

Handwritten notes at the top of the page, including the name "W. E. Lucas" and other illegible text.

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 said Court at its October term, 1928, upon their oaths do present that Elsie Butler on or about the 9th day of September, 1928, in the county aforesaid, feloniously and of her malice aforethought did kill and murder her infant son, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. E. Lucas, C. R. Fawley, Dr. Howard Armstrong, Dr. E. B. Miller, and L. H. Bruce, witnesses sworn in Court and sent before the grand jury to give evidence.

We the jury find the accused, ^{Elias Butler} guilty of involuntary manslaughter as charged in the indictment and for herewith return at six months in jail.

A. B. Huff Foreman

5/10/28

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO
SUPERIOR COURT

Murder

Commonwealth

v) Indictment

Elias Butler

Felony

October term, 1928

A True Bill:

A. B. Huff Foreman

D. W. Hartman
Commonwealth's Attorney

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH :
v. : CHARGE TO THE JURY
ELSIE BUTLER :

If you find the accused, Elsie Butler, not guilty, you will say so and no more.

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

If you do not find her guilty of murder in the first degree as charged in the indictment, but find her guilty of murder in the second degree as therein charged, then you will say so and fix her punishment by confinement in the penitentiary not less than five nor more than twenty years.

If you do not find her guilty of murder in the first degree or murder in the second degree as charged in the indictment, but find her guilty of voluntary manslaughter as charged therein, then you will say so and fix her punishment by confinement in the penitentiary for not less than one nor more than five years.

If you do not find her guilty of either of the felonies aforesaid, but find her guilty of involuntary manslaughter as charged in the indictment, then you will say so and fix her punishment by confinement in the penitentiary for not less than one nor more than five years, or, in your discretion, by a fine not exceeding one thousand dollars, or confinement in jail not exceeding one year, or both such fine and imprisonment.

IN THE DISTRICT COURT OF THE COMMONWEALTH OF MASSACHUSETTS

THE PEOPLE OF THE COMMONWEALTH

vs.

Commonwealth
v.
MISD. JOURNAL

Charge to the Jury

The first charge to the jury is that the defendant is guilty of the crime of...
The second charge to the jury is that the defendant is guilty of the crime of...
The third charge to the jury is that the defendant is guilty of the crime of...
The fourth charge to the jury is that the defendant is guilty of the crime of...
The fifth charge to the jury is that the defendant is guilty of the crime of...

The sixth charge to the jury is that the defendant is guilty of the crime of...
The seventh charge to the jury is that the defendant is guilty of the crime of...
The eighth charge to the jury is that the defendant is guilty of the crime of...
The ninth charge to the jury is that the defendant is guilty of the crime of...
The tenth charge to the jury is that the defendant is guilty of the crime of...

The eleventh charge to the jury is that the defendant is guilty of the crime of...
The twelfth charge to the jury is that the defendant is guilty of the crime of...
The thirteenth charge to the jury is that the defendant is guilty of the crime of...
The fourteenth charge to the jury is that the defendant is guilty of the crime of...
The fifteenth charge to the jury is that the defendant is guilty of the crime of...

The the Jury
find the prisoner Guilty
and fix her punishment
at six months in jail

A. R. Ruff Foreman

Arrest Warrant

COMMONWEALTH OF VIRGINIA, } TO WIT:
ROCKINGHAM COUNTY

City of Harrisonburg

To *C. R. Fawley, Sheriff*, a Constable of said County:

Whereas, On information of C. R. Fawley, Sheriff of the said County, has this day made
complaint and information on oath before me, E. C. Moore a Justice of the said ^{City} County,
that Elsie Butler

of the said County, on ~~the~~ or about 9th day of September 1928 in the said County, did
feloniously and of her malice aforethought, ~~she~~ kill and murder her
baby boy, the name of said child to your complainant being unknown,
against the peace and dignity of the Commonwealth of Virginia.

These are therefore, in the name of the Commonwealth of Virginia, to command you forthwith to appre-
hend and bring before me, or some other Justice of the said ^{City} County, the body of the said
Elsie Butler

to answer the said complaint and to be further dealt with according to law. And you are required to sum-
mon

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

Given under my hand and seal this 27th day of September, in the year 1928.

E. C. Moore J. P. (Seal)

TO WIT:

COMMONWEALTH OF VIRGINIA
ROCKINGHAM COUNTY

Commonwealth

vs.

Arrest Warrant

Elsie Butler

Executed the within warrant by arresting

and delivering the body of
arrested Apr 27-28
Elsie Butler

before *Circuit Court*

a Justice of Rockingham County, and by sum-
moning the within named witness in person.

this *15* day of *Oct* 19*28*

Constable of Rockingham County.

INSTRUCTION NO. _____

The Court instructs the jury that in this case, as in all criminal cases, the prisoner's plea of not guilty raises a presumption of innocence in ^{his} favor and puts upon the Commonwealth the burden of proving ^{his} ~~his~~ reasonable guilt beyond doubt. If therefore, upon a consideration of the whole case, the testimony of the witnesses and the circumstances proven in evidence, there exists in the minds of the jury a reasonable doubt as to the guilt of the accused, they should find ^{him} ~~him~~ not guilty.

The Court instructs the jury that in this case, as in all criminal cases, the State's burden is to prove the guilt of the defendant beyond a reasonable doubt. It is the duty of the defendant to prove his innocence. If there is any reasonable doubt as to the guilt of the defendant, the jury must acquit. If there is no reasonable doubt as to the guilt of the defendant, the jury must convict. The jury should consider all the evidence presented to them and return a verdict based on their own consciences and the law as given to them by the Court.

INSTRUCTION NO. _____

The Court instructs the Jury that involuntary manslaughter is the killing of a person accidentally or unintentionally while in the doing of some unlawful act, not felonious, or in the improper or negligent performance of a lawful act.

INVESTIGATION NO. _____

The above described person was interviewed
on _____ at the office of a person entitled to
information regarding the same on _____, and
testimony was taken in regard to certain portions of a
report made.

#546

COMMONWEALTH

VS.

Felony (murder)

ELSIE BUTLER

Plea of N.G.
Set
sumatra 6/21

23 cent
14 cent

4.50
6.25
4.20
7.50

16.45

July 48.90

23
- 5

12.50
8.00

15.50

- 15 M. H. Harrison
8 A. R. Gilterson
- A. R. Ruff
12 C. J. Riddle
19 G. W. Davis
14 C. W. Phillips
5 R. R. Hainsworth
5 F. A. Westcott
3 J. L. Rhodes
- J. L. Peter
10 - J. P. Stone
11 - F. J. Strickler ✓
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