

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

In the Circuit Court of said County:

The grand jurors of the Commonwealth of Virginia, in and for the body of said county of Rockingham, and now attending said Court at its April term, 1932, upon their oaths do present that Claude Leak, on or about March 19, 1932, in said county, did unlawfully have in his possession twenty-seven bottles of <sup>ARDENT SPIRITS</sup> (home brew), against the peace and dignity of the Commonwealth of Virginia.

This indictment is found on the testimony of G. A. Lawson, H. S. Harpine, and W. T. Rexrode, witnesses sworn in Court and sent before the grand jury to give evidence.

Poss. ✓

Commonwealth

v) Indictment

Claude Leake

Misdemeanor

April term, 1932

A True Bill:

*J. H. Leath*  
Foreman

Witnesses: G. A. Lawson  
W. T. Rexrode  
H. S. Harpine

D. W. Earman  
Commonwealth's Attorney

COMMONWEALTH OF VIRGINIA

COUNTY OF ROCKINGHAM, ss-wjt:

In the Circuit Court of said County:

The Grand Jurors of the Commonwealth of Virginia:

do hereby certify that Claude Leake, on or about March 19, 1932, did unlawfully and feloniously possess and control certain property of the Commonwealth of Virginia, to-wit: certain property of the Commonwealth of Virginia, and for the possession of said property, said Leake is guilty of a misdemeanor, and the Grand Jurors of the Commonwealth of Virginia do hereby return this indictment against the said Leake.

This indictment is found on the testimony of G. A.

Lawson, W. T. Rexrode, and H. S. Harpine, who were sworn as Grand Jurors, and who have given evidence.

Commonwealth of Virginia—City, County of,

*Harrisonburg*

to-wit:

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

WHEREAS *W T Ryroad* of the said City County

has this day made complaint and information on oath before me, *R. B. Long* JP  
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 con-

cealed in a certain *House on E Gay*  
Here describe the place, house, room or boat, as the case may be

by one *Claude Fease*  
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 pos-

session of, and unlawfully used by one *Claude Fease*  
Give name, if name unknown, say, "Whose name is to the informant unknown"

in a certin *House on E Gay St*  
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 com-  
mand you, with all necessary and proper speed and assistance, to search the house, place, baggage, boat or ve-  
hicle 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 posses-  
sion they are found, and also any person resisting, impeding, obstructing, or in any manner hindering or delay-  
ing 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 *19* day of *March* 193*2*  
*R. B. Long* (SEAL)

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 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.

*Claude Leak.*

Executed the within warrant this 19<sup>th</sup> day of March, 1932, 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 27 bottles Home Brew.

Given under my hand this 19<sup>th</sup> day of

March, 1932.  
H. J. Renrod.  
State Prob Inspector. Title

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

W. S. Harpiner.  
G. A. Harrison.

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.

**In the Name of the Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *G. A. Lawson, H. S.*

*Harpine & W. J. Rutledge*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court House thereof,  
at ~~10~~<sup>9:30</sup> o'clock, a. m., on the *11<sup>th</sup>* day of *July* 19 *32*

to testify and the truth to say in behalf of the Commonwealth against *Claude Lake*

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 *7<sup>th</sup>*  
day of *July* 19 *32*, and in the 15 *7<sup>th</sup>* year of the Commonwealth.

*J. Robert Switzer*, Clerk

July 11 - 1932

executed by delivering a true copy of the

within Summons to Ed. Lawson H.S. Haynes &

exch. in person.

W.D. Rexroad

A.P. Newman Deputy Sec  
C.P. Family a.k.c.

1932  
July 11

Com  
w  
Claude Leake

**Commonwealth of Virginia:**

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon

*L. A. Lawson*

*H. S. Harpine & W. J. Rusode*

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<sup>th</sup>* day of *Apr*

19 *22*

to testify and the truth to say in behalf of the Commonwealth before the GRAND JURY

*1. Claude Leake*

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 *17<sup>th</sup>*  
day of *Apr* 19 *22*, and in the 15 *6<sup>th</sup>* year of the Commonwealth.

*J. Robert Switzer*, Clerk

Executed April 16 1932 by delivering a true Copy of the

within Summons to G.A. Lawson & W.D. Reynolds

see in person. H.S. Harper not found in my Barbers!

J.F. Newman Deputy for  
C.A. Pawley S.R.C.

Com.

Claude Leake

Commonwealth of Virginia:

To the Sheriff of Rockingham County, Virginia:

you are hereby commanded to summon

of the Grand Court of Rockingham County at the Court House thereof,  
to be held of the Commonwealth before the GRAND JURY

shall not omit under penalty of \$100. And have them and

ROBERT SWITZER, Clerk of the said Court, at the Court House, the

1932

Apr. 18

to be held in the Court House of the Commonwealth at



Stuff coat  
Arrest 8/000  
Dunnittus 200  
Comm fee .50  

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125-0

JUN 1932

# 1000

COMMONWEALTH

v. *L* Misdr. (Pro.) poss.

CLAUDE LEAKE

July 11 - rec. 50.00  
1 mv + 50.00

