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 William Glenn, 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.

This indictment is found on the testimony of C.D. Fulk, S. F. Newman, W. T. Rexrode, H. W. Hoover, and E. J. Dillard, witnesses sworn in Court and sent before the grand jury to give evidence.

We the jury find the accused, William Glenn, guilty as charged in the indictment and fix his punishment at a fine of $25.00

A. Stuart Hargrave

Viol. Pro.Act.

COMMONWEALTH

v.

WILLIAM GLENN

A Misdemeanor

A True Bill

J. C. Fables

Foreman

D. W. Earman,
Commonwealth's Attorney.

STATE OF VIRGINIA, ROCKINGHAM COUNTY, TOWIT:

This day came before the undersigned Baill Commissioner for Rockingham County William Glenn and C. R. Winfield who jointly and severally acknowledged themselves indebted to the Commonwealth of Virginia in the sum of $500.00 leviable of their respective goods and chattels, lands and tenements for the use of the Commonwealth rendered, aand as to the payment of which they each waive the benefit of the Homestead exemption and any right to discharge any liability arising to the Commonwealth of Virginia under this recognizance by coupons detached from the bonds of this State, the said suret having first qualified as to sufficiency under oath,

YET UPON THIS CONDITION, that if the said William Glenn shall appear before F. J. Argenbright a justice of the Peace for Rockingham County or some other justice who may be there to try the case at the Court House in Harrisonburg Va on the 19th day of May 1923 ~~the Circuit Court of Rockingham County on the first day of the next term thereof,~~ at ten o'clock on the morning of said day, at Harrisonburg, Virginia, to answer the Commonwealth of Virginia concerning a certain misdemeanor of which he stands charged, and shall not depart therefrom without leave of said court, then this obligation to be void; otherwise to remain of full force and virtue.

Given under my hand as Bail Commissioner this 11 day of May 1923.

H. W. Berlin

B. C.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are herby commanded to summon

Dr. Edmonds, Lewis Lowman, R. N. Lowman, John Swartz, William Swartz.

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

William Glenn, Defendant

And this he 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 5 day of Sept., 1923, and in the 148 year of the Commonwealth.

J. F. Blackburn, Clerk

Wm. Glenn

ads

Commonwealth

C. R. W.

25-0 Sheriff Fee

Sept. 10, 1923

Execution by delivering a copy of this
Summons to Dr Edmonds
Frank Fannon & M. Eaningr
Esqrs. County and Commonwealth
This the 8th day of Sept. 1923.

Dr. J. T. Lawson Sheriff
By D. F. Dillard, S. R. C.

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. F. Blackburn, Clerk of the Court of Rockingham County:
Commonwealth vs William Elam and Callie Roseffan

To analysis of Beverage ---- $7.00
(Two Samples)

REMARKS:

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

J. C. Johnston
ANALYST

DATE May 19, 1923

Wm Sleen

350

Callie Radeffer

350

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

C. D. Fuck, S. F. Newman,
W. T. Rexrode, W. E. Lucas,
E. J. Dillard

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 10th *day of* Sept *19*23 *to testify and the truth to say in behalf of the Commonwealth against*

William Glenn

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 *, 19*23*, and in the 14*8*th year of the Commonwealth.*

J. F. Blackburn, *Clerk.*

News-Record, Harrisonburg, Va.

Commonwealth

vs

William Glenn

Execution on to E G Dillon C D Fulk
W D Rutrough & J Z Newman. Exec with
a copy of a Summon Ayment 31-1923
WZ Dillard SRC

WZD 4
Civil COZ 1

SHERIFF FILE # 250

Sept. 10, 1923.

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 C. D. Fulk, S. F. Newman, W. T. Reynode, H. W. Hoover, E. J. Dillard

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 Commonwealth before the Grand Jury*

Wm. Glenn o c

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.*

Executed a copy of a summons on one of the within named June 15th 1923
W. L. Willard S.R.C.

Commonwealth
vs.
Wm. Glenn

Grand Jury.

SHERIFF FEE $2.50

Commonwealth

v.

William Glenn

Refs

The Court instructs the jury that it is lawful for a person traveling from one point to another within the State to carry in his baggage , for the bona fide use of himself or his family , and not as a means of evading the intent and meaning of the law , and not to be used contrary to the provisions of the law , ardent spirits not in excess of one quart .

(Code 1922 page 782 § 39

Commonwealth

v.

Willaim Glenn

Refs

The Court instructs the jury that the term baggage , as used in the law applicable to this case includes such or any articles as a traveler might reasonably take with him for his personal use or convenience .

It does not particularly refer to the container in which articles of baggage may chance to be carried . For instance - ardent spirits carried in a trunk or suit case that held no articles which could be classed as baggage would be unlawfully carried .

It is not absolutely necessary that articles generally recognized as baggage be carried in a container such as trunk , bag , box &c. , in order to constitute them baggage within the meaning of the law . An overcoat carried in a shawl strap ; in a roll ; in a bundle , or carried in any way except worn on the person , might under reasonable circumstances be considered as baggage and the carrying of a quart or less of ardent spirits in the baggage would not make the defendant guilty unless the act were done with intent to evade the law .

(131 Va. 814 ;109 SE. 590 .
122 Va. 783 ; 94 S.E. 168

Commonwealth

v.

William Glenn

The Court instructs the jury that it is their province to determine from the evidence , having regard to all of the instructions given them by the Court whether or not the ardent spirits found in the possession of the defendant was carried in his baggage ,in the sense in which baggage has been defined to you under the instructions , and it is further your province to determine whether or not such ardent spirits was carried by the defendant for the bona fide use of himself or his family , not as a means of evading the intent and meaning of the law , and not to be used contrary to the provisions .

If you find that such ardent spirits was carried in the baggage of the defendant , without unlawful intent or purpose , you will find a verdict of not guilty , and should you determine that such ardent spirits was not carried in the baggage of the defendant , or even if carried in the baggage was so carried with intent to evade and defeat the law then you would find a verdict of guilty .

122 Va. 783 ; 94 S.E. 168

Pg

August Term 1923

WILLIAM GLENN

ads Indictment for a Misdemeanor

COMMONWEALTH

G. A. Layman
W. W. Acker
S. E. Buck
C. A. Bolton
A. S. Hoop

15 Cal

W5

Sheriff Costs
1 day Jail Fee 15-0
Arrest 15-0
Prem Fee 10-00
Call Jurors 15-0
Summ Jurors 25-0
Jurors Cost 25-0
W Z Randi His cost 25-0
~~B C Gilbert~~ 35-0 $22.00
Jur Prem Jury 15-0
$23 5-0

20-4446