

I, Elizabeth O. Maston, the accused in the attached warrant,
in open court, before the Judge of the Circuit Court of Rockingham
County, Virginia, do voluntarily waive indictment on the said charge
of murder, aiding and abetting.

Given under my hand this 10th day of February, 1958.

Elizabeth O Maston

Witness:

Witness:

Elizabeth O. Maston

Given under my hand this 10th day of February, 1958.

I, Elizabeth O. Maston, the accused in the attached warrant,
in open court, before the Judge of the Circuit Court of Rockingham
County, Virginia, do voluntarily waive indictment on the said charge
of murder, aiding and abetting.

STATE OF VIRGINIA

~~COUNTY~~ OF **Harrisonburg**
City

To-Wit:

No. _____

TO ANY SHERIFF OR POLICE OFFICER:

Whereas, **Charles E. Earman, Jr. , Commonwealths Attorney**has this day made complaint and information on oath before me, **John G. Leake****Justice of The Peace****City**

(Name)

(Title)

of the said ~~County~~, that**Elizabeth O. Maston****Rockingham**in the ~~Rock~~ County

did on the **20th** day of **January**, 19 **58**: Unlawfully **and feloniously,**
aid and abet Kemper N. Maston kill and murder one Diane Maston, their daughter, a
minor female child, to-wit: the age of 8 months, against the peace and dignity of
the Commonwealth of Virginia

These are, therefore, to command you, in the name of the Commonwealth, to apprehend and bring before the
Rockingham
 County Court of the ~~Rock~~ County, the body (~~body~~) 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 _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>
_____	color _____	Address _____	<input type="checkbox"/>

as witnesses.

Given under my hand and seal, this **21st** day of **January**, 19 **58**

John G. Leake
 (Signature)

(Title of Issuing Officer)
JUSTICE OF THE PEACE

(Seal)

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

I, _____ a Judge of the County Court 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. Nonappearance shall be deemed to constitute a waiver of trial by jury.

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

Judge. J. P.

DOCKET NO. 25-5-79 A

COMMONWEALTH

WARRANT OF ARREST

Eli zabeth O. Maston

Executed this, the 21st day of

January 1958

Mr. T. H. Hoover
A. T. Henderson

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

Guilty as charged
the defendant is ordered
held for action by the

Grand Jury.
James Under my hand
this 24th day of January
1958.

District Q. James
County Judge

Fine _____
Costs _____

Total _____
Plen. 19. 1-25-58 Mr. Justice

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 _____ \$ 2.00

Bail _____

Arrest _____ \$ 1.00

Mileage _____

Clerk _____ \$ 1.25

Jail Fee and Board _____ \$ 1.50

Witness Attendance _____

Summoning Witnesses _____

Commonwealth Attorney _____ \$ 5.00

Total Costs _____ \$ 10.75

Fine _____

Total _____

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

SHERIFF HOOVER

DR. F. L. BYERS

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 13th day of March, 1958, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against ELIZABETH MASTON

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 18th of February, 1958, and in the 182nd year
of the Commonwealth.

Charles E. Earmann Jr.
Commonwealth's Attorney

2:10 PM

EXECUTED 2/18/58 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN Summons

TO Sheriff Hoover
IN PERSON.

George R. Quinn
Deputy Sheriff

A. L. STRAWDERMAN
SHERIFF
ROCKINGHAM COUNTY

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

SHERIFF HOOVER

DR. F. L. BYERS

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 18th day of March, 1958, to testify and the truth to say in behalf of the

EXECUTED 3/6/58 IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN Summons

TO Dr. F. L. Byers
IN PERSON.

George R. Quinn
Deputy Sheriff

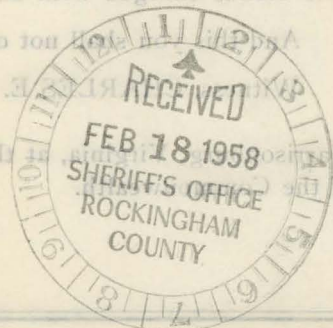
A. L. STRAWDERMAN
SHERIFF
ROCKINGHAM COUNTY

who stands charged with and indicted for a felony misdemeanor

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

ELIZABETH MASTON, JR., Commonwealth's Attorney for Rockingham County

at the Court House, the 18th of February, 1958



COMMONWEALTH

V.

ELIZABETH MASTON

CHARGE TO JURY

If you find the accused guilty of aiding and abetting in the murder of Diane Maston, as charged in the warrant, and that the murder was committed with malice aforethought, and that it was willful, deliberate and premeditated, you will find her guilty of murder in the first degree and fix her punishment at death, or by confinement in the penitentiary for life, or for any term not less than twenty years.

If you find her guilty of aiding and abetting in the murder of Diane Maston, as charged in the warrant, and that the same was committed with malice aforethought, but that it was not willful, deliberate and premeditated, then you will find her guilty of murder in the second degree, and fix her punishment at confinement in the penitentiary for not less than five years nor more than twenty years.

If you find her not guilty of murder in the first degree, nor of murder in the second degree, but that she aided and abetted in the killing of Diane Maston, as charged therein, without malice aforethought, actual or implied, upon sudden heat, you will find her guilty of aiding and abetting in the voluntary manslaughter of Diane Maston and fix her punishment at confinement in the penitentiary for not less than one year nor more than five years.

If you find her not guilty of murder in the first degree, nor of murder in the second degree, nor of voluntary manslaughter, but find her guilty of aiding and abetting in the involuntary manslaughter of Diane Maston, as further charged in the warrant, you will say so and fix her punishment at confinement in the penitentiary for not less than one year nor more than five years, or, in your discretion, by a fine not exceeding One Thousand Dollars, or by confinement in jail not exceeding one year, or by both such fine and imprisonment.

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

CHARGE TO JURY

If you find the accused guilty of aiding and abetting in the murder of Diane Naston, as charged in the warrant, and that the murder was committed with malice aforethought, and that it was willful, deliberate and premeditated, you will find her guilty of murder in the first degree and fix her punishment at death, or by confinement in the penitentiary for life, or for any term not less than twenty years.

If you find her guilty of aiding and abetting in the murder of Diane Naston, as charged in the warrant, and that the same was committed with malice aforethought, but that it was not willful, deliberate and premeditated, then you will find her guilty of murder in the second degree, and fix her punishment at confinement in the penitentiary for not less than five years nor more than twenty years.

If you find her not guilty of murder in the first degree, nor of murder in the second degree, but that she aided and abetted in the killing of Diane Naston, as charged therein, without malice aforethought, actual or implied, upon sudden heat, you will find her guilty of aiding and abetting in the voluntary manslaughter of Diane Naston and fix her punishment at confinement in the penitentiary for not less than one year nor more than five years.

If you find her not guilty of murder in the first degree, nor of murder in the second degree, nor of voluntary manslaughter, but that her guilt of aiding and abetting in the involuntary manslaughter of Diane Naston, as further charged in the warrant, you will say so and fix her punishment at confinement in the penitentiary for not less than one year nor more than five years, or, in your discretion, by a fine not exceeding One Thousand Dollars, or by confinement in jail not exceeding one year, or by both such fine and imprisonment.

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

3367

COUNTY COURT

Criminal
Docket

Nº 25579 A

Com'th

v.

Elizabeth O. Maston
Defendant

aw- Appearance Date 1-24-52

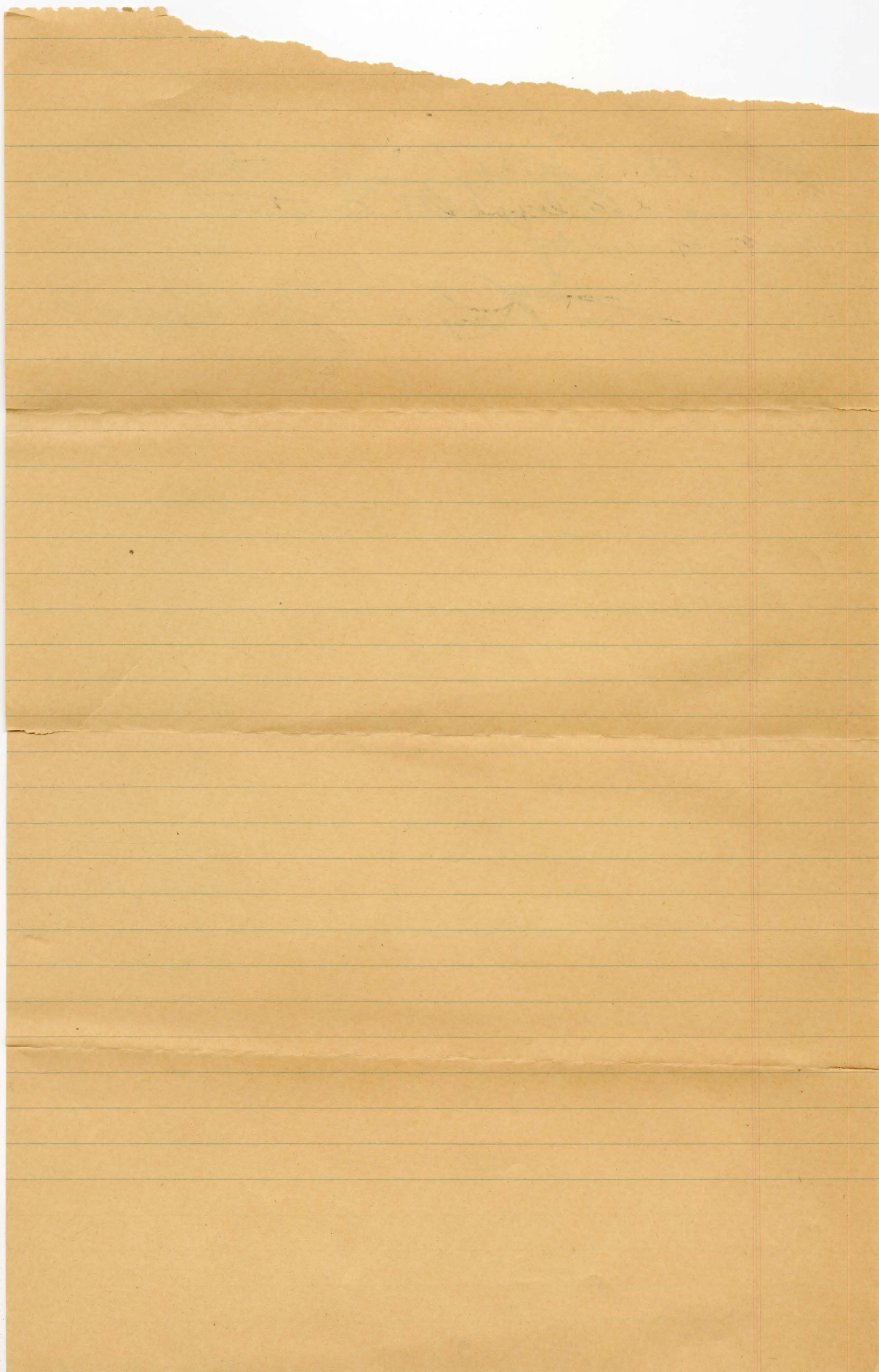
Trial Date

To: GRAND Jury 1-24-52 P.M. [unclear]



The the Jury find the
accused Elizabeth Norton,
not guilty

Raymond Gerliser
Foreman



Emma W. Ward
 Helen W. Ward
 L. B. Ward
 Westcott Hawkins
 Merwin Keller
 Lemuel Smith
 William E. Edwards
 E. Raymond Aldridge
 V. M. Smith
 Lillian Wise
 Clara E. Summers
 E. Monroe McPherson

Docket No. 3367.

FEB

1958

COMMONWEALTH of VIRGINIA

VS. WARRANT

)
) Felony (aiding and
) abetting--
) murder)

ELIZABETH O. MASTON

jail

Don E. Earman

p. d.

Own () Appointed (x)

1958

February 17. Indictment &c. waived;
accused arraigned and plea n.g.;
case set for March 13. 10/1

March 13. Jury imp. v; evidence
of com. heard & motion of
accused to strike same sus-
tained; verdict "not guilty"
returned. 10/17

CIRCUIT COURT OF ROCKINGHAM COUNTY, VA.

Keystone Envelope Co., Phila., Pa.