

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, 1923, upon their oaths do present that William McDonaldson within one year next prior to the finding of this indictment in said County of Rockingham did unlawfully and feloniously sell ardent spirits within one hundred yards of where he had in his possession fire arms, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid upon their oaths aforesaid do further present that William McDonaldson within one year next prior to the finding of this indictment, in the 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.

This indictment is found on the testimony of Russell Via, W. T. Rexrode, S. F. Newman, and E. J. Dillard, witnesses sworn in court and sent before the grand jury to give evidence.

we, the jury find the accused, William McDonaldson guilty of the felony as charged in this indictment and fix his punishment by confinement in the penitentiary for one year -

R. Ray Brown

Foreman

Viol. Pro. Act.

Commonwealth

v.

William McDonaldson

The Jurors for said upon their oaths aforesaid do
 peace and dignity of the Commonwealth of Virginia.
 of where we had in his possession fire arms, against the
 feloniously sell, sent private within one hundred yards
 indictment in said County of Rockingham did unlawfully
 Donaldson with
 term, do, upon their oaths do present that William McDonaldson
 of Rockingham, and now attending said Court at its session
 A True Bill
 The Grand Jurors in and for the body of said County

D. W. Earman,
 Commonwealth's Attorney.

L. R. Eastman
 Foreman

In the Circuit Court of said County:

COUNTY OF ROCKINGHAM, to-wit:
 COMMONWEALTH OF VIRGINIA,

Witnesses sworn in court and sent before the Grand Jury to
 viz. W. T. Rexrode, S. F. Newman, and H. J. Dillard.
 This indictment is found on the testimony of Rexsell
 of Virginia.

Give evidence.

As one known
 first one known name of one fine name in the indictment
 James D. Brown
 3rd of 1874
 fine the owners, William
 in 1874

COMMONWEALTH

v.

WILLIAM McDONALDSON

Charge to the Jury.

If you find the accused, William McDonaldson, not guilty, you will say so and no more.

If you find him guilty of a felony as charged in the indictment, that is, of selling, ~~transporting, or manufacturing~~ ardent spirits within one hundred yards of where he had in his possession fire arms, then you will say so and fix his punishment by confinement in the penitentiary for a period of not less than 1 year nor more than 3 years, or, in your discretion, by confinement in jail for a period of not less than 6 months nor for more than 12 months. If you do not find him guilty of the felony aforesaid but guilty of a misdemeanor, then you will say so and fix his punishment at a fine of not less than \$50 nor more than \$500 and by confinement in jail for a period of not less than 1 month nor more than 6 months.

We, the jury find the accused guilty of a felony and fix his punishment by confinement in the penitentiary for one year

Handwritten notes:
The Commonwealth
is not a party
to the contract
between the
defendant and
the Commonwealth
and the
defendant is
not liable
for the
contract.

than 6 months.

ment in jail for a period of not less than 1 month nor more
a fine of not less than \$50 nor more than \$500 and by confine-
ment in jail for a period of not less than 1 month nor more
than 6 months, then you will say so and fix his punishment at
find him guilty of the felony aforesaid but guilty of a
punish 6 months nor for more than 12 months. If you do not
Your discretion, by confinement in jail for a period of not less
period of not less than 1 year nor more than 3 years, or, in
fix his punishment by confinement in the penitentiary for a
he had in his possession five arms, then you will say so and
manufacturing and not within one hundred yards of what
the indictment, that is, of selling, ~~manufacturing~~, or
If you find him guilty of a felony as charged in
guilty, you will say so and no more.

COMMONWEALTH
v.
WILLIAM McDONALDSON

Charge to the Jury.

Charge to the jury.

D. W. Earman,
Commonwealth's Attorney.

WILLIAM McDONALDSON
v.
COMMONWEALTH

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

Be it Remembered that on the 27th day of December ~~189~~ 1922 -
Mrs McDonaldson and N. M. Morris
came before me J. H. Keeter - a Justice
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 Mrs McDonaldson
_____ in the sum of Five hundred _____ Dollars,
good and lawful money of the United States, and the said N. M. Morris -
in the sum of Five hundred _____ 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 Mrs McDonaldson -
shall make default in the performance of the conditions underwritten.

The condition of the above recognizance is such that if the above bound Mrs McDonaldson
_____ do and shall personally appear before the Circuit
Court of Rockingham
on the 10th day of the next Term next thereof, being the 19th day of
February 1923 ~~189~~, at the Court-house thereof, and then and there answer a bill of indictment
to be preferred to the Grand Jury in and for said County against him the said Mrs McDonaldson -
_____ for a Misdemeanor by him committed, for
unlawfully and ~~feloniously~~ manufacturing, storing for sale, barter,
gift, or use on or about his premises in said
County - ardent spirits in violation of law -
whereof the said Mrs McDonaldson _____ 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. H. Keeter, J. P.

Commonwealth of Virginia }
Rockingham County } Town:

COMMONWEALTH

VS

Wm McDonalson.

Recognizance.

Take and acknowledged before me this day and year first above written

to remain in full force and virtue

without the seal

stands executed, and shall not

Witness my hand and official seal

To be returned to the Clerk of the Court on or before the day and year first above written

of the _____

Year next ensuing, being the _____

of the _____

of the _____

in the _____

of the _____

of the _____

of the _____

of the _____

of the _____

of the _____

Rejo

The Court instructs the jury that all citizens have the lawful right to have firearms in their residence, and that the mere fact that firearms are found in a home situated within one hundred yards of the point where liquor is manufactured, transported or sold, does not make the offense a felony, even though the accused was engaged in such unlawful business and was owner of the firearms, and had them in his possession at his residence, provided the firearms were not acquired or kept for use in connection with the unlawful manufacture, transportation or sale of intoxicating liquors.

6m -
rs -
winson & Remickson

Instruction
Refused

RECEIVED AT THE
COURT HOUSE
AT
MAY 10 1891

Page 1

The Court instructs the jury that all citizens have the
lawful right to have firearms in their residence, and that the
possession of a firearm in a home situated within one
hundred yards of the point where liquor is manufactured, trans-
ported or sold, does not make the offense a felony, even though
the accused was engaged in such unlawful business and was owner
of the firearms, and had them in his possession at his residence,
provided the firearms were not acquired or kept for use in con-
nection with the unlawful manufacture, transportation or sale of
intoxicating liquors.

At 10:45 AM at Harrisonburg.
This day heard by me, J. S.
and Conroy, and the tale
will be reported in the
to be guilty for his
through Court of said County.

STATE NORMAL SCHOOL

HARRISONBURG, VA.

CHEMICAL LABORATORY

REPORT OF ANALYSIS

THE SAMPLE OF SUBMITTED BY
..... FOR THE DETERMINATION
OF SHOWS THE
FOLLOWING ANALYSIS:

To J. F. Blackburn, Clerk of the Court
of Rockingham County:
Commonwealth vs. William McDonaldson
To Analysis of Beverage (2 Samples) - - - \$7.00

REMARKS:

I HEREBY CERTIFY THAT THE FOREGOING ANALYSIS IS CORRECT TO
THE BEST OF MY KNOWLEDGE.

DATE Feb'y 24, 1923

Jama C. Johnston
ANALYST

STATE NORMAL SCHOOL
HARRISONBURG, VA.

CHEMICAL LABORATORY

REPORT OF ANALYSIS

THE SAMPLE OF _____ SUBMITTED BY _____

FOR THE DETERMINATION _____

SHOWS THE _____

FOLLOWING ANALYSIS:

To 27. 100% of the sample
To 100% of the sample (2 samples) 1/2

REMARKS:

I HEREBY CERTIFY THAT THE FOREGOING ANALYSIS IS CORRECT TO THE BEST OF MY KNOWLEDGE

ANALYST

[Handwritten Signature]

DATE: _____ 1923

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Russell Via, W. T. Reymond,
S. F. Newman, & J. Dillard.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court
House, at 10 o'clock, a.m., on the 19th day of Feb 1923
to testify and the truth to say in behalf of Commonwealth before the Grand Jury

William Mc Donaldson.

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
13 day of Feb, 1923, and in the 14th year of the Commonwealth.

J. F. Blackburn, Clerk.

Exepted Service on Summons.
Bussell Via not Found in
my Bailures. This the 16 day
of Feb., 1922.

J. F. Freeman Sheriff
For W. H. Hillard
S. B. C.

Case
vs.
William M. Danalson

~~delivered.~~

SHERIFF FEE \$ 2.00

Feb 19 - 1922

Presented as to W. H. Hillard & Ed. Hillard
with a copy of a summons this the
13 day of Feb 1922
W. H. Hillard SRS

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Wesman Hudlow, or F. J. Mullin,
Ellis Lee, Joseph Muller, Henry Dugane,
Goldie M. Donaldson, Floyd Edwards.

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock,
a. m., on the 24 day of Feb. 1923, to testify and the truth to say in
behalf of the defendant in the prosecution of the Commonwealth, Plaintiff, against

Wm. M. Donaldson Defendant

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 21 day of
Feb., 1923, and in the 147 year of the Commonwealth.

J. F. Blackburn, Clerk

Executed as to Herman Hudlow, Ellis Lee,
Joseph Miller, Goldie McDonaldson, and Floyd
Edwards, With a true of summons.
Delivering a true copy for Henry Dougan at his
usual place of aboad with a member of the
Family over the age of 16 Years.
This the 23 Day of Feb, 1923.

S. J. Newman Dupety
For W. L. Dillard, S. R. C.

Feb. 24 1923

Should Fee \$5.00

7 mi 4.00

S. J. Newman S.P.

Take for

00 21

Commorment

Wm. M. McDonaldson

Executed as to Dr. J. G. Miller
by delivering to him in person
with a copy of the within
summons this the 23 day of
Feb 1923 W. L. Dillard S.R.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Joe Meyenhoefel

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock, a. m., on the *24* day of *Feb.* 19*23*, to testify and the truth to say in behalf of the defendant in the prosecution of the Commonwealth, Plaintiff, against

William M. Donaldson

Defendant

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 *23rd* day of

Feb., 19*23*, and in the 14*th* year of the Commonwealth.

_____, Clerk

Executed as to Joe Meyer to be
with a true copy of summons.
This the 26 day of Feb 1923.

J. P. Neuman Deputy
For H. Z. Hilliard S.R.C.

Feb. 27 1923

Wm. M. Donaldson
adv

In the Name of the Commonwealth of Virginia:
Commonwealth

You are hereby commanded to summon

for appearance

C. A. H.

Witness J. F. BLACKBURN, Clerk of said Court, at the Court House,
1923, and in the presence of 50

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Newton Rainer, L. F. Sipe, Frank Newman
Ed. Dillard, W. T. Reynolds, Russell Via
Jas. C. Johnston

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 26th day of Feb. 1923,
to testify and the truth to say in behalf of the Commonwealth against

William Mc Donaldson
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
02 day of Feb., 1923, and in the 147th year of the Commonwealth.

J. F. Blackburn, Clerk.

Executed as to Newton Raynes, L.F. Sipe, Russell
Via, With a true copy of Summonds.
This the 23 Day of Feb, 1923.

S. F. Newman Deputy
For W.L. Dilladr, S.R.C.

Carr

vs.

William Mc Donaldson

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wed. 4

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350

Executed by Lawrence T. G. Co.
Garrison and son of City of
the within Summons this 26
26 day of Feb. 1923
Washington D.C.

The Commonwealth of Virginia.

Rochingham County.

To the ~~Constable~~ ^{*Sheriff*} of *Said County* ~~District~~---Greeting:

You are hereby commanded to summon

Oscar Saufley, Frank R. Bontz, — Lane son in law of Oscar Saufley, Joseph Weyerhoeffer, Thomas Morris & Lewis Raines
to appear before *J. W. Keiler*, a Justice of said *County*

The Sheriffs Office of said County at 10 O'clock A.M. on the *27* day of *December* 1922, to testify and the truth to say on behalf of

Wm McDonaldson

in a certain matter of controversy in said Court depending and undetermined, between

The Commonwealth v. S. Wm McDonaldson

And this *They* shall in no wise omit, under the penalty of £100. And have then and there this writ.

Witness *W. J. Augenlicht*, Justice of the Peace, the *23^d* day of *December*, 1922, and in the *127*th year of the Commonwealth.

W. J. Augenlicht J. P.

Attached By Summers the
 within named witness.
 This the J. J. Newman
 27 May & Dec. Heford's
 1952. Dr W. S. Willard SRE

William M. Danahon
 vs.
 Cam.

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6 wit 3.00

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COMMONWEALTH OF VIRGINIA,
COUNTY OF ROCKINGHAM, To-wit:

To the Sheriff of said County:

Whereas *S. F. Newman* of Sheriff of the said

County has this day made complaint and information on oath before me,

R. J. Argenbright, a Justice of the Peace of said County, that he has cause to believe and does believe that ardent spirits are being manufactured or stored for sale, barter, gift, or use, in violation of law, in a certain dwelling house or outbuildings, situate on the

Land of *Will McDonald* in the County of Rockingham, Virginia, and occupied by *Will McDonald*

These are, therefore, in the name of the Commonwealth of Virginia to command you forthwith to search said buildings for ardent spirits and their containers, and bring the same and the person in whose possession they are found before me or some other Justice of the said County to answer the said complaint and to be further dealt with according to law.

Given under by hand this *22* day of *Dec*, 192*2*

R. J. Argenbright
Justice of the Peace.

Commonwealth
VS
Wm McDonaldson.
The within case was this day heard by me, J. W.
Ketter a Justice of the said County, and the defendant
found guilty as charged, and recognized in the sum
of \$500.00 with H. M. Morris as Surety for his
appearance before the Circuit Court of said County
at the next term thereof.

Executed by ~~...~~ directing purchase of
 Ardent spirits from Hill McDonald
 and finding in his dwelling 7 cases,
 1 empty powder bottle, and 2 Rifle
 Guns and 1 shot gun, and finding
 in woods opposite his house ~~in~~
~~the~~ goods buried in the ground
 4 half gallon jugs full of Ardent spirits
 also the ground above mentioned coming
 from same place. Dec 22/1922

H. J. Resvold, D.S.
 For W. D. Dillard S.R.

SEARCH WARRANT

COMMONWEALTH

vs.

Wm McDonald
 \$1.00
 Executed by finding
 Hill, McDonald
 and delivering his
 Body before F. J.
 Argenbright, J. P.
 Dec 22/1922.
 H. J. Resvold,
 For W. D. Dillard S.R., D. S.

Rockingham County, State of Virginia,
 William M. McDonald was brought before me
 F. J. Argenbright a Justice of the Peace in and for the
 said County and was not being ready for trial and was
 ordered to bail from out the County and I was
 to the jail of said County, until such time as his
 bond may be had.
 Given under my hand this 22nd of December 1922
 F. J. Argenbright J. P.

Commonwealth
 vs
 Wm McDonald.
 Dec 27th 1922, At Harrisonburg.

The within case was this day heard by me, J. W.
 Keiter a Justice of the said County, and the defend
 found guilty as charged, and recognized in the sum
 of \$500.00 with N. M. Moris as Surety, for his
 appearance before the Circuit Court of said County
 at the next term thereof.

J. W. Keiter, J. P.

Costs -
 F. J. Argenbright \$1.00
 J. W. Keiter 2.00
 Sheriff - 14.50
 Com. Atty - 10.00
 Clerk - 1.20
 4 Witnesses 2.00
 \$30.70
 S. F. Newman,
 Russel Lee,
 Ed Dillard,
 L. F. Deys

February Term 1923



Guy W. Long	2.30
W B. Shouder	2.80
W W Sellers	3.00
B N Knapp	3.50
D L Myers	2.20
G O Hansberger	3.30
John H. Binner	2.70
R R Brawn	1.50
W H Frank	2.70
Geo J Hudson	3.50
On Field	1.90
Jos A Bonatti	1.90

30.80

Wm. McDONALDSON

ADS Indictment for a Felony

COMMONWEALTH

Set for
2/26/23

Sheriff Costs

Cell Ticket Search warrant #	14.50
" " Search warrant "	2.00
Str with Cell Ticket	3.00
Ticket Case on writ	3.50
Str with Ticket Case 8.	4.00
<hr/>	
2 Days in jail from #	26.00
Dec 22 to Dec 23 - 1922	15.00
<hr/>	
Jail Fee \$2.00	\$27.50
Examiner Fee 2.00	

S J Newman	4.50	6.00
W J Rosade	4.50	17.50
E J D.	4.50	22.50
R Vine	2.00	27.50
S J Newman	2.00	
<hr/>		77.50

E.L.D. 3/14.50
S.F. 2
W.R.
R. V
E. m.

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3) 1352 450
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