LAW OFFICES
D. WAMPLER EARMAN
HARRISONBURG, VA.

COMMONWEALTH'S ATTORNEY

4 SHOT TAKEN FROM THE BODY OF
JOHN LOKER BY DR. F. L. BYERS DEC. 10, 1935:

LAW OFFICES

D. WAMPLER EARMAN

HARRISONBURG, VA.

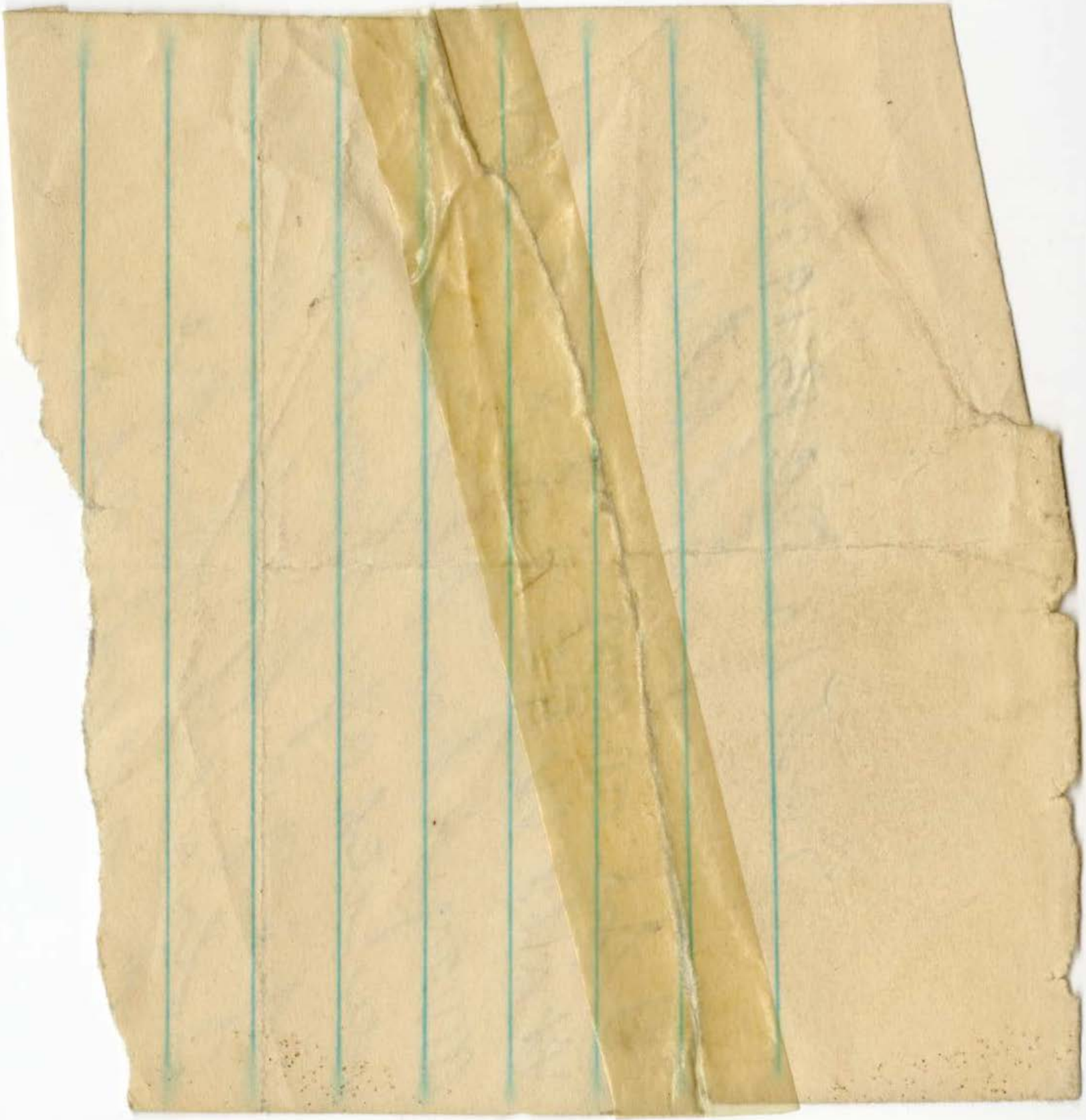
COMMONWEALTH'S ATTORNEY

Carl Turner's writing

Sunday 15
Dc 15 1935
15 Cadi Tirane A.25.

Sat 10 Dec 15 1935
Elk Tanna

Dear mary
Will W A & g h t to for
may i have the go
with you home when
you go home i will
Closed have
to add you



17 Avg. [illegible]

Sunday. Dec. 29. [illegible]

JANuary 1. 1936

Dear mal
i will write to
you to day and tell
~~that~~ you i will to
mal ~~i am going to~~
leave to day and
dont know when
i will get Back
Please dont write
a [illegible] to

JANUARY 1. 1936

MAY. WILLIAMS.

C. W. WILLIAMS.

WILLIAMS.

to day mal tha ar tryng
to from up on me and i
am not gitt at now
any things about
at

Carl Lemon

Number copies
Letter written
recently 10 cents

Lester Bryant

Contrary Law & ev
& on admission & rejection
of certain evidence
& jury & refusing
instructions

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Henry Lam, Randolph Bullen, E. E. Kiser, Joseph W. Bazzle, W. E. Lucas, S. V. Shifflett, John Logan, J. H. Brice, Dr. F. L. Byers, Clarence Leake, Lupton Kaylor, W. C. Bill, H. N. Staley (photographer) Howard Williams, Homer Alger, Virginia Williams, Charles N. Neast, Walter Heiston & Carl Turner

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 24th *day of* Feb. 19 36, *to testify and the truth to say in behalf of the Commonwealth against* Lester Lakes

who stands charged with and indicted for 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 18th *day of* Feb. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Executed Feb. 19, 1936 by delivering a true copy of the within summons to the following:
E.E.Kiser,J.W. Bazzle,W.E. Lucas,S. V.Shifflett, John Logan,J.H.Boice, Dr. F.L.Byers, Clarence Leake, Lupton Kaylor,W. O. Brill, H. W. Staley, Chas. W. Weast and Carl Turner.
in person.

N. V. Gilmwater
----------Deputy .
For J. W. Bazzle, S. R. C.

Carl
N.
Letta Lakes

Feb. 24
1936

Smith

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Edward Jones, Herman Dofflemyer, Mrs Mamie Heiston, Chas. Himler, Thos D. Dofflemyer, Homer Alger, Morton Dofflemyer, Luther Davis, W. L. Shiflett.

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 24th day of Feb. 19 36 to testify and the truth to say in **behalf of the Defendant** in the prosecution of the Commonwealth against

Lester Lokes

who stands charged with and indicted for 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 18th day of Feb. 19 36 and in the 160th year of the Commonwealth.

J. Robert Switzer Clerk

THE SERVICE PRESS, HARRISONBURG, VA. FORM NO. 5

Executed February 20, 1936 by delivering a true copy of the with summons to the following: Edard Jones, Herman Dofflemyer, Mrs. Mamie Heiston, Chas. Himler, Thos. D. Dofflemyer, Homer Alger, Morton Dofflemyer, Luther Davis, W. T. Shiplett, in person.

R W Smith -Deputy
For J. W. Bazzle, S. R. C.

Fees Taken
adv
Com

Summons + Summons
p. d.

1936
Feb. 24

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

S. L. Walton

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 24th *day of* Feb 1936 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Laker

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 19th *day of* Feb 1936, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Executed by serving a copy of the within Summon on S. L. Walton, in person. This 20th Day of February 1936.

Jno. Wm. Raffner Sheriff

By W. N. Sedwick Deputy

Sheriff of Page Co.

Letter Looker

ada

Com.

Hamner & Hamner p.d.

1936

Feb. 24

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Henry Lam, Dr. F. L. Byers, E. E. Kiser, Jos. W. Bandy, W. E. Lucas, S. V. Shiffler, John Logan, J. H. Baice, Clarence Ludke, Overton Lee, Lupton Kaylor, W. A. Brill, Howard Williams (colored) Dr. N. M. Cantler, Homer Alger, Virginia Williams + Charles N. Neast

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 10th *day of* February 19 36

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

who stands charged with and indicted for 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* 25th *day of* Jan. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Executed January 27, 1936 by delivering a true co copy of the within summons in person to the following:

Dr. F. L. Byers, E. E. Kiser, Jos. W. Bazzle, W.E.Lucas, S.V.Shifflett, John Logan, J. H. Boice, Clarence Leake, C. Overton Lee, Lupton Kaylor, W. O. Brill, Dr. N. M. Canter, and Chas. W. Weast.

N. K. Dilworth
----------Deputy
For J. W. Bazzle, S. R. C.

Com

v. Carl Turner

1936

Feb. 10

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Otis Loker, Warren Loker, Lelia Loker, Will Loker, Gordon Loker, Floyd Vines, Noah Rodeffer, Herman Weybright, Jack Baugher, Nelson Swank, Paul Falisofero, Bud Stanley, Dallas Fickle, John Alger, Mae Williams, Christine Williams, Nellie Williams, Elmer Pittington, Randolph Gallen, Strother Davis, "Foot" Thomas, Gertrude Davis, Jasper Davis

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 24th *day of* Feb. 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Loker

who stands charged with and indicted for 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 17th *day of* Feb. 19 36 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. FORM NO. 5

Executed February 19, 1936 by delivering a true copy of the within summons to the following: Otis Loker, Warren Loker, Lelia Loker, Will Loker, Floyd Viands, Randolph Breeden, Strother Davis, Gertrude Davis, Jasper Davis, in person.

Deputy
For J. W. Bazzle, S. R. C.

Executed Feb. 18, 1936 by delivering a true copy of the within summons to the following: Bud Stanley, Dallas Tickle, John Alger, Elmer Pittington: In Person.

Deputy
For J. W. Bazzle, S.R.C.

Hema Hayleys
for L H Sipe, mrctn

Lester Loker
ad

Com

Executed Feb. 19, 1936 by delivering a true copy of the within summons to the following: Gordon Loker, Noah Rodefer, Herman Weybright, Jack Baugher, Paul Taliaferro, Mae Williams, Christine Williams, Nellie Williams, in person. "Foot" Thomas not found within my bailiwick.

Hommer + Hammer J. W. Bazzle
p. d. S.R.C.

Executed Feb 21 by delivering a true Copy of the within Summons to Nelson Swank
Clarence Neff dep
Jas W Bazzle S.R.C.
in person.

1936
Feb. 24

In the Name of the Commonwealth of Virginia: Campbell

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

You are hereby commanded to summon

Dr. G. B. Arnold

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 10th *day of* February 1936 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Carl Turner

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* February 1936, *and in the* 160 *year of the Commonwealth.*

J. Robert Switzer, Clerk

THE SERVICE PRESS, HARRISONBURG, VA. FORM NO. 5

Service of within summons is hereby accepted this 8th day of February 1936.

F. B. Arnold

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Virgil Nelson

Franklin, W. Va.

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 24th *day of* Feb. 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Laker

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 17th *day of* Feb. 19 36 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, Clerk

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Executed the within summon on the within named Virgil Nelson by delivering to him a true copy thereof in person on February 22 1936 in Pendleton County.

Mike Mayburt
Deputy for N. D. Ruddle S.P.C.

Lester Parker
vs.
Com. of Va.
Franklin, W. Va.

Hammer & Hammer
p. d.

1936
Feb. 24

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Lester Bryant

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 26th *day of* Feb. 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Loker

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* 25th *day of* Feb. 19 36 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Lester Laker

ads.

Com

Executed Feb 26 1936 by delivering a true copy of the within Summons to Lester Bennett

In person.

J. W. Whitten Jr
D.C.

1936

Feb. 26

In the Name of the Commonwealth of Virginia: Page

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

You are hereby commanded to summon

R. M. Campbell

Stanley, Va.

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 24th *day of* July 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Baker

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 17th *day of* July 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. FORM NO. 5

Executed by delivering a copy of the within summon on R. M. Campbell, in person. This 18th day of February 1936.

Jno. Wm. Ruffner Sheriff

By R. N. Sedwick Deputy Sheriff of Page Co.

Luster Lakes

vs

Com.

Hammer & Hammer

p. d.

Feb. 24

1936

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

"Goat" Thomas

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 24th *day of* Feb. 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Laker

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* 17th *day of* Feb. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

1

Executed by delivering the within summon on "Foot" Thomas in person this 19th Day of February 1936.

Jno. Wm. Rufner Sheriff

By R. N. Sedwick

Deputy Sheriff of Page Co.

"Foot" Thomas

In the Name of the Commonwealth of Virginia:

To the Sheriff of ~~Rockingham~~ Page County, Greeting:

You are hereby commanded to summon

John H. Booten, J. J.

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 25th *day of* July 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Lakes

who stands charged with and indicted for 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* 22d *day of* July 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Executed By delivering a copy of the within summon on John H. Booton T. J. in person this 24th Day of February 1936.

Jas. Wm. Ruffner Sheriff

By R. N. Sedwick Deputy S. P.C.

Letter Taken

Ady

Com

Hammer & Hammer

p. d.

1936

Feb. 24

Smith

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

"Tuck" Williams

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 24th *day of* Feb. 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Loker

who stands charged with and indicted for 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* 22d *day of* Feb. 19 36 *and in the* 160th *year of the Commonwealth.*

J Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Lester Loker

vs.

Com.

Executed Feby 24 by delivering a true copy of the within Summons to "Jack" Wilburn in person

Paul Smith Dep.
Rockingham, Va.

Hammer & Hammer
p.d.

1936
Feb. 24

Smith

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Salem Jenkins

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 24th *day of* Feb. 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Laker

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* 22d *day of* Feb. 19 36 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, Clerk

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Lester Laker

adj

Com.

Hammer & Hammer

p.d.

1936

Feb. 24

executed July 24 by delivering a true copy of the within Summons to Solon Jenkins

— in person

R. M. Lambert D.S.

J. M. Bryce S.D.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Dr. A. C. Byers & Randolph Breeden

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 10th *day of* February 19 36., *to testify and the truth to say in behalf of the Commonwealth against*

Carl Turner

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 7th *day of* February 1936., *and in the* 160 *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Executed February 9, 1936 by delivering a true copy of the within summons to the following:

Dr. A. C. Byers and Randolph Breeden

N. V. Fitzwater
----------Depty
For J. W. Bazzle, S. R. C.

Commonwealth
vs
Carl Turner

Feb. 10-1936

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Lottie Williams (colored)

(at home of H. N. Bowman
E. Market St. extended)

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, ~~*at 9:30 o'clock, a. m.,*~~ forthwith *on the* 27th *day of* Feb. 19 36

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

Lester Laker

who stands charged with and indicted for 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* 27th *day of* Feb. 19 36 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, Clerk

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Com

v

Luster Lakes

1936

Feb. 27

Feb 26 by delivering a true Copy of the within Summons to Lottie Williams

——In person.

Lawrence Neff Dep.

Jas W Bazzle S.R.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

P. L. Turner

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 24th *day of* July 19 36, *to testify and the truth to say in behalf of the Commonwealth against*

Lester Loker

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* 24th *day of* July 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Com

v

Lester Lokes

1956

Feb. 24

Executed July 24 by delivering a true Copy of the

within Summons to P. L. Grimm

in person

M. T. Figgatt, D.S.

J. W. Boyce, S.R.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Capt. Clarence Emmit

Hagerstown, Md.

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 10th *day of* February 19 36, *to testify and the truth to say in behalf of the Commonwealth against*

Carl Turner

who stands charged with and indicted for 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* 25th *day of* Jan. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Legal and timely service accepted
this 27th day of January, 1936.

C. W. Emmert
Chief of Police
Hagerstown Md.

Com
v.
Carl Turner

Witness:
Capt. Clarence Emmert

1936
Feb. 10

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon E. E. Kiser, J. H. Boice, Clarence Leake, John Logan, Dr. F. L. Byers & Jas. W. Bazzle

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 20th *day of* January 19 36

to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY v. Lester Loker & Carl Turner

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* 13th *day of* Jan. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

Comm
vs
Lettie Fokes
Carl Turner

Executed Jan 14, 1936 by delivering a true copy of the within summon to E. E. Kirk, J. B. Boice, Clarence Leeks, John Logan, Dr. F. L. Byers, & J. W. Bazzle,

each in person. N. V. Fitzwater, Dep,
J. W. Bazzle, S. R. C.

1936
Jan. 20

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Walter Heiston

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 10th *day of* Feb. 19 36, *to testify and the truth to say in behalf of the Commonwealth against*

Carl Turner

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* 1st *day of* Feb. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Executed February 1, 1936, by delivering a true copy of the within summons to Walter Heiston, in person.

N. V. Filzwater ----------Deputy
For J. W. Bazzle, S. R. C.

Com

vs

Carl Turner

1936

Feb. 10

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Dr. D. C. Wilson + Dr. R. T. Sollenberger

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 10th *day of* February 19 36 *to testify and the truth to say in behalf of the Commonwealth against*

Carl Turner

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 7th *day of* February 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Legal and timely service accepted this 8th day of February, 1936.

Dr. David C. Weber

Richard T. Sollenberger

Commonwealth

vs

Carl Turner

Feb. 10 - 1936

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Elmer Pitt & N. I. Shipplett

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at Forthwith *9:30 o'clock, a. m., on the* 13th *day of* Feb. 19 36, *to testify and the truth to say in behalf of the Commonwealth against*

Carl Turner

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* 13th *day of* Feb. 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Com

v

Carl Turner

1936

Feb. 13

Feby 13 executed by delivering a true Copy of the within Summons to Elmer Pitt

N. F. Hilton

D. H. Figuracer, Dr.

J. N. Boyd, Dr.

— in person

In the Name of the Commonwealth of Virginia:

To the Sheriff of ~~Rockingham~~ Augusta County, Greeting:

You are hereby commanded to summon

Dr. J. S. De Jarnette

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 10th *day of* February 19 36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Carl Turner

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* February 19 36 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Service of the within summons is hereby accepted this 8th day of February 1936.

J. S. DeJarnette M.D.

PHOTO FINISHING

Order No. ..... [Amt. Paid] Print ..... of each

Name Turner

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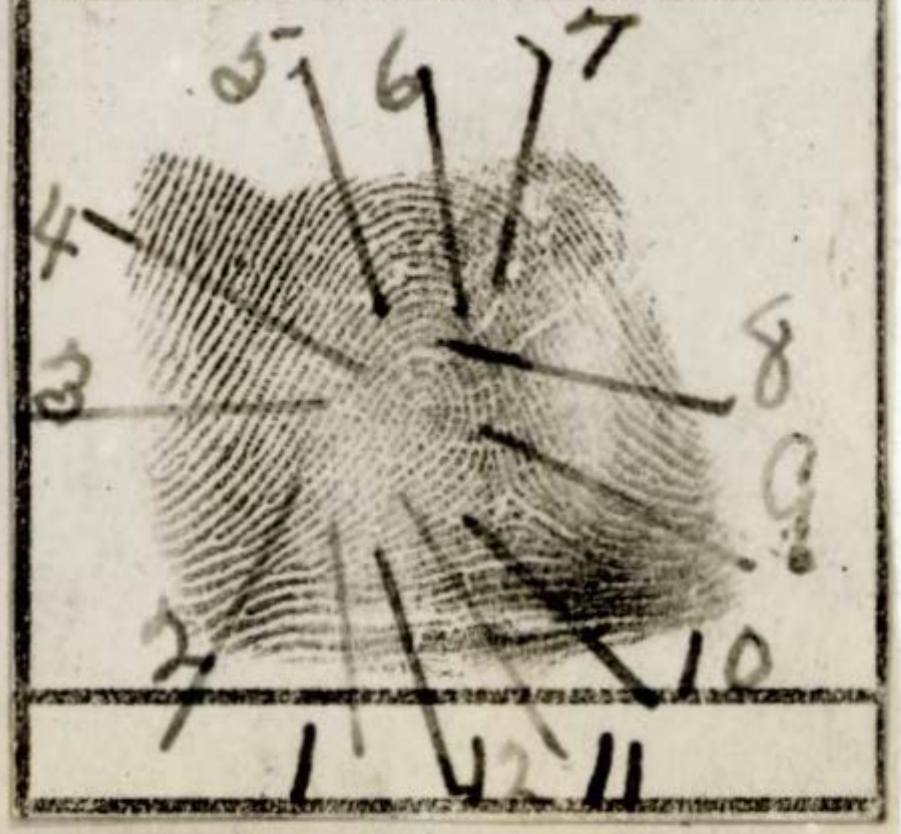
LEFT HAND

8. Middle Finger



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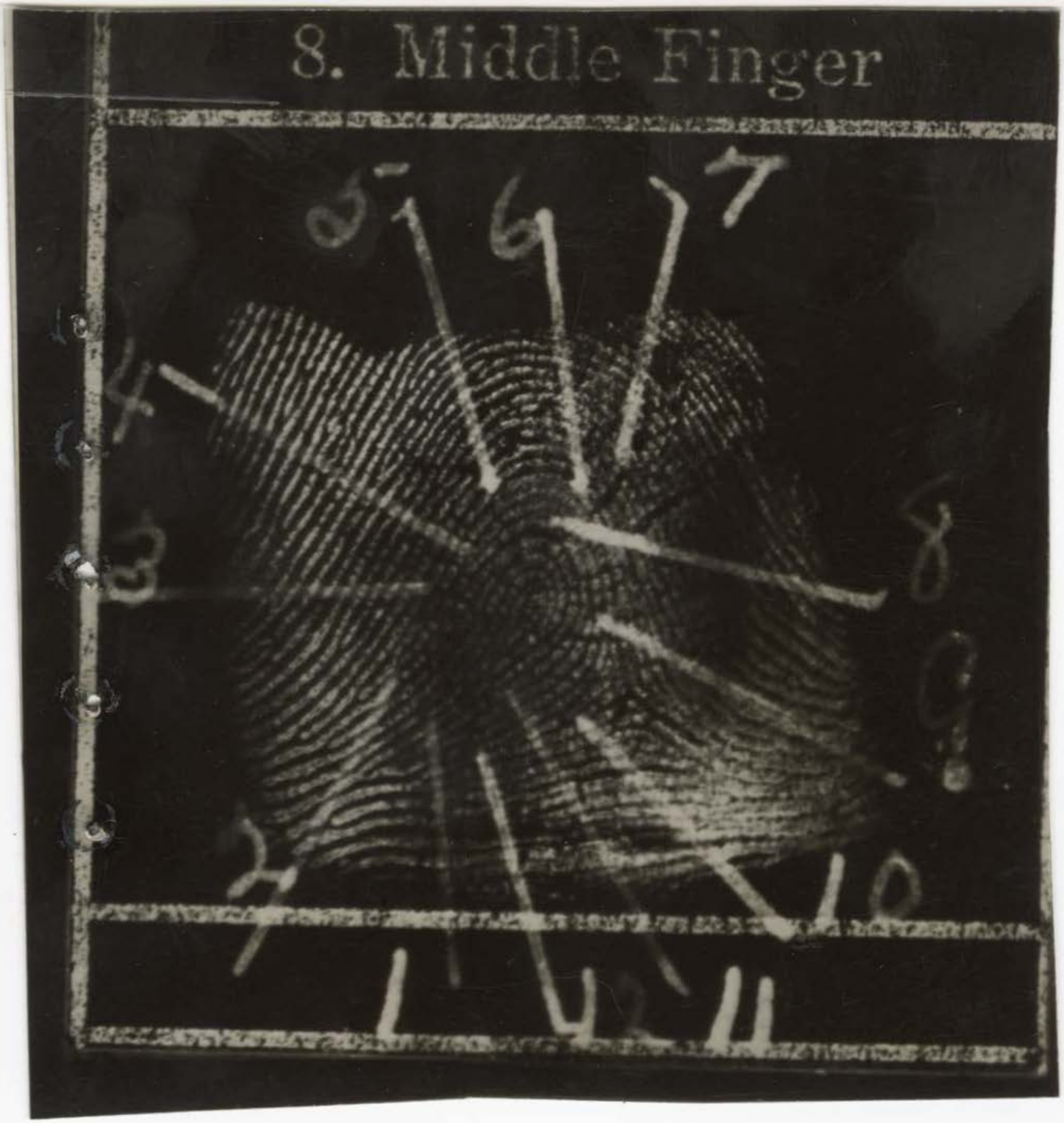

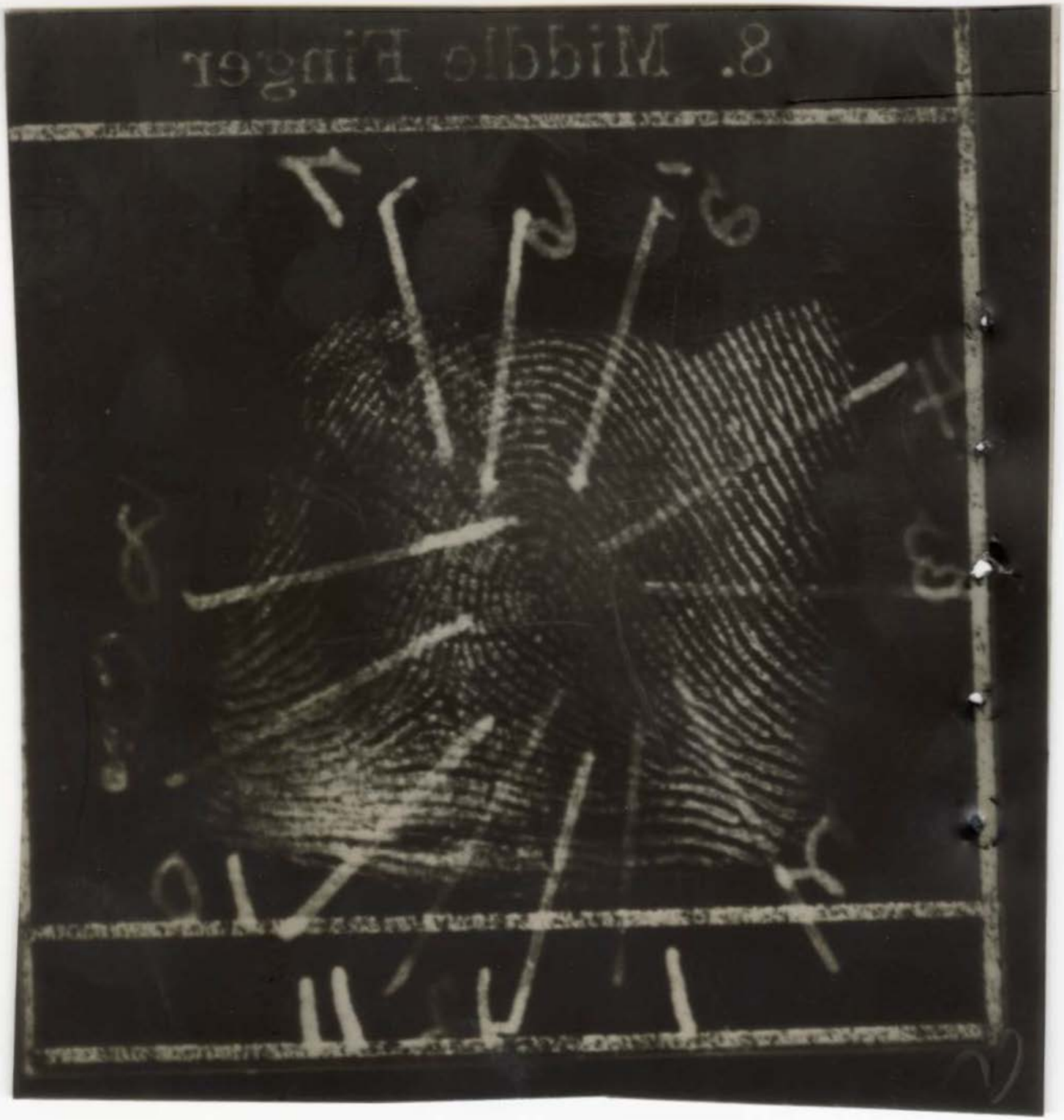

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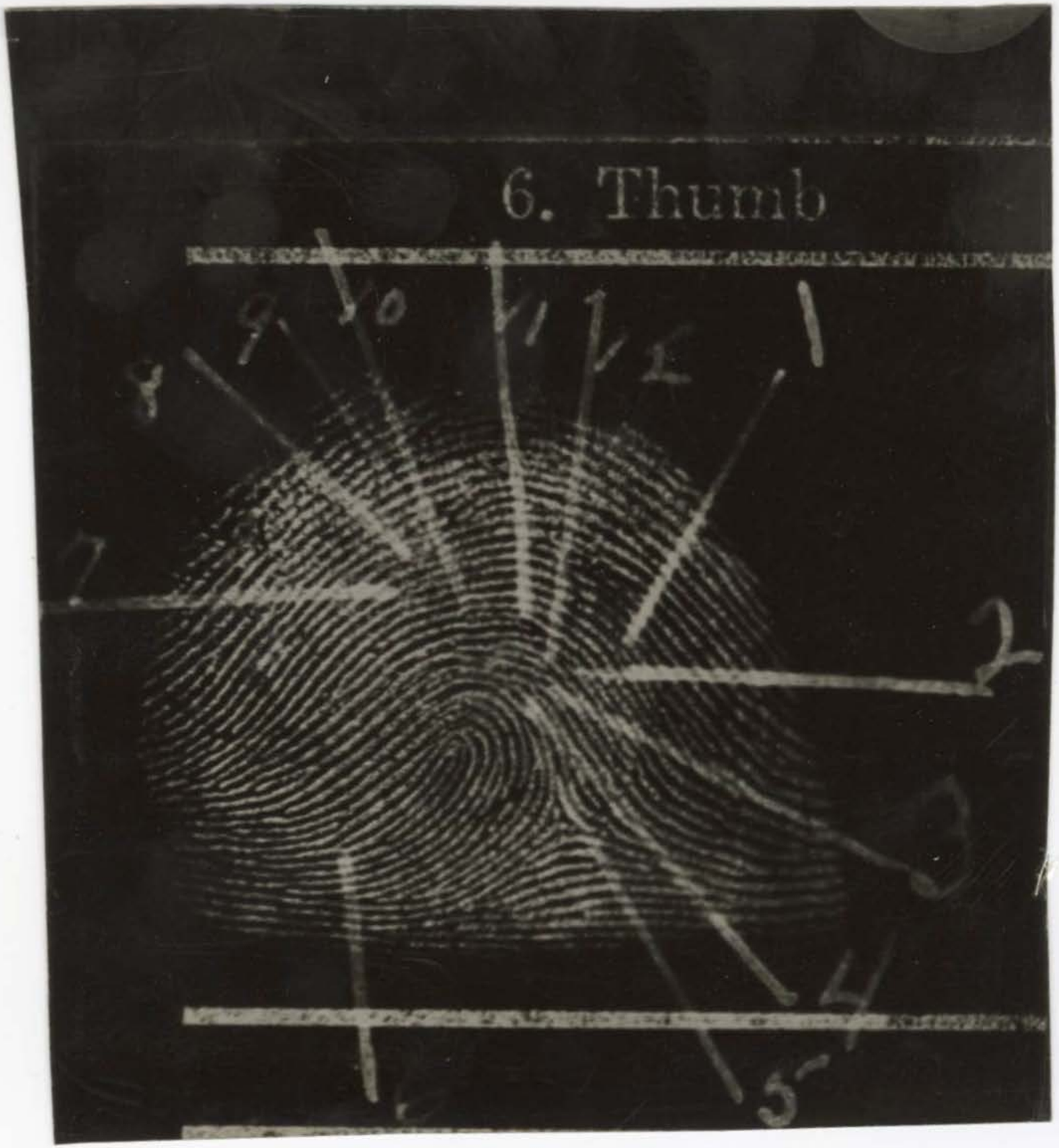


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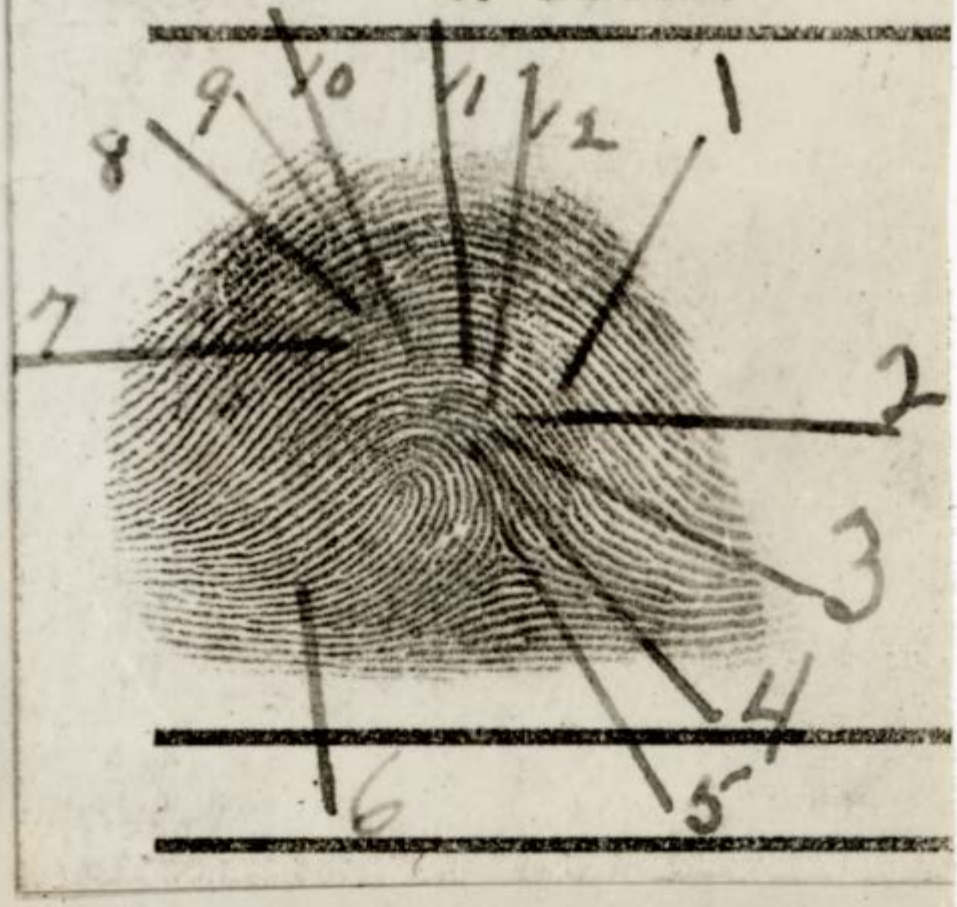

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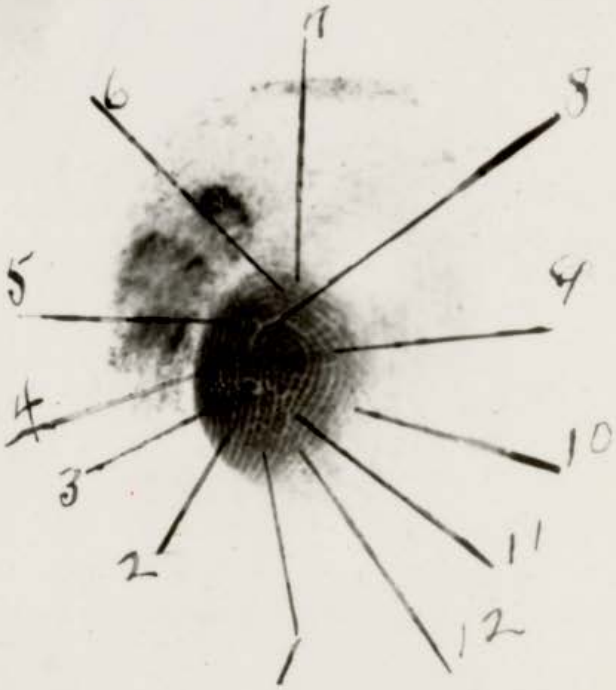
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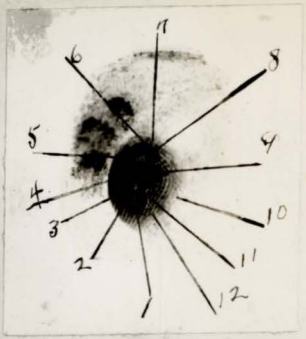
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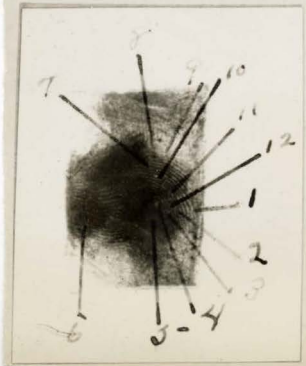
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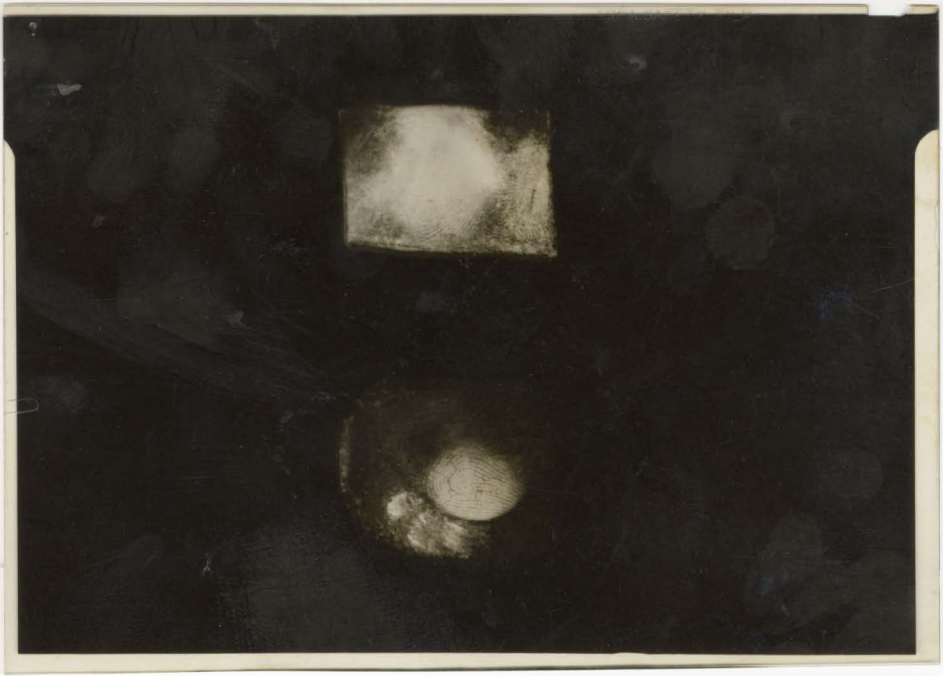

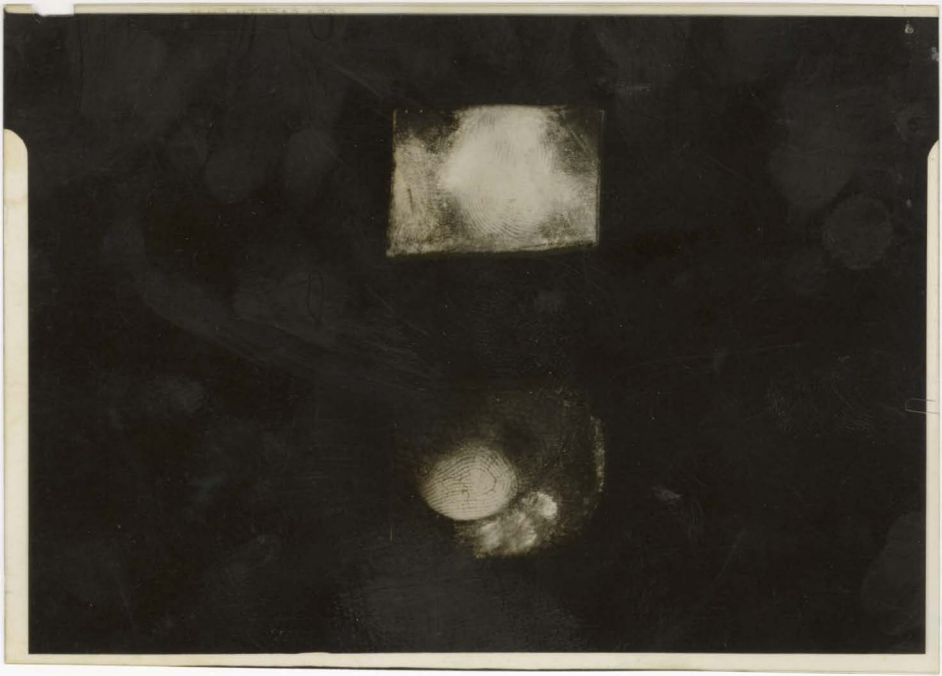

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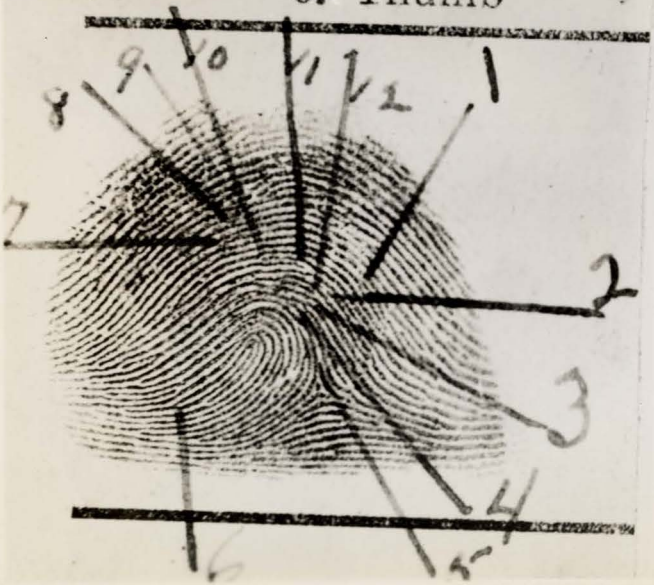

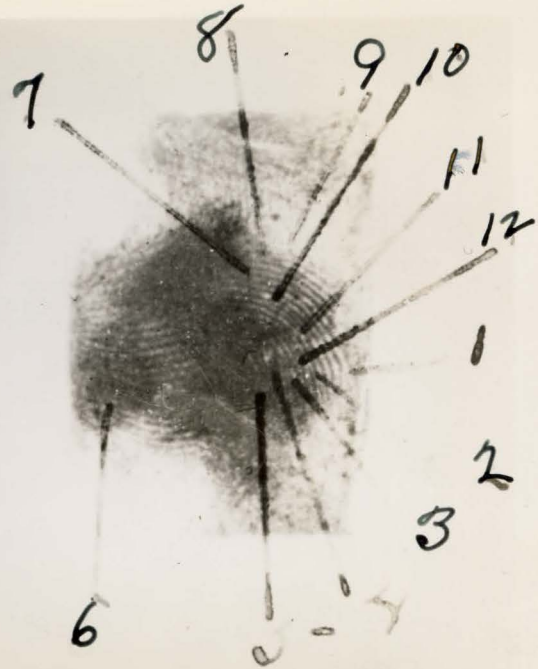

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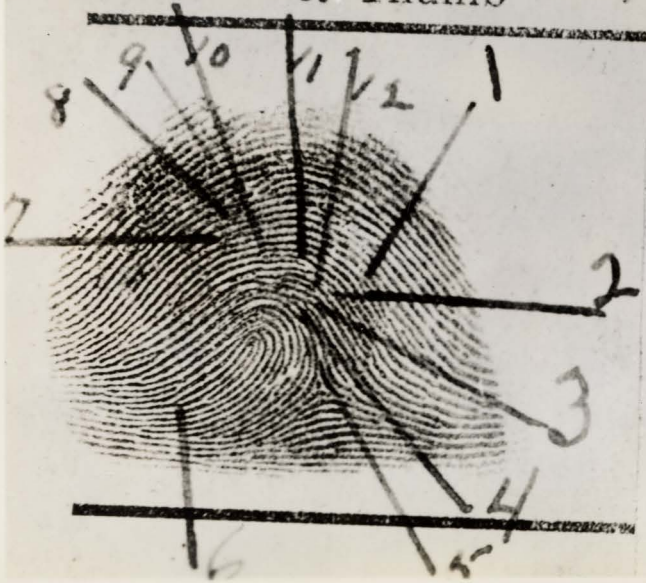

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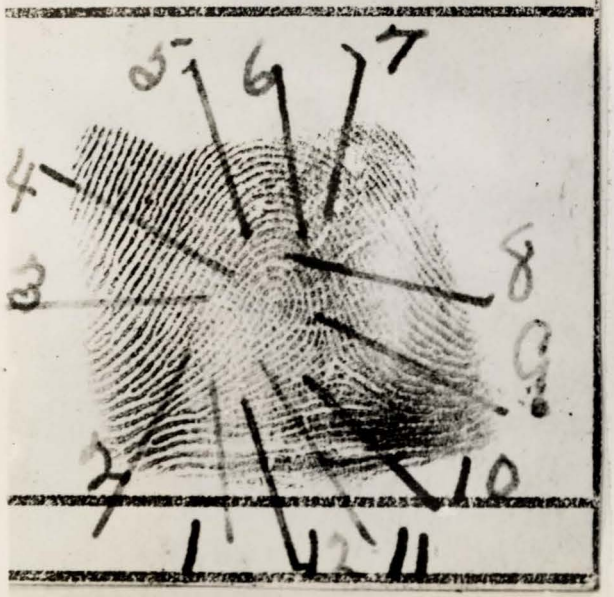
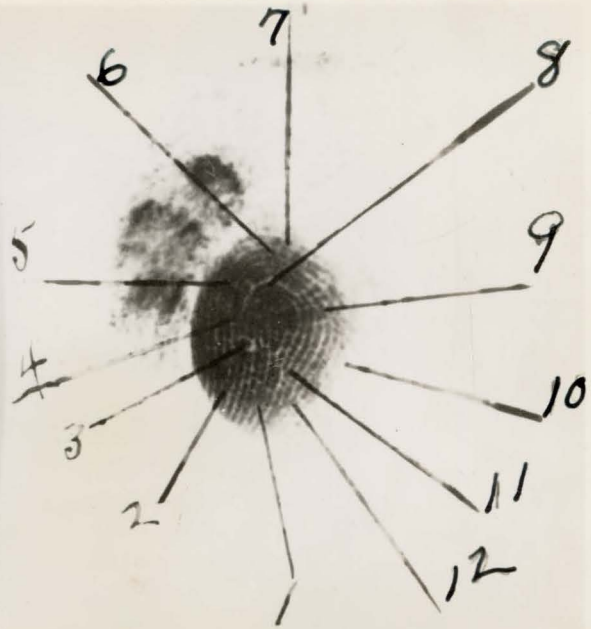
8. Middle Finger





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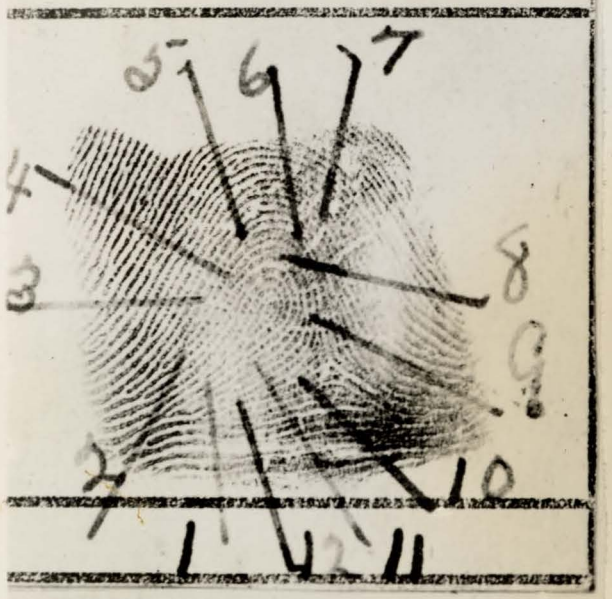

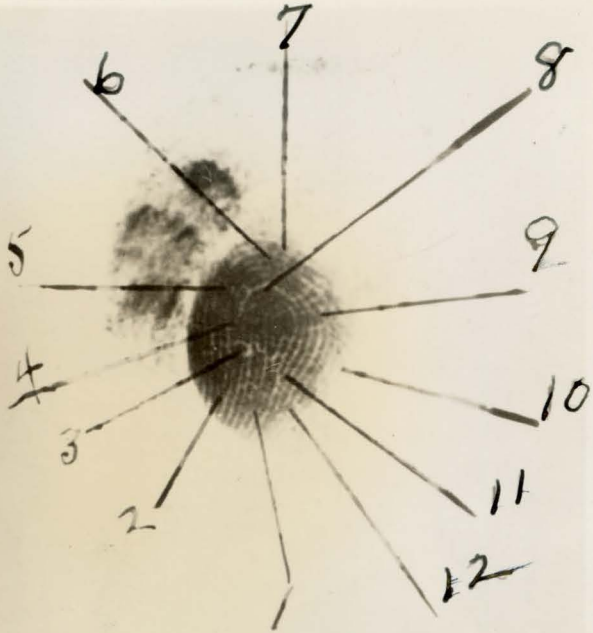

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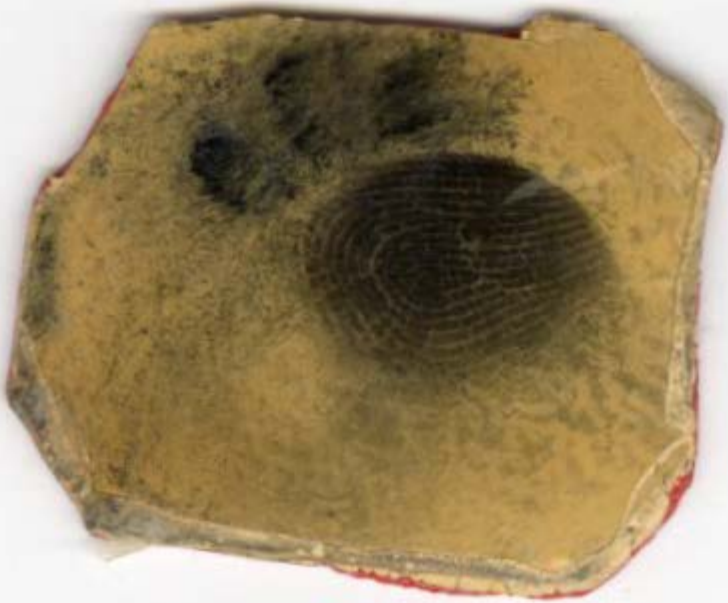

CARL TURNER'S CONFESSION MADE IN HAGERSTOWN, MD.

JANUARY 6, 1936.

Exhibit
Commonwealth
vs.
Carl Turner
No. 1

CHE.

January 6th, 1936.
10:45P.M.

Statement of Carl Turner.

To: Virginia State Trooper E. Kiser,

Carl Turner, you are in Police Headquarters, Hagerstown, Md., and these men are Trooper E. Kiser, Det. Chapman, of the Western Maryland Railway, C. S. Baker, County Investigator, for Washington County, Md., Detective Peters and Capt. C. G. Emmert, Chief of Police. Carl we are going to question you with reference to the shooting of John Loker. You have a legal right to refuse to answer any questions that may be asked you. Any statement you give must be given freely , voluntarily and without any threats or promises of reward being made to you by anyone for the purpose of obtaining this statement and with the knowledge on your part that this statement may be used against you. With these facts in mind do you desire to answer questions asked of you?

A. Yes Sir:
Q. What is your full name?
A. Carl William Turner.
Q. How old are you ?
A. 25.
Q. Where do you live?
A. Elkton Va.
Q. Can you read and write?
A. No sir.
Q. Can you sign your name?
A. I think so, with a pencil.
Q. Do you fully understand the statement read to you?
A. Yes Sir.
Q. Carl tell us, in your own way, when and where you planned to rob and kill John Loker, and who you made the plans with.
A. Well we planned this on Sunday Loker to go over and see if everything was alright. On Monday night we got chickens from my brother Lewis and on thursday night we got chickens from Miss Annie Frazier, and on Friday night was when the robbery was done. Lester Loker and I broke into the house and we searched the bureau while Mr. Loker were in the field. We broke a trunk open. We got two thousand dollars. We took a cold chisel and a hammer and then we found a shell in the dresser drawer. Lester Loker had his gun and took Mr. John Loker's gun and went over to the wagon shed, got up in the wagon bed. Lester Loker got up in the upper wagon bed and I stayed down below. Mr. Loker come by and Lester shot him and I told him if he missed him I would git him. We got three hundred dollars off him, then went to Bryan Hollow, and I left Loker there and he went home and I went over to Nellie Williams. We each took out thirtten dollars and hid the rest. We went to Harrisonburg on Saturday night and we went to the show, We come out of the show, bought two dollsr for 98cents a piece and come home. We got a pint of whiskey from John Algen, McGaheysville. We come home and stayed at Nellie Williams alnight. Bud Stanley of Elkton took us over in a taxi cab. We left there on Sunday morning

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got Lesters car and went to Elkton, got gas and got Silas Williams brought him over to Nellie Williams. He stayed there until we went to Warren ton Va to Avis Campbell and Lewis McDaniel and we came back Sunday evening. We went to Penticost Meeting at Elkton and come back home Sunday night. Loker stayed until after midnight and then went home and I did not see Loker anymore until Tuesday. Mr. Kiser come and got me on Tuesday and took me to Harrisonburg.

Q. Where were you at when you planned this?

A. In Shenandoah, on Sunday.

Q. Was that prior to the time you stole the chickens or after
A. That was before.
Q. Who mentioned this?
A. Lester.
Q. Just what did Lester say to you.
A. He said his Uncle had a right smart of money and kept several thousand dollars there.
Q. When was the next day that you talked about this?
A. It was on Thursday December 5th.
Q. What did lester tell you you were to plan in this robbery?
A. I was to break the trunk open.
Q. Did you know where the trunk was kept?
A. No Sir.
Q. Did Lester know?
A. Yes. Sir.
Q. How did he know.
A. He stayed over there.
Q. Did Lester go over to his uncles home to see if everything was ready?
A. Yes Sir.
Q. What day was he to go over to see if everything was alright.
A. Tuesday,
Q. Was that before the robbery was committed?
A. Yes Sir.
Q. When did he report back to you?
A. On Thursday, the 5th before Mr. Loker was killed. The same day we got Miss Annnie Frazer's chickens.
Q. What did he mean by alright?
A. He said his uncle sold some cows and hogs and that he put some money in there.
Q. Did he tell you where the trunk was located in the house?
A. Yes.
Q. Where did he say the trunk was that had the money?
A. Down stairs in the back room.
Q. Is that the one you used the hammer and chisel on?
A. Yes sir.
Q. What part did you plan in breaking the trunk open.
A. I used the cold chisel and hammer and broke it open.
Q. What was Lester doing at that time?
A. He was watching out the window. After we opened the trunk the money was in the bottom under some stuff.
Q. What did you do on Friday morning. What were your movements and Loker's movements on Friday December 6th. ~~xixxxxxxxxx~~
A. I went down to my ~~xx~~aunts- Lonie Turner on Friday and I got two bunches of celery come back up to Williams and I left there around 2:20 and went to Bryan Hollow and Met up with Lester Loker, went over to John Lokeys and lester had his

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gun with him.
Q. What kind of a gunwas it?
A. 12 gauge single barrel.
Q. How many shells did he have with him.
A. He had one shell.
Q. What color was it.
A. Yellow.
Q. Did you shoot that shell?
A. No Sir.
Q. Did you know what size shot that shell contained?
A. No 5 shot.
Q. Did anyone shoot that shell?
A. No sir.
Q. Was it your intention at that time to rob and kill Mr. John Looker?
A. Yes sir.
Q. How far a distance did you have to walk from the ti e you met Lester Loker on the day of the murder until you reached Mr. Loker's farm?
A. About 2 mile and a half.
Q. Do you know about what time it was when you arrived at the farm.
A. It was about 5:30
Q. Was it daylight or dark?
A Getting dusk.
Q. Do you know haw far you could see at that time?
A. You could see a right good piece.
Q. A half mile?
A. No about a quarter of a mile.
Q. When you approached the farm did you see Mr. John Loker about the premises.
A. We saw him over in the cornfield.
Q. How far was that from the house?
A. About 1,000 yards.
Q. When you appraoched the building did you come out in the open.
A. We crawled along the fence. and got in behind an old building
Q. Did you both go to the house where the money was kept?
A. Yes sir.
Q. Do you know what Mr. Loker was doing in the field?
A. Feeding his cows.
Q. When you arrived at the house did you find the windows and door locked?
A. Yes. sir.
Q. How did you get into the house?
A. Lester broke a window out.
Q. Lester still had his gun with him at that time?
A. Yes sir.
Q. Did he still have his gun in his hand when he broke the light out.
A. No he sit it down along the house.
Q. Do you know how that window was locked?
A. Yes Sir.
Q. Tell us how.
A. Had a stick up over the window.
Q. Why did you take this particular window.
A. If we went on other side Mr. Loker would have seen us.
Q. In other words you stayed concealed from Mr. Loker's view?
A. yes sir.

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Q. In other words you stayed concealed from Mr. Loker's view?
A. yes sir.

145.

Q. What did Lester use to breakd the window with.
A. A stick.
Q. where did he find the stick?
A. at the wood pile.
Q. who went in the window first?
A. Lester.
Q. Who raised the window up?
A. Lester raised the window up.
Q. Did you follow Lester in the window?
A. No sir.
Q. Where was lester's gun at that time?
A. It was sitting out side.
Q. Did you hold the window up while Lester crawled in?
A. Yes sir.
Q. Did you go in the house?
A. Yes sir.
Q. How did you enter the house.
A. By the door.
Q. Was the door locked?
A. yes sir.
Q. What kind of a lock was on the door.
A. A Yale lock.
Q. Who unlocked the door.
A. Lester from the inside.
Q. Was Lester's guntaken in the house?
A. Yes sir.
Q. Was it loaded?
A. No sir.
Q. Who carried the gun in the house?
A. I handed it in thru the window.
Q. What did you do when you first entered the house?
A. We went in and searched the bureau drawers.
Q. Did you leave the door open?
A. Yes Sir.
Q. What did you find?
A. Some shot gun shells.
QWhat kind of shells.
A. Clean bore
Q. What gauge shells were they?
A. 12 gauge.
Q. What number shot?
A. No 4.
Q. Did you find the shells yourself?
A. No Lester found them.
Q. What did you do with the shells after you found them?
A. put one in his pocket.
Q. Then what did you do?
A. Went up stairs and got a cold chisel and hammer.
Q. Did both of you go up stairs?
A. I just went up with him to see where he got the hammer and cold chisel.
Q. What did you do with them.
A. Broke the trunk open.
Q. Up or down stairs?
A. down stairs.
Q. Did you get the trunk open?
A. Yes sir.
Q. What did you find?
A

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A. No Lester found them.
Q. What did you do with the shells after you found them?
A. put one in his pocket.
Q. Then what did you do?
A. Went up stairs and got a cold chisel and hammer.
Q. Did both of you go up stairs?
A. I just went up with him to see where he got the hammer and cold chisel.
Q. What did you do with them.
A. Broke the trunk open.
Q. Up or down stairs?
A. down stairs.
Q. Did you get the trunk open?
A. Yes sir.
Q. What did you find?
A
.

A. Found money.
Q. How much Money?
A. We counted it after we left there, about two thousand dollars.
Q. What was the money in?
A. In one of these here draw sacks. Canvass sack.
Q. What color was it?
A. Brown.
Q. What did you do with the sack after you took the money out of it?
A. Put the money back in the sack.
Q. What did you do with the money?
A. Hid it.
Q. Where?
A. On Mr. Will Loker's farm.
Q. Where?
A. In the woods.
Q. Did you open the sack in the house?
A. No sir.
Q. What did you do after you got the sack of money in the trunk.
A. We went up stairs and searched a stand.
Q. What did you find up there?
A. Didn't find anything.
Q. While you were searching the house did either of you look out of the window to see if Mr. John Loker was coming?
A. Yes sir.
Q. Who looked.
A. Loker looked while I was breaking the trunk open.
Q. Did he say where he was?
A. Over in the field.
Q. What window did you look out to watch.
A. Back room down stairs where the trunk was.
Q. Who stood watch while you were searching the stand up stairs.
A. I did.
Q. Then what did you do?
A. come back down stairs.
Q. What did you do after you got down stairs?
A. Got Mr. Loker's gun and lesters.
Q. Where did you find Mr. JohnLoker's gun?
A. Settin inroom behind the door.
Q. Why did you get Mr. John Loker's gun.
A. So we would both have a gun.
Q. Did you put a shell in that gun?
A. yes sir, a yellow one.
Q. Where did you put the shell in the gun?
A. Over in the wagon shed.
Q. Is that the shell that Lester Loker brought along from home?
A. Yes sir.
Q. After getting Mr. LokerIs gun did both of you leave the house and go over to the shed together?
A. Yes sir.
Q. Why did you go over to the shed?
A. To watch for Mr. Loker?
Q. Did Lester Loker have a gun when he left the house?
A. Yes sir.
Q. Whose gun?
A. He had his own.
Q. Did he have a shell in the gun then?
A. No sir.
Q. Did he put one in later?
A. Yes sir.
Q. W

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A. To watch for Mr. Loker?
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A. Yes sir.
Q. Whose gun?
A. He had his own.
Q. Did he have a shell in the gun then?
A. No sir.
Q. Did he put one in later?
A. Yes sir.
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Q. Where?
A. Ove r at the wagon shed.
Q. Was that the shell that you found at John Loker's home?
A. Yes sir.
Q. Had you noticed where Mr. Loker was at the time you left the house:
A. Yes.
Q. Where was he?
A. In the corn field.
Q Could he see you had he looked toward the house when you left the house to go over to the wagon shed?
A. No.
Q. Did you approach the wagon shed in such a manner so that he couldnt?
A. Yes sir.
Q. What were your intentions when you went to the wagon shed?
A. Was to kill Mr Loker.
Q. With what?
A. Shot gun.
Q. What was your reason for wanting to kill Mr. Loker.
A. Because he would see his trunk broken open and get the blood hounds.
Q. Who suggested that you kill Mr Loker?
A. Lester Loker.
Q. Did lester Loker also tell you that Mr. John Loker carried a sum of money on his person and that was your main reason for wanting to kill him?
A. yes sir.
Q. Where did you hide yourself in the wagon shed?
A. In the lower wagon.
Q. Did Lester hide himself also?
A. Yes sir.
Q. Where in the upper wagon.
Q. How long after you hid yourself in the wagon did Mr. John Loker come in from the field?
A. About five minutes.
Q. What route did he take to come in.
A. Around the road and followed the path leading to his house.
Q. From where you were hid in the wagon bed, could you see Mr. JohnLoker?
A. Yes sir.
Q. How close to this path that Mr. John Loker was walking down pass the wagon in which you were hid?
A. About thirty feet.
Q. Why did Lester wait until he passed by the wagon shed be fore he shot him?
A. I don't know.

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Q. Did both of you have loaded guns when JohnLoker passed the wagon shed.
A. Yes sir.
Q. Whose gun did you have?
A. John Lokers.
Q. Why did you have John Loker's gun loaded at that time.
A. Lester said if he missed him I should get him.
Q. Did lester miss him?
A. No sir.
Q. Where did he hit him?
A. In the side of the neck and back.
Q. Did he fall forward or backward?
A. Twisted around and fell face forward.
Q. Did he make any groans when he was shot?
A. He hollered "O Lord".
Q. Were both of you laying down when he shot him?
A. I was sitting up. I don't know how lester was.
Q. After Lester Shot John Loker what did both of you do?
A. Got down and searched him.
Q. Was he dead?
A. Yes sir.
Q. How did you know he was dead?
A. We could not feel him breathing.
Q. Did both of you search him?
A. Yes sir.
Q. What was you hunting?
A. Money.
Q. How much did you find?
A. three hundred dollars.
Q. What was the money in?
A. One of these black pocket books.
Q. Was it a large one and did it have a string tied around it?
A. It was a large one and had a string tied around it.
Q. Who counted the money.
A. Loker.
Q. What did you do with the three hundred dollars then?
A. We took thirteen dollars apiece and put the rest of it in the brown bag.
Q. Who was carrying the brown bag?
A. Lester.
Q. What did you do with the pocket book?
A. Threw it away.
Q. Where?
A. Up in the woods.
Q. Did you notice Mr. John Looker carrying anything?
A. An ax.
Q. Did he have a cane?
A. yes.
Q. What kind of a cane?
A. I don't know.
Q What kind of clothes was John Loker wearing?
A. Overhalls and sham.
Q. What kind of a hat?
A. He was wearing a black cap.
Q. What pocket did you get the pocket book out of?
A. right front pocket.
Q. Did you have to turn Mr. John Loker around in order to get to the pocket book?
A. Yessir.
Q. Who did that?

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Q. Who did that?

A. Lester.
Q. Who reached in his pocket?
A. I did.
Q. Did you search him thoroughly?
A. Nosir.
Q. Did you get anything else beside the money off of John Loker?
A. yes a watch.
Q. What kind of a watch?
A. It was one of these here heavy watches, and I believe there was a chain on it.
Q. Who got the watch?
A. Lester.
Q. What did Lester do withthe watch?
A. He kept it.
~~Q. When you left xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~
Q. Then what did you do?
A. We laid the gun down beside him.
Q. What gun?
A. John Lokers.
Q. Was it still loaded?
A. Nosir.
Q. What became of the empty shell?
A. I put it in Mr. John Loker's gun and laid it down.
Q. Where did you lay the gun.
A. Laid it down beside him.
Q. The empty shell which you placed in JohnLoker's gun wasthe shell that Lester had shot from his gun at Mr. JohnLoker and is the same shell which was used to kill him.
A. Yes sir.
Q. Why did you put the empty shell in Mr. John Loker's gun and then lay it beside his body?
A. so they would think he was shot with his own gun.
Q. Who do you mean by They?
A. The ones that would find him.
Q. Who suggested that?
A. Loker.
Q. How long after the time Lester shot John Loker did you stay there?
A. No longer than it took to get the watch and money. About three minutes.
Q. Then did you look around to see if anyone was insight?
A. yes sir.
Q Did you see anyone?
A. Nosir.
Q what were your movements then?
A. We left there.
Q. Where too?
A. Bryan Hollow.
Q. What did you have with you?
A. Loker's shot gun and money.
Q. Who was carrying the shot gun?
A. Lester.
Q. Who was carrying the money?
A. Lester. Had it in his overhall hip pocket.
Q. When you left did you leave the same way you came?
A no.
Q. How did you leave?
A. Up side a little creek.
Q. Which direction?
West.

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Q. How did you leave?
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Q. Which direction?
West.

Q. Did you try to conceal yourselves on your way out of there?
A. yes sir.
Q. What conversation did you have with Lester on your way home?
A. We wondered if we would get caught.
Q. ~~Did~~ What was his reply?
A. He said he did not know.
Q. Where did you hide this money?
A. On Mr. Will Loker's farm.
Q. How did you hide it?
A. dug a hole under a log.
Q. Have you ever been back since you hid it?
A. No sir.
Q. Why didn't you go back?
A. We was going to leave it there awhile.
Q. What time of the day was it that you hid the money?
A. About 7 o'clock in the evening.
Q. How could you see to hide it?
A. Moon was shining.
QThen where did you go?
A. Lester wen home and I went over to Nellie Williams.
Q. On your way home that evening after the murder did you and Lester discuss any plans that you might use if you were caught and charged with this crime?
A. Yes sir.
Q. What were those plans?
A. Put it on Lynwood Heiston?
Q. Who suggested that?
A. I did.
Q Why did you suggest Lynwood Heiston?
A. Because he threatened my life.
Q. Isn't he your first cousin?
A. Yes sir.
Q. What did lester say when you suggested putting it on Lynwood?
A. He said it was alright.
Q. How did you agree to do it?
A. I told him if we got caught we would put it on Lynwood.
Q. Was Lynwood Heiston in the vicinity at the time the murder was committed.
A. Not that I know of.
Q. When yougot to Nellie Williams home did you discuss this with her.
A. No sir
Q Did you stay there the rest of the night?
A. Yes sir.
Q What did you do on the following day?
A. Went out to Homer Algers.
Q. Why did you go to Homer Algers?
A. To get some groceries.
Q. Where did you take those groceries?
A. Nellie Williams.
Q. How long have you known Lester Loker?
A. All my life.
Q. Always been good friends?
A. Yes sir.
Q. Did you stay at Nellie Williams all day.
A. I was there all day until that night.
Q. What did you do that night?
A. Called a taxi.
Q. What taxi?
A

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A. I was there all day until that night.
Q. What did you do that night?
A. Called a taxi.
Q. What taxi?
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A. Bud Stanley.
Q. Where did you call this taxi from?
A. Herman Dofflemyers.
Q. Did the Taxi Driver come?
A. Yes sir:
Q. Who was with you?
A. May Williams and Virginia Williams, her cousin.
Q. Then where did you go?
A. Down to Homer Algers store.
Q. What did you do at Homer Algers store?
A. Got some gandy.
Q. Then what did you do?
A. Had five dollars changed.
Q. Why did you have that five dollars changed?
A. To pay the taxi.
Q. How much was the taxi fare?
A. Three dollars.
Q. Where did you go in the taxi?
A. Down to Nellie Williams.
Q. Did you go any place else?
A. Harrisonburg.
Q. What did you do in Harrisoburg?
A. Went to a show. After we left the show we got two dolls.
Q. Did you buy anything else?
A. A roll of camera film.
Q. Then where did you go?
A. We come home.
Q. What time did you get home?
A. 12:30 or 1 o'clock.
Q. Was Loker with you?
A. yes sir. Both stayed there that night.
Q. Where did you go?
A. Left there in the morning and got his car?
Q. Where did you go in Loker's car?
A. Went to Elkton.
Q. where did you go then?
A. Went up and got Silas Williams. Brought him over to keep house until we got back.
Q. Back from where?
A. Warrenton Va.
Q. What time did you get back.
A. About 5:30 at home of Nellie Williams. then went to church at Elkton.
Q. From Church where did you go?
A. Home.
Q. Was you at Nellie Williams' home the remainder of Sunday night and Monday?
A. Yes sir.
Q. Did you leave the premises that day?
A. Monday evening.
Q. Where did you go?
A. P.L. Turner's service station.
Q. For what reason?
A Went up there to get my sham and hat.
Q. Did you tell your Uncle Preston Turner anything about this trouble?
A. No sir.
Q. Did you stay alnight there?
A. No sir.

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Q. For what reason?
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Q. Did you tell your Uncle Preston Turner anything about this trouble?
A. No sir.
Q. Did you stay alright there?
A. No sir.

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Q Where did you go?
A. back down to Nellie Williams.
Q. What time of the day did you get back home?
A about 10 oclock monday night.
Q. You stayed there all night?
A. Yes Sir.
Q. What did you do Tuesday Morning?
A. Mr. Kiser come down Tuesday morning and got me.

Q. When did you first learn that they had found Mr. Loke 's body?
A. Monday night.
Q. How did you learn that?
A. My Uncle Preston Turner told me.
Q What did he say?
A. Found Mr. Loker up there shot.
Q Did you then get in touch with Lester Loker?
A. No Sir. I did not see Lester Loker until Tuesday when they brought him to Harrisonburg.
Q. On Friday December 6th the day of this crime were you drunk or sober.
A. I had been drinking.
Q. But you knew what you were doing?
A. Yes Sir.
Q Was Lester drinking?
A. Yes sir.
Q. Was he drunk?
A. No sir.

The aforegoing statement consisting of eleven pages, has been read to me, and is understood by me and is given without any threats or promises of reward being made to me by anyone for the purpose of obtaining this statement, and withthe knowledge on my part that the statement may be used against me and the matters and facts set forth in this statement are true to the best of my knowledge, information and belief.

Carl Turner

Witnesses:
C. E. Kiser State Police
Edw. J. Chapman
Clarence S. Baker
Wm H. Peters Detective
C. E. Emmert.

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A. Found Mr. Loker up there shot.
Q Did you then get in touch with Lester Loker?
A. No Sir. I did not see Lester Loker until Tuesday when they brought him to Harrisonburg.
Q. On Friday December 6th the day of this crime were you drunk or sober.
A. I had been drinking.
Q. But you knew what you were doing?
A. Yes Sir.
Q Was Lester drinking?
A. Yes sir.
Q. Was he drunk?
A. No sir.

The aforegoing statement consisting of eleven pages, has been read to me, and is understood by me and is given without any threats or promises of reward being made to me by anyone for the purpose of obtaining this statement, and with the knowledge on my part that the statement may be used against me and the matters and facts set forth in this statement are true to the best of my knowledge, information and belief.

Geo. Tapscott

Witness:

William Blue Police
John Whitmore
Witness William
Van St. Geo. Peterson
Stenographer.

CARL TURNER'S CONFESSION MADE IN HAGERSTOWN, MD.

JANUARY 6, 1936.

Exhibit
Commonwealth
Confession
No. 1

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Capt. Clarence Emmit

Hagerstown, Md.

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 10th *day of* February 19 36, *to testify and the truth to say in behalf of the Commonwealth against*

Carl Turner

who stands charged with and indicted for 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* 25th *day of* Jan 19 36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA. No. 457

Hotel	$2.00	2.50 per da.	$12.00 ✓
Meals		4 da.	3.75 ✓
Attendence	4 da.		4.00
4 da. garage	@ .50		2.00 ✓
224 mi. gas	@ .5¢		11.20
(round trip)			$32.95

11.2 mi 1 way

C. L. Emmert
City Hall
Hagerstown, Md.

Capt. Clarence Emmert

7.24
0.50
11.7

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 December term, 1935, upon their oaths do present that Carl Turner and Lester Loker on or about December 1, 1935, in the county aforesaid, did then and there unlawfully agree and conspire together to unlawfully and with malice aforethought kill and murder one John H. Loker, then and there being in the peace of the state, and in pursuance of the said agreement and conspiracy, and as an advance thereto, they, the said Carl Turner and Lester Loker, did on December 6, 1935, in said county, lie in wait for the said John H. Loker, with intent to kill and murder him, the said John H. Loker as aforesaid, and in pursuance thereof, feloniously did shoot and kill and murder him, the said John H. Loker, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of E. E. Kiser, John Logan, Clarence Leake, C. H. Boice, Joseph W. Bazzle, and Dr. F. L. Byers, witnesses sworn in Court and sent before the grand jury to give evidence.

We, the jury, find the accused, Carl Turner, guilty of first degree murder as charged in the indictment and fix his punishment by confinement in the Penitentiary for life. G. T. Boller

Foreman

Murder

Commonwealth

v) Indictment

Carl Turner and

Lester Loker

Felony

December term, 1935

A True Bill:

Foreman

Witnesses: E. E. Kiser
John Logan
Clarence Leake
J. H. Boice
Joseph W. Bazzle
Dr. F. L. Byers

D. W. Earman
Commonwealth's Attorney

We, the jury, find the accused, Lester Loker, guilty of first degree murder, as charged in the indictment and fix his punishment by confinement in the Penitentiary for life.

C. N. Barber

Foreman.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Ernest Lam, Oscar Lam Edward Lam, Mrs. Annie Lam, + Clint Viands + Mrs. Clint Viands

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 25th *day of* Feb. *19*36 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against* Lester Baker

who stands charged with and indicted for 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 24th *day of* Feb. *19*36, *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

By MB

THE SERVICE PRESS, HARRISONBURG, VA. FORM NO. 5

Executed February 24, 1936 by delivering a true copy of the within summons to the following, in person:

Ernest Lam, Oscar Lam, Edward Lam, Mrs. Annie Lam, Clint Viands and Mrs. Clint Viands

R W Smith Deptr.

J. W. Bazzle, S. R. C.

Letter Carrier

Adv.

Com.

1936

Feb. 25

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon P. L. Turner, Rosella Turner, Dorsey H. Turner, C. J. Dyche, Mrs. P. L. Turner, R. N. Smith, W. T. Shifflett, T. I. Doffelmyer, Mrs. Lewis L. Turner, Clifford Jones, Mrs. A. B. Lam + Mrs. C. W. Johnson

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 10th day of February 1936 to testify and the truth to say in **behalf of the Defendant** in the prosecution of the Commonwealth against

Carl Turner

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 7th day of February 1936, and in the 160th year of the Commonwealth.

J. Robert Switzer, Clerk

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

Executed Feby 8 by delivering a true copy of the within summon to P. L. Turner, Rosella Turner, Dorsey H. Turner, C. J. Dyer, Mrs. P. L. Turner, R. W. Smith, W. P. Shiflett, F. J. Doffemyer, Mrs Levi L. Turner, Clifford Jones, Mrs. A. A. Lamb, Mrs. C. W. Johnson each in person.

R. W. Smith Dep.

J. N. Bazzle, S. R. C.

Carl Turner
ads
Com

Feb. 10-1936

Exhibit
Commonwealth
Confession
No. 2

Friday morning, January 17, 1936, 3:00 a. m.

I, Carl Turner, age 25 , do, of my own free will and accord, make the following statement regarding the murder of John H. Loker on Friday afternoon, December 6, 1935. This statement is made voluntarily and without any threats or promises of reward being made to me by anyone for the purpose of this statement and with the knowledge on my part that this statement may be used against me.

We planned to rob John Loker in Shenandoah City on the Sunday before we robbed and killed him. I mean by "we" myself, Lester Loker, Nellie Williams, Christine Williams, Virginia Williams, and May Williams. Lester said his money was running short and that he knew where we could get some money; that his Uncle John had sold some cows and hogs. Nellie Williams asked Lester about buying a place below Bear Lithia if we got the money and Christine asked him about getting a new V-8 if we got the money, on a trade-in. We stole chickens on Monday night from my brother, Lewis. He, Lester, told me that he would go over to his Uncle John's place on Tuesday to see if everything was alright. I did not see him any more until Thursday night. We stole chickens from Mrs. Annie Frazier this night. He told me, at this time, that everything was alright to pull this job at his Uncle John's. We planned to meet in Bryants Hollow Friday afternoon, December 6, 1935.

I left him Friday morning, after selling the chickens. I went to Nellie Williams. Nellie Williams, May Williams, Christine Williams, Virginia Williams, and myself left the Williams' home about two thirty p. m. Friday, December 6, 1935. Went over to Bryant Hollow where we met Lester Loker sitting there on a rock at a big oak tree. He had a bottle with some whiskey in it. I took a drink and gave all of the women a drink. We left there and went up the creek a little ways and crossed on

Friday morning, January 17, 1922, 2:00 a. m.

I, Carl Turner, age 22, do, to my own free will and accord, make the following statement regarding the murder of John H. Loker on Friday afternoon, December 8, 1922. This statement is made voluntarily and without any threats or promises of reward being made to me by anyone for the purpose of this statement and with the knowledge on my part that this statement may be used against me.

We planned to rob John Loker in Shenandoah City on the Sunday before we topped and killed him. I mean by "we" myself, Leaper Loker, Nellie Williams, Christine Williams, Virginia Williams, and May Williams. Leaper said his money was running out and that he knew where we could get some money; that his uncle John had sold some cows and hogs. Nellie Williams asked Leaper about paying a place below Mean Lightin it we got the money and Christine asked him about getting a man V-8 if we got the money, on a trade-in. We stole chickens on Monday night from my father, Lewis. He, Leaper, told me that he would go over to his uncle John's place on Tuesday to see if everything was alright. I did not see him any more until Thursday night. We stole chickens from Mr. Annie Trester this night. He told me, at this time, that everything was alright to pull this job at his uncle John's. We planned to meet in Bryants Hollow Friday afternoon, December 8, 1922.

I left him Friday morning, after selling the chickens. I went to Nellie Williams. Nellie Williams, May Williams, Christine Williams, Virginia Williams, and myself left the Friday, December 8, 1922, about two fifty P. M. Bridge Hollow where we met Leaper Loker sitting down over to Bryant Hollow where we had left some money in it. I took a drink and gave all to the women a drink. Leaper on a rock at a big oak tree. He had a bottle with some We left there and went up the creek a little way and crossed on the road to John Loker in Shenandoah City on the "we" myself. We planned to rob John Loker and killed him. I mean by "we" myself, Leaper, Nellie Williams, Christine Williams, Virginia Williams, and May Williams. Leaper said his money was running out and that he knew where we could get some money; that his uncle John had sold some cows and hogs. Nellie Williams asked Leaper about paying a place below Mean Lightin it we got the money on a trade-in. We stole chickens on Monday night from my father, Lewis. He, Leaper, told me that he would go over to his uncle John's place on Tuesday to see if everything was alright. I did not see him any more until Thursday night. We stole chickens from Mr. Annie Trester this night. He told me, at this time, that everything was alright to pull this job at his uncle John's. We planned to meet in Bryants Hollow Friday afternoon, December 8, 1922.

I left him Friday morning, after selling the chickens. I went to Nellie Williams. Nellie Williams, May Williams, Christine Williams, Virginia Williams, and myself left the Friday, December 8, 1922, about two fifty P. M. Bridge Hollow where we met Leaper Loker sitting down over to Bryant Hollow where we had left some money in it. I took a drink and gave all to the women a drink. Leaper on a rock at a big oak tree. He had a bottle with some

a dam of rocks. I carried May Williams across the creek; Lester leading the way across the fields between Grover Bryant's and Charlie Himmler's to the woods. We then went on almost to John Loker's home. We left all of the women about a half a mile from Mr. Loker's house. After leaving the women, Lester pulled the gun out of his overalls and placed it together. Lester and myself went on through the woods. We laid down behind some cedars, watching to see Mr. Loker leave his house. While laying there, Lester was trimming on a hickory stick. I was laying down watching for Mr. Loker to leave. We saw him leave the house going towards the corn field, late in the afternoon. We got up, going down through the woods to the fence, crawled through under the fence--Lester carrying the gun. We crawled down the rail fence to the drain where we stooped over, until we got to the chicken house. Walked by the wood pile where Lester picked up a stick of wood to break window glass out with. Lester broke out the window so he could reach in the hole in window to get stick which held window fast. In doing this, he cut finger on right hand. Lester raised the window and I held it up for him to crawl in. I handed his gun through the window to him. Lester opened the door which had a Yale lock on. I went in this door. Lester set his gun down beside door leading up stairs. We go up to the head of the steps. Lester got a cold chisel and a hammer and come back down stairs to the back room where the trunk was; Lester keeping watch out of the window for Mr. Loker. I broke the trunk open. Lester and myself both searched the trunk for the money. Lester found this money in the west end of the trunk, while I held the clothes. The money was in a brown bag. Lester got a green shell, No. 4, twelve guage, out of dresser drawer in the room where we broke the trunk open. We went back up stairs with the intention of breaking the other trunk open and searched a stand there with some drawers in the stand.

a dam of rocks. I carried my milliams across the creek:

Leaper leading the way across the ridge between Grover Bryant's and Charlie Hammler's to the woods. We then went on almost to John Lokey's home. We left all of the women sport a half a mile from Mr. Lokey's house. After leaving the women, Leaper pulled the gun out of his overalls and placed it forward. Leaper and myself went on through the woods. We held down behind some cedars, watching to see Mr. Lokey leave his house. I walking there, Leaper was climbing on a pickoty stick. We saw him leaving down watching for Mr. Lokey to leave. We left the house going through the corn field, late in the afternoon. We got up, going down through the woods to the lence, climbed through under the lence--Leaper carrying the gun. We climbed down the left lence of the field where we spooked over, until we got to the chicken house. Walked by the woodpile where Leaper picked up a stick of wood to place in the door to prevent the door from closing. I carried my milliams across the creek:

Leaper looking the way across the fields between Grover Bryant's and Charlie Hammler's to the woods. We then went on almost to John Lokey's home. We left all of the women sport a half a mile from Mr. Lokey's house. After leaving the women, Leaper pulled the gun out of his overalls and placed it forward. Leaper and myself went on through the woods. We held down behind some cedars, watching to see Mr. Lokey leave his house. I walking there, Leaper was climbing on a pickoty stick. We saw him leaving down watching for Mr. Lokey to leave. We left the house going through the corn field, late in the afternoon. We got up, going down through the woods to the lence, climbed through under the lence--Leaper carrying the gun. We climbed down the left lence of the field where we spooked over, until we got to the chicken house. Walked by the woodpile where Leaper picked up a stick of wood to place in the door to prevent the door from closing. I carried my milliams across the creek:

Leaper opened the door which was in a prown page. Money was in a green small, No. 4, twelve Range, out of dresser drawer in the room where we broke the trunk open. We went back up stairs with the intention of breaking the other trunk open and searched a bend there with some diamers in the bend.

Found nothing there. We saw Mr. Loker coming towards house, so we did not break the trunk open. We came down stairs and got Mr. Loker's gun from behind door. Lester went out the door first, carrying his gun. I followed him with Mr. Loker's gun. We crept down beside the picket fence, instead of going through the gap. We came across the branch side the rail fence. Lester kicked a rail out and we crawled through the fence going around above the grainery.

We loaded the gun before getting into wagon bed. I put the green shell in John Loker's gun. Lester put the yellow shell in his gun. I got in the top wagon bed with John Loker's gun in my possession. Lester got in there with me with his gun in his possession. We decided then to kill Mr. Loker to keep the bloodhounds from trailing us. We both pulled hammers back at the same time, and I said, 'Fire.' Lester failed to fire his gun. At the time we shot, Mr. Loker had passed us and was about thirty-five feet from us. He fell forward on his face, moaned, 'oh, Lord,' as he fell.

We jumped out of wagon bed, Lester kicking over a can of nails setting beside corner of grainery. Run down to Mr. Loker, Lester caught him by the right side, turning him on his left side, and said to me, 'His money is in his right front pocket.' I reached in his pocket and got his pocket book out of his pocket. It was a black pocket book with a string tied around it. Lester took his watch away from him, at that time. Turned Mr. Loker over on his face and we went east of where Mr. Loker was laying.

Mr. Loker had on overalls, sham, and cap. I laid his gun beside him on his west side.

About seventy-five yards from this point, Lester asked me to let him see how much money was in the pocket book. I took the money and handed it to Lester. He said, 'You had better

throw the pocket book away.' I throwed it across a rail fence in the field. We come to a draining, waded a stream nearly to the woods to throw the bloodhounds off. We made a couple of circles around some trees in the woods for the same purpose. We went through to where the women were. We built a little fire out of leaves. I pull my sham off, lays it down on the ground for the money to be counted on. Lester and Christine counted the money--Two Thousand Dollars in brown bag, Three Hundred Dollars from pocket book. Lester had this money in his pocket. I took Twenty-three Dollars, and Lester took Thirteen Dollars. We put the fire out, kicked the leaves around, and carried leaves to cover spot where we had the fire.

All of us come back to Bryant Hollow, going over to Mr. Will Loker's where we hid the money under a log. We dug out a small hole and placed brown sack with all of money, except what Lester and I took, under this log, about eight hundred yards west of Will Loker's house in corner of woods. We agreed to leave the money there for a while.

Lester went across field home and we came through the woods to Nellie Williams' home, arriving there about eight p. m. Christine lit the lamp and I made a fire in the house stove. I gave Nellie Ten Dollars to keep her mouth shut. I went down to my Aunt Lona Turner's to get some celery. I offered to pay her for it. They asked me where I got my money and I told them I got it at Hagerstown. I came back to Nellie Williams, we eat supper there, and I went to bed. Christine and I went to Homer Alger's Saturday morning for groceries, buying about $3.00 worth. Got a quart of liquor on the way back home; Paid $1.00 for it.

On Saturday evening, May, Virginia, and I went to Herman Dofflemyer's to call Bud Stanley from Elkton for a taxi. Went to Homer Alger's store, got cigarettes and candy. I had Five Dollar bill changed so I could pay the taxi. The taxi came; we got in

from the pocket book away.' I threwed it across a tall fence in the field. We come to a clearing, maybe a street nearly to woods to from the bloodhounds off. We made a couple of circles around some trees in the woods for the same purpose. We went through to where the women were. We built a little fire over it, left it down on the ground out of leaves. I hung my shirt off, put on the clothes and buried the money under a log. We got out of the woods and I made a fire in the house above. Christine lit the lamp and I made a fire in the house above. I went down to I gave Hellie Ten Dollars to keep her month sent. I went down to my aunt Rose Tatner's to get some celery. I offered to pay her for it. They asked me where I got my money and I told them I got it at Hagerstown. I came back to Hellie Williams' we eat supper there, and I went to bed. Christine and I went to Homer Alger's Saturday morning for groceries, paying about $2.00 worth. Got a draft of liquor on the new pack house: Paid $1.00 for it.

On Saturday evening, May, Virginia, and I went to Herman Dorriemyer's to call and spend from Elkton for a taxi. Went to Homer Alger's store, got cigarettes and candy. I had five Dollar bill changed so I could pay the taxi. The taxi came! We got in

we put the time out, kicked the leaves around, and carried leaves to cover up where we had the time.

All of us come back to Bryant Hollow, going over to Hellie Williams, where we did the money under a log. We got in. We put a little note and placed them back with all of money, except a small note and placed the money under a log.

Leaster went across field home and we came through the woods to Hellie Williams' home, arriving there about eight p. m.

Christine lit the lamp and I made a fire in the house above. I gave Hellie Ten Dollars to keep her month sent. I went down to my aunt Rose Tatner's to get some celery. I offered to pay her for it. They asked me where I got my money and I told them I got it at Hagerstown. I came back to Hellie Williams' we eat supper there, and I went to bed. Christine and I went to Homer Alger's Saturday morning for groceries, paying about $2.00 worth. Got a draft of liquor on the new pack house: Paid $1.00 for it.

On Saturday evening, May, Virginia, and I went to Herman Dorriemyer's to call and spend from Elkton for a taxi. Went to Homer Alger's store, got cigarettes and candy. I had five Dollar bill changed so I could pay the taxi. The taxi came! We got in

the money--two thousand Dollars in brown bag. Three Hundred Dollars from pocket book. Leaster had the money in his pocket. I took twenty-five Dollars, and Leaster took Fifteen Dollars. We put the time out, kicked the leaves around, and carried leaves to cover up where we had the time.

All of us come back to Bryant Hollow, going over to Hellie Williams, where we did the money under a log. We got in. We put a little note and placed them back with all of money, except a small note and placed the money under a log.

Leaster went across field home and we came through the woods to Hellie Williams' home, arriving there about eight p. m.

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On Saturday evening, May, Virginia, and I went to Herman Dorriemyer's to call and spend from Elkton for a taxi. Went to Homer Alger's store, got cigarettes and candy. I had five Dollar bill changed so I could pay the taxi. The taxi came! We got in

and came back to Nellie Williams, where we found Lester Loker there at the Williams' home. All seven of us got in cab, including driver, came to John Alger's and got a pint of liquor. Came to Harrisonburg; all went to show except Stanley and Lester. Come out of show and bought two dolls for 98¢ a piece. Went back to taxi and went home. Arrived there about one a. m. Stayed there the rest of the night. Lester and I left the Williams' house early Sunday morning. It was raining hard. Took the watch back over to John Loker's house. Lester did not want the watch found on his person. Lester went through the same window and hung the watch on nail. I stayed outside to watch to see that no one come up on us. Went through woods back to Bryant Hollow. Lester went home to get his car and I went to Ott Bryant's to get a dress for Christine Williams. I called Howard Williams out of bed, gave him a drink of whiskey, asked him if he had any whiskey, he said he didn't have any, but he thought his friend next door might have some. I got a pint and three ten-cent drinks from Jim Bryant. I walked the lane going into Will Loker's. I met Lester coming out over the hill. He stopped the car and picked me up. We took a drink and went to Elkton, going by his brother's place. He told me to hide so his brother wouldn't see me. Filled the tank with gas at Gordon Loew's at Elkton. Got Silas Williams, took him over to Nellie Williams to keep house until we got back from Warrenton, Virginia. We went to Warrenton in Lester's car, all six of us. Came back about five p. m. to the Williams' home. Left there, the seven of us, taking Silas Williams home and we went to church. All went in the church except Lester. After church was over, we all went to Nellie's home, where, on the outside, we found Nettie Williams and Jim Clift. Lester stayed there until about two a. m. Monday and he left. I did not see him any more until Tuesday in Harrisonburg, when Kiser

and came back to Nellie Williams' where we found Leaper Lokey there at the Williams' home. All seven of us got in car, including driver, came to John Alger's and got a pint of liquor. Came on Hartsourne! All went to sham except Granjey and Leaper. Came out of sham and bought two dollars for 99¢ a piece. Went back to taxi and went home. Arrived there about one a. m. I called Howard Williams out to bed, gave him a drink of a drink and went to Elkton, going by his brother's place. He told me to hide so his brother wouldn't see me. Hitched the team at Cordon Loew's at Elkton. Got Silas Williams' team out to keep house until we got back. Went over to Nellie Williams to keep house until we got back from Mattenton, Virginia. We went to Mattenton in Leaper's car, all six of us. Came back about five p. m. to the Williams' home. Left there, the seven of us, taking Silas Williams home and we went to church. All went in the church except Leaper. After church was over, we all went to Nellie's home, where, on the outside, we found Neffie Williams and Jim Cliff. Leaper asked there until about two a. m. Monday and he left. I did not see him any more until Tuesday in Hartsourne, when Kiser I got a pint and ~~some~~ three ten-cent drinks from Jim Bryant. I walked over the hill. He stopped the car and picked me up. We took a drink and went to Elkton, going by his brother's place. He told me to hide so his brother wouldn't see me. Hitched the team at Cordon Loew's at Elkton. Got Silas Williams' team out to keep house until we got back from Mattenton, Virginia. We went to Mattenton in Leaper's car, all six of us. Came back about five p. m. to the Williams' home. Left there, the seven of us, taking Silas Williams home and we went to church. All went in the church except Leaper. After church was over, we all went to Nellie's home, where, on the outside, we found Neffie Williams and Jim Cliff. Leaper asked there until about two a. m. Monday and he left. I did not see him any more until Tuesday in Hartsourne, when Kiser

brought me there. We were both drinking, but not drunk on the day we killed John Loker.

Given under my hand this 17th day of January, 1936.

Witnesses:
E E Kiser
J R Logan.
L S Luke
J H Bazzle

Carl Turner

Subscribed and sworn to before me this 17th day of January, 1936.

My Commission
expires
March 18, 1939.

C. Overton Lee
Notary Public

brought me there. We were both drinking, but not drunk on the day we killed John Loker.

Given under my hand this 17th day of January, 1936.

_____

Witnesses:
William
Bradgon
Gilbert
Mayes

Subscribed and sworn to before me this 17th day of January, 1936.

_____ Notary Public

My Commission
expires
March 18, 1939.

Chicken #.254-5

No copy of Earl Turners Confession II 1
" " " Lester Lokker "

under Sec 6252

Bill of exception, as well as certificate under Sec 6253 cannot be signed unless it shall appear in writing that commonwealth has had reasonable notice of the time and place at which said bill of exception is to be tendered to court or judge.

~~transcript of the~~

The following evidence on behalf of the commonwealth and the accused respectively, as hereinafter denoted, is all the evidence that was introduced on the trial of this case (evidence)

~~Page 42~~

The foregoing transcript substantially sets forth all the evidence introduce on behalf of the commonwealth and the accused respectfully on the trial of the case together, and was tendered to me on April 28, 1936, after reasonable notice in writing given to D. W. Gorman attorney for the Commonwealth

Teste: This day

The foregoing transcript, together with the copies of the exhibits attached, substantially denotes all the evidence introduced at the trial of the case on behalf of the Commonwealth and the accused, respectively, and also includes copies of all instructions given and refused, all tendered to me on the 25 day of April 1936, after reasonable notice in writing of the time and place of tender, to W. W. Earnam, attorney for the Commonwealth.

Teste: This day of 1936

Judge

Court
Gives Instruction
Refused
Jury

INSTRUCTION NO A

exceptions

The court instructs the jury that they have the right to consider in this case whether or not ~~that before the alleged confession can be considered as evidence in this case it must appear to the jury from all the evidence and circumstances in the case, that~~ it was in every respect freely and voluntarily made, and that the alleged confession was not obtained by any sort of threat or violence, nor by any promise, either direct or implied, nor by the exertion of any influence, or obtained through fear, threats, hope of reward, personal abuse or violence, nor by any artifice, playing upon the emotions, invective statements, over persuasion, ill-usage, assault, persistent questioning, fright and intemidation or undue influence or duress exercised, made use of or held out by any person or persons in authority; and if the jury believe from all the evidence and circumstances in the case that the said alleged confession was obtained from thesaid defendant by any of the aforsaid methods, then you are instructed that it was not voluntarily made, and you should not consider it as evidence against the defendant in this case.

HAMMER & HAMMER
ATTORNEYS AT LAW
HARRISONBURG, VIRGINIA

State vs. Richards, West Va. 116 - S.E. 687
Lee's Criminal Law

Copy
of
Letter Sirkin

Referred with letter

Comm
v
Leslie Loker
Refused
Given
Exception
Given

The Court instructs the jury that although you may believe from the evidence that Carl Turner may have made an alleged confession to the officers, and other statements as to the guilt of the defendant, Loker, of the charge against him in this case, still you cannot consider any such statements or any part thereof as evidence against Loker, but such statements, if any made by Turner, can only be considered by you as going to the credibility of said Turner and not as to the guilt of said Loker.

(68:46)

The court instructs the jury that although you may
believe from the evidence that Carl Turner may have made an
alleged confession to the officers, and other statements as
to the guilt of the defendant, Foster, of the charge against
him in this case, still you cannot consider any such state-
ments or any part thereof as evidence against Foster, but
such statements, if any made by Turner, can only be considered
by you as bearing on the credibility of said Turner and not as
to the guilt of said Foster.

Crown
Lester Lowery
Refused - excepted
HCWB

INSTRUCTIIOON NO. G.

The court instructs the jury that if they entertain any reasonable doubt as to whether or not the defendant was at home at the time the offence charged, was committed, then it is the rule of law inflexiable in its operation, and the sworn duty of the jury, to give the benifit of such doubt to the prisoner and to acquit him, unless they are constrained by the evidence to believe beyond all reasonable doubt that in some manner the defendant aided, abetted or encouraged the commission of the offense charged in the endictment.

HAMMER & HAMMER
ATTORNEYS AT LAW
HARRISONBURG, VIRGINIA

State vs. Lowery
430 205

D. W. EARMAN, COMMONWEALTH'S ATTORNEY

TAKE NOTICE:

That on Saturday, the 25th day of April, 1936, I shall apply to the Circuit Court of Rockingham County, H. W. Bertram sitting in chambers ~~in vaction~~, for a transcript of the record in the case of the Commonwealth vs Lester Loker. On that date I shall ask him to certify all orders entered in that cause. I shall also ask him to certify all exceptions and all entries made during the progress of that case while on trial in the Circuit Court of Rockingham County.

Your applicant is of the opinion that error has been committed in the trial of that cause and he desires a full record and a reversal thereof by the Supreme Court of Appeals.

Respectfully submitted,

D. W. Earman

~~Commonwealth's~~ Attorney

Legal and timely service accepted this 20th day of February, 1936.

Commonwealth's Attorney.

HAMMER & HAMMER
ATTORNEYS AT LAW
HARRISONBURG, VIRGINIA

D. W. EARMAN, COMMONWEALTH'S ATTORNEY

TAKE NOTICE:

That on Saturday, the 25th day of April, 1936, I shall apply to the Circuit Court of Rockingham County, H. W. Bertram sitting in chambers ~~in vaction~~, for a transcript of the record in the case of the Commonwealth vs Lester Loker. On that date I shall ask him to certify all orderedentered in that cause. I shall also ask him to certify all exceptions and all entries made during the progress of that case while on trial in the Circuit Court of Rockingham County.

Your applicant is of the opinion that error has been committed in the trial of that cause and he desires a full record and a reversal thereof by the Supreme Court of Appeals.

Respectfully submitted,

Legal and timely service accepted this 20th day of February, 1936.

Commonwealth's Attorney

HAMMER & HAMMER
ATTORNEYS AT LAW
HARRISONBURG, VIRGINIA

/

VIRGINIA:

In the Supreme Court of Appeals, held at the Court House thereof, in the City of Staunton, on Thursday the 10th., day of September, 1936.

The petition of Lester Loker for a writ of error and supersedeas to a judgment of the circuit court of Rockingham county prounced on the 27th., day of February, 1936, in the cause then therein pending of Commonwealth of Virginia v. Lester Locker, whereby it was considered by said court that the said Lester Locker be confined in the Penitentiary House of this Commonwealth for life, having been maturely considered, and a transcript of the record of the judgment seen and inspected, the court being of opinion that the said judgment is plainly right, doth reject said petition and refuse said writ of error and supersedeas, the effect of which is to affirm the judgment of the said circuit court of Rockingham County.

Which is ordered to be certified to the clerk of the circuit court of Rockingham County.

A Copy:

Teste, H H Way Clerk.

4/110

VIRGINIA:

In the Supreme Court of Appeals, held at the Court House thereof, in the City of Staunton, on Thursday the 16th day of September, 1926.

The petition of Jesper Locker for a writ of error and supersedeas to a judgment of the circuit court of Rockingham county, in the cause then pronounced on the 8th day of February, 1926, in the cause then pending of Commonwealth of Virginia v. Jesper Locker, wherein it was considered by said court that the said Jesper Locker be confined in the Penitentiary House of this Commonwealth for life, having been duly convicted, and a transcript of the record of the judgment seen and inspected, the court being of opinion that the said judgment is plainly right, doth refuse said petition and refuse said writ of error and supersedeas, the effect of which would be to stay the judgment of the said circuit court of Rockingham county.

Which is to be certified to the clerk of the circuit court of Rockingham county.

A copy:

Teste: Kennedy, clerk.

No

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

PETITION FOR WRIT OF HABAES CORPUS
AD TESTIFICANDUM.

TO THE HON. H. W. BERTRAM,
Judge of said Court for said County:

Your petitioner, D. W. Earman, Commonwealth's Attorney of Rockingham County, respectfully shows that Carl Turner is a material witness for the Commonwealth in the case of Commonwealth vs. Nellie Williams, assigned for trial in this Court on May 11, 1936, and that said witness is now a prisoner in the Virginia State Penitentiary at Richmond, and is willing and ready to attend as a witness in the aforesaid trial, and that your petitioner is advised and verily believes that he cannot safely proceed to trial without the testimony of said Carl Turner.

Wherefore, your petitioner prays that a writ of habaes corpus ad testificandum be granted, directed to the Sheriff of Rockingham County, Virginia, demanding him to bring the body of said Carl Turner, who is confined in the State Penitentiary at Richmond, before this Court to give testimony on behalf of the Commonwealth in said case of Commonwealth of Virginia vs. Nellie Williams.

D W Earman
Commonwealth's Attorney, Petitioner

STATE OF VIRGINIA, County of Rockingham, to-wit:

This day D. W. Earman, the above named petitioner, personally appeared before me, Pauline M. Andrus, a notary public in and for the county and state aforesaid, in my said county, and made oath that the matters and things stated in the foregoing petition are true.

Given under my hand this 1st day of May, 1936.

Pauline M. Andrus Notary Public

APR - 1936

In Re: Petition for Writ of Habeas Corpus ad Testificandum for Carl Turner

Order 6/8/1

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH :

vs. : CHARGE TO THE JURY.

LESTER LOKER :

Your charge is to inquire whether the accused is guilty of the felony as charged in the indictment or not guilty.

If you find him guilty of murder, as charged in the indictment, and that the same was committed with malice aforethought and was wilful, deliberate and premeditated, then you shall find him guilty of murder in the first degree and ascertain his punishment at death, or, in your discretion, by confinement in the penitentiary for life, or for any term not less than twenty years.

If you find him guilty of murder, as charged in the indictment, and the same was committed with malice aforethought, and was not wilful, deliberate and premeditated, then you shall find him guilty of murder in the second degree, and ascertain his punishment by confinement in the penitentiary for not less than five nor more than twenty years.

If you find him not guilty, you will say so and no more.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH :

vs. : CHARGE OF THE JURY.

TRUSTEN LOKEN :

You charge if so jurors where that accused is guilty of the felony as charged in the indictment or not guilty.

If you find him guilty of murder, as charged in the indictment, and that the same was committed with malice aforethought, and was not mitigated, deliberate and premeditated, then you shall find him guilty of murder in the second degree, and accordingly his punishment by confinement in the penitentiary for not less than five nor more than twenty years.

If you find him not guilty, you will say so and no more.

Welcome

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Walter Heiston

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 24th *day of* Feb. 1936 *to testify and the truth to say in* ***behalf of the Defendant*** *in the prosecution of the Commonwealth against*

Lester Laker

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* 20th *day of* Feb. 1936 *and in the* 160th *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

THE SERVICE PRESS, HARRISONBURG, VA.

FORM NO. 5

executed Feby 22 by delivering a true Copy of this

within Summons to Walter Husemi

____ In person

RW Smith Dep.
J. W. Bazzle, S.R.C.

Rustin Foker
adv.
Com

Filed

1. Contrary to law and evidence
2. Admission of evidence on behalf of Commonwealth over objections of the accused.
3. Failure to admit evidence tendered on behalf of the accused.
4. Failure to give certain instructions tendered on behalf of accused.
5. Verdict is without evidence to support it.

Com
v
Lester Gaffee
Homicide

INSTRUCTION NO. 1

The court instructs the jury that whoever kills a human being with malice aforethought is guilty of murder; that a murder which is perpetrated by poison, lying in wait, or any other kind of wilfull, deliberate, and premeditated killing is murder in the first degree.

INSTRUCTION NO. 1

The court instructs the jury that whoever kills a human being with malice aforethought is guilty of murder; that a murder which is perpetrated by poison, lying in wait, or any other kind of willful, deliberate, and premeditated killing is murder in the first degree.

Copy
of
Lester Lokey
28 [illegible]

Instruction No. 2

The court further instructs the jury that whenever the killing is willful, deliberate, and premeditated, the law infers malice from this fact.

Instruction No. 3

The court further instructs the jury that whenever the killing is willful, deliberate, and premeditated, the law infers malice from this fact.

Comm
v
Lester Peters
18208

Instruction No. 3

The court further instructs the jury that to constitute a willful, deliberate, and premeditated killing it is not necessary that the intention to kill should exist any particular length of time prior to the actual killing. It is only necessary that such intention should come into existence for the first time at the time of killing, or any time previously.

Instruction No. 3

The court further instructs the jury that to constitute a willful, deliberate, and premeditated killing it is not necessary that the intention to kill should exist any particular length of time prior to the actual killing. It is only necessary that such intention should come into existence for the first time at the time of killing, or any time previously.

Com
v
Lester Loker
Inst 3

Instruction No. 4.

The court further instructs the jury that if they believe from the evidence that a conspiracy was formed between the prisoner and Carl Turner, and that the purpose of that conspiracy was to murder John H. Loker, and that pursuant thereto the said Carl Turner did shoot and kill the said John H. Loker, and that Lester Loker was present at the time of said killing and aided by acts, or encouraged by words and gestures the said Carl Turner in said killing, then the said Lester Loker is guilty of murder in the first degree.

Instruction No. 4.

The court further instructs the jury that if they believe from the evidence that a conspiracy was formed between the prisoner and Carl Turner, and that the purpose of that conspiracy was to murder John R. Loker, and that pursuant thereto the said Carl Turner did shoot and kill the said John R. Loker, and that Lester Loker was present at the time of said killing and aided by acts, or encouraged by words and gestures the said Carl Turner in said killing, then the said Lester Loker is guilty of murder in the first degree.

Cpm
v
Lester Parker
Mrs

Instruction No. 5

The court further instructs the jury that in determining the weight to be given the testimony of different witnesses in this case, the jury are authorized to consider the relationship of the witnesses to the parties, if the same is proved; their interest, if any, in the result of this case; their temper, feeling or bias, if any has been shown; their demeanor whilst testifying; their apparent intelligence; their means of information, and to give such credit to the testimony of such witnesses as under all the circumstances such witnesses seem to be entitled to.

Instruction No. 4

The court further instructs the jury that in determining the weight to be given the testimony of different witnesses in this case, the jury are authorized to consider the relationship of the witnesses to the parties, if the same is proved; their interest, if any, in the result of this case; their temper, feeling or bias, if any has been shown; their demeanor while testifying; their apparent intelligence; their means of information, and to give such credit to the testimony of such witnesses as under all the circumstances such witnesses seem to be entitled to.

Comm
v
Lester Lutes
1 Ruth

Instruction No. 6

The court instructs the jury that the burden rests upon the Commonwealth to make out its case against the accused to the exclusion of a reasonable doubt, but where the accused relies upon or attempts to prove an alibi in his defence, the burden of proving the alibi rests upon him; but upon the other questions in the case the burden still rests upon the Commonwealth.

Instruction No. 6

The court instructs the jury that the burden rests upon the Commonwealth to make out its case against the accused to the exclusion of a reasonable doubt, but where the accused relies upon or attempts to prove an alibi in his defence, the burden of proving the alibi rests upon him; but upon the other questions in the case the burden still rests upon the Commonwealth.

Instruction No. 9

The jury are instructed that if they believe from the evidence beyond a reasonable doubt that Carl Turner, killed John H. Loker, or was present aiding and abetting Lester Loker in killing him as charged in the indictment, after having conspired with Lester Loker so to do and after lying in wait for that purpose, he is guilty of murder in the first degree, even though they may believe from the evidence that he ~~may be~~ was mentally weak or feeble minded, ignorant and of a low order of intelligence for they are told that, mental weakness, ignorance and a low order of intelligence cannot under the law exempt him from responsibility for his crime if he had sufficient capacity to know that his acts were wrong; and understood the nature and consequences of such acts; ~~nor can he be punished for a lower grade of offence, if he be found guilty, than a person of a normal mind.~~

Cerr
v
Turner
Original of
9 at Cl Pend

filed

Com
v
Carl Turner
HWB

INSTRUCTIONS NO. 4

The Court instructs the Jury that the failure of the accused to testify creates no presumption against him and is not a circumstance which the Jury should consider against him.

Com
v
Carl Turner

INSTRUCTIONS NO. 19

The Court instructs the Jury that [redacted] confessions made by the accused are to be received with [redacted] caution and the Court further instructs the Jury that they are the final judges as to the weight and effect which should be given [redacted] To confession; and they may believe or disbelieve any portion as reason may decide. In weighing the confessions the Jury are entitled to consider all circumstances under which the confessions were made.

Dem. Instruction
Gen. Charge

INSTRUCTIONS NO. 4

The Court instructs the Jury that the failure of the accused to testify creates no presumption against him and is not a circumstance which the Jury should consider against him.

INSTRUCTIONS NO.

The Court instructs the Jury that [redacted] confessions made by the accused are to be received with [redacted] caution and the Court further instructs the Jury that they are the final judges as to the weight and effect which should be given [redacted] confession; and they may believe or disbelieve any portion as reason may decide. In weighing the confessions the Jury are entitled to consider all circumstances under which the confessions were made.

Com
v
Earl Turner
Hvb

Instruction No. 1.

The court instructs the jury that whoever kills a human being with malice aforethought is guilty of murder; that a murder which is perpetrated by poison, lying in wait, or any other kind of willful, deliberate, and premeditated killing is murder in the first degree.

Instruction No. _____.

The court instructs the jury that whoever kills a human being with malice aforethought is guilty of murder; that a murder which is perpetrated by poison, lying in wait, or any other kind of willful, deliberate, and premeditated killing is murder in the first degree.

Com
v
Carl Turner
HWB

Instruction No. 2

The court further instructs the jury that whenever the killing is willful, deliberate, and premeditated, the law infers malice from this fact.

Instruction No. ___

The court further instructs the jury that whenever the killing is willful, deliberate, and premeditated, the law infers malice from this fact.

Com
v
Carl Turner
HWB

Instruction No. 3.

The court further instructs the jury that to constitute a willful, deliberate, and premeditated killing it is not necessary that the intention to kill should exist any particular length of time prior to the actual killing. It is only necessary that such intention should come into existence for the first time at the time of killing, or any time previously.

Instruction No. 3.

The court further instructs the jury that to constitute a willful, deliberate, and premeditated killing it is not necessary that the intention to kill should exist any particular length of time prior to the actual killing. It is only necessary that such intention should come into existence for the first time at the time of killing, or any time previously.

Com
v
Earl Turner
H.W.B.

Instruction No. 7

The court further instructs the jury that in determining the weight to be given the testimony of different witnesses in this case, the jury are authorized to consider the relationship of the witnesses to the parties, if the same is proved; their interest, if any, in the result of this case; their temper, feeling or bias, if any has been shown; their demeanor whilst testifying; their apparent intelligence; their means of information, and to give such credit to the testimony of such witnesses as under all the circumstances such witnesses seem to be entitled to.

Instruction No. 7

The court further instructs the jury that in determining the weight to be given the testimony of different witnesses in this case, the jury are authorized to consider the relationship of the witnesses to the parties, if the same is proved; their interest, if any, in the result of this case; their temper, feeling or bias, if any has been shown; their demeanor whilst testifying; their apparent intelligence; their means of information, and to give such credit to the testimony of such witnesses as under all the circumstances such witnesses seem to be entitled to.

Ecrue
v
Carl Turner
Kiwa

Instruction No. 8

The court instructs the jury that every man is presumed to be sane until the contrary is made to appear, and the burden of proving insanity is on the person alleging it.

Instruction No. 2

The court instructs the jury that every man is presumed to be sane until the contrary is made to appear, and the burden of proving insanity is on the person alleging it.

Com
v
Carl Turner
Hobb

Instruction No. 6.

The court instructs the jury that if they believe from the evidence that a conspiracy was formed between the prisoner and Lester Loker, and that the purpose of that conspiracy was to murder John H. Loker, and that pursuant thereto the said Lester Loker did shoot and kill the said John H. Loker, and that Carl Turner was present at the time of said killing and aided by acts, or encouraged by words and gestures the said Lester Loker in said killing, then the said Carl Turner is guilty of murder in the first degree.

Instruction No. 6.

The court instructs the jury that if they believe from the evidence that a conspiracy was formed between the prisoner and Lester Loker, and that the purpose of that conspiracy was to murder John H. Loker, and that pursuant thereto the said Lester Loker did shoot and kill the said John H. Loker, and that Carl Turner was present at the time of said killing and aided by acts, or encouraged by words and gestures the said Lester Loker in said killing, then the said Carl Turner is guilty of murder in the first degree.

Com
v
Carl Turner
Hcvb

Instruction No. 5.

The court instructs the jury that if they believe from the evidence beyond a reasonable doubt that the prisoner, Carl Turner, fired the fatal shot which caused the death of John H. Loker, and that at the time of firing said fatal shot was capable of knowing the nature and consequence of his act, and that so knowing he fired the shot at the deceased with the willful, deliberate, and premeditated purpose of killing him, they will find the prisoner guilty of murder in the first degree.

Instruction No. 5.

The court instructs the jury that if they believe from the evidence beyond a reasonable doubt that the prisoner, Carl Turner, fired the fatal shot which caused the death of John K. Loker, and that at the time of firing said fatal shot was capable of knowing the nature and consequence of his act, and that so knowing he fired the shot at the deceased with the willful, deliberate, and premeditated purpose of killing him, they will find the prisoner guilty of murder in the first degree.

Instruction No. 5.

The court instructs the jury that if they believe from the evidence beyond a reasonable doubt that the prisoner, Carl Turner, fired the fatal shot which caused the death of John K. Loker, and that at the time of firing said fatal shot was capable of knowing the nature and consequence of his act, and that so knowing he fired the shot at the deceased with the willful, deliberate, and premeditated purpose of killing him, they will find the prisoner guilty of murder in the first degree.

Com
v
Carl Turner
HWB

INSTRUCTIONS NO. C

The Court instructs the Jury that the accused is presumed to be innocent ~~in~~ and this presumption follows throughout the trial in his case and he is entitled to the benefit thereof. And the Court further instructs the Jury that the burden is on the Commonwealth to prove beyond all reasonable doubt all the essential facts necessary to his conviction.

INSTRUCTIONS NO. _____

The Court instructs the jury that the accused is presumed to be innocent in this presumption follows throughout the trial in this case and he is entitled to the benefit thereof. And the Court instruct the jury that the burden is on the Commonwealth to prove beyond all reasonable doubt all the essential facts necessary to his conviction.

Com
v
Carl Turner
HWB

INSTRUCTION NO. 9

The jury is instructed that if they believe from the evidence beyond a reasonable doubt that Carl Turner killed John H. Loker, or was present aiding and abetting Lester Loker in killing him, as charged in the indictment, after having conspired with Lester Loker so to do and after lying in wait for that purpose, he is guilty of murder in the first degree, even though they may believe from the evidence that he ~~may be~~ was mentally weak or feeble minded, ignorant and of a low order of intelligence, for they are told that mental weakness, ignorance, and a low order of intelligence cannot under the law exempt him from responsibility for his crime if he had sufficient capacity to know that his acts were wrong, and understand the nature and consequences of such acts.

INSTRUCTION NO. 8

The jury is instructed that if they believe from the evidence beyond a reasonable doubt that Carl Turner killed John H. Foker, or was present aiding and abetting Leafer Foker in killing him, as charged in the indictment, after having consulted with Leafer Foker so to do and after lying in wait for that purpose, he is guilty of murder in the first degree, even though they may believe from the evidence that he was mentally weak or feeble minded, ignorant and of a low order of intelligence, for they are told that mental weakness, ignorance, and a low order of intelligence cannot under the law excuse him from responsibility for his crime if he had sufficient capacity to know that his acts were wrong, and understand the nature and consequences of such acts.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH :

V. : CHARGE TO THE JURY.

CARL TURNER: :

Your charge is to inquire whether the accused is guilty of the felony as charged in the indictment or not guilty.

If you find him guilty of murder, as charged in the indictment, and that the same was committed with malice aforethought and was willful, deliberate, and premeditated, then you shall find him guilty of murder in the first degree and ascertain his punishment at death, or, in your discretion, by confinement in the penitentiary for life, or for any term not less than twenty years.

If you find him guilty of murder, as charged in the indictment, and the same was committed with malice aforethought, and was not willful, deliberate, and premeditated, then you shall find him guilty of murder in the second degree, and ascertain his punishment by confinement in the penitentiary for not less than five nor more than twenty years.

If you find him not guilty, you will say so and no more.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH :

V. : CHARGE TO THE JURY.

CARL TURNER: :

Your charge is to judge whether the accused is guilty or not guilty.

If you find him guilty of murder, as charged in the indictment, and that the same was committed with malice aforethought, and the same was committed with malice aforethought, and was not willful, deliberate, and premeditated, then you shall find him guilty of murder in the second degree, and assess his punishment by confinement in the penitentiary for not less than five nor more than twenty years.

If you find him not guilty, you will say so and no more.

Com

v

Carl Turner

Charge to the Jury

B. H. BEYDLER, M. D.
BRIDGEWATER, VIRGINIA

Office Hours
12 to 2 p. m.
6 to 8 p. m.

B. H. BEYDLER, M. D.
Bridgewater, Va.

No. .....
Date 2-9-36

℞ PATIENT'S NAME ..... ADDRESS .....

Mr. L. L. Lerk has been under my care since Dec 1st 1935 - Threatened with Paralysis. His condition is such that it is not advisable for him to serve on a Jury

Take this to
DICKSON'S DRUG STORE
J. N. Dickson, Prop.
Bridgewater, Virginia

Full Name B H Beydler M. D
Reg. No. 3781

Office Hours
12 to 2 p. m.
6 to 8 p. m.

B. H. BEYDLER, M. D.
Bridgewater, Va.

No. .....
Date 2-4-35

℞ PATIENT'S NAME ..... ADDRESS .....

Mr. & Mrs. Albert Van Fossen wish
very much to consult Dr. Beydler
this morning with regard to their
little girl Eleanor who has been
ill for some days.

Take this to
DICKSON'S DRUG STORE
J. N. Dickson, Prop.
Bridgewater, Virginia

Full
Name ..... M. D

Rec. No. 2781

Prisoners Report of Rockingham County Jail

State

Month of Dec 14 1936

Name Lester Laker Date Committed

Male yes Female Age 20 Race w Single yes Married Divorced

Place of Birth Elkton If Foreign Born Time in U. S. years Months

Physical Condition good Is person a drunkard? or drug victim?

Can read? yes write? yes Occupation Labor Offence Committed Investigation

City Ordinance State Held for Grand Jury

Held for trial Sentence years months

Fine Costs Time in Jail Held For penitentiary

Held as insane Held for other authorities

Behavier Date of discharge

DESCRIPTION OF PRISONER

Height Weight Color of eyes Color of hair

Teeth Marks Hand marks

Arm marks Face marks

Shoulder marks Back marks

Thigh marks Knee marks

Calf of leg marks Foot marks

Fingers off Mole marks

Neck marks Breast marks

Left arm marks Right arm marks

Left leg marks Right leg marks

Fine after prisoner at jail; Amount to State $ Amount to City $

Deputy and Jailor

Kiser

Sheriff

Prisoners Report of Rockingham County Jail

Month of _____ 193_

Name _____ Date Committed _____

Male _____ Female _____ Age _____ Race _____ Single _____ Married _____ Divorced _____

Place of Birth _____ If Foreign Born _____ Time in U. S. _____ years _____ Months _____

Physical Condition _____ Is person a drunkard? _____ or drug victim? _____

Can read? _____ write? _____ Occupation _____ Offence Committed _____

City Ordinance _____ State _____ Held for Grand Jury _____

Held for trial _____ Sentence _____ years _____ months _____

Fine _____ Costs _____ Time in Jail _____ Held For penitentiary _____

Held as insane _____ Held for other authorities _____

Behavior _____ Date of discharge _____

DESCRIPTION OF PRISONER

Height _____ Weight _____ Color of eyes _____ Color of hair _____

Teeth Marks _____ Hand marks _____

Arm marks _____ Face marks _____

Shoulder marks _____ Back marks _____

Thigh marks _____ Knee marks _____

Calf of leg marks _____ Foot marks _____

Fingers of _____ Mole marks _____

Neck marks _____ Breast marks _____

Left arm marks _____ Right arm marks _____

Left leg marks _____ Right leg marks _____

Fine after prisoner at jail; Amount to State $ _____ Amount to City $ _____

_____ Deputy and Jailor

_____ Sheriff

Prisoners Report of Rockingham County Jail

State

Month of Dec 13 193 5

Name Carl Turner Date Committed

Male yes Female Age 25 Race w Single yes Married Divorced

Place of Birth Elkton If Foreign Born Time in U. S. years Months

Physical Condition good Is person a drunkard? or drug victim?

Can read? yes write? yes Occupation Labor Offence Committed Investigation

City Ordinance State Held for Grand Jury

Held for trial Sentence years months

Fine Costs Time in Jail Held For penitentiary

Held as insane Held for other authorities

Behavier Date of discharge

DESCRIPTION OF PRISONER

Height Weight Color of eyes Color of hair

Teeth Marks Hand marks

Arm marks Face marks

Shoulder marks Back marks

Thigh marks Knee marks

Calf of leg marks Foot marks

Fingers off Mole marks

Neck marks Breast marks

Left arm marks Right arm marks

Left leg marks Right leg marks

Fine after prisoner at jail; Amount to State $ Amount to City $

Deputy and Jailor

Sheriff

Prisoners Report of Rockingham County Jail

Month of Dec. 13 1935

Name Carl Farmer Date Committed

Male Female Age 27 Race Single Married Divorced

Place of Birth Alleton If Foreign Born Time in U. S. years Months

Physical Condition Is person a drunkard? or drug victim?

Can read Write Occupation Offence Committed

City Ordinance State Held for Grand Jury

Held for trial Sentence years months

Fine Costs Time in Jail Held for penitentiary

Held as insane Held for other authorities

Behavior Date of discharge

DESCRIPTION OF PRISONER

Height Weight Color of eyes Color of hair

Teeth Marks Hand marks

Arm marks Face marks

Shoulder marks Back marks

Thigh marks Knee marks

Calf of leg marks Foot marks

Fingers off Mole marks

Neck marks Breast marks

Left arm marks Right arm marks

Left leg marks Right leg marks

Fine after prisoner at jail; Amount to State $ Amount to City $

Deputy and Jailor

Sheriff

We the jury find the accused Carl Turner guilty of first degree murder as charged in the indictment and fix his punishment by confinement in the penitentiary for Life

L. H. Roller foreman

We, the jury, find the accused, Lester Loker, guilty of first degree murder as charged in the indictment and fix his punishment by confinement in the penitentiary for life.

A H Zeigler, foreman

January 7, 1936

I, William Lester Joker, age twenty do of my own free will and record make the following statement regarding the murder of my uncle John H. Joker on December 6, 1935. This statement is made voluntarily and without any threats or promises of reward being made to me by anyone for the purpose of this statement and with the knowledge on my part that this statement may be used against me.

(X-B)

Carl Turner and I started out stealing chickens and during that time we planned that case over there by that case I mean Uncle John. We planned this about ten days before and the Tuesday before Uncle John was killed I went over to Uncle John's to see if everything was all right. Had supper with Uncle John around five oclock in the evening and left soon after that. I went back home. Saw Turner Wednesday or Thursday night December 4 or 5 I am not sure which night it was I told him I thought things would be all right. We planned it up then to meet Friday evening

December 6, 1935 in Bryan Hallow, We met in Bryan Hallow as we planned, From Bryan Hallow we walked to Uncle John's house - getting there around 5 o'clock that evening. Carl broke out glass in window and I went inside house. I let Carl in through the door. I watched while he robbed the trunk. After we done that we looked in a little table drawer and got a shell. This shell was a 12 gauge shotgun shell loaded with #4 or #5 shot. The color of the shell was green. When we left the house I had my brothers gun that I brought along with me from home and Carl had Uncle John's gun that we found in the corner of the kitchen. Carl put green shell in my brothers gun before we left the house and yellow shell that I had brought from home was in Uncle John's gun. Carl put this shell in Uncle John's gun. We went down to shed to wait for Uncle John. Carl got in upper wagon bed and I got in lower bed. I still had my brothers gun and Carl had Uncle John's gun

Warren 12 gauge Iver Johnson Single barrel shotgun

J&B

we waited 10 or 15 minutes till he come along and when he come alon Carl done the shooting. After he shot him he went and taken the pocket book off of him Then we headed up the creek side. and come right back through the woods. On the way back we stopped he taken the money out of pocket book and throwed pocket book away Carl gave me brown bag of money he got out of town after we come back through the woods. After we come through the woods he headed back towards the Williams house & I went home. When I got home helped to haul in corn & fodder. Saw Carl saturday night December 7 1935 at the Williams house & we come to Harrisonburg that night. Carl had money from pocket book & I had other money. Carl paid all bills and Sunday we went to Warrenton got back home from Warrenton about 5 o'clock Sunday evening and went to Faith Healer Church Sunday night. then went back to Williams home I stayed there until midnight then left for home. Monday went over to Uncle John's and the next time I seen Carl was on

JWB

Tuesday over to Harrisonburg
Tuesday night I destroyed the money
I had. I burned it up in the
stove in the kitchen of my fathers
home.

I still had my brothers gun &
he used Uncle Johns gun with
gun shell as well as I remember
I am a little bit mixed up there

William Lester Loker.

Wittness
Jas H Bucle
F. L. Byers
J W Bazzle
J R Lodgan
C. S. Leake

Comm
v
Leeker
Leeker
JHWB

INSTRUCTION NO B

The court instructs the jury that confessions made by the accused are to be received with caution and the court further instructs the jury that they are the final judges as to the weight and effect which should be given to confession, and they may believe or disbelieve any portion as reason may decide. In weighing the confessions the jury are entitled to consider all circumstances under which the confessions were made.

Com
v
Lester Foster
HCB

INSTRUCTION NO. C

The court instructs the jury that they are the sole judges of the credibility of the evidence and witnesses and although one or more witnesses may postively testify as to an alleged fact, yet the jury may consider from the evidence, the motive of the witness in so testifying, the improbability of the statement in the light of the surrounding facts and circumstances and although said statement may not be contradicted by witnesses, they may altogether disregard said statement if they believe the same to be improbable or untrue.

INSTRUCTION NO. _____

The court instructs the jury that they are the sole judges of the credibility of the evidence and witnesses and although one or more witnesses may positively testify as to an alleged fact, yet the jury may consider from the evidence, the motive of the witness in so testifying, the improbability of the statement in the light of the surrounding facts and circumstances and although said statement may not be contradicted by witnesses, they may altogether disregard said statement if they believe the same to be improbable or untrue.

Com
v
Lester Loker
HEWD

INSTRUCTION NO. D

The court instructs the jury that before they can find the prisoner guilty, they must be satisfied beyond all reasonable doubt from the evidence adduced in this case that a conspiracy existed, and that the defendant Lester Loker, conspired and confederated with Carl Turner in the commission of the offense charged in the endictment.

INSTRUCTION NO. 4

The court instructs the jury that before they can find the prisoner guilty, they must be satisfied beyond all reasonable doubt from the evidence adduced in this case that a conspiracy existed and that the defendant Lester Loker, conspired and confederated with Carl Turner in the commission of the offense charged in the indictment.

Com
v
Lester Lokos
HWB

INSTRUCTION NO. E

The Court instructs the jury that the law presumes every person to be innocent until every fact essential to his guilt is proven beyond a reasonable doubt, and if there is upon the mind of the jury any reasonable doubt of the guilt of the accused, the law makes it their duty to acquit him. His guilt is not to be inferred even though the facts proven were consistent with his guilt, but they must be inconsistent with his innocence. Mere suspicion or probability of his guilt, no matter how strong, is not sufficient to convict, nor is it sufficient if the larger weight or preponderance of the evidence supports the charge, but to warrant his conviction his guilt must be proven so clearly ~~or~~ that there is no reasonable theory consistent with the evidence upon which he can be innocent.

INSTRUCTION NO. _____

The Court instructs the jury that the law presumes every person to be innocent until every fact essential to his guilt is proven beyond a reasonable doubt, and if there is upon the mind of the jury any reasonable doubt of the guilt of the accused, the law makes it their duty to acquit him. His guilt is not to be inferred even though the facts proven were consistent with his guilt, but they must be inconsistent with his innocence. Mere suspicion or probability of his guilt, no matter how strong, is not sufficient to convict, nor is it sufficient if the larger weight or preponderance of the evidence supports the charge, but to warrant his conviction his guilt must be proven so clearly or there is no reasonable theory consistent with the evidence upon which he can be innocent.

Com
v
Lester Lakes
HWB

Instruction No H

The court instructs the jury that while they may find a verdict upon the unsupported testimony of an accomplice, such evidence is to be received with great caution.

Instruction No 4

The court instructs the jury that while they may find a verdict upon the unsupported testimony of an accomplice, such evidence is to be received with great caution.

Carl Zurvey
Exhibit
Commonwealth
Confession
No. 3.

Jan 17th, 1935.

We planned to rob John Lake in Shenandoah City on the Sunday before we robbed and killed him. I mean by we, myself, Lester Lake, Nellie Williams, Christine Williams Virginia Williams and May Williams. Lester said his money was running short and that he knew where we could get some money. That his Uncle John had sold some cows and hogs. Nellie Williams asked Lester about buying a place below Bear Lake if we got the money and Christine asked him about getting a new V8 if we got the money on a trade in. We stole chickens on Monday night from my brother Lewis. He, Lester told me that he would go over to his uncle John's place on Tues. to see if every-thing was alright. I did not see him anymore until Thursday night. We stole chickens from Mrs. Annie Frazier this night. He told me at this time that everything was alright to pull this job at Uncle John's. We planned to meet in Bryan Hollow, Friday afternoon Dec 6th, 1935. I left him Fri. a.m. after selling the chickens. I went to Nellie Williams, May Williams, Nellie Williams, Christine Williams, Virginia Williams and myself left the Williams home about 2:30 P.M. Fri. Dec 6th 1935. Went over to Bryan Hollow

After leaving the women Lester
pulled the gun out of his
overalls and placed it together

where we met Lester Loker sitting there on a rock at a big oak tree. He had a bottle with some whiskey in it. I took a drink and gave all of the women a drink. We left there and went up the creek a little ways and crossed on a dam of rocks. I carried May Williams across the creek. Lester leading the way across the field. Between Mrs. Bryan and Charlie Himmler to the woods we then went on almost to John Loker's home. We left all of the women about a half of mile from Mr. Loker's house. Lester and myself went on through the woods. laid down behind some cedars watching to see Mr. Loker leave the house. While laying there Lester was trimming on a hickory stick, I was laying down. watching for Mr. Loker to leave We saw him leave the house going towards the cornfield late in the afternoon. We get up going down through the woods to the fence, crawled through under the fence Lester carrying his gun. we crawled down the rail fence to the drain where we stooped over until we got to the chicken house, walked by the woodpile, where Lester picked

Lester got a Green Shell # 4 Shot 12 Gauge out of dresser drawer in the room where we broke the trunk open.

up a stick to break window glass out with. Lester broke out the window so he could reach in the hole in window to get stick which held window fast. In doing this he cut finger on right hand. Lester raised the window and I held it up for him to crawl in. I handed his gun through the window to him. Lester opened the door which had a yale lock on. I went in this door. Lester set his gun down beside door leading upstairs we go up to the head of the steps. Lester got a cold chisel and a hammer. we come back down stairs to the back room, where the trunk was. Lester keeps watch out of the window for Mr. Loker. I broke the trunk open. Lester and myself both searched the trunk for the money. Lester found the money in the west end of trunk, while I held the clothes, the money was in a brown bag. We went back upstairs with the intention of breaking the other trunk open and searched a stand there with some drawers in stand, found nothing there. We saw Mr. Loker coming towards house so we did not break trunk open. We came downstairs and got Mr. Loker's gun from behind door

(4)

Lester went out the door first carrying his gun. I followed him with Mr. Loker's gun. We crept down beside the picket fence instead of going through the gap we came across the branch beside the rail fence. Lester kicked a rail and we crawled through the fence, going around along the grainery. We loaded the guns before getting into wagon beds. I put the green shell in John Lokers gun, Lester put the yellow shell in his gun. I got in the top wagon bed with John Loker's gun in my possession. Lester got in there with me with his gun in his possession. We decided then to kill Mr. Loker to keep the blood hounds from trailing us. We both pulled hammers back at the same time and I said fire. Lester failed to fire his guns. At the time we shot Mr. Loker had passed us and was about 35' from us. He fell forward on his face, moaned "O Lord" as he fell. We jumped out of wagon bed Lester kicked over a can of nails setting beside corner of grainery runs down to Mr. Loker. Lester caught him by the right side turning him on his left side and said to me his money is in his right front pocket. I reached in his pocket and got

Mr. Loper had on overalls, shirt and cap. I laid his gun beside him on his west side.

Lester had this money in his pocket

his pocketbook out of his pocket It was a black pocketbook with a string tied around it, Lester took his watch off of him at that time. Turned Mr. Loker over on his face, we run last of where Mr. Loker was laying. About 75 yards from the point. Lester asked me to let him see how much money was in the pocketbook. I took the money + handed to Lester he said you had better throw pocketbook away. I throwed it across the rail fence in the field. We come to a drain ditch this drain nearly to the woods to throw the bloodhounds off. We made a couple of circles around some trees in the woods for the same reason. We went through to where the women were. We built a little fire out of leaves, I pulled my shirt off, laid it down on the ground for the money to be counted on. Lester and Christine counted the money. $2000.00 in brown bag. $300 from pocketbook. I took $23.00 and Lester took $13.00. We put the fire out, kicked the leaves around and carried leaves to cover spot where we had the fire. All of us come back to Bryan Hollow going over to Mr. Will Lokers where we hid the money

(6)

under a log. We dug out a small hole and placed brown sack with all of money except what Lester and I took, under this log about 800 yds. west of Will Lokers house on corner of the woods. We agreed to leave the money there for a while. Lester went across field home and we came through the woods to Nellie Williams home arriving there about 8:00 PM. Christine lit the lamp and I made a fire in the home stove. I gave Nellie $10.00 to keep her mouth shut. I went down to my Aunt Lonna Towns to get some celery offered to pay her for it. They asked me where I got my money. I told them I got it at Hagerstown. I come back to Nellie Williams, ate supper there then and went to bed. Christine and I went to Homer Algers Sat. morning for groceries buying about $3.00 worth. Got a quart of liquor on our way back home paid $1.00 for it. On Sat. evening May, ~~and~~ Virginia and I went to Norman Doffelmoyers to call Bud Stanley, from Elkton for a taxi. Went to Homer Algers Store got cigarettes and candy. I had $5.00 bill changed so I could pay the taxi. The taxi came, we got in and came back to

(7)

Nellie Williams where we found
Lester Loker there at the William
home. All of 7 of us got in car
including driver came to John
Algeo and got a pint of liquor
came to Thang, all went to the
show except Stanley and Lester
come out of show and bought
2 dolls for $.98 a piece. Went
back to taxi and went home
arrived there about 1:00 A.M. Stayed
there the rest of the nights
Lester and I left the William
home early Sunday morning, it
was raining hard. took the
watch back over to John Loker
house, Lester did not want the
watch found on his person
Lester went through the same
window and hung the watch
on nail. I stayed outside to
watch to see that no one
come up on us. Went through
woods back to Bryan Hollow.
Lester went home to get his
car and I went to Ott Bryan
to get a dress for Christine
William. I called Howard William
out of bed, give him a
drink of whiskey asked him
if he had any whiskey. He
said he didnt have any but
he thought his friend next
door might have some. I got
a pint and 3 ten cent drinks
from Jim Bryan. I walked in

(8)

the lane going in to Will Sobers
meets Lester coming out over
the hill. ~~too~~ We stopped and
picked me up, we took a
drink ~~and went to Elkton~~
~~Pulled along by his brothers~~
place he told me to hide
so his brother wouldn't see
me filled the tank with gas
at Gordon Coughlin in Elkton. Got
Silas Williams took him over
to Nellie Williams to keep home
until we got back from
Waynesboro, Va. We went to Waynesboro
in Lesters car all 6 of us.
Came back about 5:00 P.M. to the
Williams home. Left there 7 of us
taking Silas Williams home and
went to church. All went to
church except Lester after church
was over we all went to Nellie's
home, where on the outside we
found Nettie Williams, Jim Clift.
Lester stayed there ~~&~~ until about
2:00 A.M. Monday and he left. I
did not see him anymore
until Tuesday in Elkton, when Kise
brought me there. We were both
drinking but not drunk on
the day we killed John Sobers.

Over

The above is true statement given on my own free will and no promise of immunity given me and no force or violence being used.

Carl Lerner

Witnesses

E E Kiser

C S Leahr

J. W. Baggle

J K Logan

H. Riddle

Raymond M

H. G. Riddle

C. J. Riddle

V. L. Riedler

Jas. E. Liska

Roy W. Lory

W. W. Bird

H. D. F. Kline

C. W. Barnum

M. L. Price

H. L. Lucevare

Com

v.

Carl Turner

Feb. 16-

2.50

.00

.00

COMMONWEALTH FE

V.) Felony (murder)

CARL TURNER and

LESTER LOKER

Feb. 10-

6/6/68

1. J. O.
2. J. J. Nic
3. Jno. A. Miller 3.50
4. R. F. Carner 3.70
5. Rodney L. Myers 3.80
6. G. P. Kiser 3.50
7. D. Howard Shull 3.20
8. Jno. D. Moore 4.15
9. Garland Smith 3.50
10. C. H. Zigler 3.70
11. Lester C. Runion 4.50
12. E. E. Armentrout 4.50

13470
20.20
$114.50

44.70
90.00
$134.70
.15
67350
13470
70.70 50

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PHILADELPHIA, PA.

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