

July 27, 1954.

Commonwealth

vs.

On an indictment for a felony (seduction)

Larry Milton Dofflemyer

This day came the attorney for the commonwealth, and the
accused, Larry Milton Dofflemyer, came pursuant to his recognizance and
by his attorneys, W. W. Wharton and M. W. Fuller

This day came the attorney for the commonwealth, assisted
in the trial of this case by Charles A. Hammer and ~~D. W. Earman,~~
and the accused Larry Milton Dofflemyer, came pursuant to his recog-
nizance and by his attorneys, ^{D. W. EARMAN,} W. W. Wharton and M. W. Fuller.

Thereupon, the attorney for the commonwealth moved the court to
amend the indictment herein by deleting the ~~portion of the indictment~~ words
therein, namely, "about the hour of 9:00 o'clock", and also the
word "unconditionally"

over the objection of ~~the~~ counsel for the accused, which motion
and such parts are deleted,
the court sustained, ~~xxx~~ to which action of the court the accused, by
counsel, excepted. And from persons summoned by the sheriff under
writs 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 the accused, who each alternately
struck therefrom the names of four persons, the remaining twelve,
namely: Page P. Price, H. Ray Hollar, Irvin F. Nash, Isaac D. Early,
Woodrow C. Shifflett, E. B. Hopkins, C. P. Coffman, J. Nelson Dove,
Lester Miller, Paul H. Bushong, Virgil H. Finks, and Joseph W. Miller, Jr.
Thereupon, the attorney for the commonwealth moved that all witnesses
in this case, and all spectators, be excluded from the court room
during this trial, which motion was granted, and witnesses and
spectators were removed from the court room. And having concluded
the hearing of the evidence herein, further proceedings are continued
until tomorrow morning at ten o'clock.

9
71

July 27, 1954.

Commonwealth

vs. On an indictment for a felony (seduction)

Larry Milton Doffemeyer

This day came the attorney for the commonwealth, and the
accused, Larry Milton Doffemeyer, came pursuant to his recogni-
tance and by his attorneys, W. W. Wherton and M. W. Fuller

This day came the attorney for the commonwealth, assisted

in the trial of this case by Charles A. Hammer and P. W. Hammer,
and the accused Larry Milton Doffemeyer, came pursuant to his recog-
nizance and by his attorneys, W. W. Wherton and M. W. Fuller.

Thereupon, the attorney for the commonwealth moved the court to

amend the indictment herein by deleting the words "and also the
word 'unconditionally'"

over the objection of the counsel for the accused, which motion
and such parts are deleted.

the court sustained, to which action of the court the accused, by

counsel, excepted. And from persons summoned by the sheriff under

writs 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 the accused, who each alternately

struck therefrom the names of four persons, the remaining twelve,

namely: Page P. Price, H. Ray Hollar, Irvin F. Nash, Isaac D. Early,

Woodrow C. Shifflett, E. B. Hopkins, C. P. Coffman, J. Nelson Dove,

Lester Miller, Paul E. Bushong, Virgil H. Finks, and Joseph W. Miller, Jr.

Thereupon, the attorney for the commonwealth moved that all witnesses

in this case, and all spectators, be excluded from the court room

during this trial, which motion was granted, and witnesses and

spectators were removed from the court room. And having concluded

the hearing of the evidence herein, further proceedings are continued

until tomorrow morning at ten o'clock.

12/1

Commonwealth
v.
Doffmeyer

INSTRUCTION NO. 3A

The words "reasonable doubt" as used in the instructions of
this Court, have been defined as that state of mind which, after a full
comparison and consideration of all the evidence, both of the Common-
wealth and the defense, leaves the minds of the jury in that condition that
they cannot say that they feel an abiding faith ~~and belief~~
~~that~~ from the evidence in the case, ~~and~~ ^{that} the defendant is guilty of the
charge.

*Reference to instruction, number and
page in # 3.
7-28-72
A.H.
2*

Commonwealth
v.
Dofflemyer

INSTRUCTION NO. 7-a

~~The Court instructs the jury that every unmarried female is presumed to be a virgin. However, this presumption is overcome when rebutted by evidence, and~~ If you find that the evidence in this case raises a reasonable doubt as to the chastity of the prosecutrix at the time Larry Dofflemyer had intercourse with her, then you will find for the defendant; and this is true even though you may believe that the Commonwealth has proved beyond a reasonable doubt that Larry Dofflemyer had intercourse with the prosecutrix under promise of marriage.

Referred as tendered, given
as # 7 revised.

H. H.

Σ +.

Commonwealth
v.
Doffenmyer

INSTRUCTION NO. 7-a

The Court instructs the jury that every married female is presumed to be a virgin. However, this presumption is overcome when rebutted by evidence, and if you find that the evidence in this case raises a reasonable doubt as to the chastity of the prosecutrix at the time Larry Doffenmyer had intercourse with her, then you will find for the defendant; and this is true even though you may believe that the Commonwealth has proved beyond a reasonable doubt that Larry Doffenmyer had intercourse with the prosecutrix under promise of marriage.

Referenced to testimony, Mrs. [unclear]
at the [unclear]
H. A.
3+

Commonwealth
v.
Dofflemyer

INSTRUCTION NO. 11

The Court instructs the jury that the law presumes the defendant to be innocent until he is clearly and conclusively proved guilty of the charge contained in the indictment on which he is tried, beyond all reasonable doubt, and if there is on the minds of the jury any reasonable doubt of the defendant's guilt, the law makes it their duty to acquit him; and that is so even if there is suspicion or probability of his guilt, however strong, as such suspicion or probability will not be sufficient to convict; and that is so even if you feel that the greater weight or preponderance of the evidence support the charge in the indictment. To warrant his conviction his guilt must be proved so clearly and conclusively that there is not reasonable theory based upon the evidence in this case upon which he can be innocent.

Referred as tendered,
re drawn and given by
court as # 1.

H. H.

J. H.

Commonwealth
v.
Doffenmyer

INSTRUCTION NO. 11

The Court instructs the jury that the law presumes the defendant

to be innocent until he is clearly and conclusively proved guilty of the charge contained in the indictment on which he is tried, beyond all reasonable doubt, and if there is on the minds of the jury any reasonable doubt of the defendant's guilt, the law makes it their duty to acquit him; and that is so even if there is suspicion or probability of his guilt, however strong, as such suspicion or probability will not be sufficient to convict; and that is so even if you feel that the greater weight or preponderance of the evidence support the charge in the indictment. To warrant his conviction his guilt must be proved so clearly and conclusively that there is no reasonable theory based upon the evidence in this case upon which he can be innocent.

Refer to the book
return and give of
Court on # 1
H. H.
H.

Commonwealth
v.
Dofflemyer

INSTRUCTION NO. 12

The Court instructs the jury that even though you may believe that the Commonwealth has proved beyond a reasonable doubt that the prosecutrix was of previous chaste character, and further believe that it has been proved beyond all reasonable doubt that Larry Dofflemyer promised to marry the prosecutrix before or at the time he had intercourse with her, you will, nevertheless, find Larry Dofflemyer not guilty if you believe from the evidence that the prosecutrix yielded to Larry Dofflemyer not in consequence of a promise of marriage but in gratification of her own desire or passion. In other words, there must have been an exercise of influence by Larry Dofflemyer on the affection of the prosecutrix by reason of his promise of marriage, if any, to yield to his desire.

Refused as tendered. Redrawn
by Court and given as # 5.
H.H.

Commonwealth
v.
Doffenyer

12 INSTRUCTION NO.

The Court instructs the jury that even though you may believe that the Commonwealth has proved beyond a reasonable doubt that the prosecutrix was of previous chaste character, and further believe that it has been proved beyond all reasonable doubt that Larry Doffenyer promised to marry the prosecutrix before or at the time he had intercourse with her, you will, nevertheless, find Larry Doffenyer not guilty if you believe from the evidence that the prosecutrix yielded to Larry Doffenyer not in consequence of a promise of marriage but in gratification of her own desire or passion. In other words, there must have been an exercise of influence by Larry Doffenyer on the affection of the prosecutrix by reason of his promise of marriage, if any, to yield to his desire.

Refused
7/28/57

*Refused as tendered, Robinson
A.H.
P. Court and given as # 2*

Commonwealth

v.

Larry Dofflemeyer

CHARGE TO JURY

If you find the accused, Larry Dofflemeyer, guilty of seduction, 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 two nor more than ten years.

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

Commonwealth

v.

Larry Doffmeyer

CHARGE TO JURY

If you find the accused, Larry Doffmeyer, guilty
of abduction, 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 two nor more
than ten years.
If you find him not guilty, you will say so and so

NOTE.

Commonwealth
v.
Dofflemyer

INSTRUCTION NO. 1

The Court instructs the jury that the law presumes the defendant to be innocent until he is proved guilty of the charge contained in the indictment on which he is tried, beyond all reasonable doubt, and if there is on the minds of the jury any reasonable doubt of the defendant's guilt, the law makes it their duty to acquit him; and that is so even if there is strong suspicion of his guilt, as mere suspicion is not sufficient to convict, nor is the greater weight of the evidence sufficient unless such weight amounts to proof beyond reasonable doubt. To warrant his conviction his guilt must be proved so clearly and conclusively that there is no reasonable theory based upon the evidence in this case upon which he can be innocent.

A. H.

7-28-54

Commonwealth
v.
Dottlemeyer

INSTRUCTION NO. 1

The Court instructs the jury that the law presumes the defendant to be innocent until he is proved guilty of the charge contained in the indictment on which he is tried, beyond all reasonable doubt, and if there is on the minds of the jury any reasonable doubt of the defendant's guilt, the law makes it their duty to acquit him; and that is so even if there is strong suspicion of his guilt, as mere suspicion is not sufficient to convict, nor is the greater weight of the evidence sufficient unless such weight amounts to proof beyond reasonable doubt. To warrant his conviction his guilt must be proved so clearly and conclusively that there is no reasonable theory based upon the evidence in this case upon which he can be innocent.

A. A.

W. J. ...

...

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION 2

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.

7-28-54

H. H.
Ex.

Commonwealth

v.

Larry Doffmeyer

INSTRUCTION

The Court instructs the jury that the burden rest-
 ing 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.

7-28-74

Mr. H.
Mr. W.

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION 3

The words "reasonable doubt" as used in the instructions of this Court, have been defined as that state of mind which, after a full comparison and consideration of all the evidence, both of the Commonwealth and the defense, leaves the minds of the jury in that condition that they cannot say that they feel an abiding faith and belief from the evidence in the case that the defendant is guilty of the charge.

7-28-54

H. H.

Commonwealth

v.

Larry Doffmeyer

3 INSTRUCTION

The words "reasonable doubt" as used in the instructions of this Court, have been defined as that state of mind which, after a full comparison and consideration of all the evidence, both of the Commonwealth and the defense, leaves the minds of the jury in that condition that they cannot say that they feel an abiding faith and belief from the evidence in the case that the defendant is guilty of the charge.

7-28-24

H.A.

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION 4

The Court instructs the jury that if you believe from the evidence beyond a reasonable doubt that the prosecutrix was an unmarried female of previous chaste character at the time of her alleged seduction, and that she was seduced by the prisoner by having illicit connection with her under promise of marriage, then you should find him guilty.

7-28-54

H. H.

Commonwealth

v.

Larry Doffmeyer

4

INSTRUCTION

The Court instructs the jury that if you believe from the evidence beyond a reasonable doubt that the prosecutrix was an unmarried female of previous chaste character at the time of her alleged seduction, and that she was seduced by the prisoner by having illicit connection with her under promise of marriage, then you should find him guilty.

1-28-24

A. H.

Commonwealth
v.
Dofflemyer

INSTRUCTION NO. 5

The Court instructs the jury that even though you may believe beyond all reasonable doubt that Larry Dofflemyer promised to marry the prosecutrix before or at the time he had intercourse with her, you will, nevertheless, find Larry Dofflemyer not guilty if you believe from the evidence that the prosecutrix yielded to Larry Dofflemyer, not in consequence of his promise of marriage, but voluntarily and solely for the purpose of gratifying her own lustful desire or passion.

7-28-54

H. H.

5.

Commonwealth
v.
Doffemeyer

INSTRUCTION NO. 2

The Court instructs the jury that even though you may believe beyond all reasonable doubt that Larry Doffemeyer promised to marry the prosecutrix before or at the time he had intercourse with her, you will, nevertheless, find Larry Doffemeyer not guilty if you believe from the evidence that the prosecutrix yielded to Larry Doffemeyer, not in consequence of his promise of marriage, but voluntarily and solely for the purpose of gratifying her own lustful desire or passion.

7-28-25

H.A.

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION 6

The Court instructs the jury that the law presumes Rebecca Flick to have been a female of previous chaste character at the time she first had intercourse with the accused, Larry Dofflemeyer, and that if the accused relies upon the defense that she was not of previous chaste character, the burden of proof is upon him to adduce evidence that will, at least, create in your minds a reasonable doubt as to her previous chastity.

7-28-54

A. A.

Commonwealth

v.

Larry Doffmeyer

INSTRUCTION

The Court instructs the jury that the law presumes Rebecca Flick to have been a female of previous chaste character at the time she first had intercourse with the accused, Larry Doffmeyer, and that if the accused relies upon the defense that she was not of previous chaste character, the burden of proof is upon him to adduce evidence that will, at least, create in your minds a reasonable doubt as to her previous chastity.

7-28-74

A. H.

Commonwealth
v.
Dofflemyer

INSTRUCTION NO. 7

If you find that the evidence in this case raises a reasonable doubt as to the chastity of the prosecutrix at the time Larry Dofflemyer had intercourse with her, then you will find for the defendant; and this is true even though you may believe that the Commonwealth has proved beyond a reasonable doubt that Larry Dofflemyer had intercourse with the prosecutrix under promise of marriage.

7-28-54

H. H.

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION

8

The Court instructs the jury that while you cannot convict the accused on the uncorroborated testimony of the prosecutrix, Rebecca Flick, yet if the admissions of the accused and other surrounding circumstances substantiate her testimony so as to satisfy your minds beyond a reasonable doubt of the truth of her statements, then this is sufficient.

The Court further instructs the jury that it is not necessary that the supporting evidence be such as would be sufficient to convict without the evidence of the prosecutrix but it is sufficient if it supplies such facts or circumstances as tend to support such testimony upon the essential elements of the offense, and where there is such evidence it is for the jury to say whether she is corroborated.

7-28-54

H. H.

Jx.

Commonwealth

v.

Larry Doffmeyer

8 INSTRUCTION

The Court instructs the jury that while you cannot convict the accused on the uncorroborated testimony of the prosecutrix, Rebecca Wick, yet if the admissions of the accused and other surrounding circumstances substantiate her testimony as to satisfy your minds beyond a reasonable doubt of the truth of her statements, then this is sufficient.

The Court further instructs the jury that it is not necessary that the supporting evidence be such as would be sufficient to convict without the evidence of the prosecutrix but it is sufficient if it supplies such facts or circumstances as tend to support such testimony upon the essential elements of the offense, and where there is such evidence it is for the jury to say whether she is corroborated.

7-28-24
A. A.
H.

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION 9

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 relationship of the witnesses to the parties, if any, the interest of the witness in the result of the trial, if any appear, and from all other surrounding circumstances 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.

7-28-54

H. H.

Commonwealth

v.

Larry Doffmeyer

9
INSTRUCTION

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 relationship of the witnesses to the parties, if any, the interest of the witness in the result of the trial, if any appear, and from all other surrounding circumstances 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.

7-28-24
A
H

Commonwealth

v.

Larry Dofflemeyer

INSTRUCTION 10

The Court instructs the jury that in proving the time of the seduction charged against the accused it is not necessary for the Commonwealth to establish the precise date of its commission, and it is sufficient if you believe from the evidence beyond a reasonable doubt that the offense was committed on or about July 8th, 1952, as charged in the indictment.

7-28-54

H. H.

J.

Commonwealth

v.

Larry Doffmeyer

INSTRUCTION

The Court instructs the jury that in proving the time
of the abduction charged against the accused it is not
necessary for the Commonwealth to establish the precise date
of its commission, and it is sufficient if you believe
from the evidence beyond a reasonable doubt that the offense
was committed on or about July 8th, 1952, as charged in
the indictment.

1-28-54
H. H.
J.

STATE OF VIRGINIA

COUNTY OF Rockingham

city

TO ANY SHERIFF OR POLICE OFFICER:

To-Wit:

No. _____

Whereas, Rebecca Flick

has this day made complaint and information on oath before me, George R. Price

(Name)

Justice of Peace

(Title)

of the said Rockingham County, that Larry Milton Dofflemeyer

Rockingham
in the said County

did on the 8th day of July, 1952: Unlawfully in said county

of Rockingham, about the hour of 9:00 o'clock p.m., then and there un-
lawfully and feloniously did under the promise of marriage seduce and
have illicit connection with one Rebecca Flick, an unmarried female of
previous chaste character, against the peace and dignity of the Common-
wealth of Virginia, in violation of Section 18-48 Virginia Code 1950

These are, therefore, to command you, in the name of the Commonwealth, to apprehend and bring before the Trial Justice Court of Rockingham 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 5 day of December, 1953

George R. Price (Seal)
(Title of Issuing Officer)
Justice of the Peace

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. 11972 A

COMMONWEALTH

WARRANT OF ARREST

vs.

James Milton Deffenbacher

Executed this, the _____ day of _____, 19____

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

The following witnesses were recognized to appear before the Circuit Court of _____ County, Virginia, at _____, M., on the _____ day of _____, 19____, under penalty of \$ _____

COSTS

Warrant _____ \$ _____
Trial _____
Bail _____
Arrest _____
Mileage _____
Clerk _____
Jail Fee and Board _____
Witness Attendance _____
Summoning Witnesses _____
Commonwealth Attorney _____
Total Costs _____ \$ _____
Fine _____
Total _____ \$ _____

Fine _____ \$ _____
Costs _____
Total _____ \$ _____

STATE OF VIRGINIA

COUNTY OF Rockingham

City Roanoke

TO ANY SHERIFF OR POLICE OFFICER:

To-Wit:

No. _____

Whereas, Rebecca Flick

has this day made complaint and information on oath before me, George R. Price

(Name)

Justice of Peace

(Title)

of the said City County, that Larry Milton Dofflemyer

Rockingham
in the said County

did on the 8th day of July, 1952: Unlawfully in said county

of Rockingham, about the hour of 9:00 o'clock p.m., then and there un-

lawfully and feloniously did under the promise of marriage seduce and

have illicit connection with one Rebecca Flick, an unmarried female of

previous chaste character, against the peace and dignity of the Common-

wealth of Virginia, in violation of Section 18-48 Virginia Code 1950

These are, therefore, to command you, in the name of the Commonwealth, to apprehend and bring before the Trial Justice Court of the Rockingham 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 5 day of December, 1953

George R. Price (Seal)
(Title of Issuing Officer)
Justice of the Peace

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____.

PJ, J.P.

DOCKET NO. 11972 A

COMMONWEALTH

WARRANT OF ARREST

vs.

Samy Milton Ruffinger

Executed this, the _____ day of _____, 19____

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

Indicted April 19, 1954 in Circuit Court, and capias issued.

Fine _____ \$ _____
Costs _____ \$ _____
Total _____ \$ _____

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

Virginia, at _____ M., on the _____ day of _____, 19____, under penalty of \$ _____

COSTS

Warrant _____ \$ 1.00
Trial _____
Bail _____
Arrest _____
Mileage _____
Clerk _____
Jail Fee and Board _____
Witness Attendance _____
Summoning Witnesses _____
Commonwealth Attorney _____
Total Costs _____ \$ _____
Fine _____ \$ _____
Total _____ \$ _____

✓ COMMONWEALTH
vs.

On an indictment for a felony (seduction)

Larry Milton Dofflemyer

This day came the attorney for the commonwealth, and the accused, Larry Milton Dofflemyer, was brought into court by the sheriff of this county and came also by his attorneys, D. W. Earman and M. W. Fuller, Jr. Thereupon, said accused was arraigned on the indictment and entered a plea of not guilty thereto, and the court fixed the 25th day of June next for his trial. On motion of the accused it is ordered that he be admitted to bail in the penal sum of \$2500.00. Thereupon, the said Larry Milton Dofflemyer, with Dewey Dofflemyer as his surety, who justified as to his sufficiency, entered into and acknowledged bond, payable to the Commonwealth, in the sum of Twenty-five Hundred Dollars (\$2500.00), conditioned for the personal appearance of the said Larry Milton Dofflemyer before this court on the 25th day of June next, and at any time or times to which this case may be continued or further heard, and before any court thereafter having or holding any proceedings in connection with this charge, to answer for the offense with which he is charged, and not depart thence without leave of court, this obligation to remain in full force and effect until this charge is finally disposed of or is declared void by order of a competent court.

Commonwealth

✓ vs.

On an indictment for a felony (felonious assault)

Harry Holley

This day came the attorney for the commonwealth, and the accused, Harry Holley, came pursuant to his recognizance and by his attorney, W. W. Wharton. Thereupon, said accused, after consulting his attorney, in person withdrew his

indictment
12/7/54

Case No. 12345

On an indictment for a felony (indictment)

Larry Milton Dofflesyer

This day came the attorney for the Commonwealth, and the accused, Larry Milton Dofflesyer, was brought into court by the sheriff of this county and came also by his attorneys, D. W. Hartman and M. W. Miller, Jr. Thereupon, said accused was arraigned on the indictment and entered a plea of not guilty thereto, and the court fixed the 25th day of June next for his trial. On motion of the accused it is ordered that he be admitted to bail in the penal sum of \$2500.00. Thereupon, the said Larry Milton Dofflesyer, by his attorney, entered into a recognizance to the satisfaction of the court, and acknowledged bond, payable to the Commonwealth, in the sum of Twenty-five Hundred Dollars (\$2500.00), conditioned for the personal appearance of the said Larry Milton Dofflesyer before this court on the 25th day of June next, and at any time or times to which this case may be continued or further heard, and before any court thereafter having or holding any proceedings in connection with this charge, to answer for the offense with which he is charged, and not depart thence without leave of court, this obligation to remain in full force and effect until this charge is finally disposed of or is decided void by order of a competent court.

Commonwealth

On an indictment for a felony (intentional assault)

Larry Kelley

This day came the attorney for the Commonwealth, and the accused, Larry Kelley, came pursuant to his recognizance and by his attorney, W. W. Hartman. Thereupon, said accused, after consulting his attorney, in person withdrew his

Commonwealth

vs.

On an indictment for a felony (seduction)

Larry Milton Dofflemyer

This day came the attorney for the commonwealth, assisted in the trial of this case by Charles A. Hammer, and the accused, Larry Milton Dofflemyer, came pursuant to his recognizance and by his attorneys, D. W. Earman, W. W. Wharton, and M. W. Fuller. Thereupon, the attorney for the commonwealth moved the court to amend the indictment herein by deleting the words therein, namely, "about the hour of 9:00 o'clock", and also the word "unconditionally", over the objection of counsel for the accused, which motion the court sustained, and such parts are deleted, to which action of the court the accused, by counsel, excepted. And from persons summoned by the sheriff under writs 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 the accused, who each alternately struck therefrom the names of four persons, the remaining twelve, namely: Page P. Price, H. Ray Hollar, Irvin F. Nash, Isaac D. Early, Woodrow C. Shifflett, E. B. Hopkins, C. P. Coffman, J. Nelson Dove, Lester Miller, Paul H. Bushong, Virgil H. Finks, and Joseph W. Miller, Jr. Thereupon, the attorney for the commonwealth moved that all witnesses in this case, and all spectators, be excluded from the court room during this trial, which motion was granted, and witnesses and spectators were removed from the court room. And having concluded the hearing of the evidence herein, further proceedings are continued until tomorrow morning at ten o'clock.

Hamilton Haas, Judge.

Circuit Court of the County of Rockingham on Wednesday, the 28th day of July, in the year of our Lord, nineteen hundred and fifty-four.

Present: Hon. Hamilton Haas, Judge.

Commonwealth

vs.

On an indictment for a felony (seduction)

Larry Milton Dofflemyer

This day came again the attorneys for the commonwealth, and the accused, Larry Milton Dofflemyer, came pursuant to his recognizance and by his attor-

Exhibits
FILE Z-2
(upstairs)



neys, D. W. Earman, W. W. Wharton, and M. W. Fuller; and the jury impanelled and sworn for the trial of this case came pursuant to adjournment. Whereupon, the jury having received the instructions of the court, and having heard the argument of counsel, they retired to their room to consider their verdict, and after some time they came again into court and reported that they were unable to agree on a verdict; whereupon, one of said jurors was withdrawn and the others from rendering a verdict herein were discharged.

✓
Ronald Delander
Charles E. Earman, Jr., attorney, of the County aforesaid, presented an account against the Commonwealth of Virginia, amounting to \$15.00 (felony) for services pursuant to appointment under Sec. 14-180. Said account being supported by the affidavit of the party aforesaid, was duly examined by the Court, and appearing to be correct and unpaid, was allowed and ordered to be certified to the Comptroller for payment.

✓
*Harold Capp
(w/ Snelson)*
Sam P. Conrad, attorney, of the County aforesaid, presented an account against the Commonwealth of Virginia, amounting to \$30.00 (felony) for services pursuant to appointment under Sec. 14-180. Said account being supported by the affidavit of the party aforesaid, was duly examined by the Court, and appearing to be correct and unpaid, was allowed and ordered to be certified to the Comptroller for payment.

Wm. H. Hest, Judge. ✓

Commonwealth of Virginia,

County of Rockingham,

to-wit:

In the Circuit Court of said County, April Term, 1954

The grand jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, now attending the Circuit Court of the said county,

upon their oath present that

LARRY MILTON DOFFLEMYER

or about

~~within twelve months prior to the finding of this indictment, to-wit,~~ on the 8th day of

July, in the year one thousand nine hundred and fifty two and in the

said county, did, feloniously ~~about the hour of 9:00 o'clock~~ in the

nighttime of that day, then and there seduce and have illicit connection

with one Rebecca Flick, an unmarried female of previous chaste character,

having promised the said Rebecca Flick on the aforesaid day ~~uncondit-~~

~~ionally~~ to marry her, the said Rebecca Flick, against the form of the

statute,

against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Rebecca Flick

witnesses sworn in open Court and sent to the grand jury to give evidence.

2855

COMMONWEALTH

INDICTMENT FOR A
FELONY

LARRY MILTON DOFFLEMYER

A TRUE BILL

George D. Conrad
Foreman.

George D. Conrad
Commonwealth's Attorney

001

Capias 4/19/54
1954

Cost less fees

Docket No. 2855

Exhibits
of course

COMMONWEALTH of VIRGINIA

VS.

} Fel. (seduction)
} Ret Oct 28

LARRY MILTON DOFFLEMYER

D. W. Eason, M. W. Fuller, Jr. p. d.
Own (x) Appointed ()

1954.

April 19. Return of Grand Jury. 9/40

Apr. 19. Order for capias 9/41

Apr. 27. Accused arr. + plea n.g.
+ set for June 25. Accused
admitted to bail \$2500.00

July 27. Jury imp. + evidence completed 9/71

July 28. Instructions - argument.
Jury unable to agree. 9/71

Oct. 25. Verdict passed. 9/72

CIRCUIT COURT OF ROCKINGHAM COUNTY, VA.

Page P. Price

H. Ray Haller

Don F. Nash

Deane D. Early

Woodrow C. Rufflett

E. B. Hofbauer

C. P. Leppman

J. Nelson Stone

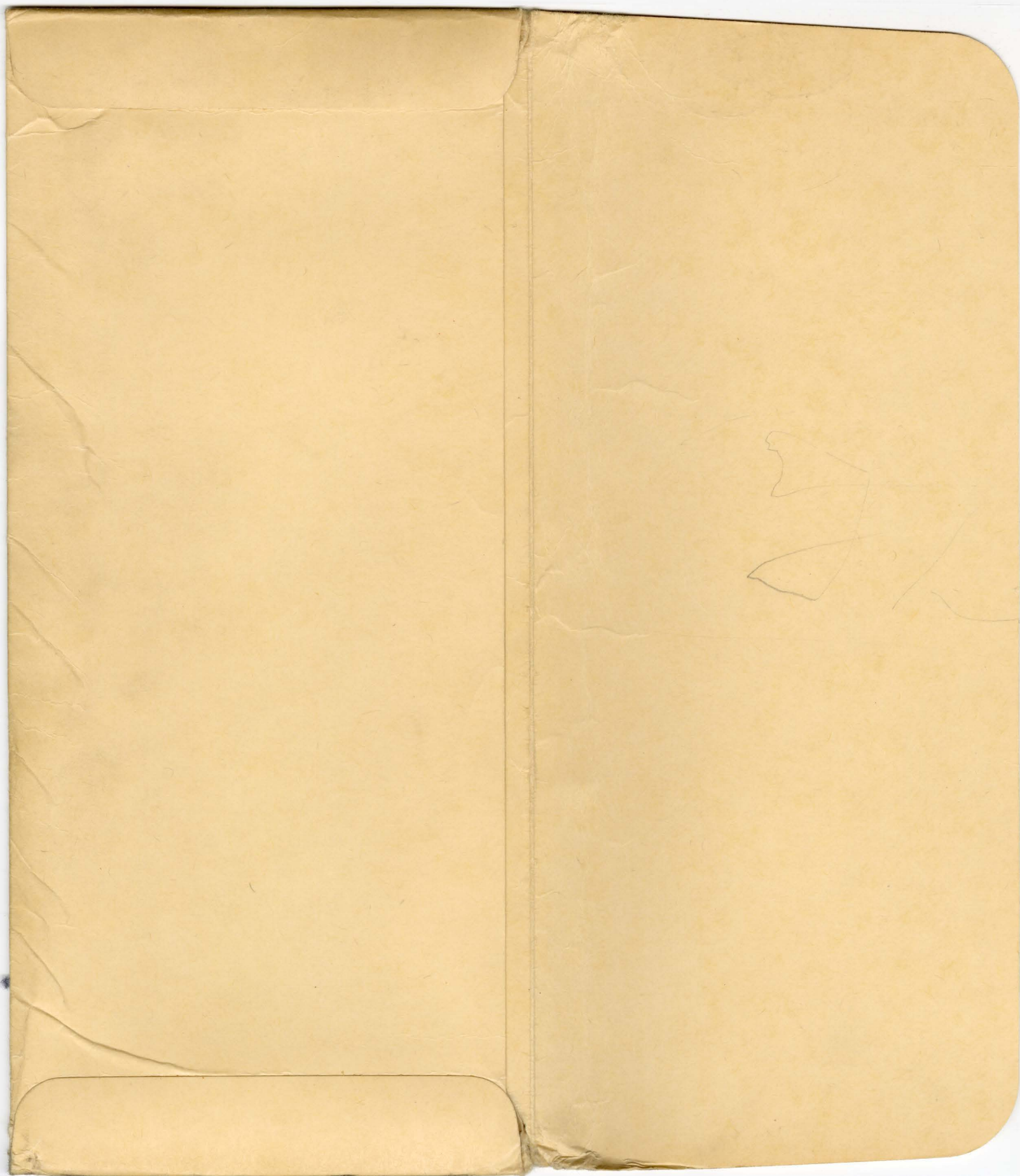
Lester Miller

Paul H. Kusling

Virgil H. Franks

Joseph W. Miller Jr.

Keystone Envelope Co., Phila., Pa.



DEFENDANT EXHIBIT

Received:

for Idem.

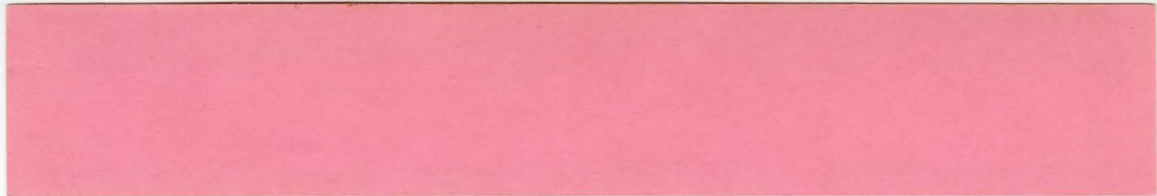
JUL 27 1954

Case No. *@COMM,*
✓

ATTEST: *[Signature]* JUDGE

DOFFLEMYER

C. OVERTON LEE, Court Reporter



MELVILLE W. FULLER, JR.

ATTORNEY-AT-LAW

ELKTON, VIRGINIA

Sealed
by
Order
of
Court

J

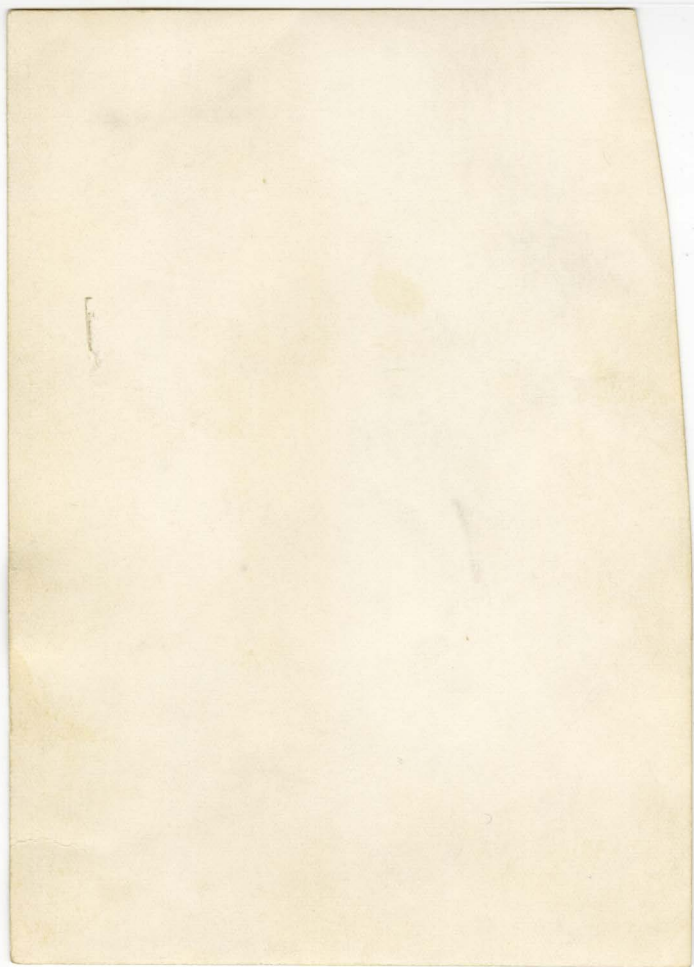
Sealed by
Order of Court

July 21, 1954.

opened
& Revealed 4/19/73

JFK

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Commonwealth

vs.

On an indictment for a felony (seduction)

Larry Milton Dofflemyer

This day came the attorney for the commonwealth and, with the consent of the court, says that he will not prosecute further on behalf of the commonwealth the said Larry Milton Dofflemyer on this indictment charging a felony; and it is therefore considered by the court that he be released of his recognizance and go hence without day.

Commonwealth

vs.

On an indictment for a felony (seduction)

Larry Milton Doffmeyer

This day came the attorney for the Commonwealth and, with the consent

of the court, says that he will not prosecute further on behalf of the common-

wealth the said Larry Milton Doffmeyer on this indictment charging a felony; and

it is therefore considered by the court that he be released of his recognizance

and go hence without day.

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:
Rebecca Flick

You are hereby commanded to summon.....

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at ^{9:55}~~9:30~~ o'clock, a. m., on the 19th day of April 1954,
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY.....

v. LARRY MILTON DOFFLEMYER

who stands charged with a felony ~~misdeameanor~~ ^{XXXXXXXX}.

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

Witness, ~~J. ROBERT SWITZER, Clerk of said Court,~~ at the Court House, the 12th
day of April 1954, and in the 178th year of the Commonwealth.


Commonwealth's Attorney

Commonwealth

v.) Grand Jury Summons

Larry Milton Dofflemyer

To April 19, 1954
at 9:55 a.m.

Executed 4/19/54

In person to Rebecca K. Koch

R. D. Stranchman

Sheriff

40

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

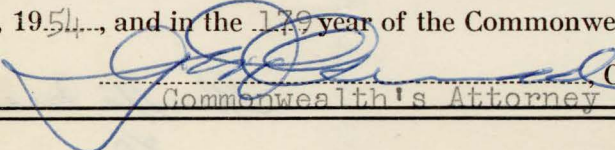
You are hereby commanded to summon Ralph Hutton, Elkton, Va.,
and Mary McDonald (Bethel), Elkton, Va.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court
House thereof, at ^{9:00}10:00 o'clock, a. m., on the 27th day of July, 1954
to testify and the truth to say in behalf of the Commonwealth against
LARRY DOFFLEMEYER

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
21st day of July, 1954, and in the 179 year of the Commonwealth.


Clerk
Commonwealth's Attorney

Commonwealth

v.) Witness Subpoena

Larry Dofflemeyer

To July 27, 1954
at 9:00 a.m.

EXECUTED 7-24-54 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Summons
TO Ralph Satterton Way McDonald
IN PERSON.

Denny E. Honey Dep.
per A. L. STRAWDERMAN
SHERIFF
ROCKINGHAM COUNTY.

Sheriff's Fee
.80

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon J. R. Bloxom, Mrs. J. R. Bloxom ,
Elwood Wright, Mrs. Elwood Wright, Miss Lottie Meadows,
Mrs. Dewey H. Dofflemyer, Clark Dofflemyer, Donnie Doffle-
myer, Mrs. Goldie Meadows
(all R.#2, Elkton, Va.)

and George Hensley
(Elkton, Va/)

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at ^{9:30} 10 o'clock, a. m., on the 27th day of July, 1954 to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

LARRY MILTON DOFFLEMYER

who stands charged with and indicted for 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 our said Court, at the Court House, the 24th
day of July, 1954, and in the 179th year of the Commonwealth.

J Robert Switzer, Clerk

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greenway

You are hereby commanded to summon J. R. Blixson, Mrs. J. R. Blixson, Mrs. J. R. Blixson, Elwood Wright, Mrs. Elwood Wright, Miss Jessie Meadows, Mrs. Dewey H. Doffmeyer, Clark Doffmeyer, Dennis Doffmeyer, Mrs. Goldie Meadows

(all R.F. Wikton, Va.)

and George Hensley

(Wikton, Va.)

to appear before the Judge of the County Court of Rockingham County, at the Court House there, at the date and hour, on the 27th day of July, 1934, to testify and the truth to

say in behalf of the Defendant in the prosecution of the Commonwealth against

LARRY WILSON DOFFMEYER

who shall charge with and defend for a felony

And this you shall not omit under penalty of \$100. And give this and have this writ.

Witness J. ROBERT SWITZER, Clerk of our said Court, at the Court House the 24th

day of July, 1934, and in the presence of the Commonwealth
J. Robert Switzer
Clerk

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon J. R. Bloxom, Mrs. J. R. Bloxom,
Elwood Wright, Mrs. Elwood Wright, Miss Lottie Meadows,
Mrs. Dewey H. Dofflemyer, Clark Dofflemyer, Donnie Doffle-
myer, Mrs. Goldie Meadows

(all R.#2, Elkton, Va.)

and George Hensley

(Elkton, Va.)

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at ^{9:30} ~~10~~ o'clock, a. m., on the 27th day of July, 1954 to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against

LARRY MILTON DOFFLEMYER

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 24th
day of July, 1954, and in the 79th year of the Commonwealth.

J. Robert Switzer, Clerk

EXECUTED 7-25-34 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN Summons

TO L. R. Bloxon, Mrs L. R. Bloxon,
~~IN PERSON~~

Elwood Wright, Mrs Elwood Wright
Miss Lottie Meadows, Clark Doffmeyer,
Mrs Denny Doffmeyer, Donnie Doffmeyer
and Mrs Goldie Meadows

~~IN PERSON~~
Denny E. Haney Dep. for A. L. Strawderman
S. R. C.

George Hensley Summons returned
on request by the defendant

Denny E. Haney Dep.
for

A. L. STRAWDERMAN
SHERIFF
ROCKINGHAM COUNTY.

Sheriff Fee Paid \$4.00

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....James Moeller and (.....Elkton, Va.....
Bernard Mundy {

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at ^{9:30}~~ten~~ o'clock, a. m., on the 27th day of July, 1954 to testify and the truth to
say in behalf of the Defendant in the prosecution of the Commonwealth against.....

Larry Milton Dofflemyer.....

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 26th
day of July, 1954, and in the 179th year of the Commonwealth.

J. Robert Switzer, Clerk
By *[Signature]*
DC

EXECUTED 7-26-34 IN THE COUNTY OF

ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN Summons

TO James Maeller and Bernard Muesel
IN PERSON.

Dewey E. Hamby Dep.
for A.L. STRAWDERMAN

SHERIFF
ROCKINGHAM COUNTY.

Sheriff Fee Paid

.80

TRIAL JUSTICE COURT

Criminal
Docket

Nº 14972 A

Com'th

v.

Larry Milton Dofflemyer

Defendant

Indicted 4-19-54 in Circuit Court
and Capias issued.

Appearance Date

Trial Date

✓

