

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 February term, 1930, upon their oaths do present that on the 21st day of January, 1930 in the said county, and at the Circuit Court held for the said County on the 21st day of January, 1930, thereof by Honorable H. W. Bertram, Judge of said Court, Melvin Wean was tried on an indictment for unlawful possession of ardent spirits in said county of Rockingham, Virginia as more fully appears by the records of said case, and that upon the trial of said Melvin Wean for the misdemeanor aforesaid Melvin Wean appeared in said Court as a witness for and on behalf of himself and was then and there in said county and in the Court aforesaid, duly sworn by the said Honorable H. W. Bertram then and there sitting as Judge of said Court, upon the trial aforesaid, that the evidence he should give upon the said trial should be the truth, the whole truth, and nothing but the truth, the said H. W. Bertram then and there having authority by law to administer the said oath; that upon the trial of said Melvin Wean for the misdemeanor aforesaid, it then and there became material to inquire where he, the said Melvin Wean was at the time that his father, Jerry Wean's home was searched in Harrisonburg, Virginia, about seven o'clock on May 18, 1929 for ardent spirits, and where he was for the next few days following the finding of liquor in the said Jerry Wean's home, and that thereupon the said Melvin Wean being so sworn as a witness on the said trial in the county aforesaid, did feloniously and wilfully swear falsely and testify among other things that he, Melvin Wean, left Harrisonburg in his automobile on Saturday afternoon, May 18, 1929, about five o'clock in company with one \_\_\_\_\_ Sheehan; that he had made arrangements with the said Sheehan to leave Harrisonburg at this particular time several weeks prior to his leaving, that the said Sheehan got out of his automobile



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 Rocking-

ham and now attending said Court at its September term, 1930, upon

their oaths do present that on the 21st day of January, 1930 in the

said county, and at the Circuit Court held for the said County on the

21st day of January, 1930, thereat by Honorable H. W. Berran, Judge

of said Court, Melvin Wean was tried on an indictment for unlawful

possession of ardent spirits in said county of Rockingham, Virginia

as more fully appears by the records of said case, and that upon the

trial of said Melvin Wean for the misdemeanor aforesaid Melvin Wean

appeared in said Court as a witness for and on behalf of himself and

was then and there in said county and in the Court aforesaid, duly

sworn by the said Honorable H. W. Berran, Judge and there sitting as

Judge of said Court, upon the trial aforesaid, that the evidence he

should give upon the said trial should be the truth, the whole truth,

and nothing but the truth, the said H. W. Berran then and there hav-

ing authority by law to administer the said oath; that upon the trial

of said Melvin Wean for the misdemeanor aforesaid, it then and there

became material to inquire where he, the said Melvin Wean was at the

time that his father, Jerry Wean's home was searched in Harrisonburg,

Virginia, about seven o'clock on May 18, 1929 for ardent spirits, and

where he was for the next few days following the finding of liquor in

the said Jerry Wean's home, and that thereupon the said Melvin Wean

being so sworn as a witness on the said trial in the county aforesaid,

did feloniously and wilfully swear falsely and testify among other

things that he, Melvin Wean, left Harrisonburg in his automobile on

Saturday afternoon, May 18, 1929, about five o'clock in company with

one \_\_\_\_\_ Sheehan; that he had made arrangements with the

said Sheehan to leave Harrisonburg at this particular time several weeks

prior to his leaving, that the said Sheehan got out of his automobile

at Melrose, and that he proceeded to Ohio, reached said state early the following Tuesday morning, visited some relative there, and that he did not return to Harrisonburg until about the first of the year, 1930; whereas, in truth and in fact, he, the said Melvin Wean did not as aforesaid, but left some time after May 22, 1929; leave Harrisonburg for Ohio on said May 18, 1929, whereby the said Melvin Wean then and there, upon the said trial in the county aforesaid, feloniously did commit wilful perjury, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of C. R. Fawley, John Logan, ~~Frank Shifflett~~, and Gertie Dotson, and J. F. Blackburn, witnesses sworn in Court and sent before the grand jury to give evidence.



We the jury find the accused, Melvin Wean guilty,  
of perjury, as charged in the indictment and, for his  
perjury, sentenced at five years in the penitentiary.

D. E. Zirk, Foreman

Perjury

Commonwealth

v) Indictment

Melvin Wean

Felony

February term, 1930

A True Bill:

L. R. Rhodes  
Foreman

Or - P. M. A.

Sub for  
March 13<sup>th</sup>

D. W. Earman  
Commonwealth's Attorney



COMMONWEALTH :  
v : CHARGE TO THE JURY  
MELVIN WEAN :

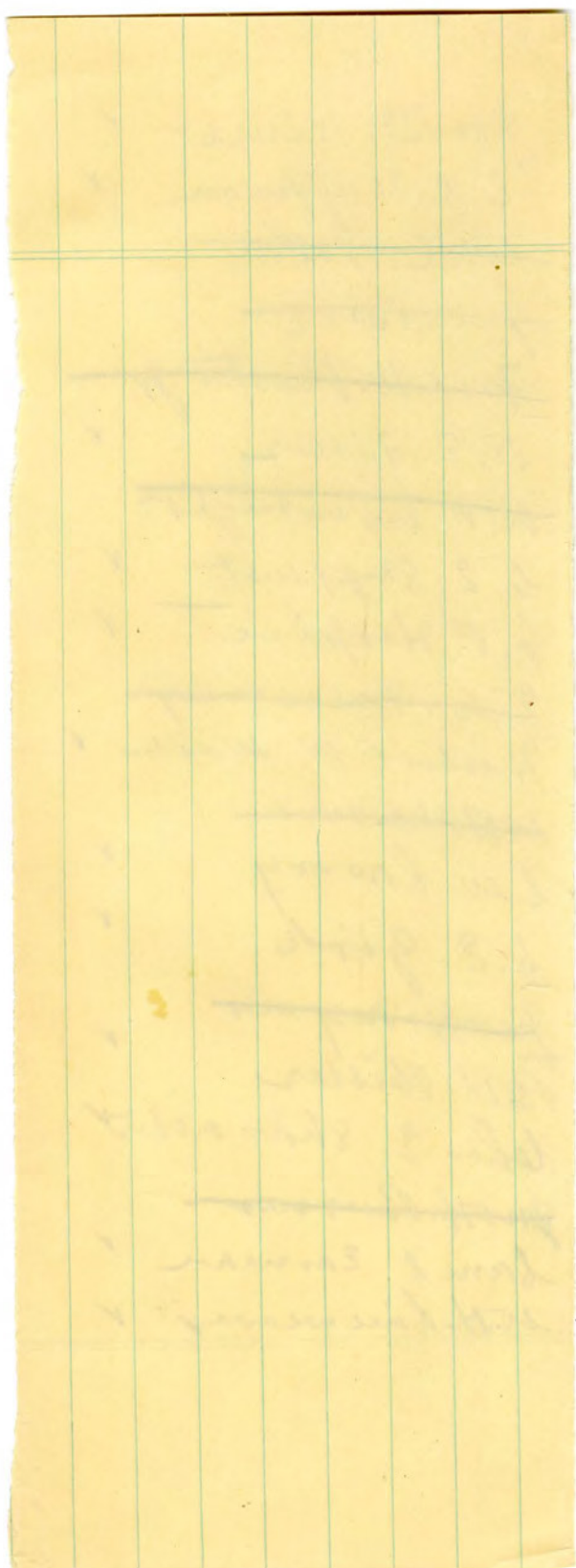
If you find the accused, Melvin Wean, not guilty,  
you will say so and no more.

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 nor more than ten years, or, in your discretion, by confinement in jail not exceeding one year, or <sup>by</sup> a fine not exceeding one thousand dollars, or by both such fine and imprisonment.

## Charge to the Jury



Joe D. Kline ✓  
C. C. Huffman ✓  
~~W. C. Eaton~~  
~~J. W. Barz~~  
~~Frederick Patton Jr~~  
R. E. Fuller ✓  
~~R. P. Eganbright~~  
C. E. Shippert ✓  
J. P. Harpine ✓  
~~E. W. Messerly~~  
Hubert W. Wise ✓  
~~W. H. Cassin~~  
S. W. Lowery ✓  
S. E. Zirk ✓  
~~John H. Meyer~~ ✓  
B. H. Bitter  
Chas. S. Showalter  
~~John H. Barnes~~  
Sam'l Easman ✓  
W. H. Line weaver ✓





We the jurors find  
Melvin ~~Heard~~  
guilty of the charged  
and fix his punishment  
at (5 years) Five years in  
the Penitentiary.

S. E. Zirk

We the undersigned  
do hereby certify that  
the above is a true and  
correct copy of the  
original as the same  
exists in the files of  
the Department of  
the Interior.



Jos. H. Hline  
C.C. Hupman  
H.E. Fuller  
L.E. Shippert  
J.P. Harpine  
Herbert W. Wise  
S.W. Lowery  
S.E. Girth  
B.H. Biller  
Chas. S. Showalter  
Samuel Carman  
W.H. Lineweaver  
#

FEB

1930

# 702

COMMONWEALTH

V.

Felony (Perjury)

MELVIN WEAN

Mar 13<sup>th</sup> —



