

R. L. Morris

knives





Date *Nov 15* 19

Name .....

Address .....

Sex .....

White or Colored .....

Cash .....

Articles .....

.....  
.....  
.....

*R. S. Morris*

*knives*

Dependable & Desirable No. 1



VELOX

VELOX

7304



Defendant's Exhibit No. 2

VELOX

VELOX

VELOX

730H





Dependant's Exhibit No. 3

730H



*Defendant's Exhibit No. 4*

730H

*County of ... 1939*  
February 1939 #1507

COMMONWEALTH

v. ) *Felony*  
Murder

ROSSER SMITH MORRIS

~~546~~ *A.S. - Jan 10 - 1939*

*Died Sept 9 - 1942*

~~11~~  
9/23/42

*6*  
184  
*Alameda*

Feb. 27-1939

- 1 W. A. Burns
- 2 J. E. Cook
- 3 Carl Long
- 4 H. W. Baker
- 5 Brutt Pollen
- 6 B. F. Frank
- 7 O. A. Hill
- 8 H. P. Linder
- 9 E. K. Allen
- 10 Alvin T. Harpue
- 11 Lemuel Holloman
- 12 Rufus A. Hollar

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

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

You are hereby commanded to summon *Lupton Taylor, W. O. Buell,*  
*Mabel Morris Helen Morris, Leon*  
*Morris, Weaver Morris, Jessie Morris,*  
*Julia Barger & Dr. J. H. Beyers*

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 *10<sup>th</sup>* day of *Jan* 19 *39*,  
to testify and the truth to say in behalf of the Commonwealth against

*Rasser Smith Morris*

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 *4<sup>th</sup>*  
day of *Jan* 19 *39*, and in the *16<sup>3d</sup>* year of the Commonwealth.

*J. Robert Switzer*, Clerk

NOV 21 1937

by delivering a true copy of the

within, summons to Trupter Hagler, W. O. Brill, Maple  
Morris, Helen (Mrs), John Morris, Isaac Morris,  
Jessie Morris, Julia Berger  
— in person: Dr. J. H. Snyder, Secy. in Charge  
of R.R. Board's Deputy  
for Garrettsville, O.A.C.

Clerk

FORM NO. 421

Cam

Rasser Smith Morris

office fee \$ 3.20

1937  
Jan. 10

Standard Paper Co. Print

In the Name of the Commonwealth of Virginia

You are hereby commanded to answer

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

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  
day of \_\_\_\_\_ 1937, and in the \_\_\_\_\_ year of the Commonwealth.



**Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*J. W. Bazyle, A. R. Burke,*

*& D. F. 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 *2d* day of *January* 19 *39*,  
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY

*Russell Smith Mosser*

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 *28th*  
day of *Dec* 19 *38*, and in the *163d* year of the Commonwealth.

*J. Robert Switzer*, Clerk

Dec 29 1938

Executed by delivering a true Copy of the

L. F. Collins  
C. H. Burch

within Summons to

J. W. Bayle S.R.C.  
each in person.

shiff fee 1.20

1938

Jan. 2

Ross Smith Married

J. W. Bayle  
J. F. Davis  
for Bayle S.R.C.

Dec 29 1938

within Summons to

Executed 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 *J. W. Beagle, A. K. Burke, D. F. Davis, Richard Linwoodson, Lorraine Morris, Lupton Kaylar, W. O. Brill, Mahel Morris, Helen Morris, Leon Morris, Weaver Morris, Jessie Morris, Julia Berger & Dr. J. H. Deysell;*

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 *27th* day of *Feb.* 19*39*, to testify and the truth to say in behalf of the Commonwealth against

*Rasser Smith Morris*

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 *Feb.* 19*39*, and in the *163d* year of the Commonwealth.

*J. Robert Switzer*, Clerk

Feb 23/1939

by delivering a true Copy of the

within Summons to A R Butler  
D Davis D S  
in person: W W Bezzle S R C  
for W W Bezzle S R C

Corn

Russell Smith D Morris

Sheriff fee \$ 7.00

1939  
Feb. 27

for W W Bezzle S R C  
S R Bezzle Deputy  
for W W Bezzle S R C  
last in person  
for W W Bezzle S R C  
for W W Bezzle S R C

within Summons to W W Bezzle S R C  
for W W Bezzle S R C  
for W W Bezzle S R C  
for W W Bezzle S R C

by delivering a true Copy of the

Feb 23 1939

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

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *J. W. Bazzle, A. R. Burke,*

*D. F. Davis, Lebed Lineweaver &*  
*Lorraine Morris*

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 *10<sup>th</sup>* day of *Jan.* 19 *39*,  
to testify and the truth to say in behalf of the Commonwealth against

*Kessie Smith Morris*

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 *3d*  
day of *Jan.* 19 *39*, and in the *16<sup>3d</sup>* year of the Commonwealth.

*J. Robert Switzer*, Clerk

executed Jan 3 1939 by delivering a true copy of the

within Summons to Richard Linneman

in person D F Davis Deputy  
for J W Bazzle S R C

Executed Jan., 3rd, 1939, by delivering a true copy of the within summons to A. R. Burke in person.

D F Davis ----- Deputy for J. W. Bazzle, S. R. C.

1939  
Jan. 10

Office fee \$2.00

Pratt Smith (Minn)

Carroll

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

executed Jan 8 1939 by delivering a true copy of the

in person.

within Summons to

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

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

You are hereby commanded to summon *Clyde Miller, Elmer Manges,*  
*Hamp Sinclair, Sam Hammer, W. J. Shiplett,*  
*Officer - Griffith, Elmer Hammer, Andrew*  
*Maulsby, Tom B. Hensley, Joe Hammer,*  
*R. W. Smith, James Frank Morris,*  
*Ernest Shiplett & Gorland Laugh,*

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 *27th* day of *Feb* 19 *39* to testify and the truth to  
say in behalf of the Defendant in the prosecution of the Commonwealth against

*Russell Smith Morris*

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 *Feb* 19 *39*, and in the *163d* year of the Commonwealth.

*J. Robert Switzer*, Clerk

Not finding Joe Hammer at his residence

place of abode, Executed Feb 26. 1939 by delivering a

true copy of this Summon to Sam Hammer

His father in person, at said Joe Hammer

usual place of abode Sam Hammer, being a member of

the family above the age of 16 years, and explaining the purpose of the

Admiral's Deputy Comm.

Russell Smith Mariner

ads

Shuffle 700

1939  
sub. 27

usual place of abode Thorpe Shufflett

being at the time of

the copy of this Summon to Thorpe Shufflett  
Ernest Shufflett

His Son

place of abode, Executed Feb 26. 1939 by delivering a

true copy of this Summon to Thorpe Shufflett

At his residence Ernest Shufflett

Within 300 miles to Charles Miller, Ernest Hammer, Harry Shufflett, Sam Hammer, W. J. Shufflett, John Shufflett, Ernest Hammer, on the morning of the 26th of Feb. 1939, at the residence of the said Thorpe Shufflett, located at 700 S. 27th St., St. Louis, Mo.

Sub. 26 of 1939 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.....

*Ben Manger*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,  
at <sup>Southwith</sup> 9:30 o'clock, a. m., on the *27<sup>th</sup>* day of *Feb.* 19 *39* to testify and the truth to  
say in behalf of the Defendant in the prosecution of the Commonwealth against.....

*Rasser Smith Mares*

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 *27<sup>th</sup>*  
day of *Feb.* 19 *39*, and in the *163<sup>d</sup>* year of the Commonwealth.

*J Robert Switzer*, Clerk

Russell Smith Morris

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

ad  
Com.

on the hereby commanded to summon

within Summons to  
In person:

Sheriff for do

appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,  
on the day of 1939 to testify and the truth to  
of the defendant in the prosecution of the Commonwealth against

charged with and indicted for a felony misdemeanor.  
you shall not only under penalty of \$100. And have that and that this writ.  
ROBERT SWATZER, Clerk of our said Court, at the Court House, the  
year of the Commonwealth.

Allen Menger.

of the Sheriff's Deputy  
for the Sheriff R. P. E.

FORM NO. 10 DELIVERING A TRUE COPY OF THE

Feb 21 1939

Clerk

FORM NO. 10

Feb 27 1939

Commonwealth

v

Rosser Smith Harris

The court having on yesterday, February 27, 1939, during the pendency of the trial, determined <sup>that</sup> from the evidence then already introduced, there was reasonable ground to doubt the sanity of the defendant, <sup>and</sup> suspended said trial for the purpose of having the sanity of the defendant determined by a commission as provided by code section 4909, doth now appoint David C. Wilson, <sup>a</sup> physician skilled in the diagnosis of insanity, to examine the defendant and make such investigation of the case as he may deem necessary and report to the court the condition of the defendant at the time of examination.

Continued

From Smith's account

The court having at present  
been during the absence of the trial  
judges from the evidence the clerk  
shall have no authority to do

trial for the purpose of having the  
of the defendant determined by a  
in fact, by each of the 12  
and of point that the  
shall be the responsibility of  
in the defendant's case  
of the case as the  
of the court the

It appearing to the court that there  
will not be enough jurors, free from  
exceptions, in the panel summoned to attend  
this Court on Monday, February 27, next  
to try the case of Commonwealth against  
Rosser Smith Morris, <sup>who is</sup> ~~murder~~ indicted  
for murder, it is ordered that the  
following named persons drawn  
from the ~~regular~~ jury box, be summoned  
summoned to appear and serve at  
such trial and any other case tried  
at this term, namely:  
Geo. B. Hedrick, F. A. Leffman, E. L. Simons  
J. H. Leovison and Jos. A. Leonard

*Journal*

*13  
12  
1977*

Commonwealth

Rosser Smith Morris

On an indictment for murder.

The court having by its order entered on the 28 day February 1939, a former day of this term appointed David C. Wilson of University of Virginia, a physician skilled in the diagnosis of insanity, to examine the defendant - and make such investigation of the case as he deem necessary and report to the court the condition of the defendant at the time of the examination; and the said David C. Wilson having <sup>on</sup> the 11<sup>th</sup> day of March 1939, pursuant to said order, made such examination and having now made and returned his report; and it appearing from said report that at the defendant was insane at the time of said examination it is therefore ordered that the said defendant, Rosser Smith Morris, be removed from the jail of this county to the department of criminal insane at the southwestern State Hospital, at Marion Virginia, there to be detained until he is restored to sanity that he can be put upon his trial; and otherwise dealt with by said institution as provided by code section 4909. The clerk is directed to make an attested copy of the indictment under which said defendant is held, which <sup>copy</sup> along with the report of said David C. Wilson shall be delivered with the defendant, to superintendent of said hospital.

3/13/39

E. H. News

4/30/1

Commencement

Harper Smith Morris

On an indictment for murder  
 the court having by its order  
 on the 28 day of January a former day of the  
 term appointed David C. Wilson of business  
 day of the first of February a physician who had in  
 the case on the day necessary and sufficient  
 to the court the evidence of the defendant  
 at the time of the commission of the crime  
 the said David C. Wilson, having the 11th  
 day of March 1898 furnished to the court  
 and returned to him and bearing witness and  
 returned the verdict and of the defendant  
 the court that at the defendant

that at the defendant ordered that the  
 defendant David C. Wilson be removed  
 from the case of the court to the  
 court of the county of the  
 county that the defendant of the  
 that he be discharged and he is  
 the court is satisfied that he is not  
 in that case and that the court  
 the court is satisfied that he is not  
 that the court is satisfied that he is not  
 that the court is satisfied that he is not  
 that the court is satisfied that he is not

David C. Wilson

1898



com-

✓ on an indictment for a felony (murder)  
Rossa Amette Morris

It appearing that on Mar-13-1939  
the above defendant was ~~was~~ committed  
to the department of criminal justice  
at the Sullivan State Hospital at  
Marion, Virginia, there to be detained  
until he is restored to sanity and he  
can be put upon his trial and  
it appearing from a letter dated  
Sept 21-1944 from the Sept 14th  
above hospital that the said Rossa  
Amette Morris <sup>died</sup> passed away at said  
Hospital on Sept 19-1944 at 8:15 pm.  
It is therefore ordered that this  
case be stricken from the docket  
of this court.

7  
//

9/23/44 ✓

11/10/11  
11/11/11

*[Faint, illegible handwriting on lined paper]*

SATURDAY EVENING, DECEMBER 3, 1938, 4:40 P. M.

I, Rosser Smith Morris, 59 years of age, do of my own free will and accord, make the following statement regarding the stabbing of Fannie Barton Morris on Friday morning, December 2, 1938; 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.

I live near Elkton, Virginia. I married Fannie Barton and have eight children. Have been working for Mr. Edgar Kite on his farm near Elkton for the past two years, and live in his house on said farm. I had been cutting wood all day for Mr. Kite on Thursday, December 1, and got home about dark, pulled off my gum boots when I got in the house and looked for my shoes as I wanted to put them on that night and only could find my right shoe which was near the wood-box in the kitchen. My little girl Lorrain, about thriteen years old, told me, "Papa, Mama threwed your shoe away". I ate supper in my sock feet, and after supper I looked in the closet downstairs for my other shoe, but could not find it. Then I went up stairs, undressed, and went to bed. I never asked my wife a thing about the shoe. I did not think she would tell me where she had throwed it. I was very tired and broke down and went to bed between 7:00 and 8:00 o'clock. I made up my mind shortly after I went to bed to stab my wife when day light come. I was very mad and tired and slept very little that night, and was planning what I expected to do next morning. I planned to cut her with one of my knives. I was sleeping in the room over the kitchen and when I heard my wife in the kitchen doing around for breakfast I got up and dressed and went down stairs. It was breaking day light. There were two lights burning, one in the kitchen and one in the dining room. ~~The door was open.~~ I stopped in the kitchen near the wood-box and set in my split bottom chair just long enough

*Commonwealth Exhibit Confession Page 1.*

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*Rosser Smith Morris*

Statement of Rosser Smith Morris page 2.

to put on the shoe for my right foot. My wife was about eight feet away with her back to me bending over the table making out little round sausage cakes ~~for~~ about so big for breakfast. Not a word passed between us. While I was setting down I pulled one of my knives out of my pocket, opened it, then got up and walked over to where my wife was and stabbed her. I aimed to stab her in the heart, but her arm knockéd my lick off and I got the blow a little too low. I do not know how often I stabbed her, but I don't think I stabbed her but one time. When I stabbed her she hollared and waked all the children. She fell over at the corner of the table and rolled on the floor and still was hollaring when I left. I went in an empty chicken house to look for a rubber for my other foot and stayed three or four minutes and then went on to the road and met my oldest son Jesse coming towards home, and he asked me why I did that, and I told him "Jess, through a passion," and left to go to my brother Charles Morris in Greene County. I intended to spend one night with him, then go to Earlysville the next day and spend the night there with my other brother Edgar Morris, and then I did not know where I was going and did not care much, but I wanted to get away. I thought I would get to Charlies and Charlie or his wife Maude would hide me and no one would find me. It was my idea to hide in a pile of hay there that belonged to Charlie. He owns 500 acres . I was not drinking a drop that night nor the morning I did the stabbing.

Witnesses:

A. R. Burke D.S.  
J. W. Bayzle S.R.C.  
D. G. Davis D.O.

J. R. Creweaver

Rosser Smith <sup>his</sup> x Morris  
mark

Commonwealth Exhibit  
Confession - Page 2

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*Rosser Smith Morris*

*W. R. ...  
 J. W. ...  
 D. P. ...*

*Commencement ...  
 Professor ...*

*A. R. ...*

EXAMINATION OF ROSSER S. MORRIS - MARCH 8, 1939.

Patient had been examined by Dr. Armstrong, who found some hardening of the arteries, slightly enlarged prostate, some heart murmurs, and made the diagnosis of chronic myocarditis, probably sclerosis of coronary vessels, slight secondary anaemia; and found in the laboratory reports a few red cells and few pus cells in the urine and occasional cast.

When I saw patient, he had been in jail. He is grey haired, skin is senile, but he was very affable and cooperated very well. On testing of Stanford-Binet, in an effort to <sup>study</sup> ~~test~~ his sensorium, he showed an inability to grasp the simplest questions and showed loss of recent and remote memory, inability to recall, very deficient memory span, and no ability to form judgements or to compute or calculate. His disorientation was also marked. He seemed to have, also, a deficient emotional response to his situation and even when rather brutally harassed about the murder, he showed very little emotional response and apparently very little understanding of what he had done. There was an underlying confusion and also underlying ideas of mistreatment. He stated he had been mistreated for twenty years, at one time; again sixteen years. He felt that his whole family treated him badly. He showed some tendency to fabricate, make up stories to cover his mental deficiency. Ever so often during the examination, he would become markedly confused for a short time and then, again, seemed to be very clear and understand the whole procedure.

By means of Stanford-Binet, he was found to have a mental age of between six and seven years. This test,

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Page 2.

Examination of Rosser S. Morris - March 8, 1939

(Continued)

however, is only of value as a sensorium test. It was evident that he could not understand the questions and many of his answers were due to confusion rather than lack of intelligence.

Finally, then, this man shows hardening of the arteries, he shows marked memory defects, defects in judgment and orientation with mild paranoid delusions. He has some recent hallucinations but I imagine they are produced by his incarceration, although he may have had them before. Certainly he is mentally sick and could be classified as paranoid type of senile <sup>dementia</sup> ~~mentioned~~ and legally this would be interpreted as insane at this time of the examination.

Examination of Rosser S. Morris - March 8, 1939  
(Continued)

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examination.

copy of Mr. W. W. W. W.

BLOOD REPORT

Name Mr. Lester S. Brown Room out Date Mar. 7, 1939

Hbg. 82 g (method Sch) Red Count 3,540,000 White Count 7,600

Large Mononuclear ----- %  
Lymphocyte ----- 27 %  
Transitional ----- %  
Neutrophile ----- 72 %  
Eosinophile ----- %  
Basophile ----- 1 %  
Myelocyte ----- %  
Total Cells Counted 300 -----

Description of Smear:

*slight anisocytosis*  
*no sickle cells*  
Signature Lester S. Brown

HARRISONBURG LABORATORY

Harrisonburg, Va.

Name John W. Haggard Room 212 Date Oct 5 1937

Hgt. 5' 8" (method 2) Red Count 3,540,000 W. Bile Count 1,000

Description of Smear:

Large Mononuclear 2  
 Lymphocyte 2  
 Transitional 2  
 Neutrophils 72  
 Eosinophils 2  
 Basophilic 1  
 Myocytes 2

*Slight anisocytosis*  
*no leukoblasts*

Signature W. B. Haggard

Total Cells Counted 200

HARRISONBURG LABORATORY  
 Harrisonburg, Va.

BLOOD REPORT

URINE REPORT

Name Mr. Ross S. Morris Room inside Date Mar. 6, 1939

Specimen—(24 hr.)—(Day)—(Night)—(Single)—(Catherized)—(P. O.)

Color dark yellow Micro wcc - Rbc. 2 to 4 pus

Turbidity +

Reaction

Specific Gravity n.g.g.

Albumen +

Sugar slightly + c 8 drops

Acetone

Diacetic Acid

Indican

*Pure finely granular cast.  
many co-oxblt crystals*  
Signature Edith M. Shaw

HARRISONBURG LABORATORY

Harrisonburg, Va.

URINE REPORT

Name *Mr. Robert J. Brown*

Specimen - (1 pt.) - (Day) - (Night) - (Single) - (Catheter) - (T. O.)

Color *Dark Yellow*

Turbidity *1*

Reaction

Specific Gravity *1.010*

Albumen *+*

Sugar *Trace*

Acetone

Diastase

Indican

Date *May 2 1939* Room No. *101*

*2 1/2 years*

*General physical examination*

*no special findings*

HARRISONBURG LABORATORY

Harrisonburg, Va.

**HARRISONBURG LABORATORY**  
*Rockingham Memorial Hospital*  
**Harrisonburg, Va.**

Name ..Rosser..S..Morris..... DateMar.,6,1939

Address City Jail..... C..... S..... A.....

Specimen Blood..... examined for Syphilis.....

Result .....negative.....

HARRISONBURG LABORATORY  
Harrisonburg Memorial Hospital  
Harrisonburg, Va.

Name: J. J. Morris      Date: 8.19.39

Address: City Jail      C      S      A

Specimen: Blood      Examined for: Syphilis

Result: Negative

HARRISONBURG  
VIRGINIA



Miscellaneous Report

Name

Mr. Ross S. Davis

Room

unlabeled

Date

Dec - 2, 1939

Blood urea = 38. mg. | 100 cc

Blood sugar = 85. mg. | 100 cc

Signature

S. Dittus Shaw

Harrisonburg Laboratory  
Harrisonburg, Va.

Miscellaneous Report

Name *Dr. James S. ...*

Room

Date

*Oct - 2, 1939*

*Robert ...*

*Robert ...*

*3 R. ...*

*82. ...*

Signature

*[Signature]*

Harrisonburg Laboratory  
Harrisonburg, Va.

Physical examination of Rosser Smith Morris made this 6th. day of March, 1939, at the request of the Commonwealth's Attorney of Rockingham County, Virginia.

Rosser Smith Morris, white, male, 59 years of age 5 ft. 8 in. tall, weight 152½ pounds, gaunt in appearance, slightly pale.

Superficial examination of eyes disclose a beginning arcus senilis, and a pterygium of the right eye, can readily count fingers with either eye, pupils are very small and sluggish.

His mouth and throat normal with the exception that many of his teeth are out, a few broken off, and two or three are slightly sensitive; his gums are in good condition, and are free from pyorrhea; tonsils are small and not infected, and he does not show any evidence of sinus infection.

The right lobe of the thyroid gland is slightly enlarged; he has a very slight tremor of fingers, not more than you would expect in a man of his age and under nervous strain. It is not my impression that this very slight enlargement of the gland is toxic in type.

The chest is thin, the scapula prominent; he has an extremely prominent kyphosis which he says resulted years ago from having been struck in the back with the blunt end of an axe; the abdomen presents nothing of interest, the veins of the extremities are prominent.

His peculiar shaped chest somewhat suggests the possibility of tuberculosis, but physical examination does not disclose any evidence of active infection.

The apex beat is approximately one inch below the nipple and slightly to the inner side, he has a low soft mitral murmur, systolic in time, is very irregular as to rate, volume, and intermissions; his blood pressure 142/104.

The middle lobe of the prostate gland is slightly enlarged; he rises to void three or four times a night, but has no difficulty, and his urine is practically free from pus cells.

The kidneys seem fairly normal, notwithstanding the fact that the urine shows one plus albumen, and a rare granular cast, and some oedema about the ankles; however, he has a normal urea, a good morning urine concentration, practically normal systolic, and a reasonably fair diastolic pressure. Following a report of one plus albumen and sugar slightly positive to 8 drops, a blood urea and blood sugar was made which is normal.

He denies any venereal disease at any time of his life, and in the absence of clinical symptoms, and negative Kahn, a spinal puncture was not deemed necessary.

His chief complaint is shortness of breath on exertion, irregularity, and pounding of heart especially at night, and difficult vision, and a feeling of fullness in the cardiac region.

Knee jerk reflex is practically absent; Babinski and Romberg, negative.

#### Conclusions:

Chronic myocarditis, probably sclerosis of coronary vessels, slight secondary anaemia; diagnosis of eye condition deferred.

Laboratory reports are attached.

*Howard Armstrong M.D.*  
Howard Armstrong, M. D.

Physical examination of Rosser Smith Morris made this 8th day of March, 1939, at the request of the Commonwealth's Attorney of Rockingham County, Virginia.

Rosser Smith Morris, white, male, 59 years of age 5 ft. 8 in. tall, weight 152 1/2 pounds, gaunt in appearance, slightly pale.

Superficial examination of eyes discloses a beginning cataract in the right eye, and a pterygium of the right eye, can readily count fingers with either eye, pupils are very small and sluggish.

His mouth and throat normal with the exception that many of his teeth are out, a few broken off, and two or three are slightly sensitive; his gums are in good condition, and are free from pyorrhea; tonsils are small and not infected, and he does not show any evidence of sinus infection.

The right lobe of the thyroid gland is slightly enlarged; he has a very slight tremor of fingers, not more than you would expect in a man of his age and under nervous strain. It is not my impression that this very slight enlargement of the gland is toxic in type.

The chest is thin, the scapula prominent; he has an extremely prominent kyphosis which he says resulted years ago from having been struck in the back with the blunt end of an axe; the abdomen presents nothing of interest, the veins of the extremities are prominent.

His peculiar shaped chest somewhat suggests the possibility of tuberculous etiology, but physical examination does not disclose any evidence of active infection.

The apex beat is approximately one inch below the nipple and slightly to the inner side, he has a low soft mitral murmur, systolic in time, is very irregular as to rate, volume, and intermissions; his blood pressure 122/104.

The middle lobe of the prostate gland is slightly enlarged; he rises to void three or four times a night, but has no difficulty, and his urine is practically free from pus cells.

The kidneys seem fairly normal, not withstanding the fact that the urine shows one plus albumen, and a rare granular cast, and some edema about the ankles; however, he has a normal urea, a good morning urine concentration, practically normal systolic, and a reasonably fair diastolic pressure. Following a report of one plus albumen and sugar slightly positive to 8 drops, a blood urea and blood sugar was made which is normal.

He denies any venereal disease at any time of his life, and in the absence of clinical response, and negative Kahn, a spinal fluid examination was not deemed necessary.

His chief complaint is shortness of breath on exertion, irregularity, and pounding of heart especially at night, and difficult vision, and a feeling of fullness in the cardiac region.

Knee jerk reflex is practically absent; Babinski and Romberg, negative.

Conclusions: Chronic myocarditis, probably scleroses of coronary vessels, slight secondary anemia; diagnosis of eye condition deferred.

Laboratory reports are attached.  
Howard Armstrong, M. D.

*W. Armstrong*



JOSEPH R. BLALOCK, M. D.  
SUPERINTENDENT

L. H. HUBBLE,  
STEWARD

COMMONWEALTH OF VIRGINIA  
STATE HOSPITAL BOARD  
OFFICE OF

**SOUTHWESTERN STATE HOSPITAL**  
MARION, VA.

September 21, 1942

*Mar 13 - 1939*

*6-301*

Mr. J. Robert Switzer, Clerk  
Circuit Court of Rockingham County  
Harrisonburg, Va.

RE: Rosser Smith Morris

Dear Mr. Switzer:

We wish to advise you that the above-named patient died in this Hospital September 19, 1942 at 8:15 p.m.

Patient was committed by the Circuit Court of Rockingham County on February 28, 1939 to the Criminal Insane Department. He was admitted March 19, 1939. He had been a patient here since the date of his admission.

Yours very truly,

*Joseph R. Blalock*  
Joseph R. Blalock, M. D.  
Superintendent

ADH\*H

*until restored to sanity  
that he can be put  
upon trial*



COMMONWEALTH OF VIRGINIA  
 STATE HOSPITAL BOARD  
 OFFICE OF  
 SOUTHWESTERN STATE HOSPITAL  
 MARION, VA.

September 23, 1942

Mr. J. Robert Switzer, Clerk  
 Circuit Court of Rockingham County  
 Harrisonburg, Va.  
 Dr. Roscoe Smith Morris

Dear Mr. Switzer:

We wish to advise you that the above-named patient died in  
 this Hospital September 19, 1942 at 8:15 p.m.

Patient was admitted by the Circuit Court of Rockingham  
 County on February 26, 1939 to the Criminal Insane Depart-  
 ment. He was admitted March 19, 1939. He had been a  
 patient here since the date of his admission.

Yours very truly,

*Joseph R. Black*  
 Joseph R. Black, M. D.  
 Hospital Director

ADM:H

*Handwritten notes:*  
 must be reported to court  
 upon trial

*Handwritten notes:*  
 MAR 13 - 1939  
 8-301

J. K. HUBBARD  
 SECRETARY

JOSEPH R. BLACK, M. D.  
 SUPERINTENDENT

UNIVERSITY OF VIRGINIA  
DEPARTMENT OF MEDICINE  
UNIVERSITY, VIRGINIA

DEPARTMENT OF NEUROLOGY AND PSYCHIATRY  
UNIVERSITY OF VIRGINIA HOSPITAL  
D. C. WILSON, M. D.

March 11, 1939

Mr. J. Robert Switzer, Clerk,  
Circuit Court of Rockingham County,  
Harrisonburg, Virginia.

Dear Bob:

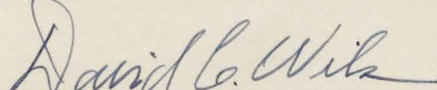
Enclosed are notes dictated by me regarding Mr. Rosser S. Morris. Hope these will be satisfactory. We are sending the original notes back with a few cross-outs, but if this is not satisfactory let me know and I can go into greater detail.

Certainly enjoyed my visit with you, especially seeing you and your family, as well as the excellent dinner.

With best regards, I am,

DCW:p.

Very sincerely yours,

  
David C. Wilson, M. D.

Encl.

UNIVERSITY OF VIRGINIA  
DEPARTMENT OF MEDICINE  
UNIVERSITY, VIRGINIA

March 11, 1938

DEPARTMENT OF NEUROLOGY AND PSYCHIATRY  
UNIVERSITY OF VIRGINIA HOSPITAL  
301 C. WILSON BLDG.

Mr. A. Robert Switzer, Clerk,  
Circuit Court of Rockingham County,  
Martinsburg, Virginia.

Dear Bob:

Enclosed are notes dictated by me  
regarding Dr. Robert S. Morris. I hope these will be  
of some help to you. I am not sure, but I think it is not satisfactory  
with a few exceptions, but if you do not see anything  
for me know and I can go into greater detail.

Certainly enjoyed my visit with  
you, especially seeing you and your family, as well as the  
excellent dinner.

With best regards, I am,

Very sincerely yours,

  
David C. Wilson, M.D.

DWC:pc

Encl.



February 28, 1939

Dr. David C. Wilson  
University of Virginia Hospital  
University, Virginia

In Re: Commonwealth v. R. S. Morris.

Dear Doctor:

I am enclosing an order entered by Judge Bertram today, and he asked that I write you and request that you perform this service if possible. If at all convenient he would like for you to do it within the next week, and if you find that you can do so, please notify me a couple of days ahead as it is quite likely that some of the evidence taken by the court reporter in this case but not transcribed will be read to you from the notes. It is also possible that it will be necessary to have a witness come from Greene County, so I ought to have at least two days' notice.

A day over in Rockingham might do you good. With kindest regards and best wishes, I am

Yours very truly,

J. Robert Switzer, Clerk

JRS:mb  
Enc. 1.

February 28, 1939

Dr. David C. Wilson  
University of Virginia Hospital  
University, Virginia

In Re: Commonwealth v. R. S. Morris.

Dear Doctor:

I am enclosing an order entered by Judge Bertram today, and he asked that I write you and request that you perform this service if possible. If at all convenient he would like for you to do it within the next week, and if you find that you can do so, please notify me a couple of days ahead as it is quite likely that some of the evidence taken by the court reporter in this case but not transcribed will be read to you from the notes. It is also possible that it will be necessary to have a witness come from Greene County, so I ought to have at least two days' notice.

A day over in Rockingham might do you good. With kindest regards and best wishes, I am

Yours very truly,

J. Robert Switzer, Clerk

JRS:mp  
Enc. 1.

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 December term, 1938, upon their oaths presents that Rosser Smith Morris, on the second day of December, 1938, in the said county of Rockingham feloniously did kill and murder Fannie Barton Morris, against the peace and dignity of the Commonwealth.

This indictment is found on the testimony of J. W. Bazzle, ✓ A. R. Burke, ✓ and ~~D. F. Davis~~, witnesses sworn in Court and sent before the grand jury to give evidence.

Murder ✓

Commonwealth

v) Indictment

Rosser Smith Morris

Felony

December term, 1938

A True Bill:

J. W. Coffman  
Foreman

Witnesses:

J. W. Bazzle ✓

A. R. Burke ✓

~~D. F. Davis~~

D. W. Earman  
Commonwealth's Attorney

STATE OF VIRGINIA

COUNTY OF ROCKINGHAM, ss-wjfc:

IN THE CIRCUIT COURT OF SAID COUNTY:

The Grand Jurors of the State of Virginia, in and for the County of Rockingham, and now sitting for the day of December, 1938, in the second day of the month of December, 1938, in the County of Rockingham, Virginia, do hereby certify that the Grand Jury, composed of the following Grand Jurors, to-wit: J. W. Bazzle, A. R. Burke, and D. F. Davis, witnesses sworn in before me and before the Grand Jury to give evidence. This indictment is found on the testimony of J. W. Bazzle, A. R. Burke, and D. F. Davis, witnesses sworn in before me and before the Grand Jury to give evidence.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.  
February 28, 1939.

Commonwealth

v. On an indictment for a felony (murder)

Rosser Smith Morris

The Court having on yesterday, February 27, 1939, during the pendency of the trial, determined that from the evidence then already introduced, there was reasonable ground to doubt the sanity of the defendant and suspended said trial for the purpose of having the sanity of the defendant determined by a commission as provided by Code Section 4909, doth now appoint David C. Wilson, of the University of Virginia, a physician skilled in the diagnosis of insanity, to examine the defendant and make such investigation of the case as he may deem necessary, and report to the court the condition of the defendant at the time of examination.

A COPY.

ATTESTE: \_\_\_\_\_, Clerk.

*Handwritten signature in red ink, possibly "G" or "J", with the number "298" written below it.*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.  
February 28, 1939.

Commonwealth

v. On an indictment for a felony (murder)

Rosser Smith Morris

The Court having on yesterday, February 27, 1939, during the pendency of the trial, determined that from the evidence then already introduced, there was reasonable ground to doubt the sanity of the defendant and suspended said trial for the purpose of having the sanity of the defendant determined by a commission as provided by Code Section 4809, both now appoint David C. Wilson, of the University of Virginia, a physician skilled in the diagnosis of insanity, to examine the defendant and make such investigation of the case as he may deem necessary, and report to the court the condition of the defendant at the time of examination.

A COPY.

ATTEST: \_\_\_\_\_, Clerk.

COMMONWEALTH :  
v. : CHARGE TO THE JURY.  
ROSSER SMITH MORRIS :

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 Fannie Barton Morris 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.

If you find him not guilty, you will say so and no more.  
for not exceeding one year, or both.

a fine against him of not exceeding \$1000, or by confinement in jail  
then one nor more than five years, or in your discretion, assess  
tain his punishment by confinement in the penitentiary for not less  
but guilty of involuntary manslaughter, you will say so and ascer-  
or of murder in the second degree, or of voluntary manslaughter,

If you find him not guilty of murder in the first degree  
more than five years.

ment by confinement in the penitentiary for not less than one nor  
find him guilty of voluntary manslaughter, and ascertain his punish-  
den heat, on reasonable provocation, or in mutual combat, you will  
Morris without malice aforethought, actual or implied, upon a sub-  
or of murder in the second degree, but that he killed Hattie Burton  
If you find him not guilty of murder in the first degree

more than twenty years.

ment by confinement in the penitentiary for not less than five nor  
him guilty of murder in the second degree, and ascertain his punish-  
was not willful, deliberate and premeditated, then you shall find  
diment, and the same was committed with malice aforethought, and

If you find him guilty of murder, as charged in the in-  
terinary for life, or for any term not less than twenty years.

ment by death, or, in your discretion, by confinement in the peni-  
him guilty of murder in the first degree and ascertain his punish-  
and use willful, deliberate and premeditated, then you shall find  
diment, and that the same was committed with malice aforethought

Commonwealth

v)  
Rosser Smith Morris

Charge to the Jury

If you find him guilty of murder, as charged in the in-  
of the felony as charged in the indictment or not guilty.

Your charge is to inquire whether the accused is guilty

ROSSER SMITH MORRIS :

v.

: CHARGE TO THE JURY.

COMMONWEALTH :