

Clerk's Office, Circuit Court of Rockingham County

STATEMENT OF FINE AND COSTS

Commonwealth
Town of Grottoes

vs. _____ Term _____

Mrs. E. M. Higgs

Costs		
Commonwealth's Attorney	5	00
Clark & Clark Mayor & Associate J. P.	5	00
Shank Sergeant	12	50
Witnesses, Attendance and Mileage	19	02 X
Jury, Attendance and mileage		
Jail Fees		
Justice of Peace		
<u>Other Costs</u>	1	00
Total costs		42 52
Fine		100 00
		\$ 142 52

Clerk

1870

THE JUDICIAL CIRCUIT COURT OF JOHNSON COUNTY

STATEMENT OF DEBTS AND COSTS

John of District

1870

Wm. H. Higgs

1870			
2 00			Wm. H. Higgs
1 00			Wm. H. Higgs & Associate
12 10			Wm. H. Higgs
12 00			Wm. H. Higgs
1 00			Wm. H. Higgs
22 20			Total
100 00			Total
122 20			Total

Arrest Warrant

COMMONWEALTH OF VIRGINIA, } TO WIT:
ROCKINGHAM COUNTY,
Town of Grottoes.

To S. F. Newman, Sergeant, ^{Town} of said County

Whereas, Isaac Knight of the said County, has this day made complaint and information on oath before me, J. E. Graves, Mayor ^{Town} a Justice of the said County,

that Mrs. E. M. Higgs ^{Town} of the said County, on the 10th ^{and for a long time prior thereto} day of October 1926, in the said County, did

~~and since on divers other days, and times thereafter, unlawfully keep and maintain, and does now keep and maintain, a certain disorderly house, resorted to during all that time, and now resorted to by divers idle and dissolute persons, both men and women, with strong suspicions of prostitution and lewdness.~~
unlawfully keep a house of ill fame resorted to for the purpose of prostitution and lewdness in the town of Grottoes, Rockingham County, 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~~ ^{Mayor} of the said County, the body of the said


Mrs. E. M. Higgs

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

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

Given under my hand and seal this 14th day of October, in the year 19 26,

J. E. Graves

Mayor.  (Seal)

VIRGINIA, Town of Grottoes, to-wit:

This day J. E. Graves and B. Y. Watts ^{SAME GAME}
before me, J. E. Graves, Mayor of the Town of Grottoes and severally and
respectively acknowledged themselves to be indebted to the Town of Grottoes
in the sum of \$300.00 to be levied of their respective goods and chattels,
lands and tenements, as to which obligation they waive their Homestead and
all other exemptions, YET UPON THIS CONDITION, that if the said Mrs. E. M.

Higgs shall personally appear before the Circuit Court
of Rockingham County on the first day of the November term of said Court, 1926
then and there to personally answer for and concerning the certain warrant
herein set out and of which she stands charged, and shall not depart there-
from without leave, when this recognizance shall be void, otherwise to re-
main in full force and virtue.

Witness the following signatures and seals this 23 day of October, 1926.

E. M. Graves
Mayor

Executed the within warrant by arresting
and delivering the body of

Mrs. E. M. Higgs

before J. E. Graves, Mayor
of the Town of Rockingham County, and by sum-
moning the within named witness in person.

this 16 day of October 19 26

S. F. Newman
Counstable of Rockingham County,
Sergeant of the
Town of Grottoes.

84548

On motion of the defendant, an appeal is allowed her
from this judgement to the Circuit Court of Rocking-
ham County with B. Y. Watts as her
surety. Given under my hand this 16 day of Oct-
ober, 1926.

Commonwealth
vs. } APPEAL
Arrest Warrant

Mrs. E. M. Higgs

J. E. Graves Mayor

Judgment:

VIRGINIA,
Town of Grottoes, to-wit:

The defendant is hereby found guilty of conducting a dis-
orderly house, and is fined the sum of \$100.00; assessed
the costs of \$42.52 and sentenced to serve a term of
thirty days in the county jail.

Given under our hands this the 16th day of October, 1926.

J. E. Graves
Mayor

100.00 plus costs of 30 days in jail

taken and acknowledged before me this 22 day of Oct. 1926.

Samuel Hove's, was not indicted or
charged with stealing chickens but it
developed in the evidence that Hove's
was with Williams the night the chickens
were stolen —

In the Circuit Court of Rockingham County,

Term 190...

this day presented in Court an account against the Court
of Rockingham for the sum of \$ _____ for Service

which being sworn to, was examined and approved by the Court, and ordered to be certified to the Treasurer of
this county for payment,

Clerk,

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Mrs. Isaac Knight
S. J. Newman, J. L. Luth, Mrs. Geo.
L. Lewis, David McAlisten, W. L. Dins-
more, Isaac Knight, R. T. Miller,
Geo. L. Lewis, Lee Mathency,
J. E. Graves & Dr. W. S. Wheeler

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 20th day of April, 1927
to testify and the truth to say in behalf of the Commonwealth against

Maudie Higgs

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
14 day of Apr., 1927, and in the 157th year of the Commonwealth.

J. F. Blackburn, Clerk.

Executed April 15th 1927 by delivery a true copy within summons in person to Mrs Isaac Knight G.L. Leeth, David Mc Alester W.L. Dinmore Isaac Knight R.T Miller Lee Mateney J.E. Graves Dr W F Whistler As to Mrs Geo Lewis and Geo L Lewis by postin summons on his door at his usual place of abode As to S.F. Newman accepted summons.

S.F. Newman Deputy JWC
C. W. Abner S.R.C. 7

Comm.

ad signed by sheriff

Maudie Higgin

Sheriff fee \$6.00

Apr. 20/27

Executed April 20-1927 by delivery
a true copy in person to S.F. Newman
C. W. Abner S.R.C. 7

We the jury find the defendant Mrs E M.
Higgs guilty as charged in the warrant and
fix her punishment at one day in jail and
a fine of \$100.⁰⁰

J R Cooley Foreman

#

{ Motion to set aside the verdict as contrary to the law
and the evidence &c

the first part of the report was
written in the summer of
1850 and the second part
in the winter of 1851.

It is a very interesting
and valuable work.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

Mrs. F. C. Myers

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 20th day of April 1927 to testify and the truth to say in behalf of the Commonwealth against

E. M. Higgs

who stands charged with and indicted for a felony misdemeanor.

And this she 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 18th day of April, 1927, and in the 12th year of the Commonwealth.

J. F. Blackburn, Clerk.

Ms. T. C. Myers

Executed the Within Seem by delivering
a true Copy in person to the Within
Name of Person on the 14th Day April
1927

Wm. Melv. Reynolds
Sheriff

[Faint, mirrored text from the reverse side of the page, including "Witness" and "Subscribed"]

INSTRUCTION NO. 1.

The Court instructs the jury that before the jury can convict the accused of ~~an~~ ^{the} offense ~~whatever~~ *charged*, they must believe beyond every reasonable doubt that the accused maintained or kept a house of ill fame in the town of Grottoes, which was resorted to for the purposes of prostitution and lewdness, and the fact that acts of immorality took place there without the accused's knowledge or consent does not make her guilty of said crime.

The first instance of this kind before the
law was under the name of the Illinois
they may believe beyond every reasonable doubt that the
accused maintained as long a time as it was in the town
of Orestes, which was reserved for the purpose of
punishment and justice, and the fact that it
immediately took place there without the accused's knowledge
or consent does not add any guilt to his crime.

INSTRUCTION NO. 2

The Court instructs the jury that although they may believe from the evidence beyond a reasonable doubt that the accused during the period from October 10, 1925 to October 10, 1926, had sexual intercourse with David McAlister on numerous occasions, this is not sufficient evidence upon which to find the accused guilty of the crime charged in the warrant.

INSTRUCTION NO. 3.

The Court instructs the jury that the gist of the offense charged is the keeping of a house of ill fame, resorted to for the purposes of prostitution and lewdness, and that evidence of general reputation alone is insufficient to sustain a conviction; that even though the jury may believe that the evidence shows that the general reputation of the house occupied by accused was bad, yet unless they further believe beyond every reasonable doubt that the accused maintained a house of ill fame resorted to for the purposes of prostitution and lewdness during the year October 1925 to October 1926, they must find the accused not guilty.

The Court instructs the jury that the words "house of ill fame" means a house resorted to for the purpose of prostitution.

The Court instructs the jury that the fact of
the absence of a charge in the ledger of a bank of 111 East
and the fact of the absence of a charge in the ledger of a bank
to maintain a conviction that even though the jury may believe
that the evidence shows that the general reputation of the
bank is good, but unless they believe
beyond every reasonable doubt that the accused maintained
a bank of 111 East Street in the purpose of prostitution
and between 1931 and 1932, they
must find the accused not guilty.

of 111 East Street, means a house reported to for the purpose of
prostitution.

54545

#378

Commonwealth

vs. Apprentice

Mrs. E. M. Higge

App. Term
1927

J. A. Taylor
Floyd P. Brunk
T. R. Lealey
Harry T. Stover
Galen W. Long
#

Sheriff Costs

Arrest	1.50
Summons	6.00
Summons	5.00
Imp. Jury	1.50
	<hr/>
	9.00