

COMMONWEALTH

V

ALBERT LEE CARR

Instruction 1

The Court instructs the Jury that if you believe from the evidence in this case beyond a reasonable doubt that Albert Lee Carr on or about April 27, 1951 carnally knew Melvyn Pittman by the mouth, then you will find him guilty as charged in the indictment, and fix his punishment by confinement in the penitentiary for not less than one nor more than three years.

COMMONWEALTH

V

ALBERT LEE CARR

Instruction

The court instructs the jury that although the burden rests upon the Commonwealth to make out its case against the accused to the exclusion of a reasonable doubt, it is likewise true that when the accused relies upon or attempts to prove an alibi in his defense the burden of proving such alibi rests upon him.

COMMONWEALTH

v

ALBERT LEE CARR

Instruction

The court instructs the jury that although the burden rests upon the Commonwealth to make out its case against the accused to the exclusion of a reasonable doubt, it is likewise true that when the accused relies upon or attempts to prove an alibi in his defense the burden of proving such alibi rests upon him.

COMMONWEALTH

V

ALBERT LEE CARR

. Instruction 3

The Court instructs the Jury that the credibility of witnesses is a question exclusively for the Jury; and the Jury have the right to determine from the appearance of the witnesses on the stand, their manner of testifying, the reasonableness and consistency of their testimony, their apparent candor and fairness, their apparent intelligence or lack of intelligence, the interest of the witness in the result of the trial, if any appear, and from all other surrounding circumstance appearing on the trial, determine which witnesses are more worthy of credit and what is the relative weight of any such testimony, and to give credit accordingly.

COMMONWEALTH

v

ALBERT LEE CAHR

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COMMONWEALTH

V

ALBERT LEE CARR

Instruction 4

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.

COMMONWEALTH

v

ALBERT LEE CARR

Instruction

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.

COMMONWEALTH

V

ALBERT LEE CARR

Instruction 5

The Court instructs the Jury that a reasonable doubt is such a doubt as may be honestly and reasonably entertained as to any substantial and material fact essential to prove the offense charged. A doubt to be reasonable must be based upon the evidence, or that which is suggested by the evidence, or grows out of the evidence itself. It must not be an arbitrary doubt, without evidence to sustain it; but it must be serious and substantial in order to warrant an acquittal. It must be a doubt of some material fact or facts necessary for the jury to believe to find a verdict of conviction, and not of an immaterial and nonessential circumstance.

COMMONWEALTH

V

ALBERT LEE CARR

Instruction

The Court instructs the jury that a reasonable doubt is such a doubt as may be honestly and reasonably entertained as to any substantial and material fact essential to prove the offense charged. A doubt to be reasonable must be based upon the evidence, or that which is suggested by the evidence, or grows out of the evidence itself. It must not be an arbitrary doubt, without evidence to sustain it; but it must be serious and substantial in order to warrant an acquittal. It must be a doubt of some material fact or facts necessary for the jury to believe beyond a reasonable doubt, and not a mere possibility and hypothetical circumstance.

INSTRUCTION A

The Court instructs the jury that the defendant, Albert Carr, is presumed to be innocent until he is proved guilty beyond all reasonable doubt, and to the exclusion of every reasonable theory ~~of hypothesis~~ consistent with his innocence. This presumption of innocence goes with the accused throughout the whole case and applies at every stage thereof, and they are instructed that although they may have believed when the state closed its case that the defendant, Albert Carr, was guilty beyond a reasonable doubt, yet, if after having heard the evidence adduced on behalf of the defendant, they have a reasonable doubt as to his guilt on the whole case or as to any fact or circumstance essential to prove the charge made against him in the indictment, it is their duty to give the said Albert Carr the benefit of the doubt and find him not guilty.

100-100

INSTRUCTION

The Court instructs the jury that the defendant, Albert Carr, is presumed to be innocent until he is proved guilty beyond all reasonable doubt, and to the exclusion of every reasonable theory consistent with his innocence. This presumption of innocence goes with the accused throughout the whole case and applies at every stage thereof, and they are instructed that although they may have believed when the state closed its case that the defendant, Albert Carr, was guilty beyond a reasonable doubt, yet, if after having heard the evidence adduced on behalf of the defendant, they have a reasonable doubt as to his guilt on the whole case or as to any fact or circumstance essential to prove the charge made against him in the indictment, it is their duty to give the said Albert Carr the benefit of the doubt and find him not guilty.

INSTRUCTION B-1

The Court instructs the jury that if from the evidence in this case they entertain a reasonable doubt that Albert Carr, the defendant, was present at the **place** and time alleged in the indictment, then they should find him not guilty.

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The Court instructs the jury that if from the evidence in this case they entertain a reasonable doubt that Albert Carr, the defendant, was present at the place and time alleged in the indictment, then they should find him not guilty.

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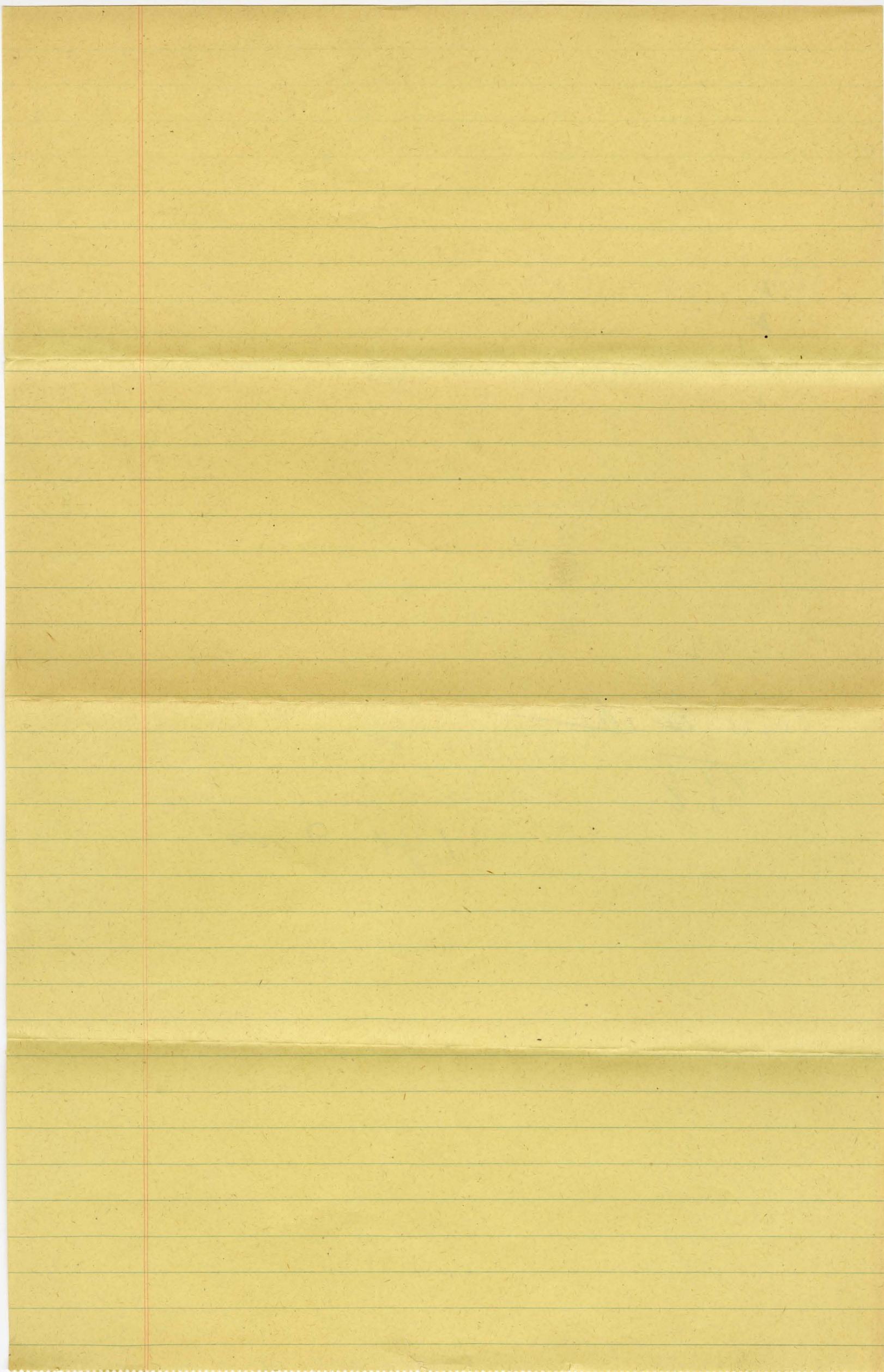
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#2670

TRIAL JUSTICE COURT

Criminal
Docket

Nº 10499

A

Com'th

V.

Albert Lee Carr

Defendant

a.w. Appearance date 9-2-52 2/14

Trial Date

Taken directly to Grand Jury

✓



In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Chief Julius F. Ritchie, Richard Phillip Willett, and Melvyn Pittman.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10:00 o'clock, a. m., on the 10th day of November 1952, to testify and the truth to say in behalf of the Commonwealth against

ALBERT LEE CARR

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

And this you shall not omit under penalty. 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, 1952, and in the 177th year of the Commonwealth.

Clerk

Commonwealth's Attorney

COMMONWEALTH

V.) Witness Subpoena

ALBERT LEE CARR

To November 10, 1952

at 10:00 a. m.

executed 10-23-52 by delivering a true copy

of the within summons to

Chief Julius F. Ritchie

Richard Phillip Willett

Melvyn Pittman

each in person.

Dewey E. Harvey Dep
for **A. L. STRAWDERMAN**
SHERIFF

ROCKINGHAM COUNTY

Sheriff Fee

1.20

COMMONWEALTH

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon J. A. Willett, Mrs. J. A. Willett,
M. A. Pittman, and Mrs. M. A. Pittman.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 10:00 o'clock, a. m., on the 10th day of November 1952,
to testify and the truth to say in behalf of the Commonwealth against

ALBERT LEE CARR

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

And this you shall not omit under penalty. 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, 1952, and in the 177th year of the Commonwealth.

J. S. [Signature]
Commonwealth's Attorney

COMMONWEALTH

V.) Witness Subpoena

ALBERT LEE CARR

To November 10, 1952
at 10:00 a. m.

10-23-52
each in person

of the within summons to

J. Q. Willett Mrs J. Q. Willett

M. A. Pittman
Mrs M. A. Pittman

each in person Deputy E. Harry Dep

for A. L. STRAWDERMAN
SHERIFF
ROCKINGHAM COUNTY

Sheriff Fee
1.00

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Richard Phillip Willett, J. A. Willett III, and Mrs. J. A. Willett.

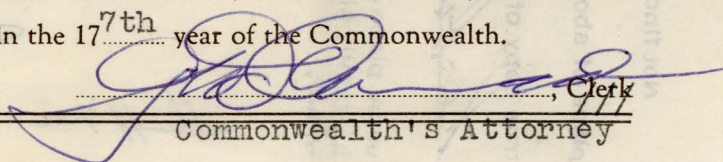
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10:00 o'clock, a. m., on the 21st day of January 19 53, to testify and the truth to say in behalf of the Commonwealth against

ALBERT LEE CARR

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

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

Witness, ~~J. ROBERT SWITZER~~, Clerk of our said Court, at the Court House, the 8th day of January, 19 53, and in the 17 7th year of the Commonwealth.


Clerk
Commonwealth's Attorney

Not finding Wm. J. A. Willitt at his usual

place of abode, Executed Jan 6 1952 by delivering a

true copy of this summons to J. A. Willitt

Richard A. Willitt in person, at said place of abode

usual place of abode, being a member of

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

summons, to Wm. J. A. Willitt

at his usual place of abode by delivering a

true copy of this summons to Wm. J. A. Willitt

in person, at said place of abode, being a member of

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

summons, to Wm. J. A. Willitt

at his usual place of abode by delivering a

true copy of this summons to Wm. J. A. Willitt

in person, at said place of abode, being a member of

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

summons, to Wm. J. A. Willitt

Sherrill Fee
120

Commonwealth
V.) Witness Subpoena
Albert Lee Carr
To January 21, 1952
at 10:00 a.m.

EXECUTED Jan 6 1952 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN
TO J. A. Willitt
IN PERSON.

Wm. J. A. Willitt
100 S. Stephens St. #130
Rockingham, N.C.

Wm. J. A. Willitt
100 S. Stephens St. #130
Rockingham, N.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Melvyn Pittman, M. A. Pittman,
Mrs. M. A. Pittman, and Chief Julius F. Ritchie.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 10:00 o'clock, a. m., on the 21st day of January 1952,
to testify and the truth to say in behalf of the Commonwealth against

ALBERT LEE CARR

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

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

Witness, ~~J. ROBERT SWITZER~~, Clerk of our said Court, at the Court House, the 8th
day of January, 1953, and in the 177th year of the Commonwealth.

EXECUTED 1/9/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN
TO ~~the~~ Julius F. Pittner
IN PERSON D.O. Thomas 1992
FOR G.L. Stroudman

EXECUTED 1/7/52 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN
TO ~~the~~ M. A. Pittner
IN PERSON D.O. Thomas 1992
FOR G.L. Stroudman

Not finding Melvin Pittner at his
place of abode, Executed 1/7/53 by delivering
true copy of this Summons to Mrs M.A. Pittner
his mother in person, at said Melvin Pittner
usual place of abode Mrs M.A. Pittner being a member
of his family above the age of 16 years, and explaining the purport thereof
to her. D.O. Thomas 1992
For G.L. Stroudman spe

Commonwealth
V.) Witness Subpoena
Albert Lee Carr
January 21, 1953 at
10:00 a.m.

Not finding M. A. Pittner at his
place of abode, Executed 1/7/53 by delivering
true copy of this Summons to Mrs M.A. Pittner
his wife in person, at said M. A. Pittner
usual place of abode Mrs M.A. Pittner, being a member of
his family above the age of 16 years, and explaining the purport thereof
to her. D.O. Thomas 1992
For G.L. Stroudman spe

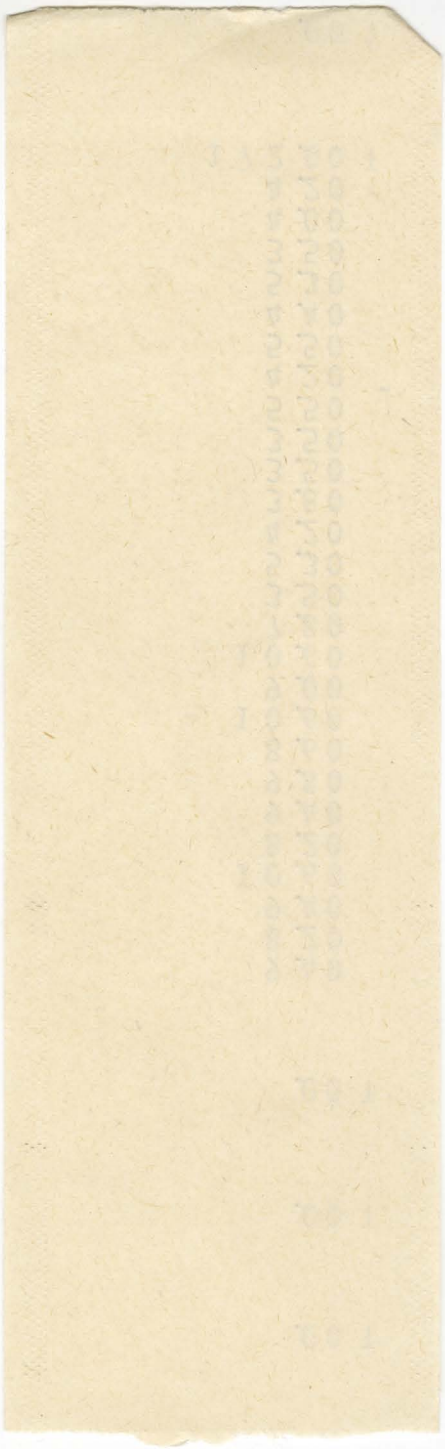
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5	5	.30		
3	3	.50		
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9	9	.00		
1	0	.60	1	
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In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Melvyn Pittman, 1200 Hillcrest Drive, City

M. A. Pittman, 1200 Hillcrest Drive, City

Mrs. M. A. Pittman, 1200 Hillcrest Drive, City

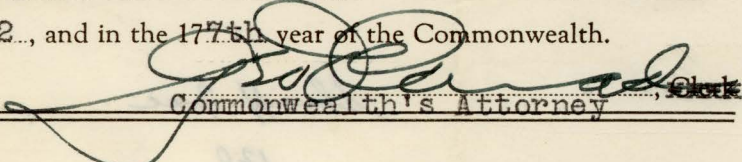
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 10:00 o'clock, a. m., on the 30th day of October 1952,
to testify and the truth to say in behalf of the Commonwealth against

ALBERT LEE CARR

who stands charged with and indicted for a felony ~~misdomestication~~

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

Witness, ~~J. ROBERT SWITZER, Clerk of said Court,~~ at the Court House, the 20th
day of October, 1952, and in the 177th year of the Commonwealth.


Commonwealth's Attorney, Clerk

D

COMMONWEALTH

V.) Witness Subpoena

ALBERT LEE CARR

To October 30, 1952,
at 10:00 a.m.

executed by _____
of the within summon to Meloyr Pittman

N. C. Pittman

Mrs N. C. Pittman

each in person Dewey E. Haney Dep
for

A. L. STRAWDERMAN
SHERIFF
ROCKINGHAM COUNTY,

Sheriff Fee

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

Chief Julius F. Ritchie.....

Richard Phillip Willett, 1120 Hillcrest Dr., City.....

J. A. Willett, III, 1120 Hillcrest Dr., City.....

Mrs. J. A. Willett, III, 1120 Hillcrest Dr., City.....

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 10:00 o'clock, a. m., on the 30th day of October 1952,
to testify and the truth to say in behalf of the Commonwealth against.....

ALBERT LEE CARR.....

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

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

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the 20th
day of October, 1952, and in the 177th year of the Commonwealth.

[Handwritten Signature]
Commonwealth's Attorney, Clerk

8

COMMONWEALTH

V.) Witness Subpoena

ALBERT LEE CARR

To October 30, 1952,
at 10:00 a.m.

executed 10-15-52 by Julius F. Ritchie
of the within summon to Richard P. Walcott

J. C. Willett

Mrs J. C. Willett

each in person. Dwight E. Haney Dep.

for **A. L. STRAWDERMAN**
SHERIFF

ROCKINGHAM COUNTY

Sheriff Fee
1.60

#150 Clerk's fee Paid

Lawrence H. Hoover, p.d.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon..... **Raymond N. Miller, W. C. Baker,**
.....
Owen Baker, E. L. Miller, Kermit Hottinger, and Ray Wilt,
.....
(all of Fulks Run, Va.)
.....

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 **21st** day of **January,**..... **1953**.. to testify and the truth to
say **in behalf of the Defendant** in the prosecution of the Commonwealth against.....

Albert Lee Carr

who stands charged with and indicted for a felony ~~XXXXXXXXXX~~

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 **January,**..... **1953**, and in the **177th** year of the Commonwealth.

J. Robert Switzer
By Maggie Brown, d.c.
....., Clerk

EXECUTED 1/20/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Sumner
TO W.C. Baker
IN PERSON.

EXECUTED 1/20/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Sumner
TO W.C. Baker
IN PERSON.

W.C. Baker
C.L. Sturdivant

W.C. Baker
C.L. Sturdivant

EXECUTED 1/20/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Sumner
TO C.L. Miller
IN PERSON.

EXECUTED 1/20/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Sumner
TO Sumner
IN PERSON.

EXECUTED 1/20/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Sumner
TO Sumner
IN PERSON.

W.C. Baker
C.L. Sturdivant

EXECUTED 1/20/53 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Sumner
TO W.C. Baker
IN PERSON.

W.C. Baker
C.L. Sturdivant

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Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

Melvyn Pittman

Chief Julius F. Ritchie

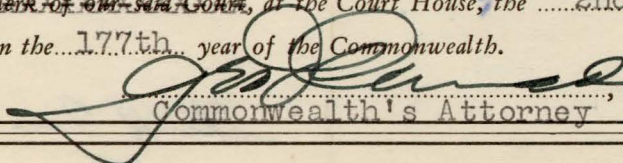
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at 9:30 o'clock, a. m., on the.....8th.....day of.....September.....1952...
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY.....

ALBERT LEE CARR

who stands charged with a felony ~~murder~~

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

Witness, ~~J. ROBERT SWITZER, Clerk of the said Court~~, at the Court House, the2nd.....
day of...September.....1952., and in the...177th... year of the Commonwealth.


Commonwealth's Attorney

EXECUTED 9/8/52 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Summons*

TO *Chief Julius F. Ritchie*
IN PERSON.

W.A. Gorton Deputee

A. L. STRAWDERMAN
SHERIFF

ROCKINGHAM COUNTY

COMMONWEALTH

V.) Grand Jury Summons

ALBERT LEE CARR

To September 8, 1952, at
9:30 a.m.

EXECUTED 9/8/52 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Summons*

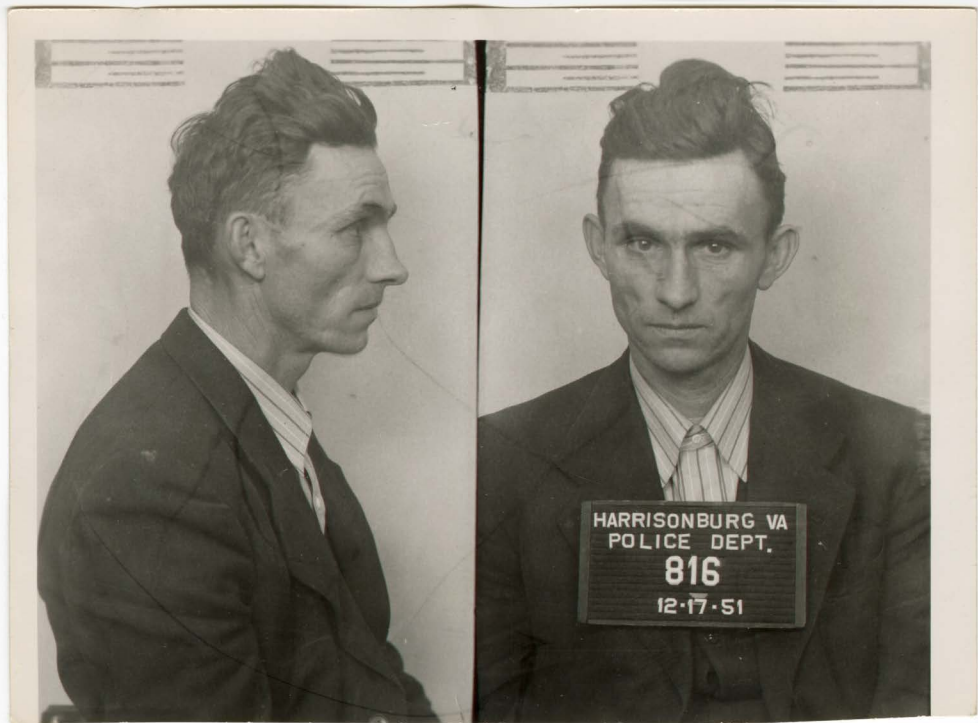
TO *Bullin Pittman*
IN PERSON.

W.A. Gorton Deputee

A. L. STRAWDERMAN
SHERIFF

ROCKINGHAM COUNTY

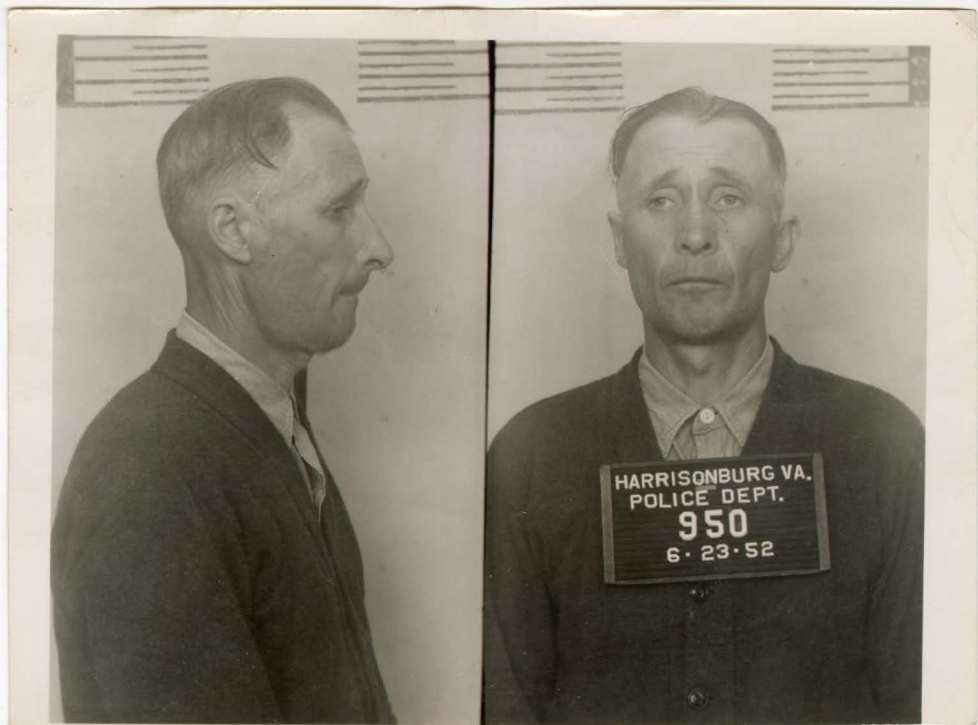
Sheriff Fee
.80



Commonwealth's Exhibit #1



Commonwealth Exhibit #1



Commonwealth Exhibit #1

COMMONWEALTH VS. Albert Lee Dorr

DESCRIPTION OF PRISONER

Last known address 7 miles Run Va.
Color White Height 5 ft 8 in Eyes Blue Hair Gray Weight 144
Marks _____
Age 53 Occupation Carpenter + craftsman
Date of Trial Jan. 21 - 22, 1953
Result Board Guilty - sentenced to 7 yrs. in penitentiary

COMMONWEALTH VS. *John Doe*

DESCRIPTION OF PRISONER

Last known address: *123 Main St. Boston, Mass.*
 Color: *White* Height: *5' 8"* Eyes: *Blue* Hair: *Grey* Weight: *140 lbs*
 Marks: *None*
 Age: *32* Occupation: *Carriage Driver*
 Date of Trial: *Nov 10, 1892*
 Result: *Guilty - sentenced to 1 year in prison*

STATE OF VIRGINIA
COUNTY OF CITY OF HARRISONBURG

To-Wit:

No. _____

TO ANY SHERIFF OR POLICE OFFICER:

Whereas, Chief Julius F. Ritchie

has this day made complaint and information on oath before me, George R. Price, Justice of
the Peace (Title) City of Harrisonburg (Name) of the said ~~County~~, that

ALBERT LEE CARR in the said County

did on the 27th day of April, 1951: Unlawfully and feloniously
make an assault upon Melvyn Pittman, a male child 7 years of age, and
commit a crime against nature by having carnal knowledge of the body of
said child, against the peace and dignity of the Commonwealth of Virginia.

Handwritten notes and signatures in the left margin:
DOCKET NO. 15-203-A
CO. CLERK
2/20/52
J. F. Ritchie
C. L. Carr

These are, therefore, to command you, in the name of the Commonwealth, to apprehend and bring before the
Rockingham
Trial Justice Court of the ~~said~~ County, the body (bodies) of the above accused, to answer the said complaint and
to be further dealt with according to law. And you are also directed to summon

- _____ color _____ Address _____
- _____ color _____ Address _____
- _____ color _____ Address _____
- _____ color _____ Address _____
- _____ color _____ Address _____

as witnesses.

Given under my hand and seal, this 29th day of August, 1952

George R. Price, Jr. (Seal)
(Title of Issuing Officer)

STATE OF VIRGINIA—COUNTY OF _____, to-wit:

I, _____ a Trial Justice Justice of the Peace in and for the County aforesaid, State of Virginia, do certify

that _____ and _____, as his suret _____, have this day each acknowledged themselves indebted to the Commonwealth of Virginia in the sum of _____ Dollars

(\$ _____), to be made and levied of their respective goods and chattels, lands, and tenements to the use of the Commonwealth to be rendered, yet upon this condition: That the said _____, shall appear before the Circuit Court of _____ County, on the _____ day of _____, 19____,

at _____ M., at _____, Virginia, and at any time or times to which the proceedings may be continued or further heard, and before any court thereafter having or holding any proceedings in connection with the charge in this warrant, to answer for the offense with which he is charged, and shall not depart thence without the leave of said court, the said obligation to remain in full force and effect until the charge is finally disposed of or until it is declared void by order of a competent court; and upon the further condition that the said _____ shall keep the peace and be of good behavior for a period of _____ days from the date hereof.

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

T.J., J.P.

DOCKET NO. 10499 A

COMMONWEALTH

WARRANT OF ARREST

vs. Albert Lee Carr

Executed this, the 29th day of

Sept. 1952. W.A. Alder, J.P. A.S. Murchman, Sec

Upon the examination of the within charge, I find the accused

This case was taken directly to the Grand Jury. Given under my hand this 2nd day of September 1952.

W.A. Alder, J.P.

The following witnesses were recognized to appear before the Circuit Court of _____ County,

Virginia, at _____ M., on the _____ day of _____, 19____

under penalty of \$ _____

Warrant \$ 1.00

Trial _____

Bail _____

Arrest 1.50

Mileage _____

Clerk 1.25

Jail Fee and Board .50

Witness Attendance _____

Summoning Witnesses _____

Commonwealth Attorney _____

Total Costs \$ _____

Fine _____

Total \$ _____

Banded to Grand Jury.

PIRINGAN

DRIVER

SPITZER

WILCOFF

TALIAFERRO

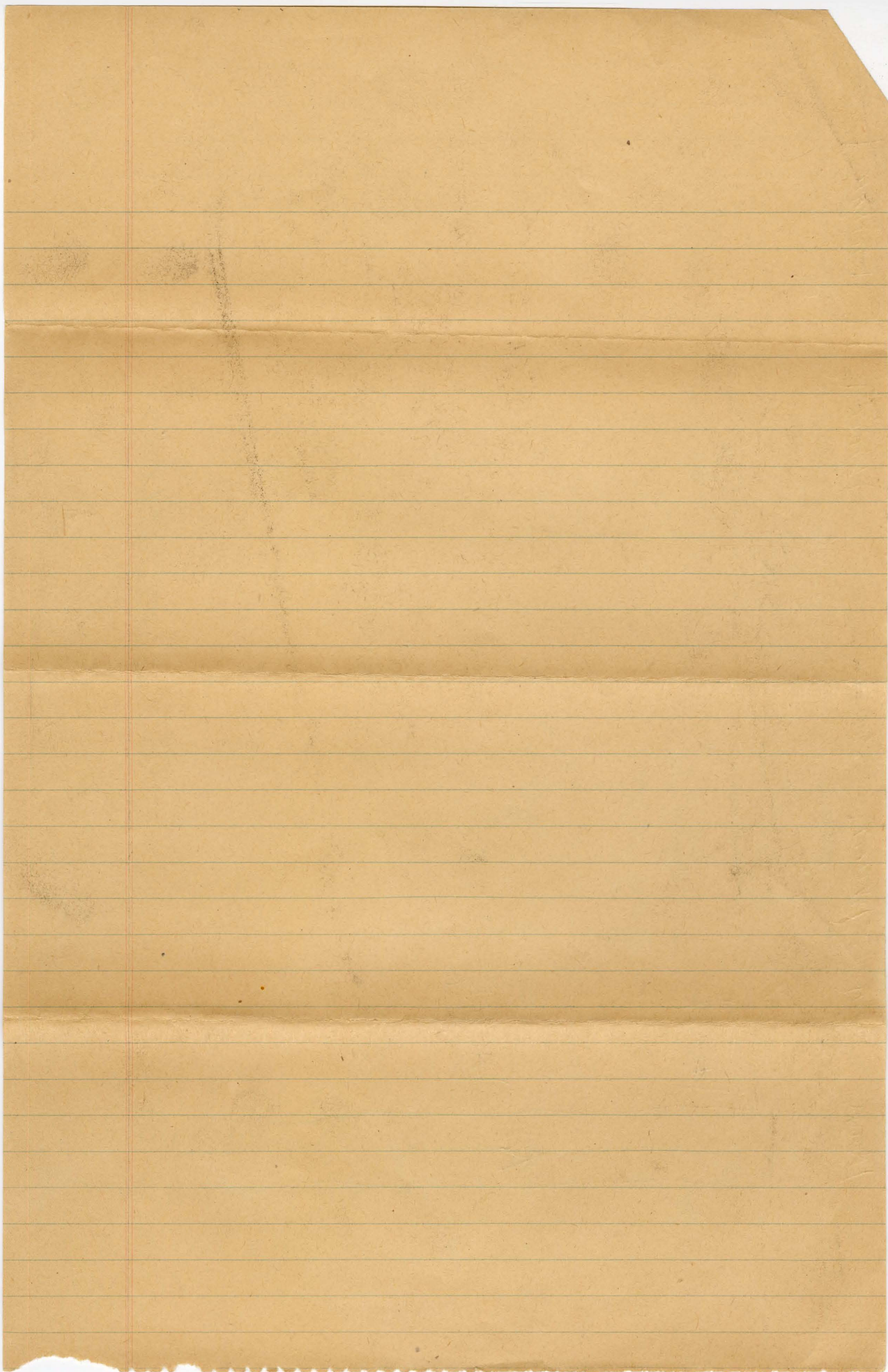
NEUMANN

HALLCREST

BRYAN

ACKER

Commonwealth Schol #2



Commonwealth of Virginia,
Rockingham County, To-wit:

BE IT REMEMBERED, that on the 30th day of August, 1952,
Albert Lee Carr, principal and Erma R. Miller
surety, who justified to ^{her} ~~his~~ sufficiency, came before me, Harry Blatt
Bail Commissioner
(J. P. or Bail Commissioner), of the said county of Rockingham,

and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of.....
Twenty-five Hundred and ^{no}/₁₀₀ — Dollars, (\$2500.⁰⁰/₁₀₀),
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 Albert Lee Carr shall personally appear before the
Circuit Court ~~Trial Justice's Court~~ of Rockingham County, at the Courthouse of said County, on the 8th day
of the ~~.....~~ Term thereof, being the day of September,
1952, 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 charged of crime against
nature on Melvyn Pittman whereof the said Albert Lee Carr 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 30th day of August,
....., 1952

Harry Blatt
(J. P. or BAIL COMMISSIONER)

Commonwealth of Virginia
Rockingham County, To-wit

BE IT REMEMBERED that on the 30th day of August 1922

Albert Lee Carr principal and James R. Miller

surety, who joined to the said case before me

Paul Commissioner of the said county of Rockingham

Commonwealth of

10499 A

Albert Lee Carr

Bail Bond

TO 9/8/22

Criminal against nature
on Mervyn Pittman

and acknowledged before me to be related to the Commonwealth of Virginia and in the presence

of their respective legal representatives and that they have waived their homestead exemption to their recognizance; yet upon

the condition that if the said Albert Lee Carr shall personally appear before the

Clerk of the Court of Rockingham County in the County of Rockingham, Virginia on the 8th day

of September 1922 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 charge of a criminal nature against

the said Albert Lee Carr, and if he fails to do so, then the said recognizance shall be null and void, unless he

appear and answer the Commonwealth of Virginia concerning the said charge, and if he fails to do so, then the

said recognizance shall be null and void, unless he appear and answer the Commonwealth of Virginia concerning

the said charge, and if he fails to do so, then the said recognizance shall be null and void, unless he

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appear and answer the Commonwealth of Virginia concerning the said charge, and if he fails to do so, then the

said recognizance shall be null and void, unless he appear and answer the Commonwealth of Virginia concerning

the said charge, and if he fails to do so, then the said recognizance shall be null and void, unless he

Refused

Instruction

INSTRUCTION B

The Court instructs the jury that if from the evidence in this case they entertain a reasonable doubt that Albert Carr, the defendant, was present at the place and time shown by the Commonwealth's evidence, to-wit: April 27, 1951, then they should find him not guilty.

*Refused
Jury -*

Handwritten notes:
Lambert
Lambert

INSTRUCTION B

The Court instructs the jury that if from the evidence in this case they entertain a reasonable doubt that Albert Carr, the defendant, was present at the place and time shown by the Commonwealth's evidence, so-wit: April 27, 1931, then they should find him not guilty.

Handwritten notes:
Refused
- 1931

COMMONWEALTH

V.

ALBERT LEE CARR

CHARGE TO THE JURY

If you find the accused, Albert Lee Carr guilty of committing a Crime against Nature as charged in the indictment, you will say so and fix his punishment by confinement in the penitentiary for not less than one nor more than three years.

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

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

COMMONWEALTH

vs.

ALBERT LEE CARR

Upon motion of Raymond N. Miller, by counsel, leave is given for him to withdraw from the papers in this case his record book, as introduced in the evidence and filed as an exhibit on the behalf of the defendant, and the Clerk of this Court is hereby authorized and directed to deliver said record book to Raymond N. Miller, or his attorney.

and there being no objection by the attorney for the Commonwealth

3/18/50

Enter: Robert Washburn

g. R. Cammally

*8
434*

3/18/50

Judge Mays

We the Jury find Defent
Albert L Carr Guilty, And
Sentence his Punishment for Two
years

D. M. Wilberger Foreman of

Jury.

John Mads

Mr. the Board of Directors
Albert J. Carr, Guilty, And
Sentence his punishment for two

D. M. Whilbrough Foreman of

John

- 1 Frank Hisey 9.40
- 2 & W. Lumbard 8.20
- 3 J. S. Patterson 9.40
- 4 W. W. Asher 10.60
- 5 E. L. Tutwiler Jr 8.20
- 6 Kevin Crabapple 9.40
- 7 Claude S. Wyant 9.80
- 8 A. F. Rowman 8.60
- 9 W. M. Wilbarger 10.60
- 10 Edward Adams 9.00
- 11 H. E. Michael 10.60
- 12 Clara A. Kuntz 9.80

Keystone Envelope Co., Phila., Pa.

Jury

172.00

630

Pittman

Docket No. 2670.

DEC 4 1952

COMMONWEALTH of VIRGINIA

VS. #2) Felony (sodomy)

ALBERT LEE CARR *hond*

Lawrence H. Hoover *Spec & Comm* p. d.
Own (x) Appointed ()

1952

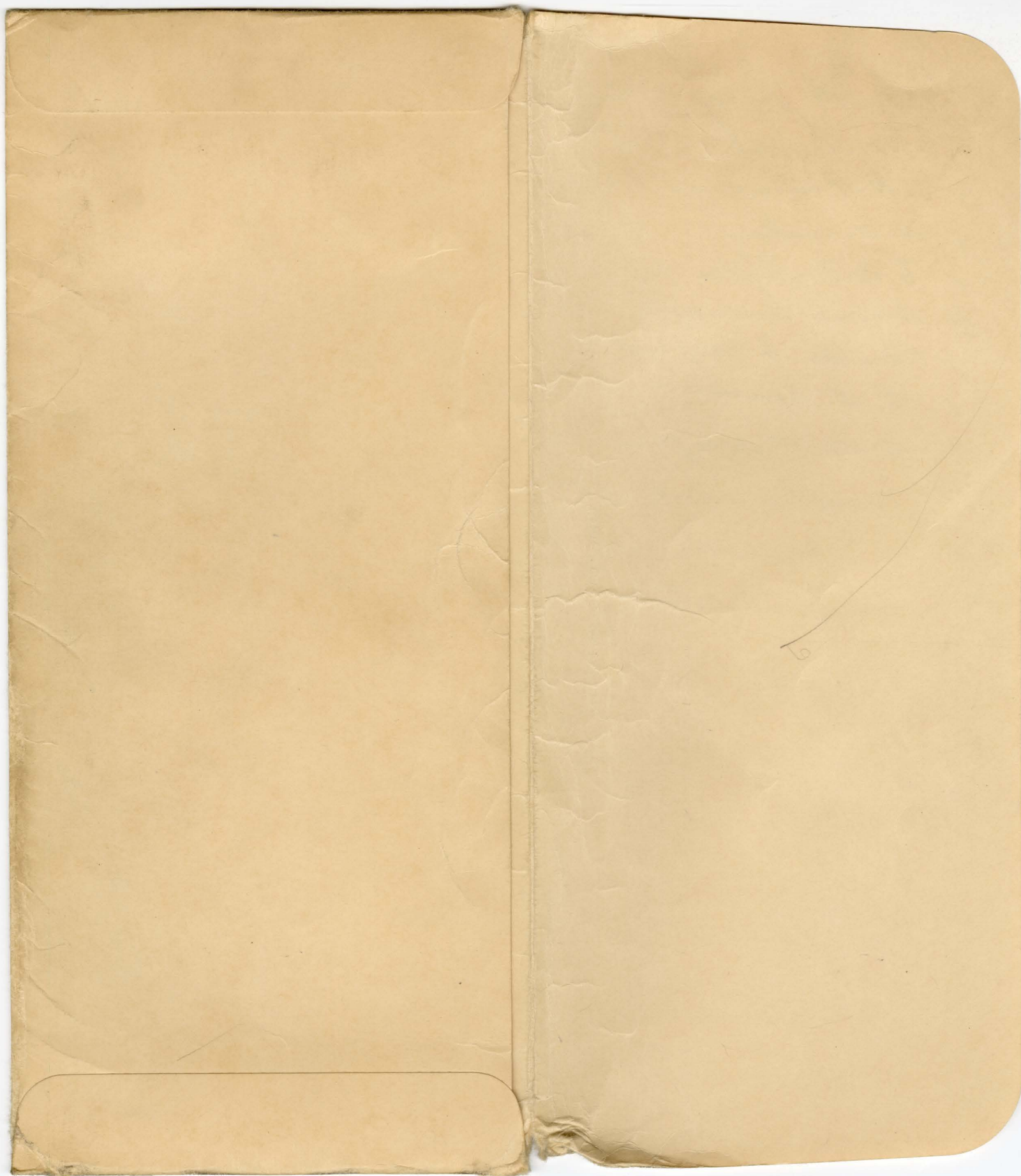
Sept. 8. Return of Grand Jury. 8/382.
Def. arr. & plea n.g. &
set for Oct. 30. 8/383

renewed sentence rec. 7-ene
Dec. 1 - set for Jan 21. $\frac{8}{395}$

Jan - 21 - 53 - Reporter sworn, v. 4
motion renewed - witnesses separated
- Cath. - spectators excluded -
motion for mistrial - overruled,
4 sections. + cont. $\frac{8}{409}$

Jan. 27
1/30/53. Motion to set aside withdrawn
+ accused sentenced to 2 yrs. in
accordance with verdict. $\frac{8}{421}$

CIRCUIT COURT OF ROCKINGHAM COUNTY, VA.



The defendant moved the Court to set aside the verdict of the jury on the following grounds:

~~1. The verdict is contrary to the law and the evidence~~

~~2. For~~

1. As being contrary to the law and the evidence

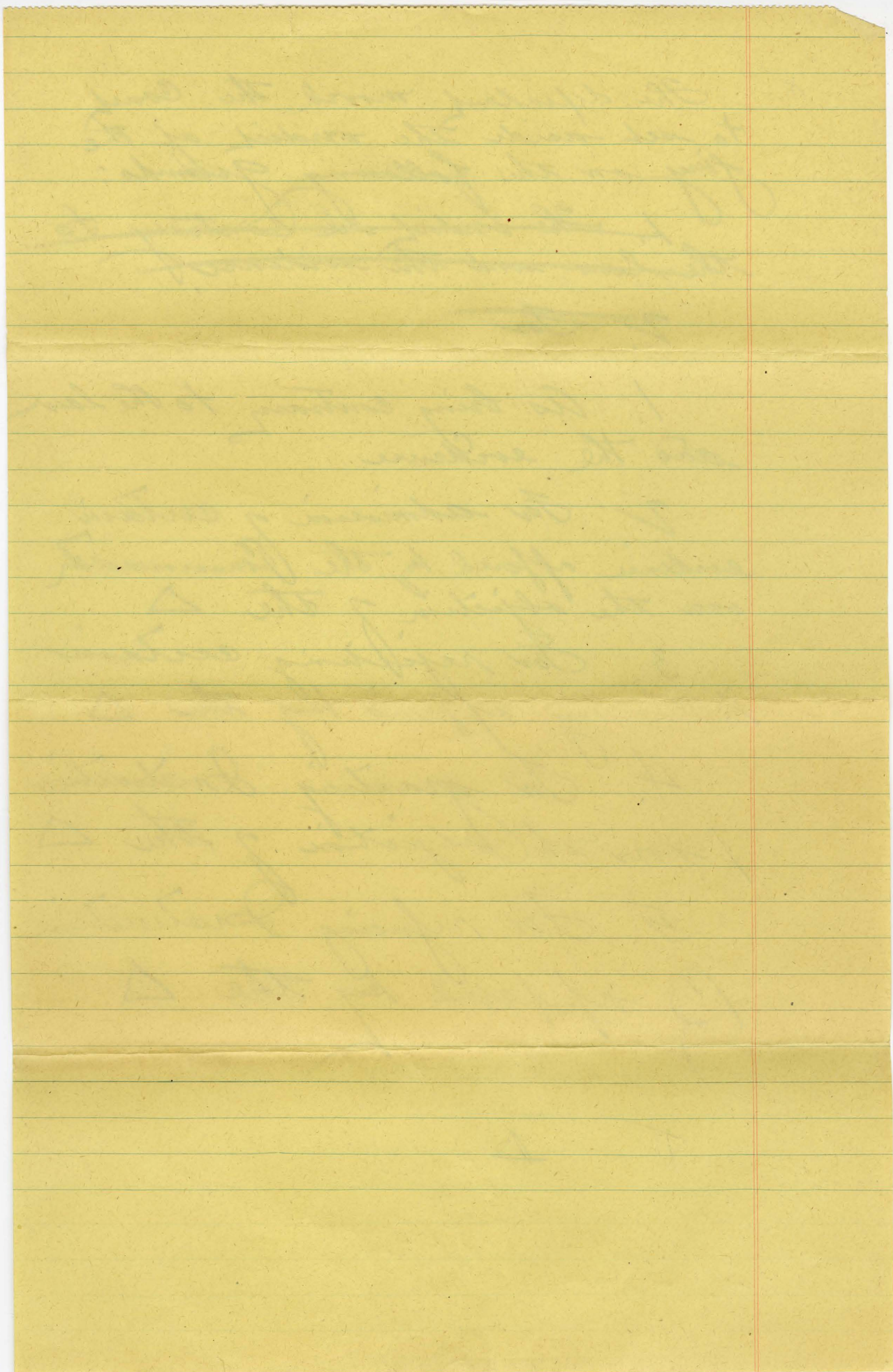
2. For admission of certain evidence offered by the Commonwealth over the objection of the Δ

3. For rejecting certain testimony offered by the Δ

4. For granting Instruction 1 over the objection of the Δ

5. For refusing Instruction B offered by the Δ

II Δ



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, 1952, upon their oaths do present that ALBERT LEE CARR, on or about the 27th day of April, 1951, in said County, did unlawfully and feloniously make an assault upon Melvyn Pittman, a male child of the age of 7 years, and commit a crime against nature by having carnal knowledge of the body of the said Melvyn Pittman against the peace and dignity of the Commonwealth of Virginia.

This indictment is found upon the testimony of Melvyn Pittman and Chief Julius F. Ritchie, witnesses sworn in court and sent before the grand jury to give evidence.

True bill returned

J. Beard foreman

We, the jury find the accused Albert
Lee Carr, guilty as charged in the
indictment & put his punishment
at two years in the penitentiary

D. M. Wilber
Foreman

COMMONWEALTH

v.

ALBERT LEE CARR

INDICTMENT

FELONY

August Term, 1952

A true bill:

Foreman

WITNESSES:

Melvyn Pittman
Chief Julius F. Ritchie

George D. Conrad
Commonwealth's Attorney

2690
Carr

This indictment is found upon the testimony of Melvyn Pittman
and Chief Julius F. Ritchie, witnesses sworn in court and sent
before the grand jury to give evidence.

James Hill returned

James Hill returned