

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 February term, 1927, upon their oaths do present that Luther Payne, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully and feloniously manufacture distilled ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

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

Prohibition - Mfg.

Commonwealth

v) Indictment

Luther Payne

Felony

February term, 1927

A True Bill:

Jno. P. Burke  
Foreman

*Assigned*

D. W. Earman  
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, ss-wjt:

In the Circuit Court of said County:

The Grand Jury is and for the body of

of the Commonwealth of Virginia, indicted and returned against Luther Payne, defendant herein, for the crime of distilling and selling spirituous liquors, to-wit: the defendant, Luther Payne, in the County of Rockingham, Virginia, unlawfully, wilfully and feloniously manufactured, distilled and sold spirituous liquors, to-wit: the defendant, Luther Payne, in the County of Rockingham, Virginia, upon their oaths do present

This indictment is found on the testimony of the Grand Jury to give evidence.

*Luther Payne*  
*Jas L. Ray*

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

BE IT REMEMBERED that on the 8th day of February 1927,

Luther Payne and Jas L. Ray-

came before me J. W. Keiter

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

Luther Payne - - - - - in the sum of

One Thousand - - - - - Dollars

good and lawful money of the United States, and the said Jas L. Ray-

in the sum of One Thousand - - - - - 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

Luther Payne- shall make default in the performance of the

conditions underwritten.

The condition of the above recognizance is such that if the above bound

Luther Payne- do and shall personally appear before the Circuit

Court of Rockingham on the First day of the February - - - - - Term next

thereof, being the 21st day of February 1927, at the Court-house thereof,

and then and there answer the Commonwealth of Virginia concerning a certain Felony where-

of the said Luther Payne- 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.

J. W. Keiter, J. P.

Subscribed and acknowledged before me, the day and year first above written

*J. H. [Signature]*

of good character to remain in full force and virtue

depart thence without the leave of said Court, then the above recognizance shall be void and of no

of the said Luther Payne stands charged, and shall not

and then and there answer the Commonwealth of Virginia concerning a certain felony where

before, being the 11th day of February 1927 at the Court-house thereof,

County of Rockingham of the State of Virginia I have read

Luther Payne do and shall personally appear before the Circuit

The condition of the above recognizance is such that if the above bound

conditions underwritten

Luther Payne

shall make default in the performance of the

and shall be liable to the bonds of this State for the use of the Commonwealth of Virginia if the said

and shall be liable to the Commonwealth arising under this recognizance with

and shall be liable to the Commonwealth as to this obligation, and also advised and

to the sum of One thousand Dollars of like good and lawful money, to be

**COMMONWEALTH  
VS  
LUTHER PAYNE.  
RECOGNIZANCE.**

good and lawful money of the United States, and the said One thousand Dollars

in the sum of One thousand Dollars

delivered to the Commonwealth of Virginia, in manner and form following, that is to say: the said

of the said County of Rockingham, and severally and respectively acknowledged themselves to be the

same before me J. H. Keiser

Luther Payne and Joe J. Ray

be to the amount that on the 8th day of February 1927

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

E. B. Jack.

Arrest Warrant

COMMONWEALTH OF VIRGINIA, } TO WIT:  
ROCKINGHAM COUNTY,

To The Sheriff, a Constable of said County:

Whereas, J. L. Diting W.P. Capt of the said County, has this day made complaint and information on oath before me, H. J. Ayoubright a Justice of the said County, that J. R. Kavis

of the said County, on the 11<sup>th</sup> day of February 1927, in the said County, did Unlawfully have in possession one still and its appurtenances and was operating same in violation of the Prohibition laws of this Commonwealth.

These are therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend and bring before me, or some other Justice of the said County, the body of the said

to answer the said complaint and to be further dealt with according to law. And you are required to summon

to appear and give evidence in behalf of the Commonwealth, on the examination touching the said offence.

Given under my hand and seal this 12<sup>th</sup> day of February, in the year 1927  
H. J. Ayoubright J. P. (Seal)

Rockingham County, State of Virginia.  
The accused named in within warrant appeared before me and  
waived his preliminary hearing. He with good bonds and  
E. B. Poach were recognized in the sum of One thousand dollars  
\$1,000.00 for the personal appearance of J. R. Rains before the  
Circuit Court of this County on the first day of the next term,  
February 21st 1927 at 10 o'clock A.M. and not depart therefrom without  
leave of the Court.

Given under my hand this the 12<sup>th</sup> day of February 1927.  
H. J. Angerlight, J.P.

Commonwealth

vs.

Arrest Warrant

J. R. Rains

Executed the within warrant by arresting  
and delivering the body of

J. R. Rains

before H. J. Angerlight  
a Justice of Rockingham County, and by sum-  
moning the within named witnesses in person,

this 12 day of February 1927

E. W. Dove, J.P.C.

Constable of Rockingham County.

Arrest Warrant

COMMONWEALTH OF VIRGINIA, } TO WIT:  
ROCKINGHAM COUNTY,

To the Sheriff or any - - - -, a Constable of said County:

Whereas, W. T. Rexrode- Pro- Inspector- of the said County, has this day made complaint and information on oath before me, J. W. Keiter- a Justice of the said County,

that Luther Payne-  
of the said County, on the 7th day of February 1927, in the said County, did  
unlawfully manufacture Ardent Spirits in Violation of law-

These are therefore, in the name of the Commonwealth of Virginia, to command you forthwith to apprehend and bring before me, or some other Justice of the said County, the body of the said

Luther Payne-  
to answer the said complaint and to be further dealt with according to law. And you are required to summon B. H. Dofflemyer-

to appear and give evidence in behalf of the Commonwealth, on the examination touching the said offence.

Given under my hand and seal this 8th day of February, in the year 1927.

J. W. Keiter J. P. (Seal)

Commonwealth

February 8th 1927. At Dayton. Va.

VS  
Luther Payne.

Charged with a Felony.

The within case this day heard by me, J. W. Keiter a Justice of Rockingham County, and the Defendant found guilty as charged in the warrant, and recognized in the sum of One Thousand Dollars with Jas L. Ray as Surety for his appearance before the Circuit Court of Rockingham County on the First day of the February term

*J. W. Keiter J. P.*

Commonwealth

vs. } Arrest Warrant

*Luther Payne.*

Executed the within warrant by arresting  
and delivering the body of

*Luther Payne*

before *J. W. Keiter*  
a Justice of Rockingham County, and by sum-  
moning the within named witnesses in person,

this *8<sup>th</sup>* day of *Feb* 19*27*.

*H. T. Rexworth*

*Constable of Rockingham County.*

*State Inspector*

*justice fee \$ 3.00*



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

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

You are hereby commanded to summon.....

J. L. Dierling, W. J. Russell,  
Deputy Deffenyer & John Daul

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 25<sup>th</sup> day of Feb. 1927, to testify and the truth to say in behalf of the Commonwealth against.....

Luther Payne

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 23<sup>rd</sup> day of Feb., 1927, and in the 57<sup>th</sup> year of the Commonwealth.

J. F. Blackburn, Clerk.

Executed Feb. 24, 1927 by delivering a true Copy of the

within Summons to the within named witnesses

in person,

C. W. Dove, J. R. B.

Sub. 25, 1927

Shuffler 2.00

Father Payne

W. H.

In the Name of the Commonwealth of Virginia:

Carroll

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

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

*You are hereby commanded to summon*.....

*H. J. Russell & D. H. Dofflemeyer*

*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 21st day of Feb. 1927, to testify and the truth to say in behalf of the Commonwealth before the Grand Jury*

*Luther Payne*

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

*And this he 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 17 day of Feb., 1927, and in the 51th year of the Commonwealth.*

*J. F. Blackburn*, Clerk.

In the Name of the Commonwealth of Virginia

Executed Feb. 12, 1927 by delivering a true Copy of the  
within Summons to the within named witnesses  
\_\_\_\_\_ in person.

Cam.

Luther Payne

Sherriff fee \$1.00

C. W. Dove, S. R. C.

Feb. 21, 1927

Clerk.

Sheriff fee  
Capture of still 50.00  
Sum out 3.00  

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\$53.00

Pro. belong - Infq. #361-  
Commonwealth  
Feb. Term 1927  
vs.  
Luther Payne



20-4446