

The Commonwealth of Virginia,

TO THE SERGEANT OF THE CORPORATION OF HARRISONBURG—GREETING:

You are hereby commanded to summon *Susan Philips John Witz Samuel Ott, William Canrod, Joseph Brathwaite, Morris B. Keller, James Garrison, Albert Wise, Joseph Rumber, John Kenney, and Julia Philips Hannah Robison Emanuel Ruff, Mary Higgs and Susan Stover* to appear before *William H. Gay* a Justice of said Town, at the Mayor's Office, on the *10th* ~~7th~~ day of *May* ¹⁸⁶⁹ ~~1868~~ ^{P.M.} *2 o'clock* to testify and the truth to say on behalf of *the Commonwealth*

in a certain matter of

Controversy
Commonwealth as
and *Cathrine Garrison*

between

Plaintiff

Defendant

And this *You* shall in no wise omit, under the penalty of £100.

And have then there this writ.—

Witness,

Isabel Price Justice of the ~~Mayor~~ ^{Deputy} of said Court, at his office,
the *8th* day of *May* 1869 and in the *93* year of the Commonwealth.

Isabel Price JP

Deposited May 10th 1869 by delivering copy to the
within named parties J. O. Payne Secy. 1756

Summon

Felia Phillips

John Kenney

Do^s Bamber V.

~~Albert W. W.~~

Morris B. Heller

~~At Brotherton~~

Do^s Curock

Saml Off

John Witz

Susan Phillips

Mary H. H.

Hamish for W. H.

Commonwealth

vs

Catherine Garrison

The Commonwealth of Virginia,

TO THE SERGEANT OF THE CORPORATION OF HARRISONBURG—GREETING :

You are hereby commanded to summon *John Runney*

to appear before *Wm. H. Gay*

the *10th*

day of *May*

1869

a Justice of said Town, at the Mayor's Office, on

to testify and the truth to say on behalf of

in a certain matter of *The Commonwealth of Virginia*

between

Plaintiff

and *Lutherin Garrison*

Defendant

And this *he* shall in no wise omit, under the penalty of £100.

And have then there this writ.—

Witness, *Wm. H. Gay, Alderman of said town*

~~Mayor of said Court~~, at his office,

the *8th* day of *May*

1869 and in the *9th*

year of the Commonwealth.

Wm. H. Gay J.P.

John Kenney

Not found

J.P. Hayes Serpt.
J. C.

Commonwealth of Virginia
The Commonwealth of Virginia,

TO THE SERGEANT OF THE CORPORATION OF HARRISONBURG—GREETING :

You are hereby commanded to summon *John Penney*

to appear before

the

10th

day of

May 1869 at 10 o'clock

Wm H Gay a Justice of said Town, at the Mayor's Office, on

to testify and the truth to say on behalf of

The Commonwealth

in a certain matter of

Controversy
The Commonwealth

and

Catharine Garrison

between

Plaintiff

Defendant

And this *you* shall in no wise omit, under the penalty of £100.

Witness,

J D Price Justice

And have then there this writ.—

the

8

day of

May

18*69*

and in the

93

year of the Commonwealth.

J D Price JP

Sumner
John Kenney
for
Commonwealth

Not found
J. P. Hogue Secy
J. L. G.

State of Virginia, Town of Harrisonburg Tourist

To the Sargent of said Town

Whereas John Witz, Charles Witz, James Vanpelt & M. Mahoney has
this day made complaint and information on oath before
me W. H. Gay, a Justice of the said Town that
Catherine Garrison on the -- day of April 1869 and on
divers other days and times thereafter at the said Town
unlawfully did keep and maintain and does now
keep and maintain a certain house of ill fame, re-
sorted to during all that time and now resorted
to by divers idle and dissolute persons, both
Men and Women, for the purpose of prostitution
and lewdness. These are therefore, in the name of the
Commonwealth, to Command you forthwith to
apprehend and bring before me or some other
Justice of the said Town the body of the said Catherine
Garrison to answer the said Complaint and
to be further dealt with according to law -

Given under my hand and seal this 6th
day of May in the year 1869

Wm. H. Gay J.P. &c.

Dock No
J P ^{Le} Hoyer

Commonwealth
Vs

Catharine Garrison

Executed May 7th 1869

J. P. Hoyer, Sgt.
J. L.

This case was continued
until 10th day of May 1869 at
one o'clock

Mary Gay

This case continued until
Monday May 10th 1869
at 2 o'clock

The following is the
Witnesses sworn
and before the Grand
Jury in this case are
as follows

Julia Phillips

John Kenney

Joseph Bamber

Albert Wise

Morris B. Heller

Dock Witzel

Hannah Robinson

William Conrad

Samuel Ott

John Witzel

Lusan Phillips

Margarette Heigys

1st The jury are instructed That it is the duty of the Commonwealth to make out a case ag^t the Defendant - by proof which shall satisfy their minds beyond a reasonable doubt - if therefore the Commonwealth has failed to make out by proof the guilt of the Defendant beyond a reasonable doubt they must find for the Defendant not guilty. -

2^d Rumors, opinions and speculations ^{of witnesses} are not and cannot be used as evidence upon which to base a conviction. -

3^d The Commonwealth must prove that prior to the 1st Monday in July 1869 & since the 1st of January 1869 the Defendant Catharine Garrison kept a house of ill fame resorted to for the purpose of prostitution or lewdness - if therefore they have failed to prove both the fact that said De-

Defendant kept a house of ill fame. resorted to for
purposes of prostitution & lewdness - or if they
have failed to prove that she kept such
a house between the 1st Jan'y 1869 & the 1st day
in July 1869 the time of the finding of the
indictment - in either case they must
find ~~for~~ the Defendant not guilty. -

4th - Neither the lewdness of the Defendant
nor her reputation as a woman of bad character
are sufficient to make out this case. - it must be
proven that during the times aforesaid she the Defen-
dant was the proprietress of a House of ill fame
& that it was resorted to for the purposes aforesaid. -

5th The Commonwealth must show by proof that the
Defendant between said 1st Jan'y 1869 & 1st Monday in July 1869 was
the keeper of a House of ill fame - & although they prove
that she lived in a House & led a lewd life - they must find her not guilty
unless she is shown to be the keeper of the House