

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 December term, 1931, upon their oaths do present that Harry Hartman, on or about December 25, 1931, in said county, did unlawfully have in his possession about five gallons of ardent spirits (home brew), against the peace and dignity of the Commonwealth of Virginia.

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

Arrest Warrant

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

To N. T. Rexrode, a Constable of said County:

Whereas, N. T. Rexrode of the said County, ^{City} has this day made complaint and information on oath before me, R. S. Dwyer a Justice of the said County, that Stang Hartman of the said County, on the 25 day of Dec, 1931, in the said County, did

unlawfully have in his possession about 10 gallons of ardent spirits 49 bottles of Home Brew and 5 gallon jar of Home Brew against the peace and dignity of Commonwealth of Va

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

Stang Hartman to answer the said complaint and to be further dealt with according to law. And you are required to summon John Logan H. S. Harpelle N. T. Rexrode

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

Given under my hand and seal this 28 day of Dec, in the year 1931.

R. S. Dwyer J. P. [Seal]

STATE OF VIRGINIA - COUNTY OF ROCKINGHAM - TO-WIT:

JUDGMENT

STATE OF VIRGINIA—COUNTY OF ROCKINGHAM, TO-WIT:

I, _____, a Justice of the Peace in and for the County of Rockingham, Virginia, do hereby certify that _____ and _____ as his surety _____ have this day acknowledged themselves indebted to the Commonwealth of Virginia in the sum of _____ Dollars (\$) _____ to be made and levied of their goods and chattels, upon this condition: That the said _____ shall appear before the undersigned or the Circuit Court of Rockingham County, on the _____ day of _____, 19____, and not leave hence without leave of the said Court, to answer the charge in this warrant, or to await the action of the Grand Jury of the said County upon the within charge.

Given under my hand this, the _____ day of _____, 19____.

J. P.

JUDGMENT

Henry Hesterman
 Upon the examination of the within charge, I find the accused that there is *probable cause of the accused being guilty and Robert Bunn good the next grand jury*

RB Dwyer

Fine - - - - \$
 Clerk's Fee - - - - \$ *2.50*
 Justice's Fee - - - - \$ *3.00*
 Arrest \$ *10.00*
 Summoning Witness - - - - \$
 Witness Attendance and Mitige *Christ* \$ *5.00*
 Commonwealth's Attorney - - - - \$ *1.00*

Jail Fees: - - - - \$ *170*
 Total \$ *3220*

RB Dwyer
 Justice of the Peace.

Commonwealth }
 vs. } Arrest Warrant
Henry Hesterman

Executed the within warrant by arresting and delivering the body of _____ before _____ a justice of Rockingham County, and by summoning the within named witnesses in person this _____ day of _____, 19____.

Constable of Rockingham County

Commonwealth of Virginia—City, County,

Harrisonburg

to-wit:

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

WHEREAS *M. T. Rexrode* of the said City County

has this day made complaint and information on oath before me, *R. S. Luyon* 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 *Drexler house back Otts alley*

(Here describe the place, house, room or boat, as the case may be)

by one *Harry Hartman*

(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 *Harry Hartman*

(Give name; if name unknown, say, "Whose name is to the informant unknown")

in a certain *Drexler House at alley*

(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 *25* day of *Dec* 192*3*

R. S. Luyon (SEAL)
Title of Magistrate.

DIRECTIONS

1. If only Ardent Spirits and containers be seized, the Magistrate shall fix a time not less than 30 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 Director 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 Director 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

Harry Hartman

Executed the within warrant this *25th* day of *Dec*, 19*21*, 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 *49 bottles of Home Brew,*
5 gallons " " "

Given under my hand this *25th* day of *Dec*, 19*21*.

W. T. Beardsley
State Prob Inspector Title

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

John R. Logan,
W. S. Hearline,

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 were carried.

DEC

1931

#971

COMMONWEALTH

DEC

1931

V.) Misd. (Pro.)

HARRY HARTMAN

Jan. 7-1932

guilty - 1 mo. + 50.00

sentence suspended
during good behavior



31 60