

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 said Court at its October term, 1930, upon their oaths present that Sheffey Myers, within one year next prior to the finding of this indictment, in said county, did unlawfully have in his possession eleven gallons of ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

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

Poss

Commonwealth

v) Indictment

Sheffey Myers

Misdemeanor

October term, 1930

A True Bill:

W. S. Armentrout
Foreman

D. W. Earman
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

evidence.

nesses sworn in Court and sent before the Grand Jury to give
Dittie, W. H. Thurper, G. A. Lawson, and W. T. Hexrode, wit-

This indictment is found on the testimony of J. I.

Commonwealth of Virginia—City, County of,

to-wit:

Harrisonburg Va

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

WHEREAS *W T Reynolds State Prob Inspector* of the said City County

has this day made complaint and information on oath before me, *J. Grapes* 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 *dwellers house and out building 416 Kelley St Harrisonburg Va* Here describe the place, house, room or boat, as the case may be

by one *Shelley Myers* 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 *Shelley Myers* Give name, if name unknown, say "Whose name is to the informant unknown"

in a certain *dwellers house and out building 416 Kelley St Hbg Va* 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 *8th* day of *Sept* 19*30*

J. Grapes (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. *Sheffey, Myers*

Executed the within warrant this *8th* day of *Sept*, 192*0* 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

*9 gallons of liquor
37 bottles Home Brew
3-10 gallon kegs
1 lot of empty bottles
1 bottle cap for*

Given under my hand this *8th* day of

Sept, 192*0*
W. D. Rexrode
State Prot Inspector

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

*J. H. Wirtling
Ch. E. Chamber
G. A. Larson*

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 8 day of Sept, 1930,
Shepper Myers, principal and Harry A. Warner
surety, who justified to his sufficiency, came before me, S. Dewar
Bail Commissioner, 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, (\$ 500.00),
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 Shepper Myers shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 1st day of the
Oct 1930 Term thereof, being the 10 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
misdemeanor whereof the said Shepper Myers 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 8 day of Sept, 1930.

S. Dewar
(J. P. or BAIL COMMISSIONER)

CLERK OF THE DISTRICT COURT

In testimony whereof, I have hereunto set my hand and seal this _____ day of _____ 19____

Witness my hand and seal at _____ this _____ day of _____ 19____

Shelley Myers
\$500.00
1st Day
Oct. 1930

and _____ of the said County of _____

BE IT REMEMBERED that on the _____ day of _____ 19____

Rockingham County, Va.
Commonwealth of Virginia

799

OCT 1930

<u>Sheffy Cost</u>	
arrest	10.00
Sum Witness	4.00
Com fee	.50
	<hr/>
	\$14.50

COMMONWEALTH

VS.) Misdr. (Pro.)

SHEFFEY MYERS

3 200

Oct 24



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