

Commonwealth of Virginia } To-wit:

City or County of Harrisonburg

In the Circuit Court of the County of Rockingham

First Count

BE IT REMEMBERED That D. W. Eaman, Attorney for the Commonwealth for the said county of Rockingham, and who for the said Commonwealth prosecutes in this behalf, in his proper person comes into the said Court on this the 17th day of April, in the year 1933, and upon the complaint in writing, verified by the oath of W. T. Rexrode, a competent witness, gives the said Court here to understand and be informed that Robert Joseph, on the 8th day of February, in the year 1933, in the said county of Rockingham, did unlawfully have in his possession a still, still cap, worm, tub, fermenter, and other appliances connected with a still,

against the peace and dignity of the Commonwealth of Virginia.

Second Count

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives the said Court to understand and be informed that said _____ on the _____ day of _____, in the year 192__, in the said _____ of _____, did unlawfully _____

against the peace and dignity of the Commonwealth of Virginia.

Third Count

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives the said Court to understand and be informed that said _____ on the _____ day of _____, in the year 192__, in the said _____ of _____, did unlawfully _____ against the peace and dignity of the Commonwealth of Virginia.

D. W. Eaman

Attorney for the Commonwealth.

VIRGINIA:— City of Harrisonburg, To-wit:

This day W. T. Rexrode personally appeared before me Pauline Andrus a notary public for the city of Harrisonburg, Virginia, and made complaint and information on oath that Robert Joseph within twelve months prior to this date, to-wit on the 8th day of February, 1933, in the county of Rockingham:

- ~~1.—Manufactured undistilled ardent spirits;~~
- ~~2.—Sold ardent spirits;~~
- ~~3.—Transported ardent spirits;~~
- 4.—Owned and had in his possession a still, still cap, worm, tub, fermenter, and other appliances connected with a still, and mash and other substances capable of being used in the manufacture of ardent spirits;
- ~~5.—Unlawfully possess ardent spirits.~~

Sworn to this 11th day of April, 1933.

Pauline M. Andrus

W. T. Rexrode

Sworn to this fifth day of April 1935

James M. Palmer

manufacture of ardent spirits;

2—Possession of still, mash and other appliances capable of being used in the man-

3—Transported ardent spirits;

4—Sold ardent spirits;

5—Manufactured undistilled ardent spirits;

in the County of Rockingham

within twelve months prior to this date to-wit on the 3rd day of February 1935

complaint and information on oath that Robert Joseph

Robert Joseph for the City of Fairfax of Fairfax Virginia, and made

VIRGINIA: City of Fairfax To-wit:

personally appeared before me James M. Palmer

Attorney for the Commonwealth.

and dignity of the Commonwealth of Virginia.

on the 5th day of April 1935 in the said County against the peace

the said Court to understand and be informed that said Robert Joseph

name and by the authority aforesaid, and upon the complaint in writing aforesaid, further gives

And the Attorney for the Commonwealth aforesaid also prosecutes as aforesaid in the

of the peace and dignity of the Commonwealth of Virginia.

on the 5th day of April 1935 in the said County

the County to understand and be informed that said Robert Joseph

And the Attorney for the Commonwealth aforesaid, who prosecutes as aforesaid, in the

gives the name and dignity of the Commonwealth of Virginia.

in the year 1935 in the said County of Rockingham did unlawfully

informed that Robert Joseph on the 3rd day of February

W. T. Rexrode a competent witness, gives the said Court here to understand and be

in this behalf, in his proper person comes into the said Court on this the 5th day of

the said County of Rockingham and who for the said Commonwealth prosecutes

BE IT REMEMBERED that J. M. Palmer Attorney for the Commonwealth for

in the County of Rockingham Court of the County of Rockingham

City or County of Fairfax Commonwealth of Virginia

To-wit:

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

Commonwealth of Virginia

vs. } **MISDEMEANOR**

Robert Joseph

Information for Violation Prohibition Law.

Witnesses:

W. T. Rexrode

Guilty 1 mo + \$0.00

Filed 1935

Clerk.

By D. C.

Commonwealth of Virginia—City, County of, *Rockingham* to-wit:

To the Prohibition Inspectors, Sheriffs, Sergeants, and all Police Officers and Constables of the State of Virginia
—Greeting:

WHEREAS *W. T. Rexrode* of the said City County
has this day made complaint and information on oath before me, *B. C. Patter J. P.*
Name of Magistrate Title

of the said City/County that he verily believes, that in the said City/County and State:

(a) That Ardent Spirits are being unlawfully manufactured, sold, kept, stored, possessed, held, used and concealed in a certain *Dwelling House, Out buildings & premises*
Here describe the place, house, room or boat, as the case may be

by one *Robert Joseph & wife*
Give name, if name unknown, say, "Whose name is to the informant unknown"

(b) A still, still cap, worm, tubs, fermenters and other appliances connected with such still and used, and mash and other substances, capable of being used, in the manufacture of Ardent Spirits, are unlawfully in the possession of, and unlawfully used by one *Robert Joseph & wife*
Give name, if name unknown, say, "Whose name is to the informant unknown"

in a certain *Dwelling house, out buildings & premises*
Here describe place as in (a) above

(c) Ardent Spirits are being unlawfully kept, held, stored, concealed, used, sold, and unlawfully transported in certain baggage or a certain vehicle, to-wit: a certain
Here describe vehicle, auto, wagon, carriage, buggy, boat, baggage or what not

by one
Here give name, or describe as in (a) above

And there being reasonable cause for such belief:

THESE ARE, THEREFORE, IN THE NAME OF THE COMMONWEALTH OF VIRGINIA, to command you, with all necessary and proper speed and assistance, to search the house, place, baggage, boat or vehicle herein designated, either in day or night, and seize such ardent spirits and their containers and other things apparently possessed or used in violation of law, and bring the same and the person or persons, in whose possession they are found, and also any person resisting, impeding, obstructing, or in any manner hindering or delaying you in the execution of this warrant before me, or some other officer having jurisdiction of the case, to be disposed of and dealt with according to law; and make return of this warrant showing all acts and things done thereunder, with a particular statement and sufficient description of the things seized and the name of the person in whose possession found, if any, and if not found in the possession of any one, so state in your return, and post a true copy of this warrant and the return thereof, as required by law.

Given under my hand and seal this *8th* day of *February* 193*3*

B. C. Patter (SEAL)
J. P.
Title of Magistrate

DIRECTIONS

1. If only Ardent Spirits and containers be seized the Magistrate shall fix a time not less than 10 nor more than 30 days from the date of return for the hearing of said return. If no claimant appear, the Ardent Spirits and articles are to be forfeited to Commonwealth. Any person claiming any of same must file a **written claim** stating particularly the character and extent of his interest therein, whereupon the Magistrate shall certify the warrant, **written claim** and articles claimed, to the Circuit or Corporation Court, as the case may be, for determination, and declare the unclaimed articles forfeited.
2. If still, still cap, worm, tubs, heater, fermenters, or any appliance connected with a still and used, or mash or other substance capable of being used, in the manufacture of Ardent Spirits, be seized, the mash (after taking sample) shall be destroyed, and the facts and articles seized reported to the prohibition Commissioner and Commonwealth's Attorney. (A copy of this warrant and proper return will be a sufficient notice and report.) Ardent Spirits and containers disposed of as in No. 1 above.
3. If Ardent Spirits are being transported in an automobile, boat, wagon, buggy, or other vehicle, the Ardent Spirits and containers shall be preserved and the vehicle shall be delivered to the Sergeant of the City, the facts reported to the Prohibition Commissioner and Commonwealth's Attorney and Ardent Spirits and containers disposed of as provided in No. 1 above. (A copy of this warrant and proper return will be sufficient report.)
4. A copy of this warrant and the return thereon must be posted at the front door of the house, or on the door of the room, or on the premises at the place the Ardent Spirits may be found.

See Sections 21½, 22, 23, 23½, 57 and 57½, Acts of Assembly, 1918, Page 578.

WARRANT TO SEARCH FOR ARDENT SPIRITS, ETC.

Commonwealth of Virginia

vs. *Robert Joseph*

Executed the within warrant this *8th* day of *Feb'y*, 19*33*, by searching the within stated *Premises*
Here state house, room, place

and by seizing the following described Ardent Spirits and other things therein found (and arresting the above named person found in possession thereof) and by posting a true copy of this warrant and the return hereon on the _____
Here say place, house, room, boat,

auto or Baggage, or as case may be _____
as front door of house, door of room or premises

Description of Ardent Spirits and others things seized

1 complete 15-gallon copper still.

Given under my hand this *8th* day of

Feb'y 19*33*
H. G. Reswade,
State Prob Inspector.
Title

The following named officers and persons assisted me in the execution of this warrant:

G. C. Harrison.
St. W. Fletcher.

Other than above stated the following are witnesses:

This matter set for hearing on the _____ day of _____, 193_____

No claim of ownership or interest in any of the said things seized having been filed herein in compliance with the law, the same are hereby adjudged and declared confiscated and forfeited to the Commonwealth.

Given under my hand this _____ day of _____, 193_____

Title of Magistrate

Written claim of ownership or interest having been filed to certain of the said things herein seized, this warrant, the said claim and the things in the claim particularly described, are hereby certified

to the _____ Court of this _____ for determination, and the said things unclaimed are hereby adjudged and declared confiscated and forfeited to the Commonwealth.

Given under my hand this _____ day of _____, 193_____

Title of Magistrate

NOTE.—Unless warrant issued for Ardent Spirits being transported in vehicle, boat, or baggage, it is to be returned to the jurisdiction from which issued. If issued for Ardent Spirits so transported, it can be executed in any part of the State, and returned to any justice in any county or city through which they are carried.

Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 8 day of February, 1933
Robert Joseph, principal and Nellie M Payne
surety, who justified to his sufficiency, came before me, Stephens L Dewier
Bail Commissioner, of the said County of Rockingham,
(J. P. or Bail Commissioner)
and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of
Two Hundred Fifty Dollars, (\$ 250.00),
to be levied of their respective goods and chattels, lands and tenements, for the use of the Common-
wealth of Virginia rendered, and they each severally waved their homestead exemption to their re-
cognizance; yet upon this condition:

That if the said Robert Joseph shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 1st day of the
February 1933 Term thereof, being the 20th day of February,
1933, and at such other 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 connection with
the said charge, and then and there answer the Commonwealth of Virginia concerning a certain
misdemeanor whereof the said Robert Joseph stands
charged, and be bound under said recognizance until the charge is finally disposed of or until it is
declared void by order of a competent court, then the above recognizance shall be null and void; other-
wise to remain in full force and effect.

IN WITNESS WHEREOF, I hereunto affix my signature this 8th day of
February, 1933.
Stephens L Dewier
(BAIL COMMISSIONER)

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Com Fee $\frac{50}{150}$

Information APR 1933 #1115

COMMONWEALTH

v.) Misdr. (Pro.)

ROBERT JOSEPH

\$ 100 + 50.00

4/15/33



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