COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of Rockingham County, August Term, 1958.

The Grand Jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, now attending the Circuit Court of said County, upon their oath present that Elwood Herring, on the 11th day of May, 1958, in said County, unlawfully and feloniously did kill and slay one Effie May Morgan, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Virginia Schaaf, Trooper Failes, Charles M. See and Sgt. Birckhead, witnesses sworn in open court and sent to the Grand Jury to give evidence.

Commonwealth's Attorney

A TRUE BILL

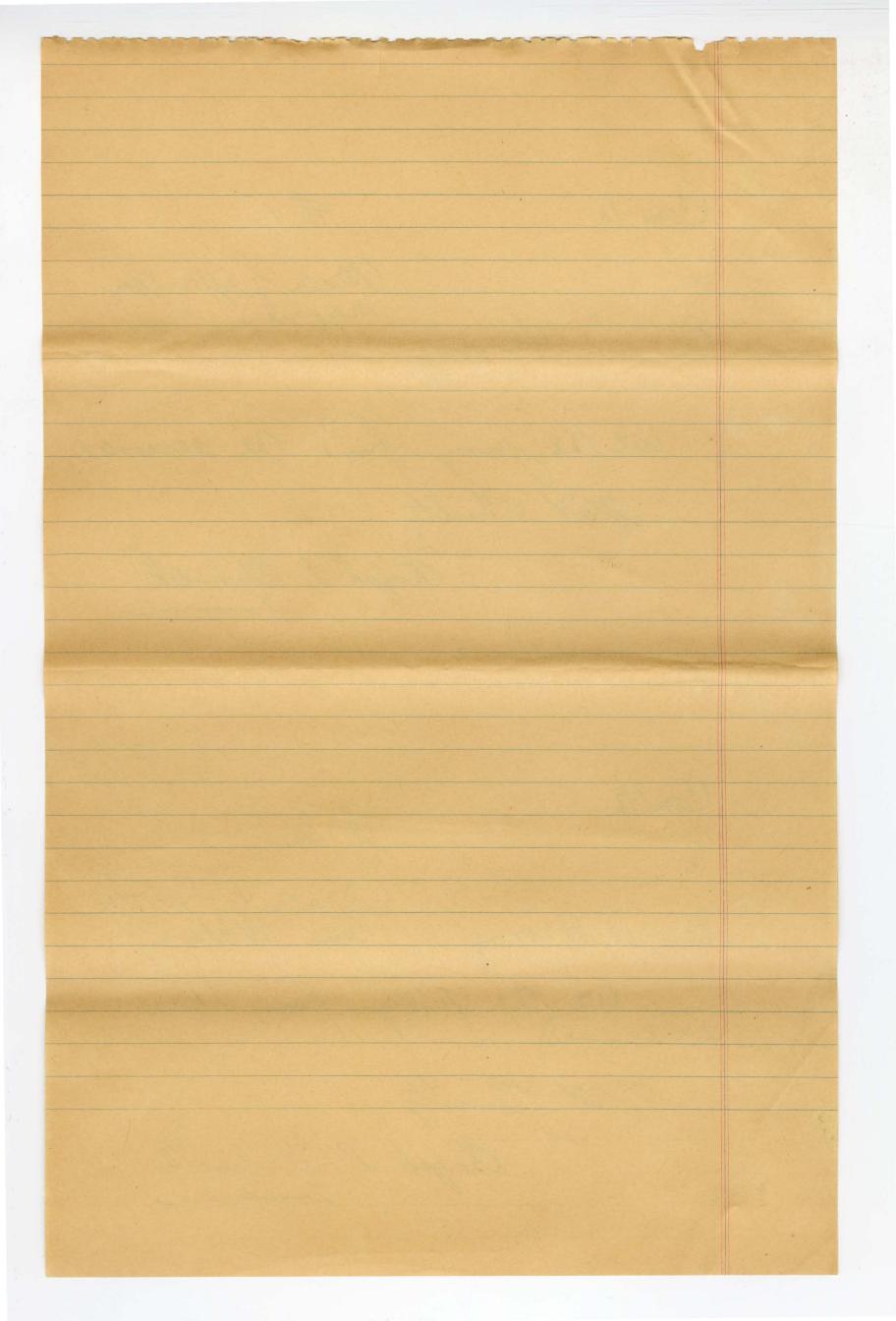
Foreman

ELWOOD HERRING COMMONWEALTH

PRESENTMENT

Com'th. #1 Elwood Herring Margarel Stris May We the jury fund the occurred Not Suilty Relph L. Gladwell Foreman Com'th #2 Elwood Herring ann Okdham) excurd fing fuid the Hot Suilty Rolph S. Gladevell Foreman

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V.

ELWOOD HERRING

CHARGE TO JURY

If you find the accused guilty of involuntary manslaughter, as charged in either or both of the indictments, you will say so and fix his punishment, in each case, by confinement in the penitentiary for a period of not less than one year nor more than five years, or, in your discretion, by a fine not exceeding One Thousand Dollars, or confinement in jail for a period not exceeding one year, or by both such fine and confinement in jail.

If you find him not guilty of either or both of said charges, you will say so and no more.

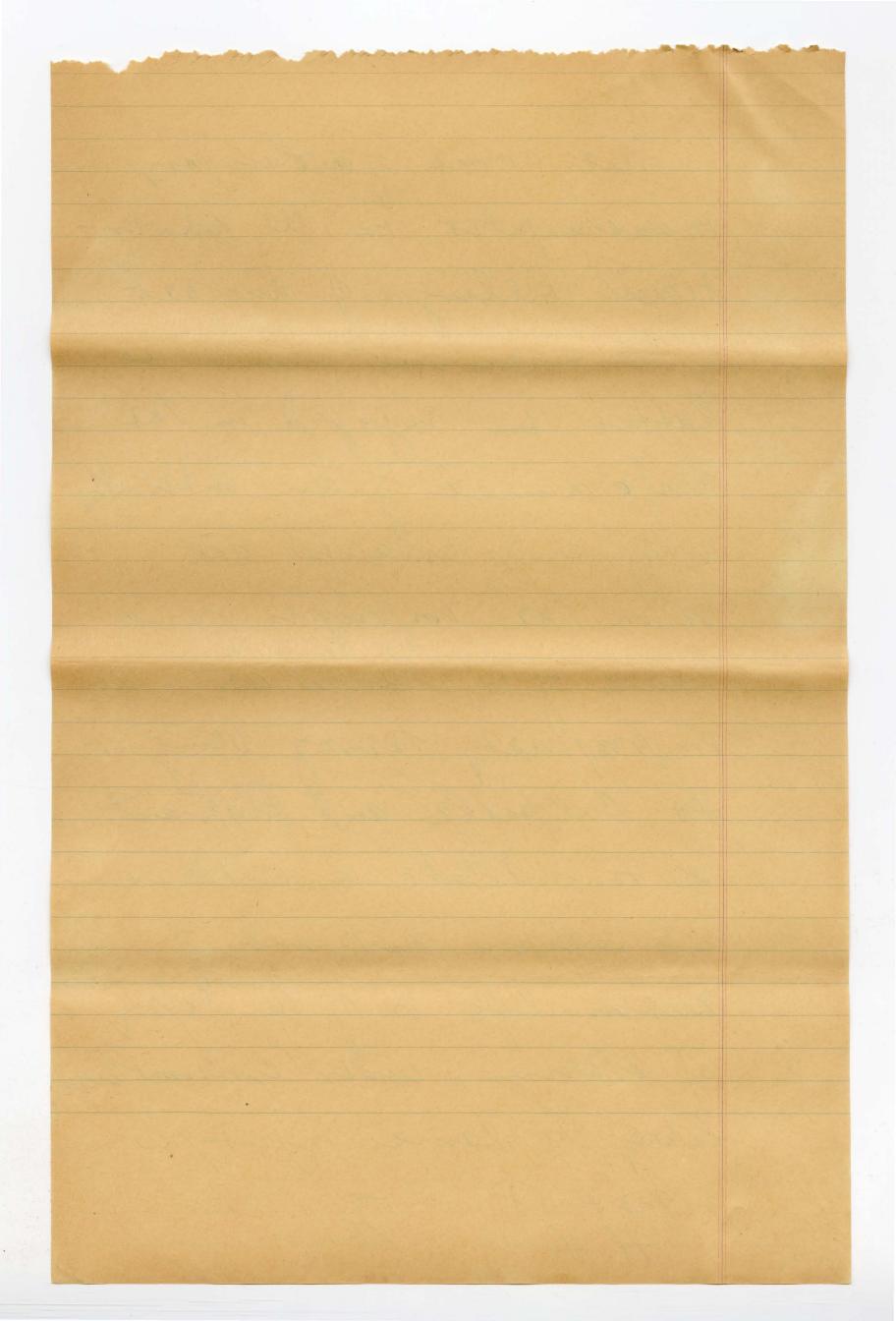
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V.

HERRING

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INSTRUCTION	(

The Court instructs the jury that the mere happening of an accident does not raise any presumption whatever of any criminal negligence on the part of the operator of the motor vehicle involved.

9-24-58 HH.

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HERRING

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V.

HERRING

INSTRUCTION 2

The Court instructs the jury that where one is suddenly and unexpectedly placed in a situation of imminent peril of bodily harm by means of a sudden emergency, without his fault, he is not required to exercise that degree of care, or sound judgment or discretion, which means that have exercise under ordinary circumstances and normal conditions.

Thus, if you believe from the evidence, with you believe from the evidence, with you may suddenly and unexpectedly confronted with a blow-out of a tire on the motor vehicle he was driving and Herring was compelled to act instantly to avoid an accident because of such blow-out, then you cannot find him guilty if you believe he exercised the care which would have been exercised by a man of reasonable prudence under such circumstances, even though he may not have done the wisest thing or exercised the soundest judgment to avoid an accident.

9-24-58 Tx.

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HERRING

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V.

HERRING

INSTRUCTION 3

The Court instructs the jury that the skidding of an automobile is not an occurrance of such a character as to necessarily establish or constitute negligence in any degree in the operation of an automobile.

9-24-50 H. H. Sx.

V

HERRING

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V.

HERRING

INSTRUCTION ____

The Court instructs the jury that the gist of the crime charged against the defendant is criminal negligence; by the term criminal negligence is meant not simply such negligence as might be the foundation of a suit for damages by the person injured or by his personal representatives if killed, but something more than that; in order to be criminal negligence, as distinguished from such negligence as is necessary for a civil damage action, it must be shown that the negligence of the accused was gross or culpable negligence; culpable or gross negligence is that which indicates a callous disregard of human life and of the probable consequence of his act; criminal liability cannot be predicated upon every act carelessly performed merely because such carelessness results in the death of another, but in order for criminal liability to result from negligence, it must necessarily be reckless or wanton and of such a character as to show disregard of the safety of others under circumstances likely to cause injury or death.

9-24-58 H.H.

V

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HERR ING

INSTRUCTION	1 1

The Court instructs the jury that the accused is presumed to be innocent of the crime with which he is charged, and, that this presumption follows the accused throughout every stage of the trial. By his plea of "not guilty" the accused has denied every essential allegation of the indictment and has put upon the Commonwealth the burden of proving every element of the crime charged and the accused squilt beyond every reasonable doubt.

This burden, as so imposed on the Commonwealth, does not shift but remains throughout the entire trial. The accused is under no requirement to prove or establish his innocence, and, if, after considering the evidence you entertain even a reasonable doubt of the accused's guilt, you must give him the benefit of such doubt and find him not guilty.

This presumption of innocence is not a mere form to be disregarded by you at pleasure but it is an essential and bind-ing part of the law of the land, and you must give the defendant the full benefit of such presumption.

You are further instructed that while you may be suspicious that the accused committed the crime with which he is charged, this is not sufficient to convict nor is it sufficient if you feel that he is probably guilty or more likely guilty than not guilty, but to warrant the conviction of this accused, his guilt must be proved so clearly that there remains not one reasonable theory consistent with the evidence upon which he can be innocent.

V

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9-24-57 H. H. If a set of facts or circumstances should be susceptible to two or more reasonable interpretations, any one of which interpretations points to the innocence of the accused, the jury must accept that interpretation-pointing to her innocence.

V.

ELWOOD HERRING

INSTRUCTION 6

In considering whether or not the Commonwealth has met its burden of proving the guilt of the accused beyond reasonable doubt, the Court instructs the jury that you should not overlook the word "reasonable" nor its meaning. A reasonable doubt is a doubt which is founded on reason, and is not to be confused with imaginable or possible doubt, for the law does not say that a man must be proved guilty beyond every imaginable, conceivable or possible doubt.

In passing upon the sufficiency of the proof of the charge, the jury must limit its consideration to the evidence presented at the trial of this case, including the natural and reasonable inferences to be drawn therefrom. The jury cannot go beyond such evidence to create doubt, nor can you go beyond such evidence to find inferences of guilt.

Furthermore, the jury should bear in mind that any doubt arising from lack of evidence, from conflicting testimony, or from questionable proof of any particular fact, should be a doubt of a material fact essential to the proof of the guilt of the accused and not a mere doubt concerning immaterial and nonessential circumstances.

If, after a reasonable and honest consideration of all of the evidence, your minds are left in such a state of doubt as to prevent you from reaching a convinced belief of the guilt of the accused, then the Commonwealth has failed to meet its burden.

If, on the other hand, after an impartial and reasonable consideration of all the evidence in the case, you have an abiding conviction of the truth of the charge, you are then satisfied beyond all reasonable doubt.

9-24-58 A, S.

COMMONWIGALTH

BLWOOD HERRING

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Profes Ja

V.

ELWOOD HERRING

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, which witnesses are more worthy of credit and what is the relative weight of any such testimony and to give credit accordingly.

9-24-58 H. A.

COMMINATER

ELWOOD HERRLING

INSTRUCTION

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V.

HERRING

INSTRUCTION ___

The Court instructs the jury that if, after hearing all of the evidence in this case you entertain any reasonable doubt as to whether or not the defendant is guilty of criminal negligence, as defined in other instructions, then it is your duty to and you shall acquit him.

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V

HERRING

Refused 9-7 4-58

INSTRUCTION

The Court instructs the jury that if, after hearing all of the evidence in this case you entertain any reasonable doubt as to whether or not the defendant is guilty of criminal negligence, as defined in other instructions, then it is your duty to and you shall acquit him.

Lefund of L. Comes

Filed in the Clerk's Office Rockingham County, Va.

COMMONWE ALTH OF VIRGINIA

SEr 22 1958

IN THE CIRCUIT COURT FOR THE COUNTY OF ROCKINGHAM

Hohntshuity Clerk

COMMONWEALTH

V.

BILL OF PARTICULARS

ELWOOD HERRING

On motion of the defendant, by counsel, and upon the order of this Honorable Court, the 18th day of September, 1958, comes now the Attorney for the Commonwealth, Charles E. Earman, Jr., and, for a bill of particulars in the above captioned criminal proceedings, states that the acts of criminal negligence alluded to in the indictments for involuntary manslaughter of Judith Ann Odham and Effie May Morgan, on the 11th day of May, 1958, are as follows:

That the said Elwood Herring, operator of the taxicab in which the said decedents were passengers, drove the said taxicab in a grossly, wantonly and careless manner by exceeding the speed at which the said taxicab could be safely driven under the then existing weather conditions, highway surface conditions, visibility and terrain; by driving and operating the said taxicab in a grossly, wantonly and reckless manner without regard for the extremely dangerous patent condition of the tires then mounted upon the wheels of said taxicab; by grossly, wantonly and carelessly driving and operating the said taxicab off the regularly travelled portion of U. S. Highway Number 33 over and through a deep ditch or gully and into a stone wall and telephone or electric supporting wooden pole at a gross, wanton and reckless speed for the said conditions then existing; and by grossly, wantonly and carelessly driving said taxicab while in a state of tiredness and utter physical fatigue, which made him incapable of reasonably and prudently operating said taxicab, thereby rendering him grossly, want only and carelessly incompeFiled in the Clerk's Office Reckingham County, Va.

Sir 22 1958

COMMONWEALTH OF VIRGINIA

IN THE CIRCUIT COURT FOR THE COUNTY OF ROCKINGHAD

Phantheit Clerk

COMMONWEALTH

. W

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tent as a motor vehicle operator at the time and place and under the circumstances and conditions then existing.

Charles E. Cannan ... Commonwealth's Attorney

served upon bounded of ditton, counsel of record for defendant, by delivering a copy of feet to counsel person, or by mailing copy threat to counsel of the day of filling.

Charles G. Carman, Church's all of the day of filling.

tent as a motor vehicle operator at the time and place and under the circumstances and conditions then existing.

Charles Element L. Commonwallen's Arrivary

A COLUMN					
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1 LUBI - 19					

DEPARTMENT OF STATE POLICE

C122622

Coun	ty or City of KOCKING /	Am Date 6-2-52
M EL WOC	d NMN) HERRING	City You are hereby summoned to appear in County Court before:
Judge	at He	arisonbung
on 6-5-58 at 2	AM PM, to answer for violating the motor vehice	cle laws of Virginia, to wit:
		Chauffeurs
Reckless Driving S	peeding MPH in α MPH Zone □	No Operators License Illegal
Other	MAMSLAUSHEL	
	ar at the time and place specified above	Summons issued under Title 46—Section 193, Code of Virginia.
Defendant's Signature		Failure to comply with this summons constitutes a separate offense.
Trooper A	Parkes 256	All traffic fines for State violations are paid into the Literary Fund for Educational purposes.
	DEFENDANT	RACE SEX WEIGHT HEIGHT CODE
ALTH OF VIRGINIA MOTOR VEHICLES THMOND conviction of exceeding a speed limit, tate rate of speed and zone.	ADDRESS CITY EL KTON UM JURISDICTION, COUNTY, CITY OR TOWN	OPER. OR CHAUF. LICENSE NO. STATE VEHICLE YEAR MAKE TYPE VEHICLE LICENSE NO. YEAR STATE OCCUPATION NAME OF COURT
正式記言	OFFENSE DATE PLEA CO GUILTY NOT GUILTY	DATE DATE
A Lites sisted	PENALTY IMPOSED	LICENSE SUSPENDED?
VISION O		YES NO
COMMONW DIVISION C If this abstract relates the Court is requested	PERIOD SUSPENDED LICENSE SURRENDERED?	SIGNATURE OF JUDGE OR CLERK
	NAME OF ARRESTING OFFICER	TITLE OF COURT OFFICIAL DATE

C122622

This abstract is filed by the Judge or Clerk of the Court having jurisdiction of this case as required by Section 46-414, of the Code of Virginia, as amended.

TRAFFIC VIOLATIONS DO CAUSE ACCIDENTS

Main violations indicated from Virginia Accident Analysis are:

Speed too fast for conditions
Did not yield right of way
Improper passing

Following too closely
Failed to signal turn or stop
Disregarded stop sign

Operating wrong side of road—not overtaking

TATE OF VIRO	GINIA		To-Wit:	No.
OCCUPANT OF	Harrisonburg	38.7710	aid as Stoly	
City	THE COLOR DOLLAR	- OPPICED		
TO ANY	SHERIFF OR POLICE			250 . 00), to be made and levied
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socialistics may be a	to or times to which the ner	on oath belo	City	(Name)
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	Rockingham	in the name	of the Commonwealth, to	apprenent and bring before the
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41. 1. 14. 141.	according to law. And ye	ou are also	directed to summon:	
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STATE OF VIRGINIA—COUNTY OF Harrisonburg to-wit: John G. Leake a Judge of the County Courty in and for the County aforesaid, State of Virginia, do certify Justice of the Peace that John G. Leake a Judge of the County Courty in and for the County aforesaid, State of Virginia, do certify Justice of the Peace that John G. Leake a Judge of the County Courty in and for the County aforesaid, State of Virginia, do certify Justice of the Peace that John G. Leake a Judge of the County Courty in and for the County aforesaid, State of Virginia, do certify Justice of the Peace that John G. Leake a Judge of the County in and for the County aforesaid, State of Virginia, do certify Justice of the Peace that John G. Leake a Judge of the County in and for the County aforesaid, State of Virginia, do certify Justice of the Peace THOUSAID TWO HUNDR D AND FIFTY**** Output Court Courty in the use of the Commonwealth to Circuity Courty in the use of the Commonwealth to Circuity Courty in the use of the County Courty Courty in the use of the County Courty in the use of the County Courty Courty in the use of the County Courty Courty in the use of the County Courty Courty Courty in the use of the County Courty in the use of the County Courty					
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Total\$	Clerk	The following witnesses were recognize to appear before the Circuit Court of County Virginia, at			

COUNTY OF		To-Wit:	No.
TO ANY SHERIFF OR POLICE	E OFFICER		
Whereas,			
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to the Commonwealth of Virge (\$1250), to be made be rendered, yet upon this common of Rocking M., at or further heard, and before an for the offense with which he is and effect until the charge is firthe will	Justice HERRING BRILL - ELKTON, VA Tinia in the sum of TWEL Ide and levied of their respective dition: That the said ELWING AM Count HARRISON BURG y court thereafter having or hole s charged, and shall not depart to all y disposed of or until it is defined shall be deemed to constitute	goods and chattels, lands, and to good with the leave of said chattels, lands, and to good lichard with peace and he for any licease.	enements to the use of the shall appear before the ay of JUNE es to which the proceedings on with the charge in this court, the said obligation to the tent court; and upon the further than the said obligation to the said obligation to the further than the said obligation to	Commonwealth to Gircuit County 1958, s may be continued warrant, to answer remain in full force
Fine \$ Costs \$ Total \$	one accused, to answer the sain	Upon the examination of the within charge, I find the accused	Executed this, the day of	DOCKET NO. 2657 2 A COMMONWEALTH VS. WARRANT OF ARREST
Witness Attendance Summoning Witnesses Commonwealth Attorney Total Costs Fine Total \$	Bail	Warrant COSTS \$	Virginia, at M., on the, 19, 19, 19, under penalty of \$	The following witnesses were recognize to appear before the Circuit Court of County County

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting: CHARLOTTE
You are hereby commanded to summon
BEVERLY KISER, Abilene, Virginia
100
20.72
#21.72
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 24th day of September, 1958to testify and the truth to say in behalf of the
Commonwealth-before the Grand-Jury, against ELWOOD HERRING
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, CHARLES E. EARMAN, JR., Commonwealth's Attorney for Rockingham County and the City of
Harrisonburg, Virginia, at the Court House, the 22nd of August , 1958, and in the 183rd rear of the Commonwealth. Charles Commonwealth's Attorney
25 miles rates may

In the Name of the Commonwealth of Virginia: To the Sheriff of Realinghams County, Greeting: CHARLOTTE You are hereby commanded to summon
BEVERLY KISER, Abilene, Virginia
001
4 7 1 7 V
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 9:30
o'clock, a. m., ou the . 24th day of September
Commonwealth before the Grant jury, against _ELWOOD_HERRING
who stands charged with and indicted for a felony mi-denseasor.
And this you shall not omit under penalty. And have then and there this Writ.
Witness, CHARLES E. EARMAN, JR., Commonwealth's Attorney for Rockingham County and the City of
Harrisonburg, Virginia, at the Court House, the 22md of August

Witness Subpoena	
Commonwealth of Virginia:	
County of Rockingham, to-wit: To the Sheriff of Said County, Greeting: City Sergeant, Hopewell, You are hereby commanded, in the name of the Con	Virginia monwealth of Virginia to summon
Virginia Schaaf; 2212 Picket	t Street, Hopewell, Virginia
et No. 2020	Docks
to appear before The County Court of said County, s.	itting at Harrisonburg, Virginia, in said County, on
1st day of July , 19 58, a	the hour of 2:00 o'clock, P. M. of that day
to give evidence in behalf of Commonwealth	
bpoena	00.1 V. (Witness S
in the pending case ofCommonwealth	20.16
here planni	21.16
v. Malcolm Ray Morris and Elwood H	erring
Given under my hand this 17th day of	June , 19_58
	ada C. Swarts
	Clerk Asst. Clerk

Witness Subpoens

Commonwealth of Virginia: County of Rockingham, to-wi

To the Sheriff of said County, Greeting

nommus of singuity to The County Court o sman and ai belinamine videral are no le

26569 A Docket No. 26571 A

to appear before The County Court of said County, sitting at Harrisonburg, Virginia, in said County, on

Commonwealth

V. (Witness Subpoena

in the pending case of

Malcolm Ray Morris and Elwood Herring

July 1, 1958; at 2:00 P. M.

Given under my hand this.

-61

Asif Clerk

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summor	n Onnie Mowbray
	Buddy Baugher
1	
to appear before the Judge of the Circu	it Court of Rockingham County, at the Court House thereof,
at 1 o'clock, a. m., on the 24thday	ofSeptember19.58 to testify and the truth to
	prosecution of the Commonwealth against
Elwood Herring	
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 18th
day ofSeptember 1958, a	and in the 183 over of the Commonwealth.
0.56	By H. L. Buren,
Owald Sillen	AC

EXECUTED 9-20-48 IN THE COUNTY OF O and to amale and mi ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Summons To Omnie Maubray and Buddle Baugher ROCKINGHAM COUNTY - say in behalf of the Defendant in the protecution of the Commonwealth against

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Mary Hulvey
Hall mostuille
ELLER FOR THE THE REAL PROPERTY OF THE PROPERT
A Company of the Comp
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at mo'clock, a. m., on the 24th day of
say in behalf of the Defendant in the prosecution of the Commonwealth against Ellwood Herring
who stands charged with and indicted for a felony medicanoux
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, the22d
day of September, 1958, and in the 183d year of the Commonwealth,
John marget framen, n

in the Name of the Commonwealth of Verginia:

Executed on the 2.3 iday of the usual place of abode, the land not finding head there, or any other person upon whom service could be made, I left a finding head the above mentioned papers attached to each other, posted on the front idoor of head usual place of abode.

BY Lleung E. Hance DEPUTY SHERIFF

Ellwood Herring

not Paid



In the Name of the Commonwealth of Virginia: To the Sheriff of Rockingham County, Greeting: CHARLOTTE You are hereby commanded to summon
BEVERLY KISER, Abilene, Virginia
By John Mr. Shape
Executed on the day of the copy of the above mentioned papars attached to each other, to the day of the above mentioned papara In person
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 24th day of September, 1958to testify and the truth to say in behalf of the Commonwealth before the Grand Jury, against ELWOOD HERRING
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, CHARLES E. EARMAN, JR., Commonwealth's Attorney for Rockingham County and the City of
Harrisonburg, Virginia, at the Court House, the 22nd of August , 1958, and in the 183rd year of the Commonwealth. Charles Commonwealth's Attorney

who stands charged with and indicted for a felony-misdemeanor. day of September, 19 58, in the County of Charlotte, Virginia, by delivering a true copy of the above mentioned papers Deally attached to each other, to ____in person. DEPUTY SHERIFF, COUNTY OF CHARLOTTE, VA To the Sheriff of Enclingham County, Greeting: In the Name of the Commonwealth of Virginia:

In the Name of the Commonwealth of Virginia: To the Sheriff of Rockingham County, Greeting: CITY SERGEANT, HOPEWELL You are hereby commanded to summon
VIRGINIA SCHAAF, 2212 Pickett Street, Hopewell, Va.
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 24th day of September, 19.58., to testify and the truth to say in behalf of the Commonwealth before the Grand Jury, against ELWOOD HERRING.
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, CHARLES E. EARMAN, JR., Commonwealth's Attorney for Rockingham County and the City of
Harrisonburg, Virginia, at the Court House, the 22nd of August

WHO WAS FOUND AT TOO USUAL PLACE OF APADE AND WHO IS A MEMBER OF ARE OF 16 YRS. BY CLITY SGT. BY CLITY SGT. CITY SGT.	The Name of the Commonwealth of the Name of the Sheaff of
truth to say in behalf of the	o'clock, a. m., on the 24th day of September
	who stands charged with and indicted for a felony miedemeanor-

In the Name of the Commonwealth of Virginia:	
To the Sheriff of Rockingham County, Greeting:	
You are hereby commanded to summon	
TROOPER FAILES	
SGT. BIRCKHEAD	
CHARLES M. SEE, Carr's Tire Service	
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 24th day of September, 1958, to testify and the truth to say in behalf of the	
Commonwealth before-the Grand-Jury, against ELWO.OD HERRING	
* * * * * * * * * * * * * * * * * * *	
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, CHARLES E. EARMAN, JR., Commonwealth's Attorney for Rockingham County and the City of	

Charles C. Carman,
Commonwealth's Attorney

of the Commonwealth.

	In the Name (For commonwealth of Virginia:
	AUG 28 1958 AUG 2
Service	CHARLES M. SED, CART'S Tire
at the Court House thereof, at 9:30	to appear before the Judge of the Circuit Court of Rockingham County, a
Бикалев	Commonwealth beceester the commonwealth because the commo
Set.	R. Failes Birchinad a release of the with and indicted for a release of the wind and indicted for a release of the wind and the wind a
County and the City of 10.5%, and in the 10.65% lyear	Harrisonburg, Vinginia, at MOZAM M. Land Common Della Marrisonburg, Vinginia, at MOZAM M. Land Commonwealth. Strawderm as S. R. C.
War Attorney	Jest E Haney DEPUTY SHERIFF

In the Name of the Commonwealth of Virginia:	
To the Sheriff of Rockingham County, Greeting	COPY OF THE WITHIN
You are hereby commanded to summon	O Harles Lee Lee
TROOPER FAILES	IN PERSON.
CHARLES M. SEE, C/o Carr	Bros.
SGT. BIRCKHEAD	751(3-10)
YTHIO MANAMNOOR	ALMORO WITHOUTH
to appear before the Judge of the Circuit Court of Rockingham County	v, at the Court House thereof, at 9:30
o'clock, a. m., on the 18th day of August 19.58, to test	tify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against ELWOOD. HERRING	10 7 11 12000
	TI 3 MORNING
	MAMRBUUANSSILA
who stands charged with and-indieted-for-a felony misdemeanor.	731631.5
And this you shall not omit under penalty. And have then and there	e this Writ.
Witness, CHARLES E. EARMAN, JR., Commonwealth's Attorney for	or Rockingham County and the City of
Harrisonburg, Virginia, at the Court House, the 7th of August of the Commonwealth.	, 19.58, and in the 183rd year
	Commonwealth's Attorney

EXECUTED 87-58IN THE COUNTY OF	
ROCKINGHAM BY DELIVERING A TRUE	COUNTY OF THE COUNTY OF
COPY OF THE WITHIN JULY TO YOU	DKINGHAM BY DELIVERING A TRUE
To Charles In Lee COF	
IN PERSON.	Lgl. Bielland
Af Mante Klef IN	PERSON
Co Carr Bros. MANAGERO LA	-d. les arts 1001
A.L. SIKAWAEDINAN	A. L. STRAWDERMAN
SHERIFF CAN	SHERIFE
- ROCKINGHAM COUNTY	ROCKINGHAM COUNTY
EXECUTED & SIN THE COUNTY OF	
ROCKINGHAM BY DELIVERING A TRUE	to appear before the Judge of the Circuit Court of i
COPY OF THE WITHIN JUMPANO	o'clock, a. m., on the 18th day of August
ma R. Enilus	
TN DEPCON	Commonwealth before the Grand Jury, against ELM
Decen E. Hanry Wes	
A. L. STRAWDERMAN	
110 CATEBIEF	in the second se
POCKINGHAM COUNTY	who stands the grad water and indicated for a felony me
nave then and there time WAHDNINOOR vealth's Attorney for Rockingham County and the City of	And the very work and under penalty, And
vealth's Attorney for Kockingham County and the City of	Harrico WALLS OFFICE AUG TO STATE House, the Title
ofAugust	Harrico MAHOKINGHAM TO THE TALL OF THE TAL
1 2 3 3 1 1	AUG OFFICE SHERIFFS OFFICE SHERIFFS OFFICE ROCKINGHAM ROCKINGHAM OF THE TAIL
	COOK.
Charles (Comment	You was a second
Deve fee 126	ON 161118

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
TROOPER J. R. FAILES
SGT BIRCKHEAD
CHARLES M. SEE, Carr Brothers
9 5 3 3 3 5 3 7
8394 1901
1 5 3 A 3 A
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 16th day of June, 1958, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against ELWWOD HERRING
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, CHARLES E. EARMAN, JR., Commonwealth's Attorney for Rockingham County and the City of
Harrisonburg, Virginia, at the Court House, the 4th of June , 1958, and in the 182nd year
of the Commonwealth.
Commonwealth's Attorney

In the Name of the Commonwealth of Virginia:

BY DEFINED 6 - 2 - 38 IN THE COUNTY OF THE WITHIN THE COUNTY OF T

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NUM 4 1958
SHERIFFS OFFICE
SHERIFFS OFFICE
COUNTY
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9-24-58

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W. N. P. Harris

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Wilson mobiler

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W. H. acadrioli

Docket No. 3456 . Jun 24

AUG IN IE

COMMONWEALTH of VIRGINIA

VS. Indictment } Felony (inv. mans.)

ELWOOD HERRI NG hand

morga

Donald D. Litten

Own () Appointed (x)

_p. d.

1958
August 18. Return of Grand Jury. 10/72
aug. 18. arn. + plea n. j. + seh
for Sept. 24.

Sept. V4. Juny imp. or 4 werdich not guilty. 1999

Metureses 21.72 1.00 43.88

CIRCUIT COURT OF ROCKINGHAM COUNTY, VA.



265-71 A

3456

COUNTY COURT

Criminal No. 26572 A

Com'th

V.

Defendant Haring

Appearance Date 6 -7 - 3-8

Trial Date 7-1-58

Grand Jury

