COMMONWEALTH OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

In the 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 June term, 1923, upon their oaths do present that Harvey Ketterman within one year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully manufacture, sell, offer, keep, store and expose for sale, give away, transport, dispense, solicit, advertise and receive orders for ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid upon their oaths aforesaid do further present that Harvey Ketterman within one year next prior to the finding of this indictment in the said County of Rockingham did unlawfully have in his possession a still, still cap, worm, tub, fermenter, and other appliances connected with and used in the operation of a still, 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 J. L. Dirting, C.R. Fawley, E. J. Dillard, W. T. Rexrode, witnesses sworn in Court and sent before the grand jury to give evidence.

We the Jury find the accused, Harvey Ketterman, guilty as charged in this indictment and fix his punishment by confinement in jail 60 days and a fine of $75.00.

H. E. Funkhouser
Foreman

Viol. Pro.Act.

COMMONWEALTH

v.

HARVEY KETTERMAN

A Misdemeanor

A True Bill

Foreman

D.W.Earman,
Commonwealth's Attorney

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

BE IT REMEMBERED that on the 25 day of May 1923, Harvey Ketterman and Albert B. Hove came before me A. W. Bertram Bail Commissioner 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 ~~Seven hu~~ 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 Harvey Ketterman shall make default in the performance of the conditions underwritten.

The condition of the above recognizance is such that if the above bound Harvey Ketterman do and shall personally appear before the Circuit Court of Rockingham on the first day of the next Term next thereof, being the 18 day of June 1923, at the Court-house thereof, and then and there answer the Commonwealth of Virginia concerning a certain misdemeanor whereof the said Harvey Ketterman 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.

A W Bertram B. C.

Harvey Ritterman
Bail

INSTRUCTION No.____. Rep

The Court instructs the jury that before the Commonwealth would be entitled to ask for a finding of guilty on the ground that the defendant unlawfully had ardent spirits in his possession, it would be necessary, under the evidence in the case, that the jury should be satisfied beyond a reasonable doubt that the defendant had such liquor (the same being less than one pint) in his possession for the purpose of sale.

INSTRUCTION No. _____. Withdrawn

As to the charge in the second count in the indictment in which the defendant is specially charged with having in his possession distilling apparatus, fermenters, and so forth, the question of fact is for the jury to determine, first, whether the apparatus recognized as intended for the purpose of distilling was in the possession of the defendant, and, second, whether or not any of the barrels found about the premises of the defendant had been used by him in the unlawful manufacture of liquor. Unless the jury should believe beyond a reasonable doubt that the distilling apparatus above mentioned was in the possession of the defendant, or that the barrels found in his possession had been used unlawfully, then they should find a verdict of not guilty.

Cm
v
Horace Kallen
Greenstein
for Sept. 1915

Sept

Magnes

INSTRUCTION NO. ——.

Acknowledge receipt of the enclosed copy of the statement made by Horace Kallen and return to me a text of the proposed pamphlet which I have prepared as a basis for discussion and criticism, submitted herewith and to which is added a list of those who have signified their willingness to subscribe to the proposed pamphlet and to assist in its distribution.

INSTRUCTION NO. ——.

Please return the text of the pamphlet with the suggestions and criticisms which you may wish to make, in the enclosed envelope, which is stamped and addressed to me.

Kallen has been asked to prepare a brief pamphlet which will be based upon the statement which he has already prepared and which has been approved by the committee.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are herby commanded to summon

W. R. Crider, Sr.; Samuel Whitig, Walter Hottinger, Silas Straffer, B. F. Tavenner

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock, a. m., on the 11th day of Sept 1923, to testify and the truth to say in behalf of the **defendant** in the prosecution of the Commonwealth, Plaintiff, against

A. W. Kettenmard, 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 22 day of August, 1923 and in the 148 year of the Commonwealth.

J. F. Blackburn, Clerk

A. H. Ketterman

ads

Commonwealth

C. R. W.

SHERIFF FEE $2.50

Sept. 11, 1923

COMMONWEALTH OF VIRGINIA,

County of Rockingham, To-Wit:

To the Sheriff of said County:

Whereas H. D. Brown of the said County of Rockingham has this day made complaint and information on oath before me, J. C. Cooper, a Justice of the Peace of said County, that he has cause to believe and does believe that ardent spirits are being manufactured or stored for sale, barter, gift, or use, in violation of law, in a certain dwelling house or outbuildings, situate in the ~~of~~ ~~and in the~~ County of Rockingham, Virginia, and occupied by ~~J. D. C.~~ Harvey Ketterman

These are, therefore, in the name of the Commonwealth of Virginia to command you forthwith to search said buildings for ardent spirits and their containers, and bring the same and the person in whose possession they are found before me or some other Justice of the said County to answer the said complaint and to be further dealt with according to law.

Given under my hand this 23rd day of May, 1923.

J. C. Cooper (SEAL)
Justice of the Peace.

C R Fawley
E J Dillard
C D Fulk
W J Rexrode
H H Hoover
W D Brown
J L Deeting
Lambert
continue to
Serve.

Search Warrant for City or Town

COMMONWEALTH

vs.

Harvey Kitterman

Executed By searching premises of Harvey Kitterman this 13 day may 1923. By finding one Pint. spirits one still & By arresting one Harvey Kitterman

C R Fawley D.S.
for M L Dillard
D.S.C.

News-Record,
Harrisonburg, Va.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

J. L. Dunting, C. R. Fawley, C. J. Dillard,
W. T. Reynolds

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock, a.m., on the 18 *day of* June *19*23*, to testify and the truth to say in behalf of the Commonwealth before the Grand Jury*

Harvey Ketterman

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 13 *day of* June, *19*23*, and in the* 147 *year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

Commonwealth

vs

Harvey Ketterman

Grand Jury

SHERIFF FEE $2.00

Executed a copy of a summons on the within named June 15th 1923

W. F. Dellard S.R.C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon J. L. Dinting, C. R. Fawley, E. J. Dillard, 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 11th *day of* Sept 1923 *to testify and the truth to say in behalf of the Commonwealth against* Harvey Kettenmard

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 31 *day of* Aug, 1923, *and in the* 148 *th year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Commonwealth
vs
Harvey Fetterman

4 wit wd.

SHERIFF FEE $ 2 00

Sept. 11, 1923.

Executed as to J. L. Dating C R
Hanley & J. Dillard & W. Thomas
August 31 - 1923 WZ Dillard SRC

STATE NORMAL SCHOOL

HARRISONBURG, VA.

CHEMICAL LABORATORY

REPORT OF ANALYSIS

THE SAMPLE OF ..... SUBMITTED BY

..... FOR THE DETERMINATION

OF ..... SHOWS THE

FOLLOWING ANALYSIS:

To J. N. Blackburn, Clerk of the Court of Rockingham County:

Commonwealth vs. Haney Kettermann

To Analysis of Alcoholic Beverage - - - - - - - $3.50

REMARKS:

I HEREBY CERTIFY THAT THE FOREGOING ANALYSIS IS CORRECT TO THE BEST OF MY KNOWLEDGE.

James C. Johnston ANALYST

DATE Sept. 6, 1923

F. E. Johnson

We the Jury find the Accused.
Harry Kettenman Guilty and
fix Punishment 60 Days in
Jail and $75.00 fine. Bond. $500.00

Kellerman

~~Geo. Stewart~~ 1.50

~~A.S. Hoff~~ 2.20

H. E. Funkhouser

Vernon C. Miller

R. E. Filler

Lorick Zirkle

W. Hinton Rolston

D. L. Shickle

~~J. H. Hiller~~

~~Geo. Stewart~~

~~Geo. Cover~~

S. E. Zirk

August Term 1923
Harvey Ketterman
ads Misdemeanor
Commonwealth

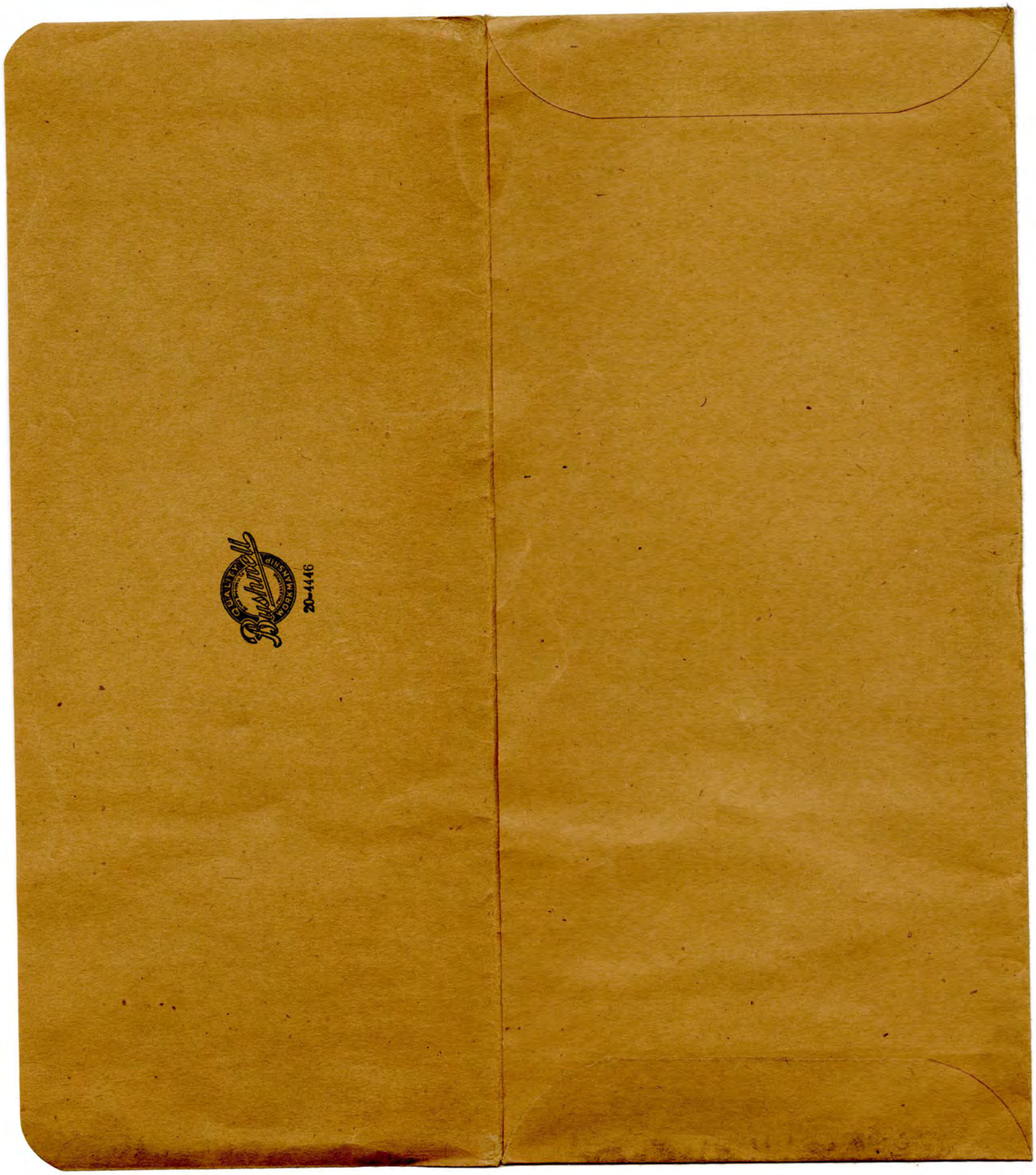
H. E. Funkhouser 2.40
Vernon C. Miller 3.30
R. E. Filler 2.50
Lorick Shiele 3.00
W. Hinton Polston 2.30
A. S. Houff 4.00
Sheriff Shoemaker
$17.50

Sheriff Fee

Officers
J D Lambert Jr
C R Fawley
R D Fulk
W D Rexrode
H H Hoover
W D Brown
J L Destry

Search Warrant 100
Arrest 18-0
Prison Fee 1000
Cap Still 5-000
Grand Jury 200
Trial Case 200
His Wit Son 25-0
Dep Jurors 15-0
70.50

Examin Fee 200
J. C. Johnson 35-0
Jail Fees. 3 days. 275
8.25


QUALITY
Brushwell
WORKMANSHIP
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