

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 June term, 1932, upon their oaths do present that R. *L.* Bailey and C. A. Bailey, on or about June 14, 1932, in said county, did unlawfully have in their possession eighty-five gallons of ardent spirits (moonshine liquor), against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid, upon their oaths aforesaid, do further present that the said R. *L.* Bailey and C. A. Bailey, on or about June 14, 1932, in said county, did unlawfully have in their possession two stills, two still caps, two worms, two tubs, two fermenters, and other appliances connected with and used in the operation of stills without having the same registered as required by law, against the peace and dignity of the Commonwealth of Virginia.

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



Poss. liquor and 2 stills

Commonwealth

v) Indictment

C. A. Bailey and

R. L. Bailey

~~Felony~~ *Misd.*

June term, 1932

A True Bill:

*J. N. Grant*  
Foreman

Witnesses: W. T. Rexrode ✓  
W. E. Lucas ✓  
G. A. Lawson

D. W. Earman  
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

and sent before the Grand Jury to give evidence.  
Rexrode, W. E. Lucas, and G. A. Lawson, witnesses sworn in Court  
This indictment is found on the testimony of W. T.  
wealth of Virginia.  
as required by law, against the peace and dignity of the Common-  
used in the operation of stills without having the same registered  
two tubs, two fermenters, and other appliances connected with and  
have in their possession two stills, two still caps, two worms,  
Bailey, on or about June 14, 1932, in said county, did unlawfully  
said, do further present that the said C. A. Bailey and C. A. V.  
and dignity of the Commonwealth of Virginia.  
And the jurors aforesaid, upon  
of said county, do hereby certify that the said C. A. Bailey and  
did unlawfully have in their possession in said county, in  
the County of Rockingham, Virginia, two stills, two still caps,  
two tubs, two fermenters, and other appliances connected with and  
used in the operation of stills without having the same registered  
as required by law, against the peace and dignity of the Common-  
wealth of Virginia.



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 *W. T. Rexrode* of the said City County  
has this day made complaint and information on oath before me, *John F. Byerly J.P.*  
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 out building & premises*  
Here describe the place, house, room or boat, as the case may be

by one *R. L. & C. A. Baily on the cold walker farm*  
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 *R. L. & C. A. Baily*  
Give name, if name unknown, say, "Whose name is to the informant unknown"

in a certain *Dwelling house out building & Premises*  
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 *14* day of *June* 193*2*  
*John F. Byerly* (SEAL)  
*J.P.*  
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 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 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 21½, 22, 23, 23½, 57 and 57½, Acts of Assembly, 1918, Page 578.

**WARRANT TO SEARCH FOR ARDENT SPIRITS, ETC.**

Commonwealth of Virginia

vs. *R. L. & C. A. Bailey.*

Executed the within warrant this *14<sup>th</sup>* day of *June*, 19*32*, by searching the within stated *Premises*

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 others things

seized \_\_\_\_\_

*2 complete 40 gallon Stills*  
*85 gallons of liquor*  
*50 " " Mash*  
*22-50 gallon fermenters*  
*7-10 " Kegs*  
*2-5 " "*  
*10-12 " fruit jars*  
*6 cans Malt Syrup*  
*50 feet Rubber hose*  
*1 box, 1 Pick, 2 Funnels*

Given under my hand this *14<sup>th</sup>* day of

*June*, 193*2*.  
*H. T. Rexrode*  
 State Prob Inspector, Title

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

*J. T. Cash*  
*W. B. Hook*  
*H. M. Turner*  
*H. E. Lucas*

Other than above stated the following are witnesses:

This matter set for hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 193\_\_\_\_\_

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 \_\_\_\_\_, 193\_\_\_\_\_

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 \_\_\_\_\_, 193\_\_\_\_\_

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.



Commonwealth of Virginia,  
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 8<sup>th</sup> day of July, 1932  
R. L. Bailey, principal and E. H. Bailey  
surety, who justified to his sufficiency, came before me, Shepley L. Devier  
Bail Commissioner, of the said County of Rockingham,  
(J. P. or Bail Commissioner)

and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of  
Five Hundred Dollars, (\$ 500.<sup>00</sup>),  
to be levied of their respective goods and chattels, lands and tenements, for the use of the Common-  
wealth of Virginia rendered, and they each severally waved their homestead exemption to their re-  
cognizance; yet upon this condition:

That if the said R. L. Bailey shall personally appear before  
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 9<sup>th</sup> day of  
August - 1932, ~~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  
felony whereof the said R. L. Bailey 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; other-  
wise to remain in full force and effect.

IN WITNESS WHEREOF, I hereunto affix my signature this 8<sup>th</sup> day of  
July, 1932.  
Shepley L. Devier  
(J. P. or BAIL COMMISSIONER)



Commonwealth of Virginia,  
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, 1907,  
\_\_\_\_\_, principal and \_\_\_\_\_  
\_\_\_\_\_, who testified to the authenticity, came before me,  
\_\_\_\_\_, of the said County of Rockingham,  
and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of

Dollars (\$ \_\_\_\_\_)  
to be levied of their respective goods and chattels, lands and tenements, for the use of the Common-  
wealth of Virginia rendered, and they each severally waved their homestead exemption in their re-  
cognizance; yet upon this condition:  
That if the said \_\_\_\_\_  
the Circuit Court of Rockingham County, at the Courtroom of said County,  
August 1907 \_\_\_\_\_  
and at such other time or times to which the proceedings may be adjourned,  
heard, and before any court or judge hereafter having or holding any process  
the said charge, and then and there answer the Commonwealth of Virginia in  
whereof the said \_\_\_\_\_

R. L. Bailey  
\$ 500.00  
10 August - 9-1907  
Circuit Court.

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; other-  
wise to remain in full force and effect.

In Witness Whereof, I hereunto affix my signature this \_\_\_\_\_ day of \_\_\_\_\_, 1907,  
\_\_\_\_\_  
(Clerk of said County)



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

BE IT REMEMBERED, that on the 16th day of July, 1932,  
Clarence A Bailey., principal and M.H. Bailey.  
surety, who justified to his sufficiency, came before me, Sheffey L. Devier.  
Bail Commissioner  
(J. P. or Bail Commissioner), of the said County of Rockingham,  
and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of  
ONE THOUSAND ----- Dollars, (\$ 1,000.00 ),  
to be levied of their respective goods and chattels, lands and tenements, for the use of the Common-  
wealth of Virginia rendered, and they each severally waved their homestead exemption to their re-  
cognizance; yet upon this condition:

That if the said Clarence A Bailey. shall personally appear before  
the Circuit Court of Rockingham County, at the Courthouse of said County, on the 8th day of the  
August, 1932. Term thereof, being the day of  
19....., 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  
felony whereof the said Clarence A Bailey. 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; other-  
wise to remain in full force and effect.

IN WITNESS WHEREOF, I hereunto affix my signature this 16th day of July  
....., 19 32.

  
(J.P. or BAIL COMMISSIONER)



Commonwealth of Virginia,  
Rockingham County, To-Wit:

BE IT REMEMBERED, that on the 15th day of July, 1938,  
Clarence A. Bailey, principal and M. E. Bailey, Sheriff E. Devier,  
of the said County of Rockingham,

and acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of  
\$1,000.00,  
to be levied of their respective goods and chattels, lands and tenements for the use of the Common-  
wealth of Virginia tendered, and they each severally waived their personal exemption to their  
organization; yet upon this condition:


That if the said Clarence A. Bailey.

the Circuit Court of Rockingham County, at the Courthouse of said County, on the  
August, 1938.  
and at such other time or times to which the proceeds may be applied, and before any court or judge hereafter having or holding  
the said charge, and then and there answer the Commonwealth  
whereof the said Clarence A. Bailey.

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; other-  
wise to remain in full force and effect.

In Witness Whereof, I hereto affix my signature this 15th day of July

1938

  
(James H. Hines, Bail Commissioner)

*Clarence A. Bailey*  
*\$1,000.00*  
*To August 8*  
*1938*  
*Circuit Court*



We the jury find the defendant  
R. L. Barly not guilty

Alon H. Key  
foreman



*Faint, illegible handwriting at the top of the page, possibly including the name 'A. J. ...' and a date.*



**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *W. J. Repsall*

*W. E. Lucas, J. A. Lawson*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,  
at ~~10~~<sup>9:30</sup> o'clock, a. m., on the *9th* day of *Aug*, 19 *32*,  
to testify and the truth to say in behalf of the Commonwealth against

*G. L. Bailey*

who stands charged with and indicted for a felony ~~misdemeanor~~.

And this *they* shall not omit under penalty of £100. And have then and there this Writ.

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *27th*  
day of *July*, 19 *32*, and in the 15 *7th* year of the Commonwealth.

*J. Robert Switzer*, Clerk



executed Aug 8 -1932 by delivering a true Copy of the

within Summons to W.T. Broad & Co. Lumber W & Sugar

ad in person.

S. F. Newman, Clerk  
C. R. Dawley, S. C.

Com

F. L. Bailey

1932

Aug. 9



In the Name of the Commonwealth of Virginia: *Sergeant of the City of Staunton*  
To the Sheriff of ~~Rockingham County~~, Greeting:

You are hereby commanded to summon.....

*H. B. Hooks, — Cash*

*W. E. Thurber*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,  
at ~~10~~<sup>9:30</sup> o'clock, a. m., on the *9<sup>th</sup>* day of *August* 19 *32*,  
to testify and the truth to say in behalf of the Commonwealth against .....

*R. L. Bailey*

who stands charged with and indicted for a felony ~~widemeanor~~.

And this *they* shall not omit under penalty of £100. And have then and there this Writ.

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *3<sup>d</sup>*  
day of *August* 19 *32*, and in the 15 *7* year of the Commonwealth.

*J. Robert Switzer*, Clerk



Executed Aug 6 - 1932 by delivering a true Copy of the

within Summons to H. B. Hooks, W. E. Thurber &

each in person.

J. F. Cash  
L. P. Newman Deputy for  
C. R. Pawley SR

Commonwealth

vs

P. J. Bailey

August 9

1932

H. B. Hooks

Cash

W. E. Thurber

W. E. Thurber



In the Name of the Commonwealth of Virginia: *Augusta*  
To the Sheriff of ~~Rockingham~~ County, Greeting:

You are hereby commanded to summon.....

*W. M. Turner*

*Staunton*

*Va.*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,  
at ~~10~~ <sup>9:30</sup> o'clock, a. m., on the *9th* day of *Aug.* 19 *32*,  
to testify and the truth to say in behalf of the Commonwealth against.....

*H. S. Bailey*

who stands charged with and indicted for a felony ~~misdeemeanor~~.

And this *he* shall not omit under penalty of \$100. And have then and there this Writ.

Witness, J. ROBERT SWITZER, Clerk of our said Court, at the Court House, the *27th*  
day of *July* 19 *27*, and in the 15 *7th* year of the Commonwealth.

*J. Robert Switzer*, Clerk



Cam.

In the Name of the Commonwealth of Virginia:  
To the Sheriff of the County of \_\_\_\_\_

R. L. Bailey

EXECUTED 7/28 1932

as to Wm. Jones

by delivering a copy of the within sum

to him in person

Dept.

For G. M. Gibson S. & C.

1932  
Aug. 9



In the Name of the Commonwealth of Virginia: *Augusta*  
To the Sheriff of ~~Rockingham~~ County, Greeting:

You are hereby commanded to summon.....

*Wright + W. N. Bailey*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at <sup>9:30</sup>~~10~~ o'clock, a. m., on the *9th* day of *August* 19*32* to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, plaintiff, against.....

*R. L. Bailey*

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 *Robert Switzer* Clerk of our said Court, at the Court House, the *3* day of *August* 19*32* and in the *157*th year of the Commonwealth.  
*Robert Switzer*, Clerk.



Sheriff - Augusta Co.

R. L. Bailey

ad  
Commonwealth

EXECUTED

8/6

1932  
August 9

as to

M. M. Bailey  
vs. Wright

Wright  
M. M. Bailey

by delivering a copy of the within sum.

to him in person

M. M. Bailey Dept.

For G. M. Gilman S. A. C.



In the Name of the Commonwealth of Virginia:

*Sergeant of City of Staunton*

To the ~~Sheriff of Rockingham County~~, Greeting:

You are hereby commanded to summon.....

*H. E. Conner*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at ~~10~~<sup>9:30</sup> o'clock, a. m., on the *9<sup>th</sup>* day of *August* 19*32* to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, plaintiff, against.....

*R. L. Bailey*

who stands charged with and indicted for a felony ~~felony~~ *misdemeanor*.

And this *he* shall not omit under the penalty of £100. And have then and there this Writ.

Witness,....., Clerk of our said Court, at the Court House, the *3<sup>d</sup>* day of *August* 19*32*, and in the *157<sup>th</sup>* year of the Commonwealth.  
*Robert Hunter*, Clerk.



Sergeant - City of Staunton

R. L. Bailly

ads

Commonwealth

1932

Aug. 9

H. E. Coiner

Staunton Va

Aug 6 1932

Exhibited as to H. E. Coiner  
by delivering a true  
Copy of the within  
Response in Person

J. S. Lee  
Sergeant of the City  
of Staunton Va



In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

J. O. Stickley, Ward Swank  
W. E. Lucas & Roy Koontz

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at ~~10~~<sup>9:30</sup> o'clock, a. m., on the 9<sup>th</sup> day of August 19<sup>32</sup> to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, plaintiff, against

R. L. Bailey

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, Robert Switzer, Clerk of our said Court, at the Court House, the 3<sup>d</sup> day of August 19<sup>32</sup>, and in the 15<sup>th</sup> year of the Commonwealth.  
Robert Switzer, Clerk.



recd Aug 9 1932 by delivering a true copy of the

within summons to J. O. Stickleby Ward Swank

and W. E. Lucas Roy Koontz

W. E. Lucas & S. Har & R. Lawley

S. R. 6

R. L. Bailey  
advs

Commonwealth

1932

August 9

J. O. Stickleby  
Ward Swank

W. E. Lucas

Roy Koontz



In the Name of the Commonwealth of Virginia:

To the Sheriff of ~~Rockingham~~ <sup>Warren</sup> County, Greeting:

You are hereby commanded to summon.....

*T. S. Duncan*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof, at ~~10~~<sup>9:30</sup> clock, a. m., on the *9<sup>th</sup>* day of *August* 19*32* to testify and the truth to say in behalf of the Defendant in the prosecution of the Commonwealth, plaintiff, against.....

*R. L. Bailey*

who stands charged with and indicted for a felony ~~misdemeanor~~.

And this *he* shall not omit under the penalty of £100. And have then and there this Writ.

Witness, *Robert Switzer*, Clerk of our said Court, at the Court House, the *9<sup>th</sup>* day of *August* 19*32*, and in the *15<sup>th</sup>* year of the Commonwealth.

*Robert Switzer*, Clerk.

Sheriff - Warren County

R. L. Bailly

ads

Commonwealth

1932

August 9

T. S. Duncan

T. S. Duncan has bearing found at  
his place of abode or at his office  
a true copy of the writ in which what  
has been set by returning to his Secretary  
Miss Elizabeth Hall the papers and  
is following her part to her  
Aug 3 - 1932 the my truly with  
T. S. Duncan Sheriff  
Warren Co Va



To The Sheriff of Augusta County, Dr.

STAUNTON, VA.,

*8/4*

193 *2*

*P. L. Bailey*

VS.

*Commonwealth of Va.*

p. q.

To Executing

*2 spa for witness*

*\$1<sup>00</sup>*

Received Payment

Deputy

*Please let me have this.*

G. M. GILKESON, S. A. C.

G. M. GILKESON, S. A. C.  
Deputy

Received Payment

To Executing *Supplies*

p. p.

STATINTON, VA., 8/11 1882

To The Sheriff of Augusta County, Va.



JUN 1932

#1022

G. N. Newell  
J. M. Brunt  
J. S. Sharpe  
E. L. Sleafay  
alvin H. Key

Sheriff Court

arrest	20.00	10
Prison Wks	4.50	4.50
Imp Jury	1.50	.50
Cont Jd	1.00	15.00
	<u>27.00</u>	

COMMONWEALTH

v.

Misdemeanor  
Felony (Pro.)

C. A. BAILEY and  
R. L. BAILEY

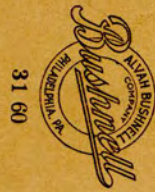
C. N. G. set in

cont bond aug-9-

D. L. v. G.

C. A. guilty 60-100





31 60