

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 said county of Rockingham and now attending said Court at its October term, 1932, upon their oaths do present that James ("Corky") Higgins, who has heretofore been convicted of violating the Prohibition Laws of the State of Virginia, in the Mayor's Court at Harrisonburg, Virginia, to-wit, on December 3, 1928, and who then and there was sentenced to pay a fine of Fifty Dollars, did, on or about August 27, 1932, in said county of Rockingham, unlawfully have in his possession about one-half gallon of ardent spirits (moonshine liquor), against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of W. T. Rexrode, D. S. Shifflett, J. R. Logan, and S. V. Shifflett, witnesses sworn in Court and sent before the grand jury to give evidence.

Poss

✓ No. 4

Commonwealth

NOV 14

v) Indictment

N.S.

James ("Corky") Higgins

Misdemeanor

October term, 1932

A True Bill:

Chas. P. ...

Foreman

Witnesses:

- ✓ W. T. Rexrode
- S. V. Shifflett
- D. W. Shifflett
- ✓ J. R. Logan

D. W. Earman
Commonwealth's Attorney

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

sworn in Court and sent before the Grand Jury to give evidence.
This indictment is found on the testimony of W. T. Rex-
rode, D. W. Shifflett, J. R. Logan, and S. V. Shifflett, witnesses

Hannabury

Commonwealth of Virginia—City, County of,

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, *R. S. Dewey*
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 *Dwelling House & out buildings*
Here describe the place, house, room or boat, as the case may be

by one *James Higgins*
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 *James Higgins*
Give name, if name unknown, say, "Whose name is to the informant unknown"

in a certain *Dwelling House & out buildings*
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* 193*2*

R. S. Dewey (SEAL)
Title of Magistrate

108 N

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.

Jas. Higgins

Executed the within warrant this *27th* day of *August*, 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 *1/2 gallon of liquor.*
6 " " Beer.
17 bottles " "

Given under my hand this *27th* day of

Aug, 193*2*.

W. P. Resnode
State Prob Inspector
Title

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

John R. Logan
Don. Shifflette
Sell

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.

Arrest Warrant

Commonwealth of Virginia,
Rockingham County,

To-Wit:

State Prob Inspector

To W. H. Reynolds, a Constable of said County:

Whereas, W. H. Reynolds of the said County, has this day made complaint and information on oath before me, R. S. Dwyer a Justice of the said County, that James Higgins of the said County, on the 27 day of Aug, 1932, in the said County, did

violate the laws of the Commonwealth of Virginia in his possession and
sale of 7 Gallons of Liquor 6 Gallons of Beer and
17 Bottles of Beer
against the Peace and dignity of the Commonwealth of 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 of the said County, the body of the said

James Higgins to answer the said complaint and to be further dealt with according to law. And you are required

to summon John R. Ryan Dan Shefflette and
Bill (Shefflette)

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

Given under my hand and seal this 27 day of Aug, in the year 1932.

R. S. Dwyer J. P. [Seal]

STATE OF VIRGINIA—COUNTY OF ROCKINGHAM, TO-WIT:

I, _____, a Justice of the Peace in and for the County of Rockingham, Virginia, do hereby certify that _____ and _____ as his surety, have this day acknowledged themselves indebted to the Commonwealth of Virginia in the sum of _____ Dollars (\$) to be made and levied of their goods and chattels, upon this condition: That the said _____ shall appear before the undersigned or the Circuit Court of Rockingham County, on the _____ day of _____, 19____, and not leave hence without leave of the said Court, to answer the charge in this warrant, or to await the action of the Grand Jury of the said County upon the within charge.

Given under my hand this, the _____ day of _____, 19____.

_____, J. P.

JUDGMENT

James Stegans
 Upon the examination of the within charge, I find the accused that there is possible cause of the accused being guilty and find him for the next Grand Jury
Aug 27/13 v. Richardson Jr

Fine \$
 Clerk's Fee \$ *25*
 Justice's Fee \$ *3.00*
 Arrest \$ *10.00*
 Summoning Witness . . . \$
 Witness Attendance and Mileage \$
 Commonwealth's Attorney . . \$ *10.00*

Jail Fees \$ *2.10*
 Total *27.60*

Richard Dwyer
 Justice of the Peace.

Commonwealth
 vs. } Arrest Warrant
James Stegans

Executed the within warrant by arresting and delivering the body of _____ before _____ a Justice of Rockingham County, and by summoning the within named witnesses in person this _____ day of _____, 19____.

 Constable of Rockingham County

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *W. J. Reynolds, D. M.*

Shifflett, J. R. Logan & S. V. Shifflett

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,
at ^{9:30} 10 o'clock, a. m., on the *17th* day of *Oct.* 19 *32*,
to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY

W. James Higgins

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 *11th* day of *Oct* 19 *32*, and in the 15 *7th* year of the Commonwealth.

J. Robert Switzer, Clerk

Executed by delivering a true copy

of the within summon to *W. A. Newland John R. Logan B. H. Shifflett S. T. Shifflett*

each in person.

*S. Newman Clerk Jr
C. R. Newley S. R.*

Com

James Higgins

To the Sheriff of Rockingham County, Virginia:

1932

Oct. 17

CIRCUIT COURT OF ROCKINGHAM COUNTY

OCT 17 1882

Term, 19.....

M. T. Reprod

has been sworn in open court as a witness before the Grand
Jury.

J. Robert Snitzer

Clerk.

CIRCUIT COURT OF ROCKINGHAM COUNTY

1891

has been sworn in open court as a witness before the Grand

Clk.

Shelf Coal
Arrest 10.00
Smoking 4.50
Court Fee .50
\$15.00

OCT 1932

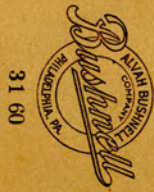
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COMMONWEALTH

v. J.) Misdemeanor (Pro.)

JAMES "CORKY" HIGGINS D.L.

Prison (N.P. 19 Oct)



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