OK-all 11/4/48

(1)

Commonwealth

vs. On an indictment for a felony (involuntary manslaughter)

Robert Forest Neff, Jr.

This day came the attorney for the commonwealth, and the accused, Robert Forest Neff, Jr., came pursuant to his recognizance and by his attorneys, W. W. Wharton and R. M. Weaver. And from persons summoned by the sheriff under a writ of venire facias, twenty persons were examined by the court and found duly qualified and free from exception; whereupon, a list containing the names of said twenty persons was handed to the attorney for the commonwealth and to the accused, who each alternately struck therefrom the names of four persons, the remaining twelve, namely: W. F. Berry, Avis Cook, Samuel S. Early, Chas. J. Dennett, O. W. Andes, Chas. H. Hinegardner, J. B. Grove, J. A. Fulk, O. R. Emswiler, Roy C. Henkle, Geo. N. Saufeley and Ernest A. Garber, selected as aforesaid to constitute the jury, were sworn to well and truly try and true deliverance make between the commonwealth and the prisoner at the bar and a true verdict render according to the evidence. And the court having heard the evidence on behalf of the commonwealth, thereupon the accused, by counsel, moved the court to strike the evidence introduced on behalf of the commonwealth, which motion the court overruled, and to which action of the court the accused, by counsel, excepted. And the accused ~~having~~ by counsel advised the court that he did not desire to introduce any evidence, thereupon, ~~the court~~ said accused, by counsel, renewed his motion to strike the evidence offered by the commonwealth, which motion the court again overruled, to which action of the court, the accused, by counsel, excepted. + Continue until to ~~And having received the instructions of the court, and having heard the argument of counsel, thereupon, the jury retired to the jury room to consider their verdict, and after some time they came again into court and returned the following verdict:~~

2/396

COMMONWEALTH

AV. DM AN INDICTMENT FOR A LARCENY (INVOLUNTARILY MANUFACTURED)

HOPEFT FOREST MILL, LTD.

Late last came the attorney for the commonwealth, and the accused, Hopeft Forest Mill, Ltd., came personally to his recognizance and by his attorneys, M. M. Hunton and H. M. Meeker. And upon being summoned by the sheriff under a writ of venire facias, twenty persons were examined by the court and found duly qualified and free from exception; whereupon, a list containing the names of said twenty persons was handed to the attorney for the commonwealth and to the accused, who each alternately struck therefrom the names of four persons, the remaining twelve, namely: M. T. Betty, Nate Cook, Samuel E. Early, Chas. L. Dennoff, O. R. Hughes, Chas. H. Hunsenquet, L. B. Clove, L. A. Lunk, O. H. Emmitet, Hoy C. Hunkle, Geo. M. Sanitely and Ernest A. Carpet, selected as a jury to constitute the jury, were sworn to try the issue joined between the commonwealth and the prisoner at the bar and a true verdict render according to the evidence. And the court hearing part of the evidence on behalf of the commonwealth, whereupon the accused, by counsel, moved the court to strike the evidence introduced on behalf of the commonwealth, which motion the court overruled, and to which action of the court the accused, by counsel, excepted.

And the accused MAXIMS argued the court that he did not desire to introduce any evidence whereupon, the court, by counsel, timely filed his motion to strike the evidence offered by the commonwealth, which motion the court sustained, to which action of the court, the accused, by counsel, excepted. And upon request, the court by counsel, reduced the instructions and the court gave the jury the same verdict and instructions of the court, and upon hearing the argument of counsel, whereupon the jury retired to their jury room to consider their verdict, and after some time they came again into court and rendered the following:

11/5/48 (2)

Commonwealth

vs. On an indictment for a felony (involuntary manslaughter)

Robert Forest Neff, Jr.

This day came again the attorney for the commonwealth, and the accused, Robert Forest Neff, Jr., came pursuant to his recognizance and by his attorneys, W. W. Wharton and R. M. Weaver. And the jury impanelled and sworn for the trial of this case came again, pursuant to adjournment; and having received the instructions of the court, and having heard the argument of counsel, thereupon retired to their room to consider their verdict, and after some time they came again into court and returned the following indictment: "We, the jury, find the accused guilty of involuntary manslaughter, as charged in the indictment, and fix his punishment at two years in the penitentiary. O. W. Andes, foreman." And thereupon, said accused, by counsel, moved the court to set aside the verdict of the jury and grant a new trial on the following grounds: (1) that the verdict of the jury was contrary to the law and the evidence and is without evidence to support it; (2) Because of the failure of the Court to strike the evidence at the conclusion of the commonwealth's case; (3) Because of the admission of certain highly prejudicial testimony which was irrelevant and immaterial to the issue; (4) Because of the failure of the Court to strike certain immaterial and highly prejudicial testimony; (5) Because of the improper instruction of the jury by the Court, the court having refused to give certain instructions tendered by the accused, which are of record and marked "refused," and having given certain erroneous instructions at the request of the attorney for the commonwealth, all of which was done over the objection of the accused. ~~And thereupon, the said court~~ And the court thereupon takes time to consider the motion aforesaid.

COMMONWEALTH

(INVOLUNTARY MANSLAUGHTER)

v. On an indictment for a felony

Hopeft Foster Neill, Jr.

THIS qui came again the effofney for the COMMONWEALTH,

and the accused, Hopeft Foster Neill, Jr., came hwtsnent of his te-
cognizance and by his effofney, M. K. Hunton and R. M. Massey.
And the jury impanelled and sworn for the trial of this case came
again,hwtsnent of adjonrnment; and having received the instructions
of the court, and having heard the statement of counsel, fnsterndou
tefftled to their room to consider their verdict, and after some
time they came again into court and returned the following indict-
ment: "We, the jury, find the accused guilty of involuntary man-
slaughter, as charged in the indictment, and fix his hmnisement
at two years in the penitentiary. O. M. Hughes, Foreman." And
fnsterndou, said accused, by counsel, moved the court to set aside
the verdict of the jury and grant a new trial on the following
grounds: (1) that the verdict of the jury was contrary to the
law and the evidence and without evidence to support it; (2) be-
cause of the failure of the court to strike the evidence at the
conclusion of the commonwealth's case; (3) because of the ad-
mission of certain highly prejudicial testimony which was ir-
relevant and immaterial to the issue; (4) because of the failure
of the court to strike certain immaterial and highly prejudicial
testimony; (5) because of the improper instruction of the jury by
the court, the court having refused to give certain instructions
tendered by the accused, which are of record and marked "refused".
And having given certain erroneous instructions at the request
of the attorney for the commonwealth, all of which was done over
the objection of the accused. ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~
And the court fnsterndou desire time to consider the motion aforesaid.

1 W. F. Berry
2 Curt Cook
3 Samuel S Early
4 Chas J. Dennett
5 C. W. Candler
6 Chas H. Hinegardner
7 J. B. Grove
8 J. C. Fulks
9 C. A. Eisweiler
10 Roy C. Heckle
11 Geo. W. Sunfly
12 Ernest A. Barber

OCT 1948

#2175

COMMONWEALTH

VS.) Felony Jury waived (mans.)

ROBERT FOREST NEFF, JR. N.N.N. + R.M.N.

bail

Set. Nov. 4

10/4/48 - N.G. 7/385

11/4/48 Jury - heard ~~fact~~ evidence. 7/
Motion under Cons. 396-397
jury verdict
7/402

7/406 Motion to set aside verdict overruled & imp. of sent. suspended

Sheriff fee 8.30

12/7/48 - 2 yrs Pen

7/407 Sentenced

SMEAD'S
KRAFTBRIF
FLAT WALLET
№ 1006 ½ AK
THE SMEAD MFG. CO.
MANUFACTURERS

December 16, 1948

Division of Motor Vehicles
Richmond, Virginia

Gentlemen:

I am enclosing herewith a Form O. L. 18-B on Robert Forest Neff, Jr., who was convicted in this court of a charge of involuntary manslaughter.

Yours very truly,

J. Robert Switzer, Clerk

mb
Enc. 1.

December 16, 1942

Division of Motor Vehicles
Richmond, Virginia

Gentlemen:

I am enclosing herewith a Form O. L. 18-B on Robert Forest Neff, Jr., who was convicted in this court of a charge of involuntary manslaughter.

Yours very truly,

J. Robert Switzer, Clerk

mb
Enc. 1.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

COMMONWEALTH

V.

ROBERT F. NEFF, JR.

Thereupon, the defendant moved the Court to set aside the verdict of the jury and grant a new trial on the following grounds: (1) that the jury's verdict was contrary to the law and THE evidence, and without evidence to support it; (2) the failure of the Court to strike the evidence at the conclusion of the Commonwealth's case; (3) the admission of certain highly prejudicial testimony which was irrelevant and immaterial to the issue; (4) the failure of the Court to strike certain immaterial and highly prejudicial testimony.

(5) the IMPROPER instruction of the jury by the Court, having refused to give certain instructions tendered by the accused, which are of record and marked "Refused", and The Court having given certain erroneous instructions at the request of the Commonwealth, all of which was done over the objection of the accused.

We the jury find the accused guilty ~~of involuntary manslaughter~~ as charged in the indictment and fix his punishment at two years in the penitentiary

O. W. Anderson ~~foreman~~

Let credit
~~misdemeanor~~ Judge

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 the Circuit Court of said County, at its August term, 1948, upon their oaths do present that ROBERT FOREST NEFF, JR., on or about the 15th day of May, 1948, in said County, unlawfully and feloniously did kill and slay one V. S. See, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found upon the testimony of E. E. Martin, Clarence S. Leake and Lester Higgs, witnesses sworn in Court and sent before the grand jury to give evidence.

ms

COMMONWEALTH

V.) INDICTMENT

ROBERT FOREST NEFF, JR.

Bail $2,000
Nov. 4

Felony
August term 1948

A true bill:

Foreman

Witnesses:

1. E. E. Martin
2. Clarence S. Leake
3. Lester Higgs

George D. Conrad
Commonwealth's Attorney

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

COMMONWEALTH

V. CHARGE TO JURY

ROBERT FOREST NEFF, JR.

If you find the accused, Robert Forest Neff, Jr., guilty of involuntary manslaughter, as charged in the indictment, then you will say so and fix his punishment at confinement in the penitentiary for a period of not less than one nor more than five years, or, in your discretion, by confinement in jail for a period not exceeding one year or a fine not exceeding One Thousand Dollars ($1,000.00), or by both such fine and imprisonment.

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

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

COMMONWEALTH

V. CHARGE TO JURY

ROBERT FOREST WEST, JR.

"If you find the accused, Robert Forest West, Jr., guilty of involuntary manslaughter, as charged in the indictment, then you will fix as and fix his punishment as confinement in the penitentiary for a period of not less than one nor more than five years, or, in your discretion, by confinement in jail for a period not exceeding one year or a fine not exceeding one thousand dollars ($1,000.00), or by both such fine and imprisonment.

If you find the accused guilty of reckless driving, you will fix his punishment at a fine not exceeding one hundred dollars ($100.00).

Case
vs
Huff.

INSTRUCTION 1

The Court instructs the jury that involuntary manslaughter is the killing of one accidentally, contrary to the intention of the accused; in the prosecution of some unlawful, but not felonious act; or in the improper performance of a lawful act.

H.P.J.

INSTRUCTION 1

The Court instructs the jury that involuntary manslaughter is the killing of one accidentally, contrary to the intention of the accused; in the prosecution of some unlawful, but not felonious act; or in the improper performance of a lawful act.

Cave
vs
Neff.

INSTRUCTION 2

The Court instructs the jury that under the laws of the State of Virginia, an operator who drives an automobile upon the highway recklessly, or at a speed or in a manner such as to endanger the life, limb, or property of any person; is guilty of reckless driving.

HWJ

Green
v.
Neff

INSTRUCTION 2

The Court instructs the jury that under the laws of the State of Virginia, an operator who drives an automobile upon the highway recklessly, or at a speed or in a manner such as to endanger the life, limb, or property of any person; is guilty of reckless driving.

Com
vs
Neff

Instruction No 3

The Court further instructs the Jury that under the laws of the State of Virginia the operator of an automobile is required to have the same equipped with two headlights and to have the same lighted whenever the natural light is insufficent to enable the operator to discern an object at an distance of 300 feet and that any violation of this law is unlawful but not felonious.

WH

Instruction No 2

The Court further instructs the Jury that under the laws of the State of Virginia the operator of an automobile is required to have the same equipped with two headlights and to have the same lighted whenever the natural light is insufficient to enable the operator to discern an object at a distance of 300 feet and that any violation of this law is unlawful but not felonious.

Com
vs
Neff.

INSTRUCTION NO. 4

The Court instructs the jury that if you believe from the evidence beyond a reasonable doubt that the death of V. S. See resulted from his being struck by an automobile driven by the accused, Robert Forest Neff, Jr., and that such accident resulted from Neff's operation of said car in an unlawful or reckless manner, such as to indicate carelessness or indifference incompatible with a proper regard for human life, then you shall find him guilty of involuntary manslaughter as charged in the indictment.

W.T.

Com
v.
Neff.

INSTRUCTION NO. 4

The Court instructs the jury that if you believe from the evidence beyond a reasonable doubt that the death of V. S. See resulted from his being struck by an automobile driven by the accused, Robert Forest Neff, Jr., and that such accident resulted from Neff's operation of said car in an unlawful or reckless manner, such as to indicate carelessness or indifference incompatible with a proper regard for human life, then you shall find him guilty of involuntary manslaughter as charged in the indictment.

Neff

Com.
vs
Huffo

INSTRUCTION 5

The Court instructs the jury that circumstantial evidence is just as legal and just as effective as any other, provided the circumstances are of such character and force as to satisfy the minds of the jurors of the defendant's guilt, beyond a reasonable doubt.

H.H.

Comm.
v.
Wright

INSTRUCTION 2

The Court instructs the jury that circumstantial evidence is just as legal and just as effective as any other, provided the circumstances are of such character and force as to satisfy the minds of the jurors of the defendant's guilt, beyond a reasonable doubt.

Com
vs
Huff.

INSTRUCTION 6

The Court instructs the jury that the burden resting upon the Commonwealth to prove the accused guilty beyond all reasonable doubt of an offense and every material element thereof, charged against the accused, does not mean that it is necessary for the Commonwealth to establish the guilt of the accused to an absolute certainty or beyond all possibility of mistake or to do more than satisfy the jury that upon the evidence as a whole the accused is guilty thereof beyond all reasonable doubt.

W.T.J.

Given
as
Amd.

INSTRUCTION 6

The Court instructs the jury that the burden resting upon the Commonwealth to prove the accused guilty beyond all reasonable doubt of an offense and every material element thereof, charged against the accused, does not mean that it is necessary for the Commonwealth to establish the guilt of the accused to an absolute certainty or beyond all possibility of mistake or to do more than satisfy the jury that upon the evidence as a whole the accused is guilty thereof beyond all reasonable doubt.

Com
vs
Neff

INSTRUCTION NO. C

The Court instructs the jury that the indictment in this case raised no presumption against Robert F. Neff, Jr., but on the contrary he is presumed as a matter of law to be innocent of the crime charged, and the burden is upon the Commonwealth to prove every essential element of the offense with which he is charged, beyond all reasonable doubt before the jury would be warrented in finding him guilty. And unless the jury believe from the evidence in the case that the Commonwealth has proven the guilt of the defendant beyond all reasonable doubt, then it is the jury's duty to find Robert F. Neff, Jr., not guilty.

WH

INSTRUCTION NO. 6

The Court instructs the jury that the indictment in this case raised no presumption against Robert F. Neff, Jr., but on the contrary he is presumed as a matter of law to be innocent of the crime charged, and the burden is upon the Commonwealth to prove every essential element of the offense with which he is charged, beyond all reasonable doubt before the jury would be warranted in finding him guilty. And unless the jury believe from the evidence in the case that the Commonwealth has proven the guilt of the defendant beyond all reasonable doubt, then it is the jury's duty to find Robert F. Neff, Jr., not guilty.

Com
vs
Neff.

INSTRUCTION NO. D

The Court instructs the jury that in the application of circumstantial evidence to the determination of the case the utmost caution and vigilence should be used. Such evidence is always insufficient where, assuming all to be true which the evidence tends to prove, some other reasonable hypothesis may still be true, for it is the actual exclusion of every other reasonable hypothesis which invests mere circumstances with the force of truth. Where the evidence leaves it indifferent which of several hypothesis is true, or establishes only some finite probability in favor of one hypothesis, such evidence cannot amount to proof, however great the probability may be.

Therefore, although the jury may believe from the evidence in this case that there is strong probability that Robert F. Neff, Jr. is guilty of the offense charged in the indictment, still, if upon the whole evidence there is any other reasonable hypothesis consistent with his innocence, they cannot find him guilty, and this is true, although it may appear from the evidence that the probabilities of his guilt are greater than the probabilities of his innocence.

HM

Gen
v
Neff

Comm.
v.
Neff.

INSTRUCTION NO. 13

The Court instructs the jury that the fact that the defendant did not testify as a witness in his own behalf cannot be taken or considered by the jury as any evidence or even a circumstance showing or tending to show in the slightest degree the guilt of the defendant, Robert F. Neff, Jr.

R.F.N.

Comm. v. Neff

Instruction No. H

The Court instructs the jury that even though you believe from the evidence that Robert Neff, Jr. struck V. S. See and that See died as a result thereof that alone does not raise a presumption of guilt. In proving the crime charged in the indictment the Commonwealth has the burden of proving to you beyond a reasonable doubt that the death of V. S. See was the result of criminal or culpable negligence on the part of Neff at the time See was struck. If See met his death as a result of misadventure or unavoidable accident, the accused, Neff, cannot be found guilty.

You are further instructed that unless you believe from the evidence that the Commonwealth has proved beyond a reasonable doubt that the alleged act or acts of negligence of Neff relied on by the Commonwealth at the time it was alleged that Neff struck V. S. See were the proximate cause or one of the proximate causes of his striking See and that the accident would not have taken place had it not been for said alleged negligence then you will find for the defendant.

W.H.T.

Instruction No. 4

The court instructs the jury that even though you believe from the evidence that Robert Nett, Jr. struck V. S. Gee and that Gee died as a result thereof that alone does not raise a presumption of malice. In proving the crime charged in the indictment the commonwealth has the burden of proving to you beyond a reasonable doubt that the death of V. S. Gee was the result of criminal or culpable negligence on the part of Nett at the time Gee was struck. If Gee met his death as a result of misadventure or unavoidable accident, the accused, Nett, cannot be found guilty.

You are further instructed that unless you believe from the evidence that the commonwealth has proved beyond a reasonable doubt that the alleged act of such negligence on Nett's part at the time it was alleged that Robert Nett, Jr. struck V. S. Gee and that Gee died as a result thereof that alone or one of the proximate causes of his striking Gee and that the accident would not have taken place had it not been for said alleged negligence then you will find for the defendant.

The Commonwealth of Virginia, } To-wit
Rockingham County, }

To the Sheriff of Said County:

Whereas, Sgt. E. E. Martin of Harrisonburg, Va. Police of said County, has this day made complaint and information on oath before me, J. C. Swartz, Clerk T. J. Court (T. J. or J. P.) of the said County, that Robert Forest Neff, Jr. on the 15th day of May, 19 48, in the said County, did unlawfully and feloniously kill and slay one V. S. See, 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 Robert Forest Neff, Jr. to answer the said complaint and to be further dealt with according to law.

Given under my hand this 17th day of May, 19 48.

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

Memo. of Commonwealth Witnesses:

Name	Address

JUDGEMENT

June 4, 1948

~~Upon the hearing of the within charge,~~

Upon motion by the defendant that preliminary hearing be waived, it is hereby ordered that such hearing is hereby waived, and he is held for action by the Grand Jury.

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 - - - - -	$ .50
	$
Total - - - -	$ 4.75

Porter R. Gray
Trial Justice

Trial Justice Court

Criminal Docket No. A 975

Commonwealth

vs. { Arrest Warrant

Robert Forest Neff, Jr.

Executed the within warrant by arresting and delivering the body of

Robert Forest Neff, Jr.

before In Jail

this 15th day of

May, 19 48.

E. E. Martin
Sgt. Hbg Police.

Officer's Mileage

Miles travelled by officer - - .....

Miles carried prisoner - - .....

Total mileage - - - .....

N.G. To-5-26-48 -
2:P.M

STATE OF VIRGINIA—COUNTY OF ROCKINGHAM, TO-WIT:

I, ..., in and for the County of Rockingham, State of Virginia, do hereby certify that ..... and .....

T. J. or J. P. or Bail Commissioner

..... as his suret ....., have this day acknowledged themselves indebted to the Commonwealth of Virginia in the sum of ..... dollars ($.....) 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 ..... shall appear before the Trial Justice Court of Rockingham County at ..... on the ..... day of ....., 19....., at ..... 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 ..... day of ....., 19.....

.....
T. J. or J. P. or Bail Commissioner

COMMONWEALTH VS. Orest Forest Neff Jr

DESCRIPTION OF PRISONER

Last known address Hbg R 7 Kl

Color W Height 5-10 Eyes Br Hair Lt Weight 150

Marks C.K

Age 19 Occupation Bulldozer

Date of Trial Nov. - 4 + 5th

Result

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

We command you that you take Marvin Long, if he be found within your bailiwick, and him safely keep, so that you have his body forthwith before the Circuit Court of Rockingham County, at the Court House thereof, to show cause, if any he can, why he should not be punished for his failure to appear before said Court in response to summons served upon him by an officer of this court to appear and testify on behalf of Comm. of Virginia in the trial of the case of Commonwealth vs. Robert F. Neff, Jr.

And have then and there this writ.

Witness, J. Robert Switzer, Clerk of our said Court, at the Court House the 4th day of November, 1948, in the 173rd year of the Commonwealth.

Joseph Switzer, Clerk.

Nov. 4, 1948 Executed the within Writ by delivering Marvin Long in circuit court of Rockingham Co.

B. L. Kiser Dep. for
Sam R. Callender S. R. C.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

WE COMMAND YOU THAT YOU SCIRE FACIAS [illegible] MATTAIN COUNTY, [illegible]

IF WE BE FOUND WITHIN YOUR BAILIWICK, AND THE SELFSY KEEP, SO THAT YOU HAVE THE BODY FORTHWITH BEFORE THE CIRCUIT COURT OF ROCKINGHAM COUNTY, AT THE COURT HOUSE THEREOF, TO SHOW CAUSE, IF ANY WE CAN, WHY WE SHOULD NOT BE PUNISHED FOR HIS CONTEMPT IN NEGLECTING TO APPEAR BEFORE SAID COURT IN PERSONS TO ANSWER SERVED UPON HIM BY AN OFFICER OF THE COURT TO APPEAR AND TESTIFY ON BEHALF OF [illegible] IN THE SUIT OF THE CASE OF COMMONWEALTH VS. ROBERT P. NEIL, ET. AL. AND HAVE THEN AND THERE THIS WRIT.

WITNESS, C. ROBERT SWITZER, CLERK OF OUR SAID COURT, AT THE COURT HOUSE THE 4TH DAY OF NOVEMBER, 1942, IN THE 167TH YEAR OF THE COMMONWEALTH.

[illegible], CLERK.

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon E. E. Martin, Clarence S. Leake and Lester Higgs

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at ~~9:30~~ 11:00 *o'clock, a. m., on the* 11th *day of* October 19 48, *to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY* against ROBERT FOREST NEFF, JR.

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,~~ GEORGE D. CONRAD *at the Court House, the* 30th *day of* September 19 48, *and in the* 173rd *year of the Commonwealth.*

George D. Conrad, ~~Clerk~~ Commonwealth's Attorney

THE SERVICE PRESS, HARRISONBURG, VA.

COMMONWEALTH

V.

ROBERT FOREST NEFF, JR.

To October 11, 1948 at
11:00 a.m.

Grand Jury witnesses

Sheriff Fees $1.20

Executed 10-7-48 by delivering a true copy of the within summon to E. E. Martin.

Clarence B. Lake

R. T. Chandler Deputy for
Sam H. Collins, Jr.

each in person.

not finding Carlin Kilgore at his usual place of abode, Executed 10-7-48 by delivering a true copy of this summon to Mrs Carlin Kilgore wife in person, at said Carlin Kilgore's usual place of abode. Mrs Carlin Kilgore being a member of his family above the age of 16 years, and explaining the purport thereof to her.

R. T. Chandler Deputy for
Sam H. Collins, Jr.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Dr. F. L. Byers, Dr. Wm. Baugher, Marion H. Long, and J. W. Stidley

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 4th day of November 19 48, to testify and the truth to say in behalf of the Commonwealth against Robert Forest Neff, Jr.

who stands charged with and indicted for a felony ~~misdemeanor~~.

And this you shall not omit under penalty of £100. And have then and there this Writ.

Witness, ~~J. ROBERT SWITZER, Clerk of our said Court~~, at the Court House, the 27th day of October, 19 48, and in the ~~46~~ 173rd year of the Commonwealth.

Geo. Conrad, ~~Clerk~~

Commonwealth's Attorney

THE SERVICE PRESS

COMMONWEALTH

V.) Witness Subpoena

ROBERT FOREST NEFF, JR.

. . .

To November 4; 1948 at
9:30 a.m.

Sheriff's fees $1.60

EXECUTED 10-29-48 IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Summon TO Dr. W. H. F. F. Byers and W. Stally IN PERSON.

E. S. Chaudoinen D.S.
for Sam H. Callender, R.S.

Not finding Marion H Long at his usual place of abode, Executed 10-29-48 by delivering a true copy of this Summon to Mrs Marion H Long his wife in person, at said Marion H Long usual place of abode Mrs Marion H Long, being a member of his family above the age of 16 years, and explaining the purport thereof to her.

Wm R. Rhodes Sheriff for.
Sam H. Callender S.R.O.

EXECUTED 10-29-48 IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Summon TO Mr Wm Baughes IN PERSON.

Wm R. Rhodes Sheriff for.
Sam H. Callender S.R.O.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Sgt. E. E. Martin, Sgt. W. M. Norvelle, Officer C. S. Leake, Officer Gleason Shaver and Officer G. W. Joseph

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 4th day of November 1948, to testify and the truth to say in behalf of the Commonwealth against

Robert Forest Neff, Jr.

who stands charged with and indicted for a felony ~~misdemeanor~~.

And this you shall not omit under penalty of £100. And have then and there this Writ.

Witness, ~~J. ROBERT SWITZER, Clerk of our said Court,~~ at the Court House, the 27th day of October, 19 48, and in the ~~45~~ 173rd year of the Commonwealth.

Geo. Conrad, ~~Clerk~~
Commonwealth's Attorney

THE SERVICE PRESS

COMMONWEALTH

V.) Witness Subpoena

ROBERT FOREST NEFF, JR.

To November 4, 1948 at
9:30 a.m.

Sheriff fee $2.00

Received 10-28-48 by delivering a copy of the within summon to Sgt. E.E. Martin. Sgt. W.M. Nowell. officer C.S. Lake. officer Nelson Shaum. & officer J.W. Goeckh. each in person.

For Sam N Collins Deputy

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon A. F. Hanger, Winfred Keagy, Robert Gaines, Lester Higgs and Tracie Hines

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 4th day of November 19 48, to testify and the truth to say in behalf of the Commonwealth against

Robert Forest Neff, Jr.

who stands charged with and indicted for a felony ~~misdemeanor~~.

And this you shall not omit under penalty of £100. And have then and there this Writ.

Witness, ~~J. ROBERT SWITZER, Clerk of our said Court~~, at the Court House, the 27th day of October, 19 48, and in the ~~15~~ 173rd year of the Commonwealth.

Commonwealth's Attorney, ~~Clerk~~

THE SERVICE PRESS

COMMONWEALTH

V.) WITNESS SUBPOENA

ROBERT FOREST NEFF, JR.

To November 4, 1948 at
9:30 a.m.

Sheriff Fees 2.00

EXECUTED 10-28-48 BY DELIVERING A TRUE COPY
of the within summon to G.R. Ranger
Lulu Kiger, Winfred Kiger
and Robert Daniel.

G.R. Ranger Dep
For Sam F. Ballenden, Sheriff

EXECUTED 10-28-48 IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Summon TO Tracie Hines IN PERSON.

Wm Q. Rhodes Dep. for
Sam F. Ballenden S.R.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Walter Stidley, A. F. Hanger, L. O. Higgs, Stanley Simmons, Meredith Simmons, Winfred Kagey & Robert Gaines

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10 o'clock, a. m., on the 4th *day of* Nov. 19 48 *to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth against* Robert F. Neff, Jr.

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* 22 *day of* Nov. 19 48, *and in the* 173 *year of the Commonwealth.*

J. Robert Switzer, *Clerk*

Robert F. Neff, Jr.
adv
Comm.

McKenton, Willinger & Kramer
Attys

Executed 11-3-48 by delivering a true copy
of the within summon to Walter Stidly
R. F. Hanson, L. O. Higgs, Stanly Simms
Meredith Simmons, Winfred Hagey
& Robert Gains
each in person R. L. Chandler dep for
Sam H Callender Hcs

1948
Nov. 4

Trial Justice Court

Criminal Docket No. A 975

Com'th

v.

Robert Forest Neff, Jr.

A. W. Date Arraigned 5-17-48

Trial Date

~~To 5-26-48 2:P.M.~~

To 6-4-48 2:30 PM

Preliminary hearing waived.

Held for action of the Grand Jury.

AW to EEM

See 974