

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, 1925, upon their oaths do present that Henry Rhodes, who was heretofore on the 13th day of March, 1924, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of Rockingham County, Virginia, and who then and there was sentenced to pay a fine of fifty dollars and to serve for a period of one month in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously manufacture, sell, offer, keep, store and expose for sale, give away, dispense, transport, solicit, advertise and receive orders for ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid upon their oaths aforesaid do further present that Henry Rhodes, who was heretofore on the 13th day of March, 1924, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of Rockingham County, Virginia, and who then and there was sentenced to pay a fine of fifty dollars and to serve for a period of one month in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously have in his possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid upon their oaths aforesaid do further present that Henry Rhodes, who was heretofore on the 13th day of March, 1924, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of Rockingham County, Virginia, and who then and there was sentenced to pay a



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, 1933, upon their oaths do present that Henry Rhodes, who was heretofore on the 13th day of March, 1934, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of Rockingham County, Virginia, and who then and there was sentenced to pay a fine of fifty dollars and to serve for a period of one month in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously manufacture, sell, offer, keep, store and expose for sale, give away, dispense, transport, collect, receive and receive orders for ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid upon their oaths aforesaid do further present that Henry Rhodes, who was heretofore on the 13th day of March, 1934, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of Rockingham County, Virginia, and who then and there was sentenced to pay a fine of fifty dollars and to serve for a period of one month in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously have in his possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid upon their oaths aforesaid do further present that Henry Rhodes, who was heretofore on the 13th day of March, 1934, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of Rockingham County, Virginia, and who then and there was sentenced to pay a



fine of fifty dollars and to serve for a period of one month in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously receive ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

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



✓  
Pm

Commonwealth

v) Indictment

Henry Rhodes

Felony

October term, 1925

A True Bill:

A. D. M. Foreman  
Foreman

D. W. Earman  
Commonwealth's Attorney

Stand ready to give evidence.

and C. M. Dove, witnesses sworn in Court and sent before the  
this indictment is found on the testimony of J. F. Duff-



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Commonwealth

v.

Henry Rhodes

Charge to the Jury.

If you find the accused, Henry Rhodes, not guilty, you will say so and no more.

If you find him guilty of unlawful transportation of ardent spirits, as charged in the indictment, then you will say so and fix his punishment by confinement in the penitentiary for not less than one 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.

If you do not find him guilty of unlawful transportation of ardent spirits, as charged in the indictment, but guilty of unlawfully receiving or unlawful possession of ardent spirits, as charged therein, having been previously convicted as set out in the indictment, then you will say so and ascertain his punishment by confinement in jail not less than three months nor more than twelve months and a fine not exceeding five hundred dollars.



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convicted as set out in the indictment, then you will say  
arrested spirits, as charged therein, having been previously  
guilty of unlawfully receiving or unlawful possession of  
tion of arrested spirits, as charged in the indictment, but

If you do not find him guilty of unlawful transpor-  
tation exceeding five hundred dollars,  
or not less than six nor more than twelve months, and of a

or, in your discretion by confinement in jail for a period  
penitentiary for not less than one nor more than five years,  
will say so and fix his punishment by confinement in the  
of arrested spirits, as charged in the indictment, then you  
If you find him guilty of unlawful transportation  
you will say so and no more.

If you find the accused, Henry Rhodes, not guilty,

Charge to the Jury

Commonwealth  
v.  
Henry Rhodes

Charge to the jury.

Henry Rhodes

v.

Commonwealth

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.



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COMMONWEALTH

v.

Henry Rhodes

Charge to the Jury.

If you find the accused, Henry Rhodes, 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 not less than one nor more than five years,  
or, in your discretion, by confinement in jail for a period  
of not less than six months nor more than twelve months, and  
by a fine not exceeding five hundred dollars.



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

COMMONWEALTH

Commonwealth  
v  
Henry Rhodes

Henry Rhodes

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You will say so and no more.  
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then you will say so and fix his punishment by confinement in  
the penitentiary for not less than one nor more than five years,  
or, in your discretion, by confinement in jail for a period  
of not less than six months nor more than twelve months, and  
by a fine not exceeding five hundred dollars.



INSTRUCTION No. 1.

The Court instructs the jury that in all criminal cases the defendant's plea of not guilty raises a presumption of innocence in his favor, which it is the duty of the Commonwealth, before it can ask for a conviction, to overcome by evidence which establishes the guilt of the accused beyond every reasonable doubt, therefore if the jury after hearing the whole case entertain any reasonable doubt as to the guilt of the accused, it is their duty to 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.



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INSTRUCTION No. 2.

The Court instructs the jury that before the accused can be convicted of any crime charged under the indictment in this case the Commonwealth must prove beyond every reasonable doubt that the contents of the container which the accused threw out of the Strickler car contained more than one-half of one per cent. of alcohol by volume or would produce intoxication.



INSTRUCTION No. 2.

The Court instructs the jury that before the accused can be convicted of any crime charged under the indictment in this case the Commonwealth must prove beyond every reasonable doubt that the contents of the container which the accused threw out of the Sticker car contained more than one-half of one per cent. of alcohol by volume or would produce intoxication.



INSTRUCTION No. 3.

The Court instructs the jury that although they believe from the evidence in this case that ~~the accused found~~ a glass jar containing ardent spirits <sup>was</sup> in the Strickler car, yet if they further believe from the evidence that it was there without his knowledge <sup>of the accused,</sup> and that upon discovering the same <sup>accused</sup> he threw the glass jar out of the car ~~with~~ with the purpose of freeing himself from any connection therewith, and without intending any wrong, then the court instructs the jury that <sup>such</sup> ~~an~~ act of throwing the said ardent spirits out of the ~~car~~ car would constitute no offense charged under the indictment, and the jury should find the accused not guilty.



The Court instructs the jury that although they believe from

the evidence in this case that ~~the defendant~~ a glass jar  
containing strychnine in the Strickler car, yet if they further  
believe from the evidence that it was there without his knowledge, and  
that upon discovering the same he threw the glass jar out of the car with  
with the purpose of freeing himself from any connection therewith, and  
without intending any wrong, then the court instructs the jury that  
the act of throwing the said strychnine out of the ~~car~~ car would  
constitute no offense charged under the indictment, and the jury  
should find the accused not guilty.



Commonwealth of Virginia, )  
Rockingham County, ) To-wit:

BE IT REMEMBERED that on the 13th day of July 1925,

Henry Rhodes and w. O. Rhodes-

came before me J. W. Keiter a Justice of the said County-

of ~~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

Henry Rhodes - - - - - in the sum of  
FIVE HUNDRED - - - - - Dollars

good and lawful money of the United States, and the said W. O. Rhodes-

in the sum of FIVE HUNDRED - - - - - Dollars of like good and lawful money, 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, and also waived any claim or right to discharge any liability to the Commonwealth arising under this recognizance with coupons detached from the bonds of this State, to the use of the Commonwealth of Virginia if the said

Henry Rhodes- shall make default in the performance of the conditions underwritten.

The condition of the above recognizance is such that if the above bound

Henry Rhodes- do and shall personally appear before the Circuit

Court of Rockingham on the 1st day of the next Term ~~next~~

thereof, being the \_\_\_\_\_ day of \_\_\_\_\_ 1925, at the Court-house thereof,

and then and there answer the Commonwealth of Virginia concerning a certain Misdemeanor where-

of the said Henry Rhodes- stands charged, and shall not

depart thence without the leave of said Court, then the above recognizance shall be void and of no effect, otherwise to remain in full force and virtue.

Taken and acknowledged before me, the day and year first above written.

J. W. Keiter



Taken and acknowledged before me, the day and year first above written.

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of the said Henry Rhodes stands charged, and shall not

and then and there answer the Commonwealth of Virginia concerning a certain Mindness where-

thereof being the day of 192 at the Court-house thereof,

Court of Rockingham on the 12th day of the month 192 Year 192

Henry Rhodes do and shall personally appear before the Circuit

conditions unpermitted.

Henry Rhodes shall make default in the performance of the

Commonwealth  
VS  
Henry Rhodes.  
(RECOGNIZANCE)

whereas detached from the people of this State, to the use of the Commonwealth of Virginia if the said  
in or to discharge any liability to the Commonwealth arising under this recognizance with  
of the said Henry Rhodes and the said W. V. Keifer in the sum of 100 Dollars of like good and lawful money, to be  
good and lawful money of the United States, and the said W. V. Keifer

Henry Rhodes in the sum of

debted to the Commonwealth of Virginia, in manner and form following, that is to say: the said

of Rockingham county of Rockingham, and severally and respectively acknowledged themselves to be the

came before me W. V. Keifer a Justice of the said County.

Henry Rhodes and W. V. Keifer

Be It Remembered that on the 12th day of May 192

Rockingham County, }  
Commonwealth of Virginia, } To-wit:



~~J. T. Ager~~

Joseph Lane

~~W. W. Seltner~~

W. C. Smucker

C. F. Gowl

~~Milton Hattoman~~

Joseph Line weaver

~~Ray Koppman~~

~~J. H. Miller~~

~~W. H. Whitmer~~

F. B. Garter

Leander E. Garter

Gen. R. Block

Emmer C. Swope

~~Arthur P. ...~~

E. S. Ringgold

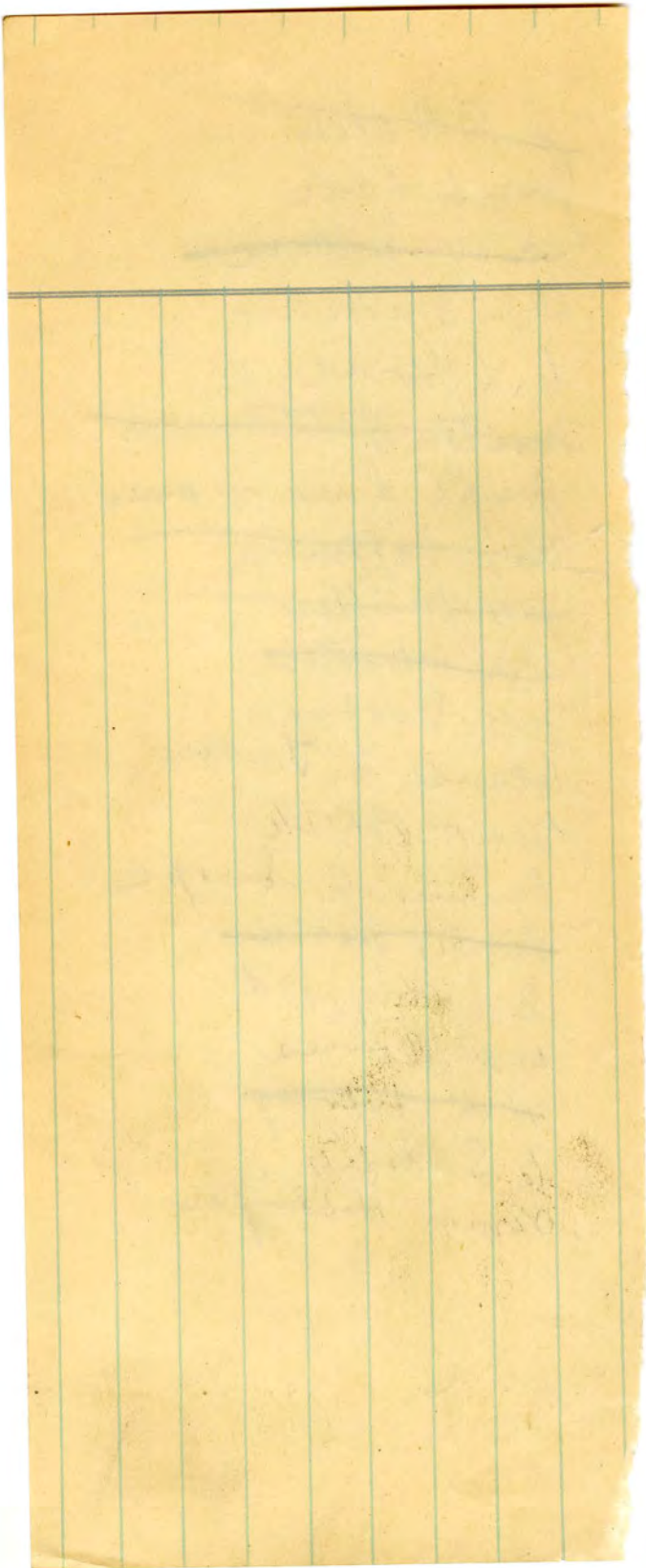
W. R. Downs

~~H. A. ...~~

C. S. Estep

Vernon Holmger







Joseph Lane  
H. C. Smucker  
C. L. Erwin  
Joseph Lineweaver  
F. B. Garter  
Maudie E. Garter  
Herb R. Black  
Emmer C. Swope  
E. S. Ringgold  
W. R. Howson  
W. S. Estep  
Nelson Holmquist

# 239

(Pro.)

Dec 29

Henry Rhodes

(21)

ado

Felony

Commonwealth

th - th

Nov 28 + 29

209

Mistrial - Cont to meet Tue  
no agreement  
December  
1921

Bail 1000  
W. O. Rhodes  
Annie F. "



