April Term 1894

Thomas Marshall vs
Minnie Marshall

and Misdemeanor.

Commonwealth

[illegible]	.50
Order & Recog	4.50
4 wit	1.00
2 wit	.60
Sheriff	.75
Judg & rec	1.50
Recog	1.00
Cert	.50
	$10.35
Sheriff wit	1.25
	11.60

Trial July 2 1885

Sheriff Costs

Imp. Jury 1.50

Summons 2.50

3.50

C. H. Berry 2.

A. K. Cloverster 1.

C. D. McGhee 1.

Emanuel Stover 1.

E. A. Hilliard 2.

7.

Trial Jury 2 20

Sheriff Cost

Imp. Jury 1.50

Summons 3.00

4.50

Defendants Cost.

Summons 2.50

Total 7.00

W. T. Reynolds Robbery

arrest 1.50

Premium 10.00

Sent. warr. 1.00

12.50

(2)

2

The Court further instructs the jury that if the jury believe from the evidence that the accused, Minnie Marshall, turned over the bottle containing the ardent spirits out of sheer fright and without any intention to obstruct or impede the officers in their search, or shut the upstairs door without any like intention, then the Court tells the jury that the action of Minnie Marshall constituted no offense against the laws of Virginia, and they should find her not guilty.

The Court further instructs the jury that if the jury believe from the evidence that the accused, Minnie Kendall, turned over the bottle containing the ardent spirits out of sheer fright and without any intention to obstruct or impede the officers in their search, or shut the spectators door without any like intention, then the court tells the jury that the action of Minnie Kendall constituted no offense against the laws of Virginia, and they should find her not guilty.

(6)

Refs.

The Court further instructs the jury that a man's home is his castle, and he has the right to protect the same; that although they believe from the evidence that Thomas J. Marshall took hold of the officer at one time and held him when he was in his house and took his gun out of its cover at another time; yet if they further believe from the evidence that he did so thinking that his wife was in danger of being injured, then the Court tells the jury that such action on the part of the said Thomas J. Marshall constituted no offense against the laws of the State of Virginia, and they should find him not guilty.

Refs

The Court instructs the jury that in the State of Virginia no search warrant authorizing an officer to search the premises of any person can be issued until there is filed with the officers authorized to issue the same an affidavit of some person reasonably describing the house to be searched, the things to be searched for thereunder, alleging briefly the material ~~things~~ facts constituting the probable cause for the issuance of such warrant, and alleging substantially the offense in relation to which said search is to be made - that no such warrant shall be issued on an affidavit omitting the aforesaid essentials; and if the jury believe from the evidence that the affidavit upon which the search warrant was issued, authorizing J. L. Dirting to search the house of Thomas J. Marshall omitted any of the aforesaid essentials, then the Court instructs the jury that the search of the house of Thomas J. Marshall by J. L. Dirting and the other officers with him was an illegal search; and although they further believe from the evidence that the accused, Thomas J. Marshall and Minnie Marshall, his wife, obstructed or impeded the officers, the jury are instructed that such obstructing or impeding constituted no crime against the laws of Virginia, and they must find the accused not guilty.

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

BE IT REMEMBERED that on the 7 day of April 1924, Thomas Marshall and Joseph Custer came before me H W Beckham 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 Each in the sum of Five hundred Dollars good and lawful money of the United States, and the said _____ in the sum ~~of~~ _____ ~~Dollars of like good and lawful mon~~ey, 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 Thomas Marshall shall make default in the performance of the conditions underwritten.

The condition of the above recognizance is such that if the above bound Thomas Marshall J.W. Heikes or some other person who may be there to do so do and shall personally appear before ~~the Circuit Court of Rockingham~~ on the 12 day of ~~the~~ April 1924 at 10 o'clock a.m. in Harrisonburg Va ~~Term next thereof, being the~~ _____ day of _____ ~~192~~ , at the Court-house ~~thereof,~~ and then and there answer the Commonwealth of Virginia concerning a certain misdemeanor whereof the said Thomas Marshall 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.

H W Beckham B.C.

Bond of Thom.
Marshal

INSTRUCTION NO. 1.

The Court instructs the jury that if the defendants, or either of them, knowingly resisted, impeded, or obstructed, or in any manner hindered or delayed Officers W. T. Rexrode, John Funk, or John Dove, or either of them, while they had in their hands a search warrant issued by F. J. Argenbright, J. P., you will find them guilty.

INSTRUCTION NO. _____

The Court instructs the jury that in this case,as in all criminal cases,the accused's plea of not guilty raises a presumption of innocence in his favor and puts on the Commonwealth the burden of proving his guilt beyond reasonable doubt. If,therefore,upon a consideration of the whole case,the testimony of the witnesses and the circumstances shown in evidence,there exists in the minds of the jury a reasonable doubt as to the guilt of the accused,they should find him not guilty. And the Court further tells the jury that a reasonable doubt is that state of the case which,after comparison and consideration of all the evidence,leaves the minds of the jurors in such condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge.

INSTRUCTION No. _____

The Court instructs the jury that in this case,as in all criminal cases,the accused's plea of not guilty raises a presumption of innocence in his favor and puts on the Commonwealth the burden of proving his guilt beyond reasonable doubt. It,therefore,upon a consideration of the whole case,the testimony of the witnesses and the circumstances shown in evidence,there exists in the minds of the jury a reasonable doubt as to the guilt of the accused,they should find him not guilty. And the Court further tells the jury that a reasonable doubt is that state of the case which,after comparison and consideration of all the evidence,leaves the minds of the jurors in such condition that they cannot say that they feel an abiding conviction to a moral certainty of the truth of the charge.

Commonwealth of Virginia---City, County of, Rockingham to-wit

WHEREAS, J. H. Dirting, Chief Federal Agent of the said County City
(Here insert name of affiant or affiants)

has this day made complaint and information on oath before me, F. J. Argenbright, J. P.
Name of Magistrate. Title.

of the said County City that he verily believes for the reasons hereinafter stated in the said County City and State:

(a) Ardent spirits are being unlawfully manufactured, sold, kept, stored, possessed, held, used, and concealed,

in a certain dwelling house & outbuildings
(Here insert description of the place, house, room, or boat, as the case may be)

by one Tom Marshall, located at Mt. Clinton.
(Give name, or say, "Whose name is to the informant unknown")

(b) A still, still cap, worm, tube, fermenters and other appliances 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 Tom Marshall
(Give name, or say, "Whose name is to the informant unknown")

in a certain dwelling house & outbuildings
(Here describe the place, house, room or boat, as the case may be)

(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, motor boat, package or baggage, or what not)

by one
(Give name, or say, "Whose name is to the informant unknown")

And there being reasonable and probable cause for such belief, on account of the following facts stated by the affiant and others, to-wit: that upon information & complaint of citizens.

This is to certify that I have this day issued a search warrant to search the said dwelling house
(Here say place, house, room, boat,

and outbuildings
auto or baggage, or as the case may be)

for the said still & ardent spirits.
(Here state what is to be searched for as, "Ardent Spirits," still, still cap, mash or what not)

Given under my hand this 15 day of March, 1924

F. J. Argenbright
Justice of the Peace
Title of Magistrate.

AFFIDAVIT FOR A WARRANT TO SEARCH

FOR ARDENT SPIRITS, ETC.

Commonwealth of Virginia

vs.

Tom Marshall

Filed in the Clerk's Office of the.....

Court of the.....**of**..... Va.
County or City Name

Court of the .....

Virginia, this.....day of.....192....

.....
Clerk.

By..... D. C.

OFFICE OF THE CLERK
Supreme Court of Appeals of Virginia,
HAMPTON H. WAYT, CLERK.
Staunton, Va.

July 14th., 1924.

This is to certify that on the petition of Thomas Marshall a writ of error and supersedeas has been awarded by by the Supreme Court of Appeals of Virginia to a judgment of the Circuit Court of Rockingham County pronounced on the 23rd., day of May, 1924 in the cause then therein pending of Commonwealth of Virginia Vs. Thomas Marshall,

H.H.Wayt Clerk.

Clerk of the Circuit Court of Rockingham County.

Memo:

The above writ of supersedeas is not to operate to discharge the prisoner from custody, if in custody, nor to release his bail if out on bail.

H.H.W.Clk.

July 15

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

John Custer
Dr. C. H. Polston
Perry Driver
Geo. Ritchie
Charles Cline

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock, a. m., on the 22 *day of* May *1924 to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, Plaintiff, against*

Thomas Marshall &c *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 10 *day of* May, *1924, and in the* 148 *th year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Thos. Marshall &c
ads
Commonwealth

Executed May 13, 1924 by delivering a copy of this summons to the within named defendant.

John Dove Deputy
for C. W. Dove, S.P.C.

C. D. Ott

Sheriff fee $2.50

entered

May 22, 1924

Commonwealth of Virginia—City, County of, Rockingham to-wit:

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

WHEREAS J. R. Dirting, Chief Federal Agent of the said City County has this day made complaint and information on oath before me, F. J. Arganbright, J. P. (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 dwelling house & outbuildings (Here describe the place, house, room or boat, as the case may be) by one Tom Marshall, located at Mt. Clinton (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 Tom Marshall (Give name: if name unknown, say, "Whose name is to the information unknown") in a certain dwelling house & outbuildings (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 15 day of March 1924

F. J. Arganbright (SEAL)
Justice of the Peace.
Title of Magistrate.

DIRECTIONS

1. If only Ardent Spirits and containers be seized, the Magistrate shall **fix a time not less** than 10 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 Commissioner 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 Commissioner 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 sufficent 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

vs.

Tom Marshall

Executed the within warrant this 15 day of March, 192.., by searching the within stated .....

(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 Liquor destoyed by defendants Tom Marshall's wife.

Given under my hand this 15 day of March, 192..

H. T. Reynolds, State Inspector

Title

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

Jos. S. Funk Fed. Agt.
J. L. Wisting " "
John Dove Dep. Sheriff

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.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

John S. Funk
John Dove
W. F. Reynolds
J. L. Dutting

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 3 *day of* July *192*5
to testify and the truth to say in ***behalf of the Commonwealth*** *against*

Thomas Marshall

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 2 *day of* July, *1925, and in the 149 th year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Executed July 3, 1925 by delivering a true Copy of the within Summons to Thomas Marshall within named each in person.

G. W. Dove, S.R.C.

Sheriff fee $2.00

July 3, 1925

Com.
vs
Thomas
Marshall

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

John S. Funk,
John Doe
W. F. Reynolds

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 22 *day of* May *192*4 *to testify and the truth to say in* ***behalf of the Commonwealth*** *against*

Thomas Marshall et al

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 22 *day of* May *, 192*4 *and in the 148th year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Executed May 17th 1824. by delivering a copy of this summons to the within named witnesses each in person.

John Dorsey, Sheriff
for C. W. Dorsey, S.W.C.

Corn.
vs
Thomas Marshall
&c

Sheriff fee $1.50

May 22, 1824

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

John Hess, John Funk &
W. T. Reynolds

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 21 *day of* April *19* 24 *to testify and the truth to say in behalf of the Commonwealth before the Grand Jury*

Thos. Moseley &c

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 17 *day of* April, *19* 24 *and in the* 147 *th year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Com.

vs

Thomas

Marshall

Grand Jury

Sheriff fee, 1.50

REC'D

April 21, 1924

Executed April 17, 1924. by delivering a copy of this summons to the within named without in person.

C. W. Bowers S.R.C.

We the Jury find Minnie Marshall not guilty

~~We the Jury find Thomas Marshall guilty and recommend that the penalty be imposed and the minimum sentence that the jail sentence be suspended if possible.~~

Emanuel Blesser

We the Jury find Thomas Marshall guilty and fix his Punishment at 2 month in Jail and a fine of $100.00

Emanuel Blesser

Motion to set aside verdict on
overruled - except. -
Sentence -
Execution of sentence suspended to
submitted to 1st day —
Bail $1000.00 Jacob Kessler

Substituted

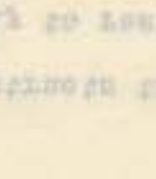
INSTRUCTION NO. 3.

The Court further instructs the jury that the burden is upon the Commonwealth to prove every fact or circumstance necessary to convict the accused of the offense with which he is charged, 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.

Ref

INSTRUCTION NO. 1.

The Court instructs the jury that it not unlawful for any person knowingly to resist, impede or obstruct or in any manner to hinder or delay any legal officer who has not in his hands at the time of said resisting, impeding and obstructing, hindering or delaying a search warrant issued by an officer of this State having the right to issue the same.



INTRODUCTION NO. 1.

Ah Ocean Lumberman and Yard Men if you not subscribed to Lumber Journal Publishing Co Paint, Chicago to Spectator to get the Review Monthly do today. Subscribe to Lumber Journal and see what people of Chicago to Ralph Una Jagel Opticians and Ad in Una Lumber Co. Ohio to Lumber Journal. Subscribe Review Chicago & Ralph to Subscribe Chicago Lumber Journal Publishing Co Ohio to Lumber Co. Ohio Lumber Journal Publishing Co Ohio Lumber Journal.

Def

INSTRUCTION NO. 21.

The Court instructs the jury that the provision of the law applicable to this case contemplates that if the accused shall knowingly resist, impede or obstruct or in any manner hinder or delay a legal officer having in his hands a search warrant issued by any officer of this State having the right to issue the same, and although they may believe from the evidence that the accused took hold of the officer, W. T. Rexrode, and held him when he was attempting to force the door of the residence of the accused, and although they may further believe from the evidence that the accused took hold of his gun and did not put down the same until Officer Funk told him that his family would be protected, yet unless they further believe from the evidence that the aforesaid acts, either or both, were done with the intention to resist, impede, orstruct or in any manner hinder or delay the officer having in his hands the search warrant, they must find the accused not guilty.

Counsel asked whether the court permitted the jury to find to convict the accused they must believe that he intentionally impeded officers &c. & was told by Court he could

Counsel for defts. objected to argument the instruction so as not to limit the resistance of the officer in whose hand was the warrant - In other words insisted on the language as written in order to preserve the theory presented in defts. defense

Cur

Thos. J. Woodlock
Chartering Broker
Insurance Broker

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

Inthe 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, 1924, upon their oaths do present that Thomas Marshall and Minnie Marshall, within one year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully knowingly resist, impede, and obstruct, and otherwise hinder and delay officers W. T. Rexrode, John S. Funk and John Dove in the execution of a search warrant for ardent spirits by destroying ardent spirits, closing door, and holding Officer W. T. Rexrode; said warrant having been issued by ~~W. Whitter,~~ H. J. Argenbright a Justice of the Peace for Rockingham County, Virginia, who had the right to issue the same, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of John S. Funk, ~~John Dove~~, and W. T. Rexrode, witnesses sworn in court and sent before the grand jury to give evidence.

We the jury find Minnie Marshall not guilty
We the jury find Thomas Marshall guilty as charged in the
indictment and fix his punishment at two months in
jail and a fine of $100.00.

J. B. Marshall
Foreman

We the jury find the second charge against Thomas
J. Marshall guilty as charged in the
indictment and fix his punishment at
thirty days in jail and a fine of $100.00

J. B. Marshall
Foreman

COMMONWEALTH

v.

THOMAS MARSHALL and
MINNIE MARSHALL .

A MISDEMEANOR.

A TRUE BILL

J. B. Marshall
FOREMAN

D. W. EARMAN,
COMMONWEALTH'S ATTORNEY.

Circuit Court of Rockingham County, _____ Term, 191__

ORDERED, That _____ *pay unto*

_____ *a witness for* _____ *in suit at law of*

_____ *vs* _____

_____ *Dollars and* _____ *cents for* _____

days' attendance and traveling _____ *miles and* _____

Cents Toll. *Attest:*

$ _____ _____ *Clerk*

Form 76

Com.
vs -
T. J. Morehart

J. H. Fulk 2.50
G. N. Hunter 2.60
R. R. Horaflook 2.10
R. J. Thacker 3.30
D. Hinton Robson 2.30
~~E. L. Harper~~ 3.40
~~S. E. Hoover~~ 3.00

We the jury find the accused guilty as charged in the indictment and fix his punishment at Sixty days in jail and a fine of $5.00

R. J. Hoover

The Monthly Paid the Secretary
Quantity for Library for the month
Total Paid this Government 67
Quantity Copy in Hand Carried Forward 77
[illegible]

VIRGINIA:-

In the Supreme Court of Appeals, held at the Court House of wythe County in the Town of Wytheville on Monday the 23rd day of June,1924.

Upon the petition of Thomas Marshall a writ of error and supersedeas is awarded him to a judgment rendered by the circuit court of Rockingham County on the 23rd day of May,1924 in a prosecution therein by the Commonwealth of Virginia against Thomas Marshall for a violation of the prohibition law, whereby he was found guilty and sentenced to pay a fine of $100.00 and serve a term of two months in jail; but this writ of error and supersedeas is not to operate to discharge the prisoner from custody, if in custody, nor to release his bail, if out on bail.

A Copy

TESTE: J. W. Kelly C.C.

5/3

6/24/24