

We the jury find the defendants Fred Hawse, Bud Willis, Frank Dorman and Gay Brown guilty of ^{unlawfully} transporting about spirits or charged in the indictment and pay their punishment at a fine of \$50.00 each and set our punishment in jail for one month -

John W. Bunch Foreman

Order costs to be charged.

Jan. term 1917.

violation of the prohibition law.

COMMONWEALTH

vs. **Indictment**

Fred Hawse, Nedith Malone
Ashby Malone & Frank Dorman
Bud Willis & Osey Brown

~~For Felony~~
For Misdemeanor

A TRUE BILL

G. R. Lathrop
Foreman

Harry M. Strickler
Com. Atty.

Faint bleed-through text from the reverse side of the page, including the words "witnesses sworn in Court and read before the Grand Jury to give evidence."

Commonwealth of Virginia,

County of Rockingham, to-wit:

In the Circuit Court of said County:

The jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, and now attending the Circuit Court of said county, ^{at its Jan. term 1917,} UPON THEIR OATHS PRESENT, that Fred Hawse, Nedith Melone, Ashby Melone, Jr., Frank Dorman, Bud Willis, and Osey Brown, the three last named being minors, on the third day of December, 1916, in said County, did unlawfully transport and have in possession not at their homes, ardent spirits, in violation of the prohibition law,

against the peace and dignity of the Commonwealth of Virginia.

~~AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO FURTHER PRESENT, that~~

~~against the peace and dignity of the Commonwealth of Virginia.~~

This indictment is found on the testimony of

D. E. Craunhorn.

Blissman Lagan

witnesses sworn in Court and sent before the Grand Jury to give evidence.

March term-1917.

Possession of Ardent Spirits
by a Minor

COMMONWEALTH

vs. **Indictment**

Ashby Malone, Jr.

~~For Felony~~

For Misdemeanor

A TRUE BILL

L. L. Hedrick

Foreman

10.00
 Capias
 Atty 5.00
 Clerk 3.20
 Sheriff 1.10
 Wit- 1.00
 \$19.30
 10.31

Harry M. Strickler
Commonwealth's Attorney

Commonwealth of Virginia,

County of Rockingham, to-wit:

In the Circuit Court of said County:

The jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, and now attending the Circuit Court of said county, ^{at its March term, 1917,} UPON THEIR OATHS PRESENT, that Ashby Malone, Jr. on the third day of December, 1916, in the said County, being a minor under twenty one years of age, did have in possession ardent spirits in violation of Section 41 of the prohibition Act of the General Assembly of Virginia, approved March 4, 1916,

against the peace and dignity of the Commonwealth of Virginia.

~~AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO FURTHER PRESENT, that~~

~~against the peace and dignity of the Commonwealth of Virginia.~~

This indictment is found on the testimony of DeLoach

witnesses sworn in Court and sent before the Grand Jury to give evidence.

Executed December 5th, 1916, by arresting the within named Frank Dorman, Bud Willis, Osey Brown and Fred Hawse and bringing them before C. L. Rhodes, a Justice of the Peace of Rockingham County, Nedith Malone and Ashby Malone, Jr., not found.

C. L. Rhodes Sheriff

Rockingham County.

Case heard this 5th day of December, 1916, as to Fred Hawse, Osey Brown, Frank Dorman and Bud Willis, and judgment that they be held for the action of grand jury of the Circuit Court of Rockingham County.

Cost - \$1.00
 Sheriff \$3.20
 Adm't & law \$4.20
 \$8.20

Alleged Amputation

Ashby Malone Jr

Nedith Malone &

Man, Osey Brown

Willis, Osey Brown

Fred Hawse, Bud

Willis, Osey Brown

Amusement

Case heard this 5th day of December, 1916, as to Fred Hawse, Osey Brown, Frank Dorman and Bud Willis, and judgment that they be held for the action of grand jury of the Circuit Court of Rockingham County.

Given under my hand this 6th day of December, 1916.

C. L. Rhodes

J. P.

4
Commonwealth of Virginia, Rockingham County, to-wit:

To D.E. Croushorn, Sheriff of said County:

Whereas D.E. Croushorn

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

C.L. Rhodes, a Justice of said County, that Frank Dorman,

Nedeth Malone, Fred House and Bud Willis Orey

Brown & Ashby Malone Jr
on the 2nd day of December, 1916, in said County, ~~did~~

unlawfully transporting ardent spirits in excess of one quart in an automobile in violation of the Prohibition Act, ^{Chap 144} Section 39, of the acts of Assembly, (1916.) of Virginia

These are, therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend the said

Frank Dorman, Fred House, Nedeth Malone and Bud Willis and Ashby Malone Jr

and to bring them before me or some other Justice of the said County, at _____ in _____ Magisterial District,

in said County, to answer the said complaint and to be further dealt with according to law. And you are moreover required to summon _____

to appear at the same time and place to testify as witnesses on behalf of the Commonwealth touching the matter of the said complaint.

Given under my hand and seal this 11th day of

December, 1916.

C.L. Rhodes, J.P. (SEAL).

Commonwealth of Virginia, County of Rockingham, to-wit:-

This day personally appeared before me Frank Dorman with J. A. Burkholder, who qualified as to his sufficiency, as his surety and acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$250.00 each, in which they waive the benefit of their homestead exemption, upon condition that the said Frank Dorman personally appear before the Circuit Court of Rockingham County on the 15th day of January, 1917, and not depart thence without leave of Court.

also
This day personally appeared before me Fred Hawse with C. I. Wenger, who qualified as to his sufficiency, as his surety and acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$250.00 each, in which they waive the benefit of their homestead exemption upon condition that the said Fred Hawse personally appear before the Circuit Court of Rockingham County on the 15th day of January, 1917, and not depart thence without leave of Court.

This day also personally appeared before me Bud Willis with Miss Cora Clayton Chilton, who qualified as to his sufficiency, as his surety and acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$250.00 each, in which they waive the benefit of their homestead exemption, upon condition that the said Bud Willis personally appear before the Circuit Court of Rockingham County on the 15th day of January, 1917, and not depart thence without leave of Court.

This day also personally appeared before me Osey Brown with C. I. Wenger, who qualified as to his sufficiency, as his surety and acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$100.00 each, in which they waive the

Commonwealth of Virginia, County of Rockingham, to-wit:-

This day personally appeared before me Fred Haws with
J. E. Wenzler, who qualified as to his sufficiency, as his surety
and acknowledged themselves indebted to the Commonwealth of Vir-
ginia in the sum of \$250.00 each, in which they waive the benefit
of their homestead exemption, upon condition that the said Fred
Haws personally appear before the Circuit Court of Rockingham
County on the 15th day of January, 1917, and not depart thence
without leave of Court.

This day personally appeared before me Fred Haws with
also
C. I. Wenzler, who qualified as to his sufficiency, as his surety
and acknowledged themselves indebted to the Commonwealth of Vir-
ginia in the sum of \$250.00 each, in which they waive the benefit
of their homestead exemption upon condition that the said Fred
Haws personally appear before the Circuit Court of Rockingham
County on the 15th day of January, 1917, and not depart thence
without leave of Court.

This day also personally appeared before me Bud Willis
with Miss Corr Boplin Carter, who qualified as to his suf-
ficiency, as his surety and acknowledged themselves indebted to the
Commonwealth of Virginia in the sum of \$250.00 each, in which they
waive the benefit of their homestead exemption upon condition that
the said Bud Willis personally appear before the Circuit Court of
Rockingham County on the 15th day of January, 1917, and not depart
thence without leave of Court.

This day also personally appeared before me Osey Brown
with C. I. Wenzler, who qualified as to his sufficiency, as his
surety and acknowledged themselves indebted to the Commonwealth
of Virginia in the sum of \$100.00 each, in which they waive the

benefit of their homestead exemption upon condition that the said
Osey Brown personally appear before the Circuit Court of Rockingham
County on the 15th day of January, 1917, and not depart thence
without leave of Court.

Given under my hand and seal this 6th day of December,
1916.

W. L. Rhodes

J. P. (SEAL)

benefit of their homestead exemption upon condition that the said
Gay Brown personally appear before the Circuit Court of Rockingham
County on the 15th day of January, 1917, and not depart thence
without leave of Court.

Given under my hand and seal this 6th day of December,

1916

W. L. Rhodes J. P. (SEAL)

W. L. Rhodes

W. L. Rhodes

We, the jury find the
defendants guilty as
charged in the indictment
and fix their punishment
as a fine of 50⁰⁰
each and 30 days in jail.

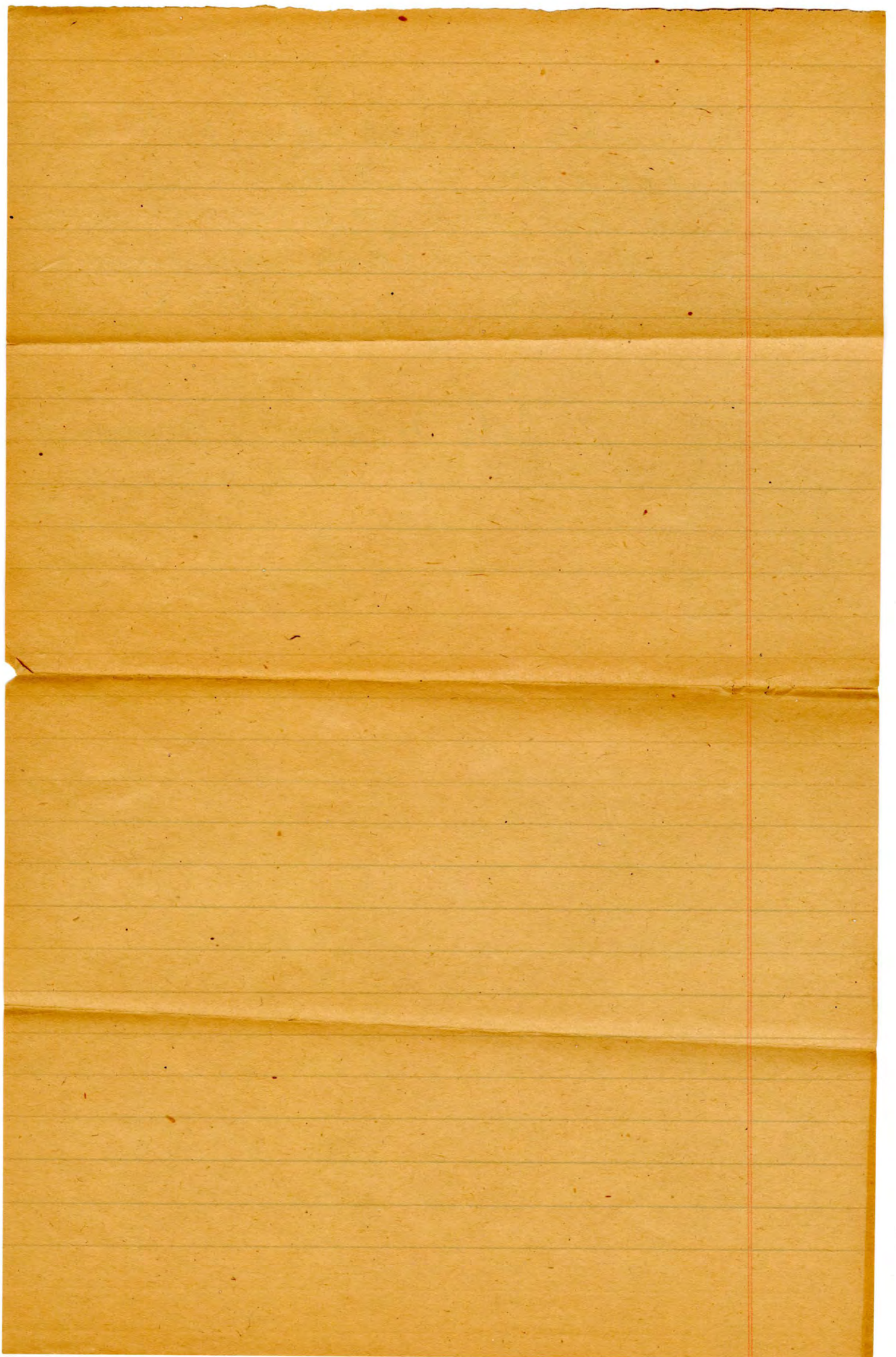
John W. Bennett Foreman

Aud Harris

Bud Willis

Frank Dorman

Oscey Brown



Refused

If the jury believe from the evidence in this case that Burkeholder, the owner of the automobile in question, is a carrier of passengers and that Frank Dorman was employed by Burkeholder as the driver of said automobile, then the jury cannot find Dorman guilty as charged in the indictment, unless they further believe that he personally transported or had in his personal possession ardent spirits not for the bona fide use of himself or family in excess of one quart.

Report

If the jury believe from the evidence in this case that Barkholder, the owner of the automobile in question, is a carrier of passengers and that Frank Dorman was employed by Barkholder as the driver of said automobile, then the jury cannot find Dorman guilty as charged in the indictment, unless they believe that he was personally responsible for the use of his personal possession of said automobile for the purpose of use of himself or family in excess of one quart.

Refuse D

The jury are instructed that even though they may believe from the evidence that the defendant, Dorman, had in his possession at his home ardent spirits, yet in the absence of evidence that he had the same or other ardent spirits in his possession at some other place they must find him not guilty of having ardent spirits in his possession, being a minor.

Chas. V. Malone v. Ho

Declarations for
Depts - returned -

Wm. J. [unclear]

The jury are instructed that even though they may
from the evidence that the defendant, Brown, had
possession of his horse and cart, yet in the
absence of evidence that he had the same or other articles

his act of being in possession of his horse and cart,
being a minor.