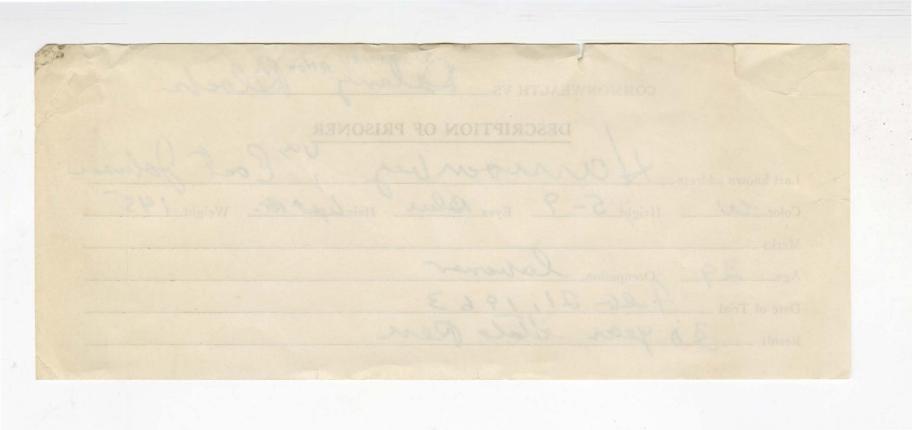
COMMONWEALTH VS. Delang Block

		RIPTION OF I			
Last known address	Han	coenb	4	East	Johnson
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Marks					
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Result 30	pear Si	ale Res	1		



2) Com V. Delaney Allen Black - # 39838 (1) mrs. Viola Funkhouser - 6/0 Starlite mitel (2) Deputy 5 heriff 12. M. Willox (3) Deputy & neiff T. 1. martin



COUNTY COURT

Criminal Docket

Nº 39838 A

Commonwealth

V.

Appearance Date 9-18-62

Trial Date 16-11-62

16-11-30-62 2:P.14.



Benninstr Robert VAR R. Gooden H Charles BAUSher Dwing Atwood Gregory Roy BAUSher Leroy Ritchic GW Gustini Dove C.E. Suedal Charles W Dove

Popent E. Elsrood 4 Charles iv. Baugher 3 Boy C Baugher 2 Durgit & atwood 112 Charles in Done 9 8 Jeros David Retchie 10 Benny ton 12 9 10 11 12 Baltem lex

JAMES R. SIPE

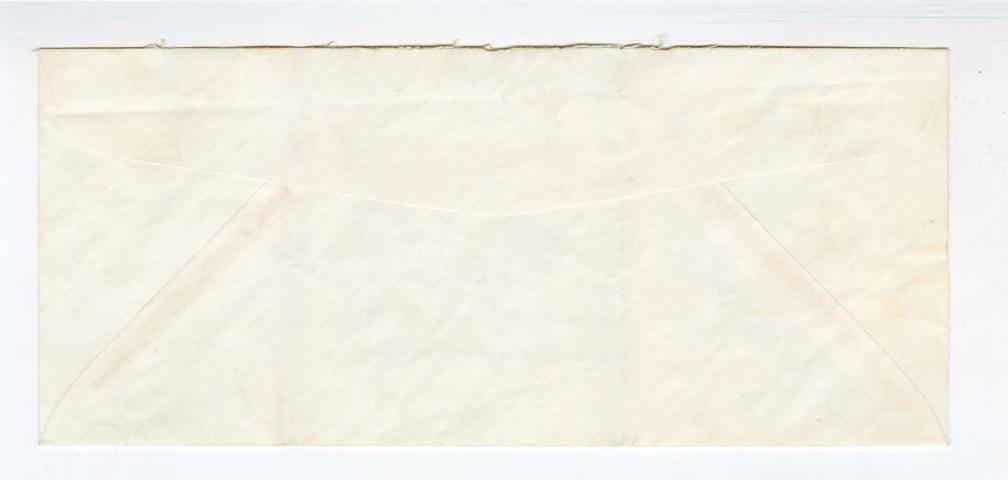
ATTORNEY AT LAW

COURT HOUSE

HARRISONBURG, VIRGINIA

Com the Ex #11

2 bullets - taken from budy of Louise Virginia Black by Ss. Tannes on 9/14/62 -



Witness	Subpoena				
	onwealth of Virginia: y of Rockingham, to-wit: To the Sheriff of said County	, Greeting:		10 000	to low
Yo	ou are hereby commanded, in the	name of the Com	monwealth of Virgini	notel Rt1 1	H
¥ .	Deguty Sheriff , S	M. Wilco	2000	Mar R	
to app	day of day of		the hour of	g, Virginia, in said	County, onof that day
to give	e evidence in behalf of	44 maoqdu	V. Witness S	A NO STATE OF THE PERSON OF TH	
in the	pending case of Com 1 #	105	Deleng all	2/5	Stories !
v	Selanez allen Bla	k -50-	To 11-38	9/1 1 1/	
Gi	ven under my hand this	28 day of	how a	1962 T + all	
	1.		Ude C	Swarp Cle	Clerk Asst. Clerk

The County Court Docket No. 39838 28- 62 IN THE COUNTY L STRAWDERMAN JHL JD Assu Witness Subpoena 1-38-62

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Deputy Sheriff G. M. Wilcox
Deputy Sheriff T. 1. Martin
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 20th day of February , 19 63, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against
Delaney Allen Black
who stands charged with and indicted for a felony misdemeaner-
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 1963 , and in the 187th year of the Commonwealth.
Commonwealth's Attorney

EMECUTED 2/5/63 IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHING LUMINOUM TO 1. M. WILLIAM IN PERSON. S. R. C. By . J. M. Letter D. S. R. C.	EXECUTED 2-16-63. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Summond TO 7-16-18-18-18-18-18-18-18-18-18-18-18-18-18-
The Local Land Book of the View County is	
Delaney Allen Black	
	who stands charged with and indicted for a felony such
February 1953 and in the 187th year	beng. Virginia, at the Court House, the 13 Chot of the Commonwealth.

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Mack W. Fifer D.s.
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 20th day of February , 19. 63 to testify and the truth to say in behalf of the
Commonwealth before-the-Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th February , 1963, and in the 187th year of the Commonwealth.
Danier 88 1-in
Commonwealth's Attorney

Executed on the 15th day of Feb 1963., in the County	
of Rockingham, Virginia, by calling at the usual place of abode,	larrison No.
By S. M. Willey Deputy Sheriff	
Delancy Allen Black	
Commonwealth sedere-the-Grend-duey-against	

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Paul Ettel
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth-before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 19 63, and in the 187th year
of the Commonwealth.
Commonwealth's Attorney

Commonwealth interest the Grand for a february of Rachington County at the County of Bolines Allen Black

Commonwealth interest the Grand for a february of Rachington County at the County of Bolines Allen Black

Commonwealth interest the Grand for a february of Strawberman ... S. B. C.

By Strawberman ... D. S. B. C.

By Strawberman ... D. S. B. C.

Delaney Allen Black

Commonwealth interest the Grand for a february in belong the first of the february ... D. S. B. C.

Delaney Allen Black

Commonwealth interest the Grand for a february ... D. S. B. C.

Delaney Allen Black

Commonwealth interest the Grand for a february ... D. S. B. C.

Delaney Allen Black

Commonwealth interest the Grand for a february ... D. S. B. C.

Delaney Allen Black

Commonwealth interest the Grand for a february ... D. S. B. C.

8.

Paul Ettel

You are hereby commanded to summon

To the Sheriff of Rockingham County, Greefing:

In the Name of the Commonwealth of Virginia

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Georgia Mae Hoover - 125 E. Washington St., Harrisonburg

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 20th day of February , 19.63, to testify and the truth to say in behalf of the
o'clock, a. m., on the 20th day of February , 19.63, to testify and the truth to say in behalf of the Commonwealth before-the-Grand Jury, against
Commonwealth before-the-Grand Jury, against
Commonwealth before-the-Grand Jury, against
Commonwealth before-the-Grand Jury, against Delaney Allen Black
Commonwealth before-the-Grand Jury, against Delaney Allen Black who stands charged with and indicted for a felony misdemeanor.
Commonwealth before-the-Grand Jury, against Delaney Allen Black 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.
Commonwealth before-the Grand Jury, against Delaney Allen Black 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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-burg, Virginia, at the Court House, the 13th ofFebruary

ROCKINGHAM BY DELIVERING A TRUE

N PERSON

.... S. R. C.

renex wrien proce

Commonwealth before-the firmed dury, against

clock, a me on the 20ch day of February.

to unpear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 92

Georgia Mae Hoover - 125 E. Washington St., Harrisonburg

To the Sheriff of Rockingham 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:
You are hereby commanded to summon
Elmer Black S
To the second state of the second
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 20th day of February, 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison
burg, Virginia, at the Court House, the 13th February , 19 63, and in the 187th of the Commonwealth.
Janes B Sige
Commonwealth's Attorney

Not finding Elmer Black of his usual
place of abode, Executed . 2/15/63 by delivering a man of all all
true goy of this them to Ella Dlail
has nelle in person ret said Elmer Black
would done of about filler place
to ner.
By I I and Deputy Sheriff
By. 1- 1. In artis Deputy Sheriff
o'clock, a. m., on the 20th day of February , in 63 to festify and the truth to see in helic
Commonwealth Isefece the Grand-Inty-against

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Mrs. Ella Black
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 19 63, and in the 187th year
of the Commonwealth.
Commonwealth's Attorney
Commonwealth's Attorney

FULLINGHAM B	Y DELIVERING A TRUE
COPY OF THE W	THIN LUM.
IN PERSON.	The second section of the second seco
By J. J.	STRAWDERMAN S. R. C. S. S. R. C. D. S. R. C.
2)	
	to appear before the Judge of the Circuit Court of Rockingha
	o'clock, a.m., on the 2000 day of February, 19 00
	Commonwealth kefere the-Grand-Jury, against
	Delaney Allen B.
	who stands charged with and indicted for a felony neisdemone
nary in 63, and in the 187th, car	burg, Virginia, at the Comt House, the 13th of Tebra of the Commonwealth.
the state of the state of	

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Harry Black Carolyn
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 20th day of February, 1963, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 193 , and in the 187th year of the Commonwealth.
Deman B
Commonwealth's Attorney

Not finding Annual Many Many Bland at his usual place of abode, Executed 2-15-63 by delivering a true copy of this factorisms to Caralian Many Bland	$n_1 = u \wedge n$
true copy of this features	Not finding I Hary I Lash at his usual
usual place of abode Andrew All STRAWDERMAN S. R. C. By STRAWDERMAN S. R. C. By STRAWDERMAN Deputy Sheriff Communication of the purpose of	a me commonwers of
usual place of abode Carolina. Black	true copy of this flishers to Chattefor Attock.
Commonwealth before the Grand-Yory, against Delianey By The Strand of the Grand-Yory, against	usual place of abode and a lack, being a member of his family above the age of 16 years, and explaining the purport thereof
relock, a. m., on the ZOCh day of February , 1963, to testify and the truth to say in behalf of the Common wealth before the Geand-Sery, against	
	Degrave A By A Deputy Sheriff
	continuo acaditi-belane-the-ferand-fery, against
Someon before the Judge of the Grount Court of the standards County of the Court House Morroll at the	
	a marge before the Judge of the Circuit Court of the Cinchests Counts at the Court House thereof, at then

TO THE PHENI

To the Sheriff of Rockingham County, Greefing:

In the Name of the Commonwealth of Virginia:

Harry Black

In the Name of the Commonwealth of Virginia:	
To the Sheriff of Rockingham County, Greeting:	
You are hereby commanded to summon	
Julia Kisling DJ	
to appear before the Judge of the Circuit Court of Bookinghous Country at the Court House thereof	ot 0.30
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,	
o'clock, a. m., on the 20th day of February , 19. 63, to testify and the truth to say in behal	If of the
Commonwealth -before -the Grand-Jury, against	
Delaney Allen Black	
who stands charged with and indicted for a felony misdemeaner-	
And this you shall not omit under penalty. And have then and there this Writ.	
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of H	arrison-
burg, Virginia, at the Court House, the 13th of February , 19 63 and in the 187t of the Commonwealth.	h. year
Anne Rose	
Commonwealth's Attorney	

Executed on the St. day of . Fell
of Poskingham Virginia by calling at the usual place of abode,
251. 16 11 12.
parts summer in the condition. I. A. M. A, of Justing and not
finding here, or any other person upon service could a mode, I left a true copy of the above mentioned powers making and a land and the service could be mode.
yang the 200 stall other, posted on the front door of her usual picter of them
who stands charged with and indicted for a fire A. L. STRAWDERMAN
By J. J. M. William D. 15 mile
Delaney Allen Black
Commonwealth-before-like-Grand-Jusy-against
o'clock, a. m., on the August of February , 19 62 to testing and the health to See in behalf of the
Julia Kisling DJ
You are hereby commanded to summon

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
J Richard Simpson - 38 W. Gay St., Harrisonburg
P Geneva Simpson - 38 W. Gay St., Harrisonburg
2 s. z. VAMSEOWASTE A.A.
and the state of t
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 20th day of February , 1963, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
who stands charged with and indicted for a felony misdenceanor.
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13thof February , 19 63, and in the 187th year
of the Commonwealth.
Commonwealth's Attorney

Not finding Backerf Sangarow at his usual
place of abode, Executed
true copy of this Aleman, to Sangaran Singson of or
Jenne Summer being a member of
to her.
S. R. C.
By J. M. Walay Deputy Sheriff
to oppose before the Judge of the Circuit Court of Rockingham County, at the Court House thereoft, at 9.30
EXECUTED : 15-63. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE
COPY OF THE WITHIN THE WOOD OF THE W
IN PERSON.
A L STRAWDERMAN
By J. M. Builent D. S. R. C. would address address of the State of
burg. Virginia, at the Court House, the Likhot February 19 63, and in the L87th year of the Commonwealth.

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
William Hisey - % Hawkins Hardware Co., Harrisonburg
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
who stands charged with and indicted for a felony misdencenor.
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 19 63, and in the 187th year of the Commonwealth.
Common of the Attorney
Common wealth's Attorney

William Hisey - % Hawkins Hardware Co., Harrisonburg

In Allow. D. S. R. C.

AL STRAWDERMAN S. R. C.

COPY OF THE WITHIN A COMMON OF THE WITHIN A C

EXECUTED 2: 1.4. 63 IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Curtis Magalis
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
D 1 111 D1 1
Delaney Allen Black
who stands charged with and indicted for a felony misdemeaner.
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
The state of the s
burg, Virginia, at the Court House, the 13th of February , 19.63, and in the 187th year of the Commonwealth.
James & Sigo
Commonwealth's Attorney

EXECUTED 2-16-63. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Auminion A L STRAWDERMAN ... S. R. C. sepo stange charged with and indicted for a telony By ... I. Williams. .. D. S. R. C. Curcis Magalis

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Joseph N. Mewshaw - % Starlite Motel, Route #1, Harrisonburg
PS Mrs. Viola Funkhouser - % Starlite Motel, Route #1, Harrisonburg
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 20th day of February, 1963, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 19 63 and in the 187th year of the Commonwealth.
June R Sero
Commonwealth's Attorney

ROCKINGHAM BY DELIVERING A TRUE EXECUTED 2-15-63 IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Segremus COPY OF THE WITHIN Jumpy... A. L. STRAWDERMAN ... S. R. C. V. 1.1. - Walask... D. S. R. C. Mrs. Viola Funkhouser - % Starlite Motel, Route #1, Marrisonburg Joseph M. Mewshaw - A Starlite Motel, Moute Fl. Harrisonburg

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Gary Lam Lo Fither
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 20th day of February , 1963, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th February , 19 63, and in the 187th year of the Commonwealth.
James B Sine
Commonwealth's Attorney

		0 -	
	Not finding -	Jary Jam	at his usual
	place of abode, Ex	ecuted 2 - 1.5 - 4	Z by delivering a
	true copy of this	Ausmours	to A. C. Lum
	A MANAGER PRINCIPLE OF THE PARTY OF THE PART	in person, at said	- Charles V and the second
	PE. Commonwealth's Alto	NO T	unity and the City of Harreson
	his family above the	ne age of 16 years, and e	, being a member of xplaining the purport thereof
	A - la au	aparenta.	
		STF	RAWDERMAN S. R. C.
	eleney Allen Black	By J. M. C.	Mikry Deputy Sheriff
Commonwealth before the			
Gary Lan			

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Priscilla Shank - Route #1, Harrisonburg
FILSCIIIa bhaire - Rouce #1, Hallisonbulg
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
Dollane y Miller Diller
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 1963, and in the 187th year
of the Commonwealth.
Commonwealth's Attorney

EXECUTED J-N-63. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN Affinness.

AL STRAWDERMAN ... S. R. C. OF THE CONTROL OF THE STRAWDERMAN ... S. R. C. OF THE STRAWDERMAN ... S. R. C.

M. Wikef.... D. S. R. C. And this you shall not omit mader penulty, And BA

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Lewis Falls PS.
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 20th day of February , 19 63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 1963, and in the 187th year of the Commonwealth.
James Blice
Commonwealth's Attorney

n the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting

You are hereby commanded to summon.

Lewis Falls

retock, a.m., on the 20th day of February 19 52 to testif

FFA some Fort

Delaney Allen Black

By C. M. Luckey. D. S. R. C

L STRAWDERMAN S. B. C.

TO FERSON.

EXECUTED 15 63 IN THE COUNTY OF

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Charles Knighting D5
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 20th day of February , 1963, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against
Delaney Allen Black
who stands charged with and indicted for a felony misdeneanor.
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 19 63, and in the 187th year of the Commonwealth.
Commonwealth's Attorney
Commonwealth's Attorney

Executed on the / Ste day of . Feb	unty
of Rockingham, Virginia, by calling at the usual place of abode,	THOUSEN A
of the Commonwealth . At le . Hoy , of Charles . Ifrighting and	not
made, I left a true copy of the above mentioned papers attached a	d be same house
other, posted on the front door of his usual place of abode.	
yng uns 200 spent not onnit augus bousing you A L STRAWDERMANUS MAN	
who should changed with and indicted for a fall the friend.	
Delaney Allen Black	
Commonwoodlis before the Gened-forg, against	
o clock, a, m., on the ZOGD day of FCORDARY, 1972, to teathly and the trink to sa	
Charles Knighting D.	

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Mrs. W. R. Knighting D.S.
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 20th day of February , 19 63, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of February , 19.63, and in the 187th year of the Commonwealth.
Commonwealth's Attorney
Commonwealth's Attorney

Francisco Mate day of Feb, 1963., in the County
or Signigham, Virginia, by colling at the usual attended to
M. G. N. by of Mrs. W.R. Have the
finding h there, or any other person upon whom service could be made, I left a true copy of the above mentioned papers attached to each
other, posted on the front door of here. usual place of abode.
who should charged with and indicated for a factor. A.L. STRAWDERMAN S. R. C.
By By Deputy Sheriff
Delaney Allen Black
Commonwealth-belong-the-Grand-forty, against.
o'clock, a. m., on the 20th day of February 10 42, to testify and the truth to say hi behan or h
Mrs. W. R. Knighting

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon Clarence Manning White Bill John in Fuendling VA.
Gerald Roy
To Horald Roy
V MORRED WILLIAM CO. A. C.
O. f. Mandari
HE MADE
9:00 to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at \$\mathbb{P}\$\$.
Dhow a Manuar
o'clock, a. m., on the 21stay of February, 19.63, to testify and the truth to say in behalf of
the Defendant in the prosecution of the Commonwealth against
Delaney Black
a at built wows sin
who stands charged with and indicted for a felony was deniented for a felon
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.,
at the Court House thereof, this, the 20th of February , 19 63 and in the 187 year of the Commonwealth.
George W. Temper Clerk

in the rame of the Commonwealth of virginia:
To the Sheriff of Rockingham County, Greeting:
EXECUTED 2-20-63 IN THE COUNTY OF ROCKINGHAM BY DEL VERING A TRUE of balanting videous end of the country of th
COPY OF THE WITHIN Dalpolin
TO Levald Roy. IN PERSON. a. L. Strawdenn S. R. C.
By a I Swriett D. S. R. C.
00:8
to appear before the Judge of the Circuit Court of Rociongham County, at the Court House thereof, at 303308
Clarenel Mannery not found 7218
2-20- 1063
the Defendant in the prosecution of the Continuous of Services of Asia Mines with the Continuous of th
By G. J. Burney Sheriff
who stands charged with and indicted for a felony magantanor.
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.,
at the Court House thereof, this, the 20thay of February , 19 63 and in the 187 year
of the Commonwealth.
Maria W Franker Clerk

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Officer M. L. Stroble
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand-Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 18th February , 19 63, and in the 187th year of the Commonwealth.
Commonwealth's Attorney
Commonwealth's Attorney

Officer M. L. Stroble

EXECUTED 2-18-68. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN Lummin. IN PERSON.

A. L. STRAWDERMAN

.... S. R. C.

In the Name of the Commonwealth of Virginia: To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon Clarence Manning
Gerald Roy
9:00
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at x9x30x o'clock, a. m., on the 21st day of February
the Defendant in the prosecution of the Commonwealth against
Delaney Black
who stands charged with and indicted for a felony misdemeanor. In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.,
at the Court House thereof, this, the 20thday of February , 19 63 and in the 167 year of the Commonwealth.
George W. Kemper, Clerk

In the Name of the Commonwealth of Virginia: To the Sheriff of Rockingham County, Greeting:	
You are hereby commanded to summon Clarence Manning Commanded Comman	
9:00 to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 29:30.	
o'clock, a. m., on the 210 day of FADEWARY	
who stands charged with and indicted for a felony misdenneanor. In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va., at the Court House thereof, this, the 20th day of 10 brushry 19 63 and in the 187 year of the Commonwealth. George W. Kemper,, Clerk	

V.

DELANEY BLACK

INSTRUCTION NO. 46

Cafured + It.

The Court instructs the jury that if you have a reasonable doubt as to the grade of offense of which the prisoner may be guilty, that you shall resolve that doubt in his favor, and find him guilty of the lower grade; to illustrate if you have reasonable doubt as to whether he is guilty of murder in the first degree or the second degree, you should find him guilty in the second degree. If you have reasonable doubt as to whether he is guilty of murder in the second degree or manslaughter, you should find him guilty of manslaughter, and if you have a reasonable doubt as to whether he be guilty at alk, you must resolve that doubt in favor of the accused and acquit him.

DELANEY BLACK

INSTRUCTION NO.

The Court instructs the jury that if you have a reasonable doubt as to the grade of offense of which the prisoner may be guilty, that you shall resolve that doubt in his favor, and find him guilty of the lower grade; to illustrate if you have reasonable doubt as to whether he is guilty of murder in the first degree or the second degree, you should find him guilty in the second degree. If you have reasonable doubt as to whether he is guilty of murder in the second degree or manslaughter, you should find him guilty of murder slaughter, and if you have a reasonable doubt as to whether he be guilty at slaughter, and if you have a reasonable doubt as to whether he be guilty at all, you must resolve that doubt in favor of the accused and acquit him.

Christ, F.

V.

BLACK

INSTRUCTION /

The Court instructs the jury that murder in the first degree is any wilful, deliberate and premeditated killing of one human being by another with malice.

Murder in the second degree is the wilful killing of one human being by another with malice, but without any deliberation and premeditation.

Voluntary manslaughter is the intentional killing of one human being by another without malice, in the heat of sudden passion engendered or brought about by reasonable provocation or in mutual combat.

H. H.

17

MOALU

INSTRUCTION

The Court instructs the jury that murder in the first degree is any wilful, deliberate and premeditated killing of one human being by another with malice.

Murder in the second degree is the wilful killing of one human being by another with malice, but without any deliberation and premeditation.

Voluntary mensions is the intentional milling of one busing by another without melice, in the heat of sudden passion engendered or brought about by reasonable provocation or in motual combat.

V.

BLACK

INSTRUCTION

The Court instructs the jury that malice necessary to constitute the crime of murder may be either express or implied. The word "malice" in the foregoing definitions of murder is used in a technical sense, and includes not only anger, hatred and revenge, but every unlawful and unjustifiable motive. It is not confined to ill will to any one or more particular persons, but is intended to denote an action flowing from any wicked and corrupt motive, done with an evil mind and purpose and wrongful intention, where the act has been attended with such circumstances as to carry in them the plain indication of a heart regardless of social duty and deliberately bent on mischief; therefore malice is implied by law from any wilful, deliberate and cruel act against another however sudden.

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INSTRUCTION

1

The Court instructs the jury that malice necessary to constitute the crime of murder may be either express or implied. The word "malter" in the foregoing definitions of murder is used in a technical sense, and includes not only anger, hatred and revenge, but every unlawful and unjustifiable motive. It is not confined to ill will to any one or more particular persons, but is incended to denote an action flowing from any wicked and corrupt motive, done with an evil mind and purpose and wrongful intention, where the act has been attended with such directmestances as to carry in them the plain indication of a heart regardless of social duty and deliberated deliberate and cruel act squinst another however sudden.

V.

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INSTRUCTION 3

The Court instructs the jury that every unlawful homicide in Virginia is presumed in law to be murder in the second degree. In order to elevate the offense to murder in the first degree, the burden of proof is on the Commonwealth; and in order to reduce the offense to manslaughter, or to show a justification or excuse, the burden is upon the accused.

A.H.

.V

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INSTRUCTION

The Court instructs the jury that every unlawful howicide in Virginia is presumed in law to be murder in the second dogree. In order to elevate the offense to murder in the first degree, the burden of proof is on the Commonwealth; and in order to reduce the offense to manslaughter, or to show a justification or excuse, the burden is upon the accused.

14/4

V.

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INSTRUCTION 4

The Court instructs the jury that to constitute a wilful, deliberate and premeditated killing, it is not necessary that the intention to kill should exist for any particular length of time prior to the actual killing; it is only necessary that there was some deliberation and premeditation given by the accused to his purpose at the time of the killing or at any time previously.

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COMMUNICATIE

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INSTRUCTION 4

The Court instructs the jury that to constitute a wilful, deliberate and premeditated killing, it is not necessary that the intention to kill should exist for any particular length of time prior to the actual killing; it is only necessary that there was some deliberation and premeditation given by the accused to his purpose at the time of the killing or at any time previously.

V.

DELANEY BLACK

INSTRUCTION NO. 5

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 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.

H.H.

DELANEY BLACK

INSTRUCTION NO. 5

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 devied 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.

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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.

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14.4

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 his innocence.

A. 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 innoceace of the accused, the jury must accept that interpretation pointing to his innoceace.

v.

DELANEY BLACK

INSTRUCTION NO.

The Court instructs the jury that to constitute murder in the first degree the evidence must clearly and distinctly prove, beyond any reasonable doubt, that the prisoner was not only incited to the killing of the deceased by malice, and desperate wickedness of heart; but such killing must have been a willful, deliberate, and premeditated act on the part of the defendant; in other words, at the time of the killing the defendant must have distinctly understood what he willed and intended to do; he must have also reflected and deliberated and premeditated that he would kill the deceased, or do her some serious bodily injury the probable result of which would be death. And if there be a reasonable doubt whether he had willed, deliberated and premeditated to kill the deceased or do her some serious bodily injury which would probably occasion her death, they ought not to find him guilty of murder in the first degree.

H. H.

DELANEY BLACK

INSTRUCTION NO. 6

The Court instructs the jury that to constitute murder in the first degree the evidence must clearly and distinctly prove, beyond any reasonable doubt, that the prisoner was not only incited to the killing of the deceased by malice, and desperate wickedness of heart; but such killing must have been a willful, deliberate, and premeditated act on the part of the defendant, in other words, at the time of the killing the defendant must have distinctly understood what he willed and intended to do; he must have also reflected and premeditated that he would kill the deceased, or do her some serious bodily injury the probable result of which would be death. And if there be a reasonable doubt whether he had willed, deliberated and premeditated to kill the deceased or do her some serious bodily injury which would probably occasion her death, they ought not to find aim guilty of murder in the first degree.

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V.

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INSTRUCTION 7

The Court instructs the jury that one charged with crime may be convicted upon circumstantial evidence alone, or upon circumstantial evidence connected with other evidence, if the jury believe beyond a reasonable doubt from such circumstantial evidence, that the person so charged is guilty of the crime alleged against him in the indictment; therefore, the court instructs the jury in this case that they have the right to convict the defendant upon circumstantial evidence alone, or upon circumstantial evidence coupled with other evidence, if the jury from such circumstantial evidence or from such circumstantial evidence connected with other evidence, believe the guilt of the defendant to have been proved beyond reasonable doubt.

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INSTRUCTION

The Court instructs the jury that one charged with crime may be convicted upon circumstantial evidence alone, or upon circumstantial evidence connected with other evidence, if the jury believe beyond a reasonable doubt from such circumstantial evidence, that the person so charged is guilty of the crime alleged against him in the indictment; therefore, the court instructs the jury in this case that they have the right to convict the desendant upon circumstantial evidence alone, or upon circumstantial evidence coupled with other evidence, if the jury from such circumstantial evidence or from such circumstantial evidence or from such circumstantial evidence have been proved beyond reasonable doubt.

v.

DELANEY BLACK

INSTRUCTION NO. _____

The jury are further instructed that circumstantial evidence must always be scanned with great caution, and can never justify a verdict of guilty, unless the circumstances proved are of such a character and tendency as to produce in a fair and unprejudiced mind a moral conviction of the guilt of the accused beyond all reasonable doubt, and unless the jury believe from the evidence that each and every circumstance essential to the conviction of the accused has been made out and established beyond a reasonable doubt, then the accused should be acquitted.

H.H.

COMMICHURALTH

DELANEY BLACK

INSTRUCTION NO.

The jury are further instructed that circumstantial evidence must always be scanned with great caution, and can never justify a verdict of guilty, unless the circumstances proved are of such a character and tendency as to produce in a fair and unprejudiced mind a moral conviction of the guilt of the accused beyond all reasonable doubt, and unless the jury believe from the evidence that each and every circumstance essential to the conviction of the accused has been made out and established beyond a reasonable doubt, then the accused should be acquitted.

V.

BLACK

INSTRUCTION 9

The Court instructs the jury that a mortal wound given with a deadly weapon, in the previous possession of the slayer, without any, or upon very slight provocation, is, prima facie, wilful, deliberate and premeditated killing, and throws upon the accused the necessity of proving extenuating circumstances.

A. H.

COMMONWEATER

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1 MSTRUCTION 2

The Court instructs the jury that a mortal wound given with a deadly weapon, in the previous possession of the slayer, without any, or upon very slight provocation, is, prime facie, wilful, deliberate and premeditated killing, and throws upon the accused the necessity of proving extenualism circumstances.

V.

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INSTRUCTION 10

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 non-essential circumstances.

If, after a ræsonable 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.

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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.

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 non-essential circumstances.

It, after a reasonable and honest consideration of all of the exidence, 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.

ii, on the other hand, arter on impercial 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 al reasonable doubt.

A.A.

V.

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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.

A. H.

V.

BLACK

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 menner 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.

v.

DELANEY BLACK

INSTRUCTION NO. 12

The Court instructs the jury that if you have a reasonable doubt as to the grade of offense of which the prisoner may be guilty, that you shall resolve that doubt in his favor, and find him guilty of the lower grade; to illustrate, if you have reasonable doubt as to whether he is guilty of murder in the first degree or the second degree, you should find him guilty in the second degree.

V

DELANEY BLACK

INSTRUCTION NO. 12

The Court instructs the jury that if you have a reasonable doubt as to the grade of offense of which the prisoner may be guilty, that you shall resolve that doubt in his favor, and find him guilty of the lower grade; to illustrate, if you have reasonable doubt as to whether he is guilty of murder in the first degree or the second degree, you should find him guilty in the second degree.

V.

DELANEY BLACK

INSTRUCTION NO. /3

The Court instructs the jury that upon the trial of a criminal case by a jury the law contemplates a concurrence of twelve minds in the conclusion of guilt before a conviction can be had. Not only is this true with respect to the guilt of the accused, but is likewise true with respect to the degree of the crime. Therefore, if any individual member of the jury, after having duly considered all the evidence in this case, and after consultation with his fellow jurors, should entertain a reasonable doubt as to the guilt of the accused, or as to the degree of the guilt of the accused, it is his duty not to surrender his own convictions as to the guilt or innocence of the accused, or as to the degree of guilt, simply because the rest of the jury entertain different convictions as to the guilt or innocence or as to the degree. The jury are further instructed that it is the duty of the jurors to discuss the evidence in a spirit of fairness and candor with each other, and with open minds to give careful consideration to the views of their fellows, and, if it can be done without sacrifice of conscientious convictions, agree upon a verdict.

4/4/

37

DELANEY BLACK

INSTRUCTION NO. 13

The Court instructs the jury that upon the trial of a criminal case by a jury the law contemplates a concurrence of twelve minds in the conclusion of guilt before a conviction can be had. Not only is this true with respect to the guilt of the accused, but is likewise true with respect to the degree of the crime. Therefore, if any individual member of the jury, after having duly considered all the evidence in this case, and after consultation with his fellow jurors, should entertain a reasonable doubt as to the guilt of the accused, or as to the degree of the guilt of the accused, it is his duty not to surrender his own convictions as to the guilt or innocence of the jury entertain different convictions as to the guilt or innocence or as to the degree. The jury are further instructed that it is the duty of the jurors to discuss the evidence in a spirit of fairness and candor with each other, and with open minds to give careful consideration to the views of their fellows, and, if it can be done without sacrifice of conscientives convictions, agree

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V.

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INSTRUCTION / 4

The Court instructs the jury that you cannot take into consideration, in any manner, the fact that the defendant did not testify in this case.

4.4.

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INSTRUCTION /

The Court instructs the jury that you cannot take into consideration, in any manner, the fact that the defendant did not testify in this case.

V.

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INSTRUCTION /

The Court instructs the jury that, where a person who is on trial for an offense, offers in his defense evidence for the purpose of proving that he was not present at the place where and at the time when the offense was committed, such defense is in law called an alibi.

The Court further instructs the jury that where the Commonwealth has established a prima facie case and the accused relies upon the defense of alibi, the burden is upon him to prove it, not beyond a reasonable doubt, nor by a preponderance of the evidence, but by such evidence, as will, when the whole evidence is considered, create and leave in the minds of the jury a reasonable doubt as to the guilt of the accused.

#. 4.

V

SLACK

INSTRUCTION

The Court instructs the jury that, where a person who is on trial for an offense, offers in his defense evidence for the purpose of proving that he was not present at the place where and at the time when the offense was committed, such defense is in law called an alibi.

The Court further instructs the jury that where the Commonwealth has established a prima factor case and the accused relies upon the defense of alibi, the burden is upon him to prove it, not beyond a reasonable doubt, nor by a preponderance of the evidence, but by such evidence, as will, when the whole evidence is considered, create and leave in the winds of the jury a reasonable doubt as to the guilt of the accused.

VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

COMMONWEALTH)

V) BILL OF PARTICULARS
)
DELANEY ALLEN BLACK)

In compliance with the order of the Judge of the Circuit Court of Rockingham County entered in the above captioned case now pending in said Court, the Commonwealth says as follows:

- 1. The commission of the crime occurred on September 14, 1962, at approximately 7 o'clock p.m.;
 - 2. That the type of shells used were .22 shorts.

Commonwealth's Attorney

I hereby certify that a copy of the above bill of particulars was mailed to Donald D. Litten, Counsel for the accused, on the 15th day of February, 1963.

- gamer B. Sine

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

FEB 1 5 1963

JAMES R. SIPE
ATTORNEY AT LAW
HARRISONBURG, VA.

George W. Kenpen Clerk

1. The commission of the crime occurred on September

2. That the type of shells used were .22 shorts.

Commonwealth's Attorney

particulars was mailed to Donald D. Litten, Counsel for the accused, on the 15th day of February, 1963.

STATE OF VIRGINIA		T. H.	N.	
COUNTY OF Harrisonburg		To-Wit:	No	
City TO ANY SHERIFF OR POLICE O	OFFICER .			
	_		Commonwealths Attorne	your by Landha
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Commonwealth of Virginia				
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as witnesses.				
Given under my hand and seal, this_	15th	day of	September	1062
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		JUS	(Title of Issuing Officer) FICE OF THE PEACE	(Seal)

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and		No.		, as h	is suret	, have this day each ac	knowledged themselv	es indebted
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COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH Resident OFFICE OF THE CHIEF MEDICAL EXAMINER 404-406 NORTH 12TH STREET RICHMOND 18, VA. Non-resident REPORT OF INVESTIGATION BY MEDICAL EXAMINE Virginia Black DECEDENT _ Harrisonburg Hockingham Com NW S Ex OCCUPATION: ADDRESS _Bt. Number and Street City of Consists TYPE OF DEATH: In prison [Suppleious []. _ Unusual [Unattended by a physician: Found dead without obvious cause Sudden in apparent health: Violent or Unnatural [3] Instantaneous without obvious cause Unattended during fatal illness Stillbirth attended by midwife After unexplained coms Means: After unexplained rapidly fatal illness LAST SEEN ALIVE BANKIN OR FLANCES DEATH YIEW OF BODY POLICE NOTWIND MOTOR VIDER AND SELECT BATE 9-14-62-9-14-62 9-14-62 9-14-62 9-14-62 9-II-62 PASSESSER D THREE PERESTREAM_C 10:15 P.M. II P.M. IO P.M. 6: P.M. #2 P.M. # P.M. Harrisonburg, Va. NOTIFICATION BY: Sherrif of Rockingham County ADDRESS LOCATION CITY OR COUNTY TYPE OF PREMISES (E. Q., NOSD TAL, NOTEL MISSINAY, ETC. I mile south of Harr so nburg MUNURY OR GHBET OF yard of home of Harry Black Rockingham near bypass 19 VIEWING OF BODY BY 69 DESCRIPTION OF BODY BEOM MOUTH NON FATAL WOUNDS RIGOR LIMOS EARS CLOTHED M UNCLOTHED [ABRASION D BURN DOLOR ... BLOOD JAW C AHRES CONTUSION | STAR ANTENNOS O POSSÍSSOS O PARTLY CLOTHED O HAIR brinette MECK CHEST FROTH 0 0 GUNSHOT IN INCIDED [] ___ SAUSTACHE _ ARDOMEN E LATTERIAL CI RACK OURCUMCISED | PUPILS: R___ LACERATION [] LEGS D FRACTURE (SCALP | FACE | NECK | CHEST | EYES: Color ETCY OPACITIES, ETC. WEIGHT 120 LENGTH ... BACK - ABDOMEN - ARMS - LEGS cold TAIN YOU **FATAL WOUNDS:** SHAPE LOCATION PLANS, LINE OR DEREFFORM TYPE (GUNSHOT, INCISED, STAB. ETC.) 的红色石 wounds in left back Gunshot 2 calliber I left upper arm (see Chart) I in left side of neck in anterior left Manner of death: (Check one only) DISPOSITION OF CASE: Probable cause of death:

I hereby declare that after receiving notice of the death described herein I took charge of the body and made inquiries regarding the cause of death in accordance with Section 19.1-42, Title 19 of the 1950 Code of Virginia as amended; and that the information contained herein regarding such death is true and correct to the best of my knowledge and belief.

9-15-62 Date

Hemathorax & Hemopericardaim

due to gun shot wounds

City of County of Appointment

Signature of Medical Basenton

By: Dr.

A COPY TESTE:

SEP 21 1969

Accident Suicide Homicide

Natural | Unknown | Pending |

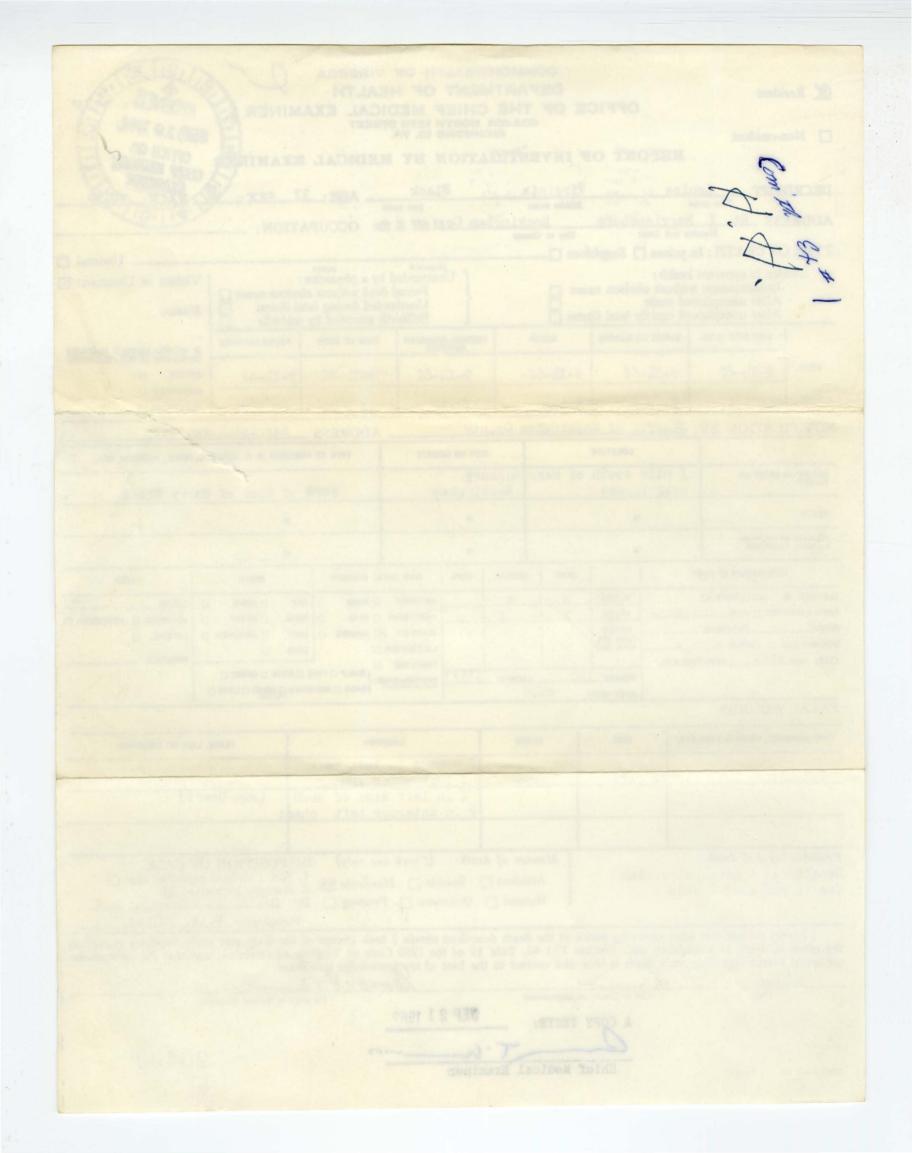
Chief Nedical Examiner

25400

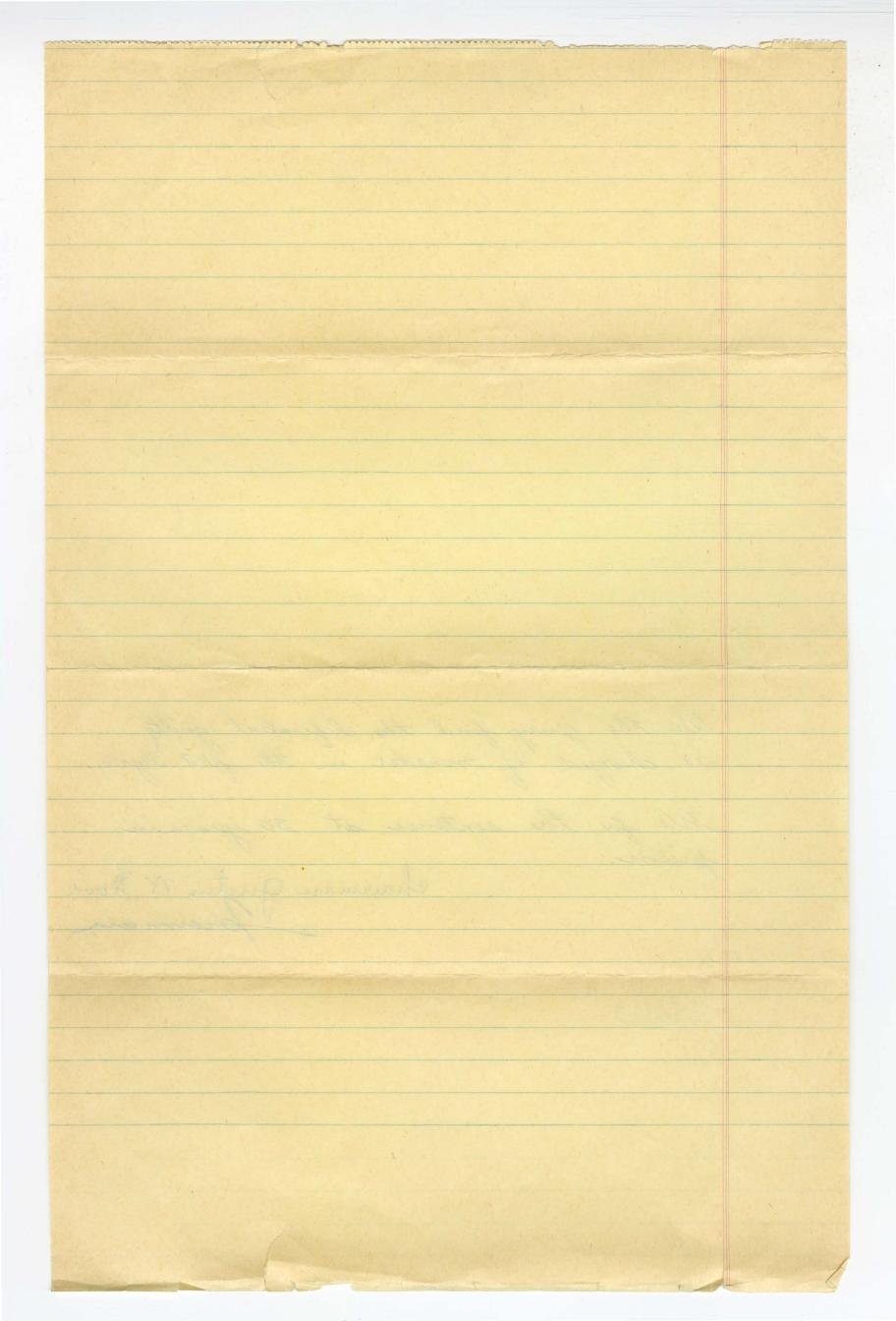
Not a medical examiner case

G. G. Tapper

Autopsy authorized



We the gury find the defendant quilty as charged of murder in the first degree. We fix the sentence at 30 years in prison. Chairman Justin W. Rove 1/11/63



V.

BLACK

CHARGE TO JURY

If you find the accused, Delaney Allen Black, guilty of murder, as charged in the indictment, and that the murder was committed with malice aforethought, and that it was wilful, deliberate and premeditated, you will find him guilty of murder in the first degree and fix his punishment at death, or by confinement in the penitentiary for life, or for any term not less than twenty years.

If you find him guilty of murder, as charged in the indictment, and that the same was committed with malice aforethought, but that it was not wilful, deliberate and premeditated, then you will find him guilty of murder in the second degree, and fix his punishment at confinement in the penitentiary for not less than five nor more than twenty years.

If you find him not guilty of murder in the first degree, nor of murder in the second degree, but that he killed Louise Virginia Black without malice aforethought, actual or implied, upon sudden heat, on reasonable provocation, or in mutual combat, you will find him guilty of voluntary manslaughter and fix his punishment at confinement in the penitentiary for not less than one nor more than five years.

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

HAI.

2/1/0/63

.V

BLACK

CHARGE TO JURY

If you find the accused, Delaney Allen Black, guilty of murder, as charged in the indictment, and that the murder was committed with malice atorerought, and ensuring deliberate and premeditated, you will find him guilty of murder in the first degree and fix his punishment at death, or by confinement in the penitentiary for life, or for any term not less than twenty years.

If you find him guilty of murder, as charged in the indictment, and that the same was committed with malice aforethought, but that it was not wilful, deliberate and premeditated, then you will find him guilty of murder in the second degree, and fix his punishment at confinement in the penicentiary for not less than five nor-more than twenty years.

If you find him not guilty of murder in the first degree, nor of murder in the second degree, but that he killed Louise Virginia Black without malice aforethought, actual or implied, upon sudden heat, on reasonable provocation, or in mutual combat, you will find him guilty of voluntary manslaughter and fix his punishment at confinement in the penitentiary for not less than one nor more than five years.

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

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

In The Circuit Court of Rockingham County, December 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 Delaney Allen Black on the 14th day of September, 1962, in the County of Rockingham, Virginia, feloniously did kill and murder one Louise Virginia Black, against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of Joseph N. Mewshaw, Deputy Sheriff G. M. Wilcox and Deputy Sheriff T. L. Martin, witnesses sworn in open court and sent to the Grand Jury to give evidence.

James R. Sipe Commonwealth of Virginia, to the Commonwealth of Virginia, attending the Street Commonwealth of Sipe Attending the County, upon their oaths present that of Mockingham, now attending the Street County, upon their oaths present the September, 1962, in the county of September of Se

Circuit Court of the sai

Delaney Allen Black of

the day of September, 1962, in the case, feloniously did lett. feloniously did kill and murder County of Rockingham,

one Louise Virginia Bla gainst the peace and dignity of the

Commonwealth of Virginia.

The Grand June

Upon the evidence of Joseph N. Mewshaw, Deputy Sheriff G. M. Wilcox and Deputy Sheriff T. L. Martin, witnesses sworn in open court and sent to the Grand Jury to give evidence.

murder 1034

Sherft .00 T 1.20 .40 1.50 5.50 1.00 4.60 S 1.50 6.10 S Defendant 5.20 T

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Dr. G. G. Tanner - Grottoes, Va.
10 10 10 10 10 10 10 10 10 10 10 10 10 1
To the terminal of the termina
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C. M. M. C. C.
81119
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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before-the-Grand Jury, against
Delaney Allen Black
who stands charged with and indicted for a felony misdemeaner
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th ofFebruary, 1963, and in the 187th year of the Commonwealth.
James R Size
Commonwealth's Attorney

Dr. G. G. Tanner - Grotcoes, Va.

in my bailiwick 2-16 not found

brawdown. S. R. C. THE AZEMAN COMMIN

Deputy Sheriff

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Dr. G. G. Tanner - Grottoes, 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 20th day of February , 19.63, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against
Delaney Allen Black
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, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison
burg, Virginia, at the Court House, the 13th of February , 19.63, and in the 187th year of the Commonwealth.
Commonwealth's Attorney
Commonwealth's Attorney

County Cassings	
	on are hereby commanded to summon Dr. G. G. Tanner - Crottoes, Va.
diam County, at the Court Ho	eppeur before the Judge of the Circuit Court of Rocking
est, to testes and the brith to	
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In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon
Deputy Sheriff G. M. Wilcox
Deputy Sheriff T. L. Martin
Joseph N. Mewshaw - % Starlite Motel, Route #1, Harrisonburg, Va.
to appear before the Judge of the Circuit Court of Packingham County at the Court House thereof at 0:30
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 17th day of December , 19.62, to testify and the truth to say in behalf of the
Commonwealth before the Grand Jury, against
Delaney Allen Black
who stands charged with and indicted for a felony misdemeaner.
And this you shall not omit under penalty. And have then and there this Writ.
Witness, JAMES R. SIPE, Commonwealth's Attorney for Rockingham County and the City of Harrison-
burg, Virginia, at the Court House, the 13th of December , 1962, and in the 187th year
of the Commonwealth.
Commonwealth's Attorney
Commonwealth's Attorney

FOCKING AM BY DELIVERING A TRUE	TOCKING IAM BY DELIVERING A TRUE MAY OF
COPY OF THE WITHIN LEMMAN	COPY OF THE WITHING A TRUE
IN PERSON.	IN PERSON. Mainten
S. R. C.	Deputy She 2. R. S. R. C. Deputy She 2. R. S. R. C. S. R.
By . J. M. D. S. R. C.	By D. S. R. C.
Not finding to soft of Their	sharo at his usual
place of abode, Executed . Dec. 13	1912 by delivering a mental to first for his first for the
Delife in person, at	It I to Next least to he some
In 1h man	hour heing a member of
his family above the ge of 10 years, as	AWDERMAN S. R. C. dliv bounds about oder
By. J. R.	Deputy Sheriff
	Witness, JAMES R. SITE Commonwealth Charles bury, Virginia, at the Court House, the 13th ofDe
	of the Commonweith.

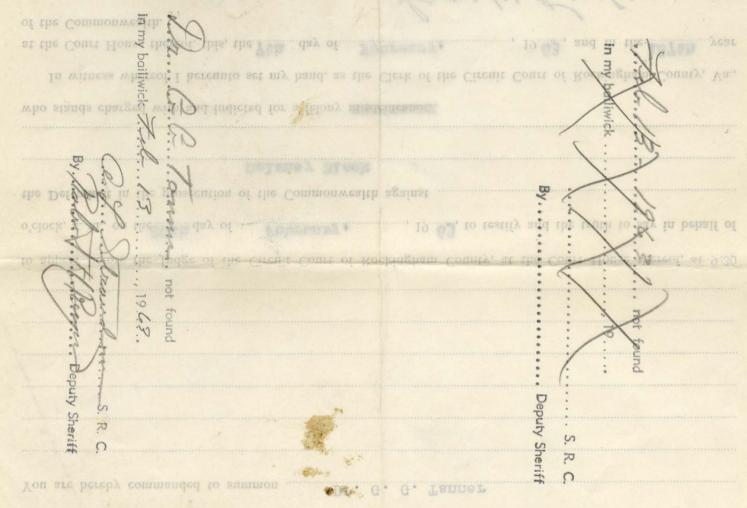
In	the	Name	of	the	Commonwealth	of	Virginia
		- ,					5

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Dr. G. G. Tanner
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 20th day of Pebruary. , 19.63, to testify and the truth to say in behalf of
the Defendant in the prosecution of the Commonwealth against
Delaney Black
who stands charged with and indicted for a felony misdemeanor.
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.,
at the Court House thereof, this, the 7th day of February, 1963, and in the 187th year
of the Commonwealth.
George Lemper, Clerk

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:



In the Name of the Commonwealth of Virginia: To the Sheriff of Rockingham County, Greeting: You are hereby commanded to summon Cecil Jackson Isaac Eckard 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 20thday of February, 1963, to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth against Delaney Black who stands charged with and indicted for a felony misdemeanor. In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va., at the Court House thereof, this, the 13th day of February, 19.63, and in the 187th year of the Commonwealth. Lorale. Lemper, Clerk

In the Name of the Commonwealth of Virginio YTNUOS HT NI VI NINGHAM SOR
DELIVERING A TRUE 2 madapidade to Birade acts of
You are hereby commanded to summon Geoil Jechty Jest WHTIW HT TO YOU
IN PERSON.
·······A.·L.·STRAWDERMAN S. R. C
Bul 1/11 S/12
S. S. C. D. S. R. C.
111 7./
of Rockingham, Virginia, by calling at the usual place of abode.
o'clock, a. m., on the truth to say in behalf of the truth to say in the tru
finding h there, or any other person upon whom service could be to not more and an interpretable and made, I left a true copy of the above mentioned papers attached to each
other, posted on the front door of h.t usual place of abode.
property of the state of the st
Deputy Sheriff
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.,
at the Court House thereof, this, the 13thday of
of the Commonwealth.
Start William Clerk

In the Name of the Commonwealth of Virginia:
To the Sheriff of Rockingham County, Greeting:
You are hereby commanded to summon John Simpson (City Cab Co.), and
Curtis J. Magalis (City Cab Co.),
Professional Contraction of the
Ly hr. Willen
ROCKINS OFF S 1963
COUNTYING
100116
WI TO
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 20th day of February, 1963, to testify and the truth to say in behalf of
the Defendant in the prosecution of the Commonwealth against
Delaney Black
who stands charged with and indicted for a felony in the stands charged with and indicted for a felony in the stands charged with and indicted for a felony in the stands charged with and indicted for a felony in the stands charged with and indicted for a felony in the stands charged with and indicted for a felony in the stands charged with an experience of the stands charged with a standard charged with a stand
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va

of the Commonwealth.

at the Court House thereof, this, the 12th day of February, 19.63, and in the 187th year

ROCKING AM BY DELIVERING A TRUE	
COPY OF THE WITHING A TRUE : sinight to distribution of old	
TO John Almfaln	
A. L. STRAWDERMAN S. R. C. A. L. STRAWDERMAN S. R. C.	
By . 9.1. Marker. D. S. R. C. By . J. J. M. aske D. S. R. C.	
STATE OF THE STATE	
E 630 27 CO E	
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 20th day of February. 1963, to testify and the truth to say in behalf of	
the Defendant in the prosecution of the Commonwealth against	
Delaney Black	
who stands charged with and indicted for a felony www.www.	
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.	
at the Court House thereof, this, the 12th day of February,	
of the Commonwealth.	

EXECUTED 9/ ROCKINGHAM	8/63 IN BY DELIV	THE COUNT	TRUE
COPY OF THE	WITHIN	umno	
TO Julia	1. Bitcle		TO-
A.L. STRA		A L STRAI	R. C.
By 9.1. 7	anto	D. S.	R. C.

COPY OF THE WITHING A TRUE

TO STRAWDERMAN...... S. R. C.

By Marks D. S. R. C.

Not finding . Joseph Musikaro at his usual
place of abode, Executed . 2-8-63 by delivering a
true copy of this femmon to My Mewsher
wife in person, at soil soff mushin.
usual place of abode My. Mewslaw, being a member of his family above the age of 16 years, and explaining the purport thereof to
A L STRAWDERMAN S. R. C.
By A.M. Wikey Deputy Sheriff

EXECUTED 2-9-63. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN Annu A L STRAWDERMAN

In the Name of the Commonwealth of Virginia:

of the Commonwealth.

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon Joseph Mewshaw)c/o Starlight Motel);
Mrs. Viola Funkhouser; Glen Wilcox, Deputy Sheriff; T. L. Martin, Deputy
Sheriff; A. L. Strawderman, Sheriff; George R. Price, Deputy Sheriff;
Warren A. Spitzer, Deputy Sheriff; Julius Ritchie, Chief of Police;
R. H. Raynes, Deputy Sheriff; William Hisey (c/o Hawkins Hardware); and
Dr. G. G. Tanner (Grottoes, Va.);
A L STRAWDERMAN CO.
AND
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 th20th day of February, , 1963, to testify and the truth to say in behalf of
the Defendant in the prosecution of the Commonwealth against
Delaney Black
REDN. THE WITH WAR TO SEE THE WAR THE
who stands charged with and indicted for a felony KANGEREAN X
In witness whereof I hereunto set my hand, as the Clerk of the Circuit Court of Rockingham County, Va.,
at the Court House thereof, this, the 7th day of February, 1963, and in the 187th year

EXECUTED 2-8-63. IN THE COUNTY OF ROCKINGHAM BY DELIVERING A TRUE
In the Name of the Committee of the WITHIN Summer Or TO YOU
TO Z. Misitia : and TO Hear and the Hiner of the Time PERSON.
A L STRAWDERMAN S. R. C. By G. By G. C.
By J. M. Millery D. S. R. C. By W. W. Wakery D. S. R. C. EXECUTED J. 8-6.3. IN THE COUNTY OF
ROCKINGHAM BY DELIVERING A TRUE ROCKINGHAM BY DELIVERING A TRUE
To Mis hole Tunkhanser
A L STRAWDERMAN C. D. C.
By J. M. Willow, D. S. R. C.
EXECUTED 2.8 63 as where we have written at Edge VISINGS I love Add to me should
ROCKINGHAM BY DELIVERING A TRUE EXECUTEDIA- S-COUNTY OF ROCKINGHAM BY DELIVERING A TRUE COPY OF THE WITHIN CHEMINAL COUNTY OF ROCKINGHAM BY DELIVERING A TRUE
N PERSON. COPY OF THE WITHIN FUMINIONS.
A. L. STRAWDERMAN. S. R. C. IN PERSON PERSON PROPERTY SHOULD BE MILLER WITH THE PERSON PERSON PROPERTY SHOULD BE MILLED BY SHOULD BE SHOULD
M. Lalilettan D. Sur Cinerio in to the STRAWDERMAN of organish I describe all
at the Court House thereof, this de. 7th redicht. M. M. Mary, 1963, and in the 187th year of the Commonwealth.
Free Clork