

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH :

vs. : CHARGE TO THE JURY.

THOMAS JOHNSON :

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 of murder in the first degree or of murder in the second degree, but that he killed Mitchell Dahl without malice aforethought, actual or implied, upon a sudden heat, on reasonable provocation, or in mutual combat, you will find him guilty of voluntary manslaughter, and ascertain his punishment by confinement in the penitentiary for not less than one nor more than five years.

If you find him not guilty of murder in the first degree or of murder in the second degree, or of voluntary manslaughter but guilty of involuntary manslaughter, you will say so and ascertain his punishment by confinement in the penitentiary for not less than one nor more than five years, or, in your discretion, assess a fine against him of not ~~exceeding~~ \$1000, or by confinement in jail for not exceeding one year, or both.

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

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the one year, or both.

him of not exceeding \$1000, or by confinement in jail for not exceeding  
not more than five years, or, in your discretion, assess a fine against  
punishment by confinement in the penitentiary for not less than one  
guilty of involuntary manslaughter, you will say so and ascertain his  
or of murder in the second degree, or of voluntary manslaughter but  
years.

If you find him not guilty of murder in the first degree  
confinement in the penitentiary for not less than one nor more than five  
guilty of voluntary manslaughter, and ascertain his punishment by con-  
on reasonable provocation, or in mutual combat, you will find him  
without malice aforethought, actual or implied, upon a sudden heat,  
or of murder in the second degree, but that he killed Mitchell Dahl  
If you find him not guilty of murder in the first degree  
then twenty years.

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

at death, or, in your discretion, by confinement in the penitentiary  
him guilty of murder in the first degree and ascertain his punishment  
him was willful, deliberate and premeditated, then you shall find  
dictment, and that the same was committed with malice aforethought  
If you find him guilty of murder, as charged in the in-  
the felony as charged in the indictment or not guilty.

Commonwealth

v)

Thomas Johnson

Charge to the Jury

Your charge is to inquire whether the accused is guilty

THOMAS JOHNSON :

vs. : CHARGE TO THE JURY.

COMMONWEALTH :

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

I, Tom Johnson, age 27 years, do of my own free will and accord make the following statement regarding the stabbing of Mitchell Dahl on Thursday, July 1, 1937. This statement is made voluntarily and without any threats or promises of reward being made to me by anyone for the purposes of this statement, and with the knowledge on my part that this statement may be used against me.

On Wednesday night, June 30, 1937, while I was employed as a cook and waiter at Ed's and Bud's Place, about three miles south of Harrisonburg, Virginia, at Kaylor's Park, three young white men and three women came to the place and occupied Booth No. One. I waited on these peoples some three, four, or five times. They ordered beer, ginger ale, ice, and I served them glasses with each drink. One of these men, Mitchell Dahl, and I do not remember having seen any of the peoples before, was disagreeable from the whole start. I do not remember word for word what he said or did. He was fussy and disagreeable, and did not seem to like me. The other two boys seemed to be very nice boys, both of them, and the girls were awfully nice. I told Mr. Ed Pickering I was getting tired of this Dahl, and Mr. Ed said, "I'll wait on them then". Mr. Ed was out on the dance floor when I told him. I went out in the kitchen and told Mr. Bud about this boy, and he said, "Show him to me" and he would fix it. So Mr. Bud and myself walked back into the booth. At that time the Dahl boy was sitting in the northeast corner of the booth. There was a girl sitting down next to him, and I think there was a girl on the opposite side of the table, and one of the boys was standing up at the door. Mr. Bud and myself walked into the booth. I stood behind Mr. Bud at the southwest corner, and Mr. Bud says, "What seems to be the trouble with you boys?" The Dahl boy and the girls got up and the Dahl boy was talking to Mr. Bud. I don't remember what he said, and Mr. Bud threw up his hands and said, "I'm through with you. You all do what you want to do." Then the Dahl boy whistled and put his left hand back toward his left pocket and shoved me with his right hand. I had gotten a meat knife with a brown handle and a pointed blade six or eight inches long from the

*Comm. Ex. No. 1*

I, Tom Johnson, age 27 years, do of my own free will and accord make the following statement regarding the stabbing of Mitchell Dahl on Thursday, July 1, 1937. This statement is made voluntarily and without any threats or promises of reward being made to me by anyone for the purposes of this statement, and with the knowledge on my part that this statement may be used against me.

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and did not seem to like me. The other two boys seemed to be very nice boys, both of them, and the girls were awfully nice. I told Mr. Ed Pickering I was getting tired of this Dahl, and Mr. Ed said, "I'll wait on them then". Mr. Ed was out on the dance floor when I told him. I went out in the kitchen and told Mr. Bud about this boy, and he said, "Show him to me" and he would fix it. So Mr. Bud and myself walked

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Good Guy No. 1

Tom Johnson, page 2.

knife rack at the end of the table in the kitchen. I went back and got this knife after ~~after~~ Mr. Bud and myself started to the booth from the kitchen. I put this knife in my right trousers pocket with the handle down. When the Dahl boy shoved me with his right hand and put his left hand back towards his left pocket, I took the knife out of my pocket with my right hand and put it into my left hand (I'm left handed) and grabbed the handle in my fist with the blade pointing down, and stabbed Dahl. When I went to stab I stumbled and fell into him. I do not think I stabbed him but once. I would not say about this because I do not know. At the time of the stabbing, according to my recollection, there were in the booth two girls, Dahl, and another boy standing at the door. At no time during the trouble did Dahl make any threats against me. I had the knife five or ten minutes before the stabbing. I left the booth immediately after the stabbing, had the knife in my left hand and walked out through the dance hall between the side booths and the tables on the west side of the room until I reached the south end of the building, then I crossed the hall to the kitchen. I saw Grattan Lineweaver in the kitchen. He asked me what was wrong. I did not say anything to him. I went past my room, took off my coat and apron, threw them down. I know I had the knife in my hand as I crossed the floor, but I don't know what I did with it. From the time I left the booth until I got out of the building I was going between a walk and a run, mostly a run, and when I got out of the building I ran across the field to the B & O Railroad track, then followed the track down to the Harrisonburg Power Plant, then took the road out to the Lee Highway, across the Lee Highway where Mr. James Armentrout lives, walked up the road to his barn and slept on the floor until about day light, then crawled up in the wheat mow and stayed there until last night about 9:00 or 10:00 o'clock (Wednesday), July 7, and then went to the home of Edna Williams near the sub-station in Harrisonburg, arriving there about 1:30 or 2:00 o'clock, asked her for a glass of water, and went to the sub-station with this woman and called Mr. Clarence

*Cam. Ex No. 1*



Tom Johnson, page 3.

Leake, a policeman of Harrisonburg, and he came up to the sub-  
station and got me. I never had anything to eat from Wednesday  
evening, June 30, up until Wednesday night, July 7, somewhere  
around 2:00 o'clock. After the first three nights I got a drink  
of water every night about ten or eleven o'clock from the water  
trough in the Armentrout barnyard. I did not know I had killed  
the Dahl boy until I heard Mr. and Mrs. Armentrout talking in the  
barn about it a couple days later. Mr. Armentrout told his wife  
it would have been better if I would give myself up instead of  
trying to get away. Then I began to think over it, and I thought  
they was right, and later decided to give myself up. I would have  
come on down then, but Mr. Dillard's got two kids out there, and  
I did not want them to see me.

Dated at Harrisonburg, Virginia July 8, 1937.

Tom Johnson

Witnesses:

J. L. Byers  
Joe H. Boice  
W. B. Byrd S. N. C.  
J. B. (unclear)  
D. H. Davis D. S.  
C. S. Leake

Com. Ex. No. 1



# Prisoners Report of Rockingham County Jail

Month of July 1937  
Name Tom Johnson Date Committed .....  
Male go Female ..... Age 27 Race C Single go 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? go Write? go Occupation cook Offense Committed unintentional kill  
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 Jailer

..... Sheriff

# Prisoners Report of Rockingham County Jail

Name *John Johnson* Date Committed *July 2* 1937  
 Male *27* Female *2* Single *2* Married *2* Divorced *2*  
 Place of Birth *Ill Foreign Born* Time in U. S. *Years* *months*  
 Physical Condition *Is Prisoner a Drunkard?* *or Drug Victim?*  
 Can Read *Write* Occupation *Unemployed* Date of Discharge *Unemployed*  
 City of Residence *State* Held for Grand Jury *Months*  
 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*  
 Call of Leg Marks *Foot Marks*  
 Fingers OB *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 States *Amount to City \$*

Deputy and Jailor

Sheriff

Corn  
v  
Tom Johnson  
1908

G.

The court instructs the jury that if they shall find from the evidence that the killing was done without malice in the heat of passion, in a sudden brawl, on a sufficient provocation -- such killing amounts to voluntary manslaughter only; if however, they find the killing was done in the heat of passion, but on a slight and insufficient provocation such killing may amount to murder in the second degree.

second degree.  
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the evidence that the killing was done without malice in the heat of  
The court instructs the jury that if they shall find from

can

Tom Johnson  
142503

D

The court instructs the jury that if they have a reasonable doubt from all the evidence in the case as to any fact necessary to convict Johnson, or have a reasonable doubt as to his guilt, they will acquit him. If, however, they believe from the evidence, beyond a reasonable doubt, that he is guilty, but have a reasonable doubt as to the grade of offense he is guilty of (that is murder of either degree, or manslaughter, voluntary or involuntary) then they can only find him guilty of offense of a lower grade.

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Comm  
2  
From Jackson  
STUTZ

C

The court instructs the jury that to constitute murder in the first degree the evidence must clearly and distinctly prove beyond any reasonable doubt that the prisoner was not only incited to the killing of the deceased by malice and desperate wickedness of heart; but such killing must have been a willful, deliberate and premeditated act on the part of the prisoner; in other words, at the time of the killing, the prisoner must have distinctly understood what he willed and intended to do; he must have also reflected, and deliberated, and premeditated that he would kill the deceased, or do him some serious bodily injury, the probable result of which would be death. And if there be a reasonable doubt whether he had willed, deliberated, and premeditated to kill the deceased or do him some serious bodily injury, which would probably occasion his death, they ought not to find him guilty of murder in the first degree.

The court instructs the jury that to constitute murder in the first degree the evidence must clearly and distinctly prove beyond any reasonable doubt that the prisoner was not only incited to the killing of the deceased by malice and desperate wickedness of heart; but such killing must have been a willful, deliberate and premeditated act on the part of the prisoner; in other words, at the time of the killing, the prisoner must have distinctly understood what he willed and intended to do; he must have also reflected, and deliberated, and premeditated that he would kill the deceased, or do him some serious bodily injury, the probable result of which would be death. And if there be a reasonable doubt whether he had willed, deliberated, and premeditated to kill the deceased or do him some serious bodily injury, which would probably occasion his death, they ought not to find him guilty of murder in the first degree.

Cour  
v  
Tom Johnson  
NWSB

Refused to B.

B

The court instructs the jury that although they may not believe from the evidence in this case that Tom Johnson, the defendant, ~~shot~~<sup>stabbed</sup> and killed Mitchell Dahl, in self defense, yet if it appears from the evidence that the killing was not caused by any previous grudge, or malice but was done in the course of a sudden quarrel, in mutual combat, upon sudden provocation and that the provocation was more than slight, then you cannot find the defendant, Tom Johnson, guilty of any higher offense than voluntary manslaughter, which is punishable by confinement in the penitentiary not less than one year nor more than five years.

Tom Johnson  
6  
Court

Retained  
B

The court instructs the jury that although they may not believe from the evidence in this case that Tom Johnson, the defendant, shot and killed Mitchell Dahl, in self defense, yet if it appears from the evidence that the killing was not caused by any previous grudge, or malice but was done in the course of a sudden quarrel, in mutual combat, upon sudden provocation and that the provocation was more than slight, then you cannot find the defendant, Tom Johnson, guilty of any higher offense than voluntary manslaughter, which is punishable by confinement in the penitentiary not less than one year nor more than five years.

Agree  
Tom Johnson  
HCB

A

Referred as written  
HCB

The court instructs the jury that if they believe from the evidence that the prisoner committed the homicide charged in the indictment in the heat of passion, excited by a reasonable provocation which caused him to do the act without premeditation, and yet which was insufficient to deprive him of the power of self control, in that case he is guilty of murder in the second degree, but if the provocation which he received was such as to reasonably deprive him of power of self control at the time the homicide was committed, then they should find him not guilty of murder, but of manslaughter.

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self control at the time the homicide was committed, then they should  
which he received was such as to reasonably deprive him of power of  
case he is guilty of murder in the second degree, but if the provocation  
was insufficient to deprive him of the power of self control, in that  
which caused him to do the act without premeditation, and yet which  
indictment in the heat of passion, excited by a reasonable provocation  
evidence that the prisoner committed the homicide charged in the  
The court instructs the jury that if they believe from the

Refused as evidence  
A  
The jury  
found

STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

The grand jurors of the State of Virginia, in and for the body of the county of Rockingham, and now attending said Court at its June term, 1937, upon their oaths do present that Thomas Johnson, on or about July 1, 1937, in said county, feloniously did kill and murder Mitchell Dahl, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of J. W. Bazzle, Clarence Leake, James C. Armentrout, Dr. F. L. Byers, Grattan Lineweaver, J. H. Boice, Ed Pickering, and Edna Williams, witnesses sworn in Court and sent before the grand jury to give evidence.

Murder

Commonwealth

v) Indictment

Thomas Johnson

Felony

June term, 1937

A True Bill:

*J. H. Boice*  
Foreman

Witnesses:

J. W. Bazzle  
Clarence Leake  
James C. Armentrout  
Dr. F. L. Byers  
Grattan Lineweaver  
J. H. Boice  
Ed Pickering  
Edna Williams

D. W. Earman  
Commonwealth's Attorney

STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

We, the jury find the accused Thomas Johnson guilty of murder in the second degree as charged in the indictment and his punishment by confinement in the Penitentiary for the term of twenty years.

Thomas Boice Foreman

6

Com  
v  
Johnson  
1900

The Court instructs the jury, as a matter of law, that in considering the case the jury are not to go beyond the evidence to hunt up doubts, nor must they entertain such doubts as are merely fanciful or conjectural. A doubt, to justify an acquittal, must be reasonable doubt, and it must arise from a candid and impartial investigation of all the evidence in the case, and unless it is such that, were the same kind of doubt interposed in the graver transactions of life, it would cause a reasonable and prudent man to hesitate and pause, it is insufficient to authorize a verdict of not guilty. If, after having carefully and impartially heard and weighed all of the evidence, you reach the conclusion that the defendant is guilty with such degree of certainty that you would act upon the faith of it in your own most important and critical affairs, then the evidence is sufficient to warrant a verdict of guilty. The law does not require proof amounting to absolute certainty, nor proof beyond all possibility of mistake.



Corn

2

Town Johnson  
17473

57

The Court instructs the jury that the credibility of the witnesses is a question exclusively for the jury, and the law is that, where a number of witnesses testify, directly opposite to each other, the jury is not bound to regard the weight of evidence equally balanced. The jury have the right to determine from the appearance of the witnesses on the stand, their manner of testifying, and their apparent candor and fairness, their relationship, if any, their apparent intelligence or lack of intelligence, and from all the other surrounding circumstances appearing on the trial, which witnesses are more worthy of credit, and to give credit accordingly.

17

Case  
2  
The following  
1744

The Court instructs the jury that the credibility of the witnesses is a question exclusively for the jury, and the law is that, where a number of witnesses testify, directly opposite to each other, the jury is not bound to regard the weight of evidence equally balanced. The jury have the right to determine from the appearance of the witnesses on the stand, their manner of testifying, and their apparent candor and fairness, their relationship, if any, their apparent intelligence or lack of intelligence, and from all the other surrounding circumstances appearing on the trial, which witnesses are more worthy of credit, and to give credit accordingly.

Com  
v  
Town Johnson  
1911

3-

The Court tells the jury that words, howsoever grievous,  
cannot justify taking life, nor will they reduce the grade of  
homicide below murder or excuse the same.

homicide below murder or excuse the same.  
cannot justify taking life, nor will they reduce the grade of  
The Court tells the jury that words, however grievous,

27-

Henry  
Johnston

Tom  
V  
Gann

4

The Court instructs the jury that malice is the wilful doing  
of an unlawful act.

Comm  
v

Town Robinson  
1873

4  
The Court instructs the jury that malice is the willful doing

of an unlawful act.

Very  
Yours  
Johnston  
1891

Exhibit  
1  
Tom Jackson

1207 The Court instructs the jury that if they believe beyond a reasonable doubt from the evidence that the defendant wilfully, deliberately, and premeditatedly killed Mitchell Dahl with malice, this is murder in the first degree, and the jury should so find and fix the punishment of the prisoner at death, or confinement in the penitentiary for life or for any term not less than twenty years.

1

*Copy*  
*to*  
*the*  
*Attorney*  
*General*

The Court instructs the jury that if they believe beyond a reasonable doubt from the evidence that the defendant willfully, deliberately, and premeditatedly killed Mitchell Dahl with malice, this is murder in the first degree, and the jury should so find and fix the punishment of the prisoner at death, or confinement in the penitentiary for life or for any term not less than twenty years.

2

The Court instructs the jury that a mortal wound given with a deadly weapon in the previous possession of the slayer, without any, or upon very slight provocation, is prima facie, wilful, deliberate, and premeditated killing, and throws upon the accused the necessity of proving extenuating circumstances.

Cover

v

Tom Johnson  
HWR

The Court instructs the jury that a mortal wound given with a  
deadly weapon in the previous possession of the slayer, without any,  
or upon very slight provocation, is prima facie, willful, deliberate,  
and premeditated killing, and throws upon the accused the necessity  
of proving extenuating circumstances.

Case  
v.  
Johnson  
1911

220 JUN

1937

#1406

COMMONWEALTH

V. ) Felony (murder)

THOMAS JOHNSON

6/28

Jury	1.50
Witnesses	9.60
arrest	1.50
Comm	30
Total	\$13.10

1. J. B. Dilworth
2. C. R. Bradley
3. S. L. Hess
4. S. S. Stickley
5. H. L. Arthur
6. Thomas Moore
7. Hugh Good
8. James R. Mauck
9. John Reller Grattan
10. J. L. Armentrout
11. Arnold Kersh
12. Glen Messick

Corn

v

Tom Johnson  
1948

3

The Court instructs the jury that to constitute a wilful, deliberate and premeditated killing, it is not necessary that the intention to kill should exist any particular length of time before the actual killing. It is only necessary that such intention should exist for the first time at the time of the killing or at any time previously.

previously.  
exist for the first time at the time of the killing or at any time  
the actual killing. It is only necessary that such intention should  
tention to kill should exist any particular length of time before  
liberate and premeditated killing, it is not necessary that the in-  
The Court instructs the jury that to constitute a willful, de-

2

Comm  
9  
100  
1000

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*D. L. Huffman,*

*Chas. F. Chandler, Res. B. S. Landis,*

*M. L. Okaugh & Beulah Geil*

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 *20<sup>th</sup>* day of *July* 19 *37* to testify and the truth to  
say in behalf of the Defendant in the prosecution of the Commonwealth against

*Thomas Johnson*

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 *17<sup>th</sup>*  
day of *July* 19 *37*, and in the *162<sup>nd</sup>* year of the Commonwealth.

*Robert Switzer*, Clerk

Executed July, 17th, 1937, By delivering a true copy of the within summons to Mrs. Chas. H. Chandler his wife in person at said Chas. H. Chandler usual place of abode Mrs. Chas. H. Chandler being a member of his family above the age of 16 years, and explaining the purport to her.

*A.R. Gilkerson*

Deputy for J.W. Bazzle  
S.R.C.

Not finding B.S. Landes at his usual place of abode executed July 17th, 1937. by delivering a true copy of the within summons to Mrs. B.S. Landes in person at said B.S. Landes usual place of abode Mrs. B.S. Landes being a member of his family above the age of 16 years and explaining the purport thereof to her.

*A.R. Gilkerson*

Deputy for J.W. Bazzle  
S.R.C.

July 17  
1937

*John*

*add*

*Thomas Johnson*

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

Deputy for *Wm. D. Bazzle*

Executed July 17th, 1937 by delivering a true copy of the within summons to W.S. Orebaugh and Beulah

July 17 1937

by delivering a true copy of the

within summons to *D.L. Hoffman*

In person. *A.R. Gilkerson Deputy*  
*for J.W. Bazzle S.R.C.*

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*J. W. Baylye, Clarence  
Lake, James A. Armentrout, Dr. J. L. Byers,  
Gratton Lineweaver, J. H. Boice, Ed. Pick-  
ins and Edna 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 *9th* day of *July* 19 *37*,  
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY

*v. Tom "Kip" Johnson*

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 *8th*  
day of *July* 19 *37* and in the *161st* year of the Commonwealth.

*J. Robert Switzer*, Clerk

Not finding

James C. Amundson

At his usual

place of abode, Executed

July 8

1937

by delivering a

true copy of this

Summons

to Wm James C Amundson

his wife

In person, at said

James C Amundson

Wm James C Amundson

usual place of abode, Wm James C Amundson, being a member of  
his family above the age of 18 years, and explaining the purport thereof,  
to her.

1st 13093187

1937  
July 9

Sam<sup>l</sup> "Kip" Johnson

Com.

v.

218 266 872

Edna Williams

ack in person

within Summons to Wm James C Amundson

executed by delivering a true copy of the

July 8 1937

Dr F L Bygo Charles Leale

W H Davis

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

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

You are hereby commanded to summon.....

*Mamie Devore*

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 *21st* day of *July* 19 *37*

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

*Thomas Johnson*

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 *20th*  
day of *July* 19 *37*, and in the *1622* year of the Commonwealth.

*J Robert Switzer*, Clerk

executed July 20 1937 by delivering a true copy of the

within summons to Marion Lewis

(in person)

J. W. B. 5.17.37

Cont

Thomas Johnson

1937  
July 21

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *Dr. H. L. Byers, Jas. H. Boice, J. W. Boyle, R. R. Lineweaver, R. J. Davis, O. S. Leake, James C. Summerson, Edna Williams, Gotton Lineweaver, Jean Haley, Mary Haley, Lois Hays, Ed. Pickering, Lupton Kaylor, and A. R. Gilkerson,*

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 *July* 19 *37* to testify and the truth to say in behalf of the Commonwealth against

*Thomas Johnson*

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 *10th* day of *July* 19 *37*, and in the *16th* year of the Commonwealth.

*J. Robert Switzer*, Clerk

executed July 10 1937

by delivering a true copy of the  
within Summons to  
and in person,

J. H. Davis & R. R. C.

executed July 10 1937

by delivering a true copy of the  
within Summons to  
and in person,

J. H. Davis & R. R. C.

executed July 19 1937

by delivering a true copy of the  
within Summons to  
and in person,

J. H. Davis & R. R. C.

July 19 1937

Com

Thomas Johnson

J. H. Davis & R. R. C.

within Summons to

Lupton Kaylor

executed July 16 1937

by delivering a true copy of the

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

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*Wm. Harper and*  
*Laurance Moore + Walter "Bud" Dillard*

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 *July* 19 *37*,

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

*Thomas Johnson*

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 *13th*  
day of *July* 19 *37*, and in the *1622* year of the Commonwealth.

*J. Robert Switzer*, Clerk

Examined July 15/1937 by delivering  
a true copy of the within  
Summons to Mrs Harriet  
Louise Moore and Walter Paul  
Hillard each in person

J M Bopp Jone

Com

Thomas Johnson

1937  
July 20

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

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

You are hereby commanded to summon.....

*John Yager*

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 *July* 19 *37*  
to testify and the truth to say in behalf of the Commonwealth against

*Thomas Johnson*

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 *14th*  
day of *July* 19 *37*, and in the *163d* year of the Commonwealth.

*J. Robert Switzer* Clerk

Cam

m

Thomas Johnson

Exhibited July 15<sup>th</sup> 1937 a Referring  
a true copy of the said  
document to John Rogers in person  
of the said  
1937 July 20