Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 24 day of Dec, 1929 David Dowel, principal and Fellie Dowel surety, who justified to his sufficiency, came before me, Theffey L Deane Bail Commissioner, of the said County of Rockingham, and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of Two Thousand Five Hundred Dollars, ($2,500.00), to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth of Virginia rendered, and they each severally waived their homestead exemption to their recognizance; yet upon this condition:

That if the said David Dowel shall personally appear before the ~~Circuit~~ Justices Court of Rockingham County, at the Courthouse of said County, on the 4th day of the January 1930 at 10 a.m. ~~term thereof, being the day of~~, 19__, and at such other time or times to which the proceedings may be continued or further heard, and before any court or judge hereafter having or holding any proceedings in connection with the said charge, and then and there answer the Commonwealth of Virginia concerning a certain misdemeanor whereof the said David Dowel stands charged, and be bound under said recognizance until the charge is finally disposed of or until it is declared void by order of a competent court, then the above recognizance shall be null and void; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, I hereunto affix my signature this 24th day of Dec, 1929.

Theffey L Deane
(J. P. or BAIL COMMISSIONER)

David Dowel
$2,500.00
To Jan-4-1930
Justices Court

Oct. 1927

copied

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 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 3

The Court instructs the jury that any person driving an automobile on a highway shall drive the same at a careful and prudent speed not greater nor less than is reasonable and proper having due regard to the traffic, surface and width, ofthe highway and of any other conditions then existing; and that subject to these provisions it shall be prima facie lawful for the driver to drive the same at a speed not exceeding thirty-five miles per hour, except in passing a school during recess, in passing through a business district, and in passing through a residential district in a town or city.

INSTRUCTION NO. 5.

The Court instructs the jury that any person who drives an automobile upon a highway recklessly, that is, without reasonable care, or at a speed or in a manner so as to endanger, or be likely to endanger the life, limb, or property of any person, shall be guilty of reckless driving.

INSTRUCTION NO. 5.

The Court instructs the jury that any person who drives an automobile upon a highway negligently, that is, without reasonable care, or in a manner or in a condition, or in a way to endanger his life, limb, or property of any person, shall be guilty of reckless driving.

The Court instructs the jury that under the law it is the duty of the driver of an automobile involved in an accident resulting in injuries or death to any person to immediately stop his car at the scene of such accident and any person violating this provision shall upon conviction be punished as provided by law as set out in the charge which has been designated in this trial as the "Hit and Run" charge.

The Court instructs the jury that under the law it is the duty of the driver of an automobile involved in an accident resulting in injuries or death to any person to immediately stop his car at the scene of such accident and any person violating this provision shall upon conviction be punished as provided by law as set out in the charge which has been designated in this trial as the "Hit and Run" charge.

INSTRUCTION No ____

The Court instructs the jury that if they believe from the evidence beyond any reasonable doubt that David T. Dovel was driving his automobile recklessly at the time Mrs. Annie Yancey was killed, and that the reckless operation of his car caused her death, then you will find him guilty under the indictment for involuntary manslaughter.

INSTRUCTION NO. 11.

The Court instructs the jury that mere suspicion or probability of guilt will not suffice to justify the conviction of the accused, but in order to a conviction the minds of the jury must be satisfied by the evidence of the guilt of the accused beyond reasonable doubt. The guilt of the accused is not to be inferred merely because the facts proven are consistent with his guilt, but they must be inconsistent with his innocence.

INSTRUCCION NO. 11.

Se informará otra vez que la Junta de Instrucción Pública de Puerto Rico, en su sesión de 11 de Junio de 1898, ha tomado el acuerdo de que la enseñanza de la Gramática Española, en los Institutos de segunda enseñanza, se dé por el método de Ollendorff, y que el Libro de Texto que se adopte para la enseñanza de dicha Gramática sea el de Don Eduardo Benot, titulado "Nueva Gramática Española".

INSTRUCTION No _____

The Court instructs the jury that although they believe from the evidence that the accused in the operation of his car struck Annie Yancey and that her death thereby resulted, yet, if the jury believes from the evidence that the accused was free from reckless driving as defined in another instruction given, and that his striking her was due to an unavoidable accident, they will find him not guilty under the indictment for involuntary manslaughter.

INSTRUCTION NO _____

Are Cards inserted the full size although full postage

from the warehouse since the bounds of the operation of this card

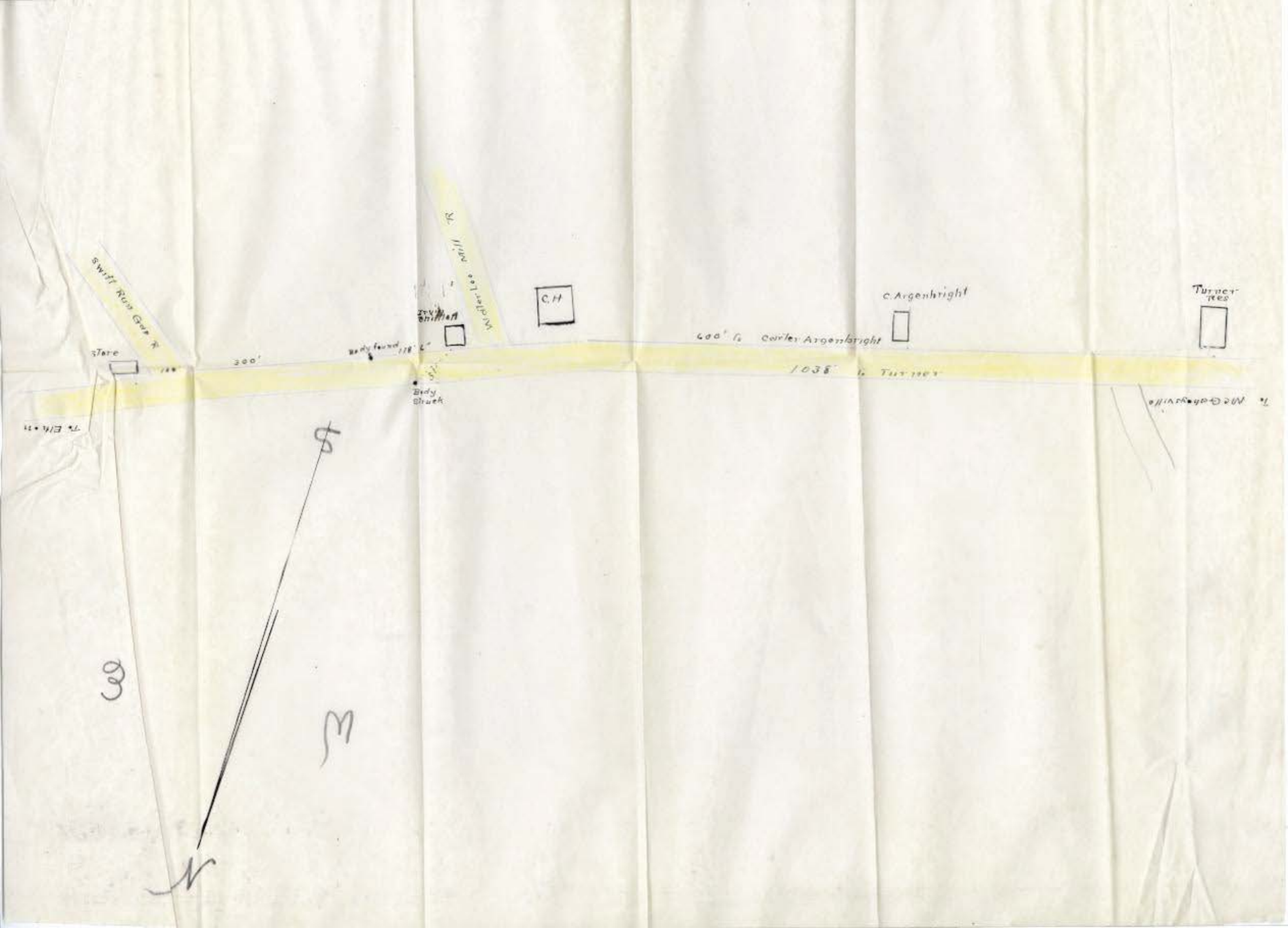
Remove Cards Carefully from the Punch Card Cases. Do' Not Bend

the full postage from the warehouse since the bounds are xxxx

Cards Carefully on Getting to Another Instruction Block.

Then Cards are ready to be transmitted to the warehouse

transmission.


Swift Run Gap R
Store
300'
Body found 118' L
Body Struck
Walters Lee Mill R
C.H
600' to Carter Argenbright
C. Argenbright
1038' to Turner
Turner Res
To Mt Crawfordville
To Elk
S
M
N

Involuntary Manslaughter,
Not guilty

Violation automobile law

guilty
Fine 800.00

F. L. Porter Gannon

$$\begin{array}{r} 150.50 \\ 35.45 \\ \hline 114.55 \end{array} \qquad \begin{array}{r} 121.00 \\ 114.55 \\ \hline 6.45 \end{array}$$

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Hensel Life & Henry Davis

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 Forthwith *day of* 19 .

to testify and the truth to say in **behalf of the Commonwealth** *against*

David T. Daul

who stands charged with and indicted for a felony misdemeanor.

And this Thy *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 28 *day of* Oct. *, 192*7 *and in the 15*2 *year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Executed Oct 28 1927 By delivering
a true copy of this writ to
Hensley Life Henry Lewis
in person
G.A. Lawson D.S.
for. C.W. Lowe S.R.C.

Com.

David T. Paul

Sheriff Fee $1.00

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Frank Rogers, Ellsworth Shifflett, Irvin Shifflett,
Miss Ella Shifflett, and Mrs. Ethel Thompson

to appear before the Judge of the Circuit Court of Rochingham County, at the Court House thereof, at 10 o'clock, a. m., on the 17th *day of* October *19* 27
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY
vs. David T. Dovel

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 14th *day of* October *19* 27, *and in the* 152d *th year of the Commonwealth.*

Clerk

POL PRESS, Harrisonburg, Va.

Commonwealth

vs.

David T. Dovel

Sheriff fee $2.50

1927

Oct. 17

Executed oct 14 1927 by delivering a true copy of this writ to Frank Rogers Ellsworth Shifflett irvin Shifflett Miss Ella Shifflett and wife Ethel Thompson in person

G. W. Lawson D.S

for L. W. Dear S.R.C

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

A. R. Curry

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~~ Fourth Monday day of 19 ,

to testify and the truth to say in behalf of the Commonwealth against

David T. Daniel

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 27 day of Oct. , 1977 and in the 150th year of the Commonwealth.

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Com.

vs

David T Daniel

Sheriff fee. To

Executed at 22 1922 by delivering a true Copy of the within Summons to A P Chaney

~~In person~~

C. W. Lowe, S. P. C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon C. W. Dove, Geo. A. Lawson, Frank Rogers, Ellsworth Shifflett, Irvin Shifflett, Miss Ella Shifflett, Mrs. Ethel Thompson & ---- Wyant.

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 27th *day of* Oct. *19* 27 *to testify and the truth to say in* ***behalf of the Commonwealth*** *against* David T. Dauel

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 21 *day of* Oct. *, 19*27 *and in the* 150th *year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Com.

vs.

David T. Dowel

Sheriff fee 4.00

1927

Executed Oct 22 1927 by delivering a true Copy of the within Summons to Mrs Vivian

[illegible]

C W Dove S.R.C.

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

C. W. Dove and W. E. Lucas

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 17th *day of* October, *19*27 *to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY*

vs. David T. Dovel

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 11th *day of* Oct. *1927 and in the* 152d *th year of the Commonwealth.*

J. F. Blackburn *Clerk*

POL PRESS, Harrisonburg, Va.

Executed Oct 12, 1927 by delivering a true copy of the within summons to the within named defendant

In person.

G. W. Rose, S.R.C.

Commonwealth

vs

David T. Dovel

Sheriff fee 1.00

Oct. 17/27

Hit v rem

COMMONWEALTH

v) CHARGE TO THE JURY

DAVID T. DOVEL

If you find the accused, David T. Dovel, 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 jail for not less thirty days nor more than one year or in the penitentiary for a term of not less than one year nor more than five years, or by a fine of not less than ~~five~~ one hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment.

Hit - Run case

Charge to the Jury

Inv. Manslaughter

COMMONWEALTH

v.) CHARGE TO THE JURY

DAVID T. DOVEL

If you find the accused, David T. Dovel, 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 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 imprisonment and fine.

Jurisdiction Miscellaneous

Commonwealth

v.

David T. Dovel

Charge to the Jury

We the jury find the accused David T. Dovel, not guilty

F. L. Pinkle

Is the jury in the room please sir?

No 1

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 October term, 1927, upon their oaths do present that David T. Dovel on or about the 11th day of September, 1927, in the county aforesaid, while driving an automobile at a fast and unlawful rate of speed on the public highway (Spotswood Trail) near Herring's Store, in said county did run said automobile with great force and violence into, upon and against one Mary Yancey, thereby throwing the said Mary Yancey to the ground, injuring and wounding her, the said Mary Yancey and causing her to suffer a mortal wound, of which mortal wound she, the said Mary Yancey then and there instantly died. And so the jurors aforesaid upon their oaths aforesaid do say that the said David T. Dovel the said Mary Yancey 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 do further present that on or about the 11th day of September, 1927, in the county aforesaid, David T. Dovel, while unlawfully driving an automobile on the left side of the public highway (Spotswood Trail) near Herring's store, in the said county, ran said automobile with great force and violence into, upon and against one Mary Yancey, thereby throwing the said Mary Yancey to the ground, injuring and wounding her, the said Mary Yancey and causing her to suffer a mortal wound, of which mortal wound she, the said Mary Yancey then and there instantly died. And so the jurors aforesaid upon their oaths aforesaid do say that the said David T. Dovel the said Mary Yancey 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 C. W. Dove, Geo.

A. Lawson, Frank Rogers, Ellsworth Shifflett, Irvin Shifflett, Miss Ella Shifflett, and Mrs. Ethel Thompson, witnesses sworn in Court and sent before the grand jury to give evidence.

1

Involuntary Manslaughter

Commonwealth

v) Indictment

David T. Dovel

Felony

October term, 1927

A True Bill:

J. C. Cooper, Foreman

F. N. T.

Oct 27th

D. W. Earman
Commonwealth's Attorney

Commonwealth of Virginia,
Rockingham County, to-wit:

Be it remembered, that on the 12th day of Septemb., 1927, David T. Dovel and Otis D. Dovel and A.B. Dovel came before me, Harry M. Strickler, Bail Commissioner, of the said County of Rockingham, and severally and respectively acknowledged themselves to be indebted to the Commonwealth of Virginia, in manner and form following, that is to say: the said David T. Dovel in the sum of Ten Thousand dollars and the said Otis D. Dovel in the sum of Ten Thousand dollars, and the said A.B. Dovel in the sum of Ten Thousand Dollars to be respectively made and levied of their several goods and chattels, lands and tenements, and they severally waived the benefit of their Homestead Exemption as to this obligation, to the use of the Commonwealth of Virginia, if the said David T. Dovel shall make default in the performance of the condition underwritten.

The condition of the above recognizance is such that if the above bound David T. Dovel do and shall personally appear before the Circuit Court of the said County on the first day of the next term thereof, then and there to 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 continued or further heard, 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 Court, and be bound under this recognizance until 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.

David T. Bond
Bail

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

The grand jurors of the Commonwealth of Virginia in and for the body of said county and now attending said Court at its December term, 1929, upon their oaths do present that David T. Dovel within one year next prior to the finding of this indictment, in the county aforesaid, while driving an automobile on the Valley Turnpike about three miles north of Harrisonburg, did unlawfully drive said automobile on the wrong side of the road, that is, on his left side of the road, and drove the same into an automobile being driven in the opposite direction by one Roy Good, thereby injuring and wounding him, the said Roy Good, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of _____ Strawhorn, _____ Johnson Benton Biller, Carl Bowman, W. T. Wolfrey, Roy Good, and S. F. Newman, witnesses sworn in Court and sent before the grand jury to give evidence.

Driving car on wrong side
of road

Commonwealth

v) Indictment

David T. Dovel - Co Bure

Misdemeanor

December term, 1929

A True Bill:

J B Marx

Foreman

D. W. Earman
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 said Court at its October term, 1927, upon their oaths do present that David T. Dovel on or about the 11th day of September, 1927, in said County while driving an automobile on the public highway (Spotswood Trail), near Herrings Store, did run the same with great force and violence into, upon and against one Mary Yancey, thereby throwing the said Mary Yancey to the ground injuring and wounding her the said Mary Yancey and causing her to suffer a mortal wound of which mortal wound she, the said Mary Yancey, then and there instantly died, the said David T. Dovel, the driver of said automobile, unlawfully and feloniously failing to stop his car at the scene of such accident, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of C. W. Dove, Geo. A. Lawson, Frank Rogers, Elsworth Shifflett, Irvin Shifflett, Miss Ella Shifflett, and Mrs. Ethel Thompson, witnesses sworn in Court and sent before the grand jury to give evidence.

Viol. Automobile law

Commonwealth

v) Indictment

David T. Dovel

#2

Felony

October term, 1927

A True Bill:

J. C. Corson
Foreman

Nol.
Oct 27 -
F. H. J.

D. W. Earman
Commonwealth's Attorney

We the jury find the accused, David T. Dovel, guilty, as charged in the indictment and fix his punishment at a fine of Eight Hundred (800.00) Dollars

F. H. Fitzhugh

#421

COMMONWEALTH

vs.

DAVID T. DOVEL

Felony #1
(Inv. manslaughter)

Plea Not Guilty,
List for Feb. 21.

Claude F. Whitmer
M. O. Miller
Roy H. Mason
Chas D. Hoover
F. L. Gibble
E. R. Harrison
H. R. Vawter
C. H. Gardner
Raymond Lander
R. J. Weaver
Roy S. Hartman
Chas W. Altman

Sheriff costs

arrest	1.50
summons	9.00
Imp. Jury	1.50
	$12.00

4422

COMMONWEALTH

VS. Felony #2
(Viol. Auto. law)

DAVID T. DOWEL

Plea Not Guilty
Set for Oct. 27

OCT 1930 #667

COMMONWEALTH

VS.)Misdr.

DAVID T. DOVEL

For Term