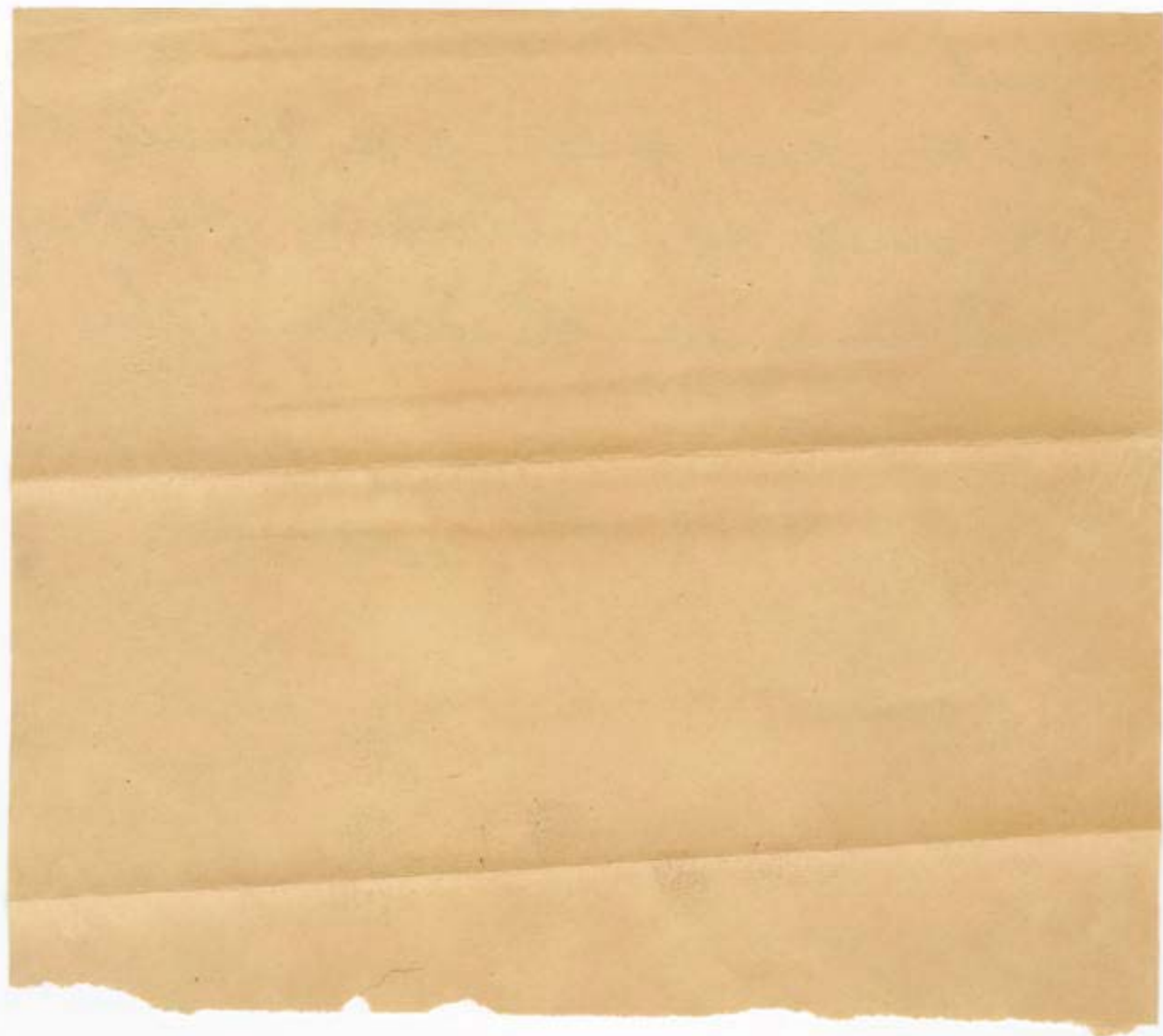
Sergeant, City of Roanoke, Va.

By C. R. Hammett
Deputy Sg. A.

April 23-1926

We the Jury find C. N. Dewey
Not guilty of unlawfully practicing
medicine as charged in the
Indictment

A. P. Sumption
Foreman



COMMONWEALTH OF VIRGINIA.

ROCKINGHAM COUNTY, to-wit:

In the Circuit Court of said County:

The grand jurors in and for the body of said county of Rockingham and now attending said Court at its February term, 1926, upon their oaths do present that C. H. Dewey, on or about the 1st day of June, 1926, and continuously since that day, in said county, did unlawfully practice medicine without successfully passing examination before the State Board of Medical Examiners, and without a State license, as required by law, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of Dr. J. W. Preston, Dr. P. W. Boyd, Simon Brunk, Frank Thomas, and D. A. Walters, witnesses sworn in court and sent before the grand jury to give evidence.

We the jury find

COMMONWEALTH OF VIRGINIA

ROCKINGHAM COUNTY, IS-WIT:

In the Circuit Court of said County

COMMONWEALTH

v) Indictment

C. H. Dewey

February term, 1926

A True Bill:

Max E. Herring

FOREMAN

D. W. Borman
Commonwealth's Attorney

This indictment is found on the testimony of

Dr. J. W. Jackson, Dr. J. W. Hays, John Brown, Frank Thomas,

and J. A. Walker, witnesses sworn in court and read before

The grand jury is true evidence.

277

Mis. J

C. N. DEWEY

ADS.

COMMONWEALTH

April Ten

not 4

E. R. Shank

H. C. Brown

J. W. Harker

A. P. Sumption

C. S. Estep

—f—