

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, 1934, upon their oaths do present, that Ernest Tucson, on or about November ²⁰~~14~~, 1933, with force and arms, in the county aforesaid, in and upon one Gomez Kenney Kenney, a female child under the age of sixteen years, to-wit, the age of 14 years, feloniously did make an assault; and her, the said Gomez Kenney, then and there, to-wit, on the day and year aforesaid, unlawfully and feloniously did carnally know and abuse, ^{with the consent of said Gomez Kenney} against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of M. C. Kenney, Allie Kenney and Gomez Kenney, witnesses sworn in Court and sent before the grand jury to give evidence.

Rape Felony

COMMONWEALTH

V. Indictment

ERNEST TUCSON

Bail

October Term 1934

A True Bill

J. N. Seaman
Foreman.

Witnesses:

M. C. Kenney

Allie Kenney ✓

Tommy Kenney ✓

D. W. Earman,
Commonwealth's Atty.

COMMONWEALTH OF VIRGINIA
COUNTY OF ROCKINGHAM, Jo-111:

In the Circuit Court of said County:

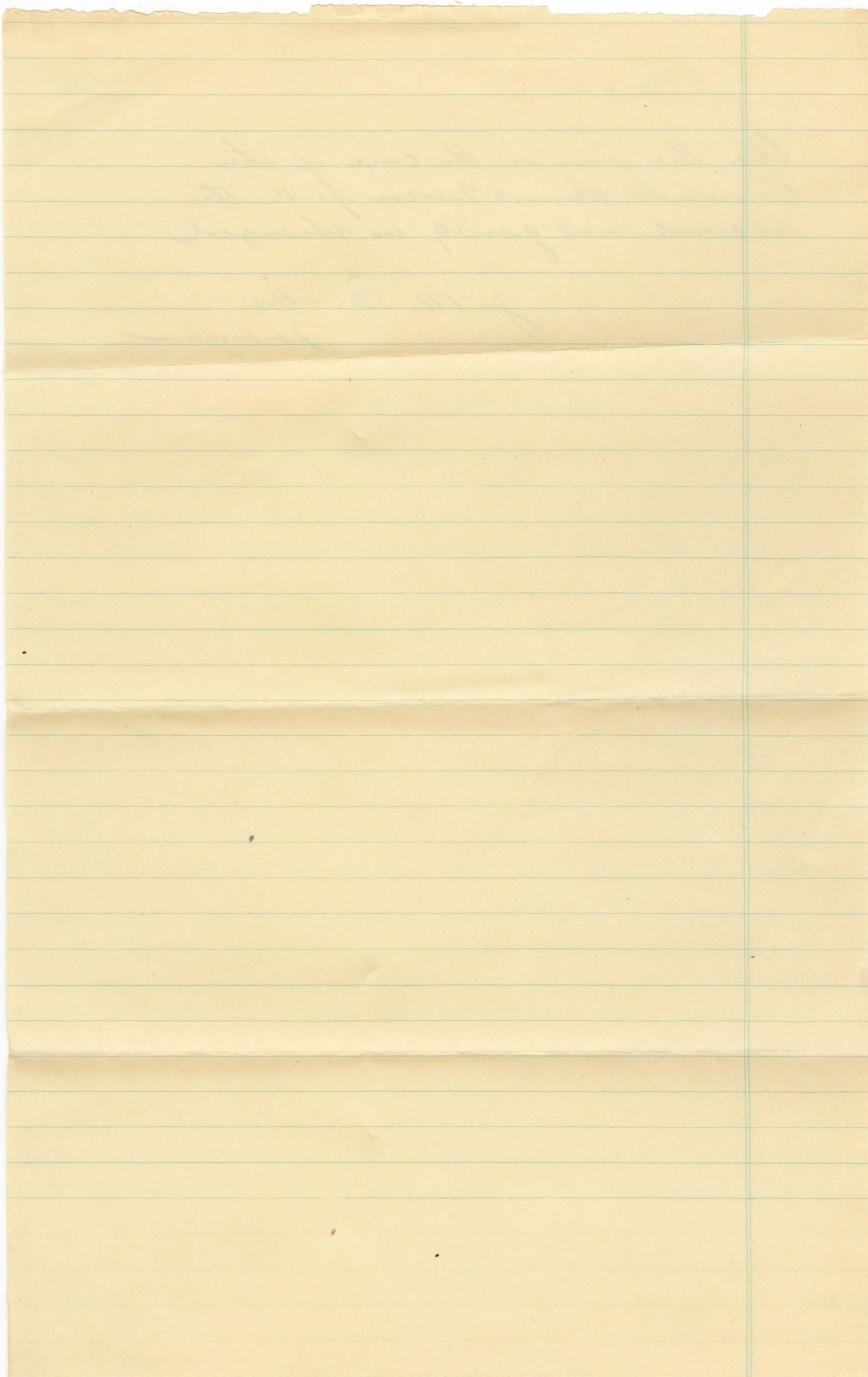
Ernest Tucson, on about November 1933, with force and arms, in the county aforesaid, in a felonious and unlawful manner, unlawfully and feloniously did unlawfully know and abuse against the peace and dignity of the Commonwealth of Virginia.

That the said Ernest Tucson, then and there, do-wit, on the day and year aforesaid, unlawfully and feloniously did unlawfully know and abuse against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of M. C. Kenney, Allie Kenney and Tommy Kenney, witnesses sworn in Court and sent before the Grand Jury to give evidence.

We the jury in the case of the
Commonwealth vs. ~~Samuel~~ Dawson find the
accused not guilty as charged

J. M. Broun
Foreman



Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 2nd day of July, 1934,
Ernest Tuckson, principal and David A. Cubbage
Anna Lewis & Bernie Tuckson
surety, who justified to his sufficiency, came before me,
B. C. Patter J. P., of the said County of Rockingham,
(J. P. or Bail Commissioner)

and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of
Seven-hundred & fifty Dollars, (\$ 750⁰⁰),
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 Ernest Tuckson shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 1st day of the
October Term thereof, being the 15th day of October,
1934, 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 Felony whereof the
said Ernest Tuckson 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 2nd day of July,
1934.

B. C. Patter
(J. P. or BAIL COMMISSIONER)

Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 20th day of July, 1934,
Ernest Jackson, principal and
Ernest Jackson
surety, who justified to his sufficiency, came before me,
J. C. Patton
(J. P. or Bail Commissioner), of the said County of Rockingham,

and acknowledged that he is indebted to the Commonwealth of Virginia in the sum of
\$ 750 00
Dollars (\$ 750 00),
to be levied for the use of the Commonwealth of Virginia, and that he is bound under and recognizance until the
15th Oct 1934
Term of the
Petitioner Court
Ernest Jackson
Anna Devere
David A. Cabbage
W. D. C. Patton
Ernest Jackson

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 20th day of July, 1934.
J. C. Patton
(J. P. or Bail Commissioner)

OCT = 1934 DEC

1934

#1234

COMMONWEALTH

V.) Felony (rape)

ERNEST TUCSON

Bail

Nov 8 v. &

not g

5/5

- 1 J A Lane
- 2 F. F. Heagy
- 3 G B Kisel
- 4 Roger Lane
- 5 Glen Messick
- 6 J P Amment
- 7 Harry E Herivel
- 8 E D Harpel
- 9 M G Newman
- 10 L W Lerone
- 11 C. C. Amment
- 12 J M. Brubaker

Sherry Coal

areak	1.50
Simon M. Brown	1.50
" " S. J.	1.50
" " C. C.	2.00
Imp. coal	1.50
Coal fee	.50
	<u>8.50</u>

Committed Apr 24

Bond July 3 -

Credit 71 days

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Commonwealth :
v. : Charge to the Jury.
Ernest Tucson :

If you find the accused, Ernest Tucson, not guilty, you will say so and no more.

If you find him guilty of rape, as charged in the indictment, then you will say so and fix his punishment with death or by confinement in the penitentiary for life, or for any term not less than five years. But if you believe that Gomez Kanney at the time of the carnal act was between the ages of fourteen and sixteen years, and that she consented to the carnal knowledge, then you will say so and fix his punishment at confinement in the penitentiary for not less than one nor more than twenty years.

If you do not find him guilty of rape, as charged in the indictment, but find him guilty of attempted rape, as therein charged, then you will say so and fix his punishment with death, or by confinement in the penitentiary for life, or for any term not less than three years.

If you do not find him guilty of either of the felonies aforesaid, but find him guilty of assault and battery, then you will say so and fix his punishment at confinement in jail for a period not exceeding twelve months, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

five hundred dollars, or by both such fine and imprisonment.

or by confinement in the penitentiary for life, or for any term not less than three years.

If you do not find him guilty of either of the felonies charged, then you will say so and fix his punishment with death, the indolment, but find him guilty of attempted rape, as therein

It you do not find him guilty of rape, as charged in
then one nor more than twenty years.

Commonwealth

v.

Ernest Tucson

Charge to the Jury

his punishment of confinement in the penitentiary for not less
sent to the county knowledge, then you will say so and fix
between the ages of fourteen and sixteen years, and that she con-
any term not less than five years. But if you believe that
guest or punishment in the penitentiary for life, or for
diectant, then you will say so and fix his punishment with
If you find him guilty of rape, as charged in the in-
You will say so and no more.

If you find the accused, Ernest Tucson, not guilty,

Ernest Tucson :

v. : Charge to the Jury.

Commonwealth :

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Arrest Warrant

Commonwealth of Virginia, }
Rockingham County, } To-Wit:

To W. E. Lucas Ds., a Constable of said County:

Whereas, M. C. Kenney of the said County, has this day made complaint and information on oath before me, J. P. Bruce a Justice of the said County, that Ernest Jackson

of the said County, on the 14 day of Nov, 1933, in the said County, did

unlawfully by force carnally know a female child, under sixteen years old against the peace and dignity of the Commonwealth,

These are therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend and bring before, me or some other Justice of the said County, the body of the said

Lawrence Jackson
to answer the said complaint and to be further dealt with according to law. And you are required to summon M. C. Kenney & wife & daughter

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

Given under my hand and seal this 23 day of Nov., in the year 1933.

J. P. Bruce J. P. [Seal]

Commonwealth

vs.

Commonwealth

vs.

Arrest Warrant

To Grand Jury
May 24th 1934
Judgment

Ernest Jackson

That the Defendant found guilty and fined
and costs as follows:

Executed the within warrant by arrest-
ing and delivering the body of

Fine	-	-	-
Clerk's Fee	-	-	-	1.25
Justice's Fee	-	-	-	3.00
Arrest	-	-	-	1.00
Summoning Witness	-	-	-
Com. attorney	-	-	-	5.00
Witnesses Attendance and Mileage	-	-	-
Total	-	-	-

Ernest Jackson

before W. H. Bruce
a justice of Rockingham County, and by sum-
moning the within named witnesses in person

this 24 day of Apr 1934

B. C. Pattie
Justice of the Peace.

W. H. Bruce
Constable of Rockingham County

Committed to Jail
to be further dealt
with by Law.
W. H. Bruce

Lynwood Thompson
Tas Turner
Emma Jackson
Laurence Jackson

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Carl Gray, Sallie

Jackson

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 *8th* day of *Nov.* 19 *34* to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

Ernest Jackson

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 *2d*
day of *Nov.* 19 *34*, and in the *159th* year of the Commonwealth.

J. Robert Switzer, Clerk

Ernest Tucson

ads.

Com.

Hammes & Hammes
p. d.

1934
Nov. 8

Each person:

within Summons to

Beale Fry, Sally Jackson

executed Nov-8-34 by delivering a true copy of the

Rockingham County

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

Caroline Beck

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 *9th* day of *Nov* 19 *34* to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against.....

Ernest Jackson

who stands charged with and indicted for a felony misdemeanor.

And this *she* 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 *26th*
day of *Oct* 19 *34*, and in the *159th* year of the Commonwealth.

....., Clerk

Caroline Beck

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Caroline Beck

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereat,
at 9:30 o'clock, a. m., on the 19th day of May, 1914, to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

Caroline Beck

who stands charged with and indicted for a felony misdemeanor.

And this 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

day of 19th, and in the year of the Commonwealth.

Clerk

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

Joe Comer

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 *8th* day of *Nov.* 19*34* to testify and the truth to
say in **behalf of the Defendant** in the prosecution of the Commonwealth against.....

Ernest Jackson

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 *26th*
day of *Oct.* 19*34*, and in the *159th* year of the Commonwealth.

....., Clerk

John Comer

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

John Comer

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereat,
at 9:30 o'clock, a. m., on the 12th day of May, 1914, to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

John Comer

who stands charged with and indicted for a felony misdemeanor.
And this shall not count under penalty of \$100. And have them and

these this Writ.

Witness, I ROBERT SWITZER, Clerk of our said Court, at the Court House, the
day of May, 1914, and in the 12th year of the Commonwealth.

Clerk

In the Name of the Commonwealth of Virginia:

Page

To the Sheriff of **Rockingham** County, Greeting:

You are hereby commanded to summon.....

Dr. Jos. J. Kaff

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 *8th* day of *Nov.* 19 *34*

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

Ernest Swanson

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 *7th*
day of *Nov.* 19 *34* and in the 15 *9th* year of the Commonwealth.

J. Robert Switzer, Clerk

Camd.

Ernest Jackson

Pay to the order of Ernest Jackson

Five Dollars

Received in the County of Page
by serving a true copy of the
Within Summons in
upon Wm. J. W. Wash.
This 8 day of Nov, 1934
J. F. Jackson
Judge Page County.

1934
Nov. 8

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *M. C. Kenney, Kenney*
Kenney, + W. E. Lucas

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 *8th* day of *Nov.* 19 *34*

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

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 *29th*
day of *Oct* 19 *34*, and in the 15 *9th* year of the Commonwealth.

J. Robert Switzer, Clerk

Executed @ 2891-34 delivering a true copy of the

within Summons to M & Romney - Romney

— In person: —

Romey W. Edw.ear

Med. Lic. No. 107 for R. P. 10

J. P. 10

Com.

W.

Ernest Jackson

1934
Nov. 8

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *Jessie Hare, Caroline Becks,*
Lynwood Johnson, Emma Jackson,
Lawrence Jackson, Gracie Turner, Early
Cubbage, Louis Madden & Joe Comer

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 *8th* day of *Mon.* 19*34* to testify and the truth to
say in **behalf of the Defendant** in the prosecution of the Commonwealth against

Ernest Jackson

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 *26th*
day of *Oct.* 19*34*, and in the *159th* year of the Commonwealth.

J. Robert Switzer, Clerk

Executed 6ed 31-34 by delivering a true copy.

of the within summon to Lynnwood Jackson

Jesse Ware, Ernie Jackson

James Jackson, Grace Jackson

Early Leebeg, Turner Maddox

each in ~~presence~~ presence and before Boyer

Walter D. J. Ormsworth

J. R. Fowler, S. R. C.

Ernest Jackson

1934
March 8

Hammer + Hammer,
p.d.

Ad.
Com.