

HENSLEY, ALVIN LEE

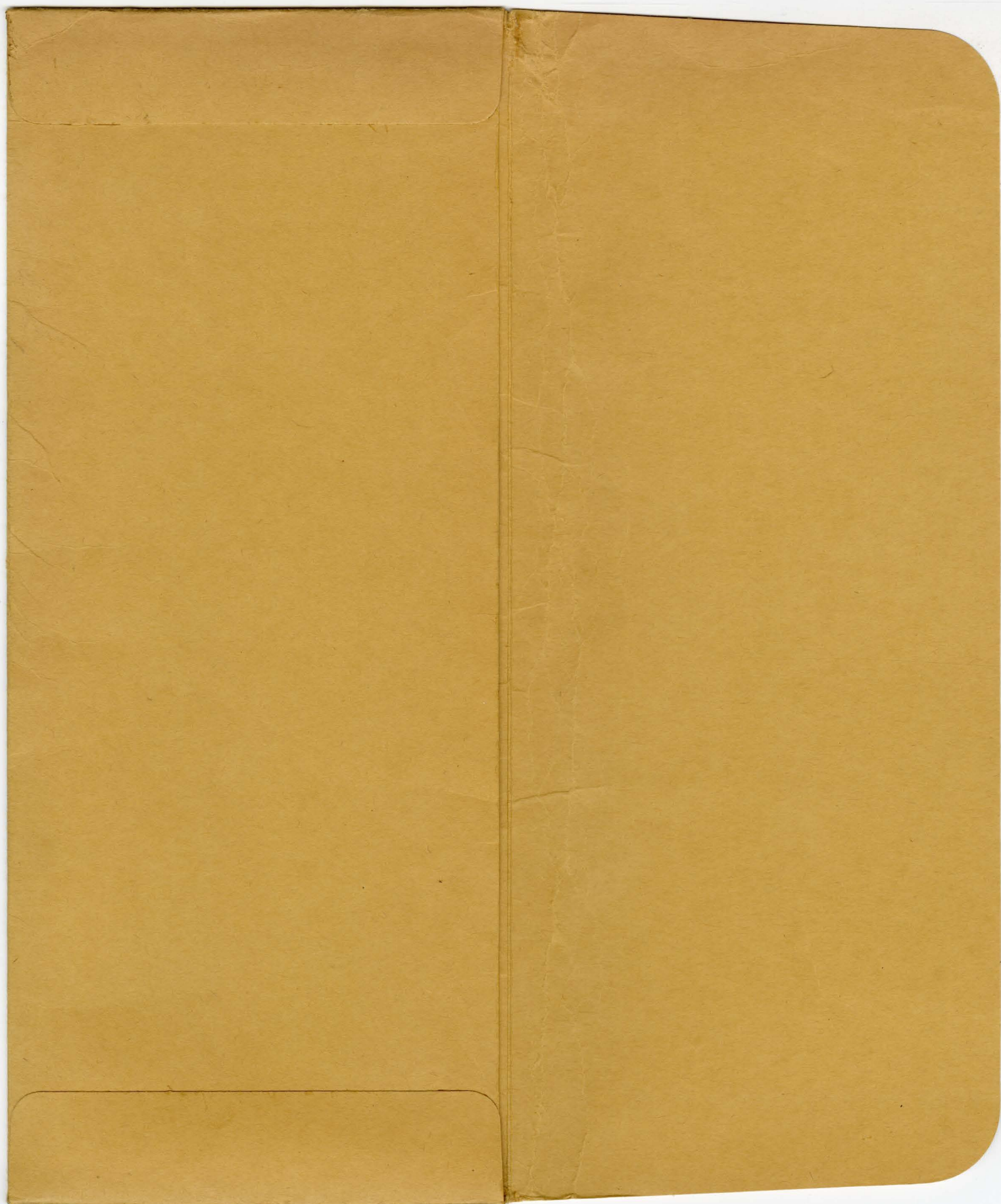
involuntary manslaughter

10/5/62 - p.m. - sent to D. 9. -

10/15/62 - A True Bill
(will be arraigned
on trial date)

Trial - 11/20/62

11/20/62 - verdict of
not guilty -



copy

STATE OF VIRGINIA

COUNTY OF Harrisonburg

To-Wit:

No. _____

City TO ANY SHERIFF OR POLICE OFFICER:

Whereas, R.D. Schuder, Jr.

has this day made complaint and information on oath before me, John G. Leake

(Name)

Justice of The Peace

City

of the said County, that

(Title)

Alvin Lee Hensley

Rockingham
in the said County

did on the 11th day of August, 19 62: Unlawfully and feloniously

kill and slay one Glenwood Taylor, 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 County Court of the said 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:

- Wm Parfield Hammer color _____ Address Rt 3, Epton
- other persons color _____ Address _____
- Sgt Brown color _____ Address _____
- Edward boy's father color _____ Address _____
- Schuder color _____ Address _____

as witnesses.

Given under my hand and seal, this 11th day of August, 19 62

John G. Leake (Seal)
(Title of Issuing Officer)
JUSTICE OF THE PEACE

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

I, _____ a Judge of the County Court 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 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. _____

DDL

COMMONWEALTH

WARRANT OF ARREST

vs. Alyn Lee Hansley

Executed this, the 11TH day of

April, 1962

R.O. Schaefer, Jr.

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 _____

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 _____ \$ _____

COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

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's guilt 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 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 binding 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 is guilty of 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.

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COMMONWEALTH

v.

ALVINLEE HENSLEY

INSTRUCTION NO. _____

The Court instructs the jury that the mere happening of an accident does not raise any presumption whatever of any negligence either ordinary, gross, or culpable on the part of the operator of the motor vehicle involved.

COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

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COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

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, and unless you believe from the evidence beyond a reasonable doubt that Alvin Lee Hensley was guilty of negligence of such a degree or nature you shall find him not guilty in this case.

COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

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COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

The Court instructs the jury that even though the accused may have violated a traffic law or laws in the operation of his motor vehicle, you cannot find him guilty unless such violation, or violations, were of such a dangerous nature as to be incompatible with a proper regard for human life as the mere violation of a traffic law does not of itself render a person guilty of involuntary manslaughter.

COMMONWEALTH

v.

ALVIN LEE HENSLEY

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COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

The Court instructs the jury that the mere swerving of an automobile on a curve is not a fact or occurrence of such a nature as will alone amount to proof of negligence of such a degree as to constitute wanton or culpable negligence on the part of the accused.

COMMONWEALTH

v.

ALVIN LEE HENSLEY

INSTRUCTION NO. _____

The Court instructs the jury that the mere swerving of an automobile on a curve is not a fact or occurrence of such a nature as will alone amount to proof of negligence of such a degree as to constitute wanton or culpable negligence on the part of the accused.

COMMONWEALTH

V.

HENSLEY

INSTRUCTION _____

The Court instructs the jury that when any blood sample of an accused is taken in accordance with the law and an analysis thereof is made through the office of the Chief Medical Examiner, the amount of the alcohol in the blood of the accused, as indicated by said chemical analysis, shall give rise to the following presumption:

(1) If there was at that time 0.05 per cent or less by weight of alcohol in the accused's blood, it shall be presumed that the accused was not under the influence of alcoholic intoxicants;

(2) If there was at that time in excess of 0.05 per cent but less than 0.15 per cent by weight of alcohol in the accused's blood, such facts shall not give rise to any presumption that the accused was or was not under the influence of alcoholic intoxicants, but such facts may be considered with other competent evidence in determining whether or not the accused was under the influence of alcoholic intoxicants.

(3) If there was at that time 0.15 per cent or more by weight of alcohol in the accused's blood, it shall be presumed that the accused was under the influence of alcoholic intoxicants.

INSTRUCTION

The Court instructs the jury that when any blood sample of an accused is taken in accordance with the law and an analysis thereof is made through the office of the Chief Medical Examiner, the amount of the alcohol in the blood of the accused, as indicated by said chemical analysis, shall give rise to the following

presumption:

(1) If there was at that time 0.05 per cent or less by

weight of alcohol in the accused's blood, it shall be presumed that the accused was not under the influence of alcoholic intoxicants;

(2) If there was at that time in excess of 0.05 per cent

but less than 0.15 per cent by weight of alcohol in the accused's blood, such facts shall not give rise to any presumption that the accused was or was not under the influence of alcoholic intoxicants, but such facts may be considered with other competent evidence in determining whether or not the accused was under the influence of alcoholic intoxicants.

(3) If there was at that time 0.15 per cent or more by

weight of alcohol in the accused's blood, it shall be presumed that the accused was under the influence of alcoholic intoxicants.

I - Instructions -
manslaughter - accidental

II Evid.

(1) officer -

(a) physical facts - Curve, etc.

(b) speed (60 m.p.h.) (PICTURES)

(c) wrong side - marks (187.5')

(d) ~~drinking~~ (~~appearance~~) - Blood Test - appearance

(2) Δ 's witnesses

(1) accused -

(a) 50⁶⁰ m.p.h. - did not slow down -

(b) met car - got off rd - ("doen't know what caused me to get off rd")

(c) 3 beers (1 or 2 at Fuden - 1 at Bennie's)

(d) admitted "could have been on wrong side" -

(2) ^{parquet} Hammer - ~~Alvin~~ had 2 beers at Bennie's

(3) Melvin Hammer - Δ had one beer out of 6-pack -

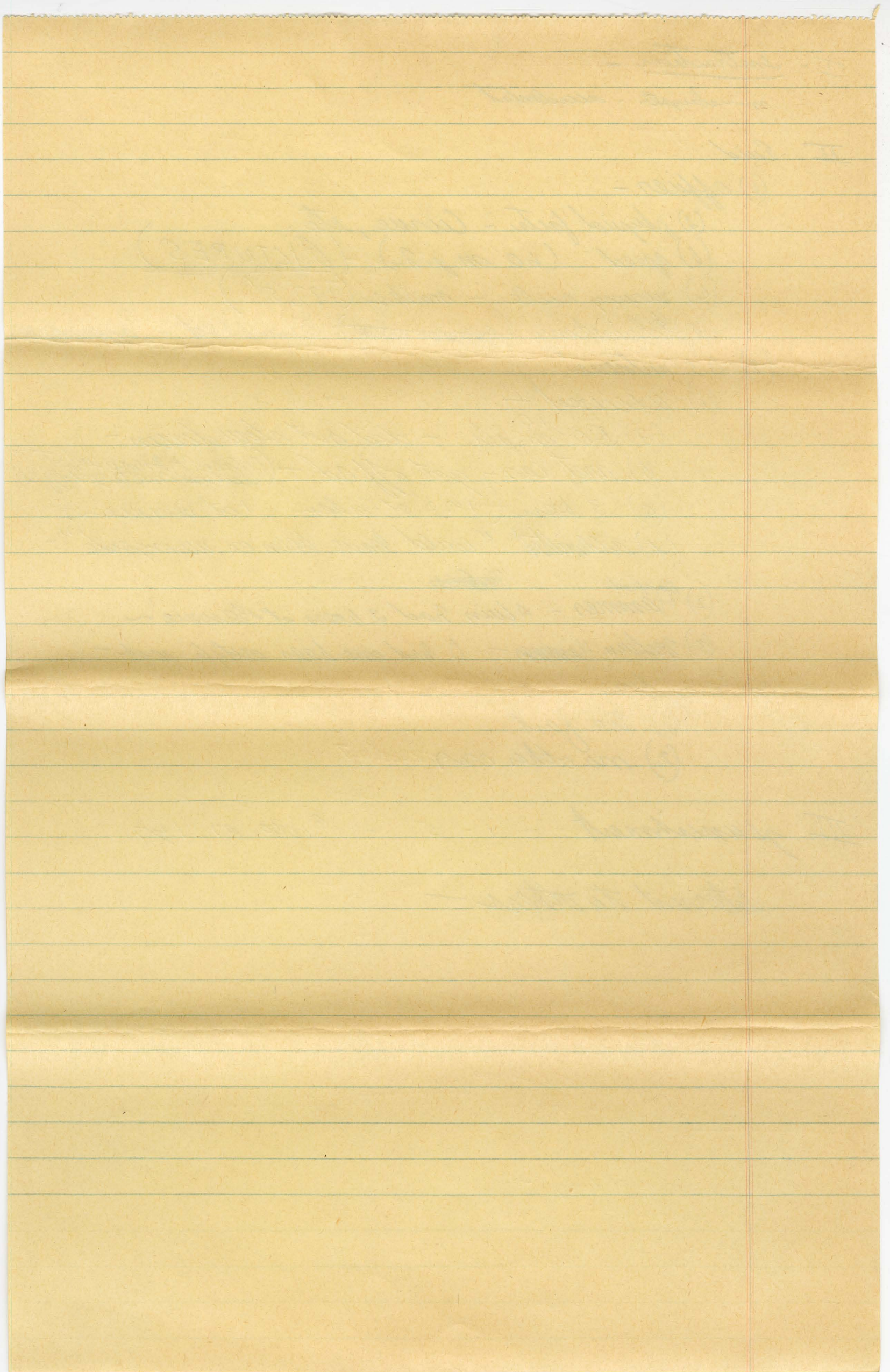
(3) Taylor

(1) too fast

(2) no other car

III punishment - 1 - 5 - \$1000 or 1 yr

deterrent to others -



Com v. Alvin Lee Hensley -

Wade v Com 202 Va 117

150' away

✓ Aug. 11, 1962 (Sat.) - 2:15 p.m.

✓ Glenwood Taylor (dec'd) -

✓ 1.2 mi. E of McR - rd to Island Ford - Dist 649

✓ 58 Chev -

✓ vehicle headed East - horse shoe curve to left - wrong side -
went out of control - left rt. shoulder - tree - pole

✓ Schuder - arrived at 2:35

✓ occupants: (1) Δ; (2) dec'd (3) Wm Barfield Hammer (4) Melvin Hammer

✓ tire marks - 105' on road surface - 59'5" on shoulder to tree -
23' sideways & hit pole (Total 187.5')

✓ alcohol - .08% -

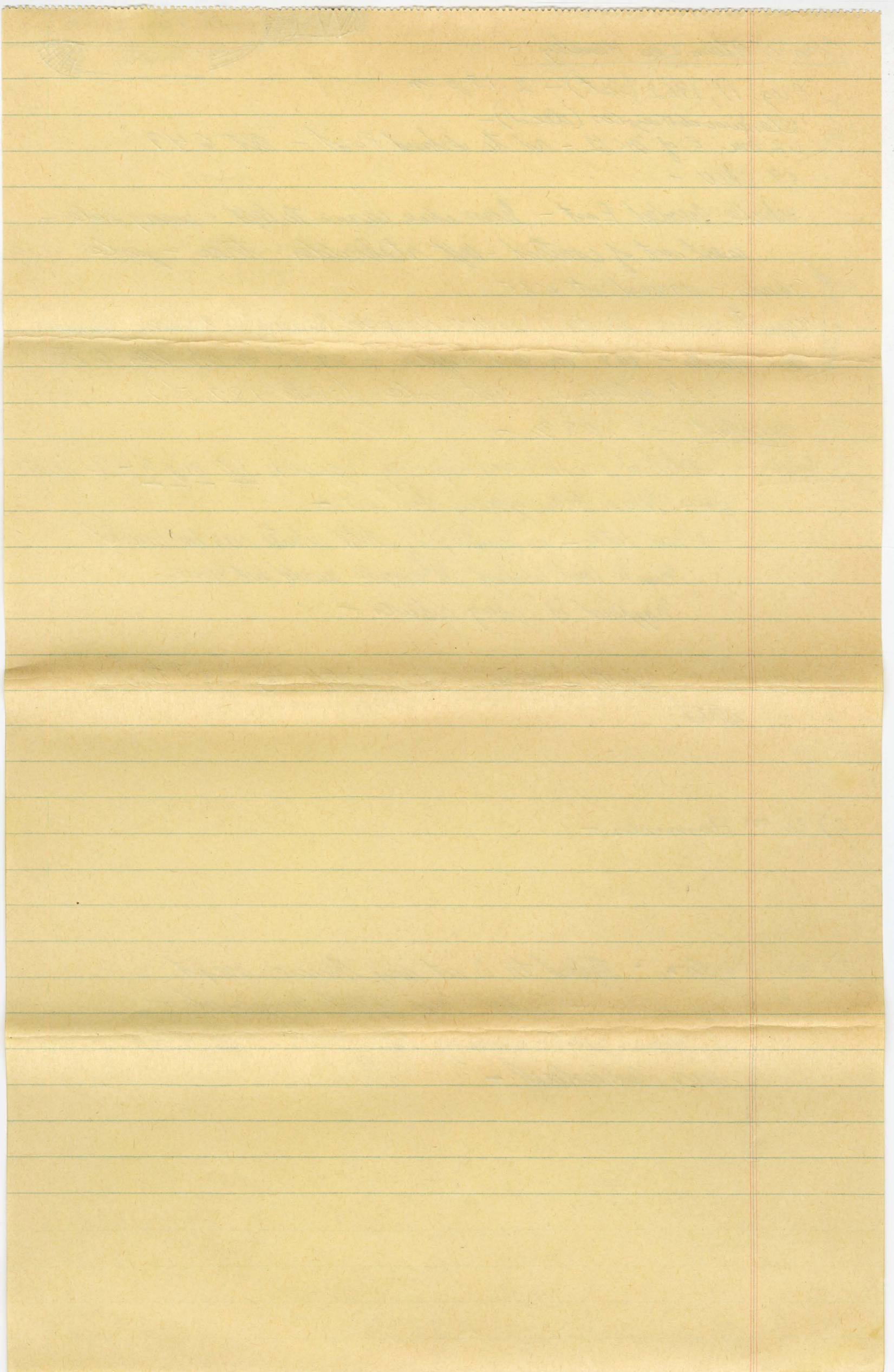
✓ Schuder - stated at scene, was going approx 60 m.p.h. - & must
have been going too fast -

2 hrs later - on way to jail, stated white car had caused
him to lose control, but maybe would not have
happened if going slower -

1) Schuder - Rebuttal - ~~(1) Boys at Hospital~~ - (2) (1) 1st time Δ
stated

2) Wm Hammer -

3) Mr. Taylor - talked to Δ at my house next
morning - asked him what happened -
& was just driving too fast - no other
cars involved -



D's witness

Ms. Taylor

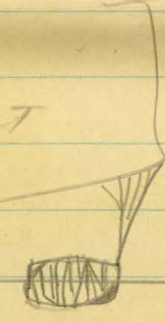
Alvin Hensley: Warfield + myself talking in Fisher's parlour that morning -
met Blunwood - each had beer in Elkton - drank
another beer in Bennie's Mill - turned off Koppitown rd - then
Warfield wanted to go to Kamiepe - told Trooper 50-60 mph -
met car - got off rd -
(told officer I had few beers -
no contact w/ them at hospital -

Alvin
Hammer
picked up
outside
H'bery -
to go
back
buy
beer
in
H'bery -
I
drank
none
of
that -

- X- (1) Drunk - (1) Du/Hammer - Fisher's - 1 or 2 -
- (2) speeding - (2) Bennie's - 1 beer -
- (3) statement to Taylor's - did not slow down -
- (4) wrong side of highway -
- (5) Type of car forcing him off rd -
- (6) ~~car not before~~ -

could have been on wrong side of rd -
white car -
don't know what caused me to
go off rd -

part other
[what car played in accident
mark on rd]



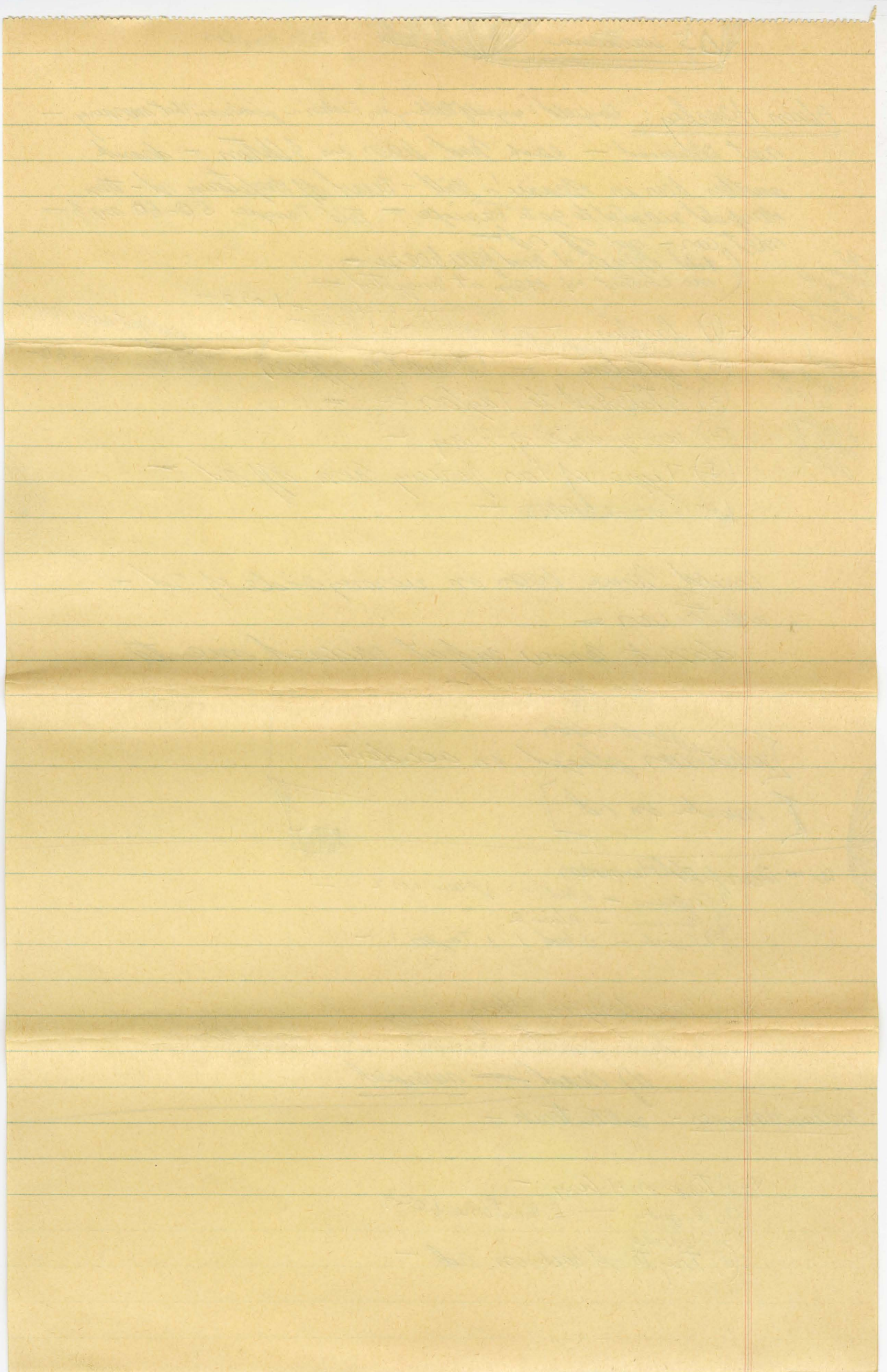
Wm Warfield Hammer

- (1) Fisher - I had 1 or 2, Alvin 1 or 2 -
- (2) Bennie - Alvin 2
- (3) 6-gak - I had 1 + Taylor 1 -

- X- (1) now long in H'bery
- (2) met white truck in middle
of road - swerved

Alvin Hammer - white truck -

- X- (1) time in H'bery -
- (2) 6-gak - I had one beer
- (3) curve
- (4) try to get back on rd -



AFFIDAVIT

I, HENRY H. COVINGTON, 1st Lieutenant, CE, do choose to make the following statement in behalf of Specialist Fourth Class Alvin Hensley.

I have known Specialist Hensley since his entry into the service in April 1960. At that time he was assigned to a platoon which I commanded. Specialist Hensley remained a member of that platoon for 14 months. During this time, I was able to observe his actions and character closely, under pressures which were extreme for him. I found him to be an able soldier who possessed both a level mind and sound judgment.

Following the time I was Specialist Hensley's platoon leader, I was the executive officer of his company, and for a short period, his company commander. During these periods, Specialist Hensley continued to display the highest standards of judgment and personal conduct.

I have been associated with Specialist Hensley during his entire tenure of military service and feel that his demonstrated qualities of sound mind and gentlemanly conduct while serving in the United States Army ~~should be considered in any charges placed against him.~~

I regret that due to the present national military situation, I will be unable to appear at Specialist Hensley's trial personally; however, I feel free to make this unqualified statement in his behalf.

WITNESS

David E. [Signature]

Henry H. Covington
HENRY H. COVINGTON
1st Lt Corps of Engineers

Subscribed and sworn before me this 16th day of November 1962. My commission expires 18 August 1965.

Laddie R. Bayler
NOTARY PUBLIC



APPENDIX

I, HENRY H. COVINGTON, 1st Lieutenant, CR, do choose to make the following statement in behalf of Specialist Fourth Class Alvin Hensley.

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Henry H. Covington
HENRY H. COVINGTON
1st Lt. Corps of Engineers

WITNESS
Robert B. [Signature]

Subscribed and sworn before me this 16th day of November 1962. My commission expires 18 August 1965.

Charles R. Boyer
NOTARY PUBLIC



Trooper Schuler

Com v. Alvin Lee Hensley -

acc's - Glen Woodward Taylor

date - Aug 11 - Sat - 2:15 p.m. -

1.2 miles east of M112 (Rt 649)

'58 Chev -

hit telephone pole

others in car: (1) Wm Hemmes (2) Melvin Hemmes

187.5' Tire marks -

.08 % - blood test

- (check on this - whether admissible) -

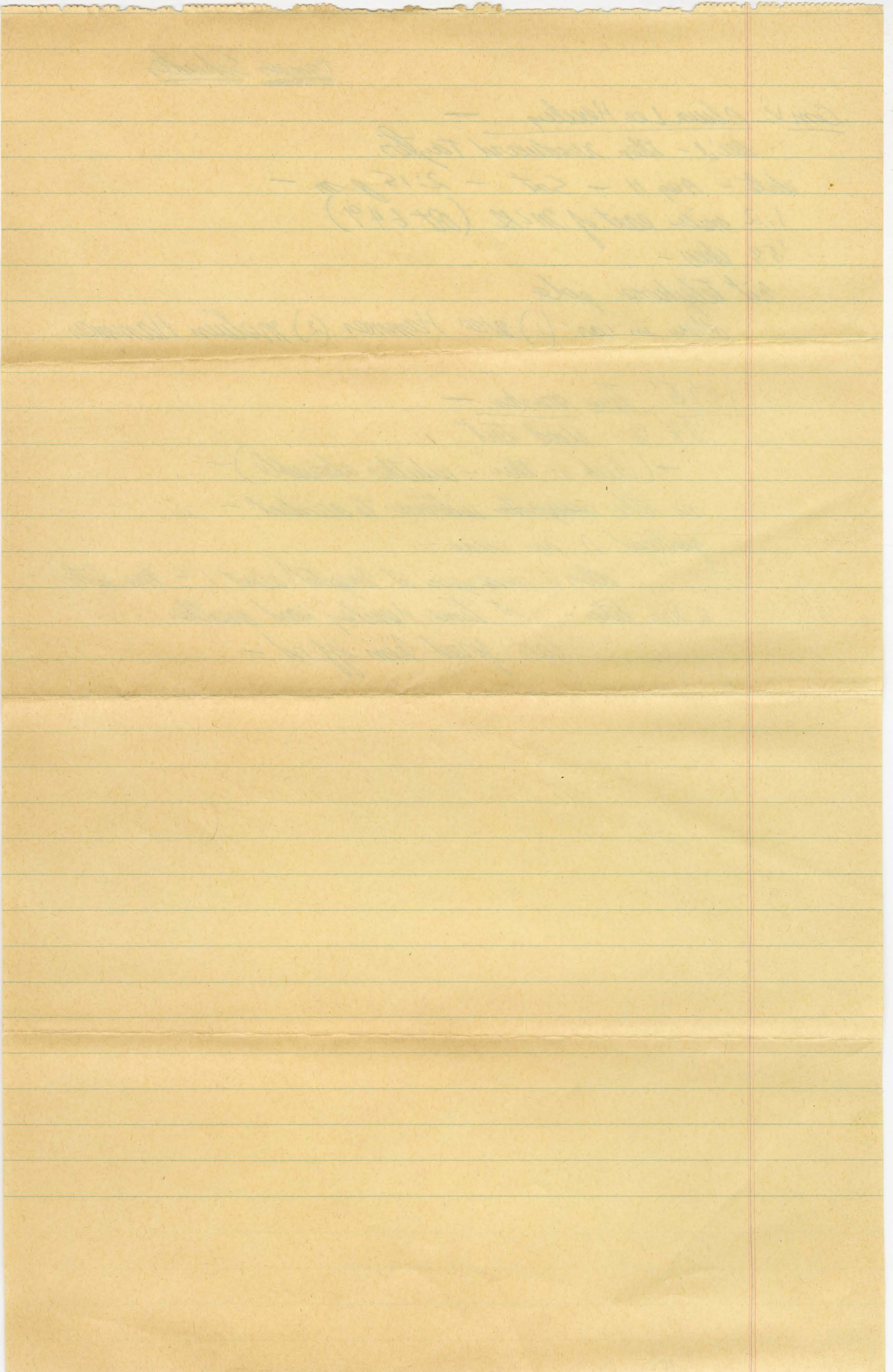
no other ~~occupants~~ witnesses to accident -

questioned D as scene -

" other 2 passengers at hospital (about 1 1/2 hrs later) -

2 hrs later - 1st time Hensley said another

car forced him off rd -



COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

In The Circuit Court of Rockingham County, October Term, 1962

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 oaths present that Alvin Lee Hensley, on the 11th day of August, 1962, in the County of Rockingham, Virginia, unlawfully and feloniously did kill and slay one Glenwood Taylor, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Trooper R. D. Schuder, Jr., witness sworn in open court and sent to the Grand Jury to give evidence.

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, co-wit:

In The Circuit Court of Rockingham County, October Term, 1961

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 oaths present that Alvin Lee Hensley, on the 15th day of August, 1961, in the County of Rockingham, Virginia, unlawfully and feloniously did kill and slay one Glenwood Taylor, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Trooper R. D. Schubert, Jr., witness sworn in open court and sent to the Grand Jury to give evidence.

William Garfield Hammer - stated at the hospital he, the accused, and deceased had two beers apiece at the R & H Restaurant in Harrisonburg. That they bought a six pack and drank them driving along. Hammer stated that he drank two of the beers out of the six pack and didn't know how many Hensley had, but that he thought he drank one every time that he had one.

Marvin McKinley Hammer - He stated that they came around a curve and met a white pickup truck in the middle of the road. Hensley was driving approximately 45 MPH, cut back to miss the truck and then they hit the tree. He said they picked him up in Harrisonburg.

William Garfield Hammer - stated at the hospital he, the accused, and deceased had two beers apiece at the R & H Restaurant in Harrisonburg. That they bought a six pack and drank them driving along. Hammer stated that he drank two of the beers out of the six pack and didn't know how many Hensley had, but that he thought he drank one every time that he had one.

Marvin McKinley Hammer - He stated that they came around a curve and got a white pickup truck in the middle of the road. Hensley was driving approximately 45 MPH, cut back to miss the truck and then they hit the tree. He said they picked him up in Harrisonburg.

CONFIDENTIAL

VIRGINIA STATE POLICE

SUBJECT:

REPORT

Glen Woodward Taylor, W-M-28, Victim
Alvin Lee Hensley, Accused
INVOLUNTARY MANSLAUGHTER

TT No. _____ Div. File No. _____
Date: 8/11/62 Time: 2:15 P.M.
Place: 1.2 miles east of McGaheysville, Va., Rt. 619
County Rockingham Code No. 082
Discovered by: unknown citizen
Motive: none Weather: clear

DESCRIPTION: W-M-5'10"-160 lbs-hazel eyes-
brown hair-DOB: July 11, 1941
Address: Rt. 1, Box 365, Elkton, Va.

Value Property	Stolen	Recovered	Abandoned
Currency, notes			
Jewelry, gems			
Furs			
Clothing			
Vehicle			
Miscellaneous			
Total			

Accused wanted this offense? no Extradite? _____
Warrant issued this offense? yes
Department? SP Rockingham County
Date Arrested 8/11/62 Dept. Va. State Police
Arrest Nos. 1 0-801899 2 _____ 3 _____
4 _____ 5 _____ 6 _____ 7 _____

Date Recovered: _____ Time: _____
Place: _____
Stored: _____
Address: _____ Condition: _____
Released to Owner? _____ Date _____
Other Disposition? _____ Date _____

ENCLOSURE:

DISTRIBUTION: I & R-1
Division III-1 Commonwealth's Atty-1
Files -1

Vehicle Identification
Make _____ Model: _____
Type: _____ Color: _____
Lic. No. _____ State: _____
Motor No. _____ ID/Ser. _____
Original Report: Yes No
Date of Report: 8/13/62
Date Covered: 8/11/62 thru 8/13/62
Report by: Tpr. R. D. Schuder, Jr.

Origin: Date 8/11/62 Time 2:20 P.M.
1 ___ Request other agency _____
2 Citizen complaint to PD Harrisonburg
3 ___ Observed on patrol _____ 6 ___ Telephone _____
4 ___ See original report _____ 7 ___ Correspondence _____
5 ___ Telegram or teletype _____ 8 ___ Personal _____

SUMMARY:

On August 11, 1962, at 2:20 P.M., I received a call from State Police Appomattox advising there was a 9-I between McGaheysville and Island Ford.

I arrived at the scene, 1.2 miles east of McGaheysville on State Route 619 at approximately 2:35 P.M., and found a 1958 Chevrolet partly over an embankment with its left side against a telephone pole. Lying alongside the vehicle was the above-named victim who was dead. Lying on the shoulder of the road was William Garfield Hammer, a white, male, 24, Route 3, Elkton, Virginia, who was vomiting. Also at the scene was the accused and Melvin McKinley Hammer, a white, male, 18, Route 1, Elkton, Virginia, who had minor injuries.

Members of the Harrisonburg Rescue Squad arrived at the same time as I and brought the two Hammer boys to the Rockingham Memorial Hospital, Harrisonburg, Virginia, for examination as they had minor lacerations on the head. The above-named victim, who appeared to be dead, was left at the scene, and Dr. F. L. Byers, Medical Examiner for Rockingham County, was notified. Dr. Byers ordered the body to be moved to Brill's Funeral Home in Elkton, where he would examine same. Brill's Ambulance arrived and removed the victim's body, and it was later examined by Dr. G. G. Tanner, Assistant Medical Examiner, Grottoes, Va.

Undeveloped Leads: blood alcohol analysis

Leads: Handled Div. Handle I & R Handle

Victim's Address: Rt. 1, Elkton, Va.

OPINION: Victim was killed by reckless act of subject Hensley.

Unfounded Pending Inactive cleared arrest cleared other
Approved _____

APPROVED
Div. COMMANDER

MODUS OPERANDI

PROPERTY IDENTIFICATION
(OTHER THAN MOTOR VEHICLES OR TRAILERS)

ITEM	QUANTITY	MAKE	MODEL	COLOR	SIZE	SERIAL NO.
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

RACE & SEX OF PERSON ATTACKED

- R ___ No Person Attacked
- X ___ Not Shown
- 0 ___ White Male
- 1 ___ Colored Male
- 2 ___ White Female
- 3 ___ Colored Female
- 4 ___ White Male & Female
- 5 ___ Colored Male & Female
- 6 ___ White & Colored Male
- 7 ___ White & Colored Female
- 8 ___ White & Colored Male & Female

SCENE OF OFFENSE

- 00 ___ Not Shown
- 01 ___ Accident Scene
- 02 ___ Airplane
- 03 ___ Airport
- 04 ___ Alley
- 05 ___ Apartment
- 06 ___ Automobile
- 07 ___ Automobile Agency
- 08 ___ Bank
- 09 ___ Barber Shop or Beauty Parlor
- 10 ___ Beer Joint
- 11 ___ Boat
- 12 ___ Bus
- 13 ___ Church
- 14 ___ Club
- 15 ___ Dance Hall
- 16 ___ Department Store
- 17 ___ Doctor's Office
- 18 ___ Drug Store
- 19 ___ Dwelling
- 20 ___ Factory
- 21 ___ Farm Land
- 22 ___ Garage or Service Station
- 23 ___ Garage (Private)
- 24 ___ Grocery Store
- 25 ___ Hardware Store
- 26 ___ Highway
- 27 ___ Hospital (Medical)
- 28 ___ Hospital (Mental)
- 29 ___ Hotel
- 30 ___ Lobby
- 31 ___ Motel
- 32 ___ Office Building or Office
- 33 ___ Out Building
- 34 ___ Penal Institution
- 35 ___ *Place of Amusement
- 36 ___ Post Office
- 37 ___ *Public Building
- 38 ___ Railroad (including station)
- 39 ___ Restaurant
- 40 ___ River
- 41 ___ School
- 42 ___ *Store
- 43 ___ Street
- 44 ___ Theatre
- 45 ___ Warehouse
- 46 ___ Woods

- 13 ___ Calling for
- 14 ___ Ceiling
- 15 ___ Collecting
- 16 ___ Combination (Safe)
- 17 ___ Cutting
- 18 ___ Door (front)
- 19 ___ Door (rear)
- 20 ___ Door (other)
- 21 ___ Drugging
- 22 ___ Employing or Employment
- 23 ___ Establishes Credit
- 24 ___ Exchanges
- 25 ___ Explosives
- 26 ___ False Pretense
- 27 ___ Finds Money (Pigeon drop)
- 28 ___ Firearms
- 29 ___ Floor
- 30 ___ Forging
- 31 ___ Fortune Telling
- 32 ___ Gains Confidence
- 33 ___ Glass broken
- 34 ___ Ignition
- 35 ___ Intoxicating
- 36 ___ Impersonating
- 37 ___ Loafing
- 38 ___ Mail
- 39 ___ Misrepresenting
- 40 ___ Obtain for Repair
- 41 ___ Parked Autos.
- 42 ___ Photography
- 43 ___ Pick Pocket
- 44 ___ Pull
- 45 ___ Punch
- 46 ___ Rent
- 47 ___ Rip
- 48 ___ Roof
- 49 ___ Sell
- 50 ___ Sex (Natural)
- 51 ___ Sex (Unnatural)
- 52 ___ Snatching
- 53 ___ Stabbing
- 54 ___ Statement (Oral)
- 55 ___ Statement (Written)
- 56 ___ Striking
- 57 ___ Stripping
- 58 ___ Strong Arm
- 59 ___ Telephone
- 60 ___ Threatening or Holdup
- 61 ___ Transom
- 62 ___ Uttering Forged Checks
- 63 ___ Uttering Worthless Checks
- 64 ___ Wall
- 65 ___ Window (front)
- 66 ___ Window (rear)
- 67 ___ Window (other)

MEANS OF ATTACK

- 01 ___ Not Shown
- 02 ___ Absconding
- 03 ___ Automobile
- 04 ___ Bar
- 05 ___ Black Jack or blunt instrument
- 06 ___ Bodily Force
- 07 ___ Breaking or Forcing Locks
- 08 ___ Bolt Cutters or Pliers
- 09 ___ Bottles
- 10 ___ Bit or Drill—size unknown
- 11 ___ Bit or Drill 1/4"
- 12 ___ Bit or Drill 3/8"
- 13 ___ Bit or Drill 1/2"
- 14 ___ Bit or Drill 3/4"
- 15 ___ Bit or Drill 7/8"
- 16 ___ Bit or Drill 1"
- 17 ___ Bit or Drill 1" or over
- 18 ___ Brass Knuckles
- 19 ___ Breaks Glass, Door or Window

- 20 ___ Certified
- 21 ___ Chemical
- 22 ___ Chisel, size
- 23 ___ Collecting
- 24 ___ Concealment
- 25 ___ Club
- 26 ___ Driving Away
- 27 ___ Drugs
- 28 ___ Engraves
- 29 ___ Explosives
- 30 ___ Failure to Deliver Goods
- 31 ___ Fictitious Orders
- 32 ___ File
- 33 ___ Firearms—Automatic
- 34 ___ Firearms—Machine Gun
- 35 ___ Firearms—Revolver
- 36 ___ Firearms—Rifle
- 37 ___ Firearms—Sawed Off Shot Gun
- 38 ___ Firearms—Caliber not shown
- 39 ___ Foil
- 40 ___ Glass Cutter
- 41 ___ Hatchet, Ax & Shovel
- 42 ___ Hauling Away
- 43 ___ Horse Racing—Fake
- 44 ___ Ice Pick
- 45 ___ Inflammable
- 46 ___ Jack
- 47 ___ Jimmy, size
- 48 ___ Jumper
- 49 ___ Key
- 50 ___ Knife or Flat Instrument, size
- 51 ___ Ladder
- 52 ___ Literature
- 53 ___ Matches
- 54 ___ Missile Rock
- 55 ___ Money Order
- 56 ___ Note
- 57 ___ Open
- 58 ___ Oxyacetylene
- 59 ___ Paper
- 60 ___ Paper Clips
- 61 ___ Pay Checks
- 62 ___ Photography
- 63 ___ Poison
- 64 ___ Pretends to have gun
- 65 ___ Pretends to be Collector
- 66 ___ Pretends to be Doctor
- 67 ___ Pretends to be Investigator
- 68 ___ Pretends to be Inspector
- 69 ___ Pretends to be Nurse
- 70 ___ Pretends to be Salesman
- 71 ___ Pretends to be Writer
- 72 ___ Promises
- 73 ___ Protectograph
- 74 ___ Prying
- 75 ___ Rags
- 76 ___ Razor
- 77 ___ Removes Panel From Door
- 78 ___ Rips or Removes Screen
- 79 ___ Rope or Wire
- 80 ___ Saw
- 81 ___ Screw Driver, Size
- 82 ___ Shop Lifting
- 83 ___ Snatching
- 84 ___ Spying
- 85 ___ Subscription
- 86 ___ Syphoning
- 87 ___ Tickets
- 88 ___ Typewritten
- 89 ___ Wrench
- 90 ___ Written, Longhand
- 91 ___ Selling

TRADE MARK

- 00 ___ None Shown
- 01 ___ Admitted through False Pretense
- 02 ___ Armed & Threatens

- 03 ___ Ate Food & Drinks
- 04 ___ Bogus Credentials
- 05 ___ Bare or Stocking Feet
- 06 ___ Burns Matches
- 07 ___ Carries Safe Away
- 08 ___ Changes Clothes
- 09 ___ Checks Printed, stolen & Counterfeit
- 10 ___ Chewed Tobacco
- 11 ___ Commits Nuisance
- 12 ___ Cuts Telephone & Light Wires
- 13 ___ Depositing in Bank & Overdrawing
- 14 ___ Disconnects Burglary Alarm
- 15 ___ Disorderly Worker
- 16 ___ Drugs or Chloroforms Victim
- 17 ___ Enters Home While Occupants are Present
- 18 ___ Escapes on Foot
- 19 ___ Establishes Credit
- 20 ___ Experienced Worker
- 21 ___ Extortion
- 22 ___ Exhibiting Bank Book
- 23 ___ Flash Light Used
- 24 ___ Follows Victim
- 25 ___ Fraudulent Collecting
- 26 ___ Fur Racket
- 27 ___ Gains Confidence
- 28 ___ Gloves Worn
- 29 ___ Guests
- 30 ___ Hitch Hiker
- 31 ___ Indecent & Obscene Remarks
- 32 ___ Insurance
- 33 ___ Impersonation
- 34 ___ Jewelry Only
- 35 ___ Kidnaps Victim
- 36 ___ Kind & Polite
- 37 ___ Labor Trouble
- 38 ___ Literature
- 39 ___ Leaves Door or Window Open
- 40 ___ Lines Victims Against Wall
- 41 ___ Locks Victims In Room
- 42 ___ Loiters Around Playground
- 43 ___ Makes Victims Lie on Floor
- 44 ___ Malicious Damage to Property
- 45 ___ Molests Workmen
- 46 ___ Money Only
- 47 ___ Nervous
- 48 ___ Offers Candy, Money, Etc. to Children
- 49 ___ Orders Taxi & Robs Driver
- 50 ___ Party Burglar
- 51 ___ Passes Good Checks First
- 52 ___ Pretends to be Drunk
- 53 ___ Pretends to be afflicted
- 54 ___ Pretends to be looking for Fictitious Person
- 55 ___ Pretends Auto. is Broken Down
- 56 ___ Pretends to be Purchaser of Auto.
- 57 ___ Pretends to be Delivery Man
- 58 ___ Pulls Blinds Down
- 59 ___ Purchases Goods & Receives Balance in Cash
- 60 ___ Removes Glass without Breaking
- 61 ___ Removes Panel from Door
- 62 ___ Renting Racket
- 63 ___ Requested to use Telephone or Toilet
- 64 ___ Rings Door Bell
- 65 ___ Rough Voice
- 66 ___ Sells Without Proper Title
- 67 ___ Short Change Worker
- 68 ___ Smokes on Premises
- 69 ___ Solicitor
- 70 ___ Steals Auto. for Stripping
- 71 ___ Steals from Auto
- 72 ___ Steals Victims Auto.
- 73 ___ Stolen Auto. Used
- 74 ___ Telephone Call—Anonymous
- 75 ___ Uses Jimmy or Screw Driver
- 76 ___ Wears Mask
- 77 ___ Victim Intoxicated

HOW ATTACKED

- 00 ___ Not Shown
- 01 ___ Advertising
- 02 ___ Agitation
- 03 ___ Attic
- 04 ___ Automobile
- 05 ___ Basement
- 06 ___ Beating
- 07 ___ Betting
- 08 ___ Binding & Gagging
- 09 ___ Blesses Money
- 10 ___ Boarding & Leaving Bus, Etc.
- 11 ___ Burning
- 12 ___ Burying

Glen Woodward Taylor, W-M-28, Victim
Alvin Lee Hensley, Accused
INVOLUNTARY MANSLAUGHTER

Dr. Tanner's examination revealed the victim died instantly of injuries sustained in the crash. Injuries consisted of cerebral hemorrhage, fractured skull, jaw, and neck, 3 ribs fractured, and lacerations of face.

It was determined that the vehicle involved was owned and operated by the above-named accused.

Investigation at the scene of the crash revealed the 1958 Chevrolet Sedan, operated by the accused, was traveling east on St. Route 649, entered a horse-shoe curve on the wrong side of the road, lost control, ran onto the right shoulder and partly over an embankment where the right rear door struck a tree. The car then swung around, continued forward, and the left front fender collided with the telephone pole. Vehicle came to rest with its rear on the shoulder of the road, and the front down the embankment. Victim was a passenger in the right rear of this car, and it is believed that he received his fatal injuries when the vehicle struck the tree.

Evidence at the scene indicated that vehicle swerved on the hard surface leaving tire marks for a distance of 105 feet on the hard surface, then traveled 59 feet, 5 inches on the shoulder and embankment, struck the tree, spun around, continued sideways for 23 feet where the left front collided with the pole.

Accused was intoxicated and was placed under arrest at the scene on a charge of driving under the influence of intoxicants and involuntary manslaughter. He agreed to have a sample of his blood taken to determine the alcohol content, and this was done.

He was committed to the Rockingham County Jail by Justice of the Peace, John Leake, in lieu of \$3,000 bond. A hearing is scheduled for August 30, 1962, at 2:00 P.M.

The following two occupants of the car were injured as listed below:

Melvin McKinley Hammer, Rt. 1, Box 151, Elkton, Va. - 18, M, W, lacerations back of head and back of right hand.

William Garfield Hammer, Rt. 3, Elkton, Va.-24-M-W-Lacerations of right eye, head, and cut lip.

The Commonwealth's Attorney was out of town on this date and will be contacted later.

Investigation continuing.

RDS/mke

Glen Woodward Taylor, W-4-28, Victim
Alvin Lee Henley, Accused
INVOLUNTARY MANSLAUGHTER

Dr. Tanner's examination revealed the victim died instantly of injuries sustained in the crash. Injuries consisted of cerebral hemorrhage, fractured skull, jaw and neck, 3 ribs fractured, and lacerations of face.

It was determined that the vehicle involved was owned and operated by the above-named accused.

Investigation at the scene of the crash revealed the 1928 Chevrolet Sedan, operated by the accused, was traveling east on St. Route 619, entered a horse-shoe curve on the wrong side of the road, lost control, ran onto the right shoulder and partly over an embankment where the right rear door struck a tree. The car then swung around, continued forward, and the left front fender collided with the telephone pole. Vehicle came to rest with its rear on the shoulder of the road, and the front down the embankment. Victim was a passenger in the right rear of this car, and it is believed that he received his fatal injuries when the vehicle struck the tree.

Evidence at the scene indicated that vehicle swerved on the hard surface leaving tire marks for a distance of 105 feet on the hard surface, then traveled 29 feet, 5 inches on the shoulder and embankment, struck the tree, spun around, continued straight for 23 feet where the left front collided with the pole.

Accused was intoxicated and was placed under arrest at the scene on a charge of driving under the influence of intoxicants and involuntary manslaughter. He agreed to have a sample of his blood taken to determine the alcohol content, and this was done.

He was committed to the Rockingham County Jail by Justice of the Peace, John Laska, in lieu of \$3,000 bond. A hearing is scheduled for August 30, 1928, at 2:00 P.M.

The following two occupants of the car were injured as listed below:

- Melvin McKinley Hammer, Rt. 1, Box 121, Elkton, Va. - 18, M, W, lacerations back of head and back of right hand.
- William Garfield Hammer, Rt. 2, Elkton, Va. - 21, M, W - lacerations of right eye, head, and out lip.

The Commonwealth's Attorney was out of town on this date and will be contacted later.

Investigation continuing.

WBS/eko

CONFIDENTIAL

VIRGINIA STATE POLICE

SUBJECT:

REPORT

**Glen Woodward Taylor, W-M-28, Victim
Alvin Lee Hensley, Accused
INVOLUNTARY MANSLAUGHTER**

TT No. _____ Div. File No. _____
Date: 8/11/62 Time: 2:15 P.M.
Place: 1.2 miles east of McLaheysville, Va., Rt. 61, 9
County Rockingham Code No. 082
Discovered by: unknown citizen
Motive: none Weather: clear

DESCRIPTION: W-M-5'10"-160 lbs.-hazel eyes-
brown hair-DOB: July 11, 1941
Address: Rt. 1, Box 365, Elkton, Va.

Value Property	Stolen	Recovered	Abandoned
Currency, notes			8
Jewelry, gems			2
Furs			10
Clothing			
Vehicle			
Miscellaneous			
Total			

Accused wanted this offense? no Extradite? _____
Warrant issued this offense? yes
Department? SP Rockingham County
Date Arrested 8/11/62 Dept. Va. State Police
Arrest Nos. 1C-801899 2 _____ 3 _____
4 _____ 5 _____ 6 _____ 7 _____

Date Recovered: _____ Time: _____
Place: _____
Stored: _____
Address: _____ Condition: _____
Released to Owner? _____ Date _____
Other Disposition? _____ Date _____

ENCLOSURE:

DISTRIBUTION: I & R-1 Commonwealth's Atty.-1
Division III-1
Files-1

Vehicle Identification
Make _____ Model: _____
Type: _____ Color: _____
Lic. No. _____ State: _____
Motor No. _____ ID/Ser. _____

Origin: Date 8/11/62 Time 2:20 P.M.
1 Request other agency _____
2 Citizen complaint to PD Harrisonburg
3 Observed on patrol _____ 6 Telephone _____
4 See original report _____ 7 Correspondence _____
5 Telegram or teletype _____ 8 Personal _____

Original Report: Yes No
Date of Report: 8/22/62
Date Covered: 8/13/62 thru 8/22/62
Report by: Tpr. R. D. Schuder, Jr.

SUMMARY:

Reference my original report dated 8/13/62, same subject.

On August 15, 1962, the results of the blood alcohol analysis were received from the Chief Medical Examiner's Office indicating a blood alcohol content of 0.08.

On August 22, 1962, Mr. James R. Sipe, Commonwealth's Attorney for Rockingham County, was contacted, and this case discussed with him.

Undeveloped Leads: none
Leads: Handled Div. Handle I & R Handle

Victim's Address: Rt. 1, Elkton, Va.

OPINION Victim was killed by reckless act of subject Hensley.

Unfounded Pending Inactive cleared arrest cleared other

APPROVED
Div. COMMANDER

Approved

MODUS OPERANDI

PROPERTY IDENTIFICATION
(OTHER THAN MOTOR VEHICLES OR TRAILERS)

ITEM	QUANTITY	MAKE	MODEL	COLOR	SIZE	SERIAL NO.
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

RACE & SEX OF PERSON ATTACKED

- R___ No Person Attacked
- X___ Not Shown
- 0___ White Male
- 1___ Colored Male
- 2___ White Female
- 3___ Colored Female
- 4___ White Male & Female
- 5___ Colored Male & Female
- 6___ White & Colored Male
- 7___ White & Colored Female
- 8___ White & Colored Male & Female

SCENE OF OFFENSE

- 00___ Not Shown
- 01___ Accident Scene
- 02___ Airplane
- 03___ Airport
- 04___ Alley
- 05___ Apartment
- 06___ Automobile
- 07___ Automobile Agency
- 08___ Bank
- 09___ Barber Shop or Beauty Parlor
- 10___ Beer Joint
- 11___ Boat
- 12___ Bus
- 13___ Church
- 14___ Club
- 15___ Dance Hall
- 16___ Department Store
- 17___ Doctor's Office
- 18___ Drug Store
- 19___ Dwelling
- 20___ Factory
- 21___ Farm Land
- 22___ Garage or Service Station
- 23___ Garage (Private)
- 24___ Grocery Store
- 25___ Hardware Store
- 26___ Highway
- 27___ Hospital (Medical)
- 28___ Hospital (Mental)
- 29___ Hotel
- 30___ Lobby
- 31___ Motel
- 32___ Office Building or Office
- 33___ Out Building
- 34___ Penal Institution
- 35___ *Place of Amusement
- 36___ Post Office
- 37___ *Public Building
- 38___ Railroad (including station)
- 39___ Restaurant
- 40___ River
- 41___ School
- 42___ *Store
- 43___ Street
- 44___ Theatre
- 45___ Warehouse
- 46___ Woods

HOW ATTACKED

- 00___ Not Shown
- 01___ Advertising
- 02___ Agitation
- 03___ Attic
- 04___ Automobile
- 05___ Basement
- 06___ Beating
- 07___ Betting
- 08___ Binding & Gagging
- 09___ Blesses Money
- 10___ Boarding & Leaving Bus, Etc.
- 11___ Burning
- 12___ Burying

- 13___ Calling for
- 14___ Ceiling
- 15___ Collecting
- 16___ Combination (Safe)
- 17___ Cutting
- 18___ Door (front)
- 19___ Door (rear)
- 20___ Door (other)
- 21___ Drugging
- 22___ Employing or Employment
- 23___ Establishes Credit
- 24___ Exchanges
- 25___ Explosives
- 26___ False Pretense
- 27___ Finds Money (Pidgeon drop)
- 28___ Firearms
- 29___ Floor
- 30___ Forging
- 31___ Fortune Telling
- 32___ Gains Confidence
- 33___ Glass broken
- 34___ Ignition
- 35___ Intoxicated
- 36___ Impersonating
- 37___ Loading
- 38___ Mail
- 39___ Misrepresenting
- 40___ Obtain for Repair
- 41___ Parked Autos.
- 42___ Photography
- 43___ Pick Pocket
- 44___ Pull
- 45___ Punch
- 46___ Rent
- 47___ Rip
- 48___ Roof
- 49___ Sell
- 50___ Sex (Natural)
- 51___ Sex (Unnatural)
- 52___ Snatching
- 53___ Stabbing
- 54___ Statement (Oral)
- 55___ Statement (Written)
- 56___ Striking
- 57___ Stripping
- 58___ Strong Arm
- 59___ Telephone
- 60___ Threatening or Holdup
- 61___ Transom
- 62___ Uttering Forged Checks
- 63___ Uttering Worthless Checks
- 64___ Wall
- 65___ Window (front)
- 66___ Window (rear)
- 67___ Window (other)

MEANS OF ATTACK

- 01___ Not Shown
- 02___ Absconding
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- 04___ Bar
- 05___ Black Jack or blunt instrument
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- 07___ Breaking or Forcing Locks
- 08___ Bolt Cutters or Pliers
- 09___ Bottles
- 10___ Bit or Drill—size unknown
- 11___ Bit or Drill 1/4"
- 12___ Bit or Drill 3/8"
- 13___ Bit or Drill 1/2"
- 14___ Bit or Drill 5/8"
- 15___ Bit or Drill 3/4"
- 16___ Bit or Drill 7/8"
- 17___ Bit or Drill 1" or over
- 18___ Brass Knuckles
- 19___ Breaks Glass, Door or Window

- 20___ Certified
- 21___ Chemical
- 22___ Chisel, size
- 23___ Collecting
- 24___ Concealment
- 25___ Club
- 26___ Driving Away
- 27___ Drugs
- 28___ Engraves
- 29___ Explosives
- 30___ Failure to Deliver Goods
- 31___ Fictitious Orders
- 32___ File
- 33___ Firearms—Automatic
- 34___ Firearms—Machine Gun
- 35___ Firearms—Revolver
- 36___ Firearms—Rifle
- 37___ Firearms—Sawed Off Shot Gun
- 38___ Firearms—Caliber not shown
- 39___ Foil
- 40___ Glass Cutter
- 41___ Hatchet, Ax & Shovel
- 42___ Hauling Away
- 43___ Horse Racing—Fake
- 44___ Ice Pick
- 45___ Inflammable
- 46___ Jack
- 47___ Jimmy, size
- 48___ Jumper
- 49___ Key
- 50___ Knife or Flat Instrument, size
- 51___ Ladder
- 52___ Literature
- 53___ Matches
- 54___ Missile Rock
- 55___ Money Order
- 56___ Note
- 57___ Open
- 58___ Oxyacetylene
- 59___ Paper
- 60___ Paper Clips
- 61___ Pay Checks
- 62___ Photography
- 63___ Poison
- 64___ Pretends to have gun
- 65___ Pretends to be Collector
- 66___ Pretends to be Doctor
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- 69___ Pretends to be Nurse
- 70___ Pretends to be Salesman
- 71___ Pretends to be Writer
- 72___ Promises
- 73___ Protectograph
- 74___ Prying
- 75___ Rags
- 76___ Razor
- 77___ Removes Panel From Door
- 78___ Rips or Removes Screen
- 79___ Rope or Wire
- 80___ Saw
- 81___ Screw Driver, Size
- 82___ Shop Lifting
- 83___ Snatching
- 84___ Spying
- 85___ Subscription
- 86___ Syphoning
- 87___ Tickets
- 88___ Typewritten
- 89___ Wrench
- 90___ Written, Longhand
- 91___ Selling

TRADE MARK

- 00___ None Shown
- 01___ Admitted through False Pretense
- 02___ Armed & Threatens

- 03___ Ate Food & Drinks
- 04___ Bogus Credentials
- 05___ Bare or Stocking Feet
- 06___ Burns Matches
- 07___ Carries Safe Away
- 08___ Changes Clothes
- 09___ Checks Printed, stolen & Counterfeit
- 10___ Chewed Tobacco
- 11___ Commits Nuisance
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- 18___ Escapes on Foot
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- 20___ Experienced Worker
- 21___ Extortion
- 22___ Exhibiting Bank Book
- 23___ Flash Light Used
- 24___ Follows Victim
- 25___ Fraudulent Collecting
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- 28___ Gloves Worn
- 29___ Guests
- 30___ Hitch Hiker
- 31___ Indecent & Obscene Remarks
- 32___ Insurance
- 33___ Impersonation
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- 39___ Leaves Door or Window Open
- 40___ Lines Victims Against Wall
- 41___ Locks Victims In Room
- 42___ Loiters Around Playground
- 43___ Makes Victims Lie on Floor
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- 45___ Molests Workmen
- 46___ Money Only
- 47___ Nervous
- 48___ Offers Candy, Money, Etc. to Children
- 49___ Orders Taxi & Robs Driver
- 50___ Party Burglar
- 51___ Passes Good Checks First
- 52___ Pretends to be Drunk
- 53___ Pretends to be afflicted
- 54___ Pretends to be looking for Fictitious Person
- 55___ Pretends Auto. is Broken Down
- 56___ Pretends to be Purchaser of Auto.
- 57___ Pretends to be Delivery Man
- 58___ Pulls Blinds Down
- 59___ Purchases Goods & Receives Balance in Cash
- 60___ Removes Glass without Breaking
- 61___ Removes Panel from Door
- 62___ Renting Racket
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- 65___ Rough Voice
- 66___ Sells Without Proper Title
- 67___ Short Change Worker
- 68___ Smokes on Premises
- 69___ Solicitor
- 70___ Steals Auto. for Stripping
- 71___ Steals from Auto
- 72___ Steals Victims Auto.
- 73___ Stolen Auto. Used
- 74___ Telephone Call—Anonymous
- 75___ Uses Jimmy or Screw Driver
- 76___ Wears Mask
- 77___ Victim Intoxicated

COMMONWEALTH

V.

HENSLEY

INSTRUCTION _____

The Court instructs the jury that involuntary manslaughter is the unintentional killing of a human being as a consequence of such a reckless or culpably negligent act on the part of the accused as is incompatible with the proper regard for human life.

COMMONWEALTH

V.

HENSLEY

INSTRUCTION

The Court instructs the jury that involuntary manslaughter is the unintentional killing of a human being as a consequence of such a reckless or culpably negligent act on the part of the accused as is incompatible with the proper regard for human life.

JAMES R. SIPE
ATTORNEY AT LAW
HARRISONBURG, VA.

COMMONWEALTH

V.

HENSLEY

INSTRUCTION _____

The Court instructs the jury that the credibility of witnesses is a question exclusively for the jury; and 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 opportunity of the witnesses to know whereof they speak, 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, the jury has the right to 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.

HENRIE

INSTRUCTION

The Court instructs the jury that the credibility of witnesses is a question exclusively for the jury; and 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 opportunity of the witnesses to know whereof they speak, 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, the jury has the right to determine which witnesses are more worthy of credit and what is the relative weight of any such testimony and to give credit accordingly.

JAMES R. SIFE
 ATTORNEY AT LAW
 HARRISONBURG, VA.

COMMONWEALTH

V.

HENSLEY

Nowbray

CHARGE TO JURY

If you find the accused guilty of involuntary manslaughter, as charged in the indictment, then you will say so and fix his punishment 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 (\$1,000.00), or by 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, you will say so and no more.

more.

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

in jail.

not exceeding one year, or by both such fine and confinement

Dollars (\$1,000.00), or by confinement in jail for a period

or, in your discretion, by a fine not exceeding One Thousand

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and fix his punishment by confinement in the penitentiary for

slughter, as charged in the indictment, then you will say so

If you find the accused guilty of involuntary man-

CHARGE TO JURY

Handwritten signature

HERSLEY

V.

COMMONWEALTH

COMMONWEALTH

V.

HENSLEY

INSTRUCTION

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.

JAMES R. SIPE
ATTORNEY AT LAW
PRISONBURG, VA.

INSTRUCTION

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.

JAMES R. SIFE
 ATTORNEY AT LAW
 CHARLESTON, W.V.

TIME DATE OF ACCIDENT: MONTH 8, DATE 11, YEAR 62, DAY OF WEEK Saturday, HOUR 2:15 P.M.

COUNTY: Rockingham CITY OR TOWN: (14-15-16)

IF ACCIDENT OCCURRED IN RURAL AREA INDICATE DISTANCE IN MILES AND TENTHS OF MILE FROM NEAREST TOWN. USE TWO DISTANCES AND TWO DIRECTIONS IF NECESSARY.

1.2 MILES NORTH OF 1.2 MILES SOUTH OF 1.2 MILES EAST OF 1.2 MILES WEST OF

OF LIMITS OF CENTER OF McLeheysville CITY OR TOWN

ACCIDENT HAPPENED ON (18-19-20) State Route 619 (21)

GIVE NAME OF STREET OR HIGHWAY NUMBER (U.S. OR STATE). IF NO HIGHWAY NUMBER, IDENTIFY BY NAME

CHECK AND COMPLETE ONE

AT ITS INTERSECTION WITH: OR IF

NOT AT INTERSECTION

NAME OF INTERSECTING STREET OR HIGHWAY NUMBER: Rt. 611

FEET NORTH OF: FEET SOUTH: 500 FEET EAST: FEET WEST:

URBAN - LOCATE TO NEAREST INTERSECTING STREET, HOUSE NUMBER, BRIDGE, RAILROAD CROSSING, ALLEY, DRIVEWAY, UNDERPASS, NUMBERED TELEPHONE POLE, OR OTHER IDENTIFYING LANDMARK.

RURAL - LOCATE TO NEAREST INTERSECTION, SHOW EXACT DISTANCE, USING TWO DIRECTIONS AND TWO DISTANCES IF NECESSARY.

NO. CA. LET. LET. TYPE. (1-2-3-4-5) NO. CODED BY TYPE. FAT P.I. PD 50 P.D.U. T.T. B.V.S. NSP OFF

ALIGNMENT (CHECK ONE) (23)	SURFACE CONDITION (CHECK ONE) (24)	TRAFFIC CONTROL (CHECK ONE) (25)	KIND OF LOCALITY (CHECK ONE) (26)	WEATHER (CHECK ONE) SURFACE (27)
1 STRAIGHT-LEVEL	4 DRY	4 OFFICER OR WATCHMAN	12 BUSINESS OR INDUSTRIAL	1 CLEAR CONCRETE
2 CURVE-LEVEL	5 WET	1 STOP AND GO FLASHING LIGHT	0 RESIDENTIAL DISTRICT	2 CLOUDY BLACKTOP
3 GRADE-STRAIGHT	6 SNOWY	2 STOP SIGN OR SIGNAL	1 SCHOOL CHURCH OR PLAYGROUND ZONE	3 FOG BRICK
4 GRADE-CURVE	7 ICY	3 SLOW OR WARNING SIGN	2 OPEN COUNTRY	4 MIST GRAVEL
5 HILLCREST STRAIGHT	8 MUDDY	7 RAILROAD GATES OR SIGNALS	LIGHT (CHECK ONE)	5 RAINING DIRT
6 HILLCREST-CURVE	9 OILY	12 TRAFFIC LANES MARKED	4 DAYLIGHT	6 SNOWING SPECIFY OTHER
7 DIP-STRAIGHT	DEFECTS (CHECK ONE)	5 NO PASSING LINES	5 DUSK	7 SLEETING
8 DIP-CURVE	12 UNDER REPAIR	0 YIELD SIGN	6 DAWN	8 SMOKE-DUST
	0 LOOSE MATERIAL	9 ONE WAY ROAD OR STREET	7 DARKNESS-STREET OR HIGHWAY LIGHTED	
	1 HOLES, RUTS, BUMPS	6 RAILROAD WATCHMAN	8 DARKNESS-STREET OR HIGHWAY NOT LIGHTED	
	2 SOFT OR LOW SHOULDER	8 NO TRAFFIC CONTROL		
	3 NO DEFECTS			

YOUR VEHICLE-NO. 1 (28) Chevrolet 4 Dr. Sedan (29) 59 (29) WAS VEHICLE INSURED? yes (30) 62 Va. 694-609 I.C.C. PLATE NO. 694-609

MAKE TYPE (SEDAN, TRUCK, TAXI, BUS, ETC.) YEAR LICENSE PLATE STATE (31) NUMBER (32) PLATE NO. NUMBER (33)

DRIVER: Alvin Lee Mensley Rt. 1, Box 365, Elkton, Va. AGE 21 SEX M RACE W

DRIVERS OCCUPATION U.S. Army DRIVING EXPERIENCE 4 DRIVER'S LICENSE Va. 40 3823 CHAUFFEUR OPERATOR BEGINNER ESTIMATED SPEED BEFORE ACCIDENT 60 M.P.H. SPEED LIMIT 55 M.P.H. MAXIMUM SAFE SPEED 30 M.P.H.

OWNER: same NAME top, windshield, right side, trunk, left front fender and front end CITY AND STATE

PARTS OF VEHICLE DAMAGED: APPROXIMATE COST TO REPAIR VEHICLE \$ 1,000.00

WAS SAFETY BELT INSTALLED? YES NO WAS BELT IN USE? YES NO

OTHER VEHICLE-NO. 2 (38) (39) (40) (41) (42) (43)

MAKE TYPE (SEDAN, TRUCK, TAXI, BUS, ETC.) YEAR LICENSE PLATE STATE (41) NUMBER (42) PLATE NO. NUMBER (43)

DRIVER: NAME STREET OR R.F.D. CITY AND STATE AGE (45) SEX RACE (46-47) WHITE, NEGRO, ETC.

DRIVERS OCCUPATION DRIVING EXPERIENCE YEARS LICENSE STATE NUMBER CHAUFFEUR OPERATOR BEGINNER ESTIMATED SPEED BEFORE ACCIDENT M.P.H. SPEED LIMIT M.P.H. MAXIMUM SAFE SPEED M.P.H.

OWNER: NAME STREET OR R.F.D. CITY AND STATE

PARTS OF VEHICLE DAMAGED: APPROXIMATE COST TO REPAIR VEHICLE \$

WAS SAFETY BELT INSTALLED? YES NO WAS BELT IN USE? YES NO

DAMAGE TO PROPERTY OTHER THAN VEHICLES Telephone pole broken. Property of Harrisonburg Telephone Co., Harrisonburg, Va. (48)

NAME OBJECT, SHOW OWNERSHIP, AND STATE NATURE OF DAMAGE APPROXIMATE COST TO REPAIR \$ 100.00

INJURED: Glen Woodward Taylor Rt. 1, Elkton, Va. (50) NATURE AND EXTENT OF INURY: Cervical hemorrhage, fractured skull, jaw, & ribs, 3 ribs fractured, 4 lacerations of legs.

INJURED: Alvin Lee Mensley Rt. 1, Box 151, Elkton, Va. (53) NATURE AND EXTENT OF INURY: Laceration back of head and back of right hand.

IN VEHICLE NO. (51) DRIVER PASSENGER PEDESTRIAN BICYCLIST

IN VEHICLE NO. (54) DRIVER PASSENGER PEDESTRIAN BICYCLIST

IMPORTANT IF YOU HAD AN AUTOMOBILE LIABILITY POLICY AT THE TIME OF THE ACCIDENT, SECURE FROM YOUR AGENT OR INSURANCE COMPANY A NOTICE OF INSURANCE (FORM SR-21) AND SEND IT WITH THIS REPORT TO THE DIVISION OF MOTOR VEHICLES OR HAVE YOUR AGENT SEND IT AT ONCE.

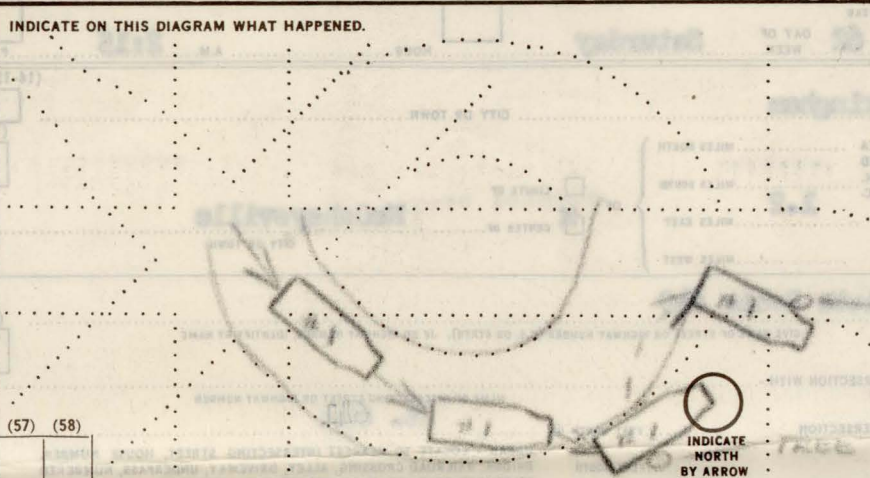
NOTE! DO NOT WRITE IN BOXES.

NOTE! DO NOT WRITE IN BOXES.

LOCATION IN VEHICLE OF PERSONS KILLED AND INJURED.
(CHECK ONE FOR EACH PERSON KILLED AND INJURED)

VEHICLE	VEHICLE
1 2	1 2
(55) (56)	(55) (56)
KILLED	INJURED

1 _____ FRONT LEFT _____
 2 _____ FRONT CENTER _____
 3 _____ FRONT RIGHT _____
 4 _____ REAR LEFT _____
 5 _____ REAR CENTER _____
 6 _____ REAR RIGHT _____



- INSTRUCTIONS-**
1. FOLLOW DOTTED LINES TO DRAW OUTLINE OF ROADWAY AT PLACE OF ACCIDENT.
 2. NUMBER EACH VEHICLE AND SHOW DIRECTION OF TRAVEL BY ARROW.
 3. USE SOLID LINE TO SHOW PATH BEFORE ACCIDENT, DOTTED LINE AFTER ACCIDENT.
 4. SHOW PEDESTRIAN BY:
 5. SHOW RAILROAD BY:
 6. SHOW DISTANCE AND DIRECTIONS TO LANDMARKS: IDENTIFY LANDMARKS BY NAME OR NUMBER.

DESCRIBE WHAT HAPPENED
(REFER TO VEHICLES BY NUMBER)

USE THIS SPACE FOR LISTING ADDITIONAL INJURED PERSONS. ALSO EXPLAIN QUESTIONS NOT FULLY ANSWERED BY CHECKING IN THE SPACES PROVIDED.

IF MORE SPACE IS NEEDED USE ANOTHER FORM OR A SHEET OF PAPER THE SAME SIZE.

Vehicle #1 was headed east. While attempting to make a horse shoe curve to the left, vehicle left the right shoulder, struck a tree and came to rest against a telephone pole.

(59) OFFENSES CHARGED DRIVER

1. Involuntary Manslaughter & driving under the influence.

DRIVERS' ACTIONS INDICATED

DRIVER 1 2

(60) (63)

1 EXCEEDED SPEED LIMIT
 2 _____ EXCEEDED SAFE SPEED BUT NOT SPEED LIMIT
 3 _____ OVERTAKING ON HILL
 4 _____ OVERTAKING ON CURVE
 5 _____ OVERTAKING AT INTERSECTION
 6 _____ IMPROPER PASSING OF SCHOOL BUS
 7 _____ CUTTING IN
 8 _____ OTHER IMPROPER PASSING
 9 _____ WRONG SIDE OF ROAD-NOT OVERTAKING

(61) (64)

12 _____ DID NOT HAVE RIGHT-OF-WAY
 0 _____ FOLLOWING TOO CLOSE
 1 _____ FAILED TO SIGNAL OR IMPROPER SIGNAL
 2 _____ IMPROPER TURN-WIDE RIGHT TURN
 3 _____ IMPROPER TURN-CUT CORNER ON LEFT TURN
 4 _____ IMPROPER TURN FROM WRONG LANE
 5 _____ OTHER IMPROPER TURNING
 6 _____ IMPROPER BACKING
 7 _____ IMPROPER START FROM PARKED POSITION
 8 _____ DISREGARDED OFFICER OR WATCHMAN
 9 _____ DISREGARDED STOP-GO-LIGHT

(62) (65)

12 _____ DISREGARDED STOP OR YIELD SIGN
 0 _____ DISREGARDED SLOW SIGN
 1 _____ FAILED TO STOP AT THROUGH HIGHWAY-NO SIGN
 2 _____ DROVE THROUGH SAFETY ZONE
 3 _____ FAILED TO SET OUT FLARES OR FLAGS
 4 _____ FAILED TO DIM HEADLIGHTS
 5 _____ DRIVING WITHOUT LIGHT
 6 _____ IMPROPER PARKING LOCATION
 7 _____ OTHER VIOLATIONS
 8 _____ NO VIOLATIONS

MISCELLANEOUS (CHECK APPLICABLE ITEMS)

DRIVER 1 2

(66)

12 _____ AVOIDING PEDESTRIAN
 0 _____ AVOIDING OTHER VEHICLE
 1 _____ AVOIDING ANIMAL
 2 _____ SKIDDING-BEFORE APPLYING BRAKES
 3 _____ SKIDDING-AFTER APPLYING BRAKES
 4 _____ CROWDED OFF ROADWAY
 5 _____ HIT AND RUN
 6 _____ CAR RAN AWAY-NO DRIVER
 7 _____ BLINDED BY LIGHTS

PEDESTRIAN ACTIONS (CHECK ONE)

(67-68)

01 _____ CROSSING AT INTERSECTION-WITH SIGNAL
 02 _____ CROSSING AT INTERSECTION-AGAINST SIGNAL
 03 _____ CROSSING AT INTERSECTION-NO SIGNAL
 04 _____ CROSSING AT INTERSECTION-DIAGONALLY
 05 _____ CROSSING NOT AT INTERSECTION-RURAL
 06 _____ CROSSING NOT AT INTERSECTION-URBAN
 07 _____ COMING FROM BEHIND PARKED CARS
 08 _____ GETTING OFF OR ON SCHOOL BUS
 09 _____ PLAYING IN ROADWAY
 10 _____ GETTING OFF OR ON OTHER VEHICLE
 11 _____ HITCHING ON VEHICLE
 12 _____ WALKING IN ROADWAY WITH TRAFFIC-SIDEWALKS AVAILABLE
 13 _____ WALKING IN ROADWAY WITH TRAFFIC-SIDEWALKS NOT AVAILABLE
 14 _____ WALKING IN ROADWAY AGAINST TRAFFIC-SIDEWALKS AVAILABLE
 15 _____ WALKING IN ROADWAY AGAINST TRAFFIC-SIDEWALKS NOT AVAILABLE
 16 _____ WORKING IN ROADWAY
 17 _____ STANDING IN ROADWAY
 18 _____ LYING IN ROADWAY
 19 _____ NOT IN ROADWAY

CONDITION OF DRIVERS AND PEDESTRIAN

DRIVER 1 2 PED

(69) (71) (73)

9 _____ NO DEFECTS
 0 _____ EYESIGHT DEFECTIVE
 1 _____ HEARING DEFECTIVE
 2 _____ OTHER BODY DEFECTS
 3 _____ ILL
 4 _____ FATIGUED
 5 _____ APPARENTLY ASLEEP
 6 _____ OTHER HANDICAP

(70) (72) (74)

12 _____ HAD NOT BEEN DRINKING
 0 _____ DRINKING-OBVIOUSLY DRUNK
 1 _____ DRINKING-ABILITY IMPAIRED
 2 _____ DRINKING-ABILITY NOT IMPAIRED
 3 _____ DRINKING-NOT KNOWN WHETHER IMPAIRED

VEHICLE CONDITION (CHECK ONE OR MORE)

VEHICLE 1 2

(75) (76)

8 _____ NO DEFECTS
 1 _____ LIGHTS DEFECTIVE
 2 _____ BRAKES DEFECTIVE
 3 _____ STEERING DEFECTIVE
 4 _____ PUNCTURE OR BLOWOUT
 5 WORN OR SLICK TIRES
 6 _____ MOTOR TROUBLE
 7 _____ OTHER DEFECTS
 0 _____ CHAINS IN USE

WHAT DRIVERS WERE DOING (CHECK ONE FOR EACH DRIVER)

DRIVER 1 2

GOING STRAIGHT AHEAD
 _____ MAKING RIGHT TURN
 _____ MAKING LEFT TURN
 _____ MAKING U TURN
 _____ SLOWING OR STOPPING
 _____ STARTING IN TRAFFIC LANE
 _____ STARTING FROM PARKED POSITION
 _____ STOPPED IN TRAFFIC LANE
 _____ PARKED
 _____ BACKING
 _____ Passing

DRIVER VISION OBSCURED

DRIVER 1

_____ RAIN, SNOW, ETC. ON WINDSHIELD
 _____ WINDSHIELD OTHERWISE OBSCURED
 _____ VISION OBSCURED BY LOAD ON VEHICLE
 _____ TREES, CROPS, ETC.
 _____ BUILDING
 _____ EMBANKMENT
 _____ SIGNBOARD
 _____ HILLCREST
 _____ PARKED VEHICLES
 _____ MOVING VEHICLES
 _____ SPECIFY OTHER
 NOT OBSCURED

SIGNATURE R. D. Schuster, Jr. 8/23/62 WITNESS OCCUPANT DRIVER

SIGNATURE OF PERSON SUBMITTING REPORT IS REQUIRED

IF FILED BY POLICE Trp. J. J. Cruder, Jr. BADGE NO. 505 DEPT. Va. State Police DATE OF REPORT (77) _____

Driver of Vehicle #1: Alvin Lee Mensley, Rt. 1, Box 365, Elkton, Va.

TIME DATE OF ACCIDENT: 8 11 62 DAY OF WEEK: Saturday HOUR: 2:15 P.M.

COUNTY: Rockingham CITY OR TOWN: (14-15-16)

IF ACCIDENT OCCURRED IN RURAL AREA INDICATE DISTANCE IN MILES AND TENTHS OF MILE FROM NEAREST TOWN. USE TWO DISTANCES AND TWO DIRECTIONS IF NECESSARY.

1.2 MILES EAST OF McGaheysville CITY OR TOWN

ACCIDENT HAPPENED ON (18-19-20) State Route 619 (21)

GIVE NAME OF STREET OR HIGHWAY NUMBER (U.S. OR STATE). IF NO HIGHWAY NUMBER, IDENTIFY BY NAME

AT ITS INTERSECTION WITH... OR IF NOT AT INTERSECTION

NAME OF INTERSECTING STREET OR HIGHWAY NUMBER: Rt. 611

FEET NORTH OF: FEET SOUTH: 500 FEET EAST: FEET WEST:

URBAN - LOCATE TO NEAREST INTERSECTING STREET, HOUSE NUMBER, BRIDGE, RAILROAD CROSSING, ALLEY, DRIVEWAY, UNDERPASS, NUMBERED TELEPHONE POLE, OR OTHER IDENTIFYING LANDMARK. (22)

RURAL - LOCATE TO NEAREST INTERSECTION, SHOW EXACT DISTANCE. USING TWO DIRECTIONS AND TWO DISTANCES IF NECESSARY.

ALIGNMENT (CHECK ONE) (23)	SURFACE CONDITION (CHECK ONE) (24)	TRAFFIC CONTROL (CHECK ONE) (25)	KIND OF LOCALITY (CHECK ONE) (26)	WEATHER (CHECK ONE) SURFACE (27)
1 STRAIGHT-LEVEL	4 DRY	4 OFFICER OR WATCHMAN	12 BUSINESS OR INDUSTRIAL	1 CLEAR CONCRETE
2 CURVE-LEVEL	5 WET	1 STOP AND GO FLASHING LIGHT	0 RESIDENTIAL DISTRICT	2 CLOUDY BLACKTOP
3 GRADE-STRAIGHT	6 SNOWY	2 STOP SIGN OR SIGNAL	1 SCHOOL CHURCH OR PLAYGROUND ZONE	3 FOG BRICK
4 GRADE-CURVE	7 ICY	3 SLOW OR WARNING SIGN	2 OPEN COUNTRY	4 MIST GRAVEL
5 HILLCREST STRAIGHT	8 MUDDY	7 RAILROAD GATES OR SIGNALS	LIGHT (CHECK ONE)	5 RAINING DIRT
6 HILLCREST-CURVE	9 OILY	12 TRAFFIC LANES MARKED	4 DAYLIGHT	6 SNOWING SPECIFY OTHER
7 DIP-STRAIGHT	DEFFECTS (CHECK ONE)	5 NO PASSING LINES	5 DUSK	7 SLEETING
8 DIP-CURVE	12 UNDER REPAIR	0 YIELD SIGN	6 DAWN	8 SMOKE-DUST
	0 LOOSE MATERIAL	9 ONE WAY ROAD OR STREET	7 DARKNESS-STREET OR HIGHWAY LIGHTED	
	1 HOLES, RUTS, BUMPS	6 RAILROAD WATCHMAN	8 DARKNESS-STREET OR HIGHWAY NOT LIGHTED	
	2 SOFT OR LOW SHOULDER	8 NO TRAFFIC CONTROL		
	3 NO DEFFECTS			

YOUR VEHICLE-NO. 1 (28) (29) (29) (30)

MAKE TYPE (SEDAN, TRUCK, TAXI, BUS, ETC.) YEAR WAS VEHICLE INSURED? YES OR NO VEHICLE LICENSE PLATE STATE (31) NUMBER (32) I.C.C. PLATE NO. NUMBER (33)

DRIVER NAME STREET OR R.F.D. CITY AND STATE AGE (35) SEX (36-37) RACE WHITE, NEGRO, ETC. SPEED LIMIT M.P.H.

DRIVERS OCCUPATION (34) CARPENTER, CLERK, ETC. DRIVING EXPERIENCE YEARS DRIVER'S LICENSE STATE NUMBER CHAUFFEUR OPERATOR BEGINNER ESTIMATED SPEED BEFORE ACCIDENT M.P.H. MAXIMUM SAFE SPEED M.P.H.

OWNER NAME STREET OR R.F.D. CITY AND STATE

PARTS OF VEHICLE DAMAGED APPROXIMATE COST TO REPAIR VEHICLE \$

WAS SAFETY BELT INSTALLED? YES NO WAS BELT IN USE? YES NO

OTHER VEHICLE-NO. 2 (38) (39) (40)

MAKE TYPE (SEDAN, TRUCK, TAXI, BUS, ETC.) YEAR WAS VEHICLE INSURED? YES OR NO VEHICLE LICENSE PLATE STATE (41) NUMBER (42) I.C.C. PLATE NO. NUMBER (43)

DRIVER NAME STREET OR R.F.D. CITY AND STATE AGE (45) SEX (46-47) RACE WHITE, NEGRO, ETC. SPEED LIMIT M.P.H.

DRIVERS OCCUPATION (44) CARPENTER, CLERK, ETC. DRIVING EXPERIENCE YEARS DRIVER'S LICENSE STATE NUMBER CHAUFFEUR OPERATOR BEGINNER ESTIMATED SPEED BEFORE ACCIDENT M.P.H. MAXIMUM SAFE SPEED M.P.H.

OWNER NAME STREET OR R.F.D. CITY AND STATE

PARTS OF VEHICLE DAMAGED APPROXIMATE COST TO REPAIR VEHICLE \$

WAS SAFETY BELT INSTALLED? YES NO WAS BELT IN USE? YES NO

DAMAGE TO PROPERTY OTHER THAN VEHICLES See first page (48)

NAME OBJECT, SHOW OWNERSHIP, AND STATE NATURE OF DAMAGE APPROXIMATE COST TO REPAIR \$

William Garfield Hammer Rt. 3, Elkton, Va.

INJURED: 24 N (50) NATURE AND EXTENT OF INJURY: Lacerations of right eye, head, and cut lip. (49) RACE: W WAS PERSON KILLED: NO

TOTAL INJURED: 3 (52) (53) NATURE AND EXTENT OF INJURY: WAS PERSON KILLED:

NOTE! DO NOT WRITE IN BOXES.

NOTE! DO NOT WRITE IN BOXES.

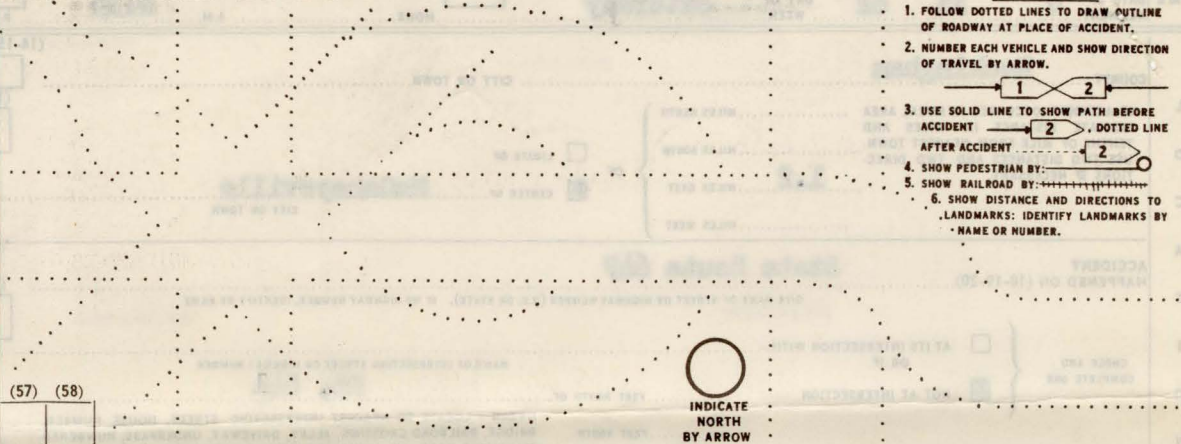
IMPORTANT IF YOU HAD AN AUTOMOBILE LIABILITY POLICY AT THE TIME OF THE ACCIDENT, SECURE FROM YOUR AGENT OR INSURANCE COMPANY A NOTICE OF INSURANCE (FORM SR-21) AND SEND IT WITH THIS REPORT TO THE DIVISION OF MOTOR VEHICLES OR HAVE YOUR AGENT SEND IT AT ONCE.

LOCATION IN VEHICLE OF PERSONS
KILLED AND INJURED.
(CHECK ONE FOR EACH PERSON KILLED AND
INJURED)

VEHICLE 1 2 (55) (56) KILLED	VEHICLE 1 2 (55) (56) INJURED
---------------------------------------	--

- 1 _____ FRONT LEFT _____
- 2 _____ FRONT CENTER _____
- 3 _____ FRONT RIGHT _____
- 4 _____ REAR LEFT _____
- 5 _____ REAR CENTER _____
- 6 _____ REAR RIGHT _____

INDICATE ON THIS DIAGRAM WHAT HAPPENED.



INSTRUCTIONS

1. FOLLOW DOTTED LINES TO DRAW OUTLINE OF ROADWAY AT PLACE OF ACCIDENT.
2. NUMBER EACH VEHICLE AND SHOW DIRECTION OF TRAVEL BY ARROW.
3. USE SOLID LINE TO SHOW PATH BEFORE ACCIDENT AFTER ACCIDENT
4. SHOW PEDESTRIAN BY:
5. SHOW RAILROAD BY:
6. SHOW DISTANCE AND DIRECTIONS TO LANDMARKS: IDENTIFY LANDMARKS BY NAME OR NUMBER.

DESCRIBE WHAT HAPPENED

(REFER TO VEHICLES BY NUMBER)

USE THIS SPACE FOR LISTING ADDITIONAL INJURED PERSONS. ALSO EXPLAIN QUESTIONS NOT FULLY ANSWERED BY CHECKING IN THE SPACES PROVIDED.

IF MORE SPACE IS NEEDED USE ANOTHER FORM OR A SHEET OF PAPER THE SAME SIZE.

(59)

OFFENSES
CHARGED DRIVER

DRIVERS' ACTIONS INDICATED	MISCELLANEOUS (CHECK APPLICABLE ITEMS)	CONDITION OF DRIVERS AND PEDESTRIAN	WHAT DRIVERS WERE DOING (CHECK ONE FOR EACH DRIVER)
<p>DRIVER 1 2 (60) (63)</p> <p>1 _____ EXCEEDED SPEED LIMIT</p> <p>2 _____ EXCEEDED SAFE SPEED BUT NOT SPEED LIMIT</p> <p>3 _____ OVERTAKING ON HILL</p> <p>4 _____ OVERTAKING ON CURVE</p> <p>5 _____ OVERTAKING AT INTERSECTION</p> <p>6 _____ IMPROPER PASSING OF SCHOOL BUS</p> <p>7 _____ CUTTING IN</p> <p>8 _____ OTHER IMPROPER PASSING</p> <p>9 _____ WRONG SIDE OF ROAD-NOT OVERTAKING</p> <p>(61) (64)</p> <p>12 _____ DID NOT HAVE RIGHT-OF-WAY</p> <p>0 _____ FOLLOWING TOO CLOSE</p> <p>1 _____ FAILED TO SIGNAL OR IMPROPER SIGNAL</p> <p>2 _____ IMPROPER TURN-WIDE RIGHT TURN</p> <p>3 _____ IMPROPER TURN-CUT CORNER ON LEFT TURN</p> <p>4 _____ IMPROPER TURN FROM WRONG LANE</p> <p>5 _____ OTHER IMPROPER TURNING</p> <p>6 _____ IMPROPER BACKING</p> <p>7 _____ IMPROPER START FROM PARKED POSITION</p> <p>8 _____ DISREGARDED OFFICER OR WATCHMAN</p> <p>9 _____ DISREGARDED STOP-GO-LIGHT</p> <p>(62) (65)</p> <p>12 _____ DISREGARDED STOP OR YIELD SIGN</p> <p>0 _____ DISREGARDED SLOW SIGN</p> <p>1 _____ FAILED TO STOP AT THROUGH HIGHWAY-NO SIGN</p> <p>2 _____ DROVE THROUGH SAFETY ZONE</p> <p>3 _____ FAILED TO SET OUT FLARES OR FLAGS</p> <p>4 _____ FAILED TO DIM HEADLIGHTS</p> <p>5 _____ DRIVING WITHOUT LIGHT</p> <p>6 _____ IMPROPER PARKING LOCATION</p> <p>7 _____ OTHER VIOLATIONS</p> <p>8 _____ NO VIOLATIONS</p>	<p>DRIVER 1 2 (66)</p> <p>12 _____ AVOIDING PEDESTRIAN</p> <p>0 _____ AVOIDING OTHER VEHICLE</p> <p>1 _____ AVOIDING ANIMAL</p> <p>2 _____ SKIDDING-BEFORE APPLYING BRAKES</p> <p>3 _____ SKIDDING-AFTER APPLYING BRAKES</p> <p>4 _____ CROWDED OFF ROADWAY</p> <p>5 _____ HIT AND RUN</p> <p>6 _____ CAR RAN AWAY-NO DRIVER</p> <p>7 _____ BLINDED BY LIGHTS</p> <p>PEDESTRIAN ACTIONS (CHECK ONE (67-68)</p> <p>01 _____ CROSSING AT INTERSECTION-WITH SIGNAL</p> <p>02 _____ CROSSING AT INTERSECTION-AGAINST SIGNAL</p> <p>03 _____ CROSSING AT INTERSECTION-NO SIGNAL</p> <p>04 _____ CROSSING AT INTERSECTION-DIAGONALLY</p> <p>05 _____ CROSSING NOT AT INTERSECTION-RURAL</p> <p>06 _____ CROSSING NOT AT INTERSECTION-URBAN</p> <p>07 _____ COMING FROM BEHIND PARKED CARS</p> <p>08 _____ GETTING OFF OR ON SCHOOL BUS</p> <p>09 _____ PLAYING IN ROADWAY</p> <p>10 _____ GETTING OFF OR ON OTHER VEHICLE</p> <p>11 _____ HITCHING ON VEHICLE</p> <p>12 _____ WALKING IN ROADWAY WITH TRAFFIC-SIDEWALKS AVAILABLE</p> <p>13 _____ WALKING IN ROADWAY WITH TRAFFIC-SIDEWALKS NOT AVAILABLE</p> <p>14 _____ WALKING IN ROADWAY AGAINST TRAFFIC-SIDEWALKS AVAILABLE</p> <p>15 _____ WALKING IN ROADWAY AGAINST TRAFFIC-SIDEWALKS NOT AVAILABLE</p> <p>16 _____ WORKING IN ROADWAY</p> <p>17 _____ STANDING IN ROADWAY</p> <p>18 _____ LYING IN ROADWAY</p> <p>19 _____ NOT IN ROADWAY</p>	<p>DRIVER 1 2 PED (69) (71) (73)</p> <p>9 _____ NO DEFECTS</p> <p>0 _____ EYESIGHT DEFECTIVE</p> <p>1 _____ HEARING DEFECTIVE</p> <p>2 _____ OTHER BODY DEFECTS</p> <p>3 _____ ILL</p> <p>4 _____ FATIGUED</p> <p>5 _____ APPARENTLY ASLEEP</p> <p>6 _____ OTHER HANDICAP</p> <p>(70) (72) (74)</p> <p>12 _____ HAD NOT BEEN DRINKING</p> <p>0 _____ DRINKING-OBVIOUSLY DRUNK</p> <p>1 _____ DRINKING-ABILITY IMPAIRED</p> <p>2 _____ DRINKING-ABILITY NOT IMPAIRED</p> <p>3 _____ DRINKING-NOT KNOWN WHETHER IMPAIRED</p> <p>VEHICLE CONDITION (CHECK ONE OR MORE)</p> <p>VEHICLE 1 2 (75) (76)</p> <p>8 _____ NO DEFECTS</p> <p>1 _____ LIGHTS DEFECTIVE</p> <p>2 _____ BRAKES DEFECTIVE</p> <p>3 _____ STEERING DEFECTIVE</p> <p>4 _____ PUNCTURE OR BLOWOUT</p> <p>5 _____ WORN OR SLICK TIRES</p> <p>6 _____ MOTOR TROUBLE</p> <p>7 _____ OTHER DEFECTS</p> <p>0 _____ CHAINS IN USE</p>	<p>DRIVER 1 2</p> <p>_____ GOING STRAIGHT AHEAD</p> <p>_____ MAKING RIGHT TURN</p> <p>_____ MAKING LEFT TURN</p> <p>_____ MAKING U TURN</p> <p>_____ SLOWING OR STOPPING</p> <p>_____ STARTING IN TRAFFIC LANE</p> <p>_____ STARTING FROM PARKED POSITION</p> <p>_____ STOPPED IN TRAFFIC LANE</p> <p>_____ PARKED</p> <p>_____ BACKING</p> <p>_____ Passing</p> <p>DRIVER VISION OBSCURED</p> <p>DRIVER 1</p> <p>_____ RAIN, SNOW, ETC. ON WINDSHIELD</p> <p>_____ WINDSHIELD OTHERWISE OBSCURED</p> <p>_____ VISION OBSCURED BY LOAD ON VEHICLE</p> <p>_____ TREES, CROPS, ETC.</p> <p>_____ BUILDING</p> <p>_____ EMBANKMENT</p> <p>_____ SIGNBOARD</p> <p>_____ HILLCREST</p> <p>_____ PARKED VEHICLES</p> <p>_____ MOVING VEHICLES</p> <p>_____ SPECIFY OTHER _____</p> <p>_____ NOT OBSCURED</p>

SIGNATURE

R. D. Schuder, Jr.

SIGNATURE OF PERSON SUBMITTING REPORT IS REQUIRED

8/13/62

WITNESS
OCCUPANT
DRIVER

IF FILED BY POLICE

R. D. Schuder, Jr. S.A.D.GE. NO. 505

DEPT. Va. State Police

DATE OF REPORT (77)