

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

The grand jurors in and for the body of said county of Rockingham and now attending said Court at its October term, 1927, upon their oaths do present that Luther Morris and Clark Shifflett, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully and feloniously manufacture distilled ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of C. W. Dove, J. L. Dirting, and Geo. Lawson, witnesses sworn in Court and sent before the grand jury to give evidence.

Mfg.

Commonwealth

v) Indictment

Luther Morris

Clark Shifflett

Felony

October term, 1927

A True Bill:

J. C. Collier
Foreman

*Luther Morris - guilty
Clark Shifflett not*

D. W. Earman
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, Va-wit:

In the Circuit Court of said County:

This indictment is found in the testimony of
in Court and sent before the Grand Jury to give evidence.

Commonwealth of Virginia,
Rockingham County, to-wit:

Be it remembered, that on the 14th day of September, 1927,
Clark Shifflett and Fice M. Shifflett and S. G. Morris,
came before me, Harry M. Strickler, Bail Commissioner, for the said
County of Rockingham, and severally and respectively acknowledged
themselves to be indebted to the Commonwealth of Virginia, in manner
and form following, that is to say: the said Clark Shifflett
in the sum of One Thousand dollars, and the said Fice
M. Shifflett, in the sum of One Thousand dollars, and
~~the said S. G. Morris in the sum of One Thousand dollars~~
to be respectively made and levied of their several goods and chattels,
lands and tenements, and they severally waived the benefit of their
Homestead Exemption as to this obligation, to the use of the Com-
monwealth of Virginia, if the said Clark Shifflett shall make
default in the performance of the condition underwritten.

The condition of the above recognizance is such that if the above
bound Clark Shifflett do and shall personally appear before
the Circuit Court of the said County on the first day of the next
term thereof, then and there to answer the Commonwealth for and
concerning a certain Felony by him committed ~~by him com-~~
~~mitted~~ wherewith he stands charged, or to any times or times to which
the proceedings may be continued or further heard, and before any
Court or Judge hereafter having or holding any proceedings in con-
nection with the said charge, and not depart thence without leave of
Court, and be bound under this recognizance until said charge is
finally disposed of or until it is declared void by order of a com-
petent Court, then this recognizance shall be null and void, other-
wise shall remain in full force and virtue.

Harry M. Strickler

Bail Commissioner.

Commonwealth of Virginia,
Rockingham County, to-wit:

Be it remembered, that on the 14th day of September, 1937,

Clark Shifflett and Joe M. Shifflett and S. A. Moore
came before me, Harry M. Strickler, Bail Commissioner, for the said

County of Rockingham, and severally and respectively acknowledged
themselves to be indebted to the Commonwealth of Virginia, in manner
and form following, that is to say: the said Clark Shifflett

in the sum of One Thousand dollars, and the said Joe
M. Shifflett in the sum of One Thousand dollars, and
to be respectively made and levied of their several goods and chattels,

lands and tenements, and they severally waived the benefit of their
Homestead Exemption as to this obligation, to the use of the Com-
monwealth of Virginia, if the said Clark Shifflett shall make
default in the performance of the condition underwritten.

The condition of the above recognizance is such that if the above
bond Clark Shifflett do and shall personally appear before
the Circuit Court of the said County on the first day of the next

term thereof, then and there to answer the Commonwealth for and
concerning a certain Charge by him committed ~~to the~~
which wherewith he stands charged, or to any time or times to which
the proceedings may be continued or further heard, and before any
Court or Judge hereafter having or holding any proceedings in con-
nection with the said charge, and not depart thence without leave of
Court, and be bound under this recognizance until said charge is
finally disposed of or until it is declared void by order of a com-
petent Court, then this recognizance shall be null and void, other-

also shall remain in full force and virtue.

Harry M. Strickler
Bail Commissioner.

Clark Shifflett
Bail

Commonwealth of Virginia,
Rockingham County, to-wit:

Be it remembered, that on the 14th day of September, 1927,
Luther Morris and S.G. Morris
came before me, Harry M. Strickler, Bail Commissioner, for the said
County of Rockingham, and severally and respectively acknowledged
themselves to be indebted to the Commonwealth of Virginia, in manner
and form following, that is to say: the said Luther Morris
in the sum of One Thousand dollars, and the said S.G.
Morris, in the sum of One Thousand dollars,
to be respectively made and levied of their several goods and chattels,
lands and tenements, and they severally waived the benefit of their
Homestead Exemption as to this obligation, to the use of the Com-
monwealth of Virginia, if the said Luther Morris shall make
default in the performance of the condition underwritten.

The condition of the above recognizance is such that if the above
bound Luther Morris do and shall personally appear before
the Circuit Court of the said County on the first day of the next
term thereof, then and there to answer the Commonwealth for and
concerning a certain Felony by him committed ~~wherein~~ con-
sisting wherewith he stands charged, or to any time or times to which
the proceedings may be continued or further heard, and before any
Court or Judge hereafter having or holding any proceedings in con-
nection with the said charge, and not depart thence without leave of
Court, and be bound under this recognizance until said charge is
finally disposed of or until it is declared void by order of a com-
petent Court, then this recognizance shall be null and void, other-
wise shall remain in full force and virtue.

Harry M. Strickler

Bail Commissioner.

Commonwealth of Virginia,
Rockingham County, to-wit:

Be it remembered, that on the 14th day of September, 1937,
Arthur Morris and S. B. Morris

came before me, Harry M. Strickler, Bell Commissioner, for the said
County of Rockingham, and severally and respectively acknowledged
themselves to be indebted to the Commonwealth of Virginia, in manner
and to the following effect, to-wit: the said Arthur Morris

in the sum of One Thousand dollars, and the said S. B. Morris
in the sum of One Thousand dollars.

He respectively made and levied of their several goods and chattels,
lands and tenements, and they severally waived the benefit of their
several homesteads as to this obligation, to the use of the Com-
monwealth of Virginia, if the said Arthur Morris shall make
default in the performance of the condition herein written.

The condition of the above recognitions is such that if the above
bonded Arthur Morris do and shall personally appear before
the Circuit Court of the said County on the first day of the next

term thereof, then and there to answer the Commonwealth for and
satisfy a certain Debt by him committed Debt and
which he shall be liable to pay, or to any other time to which
the proceedings may be continued or further heard, and before any
Court or Judge having or holding any proceedings in con-
nection with the said charge, and not depart therefrom without leave of
Court, and be bound under this recognition until such charge is
finally disposed of or until it is declared void by order of a com-
petent Court, then this recognition shall be null and void, other-
wise shall remain in full force and virtue.

Harry M. Strickler
Bell Commissioner

Arthur Morris

Paul

COMMONWEALTH

v

CHARGE TO THE JURY

CLARK SHIFFLETT

If you find the accused, Clark Shifflett, not guilty, you will say so and no more.

If you find him guilty 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 confinement in jail for a period of not less than six nor more than twelve months, and by a fine not exceeding five hundred dollars.

Commonwealth

v)

Clark Shifflett

Charge to the Jury

hundred dollars.

more than twelve months, and pay a fine not exceeding five
confinement in jail for a period of not less than six nor
years nor more than five years, or, in your discretion, by
month in the penitentiary for a period of not less than one
month, then you will say so and fix his punishment by confine-
ment in the penitentiary as charged in the indictment.
If you find him guilty as charged in the indictment -
If you find the accused, Clark Shifflett, not

CLARK SHIFFLETT

v

COMMONWEALTH

CHARGE TO THE JURY

INSTRUCTION NO. _____

The Court instructs the jury that in this case, as in all criminal cases, the accused's plea of not guilty raises a presumption of innocence in his favor and puts on the Commonwealth the burden of proving his guilt beyond every reasonable doubt.

If, therefore, upon a consideration of the whole case, the testimony of the witnesses and the circumstances shown in evidence, there exists in the minds of the jury a reasonable doubt as to the guilt of the accused, they should find him not guilty. And the Court further tells the jury that a reasonable doubt is that state of the case which, after comparison and consideration of all the evidence, leaves the minds of the jurors in such condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge.

INSTRUCTION NO. _____

The Court instructs the jury that in this case, as in all criminal cases, the accused's plea of not guilty raises a presumption of innocence in his favor and puts on the Commonwealth the burden of proving his guilt beyond every reasonable doubt. If, therefore, upon a consideration of the whole case, the testimony of the witnesses and the circumstances shown in evidence, there exists in the minds of the jury a reasonable doubt as to the guilt of the accused, they should find him not guilty. And the Court further tells the jury that a reasonable doubt is that state of the case which, after comparison and consideration of all the evidence, leaves the minds of the jurors in such condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge.

INSTRUCTION NO. _____

The Court instructs the Jury that if they believe from the evidence that the confession alleged to have been made by the defendant to Leon Hirsch was not freely made, that is without the influence of hope or fear held out by the said Leon Hirsch, then you are at liberty to disregard said confession or give it such weight and credit as you may determine should attach to it as evidence.

INSTRUCTION NO. _____

The Court instructs the jury that if they believe from the evidence that the confession alleged to have been made by the defendant to Leon Hirsch was not freely made, that is without the influence of hope or fear held out by the said Leon Hirsch, then you are at liberty to disregard said confession or give it such weight and credit as you may determine should attach to it as evidence.

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

C. W. Dove, J. L. Dirting and Geo. Lawson

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10 o'clock, a. m., on the 17th day of October 19 27 to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY vs. Luther Morris and Clark Shifflett

who stands charged with and indicted for a felony misdemeanor.

And this they shall not omit under the penalty of £100. And have then and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the 11th day of October 19 27, and in the 152d th year of the Commonwealth.

J. F. Blackburn, Clerk

Commonwealth

vs

Luther Morris &

Clark Shifflett

Sheriff fee \$1.50

Oct. 17/27

Executed
Oct 19, 1927
by delivering a true copy of the
within Summons to The within named unknown
_____ in person.
E. W. Dove, S. R. G.

~~Homer G. Brown~~
L. E. Leavel ✓
Jno. N. Wright ✓
~~S. C. Goodell~~
~~L. H. Norton~~
C. C. Wuffman ✓
C. M. Brock ✓
~~R. J. [unclear]~~
J. R. Landes ✓
~~J. M. [unclear]~~
W. H. Linneover ✓
~~John G. [unclear]~~
Mannie Kliver ✓
E. C. Rhodes ✓
T. B. Lewis ✓
Ralph Staples ✓
~~W. E. [unclear]~~
~~E. A. Harrison~~
C. B. [unclear] ✓
R. P. Skizzell ✓

In the Circuit Court of Rockingham County,

..... Term 190.....,

..... this day presented in Court an account against the Court
of Rockingham for the sum of \$....., for Service.....
.....
.....

.....
..... which being sworn to, was examined and approved by the Court, and ordered to be certified to the Treasurer of
this county for payment.

..... Clerk.

C. E. Lovel
 Jno. M. Wright
 C. C. Huffman
 C. M. Brock
 K. R. Landes
 W. H. Lineweaver
 Mannie Krives
 E. C. Rhodes
 T. B. Harris
 Ralph Staples
 C. B. Krises
 R. P. Beazell
 #

Sheriff Cost
 Luther Morris
 Summons \$3.00
 1.50

 4.50

#435

Dec Term

1927

COMMONWEALTH

VS.

Felony (Pro.)

~~LUTHER MORRIS &~~
CLARK SHIFFLETT

plea of guilty

Morris - Plea G.
 Shifflett - N.G.

me, trial

Not paid



20-4446