

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 August term, 1928, upon their oaths do present that C. E. Carper, who was heretofore on the 20th day of December, 1923, convicted of violating the Prohibition laws of the Commonwealth of Virginia in the Circuit Court of said Rockingham County, and who then and there was sentenced to pay a fine of one hundred dollars and serve for a period of three months in jail, did, within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously 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. E. Carper, who was heretofore on the 20th day of December, 1923, convicted of violating the Prohibition laws of the Commonwealth of Virginia in the Circuit Court of said Rockingham County, and who then and there was sentenced to pay a fine of one hundred dollars and serve for a period of three months in jail, did within one year next prior to the finding of this indictment, in the said county of Rockingham, unlawfully and feloniously have in his possession ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

The jurors aforesaid, upon their oaths aforesaid, do further present that C. E. Carper, who was heretofore on the 20th day of December, 1923, convicted of violating the Prohibition laws of the Commonwealth of Virginia in the Circuit Court of said Rockingham County, and who then and there was sentenced to pay a fine of one hundred dollars and serve for a period of three months in jail, did



within one year next prior to the finding of this indictment, in the county of Rockingham, unlawfully and feloniously receive ardent spirits, against the peace and dignity of the Commonwealth of Virginia.

D.W.Shifflett, Sam Heltzel,

This indictment is found on the testimony of ~~C. R. Fawley~~ and W. T. Rexrode, witnesses sworn in Court and sent before the grand jury to give evidence.

Commonwealth's Attorney  
D. W. Egan

5.50  
50  
25  
75

7.00  
50

within one year next prior to the finding of this indictment, in  
the county of Rockingham, unlawfully and feloniously receive  
of Virginia.

2nd offense ✓

Commonwealth

v) Indictment

C. E. Carper

*Copy*

Felony

August term, 1928

A True Bill:

J. N. Swank  
Foreman

*Plea of guilty*

D. W. Earman  
Commonwealth's Attorney

**Commonwealth of Virginia—City, County of, Louisburg to-wit:**

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

WHEREAS W. T. Renode, Va. State Jus. of the said City County  
has this day made complaint and information on oath before me, Sheffy L. Devier Mayor  
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 dwellling house & outbuildings

by one C. E. Carper located 189 Patterson St  
Here describe the place, house, room or boat, as the case may be  
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 C. E. Carper

in a certain dwellling house & outbuildings  
Give name, if name unknown, say "Whose name is to the informant unknown"  
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

by one.....  
Here describe vehicle, auto, wagon, carriage, buggy, boat, baggage or what not  
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 25 day of May 1928

Sheffy L. Devier (SEAL)  
Mayor  
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.

*C. E. Casper*

Executed the within warrant this 25<sup>th</sup> day of May, 1928, 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 other things seized

- 5 *half gal jars full of Liquor*
- 2 *pink bottles " " "*
- 2 *" " half " " "*
- 10 *" " " " "*
- 1 *Automatic Gun*
- 1 *Harrington & Richards Gun*
- 1 *Gun Holster*

Given under my hand this 25<sup>th</sup> day of

May, 1928.

*W. T. Wessode*  
State Inspector Title

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

*J. L. Dirding*  
*W. E. Thurber*  
*G. A. Lanson*  
*Jerry Long*

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.

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THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETINGS:

We command you, that you take G. E. Cooper if he be found within your bailiwick, and him safely keep, so that you have his body forthwith before the Circuit Court of Rockingham County, at the Court House thereof ~~on~~ ----- to answer us of a certain Felony whereof he stands indicted.

And have then and there this Writ. Witness J. F. Blackburn, <sup>Clk</sup> Clerk of our said Court at the Court House the 29<sup>th</sup> day of December, in the 153 year of the Commonwealth.

J. F. Blackburn, Clk Clerk.

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Executed Jan 1-1929 -  
By authority said C.E. Carper & acting him for  
City of Washington for distance marked  
296 miles @. 10 P per mile 2900  
C. R. Sawley S. R. C.

COMMONWEALTH

vs. - Felony Pro.

C. E. Carper





# 516

COMMONWEALTH

VS.

Felony (Pro.)

C. E. CARPER

Sheriff Fees  
arrest

1.00

R.R. Fair to Alexandria 5.30

" " " " " 10.60

meals 1.50

Milage

Summoned Witness 3.00

Total \$ 30.90

Capias

3<sup>rd</sup> ent

Days in jail June - 1929  
1st

