

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

Whereas, George D. Conrad, Commonwealth's Attorney of said County, has this day
 made complaint and information on oath before me, Porter R. Graves,
~~XXXXXXX~~ Trial Justice County
 T. J. or J. P.
 of the said County, that David Leon Smith
 on the 16th day of August, 1948, in the said County, feloniously and un-
lawfully did kill and slay one Beverly Jean Smith, against the peace and
dignity of the Commonwealth

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 David Leon Smith

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

Given under my hand this 21st day of September, 19 48.

Porter R. Graves
~~Clerk~~ -T. J. or J. P.-
Trial Justice.

Memo. of Commonwealth Witnesses:

Name

Address

JUDGEMENT

Sept. 21, 1948

Upon the hearing of the within charge, there is sufficient probable cause and the defendant is held for action of the Grand Jury.

Trial Justice Court

Criminal Docket No. A 1438

Commonwealth

vs.

Arrest Warrant

David Leon Smith

Executed the within warrant by arresting and delivering the body of

David Leon Smith

before Trial Justice

this 21 day of

September, 1948.

Wm R. Rhodes

Officer's Mileage

Miles travelled by officer - -

Miles carried prisoner - -

Total mileage - - -

Fine - - - - - \$
Issuing Justice's Fee - \$ 1.00
Clerk's Fee - - - - \$ 1.25
Trial Justice Fee - - \$ 2.00
Arrest and Mileage - \$ 1.50
Summoning Witness - \$ 3.00
Witness Attendance and Mileage \$ 1.50
Commonwealth's Attorney - - - - \$ 2.50
Jail Fees - - - - - \$
Total - - - - - \$ 12.75

Porter R. Gomer
Trial Justice

n.c.

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

I, T. J. or J. P. or Bail Commissioner of Virginia, do hereby certify that

Commonwealth of Virginia in the sum of

as his suret

have this day acknowledged themselves indebted to the

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 21 day of September, 1948 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

OCT 1948 #2190

COMMONWEALTH

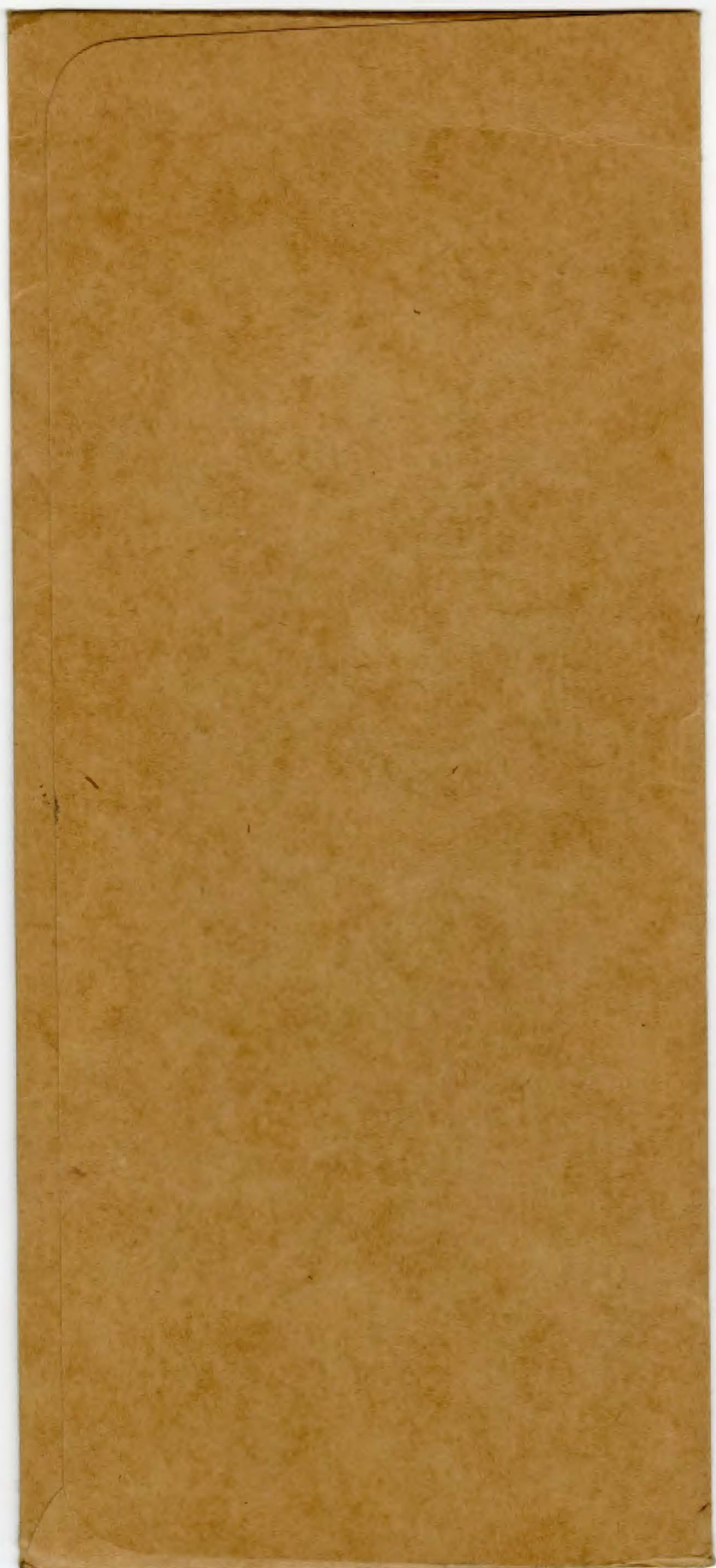
VS.) Felony ^{several} (mans.) #1

DAVID LEON SMITH bail N N N

N.Y.
10/11/48 7/385

Set Oct. 22.
guilty by court vya - credit
7
391

Shiriff Fees \$7.20



In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *E. E. Kiser, Harper A.*

*Burington, Dr. F. L. Byers, Raymond
Webster, Wm. W. Joseph, David Orelough,
+ E. O. Reed*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at ^{10 am} 9:30 o'clock, a. m., on the *22^d* day of *October* 19 *48*,

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

David Leon Smith

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 *19th*
day of *Oct.*, 19 *48*, and in the *16^{3d}* year of the Commonwealth.

J. Robert Switzer, Clerk

Com

v

David Lion Smith

Sherriff Fee
R\$ 2.80

1948

Oct. 22

Not finding Harper A. Pennington at his usual
place of abode, Executed 10-20-48 by delivering a
true copy of this Summons to Mrs Allen Z Pennington
his mother in person, at said Harper A. Pennington
Mrs Allen Z Pennington
usual place of abode, being a member of
his family above the age of 16 years, and explaining the purport thereof
to her.

E. O. Reed Dep for
Saml H. Callender S.R.C.

Not finding Mr. M. Joseph at his usual
place of abode, Executed 10-20-48 by delivering a
true copy of this Summons to Mrs William Joseph
his mother in person, at said Mr M Joseph
Mrs Wm Joseph
usual place of abode, being a member of
his family above the age of 16 years, and explaining the purport thereof
to her.

E. O. Reed Dep for
Saml H. Callender S.R.C.

Not finding David Crebaugh at his usual
place of abode, Executed 10-20-48 by delivering a
true copy of this Summons to Mrs Owen Crebaugh
his mother in person, at said David Crebaugh

Mrs Owen Crebaugh
usual place of abode, being a member of
his family above the age of 16 years, and explaining the purport thereof
to her.

E. O. Reed Dep for
Saml H. Callender S.R.C.

10-20-49
Mr. Allen Z. Bumpster
Stoughton, Vt.
Dear Mr. Bumpster:

I have been thinking of you
and the children very much
and hope you are all well.

I have been thinking of you
and the children very much
and hope you are all well.

I have been thinking of you
and the children very much
and hope you are all well.

COMMONWEALTH VS. Edward Leroy Smith

DESCRIPTION OF PRISONER

Last known address 7 Hwy Rt 41
Color W Height 5-7 Eyes Grey Hair St Weight 135
Marks _____
Age 19 Occupation in army
Date of Trial 10/22/48
Result 2 yrs - ~~prison~~

DESCRIPTION OF PRISONER

Last known address 114 N. 4th St.
Color W Height 5-7 Eyes Blue Hair Blk Weight 135
Markings None
Occupation None
Date of Trial 10/20/18
Place of Birth Illinois

A 1438

Report of Witnesses for the Commonwealth

Month of Sept. 1948

Whose mileage and attendance were not collected by the Trial Justice before the end of said month.

Porter R. Graves
Ray J. G. Dwyer, Trial Justice.

WITNESSES	Fel. Pro. or Misd.	Days	Attendance	Miles	Mileage	Total	Date
Com. vs. <u>David Leon Smith</u>							<u>9/21/48</u>
1. <u>Roy Powell Hbz Va</u>		<u>1</u>	<u>.50</u>			<u>.50</u>	
2. <u>Harper Pennington - Free P. App</u>		<u>1</u>	<u>.50</u>	<u>10</u>	<u>.50</u>	<u>1.00</u>	
3.						<u>1.50</u>	
4.							
5.							
6.							
Com. vs.							
1.							
2.							
3.							
4.							
5.							
6.							

All witnesses summoned for the Commonwealth shall be entitled to receive for each day's attendance fifty cents, all necessary ferriage and tolls, and five cents per mile over five miles going and returning to place of trial or before grand jury. (Sec. 3512)

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



DEPARTMENT OF STATE POLICE

Nº 158148

City
County

ROCKINGHAM

Date

AUG.

16

19

48

M DAVID LEON SMITH you are hereby summonsed to appear before:

Trial Justice PORTER GRAVES of HARRISONBURG on AUG. 31/48 at 2 o'clock P M
(Name of Defendant) (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 DAVID LEON SMITH Address 1424 HARRISONBURG VA
Oper. or Chauff.

Lic. No. NONE Vehicle License No. 366356 State Police E. J. O'Brien

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

Shield No. 81 Harrisonburg
(Address)

A 1438
David Leon Smith
8-31-48 2PM

Fine
Trial
Clerk

TJ

128148

Witness Subpoena

Commonwealth of Virginia:

County of Rockingham, to-wit:

To the Sheriff of said County, Greeting:

You are hereby commanded, in the name of the Commonwealth of Virginia to summon

~~Norris Bradford, Jr.~~

Hansen

~~Jasper Pennington,~~

~~Harri Hinton, Va.~~

~~R-2 Dayton, Va.~~

to appear before the Trial Justice Court of said County, sitting at Harrisonburg, Virginia

in said County, on 21st day of Sept., 19 48, at the hour of 3 PM

of that day to give evidence in behalf of Com'th

in the pending case of Com'th

v. David Leon Smith

Given under my hand this 21st day of Sept., 19 48.

J. C. Swartz
Clerk.

Trial Justice Court

Docket No. A 1438

Com'th

V. { Witness Subpoena }

David Leon Smith

To Sept. 21, 1948 at 3PM.

*Notis Bradford Jr.
not found in my
Backusky 9-21-48
E. P. Reed help for
Sam H. Callender D.R.*

EXECUTED 9-21-48 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Summons
TO Harper Cunningham
IN PERSON.

*E. P. Reed, my self
Sam H. Callender D.R.*

Witness Subpoena

Commonwealth of Virginia:

County of Rockingham, to-wit:

To the Sheriff of said County, Greeting:

You are hereby commanded, in the name of the Commonwealth of Virginia to summon

~~Norris Bradford, Jr.~~ *Not Present*

~~Harri Hinton, Va.~~

~~Jasper Pennington,~~ ✓

R-2 Dayton, Va.

20 miles

to appear before the Trial Justice Court of said County, sitting at Harrisonburg, Virginia

in said County, on 21st day of Sept., 19 48, at the hour of 3 PM

of that day to give evidence in behalf of Com'th

in the pending case of Com'th

v. David Leon Smith

Given under my hand this 21st day of Sept., 19 48.

J. C. Swartz
Clerk.

Witness Subpoena

Commonwealth of Virginia:
County of Rockingham, to-wit:
To the Sheriff of said County, Greeting:

Trial Justice Court

Docket No. **A 1433**

Com'th

V. { Witness Subpoena

David Leon Smith

To Sept. 31, 1948 at 3PM.

Witness Subpoena

Commonwealth of Virginia:

County of Rockingham, to-wit:

To the Sheriff of said County, Greeting:

You are hereby commanded, in the name of the Commonwealth of Virginia to summon

Roy Powell, N. Main St. Hbg, Va. Raymond Webster Hbg, Va.

David O'Baugh, Star Route Hanton, Va. 1-1 Crestie

William Joseph, R-2 Dayton, Va. 1-1000 Clatsburg

to appear before the Trial Justice Court of said County, sitting at Harrisonburg, Virginia

in said County, on 21st day of Sept., 19 48, at the hour of atx 3:00 P.M.

of that day to give evidence in behalf of Com'th

in the pending case of Com'th

v. David Leon Smith

Given under my hand this 21st day of Sept., 19 48.

J. L. Swartz
Clerk.

Executed 9-21-48 by not publicly
William Joseph at his usual
Place of abode.

Sam H. Hallman
S.H.C.

David Leon Smith

1948
To Sept. 21, /at 3PM.

V. { Witness Subpoena

Com'th

Docket No. A 1438

Trial Justice Court

Executed 9-21-48 by delivering a true copy
of the within summons to Ray Powell
David O. Bough Raymond Webster

each in person.

E. D. Reed, clerk for
Sam H. Callender D.R.

Witness Subpoena

Commonwealth of Virginia:

County of Rockingham, to-wit:

To the Sheriff of said County, Greeting:

✓ You are hereby commanded, in the name of the Commonwealth of Virginia to summon

~~Roy Powell, N. Main St. Hbg, Va.~~

~~Raymond Webster Hbg, Va.~~

not claimed

~~David O'Baugh, Star Route Hinton, Va.~~

not claimed

~~William Joseph, R-2 Dayton, Va.~~

not present

to appear before the Trial Justice Court of said County, sitting at Harrisonburg, Virginia

in said County, on 21st day of Sept., 19 48, at the hour of at 3:00 P.M.

of that day to give evidence in behalf of Com'th

in the pending case of Com'th

v. David Leon Smith

Given under my hand this 21st day of Sept.

19 48.

J. L. Swartz
Clerk.

Commonwealth of Virginia:
County of Rockingham, to-wit:
To the Sheriff of said County, Greeting:

Trial Justice Court

You are hereby commanded in the name of the Commonwealth of Virginia to summon

Docket No. 1438

Com'th

V. { Witness Subpoena

David Leon Smith

1948

To Sept. 21, /at SRM.

David Leon Smith
1948

Given under my hand this
day of

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

Dr. J. S. Huffman

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 22nd day of October 1918 to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

David Leon Smith

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 21st
day of Oct. 1918, and in the 173rd year of the Commonwealth.

J. Robert Switzer, Clerk

David Leon Smith

ads

Corn

W W W Layton

Shirley fee 40

1948

Oct. 22

EXECUTED 10-21-48 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN summons
TO L. E. Submer
IN PERSON.

Sam H. G. Blum
S. H. G.

Witness Subpoena

Commonwealth of Virginia:

County of Rockingham, to-wit:

To the Sheriff of said County, Greeting:

You are hereby commanded, in the name of the Commonwealth of Virginia to summon

Roy Powell, N. Main St. Hbg, Va. Raymond Webster Hbg, Va.

David O'Baugh, Star Route Hinton, Va.

William Joseph, R-2 Dayton, Va.

to appear before the Trial Justice Court of said County, sitting at Harrisonburg, Virginia

in said County, on 21st day of Sept., 1948, at the hour of 3:00 P.M.

of that day to give evidence in behalf of

Com'th

in the pending case of

Com'th

v.

David Leon Smith

Given under my hand this

21st

day of

Sept.

19

48.

J. L. Swartz

Clerk.

Witness Subpoena

Commonwealth of Virginia:
County of Rockingham, to-wit:

To the Sheriff of said County, Greeting:

Trial Justice Court

Docket No. A 1455

Con'th

V. { Witness Subpoena

David Leon Smith

1948

To Sept. 21, /at 8PM.

John B. Smith

Trial Justice Court

Criminal Docket No. A 1438

Com'th

V.

David Leon Smith

~~TS~~ to 8-31-48 at 2PM

~~EEK~~ Arraigned 8-30-48

To- 9-21-48 - 3:PM

Held for action of the Grand Jury.



Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

E. E. Kiser, Dr. F. L. Byers and Harper Allen Pennington.....

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 10:30 o'clock, a. m., on the 11th day of October 1948.,
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY.....
against DAVID LEON SMITH.....

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, GEORGE D. CONRAD
~~ROBERT SWITZER~~ Clerk of our said Court, at the Court House, the 30th
day of September 1948., and in the 173rd year of the Commonwealth.


Commonwealth's Attorney, Clerk

COMMONWEALTH

V.

DAVID LEON SMITH

To October 11, 1948 at
10:30 a.m.

Grand Jury witnesses

Executed 10-6-48 by delivering a true copy
of the within summon to E. E. Kinn.

Edw. F. R. Byrum, F. Barker, Allen Remington, Jr.

each in person. R. F. Schauderman, Dist. - for
Sam H. Callender.

Commonwealth of Virginia,
Rockingham County, To-wit:

BE IT REMEMBERED, that on the 16 day of August, 1948,
Leon Smith, principal and Jake Smith
surety, who justified to his sufficiency, came before me, J. P. Deane
B. C., of the said county of Rockingham,
(J. P. or Bail Commissioner)

and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of.....
One Thousand Dollars, (\$1000),
to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth of
Virginia rendered, and they each severally waived their homestead exemption to their recognizance; yet upon
this condition:

That if the said Leon Smith shall personally appear before the
~~Circuit Court~~ of Rockingham County, at the Courthouse of said County, on the 31 day
Trial Justice's Court
of the Aug. 1948 at 10 AM Term thereof, being the.....day of.....
19....., 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 the said charge, and then
and there answer the Commonwealth of Virginia concerning a certain felony
.....whereof the said Leon Smith stands
charged, and be bound under said recognizance until the charge is finally disposed of or until it is declared void
by order of a competent court, then the above recognizance shall be null and void; otherwise to remain in full
force and effect.

IN WITNESS WHEREOF, I hereunto affix my signature this 16 day of.....
Aug, 1948
Shepley Deane
(J. P. or BAIL COMMISSIONER)

Commonwealth of Virginia,
Rockingham County, To-wit:

BEFORE ME, the undersigned authority, on this _____ day of _____, 19____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 19____.

Notary Public for the Commonwealth of Virginia.

Witness my hand and seal of office this _____ day of _____, 19____.

Notary Public for the Commonwealth of Virginia.

1500
EAL/rjm

Headquarters, Tenth Marines,
Second Marine Division,
Fleet Marine Force,
Camp Lejeune, North Carolina.

16 November, 1948.

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

Dear Sir;

Information is requested as to the place of
confinement of Private First Class David Leon
SMITH, (597972), U. S. Marine Corps.

This marine was recently convicted of man-
slaughter by the Circuit Court of Rockingham
County, Virginia and sentenced to two (2) years
in the State Penitentiary.

This office is in receipt of authority from
Headquarters, Marine Corps, to issue this marine
an Undesirable Discharge and the above informa-
tion is needed to forward the Discharge certifi-
cate.

M. J. Hooper

M. J. HOOPER
Major, USMC

Comdg, Rear Echelon, Tenth Marines.

BW 7
P. 391

10/22/48

regue.

1500
EAL/rjm

Headquarters, Tenth Marines,
Second Marine Division,
First Marine Force,
Camp Lejeune, North Carolina.

16 November, 1948.

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

Dear Sir:

Information is requested as to the place of
confinement of Private First Class David Leon
SMITH, (59792), U. S. Marine Corps.

This marine was recently convicted of man-
slaughter by the Circuit Court of Rockingham
County, Virginia and sentenced to two (2) years
in the State Penitentiary.

This office is in receipt of authority from
Headquarters, Marine Corps, to issue this marine
an Undesirable Discharge and the above infor-
mation is needed to forward the Discharge certifi-
cate.

M. J. HOOPER
Major, USMC
George, Rear Echelon, Tenth Marines.

PRE-SENTENCE INVESTIGATION

Staunton, Virginia
October 20, 1948

NAME	David Leon Smith	CITIZENSHIP	American
ADDRESS	Route 4, Harrisonburg, Va.	MARITAL STATUS	Single
AGE	22	NO. OF DEPENDENTS	None
RACE	White	OFFENSE	Hit & Run and Manslaughter
SEX	Male		

OFFENSE

On the night of August 16, 1948 between the hours of 12:00 A. M. and 1:00 A. M., David Leon Smith was driving an improper lighted car on Route 33. He was in the process of taking Nancy Hoover to the Harrisonburg Hospital. Nancy was suffering with a severe pain in her side and the defendant believed it to be an appendicitis attack. Beverley Smith and Jake Hoover were also present in the car driven by the defendant. The two girls were riding on the back seat of the car and Jake Hoover was in the front seat beside the defendant when a truck traveling west on highway 33 approached the car and a direct collision occurred. As a result of this accident, Beverley Jean Smith died and the other two occupants were knocked unconscious. David Leon Smith received a severe blow on the side of his head and as a result of this blow it is believed that he wandered some distance from the scene of the accident.

PRIOR RECORD

Only one charge was found in the court records in the Rockingham County area.

1-19-48 Drunk and disorderly Fine \$25 costs \$5.50

However, it is known that the subject lost his driver's license in 1947 as a result of an accident with a Mason Dixon truck.

FAMILY HISTORY

David Leon Smith is the youngest child in a family of seven reared by Jacob and Annie Smith. Jacob Smith is a pastor in a Church of God in this vicinity. He also participates in some farming. The entire family has always resided on Route 4, Harrisonburg, Virginia. David Leon was born on February 26, 1929 in this vicinity. He lead a normal childhood life and at the age of six he entered the local rural school. However, he did not like school and gave it up at the 6th grade in order to help his crippled father on the farm. March 4, 1948, David joined the U. S. Marine Corps. He has maintained a good record while being a member of the Marines and is presently stationed at Camp LeJeune, North Carolina. At the time of the accident, David was on furlough and was staying with his parents in their rural home.

HOME AND NEIGHBORHOOD

The home is a 6 room frame structure located in what is known as the Peak section which is northwest of Hinton, Virginia. The house is in good condition and is very well kept. However, this neighborhood has a very undesirable reputation and is noted for its' lawlessness.

EDUCATION

The subject states that he gave up his education after passing the 6th grade. He left school in order to aid his crippled father.

RELIGION

Although, this boy's father is a pastor in the Church of God, he has no religious intentions. In fact, David has not attended church since he was a young boy.

INTERESTS &
ACTIVITIES

David claims that he enjoys such sports as hunting and fishing but he would rather read than do anything else.

EMPLOYMENT

The defendant has worked for the various farmers in his community for the better part of his life. However, in 1946 he was employed by the Daley Brothers Shoe Company at a wage of \$22 per week. This job lasted only six months. In 1947 he worked for the Harrisonburg Quarry at a rate of \$.55 per hour for a period of six months. The boy is now a member of the 10th Marines and has a rating of Pfc.

HEALTH

The defendant has no serious health problems other than those that occurred as a result of the accident. His family is in extremely good health with the exception of the father who has lost one arm.

SUMMARY

David Leon Smith comes from one of the best families of a very disreputable neighborhood. He has lived with his parents the larger part of his life and although they do not enjoy many luxurious items, they have lived comfortably and have been well provided for. This boy gave up his education after attaining the 6th grade with no difficulties. He is a member of the Church of God but does not attend. At the present time, he is in good physical shape; however, he did suffer a severe blow on his head in his recent automobile accident.

PLAN

This young boy, who is in serious difficulties for the first time in his life, has presented a very difficult problem. He has a very cocky and nonchalant attitude and seems to be very indifferent toward the offenses for which he is now charged. When questioned by the probation officer, the subject did not divulge the entire truth, in fact, all he did state about the entire affair was that he did not remember what had happened before or after the accident. He persisted in lying about the fact that he had been drinking before the accident occurred. Dr. J. S. Huffman of Dayton, Virginia, who treated the subject for the cut which he received on his head, states that this boy admitted drinking prior to the accident. However, Dr. Huffman further stated that it is certain that the lick that he received was the cause of the subject's wondering away from the scene of the accident. Since Smith is now in the Marine Corps, it would be a very difficult problem to give him any supervision as a probationer and I sincerely doubt that if he is dealt with leniently, that he will strive to correct his indifferent attitude.

Respectfully yours,

Milton O. Culpepper

Milton O. Culpepper
Probation and Parole Officer

MOC/rhb

Sources: Court Records
Police Officers
Defendant
Defendant's family
Various Rockingham County citizens

Dr. J. S. Huffman
Parties involved in the accident

APPROPRIATE AGENCIES ADVISED BY ROUTING SLIP
DATE: 10/11/49
TO: SAC, NEW YORK
FROM: SAC, NEW YORK
SUBJECT: [illegible]

[Handwritten signature]

[Mirrored bleed-through text from reverse side]

Filed 10/11/49

RE: SENTENCE INVESTIGATION

DAVID LEON SMITH

Dom

[Mirrored bleed-through text from reverse side]

[Mirrored bleed-through text from reverse side]

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 ~~0~~August term, 1948, upon their oaths do present that DAVID LEON SMITH, on or about the 16th day of August, 1948, in said County, unlawfully and feloniously did kill and slay one Beverly Jean Smith, against the peace and dignity of the Commonwealth.

This indictment is found upon the testimony of E. E. Kiser, Harper Allen Pennington and Dr. F. L. Byers, witnesses sworn in Court and sent before the grand jury to give evidence.

Memo #1

COMMONWEALTH

V.) INDICTMENT

DAVID LEON SMITH *AS M.W.?*

Guil

Felony
August term 1948

A true bill:

Office
Foreman

Witnesses:

- 1. E. E. Kiser
- 2. Harper Allen Pennington
- 3. Dr. F. L. Byers

George D. Conrad
Commonwealth's Attorney