

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 the county of Rockingham, and now attending said Court at its October term, 1930, upon their oaths present that Welfrey H. Morris, who was heretofore, to-wit, on the 25th day of October, 1927, convicted in the Circuit Court of Rockingham County of violating the Prohibition laws of the Commonwealth of Virginia, and who then and there was sentenced to serve for a period of one year in the penitentiary, did, on August 27, 1930, unlawfully have in his possession about twenty-four bottles of home brew and five gallons of malt, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. E. Lucas and G. A. Lawson, witnesses sworn in Court and sent before the grand jury to give evidence.

Poss - 2nd

Commonwealth

v) Indictment

Welfrey H. Morris

Misdemeanor

October term, 1930

A True Bill:

W. S. Armentrout,
Foreman

D. W. Earman
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

fore the Grand Jury to give evidence.

James and G. A. Lawson, witnesses sworn in Court and sent pe-

This indictment is found on the testimony of W. H.

Commonwealth of Virginia.

five bottles of malt, against the peace and dignity of the
his possession about twenty-four bottles of home brew and
penitentiary, did, on August 27, 1930, unlawfully have in
there was sentenced to serve for period of one year in the
tion laws of the Commonwealth of Virginia, and who then and
Circuit Court of Rockingham County of violating the Prohibi-
tion on the 22nd day of October, 1927, convicted in the
present the Welfrey H. Morris, who was heretofore,
said Court, at its October term, 1930, upon their
the body of the county of Rockingham, and now at-
The jurors of the Commonwealth of Virginia, in

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

BE IT REMEMBERED that on the 28 day of Aug 1930,
W.H. Morris & J.F. Morris
came before me W.H. Bruce
of the said county of Rockingham, and severally and respectively acknowledged themselves to be in-
debted to the Commonwealth of Virginia, in manner and form following, that is to say: the said
Both 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 money, 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
W.H. Morris shall make default in the performance of the
conditions underwritten.

The condition of the above recognizance is such that if the above bound _____
W.H. Morris do and shall personally appear before the Circuit
Court of Rockingham on the 1st day of the Oct Term next
thereof, being the 20 day of Oct 1930, at the Court-house thereof,
and then and there answer the Commonwealth of Virginia concerning a certain mis,
whereof the said W.H. Morris 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.

W.H. Bruce J.P.

and acknowledged before me, the said [Signature] first above written
and otherwise to remain in full force and virtue
without the leave of said Court, the said [Signature] above recognized shall be void and of no
effect for the said [Signature] and shall not
and there under the Commonwealth of Virginia concerning a certain [Signature]
the said [Signature] to the day of [Signature] at the Court-house thereof,
County of Rockingham on the [Signature] day of the [Signature] year next

The condition of the above recognizance is such that if the above named
conditions underwritten

shall make default in the performance of the
said [Signature] from the bonds of this State, to the use of the Commonwealth of Virginia if the said
claim or right to discharge and liability to the Commonwealth arising under this recognizance with
respect to the said [Signature] and the benefit of their Homestead be not paid and the said [Signature]
respectively made and to be paid to the said [Signature] and [Signature] and [Signature] and [Signature] and [Signature]
in the sum of [Signature] Dollars of the good and lawful money to be
paid out by the United States, and the said [Signature] and [Signature] and [Signature] and [Signature] and [Signature]

Dollars
in the sum of
before me, the Commonwealth of Virginia, in manner and form following, that is to say: the said
of the said county of Rockingham, and severally and respectively acknowledged themselves to be in
and before me

Be it Remembered that on the [Signature] day of [Signature] [Signature]

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

Commonwealth of Virginia—City, County of Rocky Hill to-wit:

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

WHEREAS E. Lawson of the said City County

has this day made complaint and information on oath before me, [Signature] 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 Dewberry House & out Building Here describe the place, house, room or boat, as the case may be by one Welford Morris 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 _____ Give name, if name unknown, say "Whose name is to the informant unknown" in a certain _____ 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 27 day of Aug 1920

[Signature] (SEAL) 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 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

Welfre Morris

Executed the within warrant this 27 day of Aug, 1920, by searching the within stated Welfre Morris

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 27 Aug

Here say place, house, room, boat,

auto or Baggage, or as case may be

House and place

as front door of house, door of room or premises

Description of Ardent Spirits and other things

seized 24 Bottles of Beer 5- Galimat

Bottles 1 20 twenty Gal Jar

Given under my hand this _____ day of _____, 192_____.

Title

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

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 are carried.

Shuff cost

arrest

10.00

Sworn witness

2.00

Comttle fee

50

12.50

#801

OCT 1930

COMMONWEALTH

VS.) Misdr. (Pro.)
2nd offense

WELFREY H. MORRIS

ONE 21

ad

5.00 for Dr. Pickett



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