

STATE OF VIRGINIA

COUNTY OF ROCKINGHAM, To-wit:

In the Circuit Court of said County:

The grand jurors of the State of Virginia, in and for the body of the County of Rockingha, upon their oaths do present that William D. Flick, on or about August 15, 1934, in the said county of Rockingham, feloniously and unlawfully did kill and slay one Joseph ~~Ziebers~~ **GRYCIEL** against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of John Romanoski, Pasco Holsinger, Melvin Witt, Pulse ~~Rodes~~ Hertha Rodes, G. E. Garrett, C. R. Fawley, E. E. Kiser, Dan Shifflett, "Bob" Shirkey and Clarence Leake.

Inv. Manslaughter

COMMONWEALTH

V. - Indictment

WILLIAM D. FLICK

Bill

October Term 1934

A True Bill

J. N. [Signature]
Foreman

Witnesses:

- John Romanoski ✓
- Pasco Holsinger ✓
- Melvin Witt ✓
- Pulse Rodes ✓
- Hertha Rodes ✓
- G. E. Garrett ✓
- C. R. Fawley ✓
- E. E. Kiser ✓
- Dan Shifflett ✓
- "Bob" Shirkey ✓
- Clarence Leake ✓

D. W. Earman,
Commonwealth's Atty.

This indictment is found on the testimony of John Romanoski, Pasco Holsinger, Melvin Witt, Pulse Rodes, Hertha Rodes, G. E. Garrett, C. R. Fawley, E. E. Kiser, Dan Shifflett, "Bob" Shirkey and Clarence Leake.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH

V.

WILLIAM D. FLICK

CHARGE TO JURY

If you find the accused, William D. Flick, not guilty, you will say so and no more.

If you find him guilty of involuntary manslaughter 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 by both such fine and imprisonment.

CHARGE TO JURY

COMMONWEALTH

V.

WILLIAM D. FLICK

You may say so and no more. If you find the accused, WILLIAM D. FLICK, not guilty, charged in the indictment, then you will say so and fix his punishment by confinement in the penitentiary for a period exceeding one year, or by a fine not exceeding One Thousand Dollars; or by both such fine and imprisonment. Your discretion, by confinement in jail for a period not less than one year, not more than five years; or in imprisonment by confinement in the penitentiary for a period exceeding one year, or by a fine not exceeding One Thousand Dollars; or by both such fine and imprisonment.

CHARGE TO JURY

WILLIAM D. FLICK

COMMONWEALTH

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Nov. 3, 1934

1. Clarence Jackson
2. H. A. Bangler
3. J. F. Remington
4. M. G. Newman
5. T. P. Neagy
6. Roger Law
7. Glen Messick
8. J. P. Ammenton
9. Wesley Fitzwater
10. Harry E. Herrie
11. J. M. Brubaker
12. C. W. Leroux

Philly Coal

Arrest

	1.50
Sum. Writs JP	4.50
" " JP	5.00
" " CC	5.00
Imp. Jour	1.50
Comm. Jour	.50
<hr/>	
\$	18.50

#1229

DEC 1934

COMMONWEALTH

V.) Felony (inv. mans.)

WILLIAM D. FLICK

Bail

N.B.
Nov 2

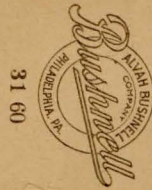
5

545

Flicker

Jan 14 -

- 1 a. l. Brewster
- 2 Geo T. Armstrong
- 3 C. C. Lumsden
- 4 Laurence Deane
- 5 A. V. Bludde
- 6 E. L. Peep
- 7 Leyton & Bannerman
- 8 Geo. A. Miller
- 9 C. F. Leuwer
- 10 Geo. L. Hayler
- 11 J. A. Kier-glen
- 12 H. E. Kover



ATLANTA

CHICAGO

FORT WORTH

KANSAS CITY

NEW YORK

SINCLAIR REFINING COMPANY

REFINERS OF PETROLEUM

205 E. 42ND STREET, NEW YORK, NEW YORK

Dear Friend:

YOUR ACCOUNT has been established with us thru a CREDIT IDENTIFICATION CARD plan recently inaugurated by our Company.

SERVICE to the motoring public has been the incentive which has produced our test-proven, superior motor fuel - SINCLAIR H-C GASOLINE - and two outstanding motor oils - SINCLAIR OPALINE and SINCLAIR PENNSYLVANIA. We are justly proud of these products, also our merited quality Sundries:

Sinclair P.D. (Insecticide)	Sinclair Metal Polish
Sinclair Automobile Polish	Sinclair Chromium Polish
Sinclair Spot Remover	Sinclair Tar Remover
Sinclair Household Oil	Sinclair Soap

And now to complete our program of real SINCLAIR SERVICE, we have introduced CREDIT IDENTIFICATION CARDS - an added feature for your convenience. You may now purchase all your needs, including the products listed, at any Company Operated Service Station or APPROVED SINCLAIR DEALER in the United States, on a monthly charge account - simply by presenting the enclosed card after you have countersigned it.

We hope you will give us the opportunity to serve you regularly.

Very Cordially yours,

SINCLAIR REFINING COMPANY



CREDIT MANAGER.

Credit Identification Cards issued by SINCLAIR are of limited duration to conform with the maximum terms embodied in the Petroleum Code to which this Company has pledged its adherence. Renewal cards are issued well in advance of the expiration date of outstanding cards to insure continuous credit privileges.

mention the fact.
that when Charles Dravris Ricked
their cars that Flick did lose
wigh head light as stated by
Flick

Dear Friend

YOUR ACCOUNT has been established
with us thru a CREDIT IDENTIFICATION CARD which recently
inaugurated by our Company.

SERVICE to the motoring public has
been the incentive which has produced our best-proven,
superior motor fuel - SINCLAIR H-C GASOLINE - and two out-
standing motor oils - SINCLAIR OPALINE and SINCLAIR
PENNSYLVANIA. We are justly proud of these products, also
our merited quality standards:

- Sinclair P. D. (Insecticide)
- Sinclair Metal Polish
- Sinclair Automobile Polish
- Sinclair Chromium Polish
- Sinclair Spot Remover
- Sinclair Tar Remover
- Sinclair Household Oil
- Sinclair Soap

And now to complete our program of
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TION CARDS - an added feature for your convenience. You may
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at any Company Operated Service Station or APPROVED SINCLAIR
DEALER in the United States, on a monthly charge account -
simply by presenting the enclosed card after you have counter-
signed it.

We hope you will give us the oppor-
tunity to serve you regularly.

Very Cordially yours,

SINCLAIR PETROLEUM COMPANY



CREDIT MANAGER

Credit Identification Cards issued by SINCLAIR are of limited
duration to conform with the maximum terms embodied in the
Petroleum Code to which this Company has pledged its adherence.

In the Circuit Court of Rockingham County, Virginia,
January 18, 1935.

IN THE MATTER OF THE TRIAL OF THE CASE OF COMMONWEALTH
AGAINST WM. D. FLICK.

John Romanoski, who was a material witness on
behalf of the Commonwealth, having been brought from
Dupont, Pennsylvania, the place of his abode, it is
ordered that he be allowed and paid as proper compensa-
tion for his attendance and necessary expenses, the sum
of \$27⁵⁰, of which \$2⁰⁰ is for two days'
attendance, and \$25⁵⁰ is for traveling and other
expenses.

Enter: HUR.

\$2.00 attendance at Oct. Term
25.50 for traveling + other expenses.

\$ 27.50 Total

5 / 545

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

Charles Deaver

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 9:30 o'clock, a. m., on the *14th* day of *Jan.* 19*35* to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against.....

Wm. D. Sulick

who stands charged with and indicted for a felony misdemeanor.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *12th*
day of *Jan.* 19*35*, and in the *159th* year of the Commonwealth.

J. Robert Switzer, Clerk

Wm. D. Slick

ada

Com.

Hammer v Hammer

p. d.

1935

Jan. 11

By Shivers

Charles DeCoursey

In Name of the Commonwealth of Virginia:
In person:
with Summons to

by delivering a true Copy of the

Jan 14 1935

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *Charlie Huffman* x

Geo. Bayer x

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 9:30 o'clock, a. m., on the *14th* day of *Jan.* 19 *35*,
to testify and the truth to say in behalf of the Commonwealth against

Wm. D. Flick

who stands charged with and indicted for a felony misdemeanor.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *11th* day of *Jan.* 19 *35*, and in the 15 *9th* year of the Commonwealth.

J. Robert Switzer, Clerk

Case

M.

Wm. D. Glick

executed Jan 12 1935 by delivering a true Copy of the

within Summons to

Charles Buchanan & Co Boyers

In person

D. V. McPherson
C. R. Spawley

1935
Jan. 14

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *Ray Taylor, Mrs Ray*

Taylor, Elizabeth Mary, John Harrison,

David Bayers + Mabel Muck

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 9:30 o'clock, a. m., on the *14th* day of *Jan.* 19 *35* to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

Wm. D. Muck

who stands charged with and indicted for a felony misdemeanor.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *12th*
day of *Jan.* 19 *35*, and in the *159th* year of the Commonwealth.

J. Robert Switzer, Clerk

Executed Jan 12-1935 by delivering a true copy
of the within summon to Roy Taylor

Mrs Roy Taylor Elizabeth Flory
John Harrison David Bejers
Mable Flick

each in person. D.V. Shifflett Deputy Jee
C.R. Pawley R.A.S.

Mm. D. Flick

Commonwealth of Virginia
To the Sheriff of Rockingham County, Greendale,
Com

Hammer x Hammer
P.D.

1935

Jan 14

1935

THE ROOSEVELT-GARNER-ROBERTSON CLUB

313 First National Bank Building

HARRISONBURG, VIRGINIA

Bin. Packet # 47

Genth

v.
Mr. D. "Buck" Flick

8/21/34

Sold for Grand Jury

||||
||||

50
60
110
300

The Commonwealth of Virginia, } To-wit:
 Rockingham County,

To the Sheriff of said County:

Whereas, E. E. Kiser, of said County, has this day
 made complaint and information on oath before me, Hamilton Haas
 of the said County, that W. D. "Buck" Flick T. J. or J. P.
 of the said County, on the 15 day of August, 1934, in the said County, did

feloniously and unlawfully kill and slay one
Joseph Ziobro 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 apprehend and bring
 before the Trial Justice of the said County, the body of the said

W. D. "Buck" Flick
 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, this 18th day of August, 1934.

By Hamilton Haas,
Larry M. Bryan, T. J. or J. P.
cl. J. J. Court

JUDGMENT

Aug. 21/34

Upon the examination of the within charge, I find ~~the accused~~ *probable*

reason to believe

accused guilty -
Held for said
Jury

Fine	- - - - -	\$
Issuing Justice's Fee	- - - - -	\$
Clerk's Fee	- - - - -	\$	1.25
Trial Justice Fee	- - - - -	\$	3.00
Arrest	- - - - -	\$	1.50
Summoning Witness	- - - - -	\$	4.50
Witness Attendance & Mileage	- - - - -	\$	4.60
Commonwealth's Attorney	- - - - -	\$
Jail Fees	- - - - -	\$	4.10
Total	- - - - -	\$	18.95

Harrison
Trial Justice

Trial Justice Court

Criminal Docket No. 47

Commonwealth

vs.

Arrest Warrant

M. D. "Buck" Flick

Executed the within warrant by arresting and delivering the body of

before _____
a justice of Rockingham County, and by summoning the within named witnesses in person this _____ day of _____, 192_____.

STATE OF VIRGINIA, COUNTY OF ROCKINGHAM, TO-WIT:
I, Harrison, (T. J. or J. P. or Bail Commissioner) in and for the County of Rockingham, State of Virginia, do hereby certify that W. D. Flick, 178 and Jno. F. Harrison, C. A. Flick, and Paul Flick as his sureties have this day acknowledged themselves indebted to the Commonwealth of Virginia in the sum of Five Hundred dollars (\$ 500.00) as to which they severally waived their exemption, to be made and levied of their goods and chattels, yet upon this condition: That the said W. D. Flick on the 15 day of October, 1934, at Harrisonburg shall appear before the Arrest Trial Justice Court of Rockingham County at 11 o'clock A. M., and not depart hence without leave of said Court, 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 said charge, and then and there answer the Commonwealth of Virginia concerning the within charge until the same is finally disposed of, then this recognizance shall be null and void; otherwise to remain in full force and effect.

Given under my hand this, the 21 day of August, 1934.

Harrison
T. J. or J. P. or Bail Commissioner

Jan. 15-1935

We the jury find the accused
William G. Flick, not guilty, as per
indictment returned by October term of court
(1934)

L. C. Bauserman,
Foreman.

Jan. 12-1932

As the jury find the accused
William P. Miller, not guilty, as per
indictment returned by Grand Jury of Court

(1932)

J. P. Boardman
Clerk of Court

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*Pace Felsing, Melvin
Mitt Pulse, R. Rhodes, Vertha G. Rhodes,
S. E. Gossett, O. R. Grawley, E. E. Riser,
Dan Shifflett, "Bob" Shirkley, &
Clarence Locke*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 9:30 o'clock, a. m., on the *22* day of *Nov.* 19 *34*,

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

Wm. D. Slack

who stands charged with and indicted for a felony misdemeanor.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *30th*
day of *Oct.* 19 *34*, and in the 15 *9th* year of the Commonwealth.

J. Robert Switzer, Clerk

Executed Oct 30-1934 by delivering a true copy

of the within summons to Process Admiral's with William W.

James Phoebe South William Robert W. Stamps W.

Chas Frank W. Stein Sam W. W.

Bob Anderson James Leake

each in person.

Chas Frank W.

Carroll.

W.

Wm. D. Glick

Nov 21 - 34

34.20

1934

Nov. 2

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *John Romaneski, Pasca*
Halsinger, Melvin Witt, Paulie Rhodes,
Herthel Rhodes, G.E. Garrett, C.R. Maulley,
E.E. Kiser, Don Shifflett, "Bob" Shirkey,
Clarence Leake

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 9:30 o'clock, a. m., on the *15th* day of *Oct.* 19 *34*,
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY.....

Wm. D. Slick

who stands charged with a felony misdemeanor.

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *9th*
day of *Oct* 19 *34*, and in the *159th* year of the Commonwealth.

J. Robert Switzer, Clerk

executed Oct 11th 1934 by delivering a true Copy of the

within Summons to John Rowandzki, Percy Hollinger
Milwin Witt, Pulse Rhodes,
Herba Rhodes, G. E. Garnett,
C. R. Fawley, C. E. Kiger, Dan
Shifflett, "Pop" Shirkley &
Clarence Leake.

each in person

D. V. Shifflett Deputy for
C. R. Fawley, S. R. C.

Cam.

"

Wm. D. Duck

1934

Oct. 15

Case
v.
Flick
KWA

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 feloniously, or in the improper or negligent performance of a lawful act; and, that when a homicide follows as a natural and probable consequence of such a reckless or culpably negligent act as is incompatible with a proper regard for human life, the law imputes a criminal intent to the offender and he may be punished.

Case No. 12345

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 feloniously, or in the improper or negligent performance of a lawful act; and that when a homicide follows as a natural and probable consequence of such a reckless or culpably negligent act, it is compatible with a proper regard for human life, the law imputes a criminal intent to the offender and he may be punished.

Corn
v
Flick
1913

INSTRUCTION NO. 1

The Court further instructs the Jury that circumstantial evidence is legal and competent in criminal cases, and a conviction may be had upon such evidence.

Com
v
Flick
Hess

INSTRUCTION NO. 3

The Court tells the Jury that in determining the weight to be given to the testimony of different witnesses in this case, the Jury are authorized to consider the relationship of the witness to the parties, if the same is proved; their interest, if any, in the result of this case, and their temper, feelings, or bias, if any has been shown; their apparent intelligence, and their means of information; and to give such credit to the testimony of such witnesses as under all the circumstances such witness seems to be entitled to.

Case
No.
1234

INSTRUCTION NO. 8

The Court tells the Jury that in determining the weight to be given to the testimony of different witnesses in this case, the Jury are authorized to consider the relationship of the witness to the parties, if the same is shown; their interest, if any, in the result of this case, and their temper, feelings, or bias, if any has been shown; their apparent intelligence, and their means of information; and to give such credit to the testimony of such witnesses as under all the circumstances such witness seems to be entitled to.

Cour
v
Flick
HWA

INSTRUCTION NO. 4

The Court tells the jury that it is unlawful to operate a car in this state recklessly; and, if you believe from the evidence in this case ^{beyond a reasonable doubt} that William D. Flick violated the law in this respect in such a manner as to indicate a disregard of the consequences, and, that Joseph Gryciel's death was caused thereby, then you will find the accused guilty as charged in the indictment.

Comm
v
Flick
et al

A

The court instructs the jury that the law presumes every person charged with crime to be innocent until his guilt is established by the Commonwealth beyond a reasonable doubt, and this presumption of innocence goes with the accused through the entire case, and applied at every stage thereof; and if, after having heard all the evidence in this case, the jury have a reasonable doubt of the guilt of the accused upon the whole case, or as to any fact essential to prove the charge made against him in the indictment, it is their duty to give the prisoner the benefit of the doubt, and find him not guilty.

Cow
v
Flick
HUB

B.

The Court instructs the jury, that to warrant the conviction of the person accused of crime every fact necessary to establish his guilt must be proved beyond a reasonable doubt, and ~~circumstantial evidence alone~~, when as here, a conviction is sought upon circumstantial evidence alone, ~~as~~ ^{it} always ₁ to be acted upon with the utmost caution. It is not sufficient therefore that the evidence creates a suspicion of guilt. The accused is entitled to an acquittal unless the fact of guilt is proved to the actual exclusion of every reasonable hypothesis of his innocence.

94/813

11
12
13

8

of every reasonable hypothesis of the innocence.
admitted unless the fact of guilt is proved to the actual exclusion
and creates a suspicion of guilt. The accused is entitled to an
the utmost caution. It is not sufficient therefore that the evi-
circumstantial evidence alone, ~~which~~ always to be acted upon with
~~caution~~, then as here, a conviction is sought upon
which his guilt must be proved beyond a reasonable doubt, and
action of the jury accused of crime every fact necessary to es-
-not to warrant the jury, that to warrant the con-

12/13