

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, 1928, upon their oaths do present that W. A. Morris, who was heretofore on the 15th day of March, 1926, convicted of violating the Prohibition laws of the Commonwealth of Virginia, in the Circuit Court of said Rockingham County, and who then and there was sentenced to pay a fine of one hundred dollars and serve for a period of eight months in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously have in his possession a still, still cap, worm, tub, fermenter, and other appliances connected with and used in the operation of a still, without having the same registered as required by law, and eleven and one-half gallons of ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. T. Rexrode ✓ and G. A. Lawson, ✓ witnesses sworn in Court and sent before the grand jury to give evidence.



Pro-2nd-still, etc.

Commonwealth

v) Indictment

W. A. Morris

Felony

October term, 1928

A True Bill:

*L. Ed. Mann* FOREMAN

*W. A. Morris*

D. W. Earman  
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, Jo-wit:

In the Circuit Court of said County:

The Grand Jurors in and for the body of said county of Rock-

ingham and now attending said Court at its October term, 1928, upon

their the do present

of the Commonwealth of Virginia, in the Circuit Court of said

County of Rockingham, and do hereby certify that the following

indictment, in the said county of Rockingham, unlawfully and felon-

ously have in his possession a still, still cap, worm, and

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Commonwealth of Virginia—City, County of, *Petersburg* to-wit:

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

WHEREAS *W. J. Reynolds Prohibition Inspector* of the said ~~City~~ County has this day made complaint and information on oath before me, *A. H. Nugent*, *J.P.* 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 *Dwellinghouse and Out buildings Occupied* by one *W. A. Morris*

(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 *W. A. Morris*

in a certain *Dwellinghouse and Out buildings*

(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 \_\_\_\_\_ by one \_\_\_\_\_

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 *3<sup>rd</sup>* day of *October* 192*8*

*A. H. Nugent* (SEAL)  
Justice 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. *H. A. Morris*

Executed the within warrant this *4<sup>th</sup>* day of *Oct*, 192*8*, 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

*1 - 7 1/2 gallon Copper Still*  
*1 Hopper cap*  
*1 " Horn*  
*1 1/2 gallons of liquor*  
*30 " Binder*  
*1 - 50 gallon Barrel*  
*2 - 5 " Kegs*  
*1 flake stand*  
*1 Steel furnace*

Given under my hand this *4<sup>th</sup>* day of *Oct*, 192*8*

*H. T. Bessinger*  
 Stat. Inspector Title

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

*G. A. Harrison*

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.



Commonwealth of Virginia,  
Rockingham County, to-wit:

Be it remembered that on the 4<sup>th</sup> day of October,  
1928, W. A. Morris and M. C. Morris  
came before me, Harry M. Strickler, bail commissioner 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 W. A.  
Morris in the sum of One Thousand  
dollars, and the said M. C. Morris in the sum of One  
Thousand dollars, good and lawful money of the  
United States, to be respectively made and levied of their goods  
and chattels, lands and tenements, and they severally waive the  
benefit of their Homestead Exemption as to this obligation, to the  
use of the Commonwealth of Virginia, if the said W. A.  
Morris shall make default in the performance of the  
condition underwritten.

The condition of the above recognizance is such that if the  
above bound W. A. Morris do and shall personally appear  
before the Circuit Court of the said County on the first day of  
the next term thereof which is on the 15th day of October, 1928,  
at the Court House thereof, and then and there answer the Common-  
wealth for and concerning a certain Mis demeanor  
by him committed, wherewith he stands charged, or to any 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 not depart  
thence without leave of said Court, and be bound under this re-  
cognizance until said charge is finally disposed of or until it is  
declared void by order of a competent Court, then this recognizance  
shall be null and void, otherwise shall remain in full force and  
virtue.

Harry M. Strickler  
Bail Commissioner.



Commonwealth of Virginia  
Rockingham County, ss:

Be it remembered that on the 14th day of October, 1928, W. A. Morris and M. G. Morris, both commissioners of the said County of Rockingham, and severally and respectively acknowledged themselves to be indebted to the Commonwealth of Virginia, in

the sum of Five Thousand Dollars in the sum of Five Thousand Dollars, good and lawful money of the United States, to be respectively made and levied of their goods and chattels, lands and tenements, and they severally with the benefit of their Homestead Exemption as to this obligation, to the use of the Commonwealth of Virginia, if the said W. A. Morris shall make default in the performance of the

condition aforesaid. The condition of the above recognizance is such that if the above bound W. A. Morris do and shall personally appear before the Circuit Court of the said County on the first day of the next term thereof which is on the 15th day of October, 1928, at the Court House thereof, and then and there answer the Common-wealth for and concerning a certain Five Thousand Dollars by him contracted, whosoever he stands charged, or to any time or time to which the proceedings may be continued or further held, and before any court or judge, justice, hearing or holding any proceedings in connection with the said charge, and not before

any other court or judge, justice, hearing or holding any proceedings until such charge is finally disposed of or until it is declared void by order of a competent court, then this recognizance shall be null and void, otherwise shall remain in full force and

Harry M. Strickler  
Said Commissioner.

*W. A. Morris*  
*Paul*

HARRY M. STRICKLER  
ATTORNEY AT LAW  
ROCKINGHAM, VA.

*Com* vs. *W. A. Morris*

To The Sheriff of Rockingham County, Dr.

To *Sumner* executed on

No. \_\_\_\_\_

Atty. \_\_\_\_\_

Date \_\_\_\_\_

To Pay \_\_\_\_\_

Received payment,

\$ \_\_\_\_\_

S. R. C.

\$2<sup>00</sup> Minis  
\$5<sup>00</sup> Mc Carthy

To The Sheriff of Rockingham County, N.C.

No. \_\_\_\_\_  
Date \_\_\_\_\_  
To Pay \_\_\_\_\_

S. R. C.



#545

COMMONWEALTH

VS

Felony (Pro.)

W. A. MORRIS

*Plea N.G.*

*Nov. 14<sup>th</sup> 1928*



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