

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 said county of Rockingham and now attending said Court at its October term, 1930, upon their oaths do present that Frank Ritchie on or about the 27th day of September, 1930, in said county, did unlawfully operate an automobile while under the influence of ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of Howard Higgs, Daniel Sheehan, R. H. D. Derrer, and W. R. Chapman, witnesses sworn in Court and sent before the grand jury to give evidence.

We the jury find the defendant, Frank Ritchie
guilty, as charged in the indictment, and fix his
punishment at thirty days in jail and a fine of
\$100.00

D. Harry Horner

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

OC

Commonwealth

v) Indictment

Frank Ritchie

Misdemeanor

October term, 1930

A True Bill:

W. S. Armesbrough
Foreman

D. W. Earman
Commonwealth's Attorney

Give evidence.

witnesses sworn in Court and sent before the Grand Jury to

Witness, Daniel Sheehan, R. H. D. Deiner, and W. R. Chapman,

This indictment is found on the testimony of Howard

peace and dignity of the Commonwealth of Virginia.

white under the influence of the potent spirits, against the

1930, in said County, in the presence of the Commonwealth

present the Commonwealth of Virginia, or about the 27th day of September,

the body of said defendant, Frank Ritchie, upon their oaths do

of the County of Rockingham and now attending

Virginia, Rockingham County, to-wit:

Commonwealth vs.

Frank Ritchie

Daniel Shehan prosecuta

STATEMENT OF COSTS

JUSTICE OF THE PEACE.....

Arrest Warrant	\$	<i>1 00</i>
Search Warrant	\$	
Trial	\$	<i>2 00</i>
Bail	\$	

CONSTABLES, SHERIFF, SERGEANT.....

Arrest	\$	<i>10 00</i>
Search Warrant	\$	
Sum. Witnesses <i>11</i>	\$	<i>5 50</i>
Mileage	\$	
Other Fees	\$	

ATTORNEY FOR THE COMMONWEALTH

J. P. Court	\$	<i>5 00</i>
.....	\$	
.....	\$	

CLERK OF THE COURT.....

Report of Fines, etc.	\$	<i>2 50</i>
Witness Certificates	\$	
Trial	\$	
Other Costs	\$	

Witnesses--Names

Witnesses--Names	Days	Miles	Tolls	Amount
<i>Howard Higgs</i>	<i>2</i>		\$	\$ <i>1 00</i>
<i>Weldon McDorman</i>	<i>2</i>		\$	\$
<i>Mrs Weldon McDorman</i>	<i>2</i>		\$	\$
<i>Russell Derron</i>	<i>2</i>		\$	\$
<i>W B Chapman</i>	<i>2</i>		\$	\$
<i>L & Cook</i>	<i>2</i>		\$	\$

I hereby certify that the following additional witnesses were examined for the Commonwealth and were material witnesses:

C. H. Amundson

Witnesses--Names

Witnesses--Names	Days	Miles	Tolls	Amount
<i>L J Long</i>	<i>2</i>		\$	\$
<i>W J Wolfrey</i>	<i>2</i>		\$	\$
<i>Mrs Adair</i>	<i>2</i>		\$	\$
<i>Walker Bryan</i>	<i>1</i>		\$	\$
.....			\$	\$

I hereby certify that the foregoing is a correct statement of costs.

Virginia, Rockingham County, to-wit:

Commonwealth vs.

STATEMENT OF COSTS

Frank Ritchie

Arrest Warrant	1.00
Search Warrant	
Trial	2.00
Ball	
Arrest	10.00
Search Warrant	
Sum. Witnesses	2.90
Misage	
Other Fees	
J. P. Court	2.00
Report of Fines, etc.	2.20
Witness Certificates	
Trial	
Other Costs	

JUSTICE OF THE PEACE

CONSTABLES, SHERIFF, SERGEANT

ATTORNEY FOR THE COMMONWEALTH

CLERK OF THE COURT

Witnesses-Names	Days	Miles	Tolls	Amount
<i>James H. [unclear]</i>	2		\$	1.00
<i>William H. [unclear]</i>	2		\$	
<i>Mr. William [unclear]</i>	2		\$	
<i>Frank [unclear]</i>	2		\$	
<i>W. P. [unclear]</i>	2		\$	

I hereby certify that the following additional witnesses were examined for the Commonwealth and were material witnesses:

Witnesses-Names	Days	Miles	Tolls	Amount
<i>W. P. [unclear]</i>	2		\$	
<i>Mr. [unclear]</i>	2		\$	
<i>Mr. [unclear]</i>	2		\$	
<i>Mr. [unclear]</i>	1		\$	

I hereby certify that the foregoing is a correct statement of costs.

Commonwealth of Virginia,
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 11th day of October 1930,

Frank Ritchie, principal and

surety, who justified to his sufficiency, came before me, J. F. Arguebright

Justice of the Peace
(J. P. of Bail Commissioner), of the said County of Rockingham,

and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of
Five Hundred Dollars, (\$500⁰⁰/₁₀₀),

to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth of Virginia rendered, and they each severally waived their homestead exemption to their recognizance; yet upon this condition:

That if the said Frank Ritchie shall personally appear before
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 1st day of the

October Term thereof, being the 20th day of October

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 Frank Ritchie 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; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, I hereunto affix my signature this 11th day of

October, 1930.

J. F. Arguebright, J. P.
(J. P. of BAIL COMMISSIONER)

(J. B. of VIRG. COMMISSIONER)

[Handwritten signature]

[Handwritten signature], 1830

In WITNESS WHEREOF, I have hereunto set my signature and the seal of the said Court, this 11th day of

July, 1830. And it is the order of the said Court, that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed, and that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed.

And it is the order of the said Court, that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed, and that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed.

Term thereof, being the 10th day of

July, 1830, at the Court of the County of Rockingham, in the Commonwealth of Virginia, on the 10th day of the

month of July, 1830, before me, the undersigned, Judge of the said Court, who have read the said writ, and have heard the parties, and have given them the opportunity to be heard, and have given them the opportunity to be heard, and have given them the opportunity to be heard.

And it is the order of the said Court, that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed, and that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed.

Frank Ritches

[Handwritten signature]

And it is the order of the said Court, that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed, and that the said writ shall be executed according to the tenor thereof, and that the said writ shall be returned to the said Court, at the time and place therein expressed.

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BE IT REMEMBERED, that on the 11th day of July, 1830,

Rockingham County, To-Wit:
Commonwealth of Virginia

Arrest Warrant

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

To The Sheriff or, a Constable of said County:

Whereas, Daniel Shehan of the said County, has this day made complaint and information on oath before me, W. J. Nugent a Justice of the said County, that Frank R. Ritchie

of the said County, on the 24th day of September, 1930, in the said County, did

Unlawfully Operate One Truck on the Kratzer Road while under the influence of Ardent Spirits in Violation of the Prohibition Laws of this Commonwealth of Virginia

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

Frank Ritchie

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

to summon Luther Cook, Hunter Arntbrink,

Weldon M. G. Downer, & Wife - Howard Higgs - Wilbur Chapman

to appear and give evidence in behalf of the Commonwealth, on the examination touching the said offence. Russell D. M. W. Holtry, J. Long, Mrs. Adams, Walker Bryan

Given under my hand and seal this 25th day of September, in the year 1930.

W. J. Nugent J. P. [Seal]

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

I, *F. J. Arguebaugh* a Justice of the Peace in and for the County of Rockingham, Virginia, do hereby certify that *J. F. Ritchie* and *W. M. Deputy* as his surety

have this day acknowledged themselves indebted to the Commonwealth of Virginia in the sum of *Five Hundred* Dollars (\$*500.00*) to be made and levied of their goods and chattels, upon this condition: That the said *J. F. Ritchie* shall appear before the undersigned or the Circuit Court of Rockingham County, on the *4th* day of *October*, 19*30*, 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 *26th* day of *September*, 19*30*.

F. J. Arguebaugh, J. P.

Oct 4th 10, O'clock
" 11 11 O'clock

Commonwealth

vs.

Arrest Warrant

Frank Ritchie

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 *26* day of *Sept*, 19*30*

J. H. Long
Constable of Rockingham County
for *C. R. Stanley* *circ*

JUDGMENT

Upon the examination of the within charge, I find ~~that~~ *that there is* probable cause for further examination *this* case is sent on to the Grand Jury.

Fine	-	-	-	\$
Clerk's Fee	-	-	-	\$
Justice's Fee	-	-	-	\$
Arrest	-	-	-	\$
Summoning Witness	-	-	-	\$
Witness Attendance and Mileage	-	-	-	\$
Commonwealth's Attorney	-	-	-	\$
Jail Fees	-	-	-	\$
Total	-	-	-	\$

F. J. Arguebaugh
Justice of the Peace.

INSTRUCTION NUMBER ONE

The Court instructs the jury that in order to convict the accused in this case the Commonwealth must prove beyond reasonable doubt that the accused operated said truck while his manner, disposition, speech, muscular movement, general appearance or behavior was noticeably affected by drinking ardent spirits.

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INSTRUCTION NUMBER TWO

The Court instructs the jury that a citizen is not to be deprived of his liberty upon mere suspicion, however strong. Every fact necessary to establish the guilt of the accused must be proved by the Commonwealth beyond a reasonable doubt. Unless the facts proved are inconsistent with the innocence of the accused, he must be acquitted.

INSTRUCTION NUMBER TWO

The Court instructs the jury that a citizen is not to be deprived of his liberty upon mere suspicion, however strong. Every fact necessary to establish the guilt of the accused must be proved by the Commonwealth beyond a reasonable doubt. Unless the facts proved are inconsistent with the innocence of the accused, he must be acquitted.

INSTRUCTION NUMBER THREE

The Court instructs the jury that the law presumes the defendant to be innocent until he is proved guilty as charged in the indictment by the Commonwealth, by evidence to moral certainty beyond all reasonable doubt, and to the exclusion of every reasonable theory or hypothesis consistent with his innocence. This presumption of innocence goes with the defendant throughout the whole case and applies at every stage thereof, so that unless the jury have an abiding conviction to a moral certainty of the guilt of the accused, they should find him not guilty.

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of every reasonable theory or hypothesis consistent with his

innocence. This presumption of innocence goes with the defendant

throughout the whole case and applies at every stage thereof,

so that unless the jury have an abiding conviction to a moral

certainty of the guilt of the accused, they should find him not

guilty.

J. M. BIEDLER, M. D
HARRISONBURG, VA.

Harrisonburg, Va.
Oct. 3rd 1930.

Hon. Ward Swank,
Harrisonburg, Va.

Dear Sir:

This is to advise that Mr. J. F. Ritchie is not in
condition to attend trial tomorrow, Oct. 4th 1930.

Respectfully yours,

J. M. Biedler.

McDonnans: ✓
Cook.
C H Armstrong ✓
Russell Denver
W.R. Chapman.
Mrs. Adams. ✓
Howard Higgs ✓

Duguns
Frank Ritchie. -
M.L. Brown.
C H Kucely
L J. Walker
Tom Shumaker
Don Bandler
Miss Ollie Ritchie

✓	1	Arthur Coats, ✓
✓	2	Arthur Amhurst, ✓
✓	3	Weldon McEwan, ✓
✓	4	" " ✓
✓	5	Hugo ✓
✓	6	Chapman, ✓
✓	7	Barner ✓
✓	8	Wesley, ✓
✓	9	Long ✓
✓	10	Adams ✓
✓	11	Bryant ✓
✓		W. J. ✓
✓		W. T. ✓
✓		Russel ✓
✓		Wilder ✓
✓		Hessner ✓
✓		W. J. ✓
✓		W. T. ✓
✓		W. J. ✓
✓		W. T. ✓

[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page]

Com
3

J. Frank Ritchie

- ~~3.40 H. L. Herbert~~
- 2.50 S. B. - Fiddle ✓
- 3.20 J. L. - Thompson ✓
- 4.30 W. C. - Miller ✓
- 2.50 W. H. - Foster ✓
- 3.60 H. H. - Hill ✓
- ~~3.10 J. W. - Rich~~

22.80

I do solemnly swear (or affirm) that I

Clerk

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

I,do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Virginia and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as.....

.....
according to the best of my ability. So help me God.

Sworn to and subscribed before me this.....day of.....192.....

.....Clerk

DEC 1930

#792

COMMONWEALTH

VS.) Misdr. (Pro.)

FRANK RITCHIE

Jan 12th

E.B. Fiddle
J.L. Thompson
V.C. Miller
W.H. Foster
H.H. Hill
#

Sherry Cab
arrest

	10.00
Sherry Cab	5.50
G.P. witness oct	2.00
C. V. Court - nov	2.50
" " " Jan	5.00
Jump Jan	1.50
Com Jan	.50
	<hr/>
	\$27.00
Witness writer	4.00
	<hr/>
	31.00

Clare	5.50
	.50
	5.75
	<hr/>
	11.70
	1.25
	<hr/>
	12.95



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