

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 April term, 1927, upon their oaths do present that Howard Criddle, Wm. Smith, and Myrtle Curry, within one year next prior to the finding of this indictment, in said county of Rockingham, did unlawfully manufacture, sell, offer, keep, store and expose for sale, give away, transport, dispense, solicit, advertise and receive orders for ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid, upon their oaths aforesaid, do further present that Howard Criddle, Wm. Smith, and Myrtle Curry, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully have in their possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid, upon their oaths aforesaid do further present that Howard Criddle, Wm. Smith, and Myrtle Curry, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully receive ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of Frank Newman, ~~J. B. Nalty~~, _____ Criddle, and _____ Smith, witnesses sworn in Court and sent before the grand jury to give evidence.

We the jury find the defendant William Smith
guilty as charged in the indictment and pay his punishment
at six months in jail and a fine of \$100.00 -

L. Rygers
Foreman

In the Circuit Court of said County:

The Grand Jurors in and for the body of said county

B. I.

Commonwealth

v) Indictment

Howard Criddle
William Smith
Myrtle Curry

Misdemeanor

April term, 1927

A True Bill:

B. R. Yancy,
Foreman

D. W. Earman
Commonwealth's Attorney

Virginia.

witnesses sworn in Court and sent before the Grand Jury to give
evidence.
This indictment is found on the testimony of Henry New-
man, Criddle, and Smith.

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 April term, 1927, upon their oaths do present that Howard Criddle, Wm. Smith, and Myrtle Curry, within one year next prior to the finding of this indictment, in said county of Rockingham, did unlawfully manufacture, sell, offer, keep, store and expose for sale, give away, transport, dispense, solicit, advertise and receive orders for ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid, upon their oaths aforesaid, do further present that Howard Criddle, Wm. Smith, and Myrtle Curry, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully have in their possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid, upon their oaths aforesaid do further present that Howard Criddle, Wm. Smith, and Myrtle Curry, within one year next prior to the finding of this indictment, in the said county of Rockingham, did unlawfully receive ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of Frank Newman, _____ Criddle, and _____ Smith, witnesses sworn in Court and sent before the grand jury to give evidence.

Copy into
J. J. Blackburn
Black

Copy

B. I.

Commonwealth

v) Indictment

Howard Criddle
William Smith
Myrtle Curry

Misdemeanor

April term, 1927

A True Bill:

R. L. Yancey,
Foreman.

D. W. Earman
Commonwealth's Attorney

Virginia.

sworn in Court and sent before the Grand Jury to give evidence.
Newman, _____ Criddle, and _____ Smith, witnesses
This indictment is found on the testimony of Frank

*Copy
for
Frank
Newman*

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 April term,
1927, upon their oaths do present that Howard Criddle, Wm. Smith,
and Myrtle Curry, within one year next prior to the finding of
this indictment, in said county of Rockingham, did unlawfully

COUNTY OF ROCKINGHAM, TO-WIT:
COMMONWEALTH OF VIRGINIA,

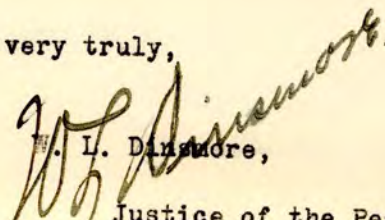
Port Republic, Va., March 10, 1927

Mr. J. Frank Blackburn,
Clerk Circuit Court,
Harrisonburg, Virginia.

Dear Mr. Blackburn:-

Enclosed herewith warrant, Commonwealth vs. Howard Criddle and Billy Smith which explains itself. In view of the complication in making the arrest of these men, Mr. Newman claims he is entitled to a double arrest fee in view of the fact that $6\frac{1}{2}$ gallons of liquor were captured in an automobile and more than one car was necessary in transporting these men to jail, besides, Mr. Newman was compelled to run the captured car to Harrisonburg. Please arrange to handle in connection with the next Grand Jury, and oblige.

Yours very truly,


W. L. Danmore,
Justice of the Peace.

Port Republic, Va., March 10, 1927

Mr. J. Frank Blackburn,
Clerk Circuit Court,
Harrisonburg, Virginia.

Dear Mr. Blackburn:-

~~Inclosed herewith are two copies of the report of the~~

and Billy Smith which explains itself. In view of the complication in making the
arrest of these men, Mr. Newman claims he is entitled to a double arrest fee in
view of the fact that 6 1/2 gallons of liquor were captured in an automobile and more
than one car was necessary in transporting these men to jail, besides, Mr. Newman
was compelled to run the captured car to Harrisonburg. Please arrange to handle
in connection with the next Grand Jury, and oblige.

Yours very truly,

[Handwritten Signature]
J. I. Danmore,

Justice of the Peace.

Know all men by these presents that we, J.E. Sheets and Howard C. Criddle are held and firmly bound to the Commonwealth of Virginia, in the sum of Five Hundred Dollars (\$500.00), to be paid to the said Commonwealth, its certain attorneys, executors, administrators, or assigns, for the true payment whereof we bind ourselves, our heirs, executors, administrators, firmly by these presents.

Sealed with our seals and dated this 4th day of March, in the year of 1927.

The condition of the above obligation is such that whereas the said Howard C. Criddle has been arrested upon a warrant, charging him with the violation of the prohibition law of Virginia, and whereas he has waived a preliminary hearing upon said warrant;

NOW, THEREFORE, if the said Howard C. Criddle shall well and truly appear before the Circuit Court of Rockingham County, on the first day of the next term thereof, to answer an indictment, if one be found against him, touching said offence, and do ~~not~~ not depart without leave of court, then this obligation to be null and void; otherwise to remain in full force and virtue.

J. E. Sheets (SEAL).
Howard C. Criddle (SEAL).

Know all men by these presents that we, *William Smith*
and J. M. McComb ors held and firmly bound to the Commonwealth of
Virginia, in the sum of Five Hundred Dollars (\$500.00), to be
paid to the said Commonwealth, its certain attorneys, executors,
administrators, or assigns, for the true payment whereof we bind
ourselves, our heirs, executors, administrators, firmly by these
presents.

Sealed with our seals and dated this 4th day of March,
in the year of 1927.

The condition of the above obligation is such that whereas
the said *William Smith* has been arrested upon a warrant,
charging him with the violation of the prohibition law of Virginia,
and whereas he has waived a preliminary hearing upon said warrant;

NOW, THEREFORE, if the said *William Smith* shall well
and truly appear before the Circuit Court of Rockingham County,
on the first day of the next term thereof, to answer an indictment,
if one be found against him, touching said offence, and do ~~not~~
not depart without leave of court, then this obligation to be null
and void; otherwise to remain in full force and virtue.

witness: *E. W. Dool*

William T. Smith ^{his} (SEAL).

J. M. McComb ^{mark} (SEAL).

Know all men by these presents that we, William Smith
and W. M. McComb our heirs and assigns do hereby bind to the Commonwealth of
Virginia, in the sum of five hundred Dollars (\$500.00), to be
paid to the said Commonwealth, its certain attorneys, executors,
administrators or assigns, for the true payment whereof we bind
ourselves, our heirs, our assigns, administrators, executors, and assigns

sealed with our seals and dated this 4th day of March,
in the year of 1827.
The condition of the above obligation is such that whereas
the said William Smith has been arrested upon a warrant,
charging him with the violation of the prohibition law of Virginia,
and whereas he has waived a preliminary hearing upon said warrant,
it is the will of the said William Smith that he shall well
and lawfully keep the peace and be of good behavior during

the term of one year next ensuing, to answer an indictment,
if one be found against him, touching said offence, and he will
not depart without leave of court, then this obligation to be null
and void, otherwise to remain in full force and virtue.

William Smith
Bail Bond

Witness my hand and seal this 4th day of March 1827.
W. M. McComb
William Smith

INSTRUCTION NO. _____

The jury are instructed that it is not sufficient to the conviction of the defendant that the evidence shall have shown that he was an occupant of the car containing the liquor while the same was being transported, but that in order to such conviction it must have been shown, beyond any reasonable doubt, that the defendant had some interest in the liquor or ^{aided} ~~aided~~ and assisted in its transportation in some way other than merely being present in the car, even though he may have fully known that the liquor was being so transported.

INSTRUCTION NO. _____

The jury are instructed that when liquor is found in a car, occupied by two or more persons, the same is presumed to belong to them jointly; but it is sufficient to overcome this presumption that the defendant shall have introduced sufficient evidence to create a reasonable doubt of such joint ownership.

INSTRUCTION NO. _____

The jury are instructed that it is not sufficient to the conviction of the defendant that the evidence shall have shown that he was an occupant of the car containing the liquor while the same was being transported, but that in order to such conviction it must have been shown, beyond any reasonable doubt, that the defendant had some interest in the liquor or other and assisted in its transportation in some way other than merely being present in the car, even though he may have fully known that the liquor was being so transported.

INSTRUCTION NO. _____

The jury are instructed that when liquor is found in a car, occupied by two or more persons, the same is presumed to belong to them jointly; but it is sufficient to overcome this presumption that the defendant shall have introduced sufficient evidence to create a reasonable doubt of such joint ownership.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*Frank Newman &
J. D. Alexander, J. R. Mullett*

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 18th day of Apr. 1927,

to testify and the truth to say in behalf of the Commonwealth before the Grand Jury

*Howard Criddle, Wm. Smith &
Myrtle Curry*

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 14th day of Apr., 1927, and in the 17th year of the Commonwealth.

J. F. Blackburn, Clerk.

Executed April 30-1927
By delivery a True Copy of written
Summons in Person to J. Alex and
as to J.B. fully met in my Bailings
S.F. Newman Executive Summons.

J.F. Newman Deputy for
C.W. Howe S.P.C.

Frank Newman

of the Commonwealth of Virginia:
10/10/1927
3.2.0
of the County of Henric

In the Name of the Commonwealth of Virginia:

To the Sheriff of ^{Augusta} Rockingham County, Greeting:

You are hereby commanded to summon.....

Chief of Police Davis

Staunton, Va.

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 4th day of May 1927,

to testify and the truth to say in behalf of the Commonwealth against.....

Howard Criddle

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 26 day of Apr., 1927, and in the 14th year of the Commonwealth.

J. F. Blackburn, Clerk.

In the Name of the Commonwealth of Virginia

Com.

Harwood Ciddle

[Faint handwritten text]

Augusta Co.

[Faint, mostly illegible handwritten text]

May 4, 1927

Executed on the 2nd day of May 1927, within the County of Augusta by delivering a true copy of the within Summons in writing to W.P. Davis in person.

Geo. J. Daylon
Geo. J. Daylon

Deputy
S.A.C.

Arrest Warrant

COMMONWEALTH OF VIRGINIA, } TO WIT:
ROCKINGHAM COUNTY, }

To any officer, a Constable of said County:

Whereas, S. F. Newman, Deputy for C.W. Dove, S.R.C. of the said County, has this day made complaint and information on oath before me, W. L. Dinsmore a Justice of the said County, that Howard Criddle and Billy Smith

of the said County, on the 3rd day of March 1927, in the said County, did while under the influence of unlawful spirits, possess, transport and operate an automobile containing several gallons of liquor.

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

Howard Criddle and Billy Smith

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 ~~4th~~ 3rd day of March, in the year 19 27.

W. L. Dinsmore J. P. (Seal)

Commonwealth

vs.

Howard Criddle and
Billy Smith.

Judgement.

Preliminary hearing
waived by defendants,
therefore, their cases
are sent on to the Grand
Jury for a complete in-
vestigation as to the
charges with the follow-
ing costs:

Arrest	\$20.00
Justice	1.00
Mileage taking	
prisoners to jail	<u>6.40</u>
Total	\$27.40

Given under my hand this
7th day of March, 1927.

W. L. Dinsmore
Justice of the Peace.

Commonwealth

vs.

Arrest Warrant

Howard Criddle

Billy Smith

Executed the within warrant by arresting
and delivering the body of
Howard Criddle and
Billy Smith

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

this 3rd day of March 1927

S. F. Newman
Deputy for C.W. Dove, S.R.C.

VIRGINIA, Rockingham County, to-wit:

Mr. C. W. Dove, Sheriff and Jailer:

You will please accept and confine in jail Howard Criddle and Billy Smith
and produce them in Justice's Court for preliminary hearing when called upon
to answer to the within charge.

Given under my hand this 4th 3rd day of March, 1927.

W. L. Dinsmore
J.P.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Frank Newman, J. B. Nulty,
Ciddell & Smith

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 18th day of Apr. 1927

to testify and the truth to say in behalf of the Commonwealth before the Grand Jury
Howard Ciddell, Mrs. Smith &
Myrtle Curry
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 14th day of Apr., 1927, and in the 14th year of the Commonwealth.

J. F. Blackburn, Clerk.

Executed on the 16th day of April 1927, by
delivering a true copy of the within, summons,
to Mrs. Howard Crittle and Mrs Sarah Smith, in
person.

Earl M. J. Taylor Dept.

For, Jno. F. Taylor, S.A.C.

Com.

Name of the Commonwealth of Virginia

To the Sheriff of Rockingham County, Virginia

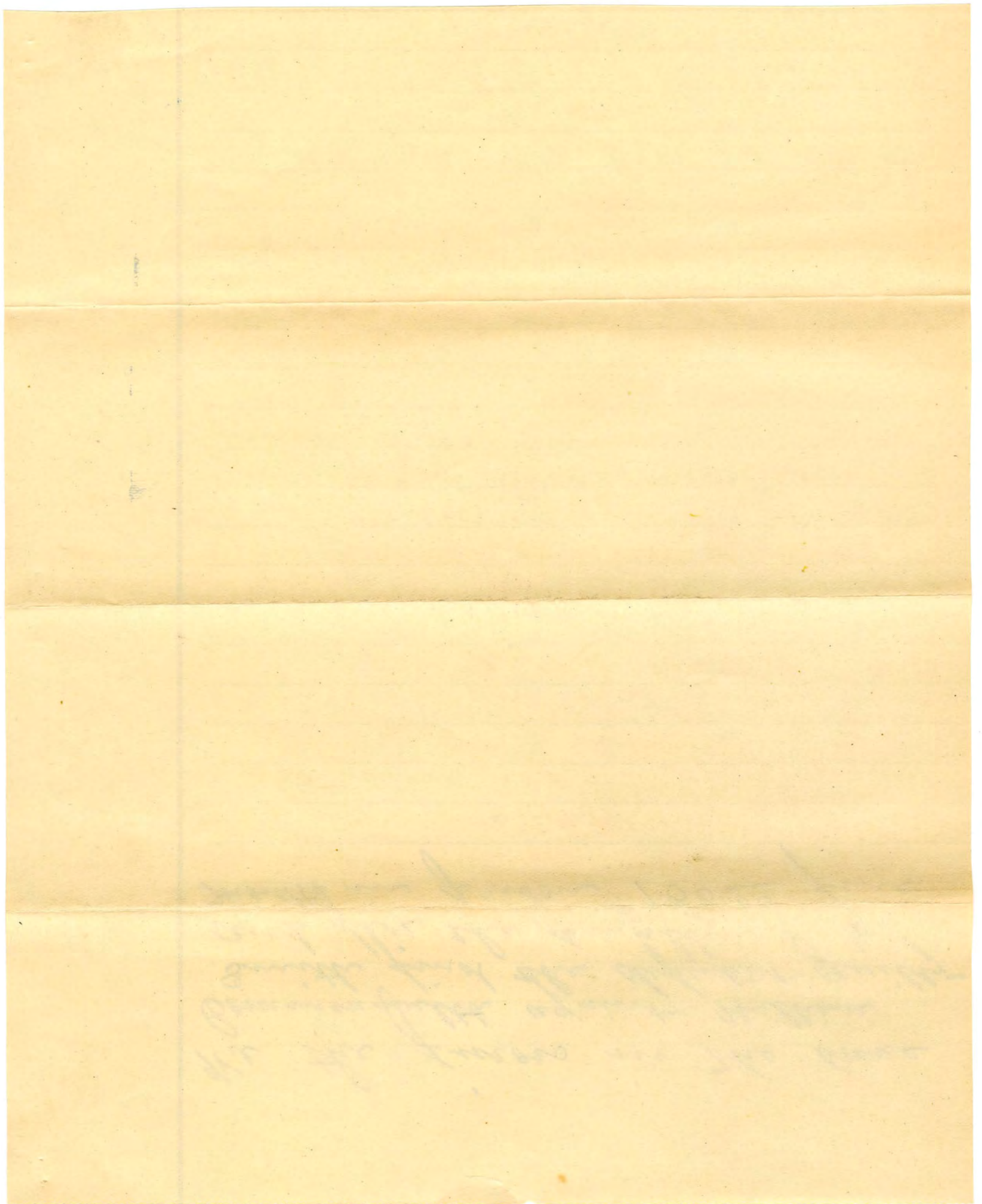
Howard Crittle

Wm. Smith

Maryotte Curry

Apr. 16, 1927

And the jurors in the case
Commonwealth against William
Smith find the defendant guilty
and fix the penalty at 6
months in prison \$100.00 fine



The Court instructs the jury, that the law presumes every person charged with crime, to be innocent until his guilt is established by the Commonwealth beyond any reasonable doubt, and that this presumption of innocence goes with the accused through the entire case, and applies to every stage thereof.

The Court instructed the jury, that the law presumes every

person charged with crime, to be innocent until the contrary

is established by the Government beyond any reasonable doubt, and

that this presumption of innocence goes with the accused until the

evidence is so strong as to overcome it.

The Court instructs the jury, that the burden is upon the Commonwealth to prove every fact or circumstance necessary to convict the accused of ~~any~~ ^{the} offence ~~whenever~~ ^{alleged}, and if they have any reasonable doubt as to any fact or circumstance necessary to convict the accused as aforesaid, they are bound to give him the benefit of such doubt and find him not guilty and the Court tells the jury that a reasonable doubt is, "that state of the case, which after the entire comparison and consideration of all of the evidence, leaves the minds of the jurors in that condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge.

The Court instructed the jury, that the burden is upon the defendant
to prove every fact of which he is necessary to deny of the
charge of every offense mentioned, and if they have any reasonable
doubt as to any fact or circumstance necessary to convict the accused
as aforesaid, they are bound to give him the benefit of such doubt and
find him not guilty and the Court tells the jury that a reasonable
doubt is, "that state of the case, which after the entire
and consideration of all of the evidence, leaves the mind of the
juror in such condition that they cannot say that they are fully
satisfied of a defendant's guilt."

Thomas Moore	2.50
W.W. Berry	1.50
C.V. Smith	1.50
J.B. Hall	1.50
H. T. Stoves	3.30
G. R. Myers	3.30
A.W. Kean	2.00
<hr/>	
	16.20

In the Circuit Court of Rockingham County,

..... Term 190.....,

..... this day presented in Court an account against the Court
of Rockingham for the sum of \$....., for Service.....

.....

.....

which being sworn to, was examined and approved by the Court, and ordered to be certified to the Treasurer of
this county for payment.

..... Clerk.

CIRCUIT COURT OF ROCKINGHAM COUNTY

April Term, 19 27

Mrs Sarah Smith

has been sworn in open court as a witness before the
Grand Jury.

J. F. Blackburn
Clerk.

CIRCUIT COURT OF ROCKINGHAM COUNTY

Apr Term, 1802

Wm. B. Smith

has been sworn in open court as a witness before the
Grand Jury.

J. B. [Signature]
Clerk.

Thomas Moore
C.V. Smith
J.B. Hall
H.T. Stover
G.R. Myers.

Sheriff cost on
Howard Cuddle
arrest & Punish 10.00
Summons 1.00

\$11.00

Sheriff cost on
Wm. Smith
arrest & Punish 10.00
Summons 1.00
Drop Jury 1.50

12.50

Apr. Term 1927

#386

Commonwealth

vs.

Misdemeanor

(Pse.)

Howard Criddle

William Smith

Myrtle Curry

Copies



20-4446