

Handwritten notes at the top of the page, including the name "C. M. Clatterbuck" and other illegible text.

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 February term, 1924, upon their oaths do present that C. M. Clatterbuck, 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 C.M. Clatterbuck, within one year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully have in his possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid upon their oaths aforesaid do further present that C. M. Clatterbuck, within one year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully receive ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. T. Rexrode and J. L. Dirting, witnesses sworn in Court and sent before the grand jury to give evidence.

We the jury find the accused, C. M. Clatterbuck, guilty as charged in this indictment and fix his punishment at one month in jail and a fine of fifty dollars.

C. L. Earman

Foreman

COURT OF ROCKINGHAM, VIRGINIA

COURT OF ROCKINGHAM, VIRGINIA

In the Circuit Court of said County:

Viol. Pro. Act

COMMONWEALTH
v.
C. M. CLATTERBUCK

A MISDEMEANOR
A TRUE BILL

C. L. Earman
FOREMAN

D. W. Earman,
Commonwealth's Attorney.

Set for March 17/24

✓

The Jurors aforesaid upon their oaths aforesaid do further find that C. M. Clatterbuck, within one Year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully receive argent spirits, against the peace and dignity and dignity of the Commonwealth of Virginia. And the Jurors aforesaid upon their oaths aforesaid do further find that C. M. Clatterbuck, within one Year next prior to the finding of this indictment, in the said County of Rockingham, did unlawfully receive argent spirits, against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. H. Rexford and to give evidence.

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

WHEREAS, *J. H. Diting, Federal Agent* of the said County *Giles*
(Here insert name of affiant or affiants)

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

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

(a) Ardent spirits are being unlawfully manufactured, sold, kept, stored, possessed, held, used, and concealed,
in a certain *dwelling house & out buildings*
(Here insert description of the place, house, room, or boat, as the case may be)

by one *Cal Clatterbuck, located on Elkton Pike near Nbg.*
(Give name, or say, "Whose name is to the informant unknown")

(b) A still, still cap, worm, tubs, 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 *Cal Clatterbuck*
(Give name, or say, "Whose name is to the informant unknown")

in a certain *dwelling house & out buildings*
(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 bag-
gage 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, that Cal Clatterbuck is selling and storing ardent
spirits, the reasons being, that strange cars stop at
Clatterbuck's house very often and that people who
are known to use ardent spirits are frequent visitors.*

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,
& *out buildings*
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 *28* day of *Jan.*, 192 *4*

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

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

Commonwealth of Virginia

vs.

Cal Chatter back

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.....

By..... Clerk.
D. C.

Handwritten notes and signatures on the left page, including a large signature at the top and various smaller entries.

Vertical handwritten text on the right page, possibly a list or index, with some legible words like 'No. 1', 'No. 2', etc.

Commonwealth of Virginia---City, County of, Virginia

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

BE IT REMEMBERED that on the 28 day of February 1924,

C. M. Clatterbush (sometimes called Cut Clatterbush & Addie
W. Clatterbush
came before me W. M. Beckman Notary Commissioner

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

Each in the sum of
Seven hundred & fifty 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
C. M. Clatterbush shall make default in the performance of the
conditions underwritten.

The condition of the above recognizance is such that if the above bound C. M. Clatter
bush do and shall personally appear before the Circuit

Court of Rockingham on the 2 day of the February 1924, at Term next
thereof, being the _____ day of _____ 1924, at the Court house thereof,

and then and there answer the Commonwealth of Virginia concerning a certain messuages where-
of the said C. M. Clatterbush 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. M. Beckman B. C.

Handwritten note: these to stay the case

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

Be it Remembered that on the _____ day of _____ 19__
_____ of the County of _____
_____ in the County of _____

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
_____ in the sum of _____

_____ Dollars of like good and lawful money, to be
good and lawful money of the United States, and the said _____

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
_____ shall make default in the performance of the

The condition of the above recognizance is such that if the above bond _____
do and shall personally appear before the Court _____

_____ at the Court _____
and then and there answer the Commonwealth of Virginia concerning a certain _____ where

of the said _____ stands charged, and shall not
depart thereon 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.
_____ J. P.

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. H. Disting, Federal Agent of the said City County has this day made complaint and information on oath before me, F. J. Argue, Lt. 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 & outbuildings

by one Cal Clatterbuck, located on Elkton Pike, 3 miles from Hwy

(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 Cal Clatterbuck

in a certain dwelling house & outbuildings

(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

by one

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 28 day of Jan. 1924

F. J. Argue, Lt. (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 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

vs.

Col Clatterbuck

Executed the within warrant this... 28th day of January, 1924, by searching the within stated dwelling house (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 1 3/4 gallons of ardent spirits.

Given under my hand this... 28th day of January, 1924

Dr. J. P. ... State Inspector Title

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

J. L. Whiting

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.

Rockingham County, Commonwealth of Virginia to wit:
C. M. Clatterbuck sometimes called Cal Clatterbuck appeared before
me F. J. Augenbight a Justice of said County and waived his
preliminary hearing. Mrs. Addie M. Clatterbuck appeared and was
recognizd in the sum of Seven Hundred and Fifty dollars for
the appearance of the said C. M. Clatterbuck before the Circuit
Court of said County on the 18th day of February 1924 and
not depart therefrom with out leave of the Court.

Given under my hand this the 2nd day of February 1924
F. J. Augenbight J.P.

Washington County, Tennessee
C. W. ...
...

...

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

W. T. Repuode v
J. L. Duiting v

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 18 day of Feb 1924, to testify and the truth to say in behalf of the Commonwealth before the Grand Jury

C. M. Clatterbuck
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 21 day of Feb, 1924 and in the 148th year of the Commonwealth.

J. F. Blackburn, Clerk.

Comm.

Name of the Commonwealth of Virginia

To the Sheriff of Rockingham County, Virginia

C. M. Clatterbuck

Sheriff fee \$1.00

Grand Jury

Feb. 18, 1924.

Presented Feb. 13, 1924 by delivering a
copy of this summons to W. T. Perdue
and J. S. Dittinger in person.
L. M. Stone, S. R. Co.

J. F. Caldwell	2.60
Bey. Meyers	3.10
W. F. Bowl	2.10
G. S. Loushon	2.80
Lewis Army	2.70
	<hr/>
	13.30

Feb. Term 1924 # 79
 C. M. Clattenbuck
 sometimes called
 Cal Clattenbuck.

ads. Modemearow
 Commonwealth.

March 17.

Shiff Costs
 Imp. Jury 1.50
 Summons 1.00

 2.50

W. T. Repode Prob. Imp.
 Arrest 1.50
 Premium 10.00
 S. Warrant 1.00

 Total 12.50



20-4446