

Court and sent before the Grand Jury to give evidence.

Wm. Richard Jones *John C. Johnson* *G. B. Johnson*

witnesses sworn in

Robert Johnson

This indictment is found on the testimony of

home, against the peace and dignity of the Commonwealth of Virginia.
sell and give away intoxicating liquor at a place other than his
finding of this indictment, in said County, did unlawfully store,
WALTER HERBERT, that S. R. ANDES, within one year next prior to the

AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO
and dignity of the Commonwealth of Virginia.

urgent spirits at a place other than his home, against the peace
next prior to the finding of this indictment, did unlawfully store
WALTER HERBERT, that S. R. ANDES, in said County, within one year

AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO
of Virginia.

alcohol by volume, against the peace and dignity of the Commonwealth

December term, 1919.
Mapp law.

COMMONWEALTH
vs. S. R. ANDES
Indictment.

For a Misdemeanor.

A TRUE BILL

J. L. Hopkins
Foreman.

We the Jurors
find defendant
S. R. Anderson
not guilty
L. H. Miller

Harry M. Strickler
Commonwealth's Attorney.
Hawman

In the Circuit Court of said County;
County of Rockingham, and now attending the Circuit

COMMONWEALTH OF VIRGINIA.
COUNTY OF ROCKINGHAM ED-VII.

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 December term, 1919, UPON THEIR OATHS PRESENT, that S.R.ANDES, within one year next prior to the finding of this indictment, in said County, did unlawfully manufacture, sell, offer, keep, store and expose for sale, give away, transport, dispense, solicit, advertise and receive orders for ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO FURTHER PRESENT, that S.R.ANDES, within one year next prior to the finding of this indictment, in said County, did unlawfully sell and give away intoxicating cider containing more than one per centum of alcohol by volume, against the peace and dignity of the Commonwealth of Virginia.

AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO FURTHER PRESENT, that S.R.ANDES, in said County, within one year next prior to the finding of this indictment, did unlawfully store ardent spirits at a place other than his home, against the peace and dignity of the Commonwealth of Virginia.

AND THE JURORS AFORESAID, UPON THEIR OATHS AFORESAID, DO FURTHER PRESENT, that S.R.ANDES, within one year next prior to the finding of this indictment, in said County, did unlawfully store, sell and give away intoxicating cider at a place other than his home, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of Ashby Parsons,
W. S. Billard, James C. Johnson, C. P. Hawley. witnesses sworn in
Court and sent before the Grand Jury to give evidence.

Can.

v

Andes

Instructions asked

for Defense

#

S-3.40-3.52 1/2

H-3.52 1/2 - H-01-8%

Q-4.001 - 4-16

S-4.17 -

S-3.40 -

The Court instructs the jury that the word "Home" as used in the law here to be applied, means the permanent residence or abiding place of the accused, and if the jury believes from the evidence that the order alleged to have been sold to Kanton by accused, was not sold but was given to the said Kanton by the accused in the home of the said accused, then the jury must find the said accused not guilty.

2-3-40

The Court instructs the jury that the word "Home" as used in the law here to be applied, means the permanent residence or abiding place of the accused, and if the jury believes from the evidence that the cider alleged to have been sold to Runion by accused, was not sold but was given to the said Runion by the accused in the home of the said accused, then the jury must find the said accused not guilty.

2-4-40 - 1114
0-4-40 - 1070
11-3-25 - 401-4
2-3-40 - 3-25/5

for papers
also see
2-3-40
Case

The court instructs the jury that if they believe from the evidence that the accused had in his home the cider as alleged in the indictment, yet if they further believe that said cider was simply stored by the accused in his home for the private use of the said accused then the jury must acquit the accused.

The Court instructs the jury that if they believe from the evidence in this case that the accused gave to Andy Hamilton a drink containing more than 1 per cent alcohol, yet if they further believe that the same was given by the said accused to the said Hamilton at the home of accused, then they must find the accused not guilty.

The Court instructs the jury that if they believe from the evidence in this case that the accused gave to Ashby Runion cider containing more than 1 per cent alcohol, yet if they further believe that the same was given by the said accused to the said Runion at the home of accused, then they must find the accused not guilty.

COMMONWEALTH

ads

S. R. ANDES



20-4446