

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

The grand jurors in and for the body of said County of Rockingham, and now attending said Court at its October term, 1923, upon their oaths do present that L. F. Lam within one year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully and feloniously manufacture, sell, offer, keep, store and expose for sale, give away, transport, dispense, solicit, advertise and receive orders for ardent spirits, and then and there the said L. F. Lam committed the second offense against the Prohibition Laws of the Commonwealth of Virginia in that the said L.F.Lam was convicted for unlawful transportation of ardent spirits on the 24th day of June, 1922, in the Circuit Court of Rockingham County, Virginia, and then and there was sentenced to pay a fine of Seventy-five Dollars and to serve for a period of six months in jail, against the peace and dignity of the Commonwealth of Virginia.

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

*[Faint handwritten notes at the bottom of the page, including "J. L. Dirting" and "W. T. Rexrode"]*

We the jury find the accused Guilty &  
have not guilty -  
E. J. Dyck, Foreman

In Court and sent before the Grand Jury to Give evidence.

J. L. Dittler, W. T. Rexrode, and E. J. Dillard, witnesses sworn  
This indictment is found on the testimony of  
wealth of Virginia.

Viol. Pro. Act.

COMMONWEALTH

v.

L. F. LAM

A FELONY

A TRUE BILL

G. B. Eastman

FOREMAN

D. W. EARMAN  
COMMONWEALTH'S ATTORNEY.

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

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

WHEREAS, *J. D. [unclear] State Inspector* of the said County *Rockingham* (Here insert name of affiant or affiants)

has this day made complaint and information on oath before me, *F. J. Argenbright J. P.* Name of Magistrate. Title.

of the said County *Rockingham* that he verily believes for the reasons hereinafter stated in the said County *Rockingham* and State:

(a) Ardent spirits are being unlawfully manufactured, sold, kept, stored, possessed, held, used, and concealed, in a certain *dwelling house and outbuildings & fool room.* (Here insert description of the place, house, room, or boat, as the case may be) by one *Lawrence Lamb, located in Elkton.* (Give name, or say, "Whose name is to the informant unknown")

(b) A still, still cap, worm, tubs, fermenters and other appliances 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 *Lawrence Lamb, located in Elkton.* (Give name, or say, "Whose name is to the informant unknown") in a certain *dwelling house and outbuildings & fool room.* (Here describe the place, house, room or boat, as the case may be)

(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, motor boat, package or baggage, or what not) by one \_\_\_\_\_ (Give name, or say, "Whose name is to the informant unknown")

And there being reasonable and probable cause for such belief, on account of the following facts stated by the affiant and others, to-wit: that *informed unknown.*

This is to certify that I have this day issued a search warrant to search the said *dwelling house* (Here say place house, room, boat, *& outbuildings* auto or baggage, or as the case may be)

for the said *still and ardent spirits.* (Here state what is to be searched for as, "Ardent Spirits," still, still cap, mash or what not)

Given under my hand this *21st* day of *July*, 192*3*.

*F. J. Argenbright*  
Justice of the Peace  
Title of Magistrate.

**AFFIDAVIT FOR A WARRANT TO SEARCH  
FOR ARDENT SPIRITS, ETC.**

Commonwealth of Virginia

vs.

*Lawrence Lamb*

Filed in the Clerk's Office of the .....  
Court of the ..... of ..... Va.  
County or City Name

Court of the .....  
Virginia, this ..... day of ..... 192.....

By ..... Clerk.  
D. C.

Commonwealth of Virginia - City of Richmond

State files set to

*[Handwritten signature]*

SEARCHED

*[Handwritten signature]*

*[Faint handwritten text, possibly a return or index number]*

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 J. D. Lambertz, a State Inspector of the said City County

has this day made complaint and information on oath before me, \_\_\_\_\_, \_\_\_\_\_  
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 and fool room  
(Here describe the place, house, room or boat, as the case may be)  
by one Lawrence Lamb, located in Elkton  
(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 Lawrence Lamb  
(Give name, if name unknown, say, "Whose name is to the information unknown")  
in a certain dwelling house & out buildings & fool room.  
(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 20 day of July 1923.

F. J. Arguebright (SEAL)  
Judge of the Peace  
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.

Laurence Lamb

Executed the within warrant this 21 day of July 1923, by searching the within stated

(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

1 Pint Bottle containing about 40 small brand bottles and 1 jar with contents and contents to the same and 1 jar with contents. These before L. H. Brame a Magistrate then waivered a hearing said Magistrate returned to admit them to Bail by presenting me to take charge of the H. W. Brame Bail comm.

Given under my hand this 21 day of

July 1923 Deputy Sheriff

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

J. L. Wirtling
B. S. Willoughby
C. W. Furbk
W. J. Bismore

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 were carried.

COMMONWEALTH

v.

L. F. LAM

Charge to the Jury.

If you find the accused, L. F. Lam, not guilty you will say so and no more.

If you find him guilty as charged in the indictment then you will say so and ascertain his punishment by confinement in the penitentiary for a period of not less than one nor more than five years, or, in your discretion, by confinement in jail for a period of not less than six months nor more than twelve months, and by a fine not exceeding Five Hundred Dollars.

*We the jury find this man  
L. F. Lam.*

*Not Guilty.*

*H. C. J. Dyche  
Foreman*

Viol. Pro. Act.

COMMONWEALTH

L. F. LAM

COMMONWEALTH

v.

L. F. LAM

Charge to the Jury.

Charge to the Jury.

If you find the accused, L. F. Lam, not guilty

You will say so and no more.

If you find him guilty as charged in the

by confinement in the penitentiary for a period of not less

than one nor more than five years, or, in your discretion,

by confinement in jail for a period of not less than six months

nor more than twelve months, and by a fine not exceeding five

Hundred Dollars.

*Handwritten note:* The Grand Jurors advised accused

*Handwritten note:* Not guilty.

*Handwritten note:* For record

D. W. Earman,  
Commonwealth's Attorney.



INSTRUCTION NO. \_\_\_\_\_.

The Court instructs the jury that if they believe from the evidence that ardent spirits were found in the pool room occupied by the accused, L. F. Lam, that the finding of such ardent spirits is prima facie evidence of the unlawful selling, keeping, and storing for sale of the same.

*Handwritten mark*

INSTRUCTION NO. \_\_\_\_\_

The Court instructs the jury that if they believe from the evidence that certain prints were found in the pool room occupied by the accused, I. E. Lam, that the finding of such prints is prima facie evidence of the accused's presence, and standing for sale of the same.

**3**

**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

J. L. Diering, St. J. Resnode, + E. J. Willard.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock, a.m., on the 15<sup>th</sup> day of Oct- 1923 to testify and the truth to say in behalf of the Commonwealth before the Grand Jury

vs.  
L. F. Lam.

And this they shall not omit under the penalty of £100. And have then and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the 9<sup>th</sup> day of Oct-, 1923, and in the 14<sup>th</sup> year of the Commonwealth.

J. F. Blackburn, Clerk.

Cour.  
NA.  
L. F. Lane.

Exents on all of the within named  
Person Oct 11 - 1923  
W. J. Ireland S.R.C.

5

150  
SHERIFF FEE

**In the Name of the Commonwealth of Virginia:**

**To the Sheriff of Rockingham County, Greeting:**

*You are hereby commanded to summon*

*C. D. Fulk, W. T. Rexroad,  
J. L. Dinting, E. J. Dillard*

*to appear before the Judge of the Circuit Court of Rockingham County, at the Court  
House thereof, at 10 o'clock, a. m., on the 14 day of Nov. 1923,  
to testify and the truth to say in behalf of the Commonwealth against*

*L. F. Ladd*

*who stands charged with and indicted for a felony misdemeanor.*

*And this they shall not omit under the penalty of £100. And have then  
and there this Writ.*

*Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the  
5 day of Nov., 1923, and in the 14.8th year of the Commonwealth.*

*J. F. Blackburn, Clerk.*

Commonwealth

v

L. F. Law

Exhibit A of the within  
November 8 - 1923  
WTS item 502

Shirley Lee 200

Nov. 15, 1923.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*J. L. Disting, W. J. Rehrade, E. J. Willard & C. D. Fulp*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at 10 o'clock, a. m., on the *18* day of *Dec.* 19*23* to testify and the truth to say in behalf of the Commonwealth against

*L. F. Lam*

who stands charged with and indicted for a felony misdemeanor.

And this *they* shall not omit under the penalty of £100. And have then and there this Writ.

Witness, J. F. BLACKBURN, Clerk of our said Court, at the Court House, the *12* day of *Dec.*, 19*23*, and in the 14*8*th year of the Commonwealth.

*J. F. Blackburn*, Clerk.

Executed as to all of the within  
Named Dec 15 1923  
W L Dillard seal

Com.

L. F. Lam

SHERRIFF FEE

2.00



Decerville Town 1923  
Lawrence Larr

ads Indictment for a Felony

Commonwealth

S. R. Bowman  
Joe E. Swank  
S. A. White  
J. S. Sharper  
S. J. Flook  
J. B. Brown  
D. O. Flook  
J. W. Myers  
W. M. Brown  
B. F. Zinkle  
L. J. Myche  
R. A. Rhodes  
+

### Sheriff Fees

Search warrant	100
Arrest	150
Prison Fee	1000
Venue made	500
Grand Jury	150
File Set for name	200
File Case for Dec	200
Cost Fee 200	\$23.00

Verdict not guilty.



20-4446