

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 Wilson Leroy Mowbray, on the 10th day of March, 1962, in the County of Rockingham, Virginia, unlawfully and feloniously did kill and slay one Junior Lee Shifflett, 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.

involuntary manslaughter

1/25/63

#4028

COMMONWEALTH

v.

MOWBRAY

*vs*

COMMONWEALTH OF VIRGINIA

A TRUE BILL

Foreman

*John F. Miller, Jr.*

*P 2*

James R. Sipe  
Commonwealth's Attorney

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



*Two Hale Houses!*

RECEIPT FOR FEES COLLECTED

**H 30926**

County of Rockingham Virginia Feb. 25, 1963

Received of B. B. Bowers \$ .75

Only Seventy Five Cents DOLLARS

For 1 Wit Summons On \_\_\_\_\_ 19\_\_\_\_  
Type of Service or Process Date of Service

In matter of Conith VS Mawbray

George R. Price  
Deputy—Sheriff—Sergeant

ORIGINAL—TO PAYER

*Int. Rev. Receipt*

H 30926

RECEIPT FOR FEES COLLECTED

County of Providence Virginia Feb. 25, 1962

Received of B. B. Bowers \$ 75.

Comp. Court Fees Cont. DOLLARS

For 1 trial On 19 Jan of 1962  
Type of Service or Process

In matter of Smith vs John Doe

George R. Quinn  
Deputy Sheriff—Sealed

ORIGINAL—TO PAYER



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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 Henry Thomas (Elkton, Va.),

.....

.....

.....

.....

.....

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.....

.....

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 28<sup>th</sup> day of February, 1963, to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth against .....

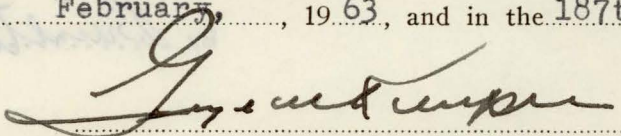
Wilson Leroy Mowbray

.....

.....

who stands charged with and indicted for a felony ~~indicted for~~

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 23<sup>d</sup> day of February, 1963, and in the 187<sup>th</sup> year of the Commonwealth.

  
....., Clerk

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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 Henry Thomas (Elkton, 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 28th day of February, 1903, to testify and the truth to say in behalf of

the Defendant in the prosecution of the Commonwealth against  
EXECUTED 2-26-03 IN THE COUNTY OF  
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Suppose*

TO *Henry Homer* who stands charged with and indicted for a  
PERSON IN

In witness whereof I hereunto set my hand and the seal of the Circuit Court of Rockingham County, Va.,  
A. L. STRAWDERMAN  
at the Court House thereof, this 23d day of February, 1903, and in the 1874th year  
of the Commonwealth.

S. R. C.  
D. S. R. C.  
By *B. Burnett*

Clerk



**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon .....

Trooper R. D. Schuder, Jr.  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

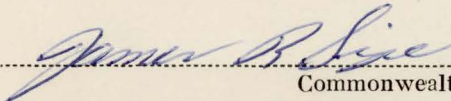
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 9:30 o'clock, a. m., on the 17th day of December, 1962, to testify and the truth to say in behalf of the Commonwealth before the Grand Jury, against .....

Wilson Mowbray  
.....  
.....

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 Harrisonburg, Virginia, at the Court House, the 13th of December, 1962, and in the 187th year of the Commonwealth.

  
.....  
Commonwealth's Attorney



EXECUTED 12-14-62 IN THE COUNTY OF  
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN Summons

TO A. D. Schuber Jr.  
IN PERSON.

..... A. L. STRAWDERMAN ..... S. R. C.

By A. J. Burnett ..... D. S. R. C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County

You are hereby commanded to summon

Trooper K. D. Schuber, Jr.

to appear before the Judge of the Circuit Court of Rockingham County at the Court House thereat at 9:30

o'clock on the 13th day of December 1962 in order to answer to the return to me in behalf of the

Commonwealth before the Grand Jury against

Wilson Howday

who stands charged with burglary a felony

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

Witness JAMES H. SIFE, 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 1876th Year

of the Commonwealth.

Commonwealth's Attorney

In the Name of the Commonwealth of Virginia:

To the Sheriff of ~~Rockingham~~ <sup>Shenandoah</sup> County, Greeting:

You are hereby commanded to summon .....

~~Steven Roy Horsley - New Market, Va.~~

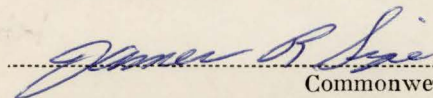
to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 9:30 o'clock, a. m., on the 28th day of February, 1963 to testify and the truth to say in behalf of the Commonwealth ~~before the Grand Jury~~, against .....

Wilson Mowbray

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 Harrisonburg, Virginia, at the Court House, the 14th of February, 1963, and in the 187th year of the Commonwealth.



Commonwealth's Attorney



.....Steven Roy Horsley..... not found, and is not an inhabit-  
ant of my bailiwick. ....Feb. 18, 1963.....

.....J. W. Trisman.....  
SHERIFF, COUNTY OF SHENANDOAH, VA.  
.....Wm. Egan..... DEPUTY SHERIFF

( address unknown )

Excused 2-21-63 By Trooper R. D. Schuchter, Jr., Virginia State Police.



In the Name of the Commonwealth of Virginia:

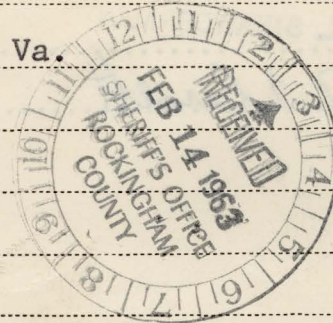
To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Hensel R. Dean - Elkton, Va.

*Wilson*  
M. J. Offenbacher - Route #1, Box 300, Elkton, Va.

M. M. Hutton, Elkton, 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 28th day of February, 1963, to testify and the truth to say in behalf of the Commonwealth before ~~the Grand Jury~~, against

Wilson Mowbray

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 Harrisonburg, Virginia, at the Court House, the 14th of February, 1963, and in the 187th year of the Commonwealth.

*James R. Sipe*  
Commonwealth's Attorney

EXECUTED *2-22-63* IN THE COUNTY OF  
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Subpoena*.....

TO *N. R. Dean*.....  
IN PERSON.

..... A. L. STRAWDERMAN ..... S. R. C.

By *A. J. Burnett*..... D. S. R. C.

EXECUTED *2-22-63* IN THE COUNTY OF  
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Subpoena*.....

TO *M. J. Offenberg*.....  
IN PERSON.

..... A. L. STRAWDERMAN ..... S. R. C.

By *A. J. Burnett*..... D. S. R. C.

EXECUTED *2-22-63* IN THE COUNTY OF  
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Subpoena*.....

TO *M. M. Hutton*.....  
IN PERSON.

..... A. L. STRAWDERMAN ..... S. R. C.

By *A. J. Burnett*..... D. S. R. C.



298-

Lucas Hani

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Trooper R. D. Schuder, Jr.



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 28th day of February, 1963, to testify and the truth to say in behalf of the Commonwealth ~~before the Grand Jury~~, against

Wilson Mowbray

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 Harrisonburg, Virginia, at the Court House, the 14th of February, 1963., and in the 187th year of the Commonwealth.

*James R. Sipe*

Commonwealth's Attorney

298 . 40



In the Name of the Commonwealth of Virginia:

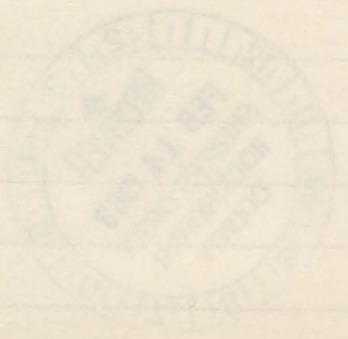
EXECUTED *2-26-63* IN THE COUNTY OF  
ROCKINGHAM BY DELIVERING A TRUE

COPY OF THE WITHIN *Subpoena*

TO *Major R. D. Hunter Jr.*  
IN PERSON.

*A. L. Strawderman* S. R. C.

By *A. J. Burnett* D. S. R. C.



to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereat, at 10:30  
o'clock a.m., on the *26th* day of *February*, 19*63*, to testify and the truth to say in behalf of the  
Commonwealth before the Grand Jury against  
*Wilson Howday*  
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. SIPLE, Commonwealth's Attorney for Rockingham County and the City of Harrison-  
burg, Virginia, at the Court House, the *14th* of *February*, 19*63*, and in the *1872th* year  
of the Commonwealth.

Commonwealth's Attorney

COUNTY COURT

Criminal  
Docket

Nº 40396 A

Commonwealth

v.

Wilson Leroy Snowday  
Defendant

750 Appearance Date 11-1-62

Trial Date 12-6-62

Sufficient probable  
cause. the defendant is  
held for return by the  
Grand Jury. 12-6-62  
P.R.G. [Signature]







Com Atty	15.00
Clerk	17.50
Co Court	2.50
Sheriff 200 + 150	3.50
" Sher Co.	.40
J.P. (Leake)	2.00
Jury	135.66
	<hr/>
	171.56

Jury 28th Feb., 1963  
 J. Harold Wampler  
 Roy C. Baugher  
 Gregory Bird  
 Rownt J. Dinmore  
 Leonard Estep  
 Van E. Gooden  
 I. L. Bunniss  
 Charles W. Dove  
 Leroy David Ritchie  
 Leon A. Mundy  
 Joseph H. Craun  
 Carl T. Boothe

Docket No. 4028

FEB " 1963

FEB 28 1963

COMMONWEALTH of VIRGINIA

VS. Indictment } Felony (inv. mans.)

WILSON LEROY MOWBRAY *hail*

Beverly B. Bowers p. d.

Own (x) Appointed ( )

1962

Dec. 17. Return of Grand Jury. 11/58

Dec. 17. Accused arraigned and plea not guilty entered; case set for trial Feb. 28, 1963.

1963

Feb. 28. Jury impanelled, etc., and verdict of guilty inv. mans.; punishment fixed at one (1) year in Pen. 11/58

11/85

Clerk:

*Report to Div. Motor Veh. when disposed of*

CIRCUIT COURT OF ROCKINGHAM COUNTY, VA.



KEYSTONE ENV. CO., PHILA 33, PA.  
NO. 34758

COMMONWEALTH VS. Wilson Leroy Mowbray

DESCRIPTION OF PRISONER

Last known address Ellettsville  
Color w Height 5-8 Eyes Blue Hair Blond Weight 150  
Marks Scar on chin  
Age 25 Occupation Rudky. Lohman  
Date of Trial 2-28-63  
Result 1 year State Pen



COMMONWEALTH vs William Lloyd Montgomery

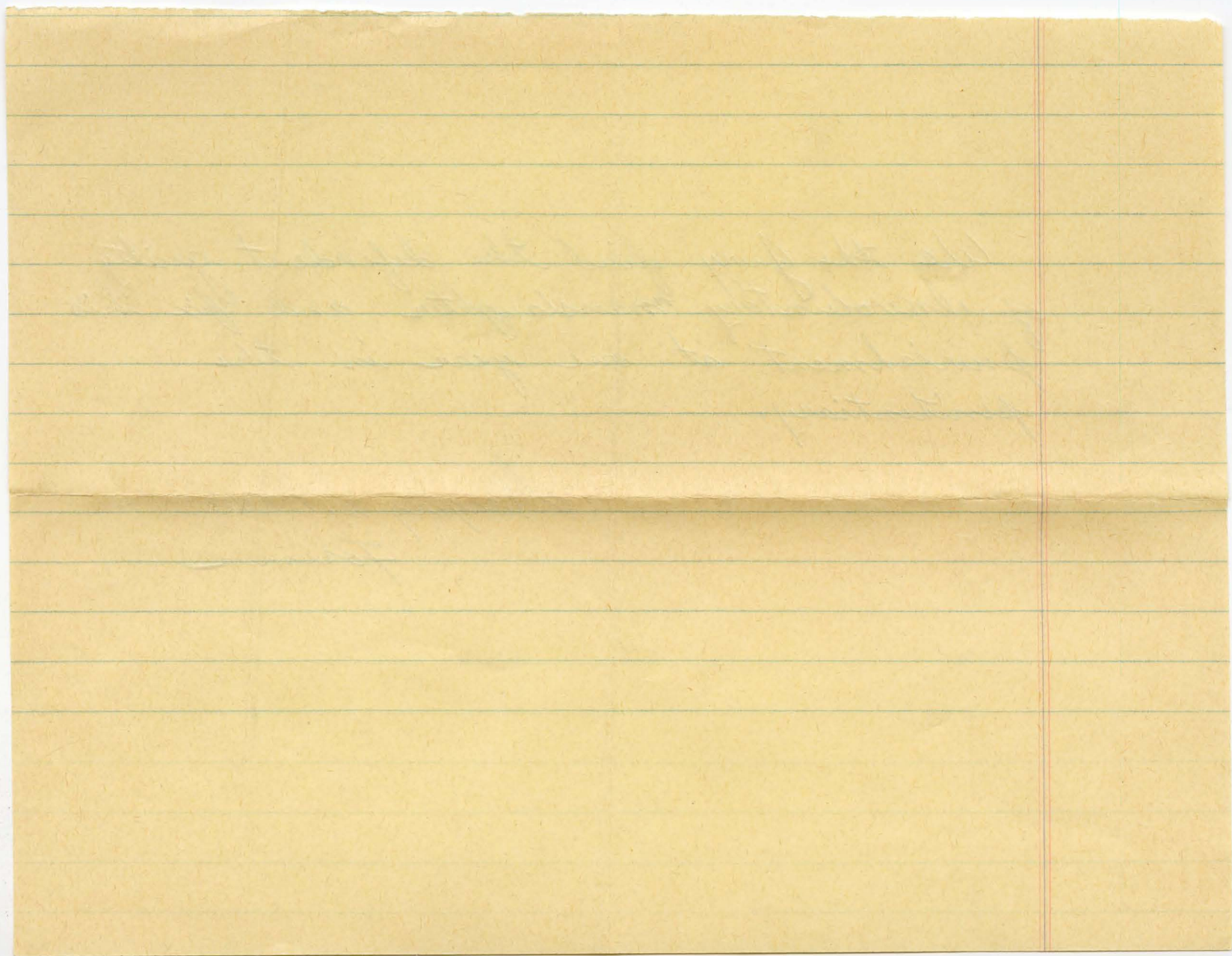
DESCRIPTION OF PRISONER

Last known address Edgemoor  
 Color wh Height 5-4 Eyes blue Hair black Weight 150  
 Marks scar on chin  
 Age 25 Occupation Printer, Bohannon  
 Date of Trial 2-28-03  
 Result Life in Prison

We the Jury find the defendant guilty  
of involuntary manslaughter and fix his  
punishment at one year in the  
penitentiary.

Gregory L. Bird  
Foreman









S. P. 82 REV. 7-21-58

## DEPARTMENT OF STATE POLICE

C 829451

County or City of ROCKINGHAMDate 10-18-62M R. WILSON LEROY MOWBRAY You are hereby summoned to appear in theROCKINGHAM County Court at HARRISONBURG, VA.on 11-1-62 at 2:00 ~~AM~~ PM, to answer for violating the motor vehicle laws of Virginia, to wit:Reckless Driving  Speeding \_\_\_\_\_ MPH in a \_\_\_\_\_ MPH Zone  Chauffeurs  
No Operators License  Illegal \_\_\_\_\_ Other INVOLUNTARY MANSLAUGHTER (ACCIDENT) 

I hereby promise to appear at the time and place specified above

Summons issued under Title 46.1—Section 178, Code of Virginia. Failure to comply with this summons constitutes a separate offense.

Defendant's  
Signature \_\_\_\_\_

Trooper

R.D. SCHUDER, JR.

Shield No.

505

All traffic fines for State violations are paid into the Literary Fund for Educational purposes.

COMMONWEALTH OF VIRGINIA  
DIVISION OF MOTOR VEHICLES  
RICHMOND

If this abstract relates to a conviction of exceeding a speed limit, the Court is requested to state rate of speed and zone.

DEFENDANT		RACE	SEX	WEIGHT	HEIGHT	CODE	
<u>WILSON LEROY MOWBRAY</u>		<u>W</u>	<u>M</u>	<u>165</u>	<u>5'9"</u>		
ADDRESS		EYES	HAIR	MONTH BORN	YEAR BORN		
<u>244 WASHINGTON AVE.</u>		<u>BLUE</u>	<u>BRN</u>	<u>JAN.</u>	<u>1938</u>		
CITY		OPER. OR CHAUF. LICENSE NO.		STATE			
<u>ELKTON, VA.</u>		<u>5B 532002</u>		<u>VA.</u>			
JURISDICTION, COUNTY, CITY OR TOWN		VEHICLE	YEAR	MAKE	TYPE		
<u>Rockingham</u>		<u>56</u>	<u>56</u>	<u>STUDEBAKER</u>	<u>SED</u>		
NAME OF COURT		VEHICLE LICENSE NO.		YEAR	STATE		
<u>County</u>		<u>510-226</u>		<u>61</u>	<u>VA.</u>		
OFFENSE DATE		PLEA		CONVICTED OF			DATE
<u>3-10-62</u>		GUILTY <input type="checkbox"/>					
		NOT GUILTY <input type="checkbox"/>					
PENALTY IMPOSED					LICENSE SUSPENDED?		
					YES <input type="checkbox"/> NO <input type="checkbox"/>		
PERIOD SUSPENDED	LICENSE SURRENDERED?		SIGNATURE OF JUDGE OR CLERK				
	YES <input type="checkbox"/> NO <input type="checkbox"/>						
NAME OF ARRESTING OFFICER				TITLE OF COURT OFFICIAL			DATE
<u>TROOPER</u> <u>R.D. SCHUDER, JR.</u>							

C 829451

This abstract is filed by the Judge or Clerk of the Court having jurisdiction of this case as required by Section 46.1-413, of the Code of Virginia, as amended.



829421

DEPARTMENT OF STATE POLICE



County of Rockingham  
Name of Person M. R. Wilson Leroy Mowbray  
Address 11-1-12  
City Rockingham  
State Virginia

Class of License  No Operator License  Operator License  
Type of License  Operator License  
Type of License  Operator License

Reason for Issuance MANUFACTURED (ACCIDENT)  
Special License  None  
Special License  None  
Special License  None

NAME Wilson Leroy Mowbray  
DATE OF BIRTH 10-1-1912  
SEX Male  
HAIR Brown  
EYES Blue  
HEIGHT 5-10  
WEIGHT 150  
BUILD Medium  
COMPLEXION Fair  
EDUCATION High School  
OCCUPATION None

RESIDENCE Rockingham  
CITY Rockingham  
COUNTY Rockingham  
STATE Virginia

ISSUED DATE 10-1-1912  
EXPIRES DATE 10-1-1912  
CLASS OF LICENSE Operator License  
TYPE OF LICENSE Operator License

ENDORSEMENTS None  
REMARKS None

SIGNATURE OF APPLICANT M. R. Wilson Leroy Mowbray  
DATE 10-1-1912

SIGNATURE OF CLERK None  
DATE 10-1-1912

THIS LICENSE IS VALID BY THE JUDGE OR CLERK OF THE COURT HAVING JURISDICTION OF THIS CASE AS  
CERTIFIED BY SECTION 11.1 OF THE STATUTES OF VIRGINIA, AS AMENDED.

REMITTANCE TO BE MADE TO THE  
COMMISSIONER OF THE DEPARTMENT OF STATE POLICE  
RICHMOND, VIRGINIA

829421

STATE OF VIRGINIA

~~County~~ OF Harrisonburg  
City

To-Wit:

No. \_\_\_\_\_

TO ANY SHERIFF OR POLICE OFFICER:

R.D. Schuder, Jr.

Whereas, \_\_\_\_\_

John G. Leake

has this day made complaint and information on oath before me, \_\_\_\_\_

Justice of The Peace

City

(Name)

(Title)

of the said ~~County~~, that

Wilson Leroy Mowbray

Rockingham

in the ~~said~~ County

did on the 10th day of March, 1962: Unlawfully and feloniously

kill and slay one Junior Lee Shifflett, against the peace and dignity of the

Commonwealth of Virginia

These are, therefore, to command you, in the name of the Commonwealth, to apprehend and bring before the Rockingham County Court of the ~~said~~ County, the body (~~persons~~) of the above accused, to answer the said complaint and to be further dealt with according to law. And you are also directed to summon:

- \_\_\_\_\_ color \_\_\_\_\_ Address \_\_\_\_\_
- \_\_\_\_\_ color \_\_\_\_\_ Address \_\_\_\_\_
- \_\_\_\_\_ color \_\_\_\_\_ Address \_\_\_\_\_
- \_\_\_\_\_ color \_\_\_\_\_ Address \_\_\_\_\_
- \_\_\_\_\_ color \_\_\_\_\_ Address \_\_\_\_\_

as witnesses.

Given under my hand and seal, this 4th day of April, 1962

John G. Leake  
(Title of Issuing Officer)

(Seal)

**JUSTICE OF THE PEACE**



STATE OF VIRGINIA—COUNTY OF ROCKINGHAM, to-wit:  
 I, R.K. BABINGTON a Judge of the County Court in and for the County aforesaid, State of Virginia, do certify that WILSON LEROY MOWBRAY and Mrs. Pearl A. Mowbray, as his surety, have this day each acknowledged themselves indebted to the Commonwealth of Virginia in the sum of FIVE HUNDRED Dollars (\$500.00), 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 WILSON LEROY MOWBRAY, shall appear before the Circuit Court of ROCKINGHAM County, on the 1ST. day of NOVEMBER, 19 62, at 2:00 P. M., at HARRISONBURG, Virginia, and at any time or times to which the proceedings may be continued or further heard, and before any court thereafter having or holding any proceedings in connection with the charge in this warrant, to answer for the offense with which he is charged, and shall not depart thence without the leave of said court, the said obligation to remain in full force and effect until the charge is finally disposed of or until it is declared void by order of a competent court; and upon the further condition that the said \_\_\_\_\_ shall keep the peace and be of good behavior for a period of \_\_\_\_\_ days from the date hereof. Nonappearance shall be deemed to constitute a waiver of trial by jury.  
 Given under my hand, this 18 TH. day of OCTOBER, 19 62.  
R.K. Babington Judge. J. P.

DOCKET NO. 46896  
 COMMONWEALTH  
 WARRANT OF ARREST  
Wilson Leroy Mowbray  
 vs.  
 Executed this, the 18 TH day of Oct, 19 62  
R.O. Schupfer T.

Upon the examination of the within charge, I find the accused  
 There being sufficient probable cause the defendant is held for action by the Grand Jury of Rockingham County, Virginia.  
 Given under my hand this 6th day of December, 1962.  
John Q. Brown  
 ROCKINGHAM COUNTY JUDGE

Thos. Wg. 11-1-62 P.M. Judge Commonwealth Attorney  
 Total 10-12-6-62 2:PM

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

Item	Amount
Warrant	\$ 2.00
Trial	2.00
Bail	50
Arrest	
Mileage	
Clerk	1.25
Jail Fee and Board	
Witness Attendance	
Summoning Witnesses	
Commonwealth Attorney	5.00
Total Costs	\$
Fine	\$
Total	\$



3-10-62 - 3:20 PM (SAT)  
ARRIVED 3:40 PM

NORTH →

IMPACT TO BRIDGE APPROX.  
1725'

377' / 255' FT TO  
662' (FROM SECTION)  
FROM SECTION  
BROOKS LINE SIGN  
INTERSECTION

TOP OF GRADE

285'

RT. 607

RT. 607

125'

IMPACT

TO

STARTED

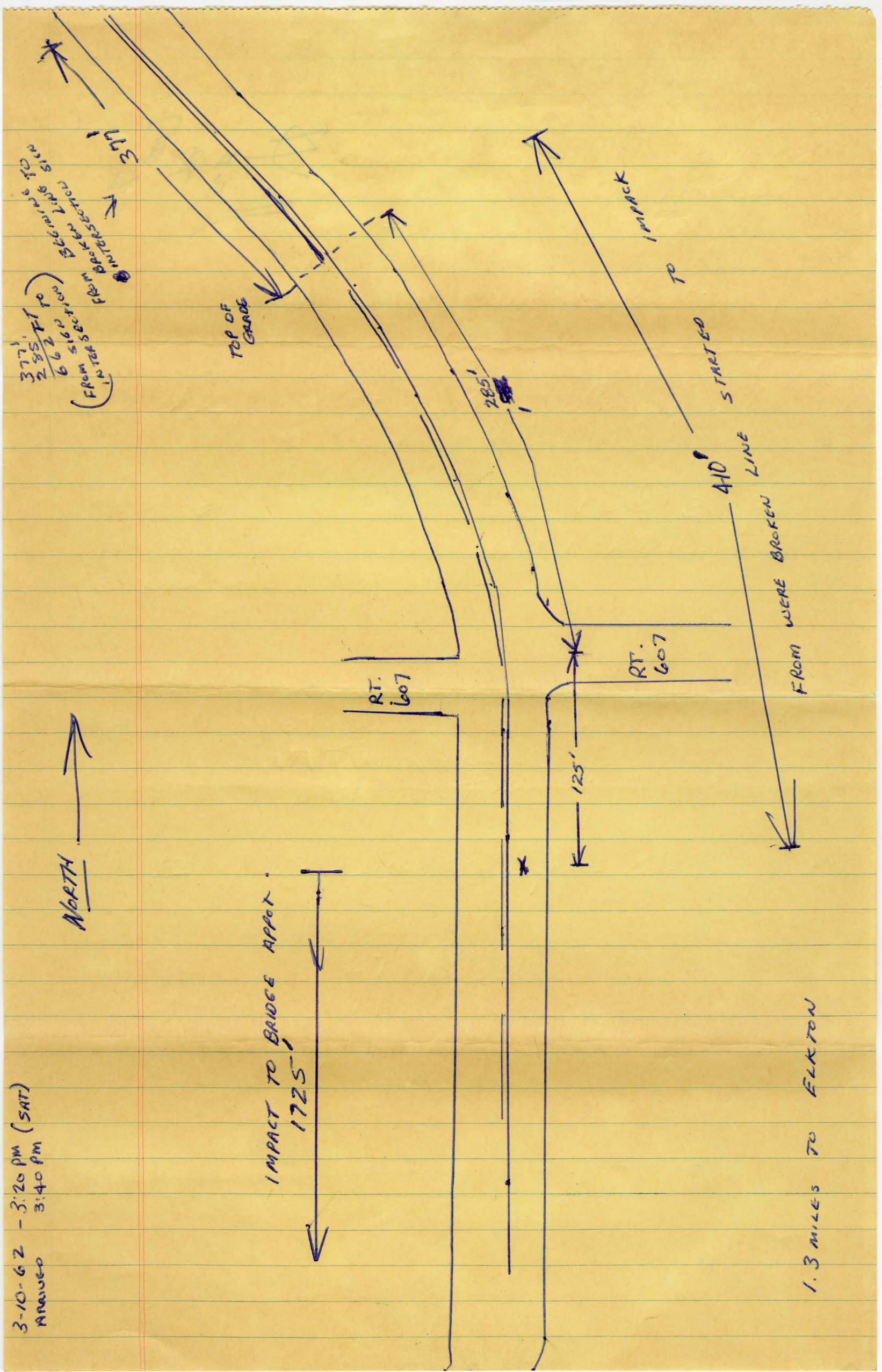
410'

LINE

WERE BROKEN

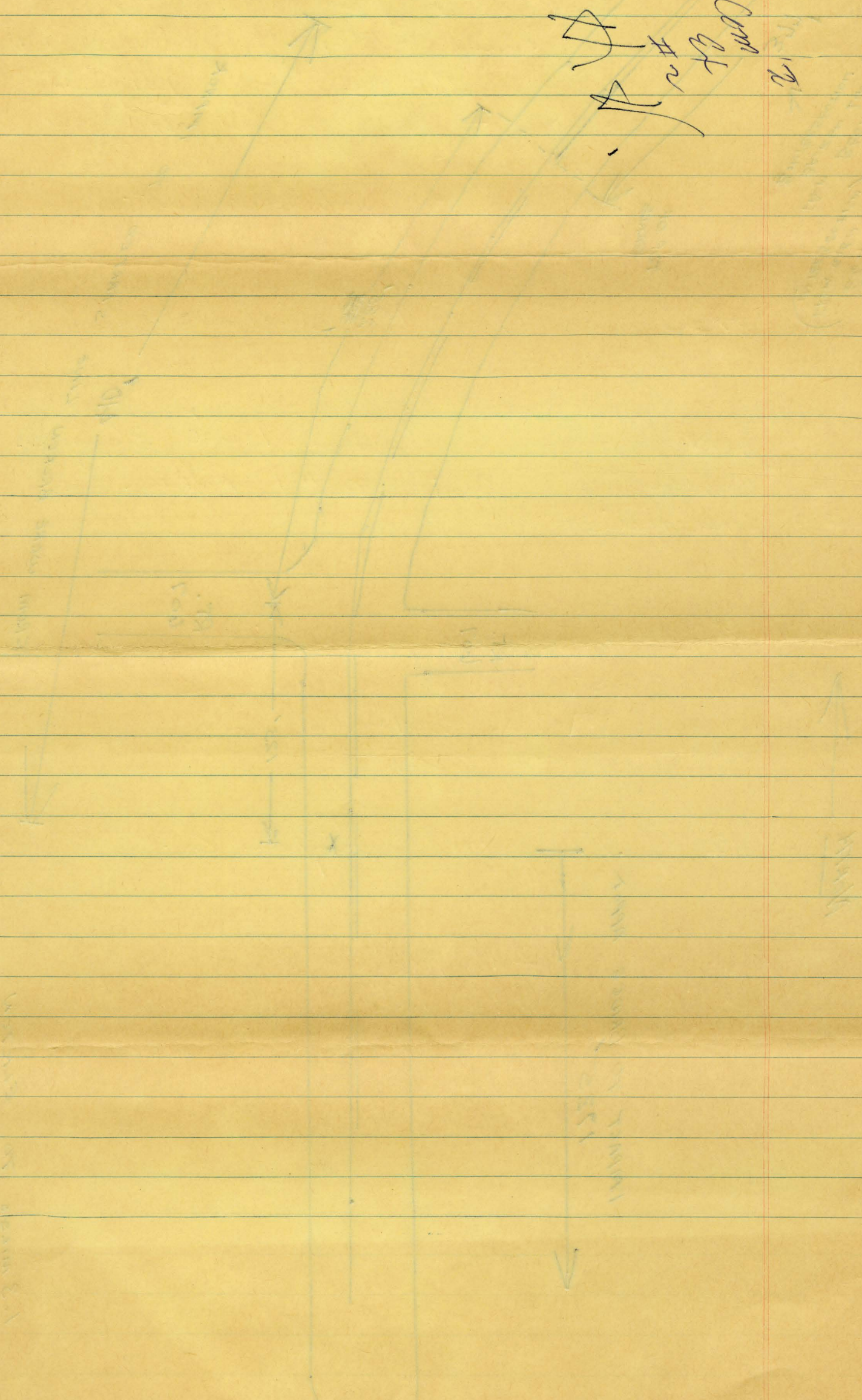
FROM

1.3 MILES TO ELKTON





Cam #2  
#2







COMMONWEALTH OF VIRGINIA DEPARTMENT OF HEALTH OFFICE OF THE CHIEF MEDICAL EXAMINER 404-406 NORTH 12TH STREET RICHMOND 19, VA.

Resident Non-resident

REPORT OF INVESTIGATION BY MEDICAL EXAMINER

DECEDENT Junior Lee Shifflett AGE 33 SEX M ADDRESS 19 Prospect Avenue Elkton, Va. OCCUPATION: Heavy equipment operator

TYPE OF DEATH: In prison Suspicious Unusual

Sudden in apparent health: Instantaneous without obvious cause After unexplained coma After unexplained rapidly fatal illness Unattended by a physician: Found dead without obvious cause Unattended during fatal illness Stillbirth attended by midwife Violent or Unnatural Means:

Table with columns: DATE, TIME, LAST SEEN ALIVE, INJURY OR ILLNESS, DEATH, MEDICAL EXAMINER NOTIFIED, VIEW OF BODY, POLICE NOTIFIED. Includes rows for 3-10-62 and 3:20 PM.

NOTIFICATION BY: ADDRESS

Table with columns: BLIND OR ONSET OF ILLNESS, LOCATION, CITY OR COUNTY, TYPE OF PREMISES. Includes entry for 1.3 miles north of Elkton, Va., Rockingham, Highway 340.

Table with columns: DESCRIPTION OF BODY, NOSE, MOUTH, EARS, NON FATAL WOUNDS, RIGOR, LIMBS. Includes fields for BLOOD, FROTH, OTHER, WEIGHT, LENGTH, BODY HEAT.

FATAL WOUNDS:

Table with columns: TYPE (SHOOT, KNIFE, STAB, ETC.), SIZE, SHAPE, LOCATION, PLANE, LINE OR ORIENTATION.

Probable cause of death: Basal fracture of skull, fractured neck, crushed chest cage. Multiple body abrasions. Manner of death: Accident Suicide Homicide Natural Unknown Pending. DISPOSITION OF CASE: 1. Not a medical examiner case 2. Autopsy authorized By: Pathologist

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.

3-10-62 Date Rockingham City or County of Appointment Signature of Medical Examiner

A COPY TESTE: MAR 14 1962

Chief Medical Examiner

816

22616





COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HEALTH

OFFICE OF THE CHIEF MEDICAL EXAMINER  
BUREAU OF INVESTIGATION BY MEDICAL EXAMINER  
100 NORTH 15TH STREET  
RICHMOND 18, VA.

*Com # 1  
H.A.*

Adult  
 Non-adult

DECEASED NAME  
ADDRESS  
TYPE OF DEATH

DATE	TIME	PLACE	CAUSE	MANNER	AGE	SEX	RACE	RELIGION	EDUCATION	OCCUPATION	STATUS

ADDRESS	CITY OR TOWN	COUNTY	STATE	ZIP

DATE OF DEATH: \_\_\_\_\_ TIME OF DEATH: \_\_\_\_\_ PLACE OF DEATH: \_\_\_\_\_

CAUSE OF DEATH: \_\_\_\_\_ MANNER OF DEATH: \_\_\_\_\_

DATE	TIME	PLACE	CAUSE	MANNER

DISPOSITION OF CASE:  Burial  Cremation  Other \_\_\_\_\_

REMARKS: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CHIEF MEDICAL EXAMINER

100 NORTH 15TH STREET, RICHMOND, VA. 23284

COMMONWEALTH

V.

MOWBRAY

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.



COMMONWEALTH

v.

MORRAY

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.

COMMONWEALTH

V.

MOWBRAY

INSTRUCTION 1

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.

A. H.



COMMONWEALTH

v.

MORRAY

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.

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~~4~~

COMMONWEALTH  
V.  
MOWBRAY

INSTRUCTION 2

The Court instructs the jury that if you believe from the evidence beyond a reasonable doubt that the death of Junior Lee Shifflett resulted from injuries received by him when the automobile operated by the accused, Wilson Leroy Mowbray, collided with the automobile being operated by Shifflett, and that such accident resulted from Mowbray's operation of said car in an unlawful or reckless manner, such as to indicate carelessness or indifference incompatible with a proper regard for human life, then you shall find him guilty of involuntary manslaughter as charged in the indictment.

H. H.  
S.



COMMONWEALTH  
V.  
MORRAY

INSTRUCTION

The Court instructs the jury that if you believe from the evidence beyond a reasonable doubt that the death of Junior Lee Shiffert resulted from injuries received by him when the automobile operated by the accused, Wilson Leroy Morray, collided with the automobile being operated by Shiffert, and that such accident resulted from Morray's operation of said car in an unlawful or reckless manner, such as to indicate carelessness or indifference incompatible with a proper regard for human life, then you shall find him guilty of involuntary manslaughter as charged in the indictment.

Accepted for filing  
A. J. [unclear]  
[unclear]

COMMONWEALTH

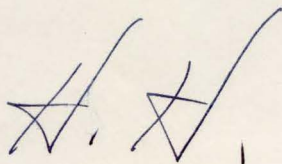
V. W

WILSON LEROY MOWBRAY

INSTRUCTION NO. 3

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; the crime is imputed because of recklessness, and where there is no recklessness, there is no crime.

The Court instructs the jury that if they entertain any reasonable doubt as to whether or not the defendant is guilty from the evidence beyond all reasonable doubt of gross, culpable negligence, they should acquit the defendant.

Handwritten signature or initials, possibly "A. A.", written in dark ink.



INVESTIGATION NO. 2

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 consequences 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; the crime is limited because of recklessness, and where there is no recklessness, there is no crime.

The Court instructs the jury that if they entertain any reasonable doubt as to whether or not the defendant is guilty from the evidence beyond all reasonable doubt of gross, culpable negligence, they should acquit the defendant.

*W.L.M.*

COMMONWEALTH

V.

WILSON LEROY MOWBRAY

INSTRUCTION NO. 4

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.

*H. H.*



COMMONWEALTH

v.

WILSON LEROY MONROE

4 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 wilful on the part of the operator of the motor vehicle involved.

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COMMONWEALTH

V. WILSON

WILSON LEROY MOWBRAY

INSTRUCTION NO. 5

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.

H. H.





COMMONWEALTH

V.

WILSON LEROY MOWBRAY

INSTRUCTION NO. 6

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.

*[Handwritten signature]*



COMMONWEALTH

v.

WILSON LEROY MOWBRAY

INSTRUCTION NO. 2

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.

MOWBRAY

INSTRUCTION 7

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 ~~fi~~iled 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.

*V. A.*



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.

*[Handwritten signature]*

COMMONWEALTH

V.

MOWBRAY

INSTRUCTION 8

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.



COMMONWEALTH

v.

HOWBRAY

8 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. A.

COMMONWEALTH

V.

WILSON LEROY MOWBRAY

INSTRUCTION NO. 9

The Court instructs the jury that you should not be influenced by sympathy or sentiment in reaching your conclusion but should render your verdict according to the law as given by the Court's instructions, and the evidence which has been presented on this trial.

H. H.



COMMONWEALTH

v.

WILSON LEROY MOWERAY

INSTRUCTION NO. 2

The Court instructs the jury that you should not be influenced by sympathy or sentiment in reaching your conclusion but should render your verdict according to the law as given by the Court's instructions and the evidence which has been presented on this trial.

A.A.