

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 April term, 1930, upon their oaths do present that Thomas Davis, within one year next prior to the finding of said indictment, in said county, did unlawfully receive and have in his possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of ~~W. H.~~ Fletcher, Captain Dinges, and W. T. Rexrode, witnesses sworn in Court and sent before the grand jury to give evidence.

Poss ✓

Com

v) Indictment

Thomas Davis

Misdemeanor

April term, 1930

A True Bill:

J. H. Leath
Foreman

22-19
661141 + 525

D. W. Earman
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, ss-wjff:

In the Circuit Court of said County:

The Jurors of the Commonwealth of Virginia in and for

County of said county, do hereby certify that Thomas Davis, within one year next before the term of said county, did unlawfully receive and have in his possession and control a certain quantity of opium, to-wit: one ounce, more or less, within the County of said county, to-wit: Rockingham County, Virginia, against the peace and good government of the Commonwealth of Virginia.

This indictment is found on the testimony of ~~the~~ witnesses sworn in

and sent before the Grand Jury to give evidence.

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.H. Fletcher* of the said *Rockingham* County

has this day made complaint and information on oath before me, *W.H. Bruce*, Name of Magistrate, *J.P.* 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 *Newbury House & Out Buildings* Here describe the place, house, room or boat, as the case may be by one *Tom. Haves* 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 posed 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 *19th* day of *Apr* 192*3*

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 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.

Tom Davis

Executed the within warrant this 19th day of April 1923 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 other things

seized 2 1/2 bottles Home Brew.

Given under my hand this 19th day of

April 1923.

H. T. Reswold State Prob Inspector 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 1923.

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 1923.

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 1923.

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 14 day of Apr- 1930,
Mrs. Doris + Tom Bayher
came before me W. H. Bruce

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
Five in the sum of _____ Dollars,

good and lawful money of the United States, ~~and the said~~
~~in the sum of _____ 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
Mrs. Doris shall make default in the performance of the conditions underwritten.

The condition of the above recognizance is such that if the above bound Mrs. Doris
do and shall personally appear before the Circuit Court of Rockingham on the 1st day of the April Term next thereof, being the 21 day of Apr- 1930, at the Court-house thereof, and then and there answer the Commonwealth of Virginia concerning a certain Mrs whereof the said Mrs. Doris 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.

W. H. Bruce J.P.

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

That I, *John Davis*, do hereby certify that on the *10th* day of *April* 18*52* the said *John Davis* came before me

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 *John Davis* in the sum of

Dollars

and lawful money of the United States, and the said *John Davis* Dollars of like good and lawful money, to be *John Davis* and lord of their several goods and chattels, lands and tenements, and they *John Davis* the benefit of their Homestead Exemption as to this obligation, and also waived any *John Davis* claim or right to discharge any liability to the Commonwealth arising under this recognizance with *John Davis* common fund from the bonds of this State, to the use of the Commonwealth of Virginia if the said *John Davis* shall make default in the performance of the

John Davis
John Davis

condition underwritten. The condition of the above recognizance is such that if the above bound *John Davis*

do and shall personally appear before the Court

at the Court-house thereof, *John Davis* day of *April* 18*52*

and then and there answer the Commonwealth of Virginia concerning a certain *John Davis*

whereof the said *John Davis* stands charged, and shall not

depart therefrom 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.

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

John Davis

Sheriff Cost
Arrest \$10.00
Summons Papers 1.50
Com. fee .50
April 22 30 \$12.00

APR 1930

#723

COMMONWEALTH

VS.) Misdemeanor (Pro.)

THOMAS DAVIS

Trid -
60 days + fine \$50.00
S.W. - Buss

