

OCTOBER 1867 - OPERATING A SALOON & SELLING INTOXICATING LIQUORS

In May, John Reinheimer was accused of selling liquor to minors. This was followed by complaints of vandalism against Wm. Robinson; the first of several cases involving the Robinsons and the Reinheimers, as well as a charge of Assault & Battery. The Island had several Justice of the Peace officers, and their dockets often record some really creative testimony.

SELLING INTOXICATING LIQUORS TO A PERSON INTOXICATED - "The State of Ohio vs. John Reinheimer - Selling intoxicating liquors to a person intoxicated and for keeping a saloon for the sale of liquors contrary to law. This day came William Robinson and entered complaint that on or about the 4th day of May, the above named John Reinheimer did sell or otherwise dispose of intoxicating liquors to one named Edward Robinson, knowing that the Edward Robinson is in the habit of getting intoxicated.

At the same time said William Robinson made complaint that the above named John Reinheimer is the keeper of a saloon, the same being a room of public resort where intoxicating liquors other than wines manufactured from the pure juices of the grape cultivated in the State of Ohio, also beer or cider are and have been sold in violation of the laws of Ohio.

June 1 – Both parties appeared and expressed themselves ready for trial. Defendant plead Not Guilty to the first point in the complaint. Witnesses were examined upon the first point and upon the hearing of the testimony, it was considered by me that he was Not Guilty.

Upon the second point the Defendant plead Not Guilty. Witnesses were examined and after a good deal of grubbing on the part of some of them, the fact seemed to be established that an article called whiskey was sold to different persons at least five different times during the period embraced in the complaint.

Note the fancy word play presented by the witnesses. The witnesses would not swear that the article was whiskey but that [whiskey] was what was called for and the article in question was always given. Upon full consideration of the case it appeared to me that I could not give weight to the point made as to the genuineness of the article called by the name of whiskey, and that I must decide in favor of the State. At this point, the Defendant signified his desire to plead Guilty to the second point in the complaint.

Whereupon it was adjudged by me that the State of Ohio recover the sum of \$50.00 and costs of the prosecution and further that the room or place where the liquors were sold be held to be a common nuisance and thereupon I ordered the defendant to close the same until he procure bonds in the final sum of \$1,000. That he will not sell liquors of any kind contrary to the laws of the State of Ohio, namely the act of the General Assembly of Ohio of May 1, 1854, as amended April 5th, 1859. M. K. Holbrook, Justice of the Peace"

VANDALISM COMPLAINT – *Apparently not satisfied with the decision, Robinson threw a few stones through Reinheimer's window which resulted in* "The State of Ohio vs. Wm. Robinson - Injuring building by throwing stones through window – Before me, M. K. Holbrook one of the Justices of the Peace, personally came John Rhemheimer [Reinheimer] who being duly sworn according to law deposed and saith that on the 28th day of May 1867, the said William Robinson did willfully and maliciously injure the building used as a saloon of said John Reinheimer by throwing a large stone through one of the windows of said saloon. And says that one William Robinson is guilty of the fact charged.

May 29th appeared the complainant and asked to enter costs for damage done to building which he estimates at \$5.00 and that he claims damages in that amount. Both parties appeared for trial, Defendant plead Guilty and thereupon it is considered by me that he pay the State the sum of \$5.00 fine, the aforementioned \$5.00 and costs, amounting to \$13.50."

ASSAULT & BATTERY – *Next, Robinson's wife got involved.* "The State of Ohio vs. Henry Reinheimer, Assault and Battery – This day, June 10, came Eleanor Lake and made complaint that one Henry Reinheimer, the above named defendant, did on the aforesaid 10th day of June violently and unlawfully assault, beat and otherwise maltreat one Mrs. Robinson, wife of William Robinson.

Took complainant's affidavit with above affect, which being filed, I issued a State Warrant for the arrest of said Henry Reinhammer and gave the same into the hand of Jerry Dean whom I deputed to act as constable for this trial for the reason that there was no constable then on the Island." *The record ends here with no report of resolution; however Reinheimer's troubles were not over yet. The Reinheimer establishment was closed but he moved his business elsewhere and trouble again surfaced.*

SELLING LIQUOR TO MINORS - "State of Ohio vs. John Reinheimer, Action brought for selling liquors to minors - Before me, M. K. Holbrook, one of the Justices of the Peace...came Jessie E. Woodford, who being duly sworn according to law deposeth and saith that John Reinheimer (late of said county) on or about the 25th of October, 1867, at the county of Erie aforesaid, did unlawfully sell liquors to one Peter Ditsche [Ditchey], he the said Peter Ditsche being then and there a minor. And said selling being without the written order of the parents, guardian or family physician of him, the said Peter Ditsche, the said John Reinheimer then and there well knowing that the said Peter Ditsche was a minor.

Second – That on or about the 25th day of October 1867, said John Reinheimer did unlawfully sell liquors to one John Fox. The said John Fox, being then and there a minor, and said selling being without the written order of the parents, guardian or family physician...

Third – That on or about the 25th of October 1867, John Reinheimer did unlawfully sell liquors to one Jesse E. Woodford Jr. The said Jesse E. Woodford Jr. being then and there a minor, and said selling without the written order of either the parents, guardian or family physician... [*The minors in question were around 18 years old.*]

Upon filing the above affidavit and upon demand of the complainant, I issued a warrant for the said John Reinheimer...also a subpoena for Peter Ditsche, John Fox and Alonzo Dwelle and gave same into the hand of the complainant.

The charge being stated to the Def., said Def. entered a plea of 'Not Guilty.' Upon hearing the testimony it appeared that said John Reinheimer did not own the liquor sold but was acting only in capacity of agent for one Hamilton Hays. Whereupon it is considered by me that said John Reinheimer is Not Guilty as charged. Judgment rendered against State for costs of suit."

SELLING LIQUOR TO MINORS - *Charges were then brought against the purported owner of the liquor, Hamilton Hays.* "October 25 – The State of Ohio vs. Hamilton Hays [Hayes]. Action brought for selling liquor to minors - Before me, M. K. Holbrook one of the Justices of the Peace for said county, personally came Jesse E. Woodford, who being duly sworn according to law, deposeth and saith that Hamilton Hays...on or about the 25th of October 9 did unlawfully sell liquors to [Peter Ditsche, John Fox, and Jesse E. Woodford Jr.]...Upon filing the above affidavit, I issued a warrant for the arrest of said Hamilton Hays also a subpoena for Peter Ditsche, John Fox, Alonzo Dwelle, Martin Russ and John Reinheimer.

The Defendant being present in court and the charges being read to him he plead 'Not Guilty.' The evidence was then addressed and appeared to be conclusive in substantiation of all charges after which the defendant [changed] his plea and [entered] the plea of Guilty on all the charges. He also submitted to the court the following explanation in explanation of the offense.

He said that in June last Mr. John Reinheimer was prosecuted for selling liquors unlawfully and the saloon then owned by said John Reinheimer was closed by order of the court. After which said Reinheimer had asked him [Hays] to buy the saloon and allow said Reinheimer to run it in his, Hays, name. This was agreed in accommodation with the understanding that it should be closed soon after the 4th of July. The pledge had not been redeemed and through his, Hays, neglect, it had not been closed. That he was sorry it had run in his name beyond the agreement. That he was willing to close now, and would do so.

The complaining witness then appealed to the clemency of the court on behalf of the defendant. Upon full consideration of all the circumstances, it is deemed by me that judgment be rendered against the Defendant for the least the law allows, namely \$5.00 for each offense and costs."