

W. T. Rexrode, W. P. Wine, E. J. Dillard, and C. D. Fulk, witnesses sworn in court and sent before the grand jury to give evidence.

STATE 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 October term, 1922, upon their oaths, do present that Evelyn Simmers, Thomas Shirkey, Jennie Shirkey, May Shirkey, and Wela Shirkey 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 W. T. Rexrode, W. P. Wine, E. J. Dillard, and C. D. Fulk, witnesses sworn in court and sent before the grand jury to give evidence.

we the jury find the accused, Jerome Shirley and Evelyn Summers, guilty of manufacturing and storing ardent spirits as charged in this indictment and fix their punishment at confinement in jail for one month and a fine of \$50.00 each and as to Gray Shirley, Fela Shirley and Thomas Shirley we find them not guilty

T. A. Rush, Foreman.

Sentenced to jail =

STATE OF VIRGINIA
COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

Viol. Pro. Act

COMMONWEALTH

v.

EVELYN SUMMERS, THOMAS SHIRLEY, JENNIE SHIRLEY, MAY SHIRLEY, and FELA SHIRLEY.

MISDEMEANOR.

TRUE BILL

FOREMAN

D. W. Bernan

D. W. Bernan, Attorney for the Commonwealth

Grand Jury in and for the body of said county do hereby return and present that Evelyn Summers, May Shirley, Jennie Shirley, and Fela Shirley, did unlawfully manufacture, sell, keep, store and expose for sale, give away, transport, 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 W. T. Rex-
ford, W. B. Wine, E. S. Dillard, and C. D. Falk, witnesses sworn in court and sent before the grand jury to give evidence.

STATE OF VIRGINIA? ROCKINGHAM COUNTY, to-wit:-

This day came before the undersigned Bail Commissioner for Rockingham County. Evelyn Summers and W. B. Munnick who jointly and severally acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$500⁰⁰ leviable of their respective goods and chattels, lands and tenements for the use of the Commonwealth rendered, and as to the payment of which they each waive their 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 surety^y having first justified as to sufficiency, under oath.

YET UPON THIS CONDITION, that if the said Evelyn Summers shall appear before the Circuit Court of Rockingham County on the first day of the next term thereof, it being the October term, 1922, at ten o'clock, on the morning of said day, at Harrisonburg, Virginia, to answer the Commonwealth of Virginia concerning a certain murder of which she 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 20 day of August, 1922.

W. B. Munnick B.C.

STATE OF VIRGINIA, ROCKINGHAM COUNTY, to-wit:-

This day came before the undersigned Bail Commissioner for

Rockingham County, Virginia

who jointly and severally acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$500 leviable of their respective goods and chattels, lands and tenements for the use of the Commonwealth rendered, and as to the payment of which they each waive their Homestead Exemption and any right to discharge any liability existing to the Commonwealth of Virginia under this recognition by coupons detached from the bonds of this State, the said surety having first justified as to sufficiency, under oath.

YET UPON THIS CONDITION, that if the said James shall appear before the Circuit Court

of Rockingham County on the first day of the next term thereof, it being the 1st term, 1927, at ten o'clock, on the morning of said day, at Harrisonburg, Virginia, to answer the Commonwealth of Virginia concerning a certain indemnity of which she 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 30 day of August, 1927.

W. A. Harrison
B. O.

STATE OF VIRGINIA ROCKINGHAM COUNTY: TOWIT

This day came before the undersigned Bail Commissioner of Rockingham County, Thomas Shirley & J. B. Miller who jointly and severally acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$500. ^v leviable of their goods and chattels, lands and tenements for the use of the Commonwealth rendered, and as to the payment of which each waived the benefit of their 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, said suret having first justified as to his sufficiency.

YET UPON THIS CONDITION, that if the said Thomas Shirley shall appear before 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 misdeemeanor 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 this 16 day of September 1922

Robert B. ...
Bail/ Commissioner

STATE OF VIRGINIA ROCKINGHAM COUNTY: TOWIT

This day came before the undersigned Bail Commissioner of Rockingham County, Thomas Quincy

who jointly and severally acknowledged themselves indebted to the Commonwealth of Virginia in the sum of \$1000.00

of their goods and chattels, lands and tenements for the use of the Commonwealth rendered, and as to the payment of which each waived the benefit of their 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, said court having first justified as to his sufficiency.

YET UPON THIS CONDITION, that if the said Thomas Quincy

shall appear before the Circuit Court of Rockingham County on the first day of the next term thereof, at ten o'clock for

the morning of said day, at Martinsburg, Virginia, to answer the Commonwealth of Virginia concerning a certain murder

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 this 10 day of September 1933

Thomas Quincy

Bail Commissioner

Thomas Quincy

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

W. P. Wine, E. J. Dillard, W. T. Repnole,
C. D. Linn, J. J. Pennybaker, Dr. Holmrigew,
Jan. C. Johnston, Sergeant Beaven

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 28 day of Dec. 1922, to testify and the truth to say in behalf of the Commonwealth against

Evelyn Summers

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 Dec, 1922, and in the 147th year of the Commonwealth.

J. F. Blackburn, Clerk.

Commonwealth of Virginia

vs.

Evilyn Simmons

4c

Swit
Sheriff fee 4.00

Dec. 28, 1922

Rec'd Dec-23-1922
D. G. Humphreys, Esq. Attorney
Brooklyn, Ky. Delivered to each of the
copies of the within Simmons - Oct 21st 1922
J. M. S. Dickson, Jr.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

*Ada Bangs, John Wampler, Mrs. John
Wampler*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock,
a. m., on the *28* day of *December* 19*22*, to testify and the truth to say in
behalf of the defendant in the prosecution of the Commonwealth, Plaintiff, against.....

Evelyn Simmons et al

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 *22nd* day of

Dec., 19*22*, and in the 14*7* year of the Commonwealth.

J. F. Blackburn, Clerk

executed Dec 17-1922 to
Adda Wright, John Wright, E. M. Wright
Wright, By delivery to each in-
person a true copy of the within sum-
mons
C. R. Winfield D.P.
J. W. & J. L. & J. H. C.

Evelyn Simmons
et als

Commonwealth

C. R. Winfield

4 cent

Sheriff Fee 200

Dec. 28, 1922.

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon.....

C. D. Fulk, W. P. Wine
C. 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 16 day of Oct 1922 to testify and the truth to say in behalf of Commonwealth before the Grand Jury

Evelyn Summers &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 16 day of Oct, 1922, and in the 14⁷ year of the Commonwealth.

J. F. Blackburn, Clerk.

11 Oct - 1922

Excerpts by Sumner All
of the within annexed
Oct 14 - 1922
W. J. Siders, Jr.

Commonwealth
vs
Evelyn Simmons
4c

Grand Jury

3 wit

SEARCHED FREE 1.50

In the Name of the Commonwealth of Virginia:

To the Sheriff of Rockingham County, Greeting:

You are herby commanded to summon.....

H. C. Hale

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House, at 10 o'clock,
a. m., on the *28* day of *Dec*, 19*22*, to testify and the truth to say in
behalf of the defendant in the prosecution of the Commonwealth, Plaintiff, against.....

Evelyn Simmons &c

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 *21st* day of

Dec, 19*22*, and in the 14*th* year of the Commonwealth.

J. F. Blackburn, Clerk

Evelyn ~~Williams~~ ^{Simmons} ac

add. To the State of Rockingham County, Virginia:
Commonwealth of Virginia

Commonwealth

C. R. Winfield

Sherriff Fee 50

Dec. 28, 1922.

Mr. J. Miller, Box 7 Mobile, Ala.
Enclosed Dec 27 - 1922
is the return amount: with a copy of a
Summons.
W. R. Dillard, S.R.
(Mr. Simons)

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. D. Blackburn Clerk of the
Court of Rockingham:
Commonwealth vs. Mrs. Sam Shirley
To Analysis of Alcoholic Beverage --- \$3.50

REMARKS:

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

DATE

Aug. 28,

1922

Jane C. Johnston
ANALYST

$$\begin{array}{r} 75.00 \\ 35.59 \\ \hline 110.59 \\ 115.97 \\ \hline 226.56 \end{array}$$

$$\begin{array}{r} 75.00 \\ 40.97 \\ \hline 115.97 \end{array}$$

$$\begin{array}{r} 6.32 \\ 3.44 \\ \hline 9.76 \end{array}$$

$$\begin{array}{r} 40.97 \\ 6.32 \\ \hline 34.65 \end{array}$$

$$\begin{array}{r} 35.59 \\ 3.44 \\ \hline 32.15 \\ 7.90 \\ \hline 24.25 \end{array}$$

$$\begin{array}{r} 226.56 \\ 9.76 \\ \hline 216.80 \end{array}$$

$$\begin{array}{r} 32.15 \\ 34.65 \\ \hline 66.80 \\ 150.00 \\ \hline 216.80 \end{array}$$

$$\begin{array}{r} 34.65 \\ 6.90 \\ \hline 27.75 \end{array}$$

{ Elsie Shifflett
 Geo. Henning
 L.

Nov. 2

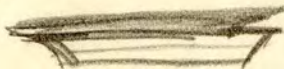
35 16.80
72.1

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

ANALYST

DATE

Com vs Shirley &c



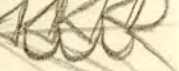
W. O. Deputy

Paul H. Bushong

J. A. Rush

~~William H. [unclear]~~

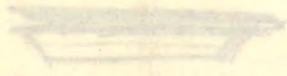
J. F. Caracape

~~J. H. [unclear]~~ 

R. H. Showalter



Can or should be



Mr. O. Murphy

Paul M. Livingston

J. A. Rank

~~_____~~

J. T. Conroy



R. H. Sturges



VIRGINIA, COUNTY OF Rockingham TO-WIT:
To W. P. Krice Constable of said County,
and to the Keeper of the Jail thereof:

Whereas Evelyn Simmons was this day found guilty
before me, Joseph M. May Jr. Esq. a justice of said county,
of a misdemeanor, for this, that he, the said Evelyn Simmons,
on the 26 day of August, 1922, in said county,
was preliminary hearing and held for
action of the Grand Jury

....., and I,
the said justice, adjudged that he should pay a fine of dollars and
..... cents, for the said offence, and dollars
and cents, the cost of prosecution; and the said

....., being so convicted, and being now required by me to
pay the said fine and costs, has not paid the same, but wholly failed to do so:

These are, therefore, in the name of the Commonwealth of Virginia, to command you,
the said constable, to take the said Evelyn Simmons, and convey
him to the jail of said county, and there deliver him to the keeper thereof, together with
this warrant; and to command you, the keeper of the said jail, to receive the said
Evelyn Simmons into your custody in the said jail, and him there safely
keep, until he shall have paid said fine and costs, or until he be otherwise discharged by
law.

Given under my hand and seal, this 26th day of August, 1922

Joseph M. May Jr. Esq., J. P. [L. S.]
Ex off J P

[For the collection of a fine and costs, a justice may either—(1) commit to jail, as in above form, or (2) take security for payment of same within 30 days, for which purpose an endorsement on the warrant, with date, of the name of the surety and the amount, is sufficient; or (3) merely certify the fine and costs to the clerk of the circuit court, who firsts issue a fl. fa., and, if it proves ineffectual, then a capias—see Code, sec's 717-18, amended, Acts 1899-1900, p. 544, and Acts 1902-4, p. 605, and sec's 719, 727. In case surety is given, add to the judgment the following: "And.... thereupon acknowledged himself as surety for the said..... for the payment of said fine and costs, to the clerk of the circuit court of said county, within thirty days from date hereof." For form of monthly certificate of fines to clerk, see Hurst's Guide & Manual, p. 207, No. 171. For how and when person in jail for fine, released, see Code, sec's 4074-5, amended, Acts 1895-6, p. 686.]

Can

28.

Colleges Simmons

Amount

Money 12 P.

80¢ = 120¢ = 8.

3 weeks

13.00
9.6
13.00

Shirley 071574.72

girl fee 4.80
can fee 50c

Girl Production 2.00
Money

13.50

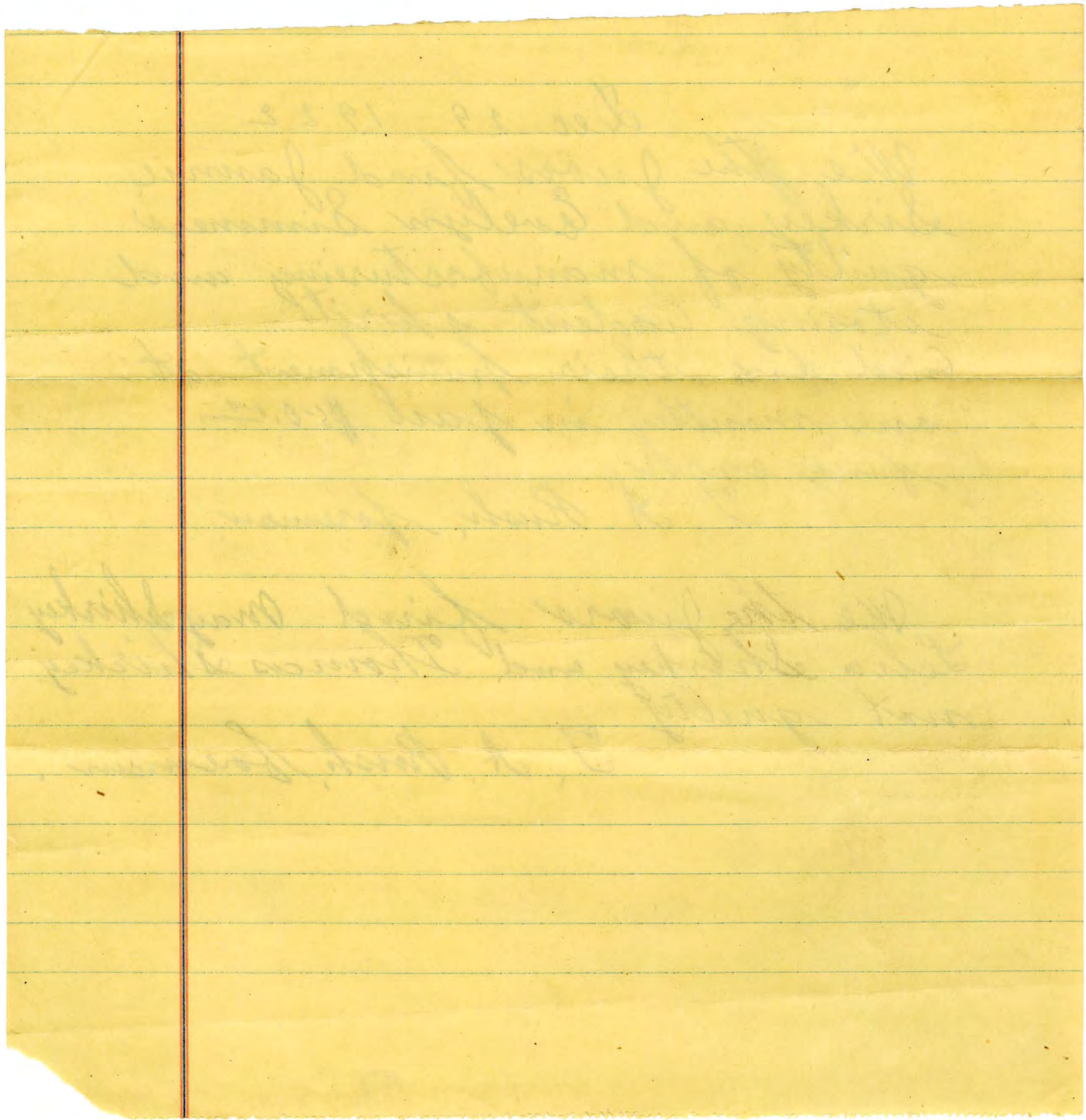
Dec 29 1922

We the Jurors find Jammie
Sirkey and Evelyn Simmers
guilty of manufacturing and
storing Accident spirits
and fix their punishment at
one month in jail, \$5-0.00
fine each.

J. A. Rush, foreman.

We the Jurors find May Shirkey
Lelia Shirkey and Thomas Shirkey
not guilty

J. A. Rush, foreman.



December Term, 1922

M. O. Hepler 2.60
 Paul H. Bushong 3.50
 J. A. Bush 2.50
 J. F. Carver 2.20
 R. H. Showalter 2.20
 \$ 13.00

EVELYN SIMMERS ✓

THOMAS SHIRKEY ✓ *mfg*

JENNIE SHIRKEY ✓

MAY SHIRKEY

WELA SHIRKEY ✓

ADS

Indictment for a
Misdemeanor

COMMONWEALTH

clerk
wit
orders 4.65

Sheriff Costs

Arrests & Process 150. Total 7.00
 Search warrant 1.00
 3 wit Cell Tails 1.50
 Grand Jury wit 3 = 1.50
 Tails of Coal. 8 Cms 4.00
 Dependent wit 4 2.00
 Grand Jury 1.50

Cost Sheriff \$ 18.50
 Elvin Simmons in jail 31 days to 28 days ago. 64- 4850
 Tom Shirkey " 19 26 " to Sept. 16. 22 days 1700
 May " " " 26 " to Aug 31- 5 " 425
 Jail Fees = 69.75



20-4446