

**Heflin, Lee R.: Commonwealth Cause, Fauquier  
County**

## Metadata

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FAUQUIER COUNTY COURT, DECEMBER TERM 1891.

The jurors of the Commonwealth of Virginia, in and for the body of the County of Fauquier, and now attending the said court, upon their oath present that Lee Heflin on or about the 9th day of November 1891 in the night time of said day, in the county aforesaid, in and upon one E. V. Kines in the peace of the commonwealth and the people of this state then and there being, feloniously, wilfully and of his malice aforethought did make an assault; and that the said Lee Heflin with a certain club or stick of wood which he, the said Lee Heflin, in his hand then and there held, upon the head of the said E. V. Kines then and there feloniously, wilfully and of his malice aforethought did inflict divers blows and the said Lee Heflin with the bludgeon aforesaid in and upon the head of her, the said E. V. Kines, then and there feloniously, wilfully and of his malice aforethought did strike inflicting one mortal wound in and upon the head of the said E. V. Kines, of which said mortal wound the said E. V. Kines instantly died.

And the jurors aforesaid, upon their oath aforesaid, do say that the said Lee Heflin in manner and form aforesaid feloniously, wilfully and of his malice aforethought her, the said E. V. Kines, did kill and murder against the peace and dignity of the Commonwealth of Virginia.

On testimony of-

*D. C. S. Corbin*  
*Dr. W. D. Tullosp*  
*Thos. Robinson*  
*Duncan James*  
*Bessie Gye*  
*Miss Geo. Gye*  
*C. C. Hurdick*

*Frank Thompson*  
*Jeff Solly*  
*W. C. Campbell*  
*R. M. Smith*  
*J. B. Driskin*

*J. P. Jeffers* Court. atty.  
*for Fauquier Co. Va.*

FAUQUIER COUNTY COURT, DECEMBER TERM 1891.

The jurors of the Commonwealth of Virginia, in and for the body of the County of Fauquier, and now attending the said court, upon their oath present that Lee Heflin on or about the 9th day of November 1891 in the night time of said day, in the county aforesaid, in and upon one E. V. Kines in the peace of the commonwealth and the people of this state then and there being, feloniously, wilfully and of his malice aforethought did make an assault; and that the said Lee Heflin with a certain club or stick of wood which he, the said Lee Heflin, in his hand then and there held, upon the head of the said E. V. Kines then and there feloniously, wilfully and of his malice aforethought did inflict divers blows and the said Lee Heflin with the bludgeon aforesaid in and upon the head of her, the said E. V. Kines, then and there feloniously, wilfully and of his malice aforethought did strike inflicting one mortal wound in and upon the head of the said E. V. Kines, of which said mortal wound the said E. V. Kines instantly died.

And the jurors aforesaid, upon their oath aforesaid, do say that the said Lee Heflin in manner and form aforesaid feloniously, wilfully and of his malice aforethought her, the said E. V. Kines, did kill and murder against the Peace and dignity of the Commonwealth of Virginia.

J. P. Jeffries com: atty

for Fauquier Co: Va

On testimony of-

Dr C. S. Carter

Dr W. D. Tulloss

Thos: Robinson

Duncan James

Bessie Dye

Mrs Jos: Dye

E. E. Meredith

Frank Thompson

Jeff. Jolly

W. W. Campbell

R. H. Smith

J. B. Dustin



**2**

Warrenton Virginia  
Commonwealth  
vs. Indictment.  
Heflin.  
a true bill.  
[L G Edmonds?]  
Foreman.  
We the jury find the prisoner  
guilty of murder  
in the 1st degree  
L. Lake  
foreman

Courts of Va

3 } February No. 1 -

Lee Heplin

1891

Dec 28. Grand Jury & indictment  
Jury & trial & verdict

1892 Guilty & -

Jan 11. Sentenced -

**3**

Commonwealth of Va  
vs } Felony No. 1  
Lee Heflin  
1891  
Dec 28. Grand Jury & Indictment  
Jury & trial & verdict of  
Guilty &c.  
1892  
Jany 11. Sentence-



....., To-wit:  
At a ..... Court held for said ....., at the Courthouse  
thereof, on the ..... day of ....., 189...;

A License is this day granted to .....

..... on his application to sell by  
RETAIL, in quantities not exceeding five gallons at any time to any individual, wine,  
ardent spirits, malt liquors, or any mixture thereof, alcoholic bitters, or fruits preserved  
in ardent spirits, at his house.....

....., which shall not be drunk within the house or curtilage  
where sold, but shall be delivered to the purchaser in bottles, jugs, demijohns or other  
vessels, to be removed therefrom, for the period beginning on the .....

day of ....., 189..., and expiring on the THIRTIETH  
day of APRIL, 189...; the court being fully satisfied, upon hearing the evidence, that the  
applicant is a fit person, will keep an orderly house, and that the place of business is suit-  
able and convenient, and appropriate for conducting such business, and that the specific  
tax required by law has been paid to the proper officer, and the applicant having executed  
a bond as required by law, with good security, payable to the Commonwealth of Virginia,  
in the penalty of .....

dollars, conditioned for the faithful performance of all the requirements of the act of the  
General Assembly of Virginia, entitled "an act to provide for the assessment of taxes on  
persons, property, and incomes, and on licenses to transact business, and imposing taxes  
thereon for the support of the government and public free schools, and to pay the interest  
on the public debt, and prescribing the mode of obtaining licenses to sell wine, ardent spirits,  
malt liquors, or any mixture thereof, in cases where a court certificate is required, approved  
March 6, 1890."

Test:

....., Clerk.

..., To-wit:

At a...Court held for said..., at the Courthouse  
thereof, on the...day of..., 189...:

A License is this day granted to...

on his application to sell by

RETAIL, in quantities not exceeding five gallons at any time to any individual,  
wine,

ardent spirits, malt liquors, or any mixture thereof, alcoholic bitters, or fruits  
preserved

in ardent spirits, at his house...

in this..., which shall not be drunk within the house or curtilage

where sold, but shall be delivered to the purchaser in bottles, jugs, demijohns  
or other

vessels, to be removed therefrom, for the period beginning on the...

day of..., 189..., and expiring on the THIRTIETH

day of APRIL, 189...; the court being fully satisfied, upon hearing the evidence,  
that the

applicant is a fit person, will keep an orderly house, and that the place of busi-  
ness is suitable

and convenient, and appropriate for conducting such business, and that the spe-  
cific

tax required by law has been paid to the proper officer, and the applicant having  
executed

a bond as required by law, with good security, payable to the Commonwealth  
of Virginia,

in the penalty of...

dollars, conditioned for the faithful performance of all the requirements of the  
act of the

General Assembly of Virginia, entitled "an act to provide for the assessment of  
taxes on

persons, property, and incomes, and on licenses to transact business, and im-  
posing taxes

thereon for the support of the government and public free schools, and to pay  
the interest

on the public debt, and prescribing the mode of obtaining licenses to sell wine,  
ardent spirits,

malt liquors, or any mixture thereof, in cases where a court certificate is re-  
quired, approved

March 6, 1890"

Test:

..., Clerk.



5

\*55 steps from  
this to the shock  
at the well  
X X X X X X X X  
fence  
11 shocks [thrashed?]  
Heflin had shucked this [illegible]  
and part of this on Monday  
14 steps 36 steps  
55 steps 39 steps  
[Diagram of house, inside left room:] fire broke out here, Bed, trunk, childs  
body, woman body, girls body)  
[inside right room:] kitchen, no fire in this building, stove found cold, pile of  
clean cups & plates, Door  
18 steps [arrow] Door  
Fodder shock  
Heflin had [illegible]  
about 25 [illegible]  
a correct rough sketch of  
house & grounds--  
positions of bodies as found  
and position of shock that  
Heflin says he was working on  
Nov 11th 1891  
H. E. Kinzer  
Thomas Robinson

Cour. of Virginia

To Delaware Weaver Dr.  
Special Constable

1891

Nov 11 - Summoning Seven witnesses  
to appear before J.P. Court, in the  
case the Cou. v: the A. Steplin \$140

Jaques to wit -

I hereby certify that I acted in the above  
case, & that the number of witnesses <sup>examined in the trial</sup> were, male,  
and said account was done to before me

John Steplin J.P.

6

Como. [Commonwealth] of Virginia

To Delaware Weaver

Special Constable Dr. [debtor]

1891 Nov 11- Summoning Seven Witnesses

to appear before J. P. Court, in the

case the Como. [Commonwealth] vs. Lee R. Heflin \$1.40

Fauqr. Co to wit-

I hereby certify that I acted in the above

case & that the number of witnesses were ^ examined in the trial & were material,

and said account was sworn to before me

John Ross J. P.

Delaware Wm

Acct

140

1892

Day 4-

7

Delaware Weaver

Acct

1.40

1892

Jany 4



John Ross, J. A. Fisher  
David Armstrong &  
Kinney

The Commonwealth of Virginia,

<sup>Geo. H. Chestnut</sup>  
TO THE SHERIFF OF FALCONER COUNTY, GREETING:

We command you to summon  
Dr Tallos - Baldwin Day - G. A. Carter  
R. H. Knies - Thomas Robman - Robman (son of the) - G. A. Armstrong  
W. W. Campbell - Tom Sullivan - Bessie Dye - Mrs Es Dye - Tom White  
Dave Bishop - W. Hodgson - Berry - Duncan James - Es Vesell - Es Vessel  
Al. M. Spear - R. H. Smith - J. B. Martin - Es Meredith - Es Dye - Es Chestnut - Es D. Miller -  
to appear before the Judge of our County Court of Falconer County, at the Court House of said

County, on the 28 day of December 1891, to testify, and the truth to say, on  
behalf of the Comro in a certain matter of controversy, depending and undeter-  
mined in said Court, between Comro of Va plaintiff  
and

Lee R. Keplin defendant

And this they shall in no wise omit, under the penalty of £100. And have then there  
this Writ. Witness, A. R. Bartenstein  
~~H. DOWNMAN~~, Clerk of our said County Court, at the Court House  
aforesaid, this 5 day of December 1891, and in the 116 year of the  
Commonwealth.

A. R. Bartenstein, Clerk.

The Commonwealth of Virginia,  
 TO Jno. [John] H. Cheatwood OF FAUQUIER COUNTY, GREETING:  
 We command you to summon Dr. Tulloss - Baldwin Day - C. S. Carter  
 Robt Knies - Thomas Robinson - \_\_\_Robinson (son of Thos) - C. N. Armstrong  
 -  
 W. W. Campbell - Tim Sullivan - Bessie Dye - Mrs Jos Dye - Tom White -  
 Dave Bishop - Wm. Hodgson - \_\_\_Berry - Duncan James - [Jas?] Vessel - Jno  
 Vessel -  
 Al. McLearn - R H. Smith - J. B. Dustin - E E Meredith - Chas Dye - Jim  
 Cheatwood - [Jas?] McMullen -  
 to appear before the Judge of our County Court of Fauquier County, at the  
 Court House of said  
 County, on the 28 day of December 1891, to testify, and the truth to say, on  
 behalf of the Commonwealth in a certain matter of controversy, depending and  
 undetermined  
 in said Court, between Como [Commonwealth] of Va plaintiff  
 \_\_\_ and \_\_\_  
 Lee R. Heflin defendant  
 And this they shall in no wise omit, under the penalty of £100. And have then  
 there  
 this Writ. Witness, A. R. Bartenstein, Clerk of our said County Court, at the  
 Court House  
 aforesaid, this 5 day of December 1891, and in the 116 year of the  
 Commonwealth.  
 A. R. Bartenstein Clerk.  
 (written at the left side of page: John Ross, J. S. Pilcher, Sam'l [Senguin?] &  
 \_\_\_ Kinser-)

Coma of Pa

3 } Coma Pa.

Lee R. Heflin

Dec 28 Dec 1891

$\frac{1}{29}$

Fauquier County to me - This day I received  
personally came before me in my County office  
& made oath that he executed the within by  
deceiving a true copy of same to each of the parties  
named within - Given under my hand this  
17 Dec 1891 - A. R. Bartenstein  
A. P.

9

Como [Commonwealth] of Va  
vs } Como Spa [Subpoena]  
Lee R. Heflin  
To 28 Dec 1891  
1/29

Fauquier County to wit - This day Jno [John] H Cheatwood  
personally came before me in my County aforesaid  
& made oath that he executed the within by  
delivering a true copy of same to each of the parties  
named within - Given under my hand this  
17 Decr 1891 -  
A. R. Bartenstein  
N. P.

The Commonwealth of Virginia,

TO THE SHERIFF OF FAUQUIER COUNTY, GREETING:

We command you to summon Frank Thompson - (Raleen)

to appear before the Judge of our County Court of Fauquier County, at the Court House of said County, on the 28 day of December 1897, to testify, and the truth to say, on behalf of the Carr - in a certain matter of controversy, depending and undetermined in said Court, between Carr of Ia plaintiff

and Lee R. Hepburn defendant

And this he shall in no wise omit, under the penalty of £100. And have then there this Writ. Witness, A. R. Bartenstein, Clerk of our said County Court, at the Court House aforesaid, this 17 day of December 1897, and in the 116 year of the Commonwealth.

A. R. Bartenstein Clerk.

10

The Commonwealth of Virginia,  
TO THE SHERIFF OF FAUQUIER COUNTY, GREETING:  
We command you to summon Frank Thompson- (Bealeton)  
to appear before the Judge of our County Court of Fauquier County, at the  
Court House of said  
County, on the 28 day of December 1891, to testify, and the truth to say, on  
behalf of the Com- in a certain matter of controversy, depending and undeter-  
mined  
in said Court, between Com of Va plaintiff  
and  
Lee R. Heflin defendant  
And this he shall in no wise omit, under the penalty of £100. And have then  
there  
this Writ. Witness A. R. Bartenstein, Clerk of our said County Court, at the  
Court House  
aforesaid, this 17th day of December 1891, and in the 116 year of the  
Commonwealth.  
A. R. Bartenstein Clerk.

Spencer  
for the  
for N. Whitcomb

Cross of the

3 } Cross Spa -

Lee R. Heflin

Dec 28 1891

1/

**11**

Executed

Jno [John] C Stanford

Do [ditto] for R Whitacre [sfc?]

Como [Commonwealth] of Va.

vs } Como. Spa [Subpoena]

Lee R. Heflin

To 28 Decr 1891

1/1



Cross to L R Hepler  
Dec 28 1891

---

Reth M Donald

Lafayette Payne

Mahlon D Payne

Enoch Jeffries - 4

H. C. Harkness, claimed 200

P. M. Johnson

Chas. H. Kemper

Jno F. Sullivan &

J. A. Germans -

Lud. Lake -

T. N. Russell

H. H. Duncan

Horace Burgess 12

R. R. Ashley

Jno W. Hantack

L. A. Mooney

Wes. Burgess

J. J. White

J. W. Rawcups

Joe S. Shuttles

**12**

Como [Commonwealth] vs L. R. Heflin

Dec 28 1891

Seth McDonald

Lafayette Payne

Mahlon O Payne

Enoch Jeffries - 4

H. C. Hickerson claimed 200

P. M. Johnson

Chas. H. Kemper

Jno [John] F. Sullivan 8

J. A. Germans -

Lud. Lake -

T. N. Russell

F. H. Duncan

Horace Burgess 12

R. R. Ashby

Jno. [John] W. Hanback

L. A. Mooney

Hez. Burgess

J. J. White

J. W. Rawlings

(right side: Jas L. Strother)

[written across list] Abrogated



**13**

E. G. [Edmund?]

C B White

[Egleston Gary?]

[Anton Schroob?]

F. R. Welch

J. S. Young

(Crossed out: A. F. Rose)

Corn & Lee Refers  
28 Dec 1891.

Lud Lake \$200  
L. A. Marney \$156  
C. H. Kemper \$124  
Jno W. Hambach \$156  
J. J. White \$140  
J. A. Gorman 200  
~~A. R. Robby~~  
Enoch Jeffries \$200  
Caryetta Payne \$200  
Jno. D. Sullivan \$140  
H. J. Burgess \$124  
J. W. Rawlings \$200  
P. M. Johnson \$156

14

Como [Commonwealth] vs Lee Heflin

28 Dec. 1891

Lud Lake 2.00

L. A. Mooney 1.56

C. H. Kemper 1.24

Jno [John] W. Hamback 1.56

J. J. White 1.40

J. A. Germans

(Crossed out: R. R. Ashby)

Enoch Jeffries 2.00

Lafayette [Payne?] 2.00

Jno F. Sullivan 1.40

Hez Burgess 1.24

J. W. Rawlings 2.00

P. M. Johnson 1.50

10/1/1891  
Tanqueri County Court Dec Term 1891

Cms & F. M. Trumble - Reaog 1<sup>st</sup> day -

J. C. Pullin & E. D. Mills - appeal 1<sup>st</sup> day -

**15**

Fauquier County Commonwealth Decr Term 1891  
Como [Commonwealth] vs F. M. Trumble - Reaog 1 day  
J. C. Pullin vs E. D. Mills - appeal 1 day



Guards appointed by  
~~The Church~~  
James M. Graham

R T. Minter

C. J. Carter

O. M. Mathis ✓ 1.00

W. T. Follen

F. R. Welch

A. M. Lowmyer

J. D. Solley

J. B. Duster

R. H. Smith

P. E. Crombom

Geo W. Allison

John Willis

John Bunn ✓ 1.00

**16**

Guards appointed by  
the Court

James M. Graham

R. T. Minter

C. S. Carter

S. M. [Withers?] 1.00

W. F. Follin

F. R. Welch

S. M. Lomax

J. D. Jolley

J. B. Dustin

R. H. Smith

P. E. [Cromhorn?]

Jno [John] W. Allison

John Willis

John [Bunn?] 1.00

Guards appointed by Court  
28 Dec 1891 to guard Lee Kefauver

Mr C Stamp 200

C. A. Armstrong 200

C. B. Ashley ✓ 200

E. M. Jeffers ✓ 200

A. Kustanmi ✓ 200

Mr W. Mullan 200

G. W. Gunn ✓ 200

Josiah Kline 200

Aubrey Kline 200

Joseph Bredon 200

C. A. Lockwood ✓ 200

17

Guards appointed by Court  
28 Dec 1891 to guard Lee Heflin  
Jno [John] C. Stanford 2.00  
C. N. Armstrong 2.00  
C. B. Ashby 2.00  
E. M. Jeffries 2.00  
A. Nusbaum 2.00  
Jos [Joseph] McMullan 2.00  
G. W. [Gunn?] 2.00  
Josiah Kline 2.00  
Aubrey Kline 2.00  
Joseph Breden 2.00  
C. A. Lockwood 2.00

Guards. apptd  
by Court in Cms &  
See Heflin

1891  
Dec 29.

18

Guards. apptd  
by Court in Como [Commonwealth] vs  
Lee Heflin  
1891  
Decr 29

Contributions Message

Lindsay Viret, Bill, LVA, Lanie Hitt, Marisa Rothenberger, Beka Castagna,  
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