

Commonwealth of Virginia,  
Rockingham County, to-wit;

Be it remembered that on the 1st. day of July, 1928, Ray McKamey, Bettie J. McKamey, Luther H. Brown, Harry B. Newman, and Nannie Goodloe, came before me, Harry M. Strickler, bail commissioner of the said County of Rockingham and severally and respectively acknowledged themselves to be indebted unto the Commonwealth of Virginia, in manner and form following, that is to say: the said Ray McKamey in the sum of \$2,000, and the said Bettie J. McKamey in the sum of \$1,000, and the said Luther H. Brown in the sum of \$333.33, and the said Harry B. Newman in the sum of \$333.33, and the said Nannie Goodloe in the sum of \$333.34, good and lawful money of the United States to be respectively made and levied of their goods and chattels, lands and tenements, and they severally waive their homestead exemption as to this obligation, to the use of the Commonwealth of Virginia, if the said Ray McKamey shall make default in the performance of the condition underwritten.

The condition of the above recognizance is such that if the above bound Ray McKamey do and shall personally appear before the Circuit Court of the said County on the first day of the next term thereof which is on the 20th day of August, 1928, at the Court House thereof, and then and there answer the Commonwealth for and concerning a certain felony by him committed, wherewith he stands charged, or to any time or times to which the proceedings may be further heard or continued, and before any Court or Judge, thereafter having or holding any proceedings in connection with the said charge, and not depart thence without leave of said Court, and be bound under this recognizance until the said charge is finally disposed of or until it is declared void by order of a competent Court, then this recognizance shall be null and void, otherwise shall remain in full force and virtue.

*Harry M. Strickler*  
Bail Commissioner.

Ray McRay  
Box #

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Mrs. Alley Shifflett, Dr. J. H. Dyerle,  
& ~~Mr.~~ Mrs. Chas. Charlton

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 5<sup>th</sup> day of Sept. 19<sup>th</sup> 78 to testify and the truth to say in behalf of the Commonwealth against

Ray Mc Ramey

who stands charged with and indicted for a felony ~~misdemeanor~~.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the 3<sup>d</sup> day of Sept. 19<sup>th</sup> 78 and in the 153<sup>d</sup> year of the Commonwealth.

J. Robert Switzer, Clerk.



Com.

nd.

Ray Mc Hamney

1850

1928

Sept. 5

self

**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

*You are hereby commanded to summon*

*Mazuel Brack*

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 *5th* day of *Sept* 19 *28*, to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, plaintiff, against

*Ray Mc Kamey*

who stands charged with and indicted for a felony misdemeanor.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *4th* day of *Sept* 19 *28*, and in the *153rd* year of the Commonwealth.

*J Robert Switzer*, Clerk.

Ray Mc Kamy

and

Cam

15-8

1928

Sept 5

self

**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

*You are hereby commanded to summon*

*J. L. Douel & Harry Slaven*

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 *5th* day of *Sept.* 19 *28* to testify and the truth to say in behalf of the Commonwealth against

*Ray Mc Ramsey*

who stands charged with and indicted for a felony ~~misdemeanor~~.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *1st* day of *Sept.* 19 *28* and in the *153* year of the Commonwealth.

*J. Robert Switzer*, Clerk.

Cam.

in the Name of the Commonwealth of Virginia

vs.  
Ray McKenney

100

1788

sub Sept 5



**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Alphonso Bennett, Griffith Ray, Harry Slaven,  
Myrtle Ritenour, Myrtle Webster, and George Webster,

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 5th day of September, 1928, to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, plaintiff, against

Ray McKamey

who stands charged with and indicted for a felony ~~et cetera~~

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the 3d day of September, 1928, and in the 153d year of the Commonwealth.

J. Robert Switzer, Clerk.

Ray Mc Kamy

In the Name of the Commonwealth of Virginia  
ads.

Comm.

300

1928

Sept 5

all

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

J. L. Douc, Harry Hauen.

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 20th day of Aug. 1928

to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY ss. Ray Mc Kamey

who stands charged with and indicted for a felony misdemeanor.

And this they 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 20th day of Aug. 1928, and in the 143rd year of the Commonwealth.

J. Robert Smith, Clerk





Can vs. Repairing

C. E. Lane

R. M. Wright

~~A. B. Armstrong~~ 3.30

Bert B. only

W. H. Long

M. O. Miller

C. E. Sniffett

~~J. H. Harrison~~ 2.50

C. E. Collier

~~W. H. Spitzer~~ 3.70

G. O. Redick

~~W. E. Hite~~ 4.30

W. H. Yancy

~~J. H. Harrison~~ 2.50

~~J. H. Harrison~~ 3.20

Lee May

~~J. H. Harrison~~ 3.60

A. B. Kline

E. O. Swope

~~J. H. Harrison~~ 3.25

24.50

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In the Circuit Court of Rockingham County,

Term 190...

this day presented in Court an account against the Court  
of Rockingham for the sum of \$ \_\_\_\_\_, for Service.

which being sworn to, was examined and approved by the Court, and ordered to be certified to the Treasurer of  
this county for payment.

Clerk.

20.15  
—  
24.10  
45.65

350  
390  
450  
410  
390  
340  
325  
410  
390  
360  
380  
380

4





INSTRUCTION NO. 1

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.



INSTRUCTION No 2

The court instructs the jury that under the traffic laws of this State persons driving an automobile on a highway are required to drive the same at all times at a careful and prudent speed not greater nor less than is reasonable and proper having due regard to the traffic, surface and width of the highway and to any other conditions then existing, and that any person who shall drive such automobile upon the highway at such a rate of speed as to endanger the life, limb or property of any person, shall be prima facie guilty of reckless driving, and that, subject to these provisions, it shall be prima facie lawful for the driver of an automobile to drive the same at the speed of twenty-five miles per hour in residential districts.

And the court further instructs the jury that under these regulations, from the proof in the case now on trial, the accident did occur in a residential district.

INSTRUCTIONS

The court instructs the jury that under the statute laws of this State a person operating an automobile on a highway are required to drive the same at all times at a moderate and prudent speed not greater than 15 miles per hour in residential districts and except as hereinafter provided, and to keep the same under control and within the width of the highway and to give other conditions than exist- ing, and that any person who shall drive such automobile upon the high- way at such a rate of speed as to endanger the life, limb or property of any person shall be guilty of reckless driving, and that, subject to these provisions, it shall be prima facie evidence for the driver of an automobile to drive the same at the speed of twenty-five miles per hour in residential districts.

And the court further instructs the jury that under these provisions, from the point in the case now on trial, the accident did occur in a residential district.



INSTRUCTION NO. 3.

The Court instructs the jury that if they do not believe beyond a reasonable doubt that the death of Lynwood Charlton was the direct sequence of the driving of the automobile at <sup>an</sup> ~~an~~ unlawful rate of speed on North Main Street in Harrisonburg, Virginia, by the accused, or because of the unlawful driving by the accused of his automobile on the left side of North Main Street, then they should acquit the accused.

The Court instructs the jury that if they do not believe beyond a reasonable doubt that the death of Lynwood Overton was the direct sequence of the driving of the automobile at ~~an~~ unlawful rate of speed on North Main Street in Harrisonburg, Virginia, by the accused, or because of the unlawful driving by the accused of his automobile on the left side of North Main Street, then they should acquit the accused.

INSTRUCTION NO. 4.

The Court instructs the jury that in this case, as in all criminal cases, the accused's plea of not guilty raises a presumption of innocence in his favor and puts on the Commonwealth the burden of proving his guilt beyond reasonable doubt. If, therefore, upon a consideration of the whole case, the testimony of the witnesses and the circumstances shown in evidence, there exists in the minds of the jury a reasonable doubt as to the guilt of the accused, they should find him not guilty. And the Court further tells the jury that a reasonable doubt is that state of the case which, after comparison and consideration of all the evidence, leaves the minds of the jurors in such condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge.



INSTRUCTION NO. 51.

The Court further instructs the jury that the guilt of the accused in this case is not to be inferred because the facts are consistent with his guilt, but said facts must be inconsistent with his innocence.



INSTRUCTIONS NO. 2

The Court further instructs the jury that

the guilt of the accused in this case is not to be  
inferred because the facts are consistent with his  
guilt, but said facts must be inconsistent with his  
innocence.



COMMONWEALTH

v)

CHARGE TO THE JURY

RAY McKAMEY

If you find the accused, Ray McKamey, not guilty, you will say so and no more.

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

Commonwealth

v) Charge to the Jury

Ray McKamey

CHARGE TO THE JURY

We the jury find the defendant guilty  
and fit his punishment at 9 months  
in jail and \$50 fine.

Mr. J. B. Smith  
Care of J. B. Smith  
150 Pine  
St. Louis, Mo.  
Oct 10 1891



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 said county and now attending said Court at its August term, 1928, upon their oaths do present that Ray McKamey on or about the 27th day of June, 1928, in the county aforesaid, while driving an automobile at a fast and unlawful rate of speed on North Main Street, Harrisonburg, in said county, did run said automobile with great force and violence into, upon, and against one Lynwood Charlton, thereby throwing the said Lynwood Charlton to the ground, injuring and wounding him, the said Lynwood Charlton, and causing him to suffer a mortal wound, of which mortal wound he, the said Lynwood Charlton on the same day died. And so the jurors aforesaid upon their oaths aforesaid, do say that the said Ray McKamey the said Lynwood Charlton in the manner and form aforesaid, feloniously did kill, against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid upon their oaths aforesaid further present that on or about the 27th day of June, 1928, in the county aforesaid, Ray McKamey, while unlawfully driving an automobile on the left side of North Main Street, Harrisonburg, in said county, ran said automobile with great force and violence into, upon, and against one Lynwood Charlton, thereby throwing the said Lynwood Charlton to the ground, injuring and wounding him, the said Lynwood Charlton, and causing him to suffer a mortal wound, of which mortal wound he, the said Lynwood Charlton on the same day died. And so the jurors aforesaid upon their oaths aforesaid do say that the said Ray McKamey the said Lynwood Charlton in the manner and form aforesaid feloniously did kill, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of F. L. Dovel and Harry Slaven, witnesses sworn in Court and sent before the grand jury to give evidence.

We the jury find the accused Ray McKamey, guilty  
as charged in the indictment and fix his punishment  
at nine months in jail and a fine of \$50.00

M. O. Miller Foreman

and says -

Manslaughter

Commonwealth

v) Indictment

Ray McKamey

Felony

August term, 1928

A True Bill:

FOREMAN

*J. H. [Signature]*

*John J. [Signature]*

D. W. Earman  
Commonwealth's Attorney



11-518  
COMMONWEALTH

VS:

Felony (manslaughter)

RAY McKAMEY

Not Guilty  
Sept. 5.

Shiriff's fees - 7.00  
" Jury 1.00

4 days jail -

K. E. Lane	3.90
R. M. Wright	3.80
B. W. Bontz	3.60
W. H. Long	3.80
M. O. Miller	4.10
G. E. Shipplest	3.25
G. L. Collier	3.40
J. C. Hedrick	3.90
W. M. Yancey	4.10
Lee May	4.50
A. S. Steele	3.90
E. C. Sweeper	3.50
<u>    </u>	<u>45.65</u>