

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

IN THE CIRCUIT COURT OF SAID COUNTY:

The grand jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, and now attending the Circuit Court of said County, at its October term, 1947, upon their oaths do present that BILL DAN ADAMS, on or about the 6th day of October, in said County, unlawfully and feloniously did kill and slay one Roscoe Page Moomaw, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found upon the testimony of M. S. Witt, a witness sworn in Court and sent before the grand jury to give evidence.

Invol. Manslaughter
COMMONWEALTH

v.) Indictment
BILL DAN ADAMS *W. S. Witt*
on bail

no aff

Felony:
October Term, 1947

A True Bill:

R. S. Bennett
Foreman

Witnesses:

1. M. S. Witt ✓

Lawrence H. Hoover
Commonwealth's Attorney

Commonwealth

vs. On an indictment for a felony (inv. mans.)

Bill Dan Adams

This day came the attorney for the commonwealth, and the accused, Bill Dan Adams, came pursuant to his recognizance and by his attorneys, W. W. Wharton and E. D. Ott. And the court having heard the evidence herein at a former term of this court ~~and thereupon continued this case for consideration,~~ ~~and~~ and having taken time to consider of its judgment herein, doth now find the said Bill Dan Adams guilty, and doth fix his punishment at one year in jail and a fine of one hundred dollars. And it is therefore considered by the court that the commonwealth recover of the said Bill Dan Adams one hundred dollars, the fine aforesaid, and the costs incident to this prosecution, and that he be held to hard labor on the State Convict Road Force for the term of one year. However, for

reasons appearing to the court, the sentence imposed herein conditioned upon the good behavior of the said defendant ~~for~~ in all upon the said Bill Dan Adams is suspended, and the said Bill Dan Adams is hereby placed on probation in the care and custody of the Parole Board of the Commonwealth of Virginia in charge of the Parole Officer for the 12th Parole District of Virginia (or his successors), said suspension being further upon the condition that the said Bill Adams shall pay the fine and costs herein imposed upon him. And thereupon, the said defendant paid to the clerk of this court the fine and costs aforesaid.

for a period of one year,

Commonwealth

vs. On an indictment for a felony (inv. name.)

Bill Dan Adams

This day came the attorney for the Commonwealth, and the accused, Bill Dan Adams, came pursuant to his recognizance

and of his attorneys, West, Horton and S. D. Off. And the

court having heard the evidence herein at a former term of

this court ~~and having taken time to consider of its judgment herein,~~

and having taken time to consider of its judgment herein,

both now find the said Bill Dan Adams guilty, and both the

punishment of one year in jail and a fine of one hundred dol-

lars. And it is therefore considered by the court that the

Commonwealth recover of the said Bill Dan Adams one hundred

dollars, the fine aforesaid, and the costs incident to this

prosecution, and that he be held to hard labor on the State

penitentiary for the term of one year. However, for

reasons appearing to the court, the sentence imposed herein

conditioned upon the good behavior of the said defendant ~~taxin all~~ upon the said Bill Dan Adams is suspended, and the said Bill Dan Adams

is hereby placed on probation in the case and custody ~~for a~~ of the Parole Board of the Commonwealth of Virginia in charge

of the Parole Officer for the 13th Parole District of Virginia

(or his successor), said suspension being further upon the

condition that the said Bill Dan Adams shall pay the fine and

costs herein imposed upon him. And thereupon, the said de-

endant paid to the clerk of this court the fine and costs

aforesaid.

for a
of
one
year

Filed
11/10/47
J. H. Smith
J. H. Smith

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

COMMONWEALTH

v.

BILL DAN ADAMS

BILL OF PARTICULARS
UPON AN INDICTMENT
FOR MANSLAUGHTER

Comes now the attorney for the Commonwealth, this 10th day of November, 1947, and for the particulars of the charge against BILL DAN ADAMS upon an indictment returned against him by the Grand Jury of the Circuit Court of Rockingham County, Virginia, at its October Term, 1947, for the involuntary manslaughter of one Roscoe Page Moomaw, gives the Court to understand and be advised that the Commonwealth charges and expects to prove that on the 6th day of October, 1947, between the hours of 6:00 and 7:00 o'clock, A. M., of that day, at a point on the Lee Highway (U. S. Route Number 11) about one mile north of Tenth Legion, in Rockingham County, Virginia, the said Bill Dan Adams, while operating a certain motor vehicle, to-wit, a White tractor-trailer, in a northerly direction on said highway, did operate the same in a careless, reckless and unlawful manner in that he did then and there operate said motor vehicle at a rate of speed in excess of a lawful rate of speed; that he did drive said motor vehicle upon and over the left of the center of said highway and into the most westerly of the three traffic lanes marked thereon; that he failed to exercise proper care in passing another vehicle to avoid collision with an oncoming vehicle; that he failed to have the said motor vehicle under proper control or to keep a proper lookout for the safety of other persons using said highway; that he drove said motor vehicle at a speed greater than reasonable and proper, having due regard to the traffic, surface and width of the highway, and other conditions existing at said time and place, and at such speed as to endanger the life of persons on said highway; and that while so unlawfully operating the said motor vehicle it struck another motor vehicle operated by the said Roscoe Page Moomaw, who was

Filed
11/17/77
H. J. ...

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

Bill of Complaint
Filed in the
County Court

WILLIAM ADAMS

Comes now the plaintiff, WILLIAM ADAMS, by and through the undersigned, the defendant, ...

In the first place, the plaintiff (U.S. Route Number 11) about one mile north of ...

It is the duty of every person using the highway to ...

WILLIAM ADAMS
Attorney at Law
Rockingham County, Virginia

thereby injured, from which injuries he died on the day and year aforesaid.

*Lawrence H. Hoover,
Commonwealth's Attorney*

checked against, from which reference is made on the day and year above.

James B. Smith

James B. Smith

#2076

DEC 1947

COMMONWEALTH

v.) Felony (invol. mans.)

BILL DAN ADAMS *ing. Bond*
Wharton + act

DEC 1947

over 7/207

Bail
Bill of particulars
filed 11- - - 47

11/13/47 In person
cleared plea to guilty
warrant pay + tried by
court.

Heard evidence - court
takes time to consider

7/278 - Court. for pay.

7/294

11/5/48



PRE-SENTENCE INVESTIGATION

Staunton, Virginia
December 18, 1947

NAME: Bill Dan Adams	CITIZENSHIP: American
ADDRESS: Rt. 1, Gate City, Virginia	MARITAL STATUS: Married
RACE: White	NO. OF DEPENDENTS: four
AGE: 32	OFFENSE: Involuntary Manslaughter
SEX: Male	

OFFENSE

The above named subject was involved in a motor vehicle accident on October 6, 1945, at about 6:45 a.m. This accident occurred about one mile north of Tenth Legion and is said to have resulted in the death of Roscoe Page Moomaw. According to the best available information Adams was driving a Mason & Dixon Tractor and Trailer north on Route 11. Visibility was extremely poor and it is said that there were pockets of fog along the road. Adams attempted to pass a car driven by a man named Brown, and in doing so collided with the car in which Moomaw was riding. The Moomaw car hit the top of the truck's left gas tank and knocked the wheels from under the trailer causing the loss of brakes. The trailer is said to have skidded approximately 275 feet and ended up with the tractor in the right hand lane of the highway and the trailer off the shoulder of the road. Adams stated that at the time of the collision he was traveling about 45 miles per hour. He states further that he was never over further to the left than the middle lane of the highway. This conflicts with evidence presented by Trooper Whitton who stated that there were marks presumably made by the tractor and trailer at least two feet in the left lane of the highway. There also seems to be a strong possibility that the collision occurred in one of the fog pockets existing along the highway at the time.

PRIOR RECORD

The subject has no prior record in Rockingham County and apparently Mr. Bailey could find none for him in his native county. However, he admits being arrested twice for public drunkenness.

FAMILY HISTORY

Adams and his wife moved to a place near Shenandoah on May 5, 1947, and they are now residing at 1538 Gate City Highway, Gate City, Virginia. It is understood that this is the home of the subject's mother, Emily Adams, about 48 years of age. Others in the family are the subject, 32 years of age, his wife, Evelyn Mary Adams, 27 years of age, and two daughters, Betty Jean Adams, 8 years of age, and Joyce Ann Adams, 6 years of age. The subject has two brothers in the Army, one at Roswell, New Mexico, and one at Fort Meade, Maryland. Two other brothers, James Kinney Adams and Maurice Sweeney Adams living in the vicinity of Gate City. There is also one sister in that vicinity. It is understood that none of the family have been involved in any trouble.

HOME AND NEIGHBORHOOD:

The house in which the subject resides is an old log house to which brick siding has been added. It contains seven rooms, is well kept, and a very home like place. It is located in a neighborhood that is strictly rural and the neighbors are generally nice people.

PRE-SENTENCE INVESTIGATION

Staunton, Virginia
December 18, 1947

NAME: Bill Dan Adams
 ADDRESS: Rt. 1, Gate City, Virginia
 CITIZENSHIP: American
 MARRIAGE STATUS: Married
 RACE: White
 NO. OF DEPENDENTS: four
 AGE: 32
 OCCUPATION: Inventory Manager
 SEX: Male

The above named subject was involved in a motor vehicle accident on October 2, 1947, at about 6:45 a.m. This accident occurred about one mile north of Tenth Legion and is said to have resulted in the death of Hecose Page Newman. According to the best available information Adams was driving a Mason & Dixon tractor and trailer north on Route 11. Visibility was extremely poor and it is said that there were pockets of fog along the road. Adams attempted to pass a car driven by a man named Brown, and in doing so collided with the car in which Newman was riding. The Newman car hit the top of the truck's left gas tank and knocked the wheels from under the trailer causing the loss of brakes. The trailer is said to have skidded approximately 275 feet and ended up with the tractor in the right hand lane of the highway and the trailer off the shoulder of the road. Adams stated that at the time of the collision he was traveling about 15 miles per hour. He states further that he was never over further to the left than the middle lane of the highway. This conflict with evidence presented by Trooper Whitten who stated that there were marks presumably made by the tractor and trailer at least two feet in the left lane of the highway. There also seems to be a strong possibility that the collision occurred in one of the fog pockets existing along the highway at the time.

The subject has no prior record in Rockingham County and apparently no other record in any other county. However, he admits being arrested twice for public drunkenness.

Adams and his wife moved to a place near Shenandoah on May 2, 1947, and they are now residing at 238 Gate City Highway, Gate City, Virginia. It is understood that this is the home of the subject's mother, Emily Adams, about 18 years of age. Others in the family are the subject, 32 years of age, his wife, Evelyn Mary Adams, 27 years of age, and two daughters, Betty Jean Adams, 8 years of age, and Joyce Ann Adams, 6 years of age. The subject has two brothers in the Army, one at Roswell, New Mexico, and one at Fort Meade, Maryland. Two other brothers, James Kinney Adams and Maurice Gwynne Adams living in the vicinity of Gate City. There is also one sister in that vicinity. It is understood that none of the family have been involved in any trouble.

The house in which the subject resides is an old log house to which brick siding has been added. It contains seven rooms, is well kept, and a very home like place. It is located in a neighborhood that is strictly rural and the neighbors are generally nice people.

OFFENSE

PRIOR RECORD

FAMILY HISTORY

HOME AND NEIGHBORHOOD

EDUCATION

The subject states he finished first year of high school at Manville in Scott County. He got along well and liked school but found it necessary to stop and go to work in order to earn a living at fourteen because of the death of his father.

RELIGION

Adams states he is not a church member but that he and his family have attended the Methodist Church on some occasions. It would appear that his interest in religion is rather passive.

INTERESTS &
ACTIVITIES

The subject expresses interest in highly normal activities such as hunting, fishing, attending movies, swimming, and improving his home.

HEALTH

Adams had the usual childhood diseases and one rather serious accident when he shot his right index finger off while squirrel hunting when he was about fourteen years of age. At this particular time he has no health problems for himself or his family.

EMPLOYMENT

The subject's employment consists of the following: Spasmodic work as a coal miner for about two years, farming his mother's 60 acres of land, and working for others in the neighborhood. He worked from June to December in 1942 as a driver for the Yellow Cab Company, Kingsport, Tennessee, three months in 1943 at the Holston Ordinance Plant and from April 20, 1943 to date with the Mason and Dixon Trucking Lines.

RESOURCES

The subject's main resources consist of personal property such as an automobile, furniture, etc. At the time of the interview he had no appreciable bank account and no insurance or bonds.

SUMMARY

The above named subject was the driver of a truck involved in an accident on U. S. Route 11 in which a man was killed. His prior record consists of being arrested on two occasions for public drunkenness. He is a member of a respected family near Gate City in Scott County and is now residing in a comfortable seven-room home in that community. According to his own statement he did well in school until forced to withdraw because of his father's death. He is not a church member but expresses interest in highly normal activities. He is believed to be in good health and his employment record has been better than average. His resources consist mainly of personal property.

PLAN

It is the subject's plan to live in the home of his mother, Gate City, Route 1, and work in the Mason-and Dixon Warehouse located at Kingsport, Tennessee. Mr. O. G. Bailey, Jr., Probation and Parole Officer for that vicinity has expressed a willingness to accept the subject for supervision if he is placed on probation.

Sources: Trooper Whitton
Rockingham County Court Records
The subject
M. D. Hawk
O. G. Bailey, Jr.

Respectfully yours,

Harry Burnett Jr.
Harry Burnett, Jr.
Probation and Parole Officer

HB Jr/a

EDUCATION

The subject states he finished first year of high school at Nashville in Scott County. He got along well and liked school but found it necessary to stop and go to work in order to earn a living at fourteen because of the death of his father.

RELIGION

Adams states he is not a church member but that he and his family have attended the Methodist Church on some occasions. It would appear that his interest in religion is rather passive.

INTERESTS & ACTIVITIES

The subject expresses interest in highly normal activities such as hunting, fishing, reading novels, swimming, and improving his home.

HEALTH

Adams had the usual childhood diseases and one rather serious accident when he shot his right index finger off while squirrel hunting when he was about fourteen years of age. At this particular time he has no health problems for himself or his family.

EMPLOYMENT

The subject's employment consists of the following: Spent his work as a coal miner for about two years, farming his mother's 60 acres of land, and working for others in the neighborhood. He worked from June to December in 1942 as a driver for the Yellow Cab Company, Kingsport, Tennessee, three months in 1943 at the Holston Ordnance Plant and from April 20, 1943 to date with the Mason and Dixon Trucking Lines.

RESOURCES

The subject's main resources consist of personal property such as an automobile, furniture, etc. At the time of the interview he had no appreciable bank account and no insurance or bonds.

SUMMARY

The above named subject was the driver of a truck involved in an accident on U. S. Route 11 in which a man was killed. His prior record consists of being arrested on two occasions for public drunkenness. He is a member of a respected family near Gate City in Scott County and is now residing in a comfortable seven-room home in that community. According to his own statements he did well in school and did not have to withdraw because of his father's death. He is not a church member but expresses interest in highly normal activities. He is believed to be in good health and his employment record has been better than average. His resources consist mainly of personal property.

PLAN

It is the subject's plan to live in the home of his mother, Gate City, Route 1, and work in the Mason and Dixon Warehouse located at Kingsport, Tennessee. Mr. O. G. Bailey, Jr., Probation and Parole Officer for that vicinity has expressed a willingness to accept the subject for supervision if he is placed on probation.

Respectfully yours,

Sources: Probation Station

Rockingham County Court Records

The subject

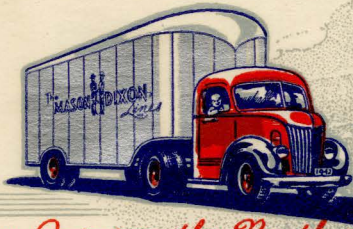
M. D. Cook

O. G. Bailey, Jr.

[Handwritten signature]
Henry B. Smith, Jr.

Probation and Parole Officer

HBR/a



"Now Joining the North and South"

The
MASON AND DIXON
Lines
INC.

GENERAL OFFICES,
KINGSPORT, TENN.

November 19, 1947

Mr. Harry Burnett, Jr.
Probation and Parole Officer
Room 1, Law Building
Staunton, Virginia

Re: Bill Dan Adams

Dear Mr. Burnett:

This will serve to acknowledge receipt of your letter under date of November 17th requesting information as to benefit of our experience with subject person, and resume of his service while working for this company.

Mr. Adams entered our employ on April 23, 1943 as driver of our over-the-road equipment and has retained that position until shortly after the unfortunate accident in which he was involved on October 6, 1947. During this time he made a most satisfactory employee and we have no criticism to make of his work in any way. I have been personally acquainted with him during the entire course of his employment with us, and he has been under my direct supervision for the past two and a half years. Further, I might add that the company has placed him in another position with the Maintenance Department of a non driving capacity.

I certainly regret that he became involved in such an accident which resulted in the death of Roscoe Moomaw; and I believe, as no doubt other of his acquaintances you will contact in the course of your investigation, that he is deserving of any consideration whatever you may wish to give with respect to his case.

If I can be of any further assistance please feel free to call on me.

Very truly yours,

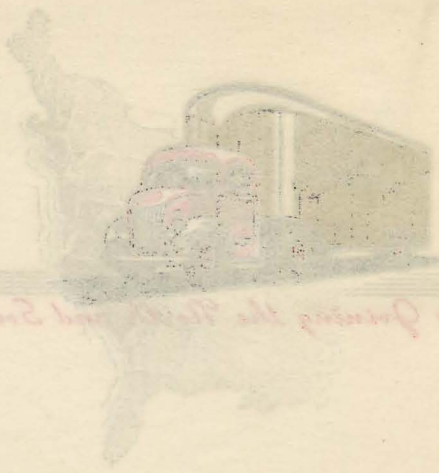
M. D. Hawk

M. D. Hawk,
Superintendent of Drivers

NOV 24 1947

GENERAL OFFICES,
KINGSPORT, TENN.

The
WASON DIXON
Company



"Plan Opening the Market and South"

November 19, 1947

Mr. Harry Burnett, Jr.
Probation and Parole Officer
Room 1, Law Building
Staunton, Virginia

Re: Bill Dan Adams

Dear Mr. Burnett:

This will serve to acknowledge receipt of your letter under date of November 17th requesting information as to benefit of our experience with subject person, and resume of his service while working for this company.

Mr. Adams entered our employ on April 23, 1943 as driver of our over-the-road equipment and has retained that position until shortly after the unfortunate accident in which he was involved on October 6, 1947. During this time he made a most satisfactory employee and we have no criticism to make of his work in any way. I have been personally acquainted with him during the entire course of his employment with us, and he has been under my direct supervision for the past two and a half years. Further, I might add that the company has placed him in another position with the Maintenance Department of a non driving capacity.

I certainly regret that he became involved in such an accident which resulted in the death of Roscoe Hooman; and I believe, as no doubt other of his acquaintances you will contact in the course of your investigation, that he is deserving of any consideration whatever you may wish to give with respect to his case.

If I can be of any further assistance please feel free to call on me.

Very truly yours,
M. D. Hawk
M. D. Hawk,
Superintendent of Drivers

NOV 21 1947

COMMONWEALTH OF VIRGINIA



PROBATION AND PAROLE OFFICE
DISTRICT 17

DENTON BUILDING
EAST MAIN STREET,
ABINGDON, VIRGINIA

December 15, 1947

Mr. Harry Burnett, Jr.
Probation and Parole Officer
Room 1, Law Building
Staunton, Virginia

Dear Mr. Burnett:

Re: Bill Dan Adams

I am indeed sorry I have not been able to give you better service on your request of November 17 concerning the above-named man.

From what I can learn from the law enforcement officers at Gate City this man's mother does live on Route 1, Gate City, Virginia, and has a very respected family of the county. There does not appear to be any prior record against this man recorded either in the Trial Justice or the Circuit Court of Scott County.

If you desire to transfer this man to my district I will be glad to accept him for supervision should he be placed on probation.

Yours respectfully,

A handwritten signature in blue ink, appearing to read 'O. G. Bailey, Jr.', is written over the typed name.

O. G. Bailey, Jr.
Probation and Parole Officer

OGB/pr

DEC 18 1947

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

Whereas, M. S. Witt, State Police of said County, has this day made complaint and information on oath before me, J. C. Swartz, Clerk T. J. Court of the said County, that Bill Dan Adams, c/o Mason & Dixon, Harrisonburg, Va. on the 6th day of October, 19 47, in the said County, did unlawfully and feloniously kill and slay one Roscoe Page Moomaw, against the peace and dignity of the Commonwealth of Virginia

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

Bill Dan Adams

to answer the said complaint and to be further dealt with according to law.

Given under my hand this 6th day of October, 19 47,

J. C. Swartz
 Clerk. T. J. or J. P.

Memo. of Commonwealth Witnesses:

Name	Address
<u>H. G. Brown</u>	<u>Tenth Legion, Va.</u>
<u>Kirby Hepner</u>	<u>Conicsville, Va.</u>
<u>S.A. Walton Sgt SP</u>	<u>Hbg.</u>

JUDGEMENT

October 20, 1947

Upon the hearing of the within charge
Indicted by the Grand Jury
before a hearing was held
in the Trial Justice Court.

Com. day 10.00
Clerk 5.50
J. J. 3.00

Fine	- - - - - \$
Issuing Justice's Fee	- \$ 1.00
Clerk's Fee	- - - \$ 1.25
Trial Justice Fee	- - - \$ 2.00
Arrest and Mileage	- \$
Summoning Witness	\$
Witness	
Attendance and Mileage	\$
Commonwealth's	
Attorney	- - - - \$
Jail Fees	- - - - \$ 1.50
Total	- - - - \$ 4.75

H. C. Moore

Trial Justice

STATE OF VIRGINIA—COUNTY OF ROCKINGHAM, TO WIT:

I, *Harley Dewey*, in and for the County of Rockingham, State of Virginia, do hereby certify that *Bill Dan Adams* and *United*

State Fidelity Guaranty, as his surety, have this day acknowledged themselves indebted to the Commonwealth of Virginia in the sum of *One Thousand Five Hundred* dollars (\$ *1,500.00*) as to

which they severally waived their exemption, to be made and levied of their goods and chattels, yet upon this condition: That the said

Bill Dan Adams shall appear before the Trial Justice Court of Rockingham County at

P. H. Co., on the *9th* day of *Oct.*, 19*47*, at *2* o'clock A. M., and not depart hence without leave of said Court and at such other time or times to which the proceedings may be continued or further heard, and before any court or judge hereafter having or holding any proceedings in connection with said charge, and then and there answer the Commonwealth of Virginia concerning the within charge until the same is finally disposed of, then this recognizance shall be null and void, otherwise to remain in full force and effect.

Given under my hand this, the *6* day of *Oct.*, 19*47*

Harley Dewey
T. J. or J. P. or Bail Commissioner
BY *R. L. Long*
ATTORNEY

Trial Justice Court

Criminal Docket No. *A-9994*

Commonwealth

vs. { Arrest Warrant

Bill Dan Adams

Executed the within warrant by arrest
resting and delivering the body of

Bill Dan Adams

before In Jail

this *6th* day of
October, 19*47*.

J. M. S. With
State Police

Officer's Mileage

Miles travelled by officer - -

Miles carried prisoner - -

Total mileage - - -

Summons required under Sec. 120, Chap. 342 Acts of 1932



DEPARTMENT OF STATE POLICE

No 151307

City ~~City~~ Rockingham
County Rockingham

Date 10-6 1947

M Bill Dan Adams you are hereby summonsed to appear before:

(Name of Defendant)

Trial Justice K.C. Moore of Harrisonburg on 10-9-47 at 7 o'clock P M
(Place of Trial) (Date)

to answer for Violating the Motor Vehicle Laws of Virginia, to wit: Reckless Driving Exceeding Speed Limit No Operator Chauffeur License
Improper Involuntary Manslaughter

Defendant Bill Dan Adams Address % Mason-Dixon Harrisonburg, Va.

~~Oper. or Chauff.~~
Lic. No. D188874 VA. Vehicle License No. 57 Z 133 State Police M.S. Witt

Sec. 120 Chap. 342, Acts 1932. Failure to comply with this summons constitutes a separate offense.

Shield No. 258 Harr
(Address)

W

DEPARTMENT OF STATE POLICE

No. 151307

A-9994

10-24-2.30

Bill Sam Adams

Sec. 121, Chap. 342, Acts of 1952 Follow to comply with this

Shield No. 227

Vehicle License No. M-2-1033 State Police M.D. 10-17-52

Address The Marine Super Service Shop, Inc.

Reckless Driving Excessive Speed Limit No Operator Chauffeur License

at 10-9-52 at 5:00 P.M. (Place of Trial) (Date)

you are hereby summoned to appear before:

Date 10-2

Trial Justice Court

Criminal Docket No. A-9994

Com'th

V.

Bill Dan Adams W.W.W.

AW Date Arraigned 10-9-47 2 P.M.

Trial 10-24-47 at 2:30 P.M.

10-20-47

Indicted by the Grand Jury
before a hearing was held
in T.J. Court

AW-1 m8w

Warrant to S.H.A.
Returned