

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 said County of Rockingham, and now attending said court at its June term, 1931, upon their oaths do present that Walter Boyers, within one year next prior to the **finding** of this indictment, in said County, did unlawfully have in his possession about **one gallon** of ardent spirits (moonshine liquor), against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of S. C. Heltzel and W. T. Rexrode, witnesses sworn in court and sent before the grand jury to give evidence.

✓
POSSESSION OF A. S.

COMMONWEALTH

V

WALTER BOYERS

MISDEMEANOR

A True Bill

J. C. Bradford
Foreman

D. W. Earnan,
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, ss-4111

In the Circuit Court of said County:
The Jurors of the Commonwealth of Virginia, in and for the County of said County of Rockingham, and now attending said court at its June term, 1911, upon their oaths do present this indictment, in said County, did unlawfully have in his possession about one gallon of ardent spirits (moonshine of this indictment, in said County, did unlawfully have in that Walter Boyers, within one year next prior to the finding said court at its June term, 1911, upon their oaths do present

of Virginia.
This indictment is found on the testimony of S. C. Helixel and W. T. Herxode, witnesses sworn in court and sent before the Grand Jury to give evidence.

Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 6 day of June, 1931,
Walter Boyers, principal and W H Keagle
surety, who justified to his sufficiency, came before me, J M Luce
Justice of the Peace
(J. P. or Bail Commissioner), of the said County of Rockingham,
and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of
Five Hundred Dollars, (\$5.00),
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 Walter Boyers shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 15 day of the
June Term thereof, being the 15 day of June,
1931, 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
Misdad whereof the said Walter Boyers 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 6 day of June
1931.

J. M. Luce J.P.
(J. P. or BAIL COMMISSIONER)

Commonwealth of Virginia
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 10 day of January, 1931,
Walter Rogers, principal and W. H. Keefe
J. M. Turner, surety, who justified to his satisfaction, came before me,
Justice of the Peace, of the said County of Rockingham,

and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of
Three hundred Dollars (\$300.00).

to be levied of their respective goods and chattels, lands and tenements, for the use of the Common-
wealth of Virginia tendered, and they each severally waived their homestead exemption to their re-
cognizance; yet upon this condition:

That if the said Walter Rogers shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 15 day of the

June Term thereof, being the 15 day of June,
1931, 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
Walter Rogers whereof the said Walter Rogers 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 10 day of June,
1931.

J. M. Turner
(J. P. or Bail Commissioner)

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 *H. J. Rexrode, State Prob. Inspector* of the said *Rockingham* County has this day made complaint and information on oath before me, *J. M. Deener, J. P.* Name of Magistrate Title of the said *Rockingham* County that he verily believes, that in the said *Rockingham* 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 *Walter. Boyers* 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 *Walter. Boyers* 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 *6* day of *June* 192*3*

J. M. Deener J. P. (SEAL)
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 a 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 a 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 21 1-2, 22, 23, 23 1-2, 57 and 57 1-2, Acts of Assembly, 1918, Page 578.

WARRANT TO SEARCH FOR ARDENT SPIRITS, ETC.

Commonwealth of Virginia

vs. *Chatter. Boyers*

Executed the within warrant this 6 day of June 1921, by searching the within stated Premises

Here state house, room, piece

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 other things seized

10 pints of Liqueur

Given under my hand this 6 day of

June 1921

W. T. Reynolds

State Prob. Inspector Title

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

J. L. Writing
G. W. Harrison
S. G. Holtzell
J. T. Long

Other than above stated the following are witnesses:

This matter set for hearing on the _____ day of _____, 192_____.

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 _____, 192_____.

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 _____, 192_____.

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.

Study cost

Arrest \$10.00
Incar. Mts 3.00
Court fees .50
\$13.50

June Term 1931

#884

COMMONWEALTH

VS. Misd. (Pro.)

WALTER BOYERS

July 17th

Receipts

mit sps 5.05
.50
1.25
.60

7.40



31 60