

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 August term, 1930, upon their oaths do present that Jacob Moubray, on July 26, 1930, in said county, did unlawfully have in his possession thirty bottles of (home brew) ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

J. L. Dierking This indictment is found on the testimony of W. T. Rexrode, witness sworn in Court and sent before the grand jury to give evidence.

Poss

Com

v) Indictment

Jacob Moubray

Misdemeanor

August term, 1930.

A True Bill:

Wm. T. Brown
Foreman

Apr 16

D. W. Eaman
Commonwealth's Attorney

In the Circuit Court of said County:
COUNTY OF ROCKINGHAM, Va-411:
COMMONWEALTH OF VIRGINIA,

Reverly

ence.

Commonwealth of Virginia—^{burg}City, County, ^{Roanoke} to-wit:

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

WHEREAS Ed Lawson of the said ^{City}County

has this day made complaint and information on oath before me, W. H. Bruce, 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 Dewey House & Distillery (Here describe the place, house, room or boat, as the case may be)

by one Jake Monbray (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 _____ (Give name; if name unknown, say, "Whose name is to the informant unknown")

in a certain _____ (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 21 day of July 1922

W. H. Bruce (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 Director 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 Director 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. Jake Moubrey

Executed the within warrant this 26 day of July, 1920, by searching the within stated Home Brew

(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 place of Jake Moubrey auto or baggage, or as case may be)

(Here say place, house, room, boat,

as front door of house, door of room or premises)

Description of Ardent Spirits and other things seized 24 Bottles of Home Brew

G. A. Lawson J. E. Birdling

Given under my hand this day of

1920

Title

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

Other than above stated the following are witnesses:

This matter set for hearing on the day of 1920

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 1920

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 1920

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 were carried.

Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 26 day of July, 1930,
Jake Moubrey, principal and Arthur Lee
surety, who justified to his sufficiency, came before me L. H. Bruce
Jacob S. The Year, 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
Five Hundred Dollars, (\$ _____),

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 waived their homestead exemption to their re-
cognizance; yet upon this condition:

That if the said Jake Moubrey shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 1st day of the
Oct Term thereof, being the 20 day of Oct,
1930, 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
Mrs whereof the said Jake Moubrey 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 26 day of July,
1930.

L. H. Bruce
(J. P. or BAIL COMMISSIONER)

Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the _____ day of _____, 18__
_____ principal and _____
_____ who testified to his authenticity, came before me
_____ of the said County of Rockingham,
and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of _____ Dollars, to-wit:

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 waived their homestead exemption to their re-
cognizance; yet upon this condition:

That if the said _____ shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the _____ day of _____
Term thereof, being the _____ day of _____

18__ 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 relation with
the said charge, and then and there answer the Commonwealth of Virginia concerning certain
whereof the said _____ 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 _____ day of _____, 18__

_____ (J. P. or Bail Commissioner)

com
to
John M. Moberly

#758

AUG 1930

COMMONWEALTH

VS.) Misdr. (Pro.)

JACOB MOUBRAY

Sheriff Cost
 Arrest 10.00
 Surety Witness 3.00
 Amatto \$ 13.00

Com atty - 25.00
 Clarke - 6.75
 Sheriff - 13.00
 Wit - 4.50

49.25
50.00
 \$ 99.25

5.00
 1.25
 1.50

 1.87
 2.25
 50
4.50

