ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

MINUTE BOOK 6 1806-1810

Restored

In honor of

J. Lee Miller

A native of Page County

by his wife

Virginia Wilson Miller

1976

A Bicentennial Honorarium

Rockingham County

Virginia.

Rockingham County.

Minute Book Commencing at May 20th Court 1806. and ending at January Court. 1808 = MAY. 20, 1810

Alphabet for all Orders for which no fees is allowed the Clerk, See Fees Book for 1806. 1807 and 1808 —

Beginning of

Virginia to wit

At a court held for the County of Rockingham on Tuesday the 20th day of May 1806.

Present John Ewing, Joseph Bastes, Archibald Rutherford and Louis Sen Gent Justices Harrison.

Ordered that the Voters be held in the Clerks office, on Thursday the 22d day of this Instant and on the days after the 3rd Tuesday June & July Next as the Law

Reed v M'Causland, Oliver M'Causland. S. bail off in Chancy set aside part of Spec

Clark v Moore & John Phelps Sen. S. bail

Grand Jury sworn to wit ~~William Gowe~~ Edwin Nichols foreman, William Gowe, James Kerr, John Black, Jarad Kyle Peter M'Kinley, Abraham Boon, Ulrich Sailor, George Flesher, Augustus Armentrout, Andrew Bear, Joseph Aldoffer, Robert Rutherford, Jacob Eversole, Aaron Solomon, Michael Garrow who were sworn and returned their charge and ~~retired~~ retired from the bar to consult on their presentments and after some time returned into Court and found the following to wit, and present James Jennings, for an assault, John Nightwine for Geting drunk, Jesse Harrison for Malfeasance in his office as Constable, and William Robertson for a Rescue of his property, and also found the following Indictments, to wit, an Indictment v Blain for an assault & Battery, a true ~~bode~~ bill, and also an Indictment v Salvage for an assault & a true bill, and it is ordered that Summons issue on the said Presentments and Indictments returnable as the Law directs, and nothing further appearing the Grand Jury was discharged

Newton exrs v Armstrong & Casper Hayes S. B.

Harrow v Hayes & Peter Armstrong & Berry & Gamble S. B

Comm with v Sheen & Not Guilty and Joinder and continued until to Morrow

Tattwiler v Wheelbarger & dismiss'd agreed

Berry v Harshbarger dismiss'd agreed

Strole v Berry dismiss'd agreed

Present Mates Davis, Williams Smith & Jacob Kyser & Gent.

Rice v Boyd Williams Donaven S. B office Judgment set aside pays & Spec (?)

Nass Carthrae v Telbert. Adam Butt S. Bail

Painter exrs v Abraham Painter. Joseph Fawcett Special bail office Judgment set aside plea of Insanity filed Gent replication & Spec

Counts v Herndon. Not Guilty and Spec and continued until to Morrow

Rogers v Miller John Graham Special bail and the Defendant Delivered up by his bail and prays in custody.

Stephens v Boyd & Arch Rutherford Special bail office Judgment set aside pays & Spec

Counts v Michael Clerk, John Philips, Jacob Philips and Abraham Philips, Defendants Call'd not appearing order Capias returnable as the Law directs

Comth v. Abraham Black, John Pickering, Daniel Pickering, John Clerk, and Frederick Clerk. The said Defendants by their attorneys appeared in Court and each pled Not Guilty to which the attorney for the Comth replied and Issue, Jury sworn to try the Issue to wit Henry Kessell, John Perkey, Jacob Chrisman, Peter Boler, Thomas Hoffheins, Joseph Seely, John Rader, Henry Perkey, James Davis, Andrew Shamblin, David Wheelbarger, & Frederick Young. Verdict that the Defendants are Guilty and do assess their amercements to 10 dollars each and Judgment

Krieg's executors v. Haynes & Anron abates as to Haynes. Samuel Miller Special bail for Anron, Office Judgment set aside payment & Issue

Krieg's exrs v. same ..... same order.

Henry Krieg v. same ..... same order.

M'Kim v. Adams. Joseph Thornton Special bail

Hefford v. Southern. John Feeney Special bail, he having justified.

Pickett v. Cutler. Archibald Pitheyson Special bail Office Judgment set aside payt & Issue

Dodds v. Dewey John Johnston Special Bail. and the Defendant. Delivered up by his bail, and by the Plffs attorney prays in custody

Overseers Poor v. Green upon a Recognizance for a breach of the peace, on the Complaint of Mary Lock as being the father of her bare born child, the said Defendant appeared in Court in discharge of his recognizance, and being heard.

It is considered by the Court that he be bound in a Recognizance, to pay to the overseers of the poor for the parish of Rockingham the sum of forty two pounds to be paid in the following Manner, to wit twenty dollars at July Court Next. and twenty dollars on the 1st day of April Next. and Twenty five dollars annually until the said sum of £42. be paid to indemnify the said Parish from the support of the said Child, and that he enter into a Recognizance with Security immediately, and that he be taken into Custody until he Complys with the above order,

Moore v Caldwell, on the Motion of the Plaintiff by his attorney. an Injunction is Granted him to stay all further proceedings, on a Judgment Recovered by the said Defendant v the said Moore. on his entering into bond with Security Andrew Moore his Security according to Law.

Comith v Abraham Phelps, the Defendant personally appeared in Court and confess. a Judgment for $10, and assessment and Costs.

Dodds v Kerney. the Defendant appears in Court in Custody. and confesses a Judgment for the Debt in declaration Mentioned, (and the Plaintiff, by his Attorney acknowledged a Notice,) he delivered in a Schedule of his property. and took the oath of an insolvent debtor and was discharged.

Scott v Hamilton Gad Gelison Special bail. Office Judgment set aside pays Costs

Ordered that the Court be adjourned until to Morrow morning 10 Oclock

John Ewin

~~Wednesday~~
~~Tuesday~~ Thursday to wit

At a court continued and held for the County of Rockingham the 21st. day of May 1806.

Present. John Ewen, Asher Waterman
Ezekiel Harrison & Walter Davis & G. Justices

D Woodleyerson vs Ettinger &c Offrs Judgment set aside and dismissed agreed

D Lofland vs Harrison dismissed agreed.

D Erwin vs Erwin dismissed by order Plff.

D Overseers Poor vs Fortune continued

D Vance vs Rush upon an attachment continued

D Pemberton vs Roads upon an Ejectm. continued

D Leonard vs Lohey. continued for award.

D Price exrs. vs Price dismissed per award.

~~Chancellor Blair vs Blair dismissed~~

D Showalter vs ~~Blair~~ Mathew Blair and Andrew Blair his Security for appearance. Writ enquiry set aside as to the appearance bail and two ~~pleas~~ special pleas filed. to which the pleas the Plff. Demurs and Issue and continued.

D Ireland vs Rice M.C set aside Not Guilty and Issue. Jury sworn to try the Issue to wit, John Rice, John Moore, Joseph Dicks, Richard Bozo, Samuel Dodds, Daniel Baugher, William Sprinkle, James Messick, Hugh Devier, Peter Armentrout, James Barnett, & Jacob Roar, Verdict for Plff. Damages & Judgment. Mens. on the trial of this cause. the Deft. ~~took~~ takes exception to the opinion of the Court which was signed and sealed as the Law directs.

Vass &c. v Herndon, Jacob Morse Special Bail, and the Defendant delivered up by his said bail, whereupon Voluntine Miller personally appears in Court and acknowledges himself Special bail for the Defendant he having justified

Vass Matthew v Morse Discharged by order Plaintiff.

Jordan v Stutly Continued

Wilson &c. v Koontz continued

Woodley extrs v Lohey &c. Ezekiel Harris on Special bail Office Judgment set aside payt of Costs

Vance v Mathew John Beers Special bail Office Judgment set aside payt of Costs

Vass Matthew v Tingley Henry Perky Special bail Office Judgt set aside payment of Costs

Present Josiah Benjamin Harrison & William Smith Gent

Absent Asher Waterman & John Ewen Gent

Ordered that Isaac Miller be summoned to appear before the Court Immediately to shew Cause why an attachment should not Issue against him for a contempt in not obeying the orders of this Court respecting his Children

Branham v Welch William Lewis Special Bail

Vass Matthew v Miller William Lewis Special bail.

Comth v Isaac Miller. On the Motion of the attorney for the Commonth an attachment is awarded against the said Defendant Returnable here on to Morrow.

Ordered that Barzel Ragen Deputy Sheff. and Jailor of this
D County be summoned to appear here on to Morrow, to shew
cause why an Information should not be filed against
him for improper conduct in furnishing, and suffering
P. confined in Jail
Prisoners, to be furnished with Spirituous Liquors

Comth v. Shew & Whitmore upon an Indictment.
D Jury Sworn to try the Issue to wit, John
Messersmith, Thomas Adams, Solomon Matheny, John
Reeves, Thomas Dunkerson, John Rogers, Jacob Chrisman,
Abraham Bowers, Peter Leonard, Volentine Miller, Julius
Foster and William Harrison. Verdict of Guilty. ~~against~~
~~for Shew~~ and do assess the amusment of Shew to two dollars
and Whitmore to four dollars. and Judgment

Sepe v Herndon & Daniel Ragen Special bail Office Judgt
D set aside pays & Costs

Jones v Ewing & Daniel Ragen Special bail Office
D Judgment set aside pays & Costs

Mackey v Tatwiler & ats Continued for Defendant
D

Bibbs adms v. Shew, Stephen Losh, & Zephiah Wade Special
D bail they having Justified. Office Judgmt set aside pays & Costs.

Hawkins v Shew. Zephiah Wade Special bail
D

Comth v Herndon. Jury Sworn to try the Issue to wit
D John Shultz, Zebulon Harrison, Abraham
Joseph, John Tatwiler, Jacob Koogler, Michael Roof, George
Frey, Samuel Vest, Hugh Saults, William Gowe, Hugh
Council & Stephen Losh. Verdict for of Guilty and Judgmt

Brock v Breding, Alexander Herring, Special bail
Present Archibald Rutherford & Peachy Harrison Gent
Absent Walter Davis & Josiah Harris Gent

G Leonard v P Leonard. Continued for the Pltf. and by
Consent not to loose a place in the Docket.

Coutts v Morgan Lewis. Not Guilty and Issue.
Jury sworn to try the Issue to wit James
Lohey, James Harrison, Jeremiah Warren, Julius Foster
Alexander Herring, Jacob Snell, William Gould, Reuben
Lacy, Anthony Rosenbarger, John Rush, Nicholas
Ludwick & Charles Kyle. Verdict for Defendant &
Judgment.

Haynes v Barnhart. By consent of the parties by their
attorneys, leave is the Plaintiff to examine and take the
Depositions of his Witnesses, on Giving the Defendant reason
-able Notice of the time and place of taking the same

Strayer v Wenrig. Office Judgment set aside Paym
-nt. and Issue

Brock v Breding. Office Judgment set aside
payment & Joinder

Smith v Whelbarger & upon a Delivery bond Notice
A proved as to Whelbarger & Shell & Judgment

A McMullen v Coffman &c the same as to Coffman

Conrad v Conrad &c ... the same

6

D. Chandler vs Weir &c upon a Delivy. bond Notice proved
S. and Judgment

S. Chandler vs Weir &c ..... same
D.

S. Brock vs Baker &c the same with 10 per cent Damages
D from 16th October 1804 to 21 February 1806.

S. Ray vs Leigh &c upon a Delivy bond Notice as to Leigh
D and Judgment

D Fretwell vs Davis, John Weaver Special Bail, Office
Judgment set aside as to the Security.

Order that the Court be adjourned until to Morrow
Morning 10 o'Clock. E. J. Harrison

Thursday. to wit

At a Court Continued and held for the County
of Rockingham on the 22d day of May 1806.

Present.

Ezekiel Harrison, Asher Waterman, Peachy
Harrison & William Smith ..... & Q. Justices

P. Order that Bazel Ragen Deputy Sheriff and Jailor of this
D County be summoned to appear before the Court this evening
to shew cause why an attachment should not be awarded
against him for a contempt offered to the Court.

D Luther? vs Lala? Mc set aside N. a & Upon and Rule
for Security for Costs, and Continued.

D Doctor Miller &c vs Cross Rule for security for costs and Continued

Haustarger v Baugher plea waived and Judgment Confessd as per Specially with Interest and Costs (saving Equity)

Otto v Herndern ..... same

Epperts adms v Bloss &c ..... same

Sipe v Herndern ..... same

Rice v Shipman ..... same

Nash Matthews v Seawright ..... same

Rice v Veney ..... same

Poulton v Herndern ..... same

Felix v Berry &c ..... same

Rice v Graham ..... same

Smith v Isaac Miller for a breach of the peace. The said Defendant was brought into Court and being heard It is considered by the Court that he be bound to keep the peace & be of good behavior towards all the good Citizens of this Smith for one year in the sum of 200 dollars himself in the sum of 100 dollars and one good security in the sum of 100 dollars or two securities in the sum 50 dollars each. and that he stand Committed untill he complys with the above order & Judgment for Costs.

Mayberry v Shaw. Peachy Harrison Special bail

Yarbrough v Shaw Peachy Harrison Special bail

Allens adms v Shaw Peachy Harrison Special bail

~~Commonwealth vs Miller? on an attachment for a Con~~

Commonwealth v B. Rager for on an attachment for a contempt. the said Defendant. appeared in Court. and being heard. It is Considered by the Court that he be discharged.

Franklin v Longer plea of Justification withdrawn, and the suit is ordered to be discontd at the Defendants Costs. and the said Defendant personally appeared in Court. and acknowledged that the Plaintiff is not Guilty of the charge laid in the Declaration —

Feffney v Smith ejectm. N. E set aside and and plea filed to which the Pltf Replies Genl and Issue and Continued

Neibly v Smith. N E set aside N.G. & Issue & Continued

Reid v Webb. Writ enquiry set aside N. A & Issue. Jury sworn to try the Issue to wit Isaiah Shipman, James Blair, Elliot Herndon, Hugh Devier, Jacob Showalter, William Jackson, James Kelly, Reuben Kerns, Abraham Pickering, Samuel Miller, Henry Marsh & John Miller. Verdict for £4 " 6/2 with Interest from 19 decr. 1803 tho paid and on the Motion of the Defendant a Nonsuit is awarded and 5f Damages and Judgment.

Hopkins v Devier Isaiah Shepman Special bail Office Judgment set aside pay & Issue

Pence v Hamilton & William Rice Special bail Office Judgment set aside pay & Issue

Ryan Ex v Kelly Ex. Continued for award.

Jones v Green Continued.

Rockstow. v Swartz &c N E set aside N Guilty & Issue & Continued and Rule for Security for costs.

Present C. Lewis Gent.

Scott v Lewis &c Continued for Plff entitled to Morrow.

Rice v Gowl. By consent of the parties by their attorny all Matters in Differences between them in this suit is referd to the final Determination of Benj amin Erwin & James Lewis, whose award or the award of their umpire is to be made the Judgment of the Court

Bright v Reed W. E ext ariae N. G & Issue. and Continues for Defendant.

Branham v Herndon (two suits) Continued Plff but by consent not to loose there places on the Docket.

Protzman v Reeds Dismiss agreed

Blain v Joseph Jury sworn to try the Issue to wit Tobias R. McGahey. Gordon McWilliams, David Caldwell, Abraham Hamilton, William Shannon, Anthony Rosenbarger, Alexander Campbell, William Rice John Campbell, Hugh Burns Adam Wire & Richard Gains Verdict for the Plff for £10. with Interest from 1st November 1804 tits paid & Costs.

Herndon & Matthews v Smith on the Motion of the Plffs by their attorny. an Injunction is Granted them ~~for obtaining~~ to stay all further proceeding on a Judgment Recovered by the said ~~Deft~~ Plff against said Herndon. on their entering into bond & Security as the Law directs—

Matthews v Branham on the Motion of the Plff by his attorny. an Injunction is Granted him to stay all further proceeding on a Judgment recovered by the said Deft against the Plff on his entering into bond & Security as the Law directs

Vernon v Barkam. on the Motion of the Plff by his attorney, an Injunction is Granted herein to stay all further proceedings on a Judgmt recovered by the said Defft agst the Plff. on his entering into bond & Security. as law

Kerns v Lohey. Jury sworn to try the Issue to wit Gordon McWilliams, Alexander Campbell, Danl Caldwell, Abraham Hamilton, William Shannon, Anthony Rosenbarger, Henry Kepple, Adam Wise, William McRee, Hugh Burns, Richard Gains & John Carthrew Jr. Verdict for the Plff for $10 Damages and Judgment.

M Carty v Carthrew. The Defendant by his attorney produced in Court a Order from the R.

Edward M Carty for the benefit of Thomas M Carty v Philip Carthrew the Defendant produced and caused from the Court. which is in these words, "I do hereby certify &c, the said Edward M Carty to the Clerk ~~to discontinue~~ which was proved by the subscribing witness, and moved the Court. by his attorney to direct the clerk to discharge the said suit A. Motion was on argument overruled by the Court, whereupon the said Defendant appeared in Court and confessed a Judgmt for the Debt in the Declaration mentioned

Reed v Mahaney. Joseph Vernon Special bail M E set aside Covenants not broken Issue. Jury sworn to try the Issue to wit Benjamin Lewis, Samuel March, Abraham Pickering, John Crouse, Isaiah Shipman, Peter Miller Reuben Harrison, John Mofersmith, John Lohey. Richd Austen. Daniel Harrison & Henry March. Verdict for Defendant. and Judgment.

Martin v Day. the Plff having entermarried with John Dundore. It is ordered that suit do abate. and Judgmt for Defendants Costs

Donaghe v Bateman On the Motion of the Plff by his attorney Judgment is ~~awarded~~ Granted him for ~~his costs &c~~ his costs. his costs expended in prosecuting his suit, untill the time of overruling the ~~Demurrer~~ plea in abatement. to wit untill ~~setting~~ February Court last. including the costs of that Court. (a Lawyers fee excepted)

Smith v Ragan. who was this day laid under a rule. was heard and discharged.

Overseers Poor v. Green. the Defendant was brought into Court. by a warrant. from under the hand of Archbald Rutherford esqr. and Notice of this Motion having been acknowledged by B. Lewis one of the said Overseers) and the said Defendant having delivered in a Schedule ~~of~~ of his estate. was permitted to take his oath of an insolvent Debtor and was discharged.

Ordered that the Court be adjourned untill to Morrow Morning 10 Oclock.

D. J. Harrison

Wednesday to wit

At a Court continued and held for the County of Rockingham the 23rd day of May 1806.

Present.

John Ewin, Asher Waterman, Charles Lewis and Peachy Harrison ..... Js. Justices

Clinger v Bear. Dft ~~absent~~.

It appearing to the Court that the Subpoena has been duly served and that the Plff ~~brought~~ his ~~bond~~ 3 Months bill has been filed 3 Months, and the said Defendant not having answered the same It is ordered that the bill be taken for confessed and the Matter

thereof, he decree accordingly unless the said Defendant shall appear here or before August court next and answer the same and It is further ordered that a copy this decree be sumoned him

Lee v Stuart. By consent all matters in differences between them in this suit is referd to the finial determination of Asher Waterman Archibald Retherford & Frederick Spangler whose awards is to be made the Judgment of the Court

Kerby v Conrad on the Motion of the Defendant by his attorney. It is ordered that a commission be awarded him to examine and take the Depositions of William Roston and Enoch Allen residing in the County and State of Georgia which commission is to be directed to and the Depositions taken by any two Justices of the peace where the said witness resides (who will certify themselves to be such) on his giving the Plff reasonable Notice of the time and place of taking the same, and It is ~~further~~ agreed that if the said depositions shall not be returned by the next Court this order is not to delay the trial of the cause

Reid v Mayes two suits cont. for Plff. ~~& go to ref.~~

Shewalter v Williamsons heirs Continued

Martin v Devier Jury sworn to try the Issue to wit William Ireland, William Jackson, Elliot Herndon, John Dundas, William Young, John Mefreith Isaiah Shipman, Hugh Connell, Henry Welch, John Rush, John Campbell & John McPhersmith. Verdict for the Plff and Judgment

Ordered that George Longs and John Pence be fined 5 dollars each for Non attendance as Jurors. this day. unless Summons they shall shew good cause for their non attendance during the present term —

Graham v Neeley &c In Chancery.

It appearing to the Court that an attachment hath been duly served on the Defendants Harrison & Donavan, and they not appearing & to answer the bill of the Plff. It is considered by the Court that the said bill be taken for confessed and the Matter thereof be decreed accordingly, unless they shall appeare here on or before August Court next and answer the said bill and that a copy of this order be served on them —

Logan v Herring Daniel Smith Special bail Office Judgment set aside pays Costs

Jones v Green, In Trespass. On the Motion of the Plff by his attorney an order of Survey is awarded to be executed on some day to be fixed by the Plff he giving the Defendant Notice of the time —

Carthrae v M'Carty. on the Motion of the Plff by his attorney an Injunction is Granted him to stay all further proceedings on a Judgment Recovered by the said Defendant against the Plff which is Granted him on his entering into bond with security as the Law directs.

Scott v Seavey. On the Motion of the Defendant by his attorney Aldoffer leave is given him to add, the plea of Justification, and Issue. Jury sworn to try the Issue to wit Gordon M'Williams, Benajah Mobley, William Rice, Henry Kessell, Hugh Burns, Hugh Devier, Samuel Reed, Joseph Showalter, Hugh Potts, John Pence, John Smith & Kinley Berry. Verdict for the Plff for $3 damages.

Campbells adms v Campbell Continued

Showalter v. Blair &c. ~~Demurrer~~. The Demurrer filed to the Defendants plea in this cause on Wednesday last was withdrawn, Genl Replication and Issue.

John Reece who was this day fined for non attendance as a Juror, personally appears in Court and being heard it is ordered that the same be remitted -

Gouscow v Carthrea Writ enquiry set aside N. a & Issue

Rush v Patterson Jury Sworn to try the Issue to wit William Ireland, Elliot Herndon, William Jackson, John Dundore, John Campbell, Isaiah Shepman, Hugh Connell Henry Welch, William Young, Henry Kephart, William Fowler & John Myers Verdict for £6 with Interest & costs from 7th January 1804 tells paid & Judgment

Rosenbarger v Erwin N. Ent aside N. a & Joinder
Jury Sworn to try the Issue to wit
John M'Causland, Peter Fickle, John Roland, Hugh Dever Jr. Abraham Hamilton, John Carthrea Julius S. Foster, Benjamin Linder James Barnett George Gilmore, John Harrow and John Smith. Verdict for the Plff for $40 Damages with Interest from 30th December 1803 tells paid & Judgment

Bright v Miller Jury Sworn to enquire of the Damages to wit William Ireland, Elliot Herndon, William Jackson, John Dundore, John Campbell, Isaiah Shepman, Hugh Connell, William Young, Henry Welch, William Fowler, Joseph Aldoffer & William Reece Verdict for the Plff for $20 Damages & Judgment.

Jones v Seely Joseph Aldoffer Special bail N. E set aside Covenant not broken & Issue and Rule for Security for costs

Nash Matthews v. Jacob Tolbert. Two writs Dismissed by order the Plff attorney —

M Gahey v Orr on Ejectt. the Defendant not appearing altho solemnly call'd, It is considered by the Court that Judgment be Granted for the Plff for the Land in the Declaration Mentioned, and a writ of Habere facias possessionem awarded. & Judgment for Costs.

Winchester &c v Nash Jury. Sworn to try the Issue to wit John M Causland, George Smodder, Peter Feuble John Roland Abraham Hamilton, Hugh Dixer Jr. Richard Gains. Benjamin Snider, Jesse Foster, James Barnet, John Harrow, & John Smith. Verdict for the Plff for the Debt in the Declaration Mentioned & Cent Damages & Judgment

Present. Andrew Shanklin, & Archibald Rutherford
Absent. Alex Waterman & Charles Lewis — 2 J. Justices

Young v Jones. on the Motion of the Plff by his attorney leave is given him to amend his Declaration, and Jury Sworn to try the Issue to wit John M Causland, George Smodder, & Peter Feuble John Roland, Abraham Hamilton, Hugh Dixer, Benjamin Snider, John Smith, John Harrow, James Barnett, Richard Gains and John Moore. whereupon by consent John Roland one of the Jurors is withdrawn, and the rest of the Jurors from rendering their Verdict is dismissed and the Cause is continued until to Morrow Sharp 9 and the Court is adjourned until to Morrow Sharp 9

Cochran v M Erwin Continued

Hamilton v Noble Continued

Rice v Hamilton Judgment confessed for £10 11/- with Interest from 1st day March 1804 till paid & Costs.

Present. Asher Waters mem. Charles Lewis Gent.

Nash &c v Wesh Office Judgment set aside Sept. Term

Lingle v Lingle &c . . . same

Keyer v Maggart . . . same

Ja Maggart v Maggart . . . same

Butt v Amon Office Judgment set aside for the security and Costs

Salvage v Showalter . . . same

Ordered that the Court be adjourned until to Morrow Morning 9 Oclock.

Andw Hamilton

Saturday to wit

At a Court continued and held for the County of Rockingham the 24th day of May 1806.

Present.

Andrew Hamilton, John Ewin, Charles Lewis and Peachy Harrison . . . Gent Justices.

Hite v Miller In Chancery to Perpetuate Testimony.

On the Motion of the Plaintiff by his attorney. It is ordered that and decreed that the Testimony taken in this suit be [illegible] perpetuated, and preserved amongst the Records of this Court, to be read as evidence in any future Controversy Relative to the Matters stated in the bill, Provided the Witness, or either of them shall dye before their examination, can be regularly taken in such Controversy, and It is further ordered that the bill be dismissed.

20.

Absent. Charles Lewis Gent.

Present. Asher Waterman Gent.

V. Young v. Jones. Williams Carthrae Security for Costs and all Officers fees. in the room of Asher Waterman.

B. Jury Sworn to try the Issue to wit John Graham, Jacob Yount, John Rogers, John Pence, Hugh Burns, Hugh Connell, Jonathan Shipman, Mathew Watton, Samuel Pomaroy, Henry Welch, George Seter, and Benjamin Tender, Verdict for Defendant. Memo on the trial of this cause, the Defendant by his attorney tenders the following bill of exception. Young v. Jones &c. and the Plff by his attorney tendered also a bill of exception which is in these words. " Young v. Jones " which said bills were signed & sealed as the Law directs.

Krotzer v. Hoyt exon Office Judgment set aside and dismissed by order the Plff.

C. Rice v. Stutts. Office Judgment set aside pay Costs.

Vass Carthrae. v. Dicks. Plea waived and Judgment confessed by the said Defendant for the Debt in the Declaration mentioned and Costs.

D. Hunt v. Nims Samuel Chandler Special bail

Ordered that the court be adjourned untill the 3d Tuesday in June next.

Asa Chandler

Tuesday to wit

At a court held for the County of Rockingham the 17th day June 1806.

Present —

Ezekiel Harrison, Joseph Bantz
Giles Tinsley & George Dove . . . & J. Justices

Deed from Conrad Hess to Long acknowledged & Ord.

Deed from Miller &c to Leabert. acknowledged & Ord.

Deed from Peter Nicholas Senr to Jacob Nicholas acknowledged & proof acknowledgment taken & Ord.

Deed from Jacob Nicholas &c to P. Nicholas the same

Deed from John Perrew &c to P. Nicholas the same

Deed from the same to J. Nicholas the same

Deed from Augustine Armentrout Senr to Armentrout same

Deed from G. Armentrout Senr to A. Armentrout same

Deed from J. Armentrout Senr to Kyger same

Deed from Miller Senr to Argabright same

On the Motion of Henry Salter, administration of the estate of John Salter dec'd is Granted him he having with security entered into and acknowledged bond, and made oath thereto as the Law directs. And It is ordered that Adam Byrd Lewis Zirkle, Adam Campbell, & William West or any three of them being first sworn do appraise and value the estate of the said Deceased and make report to this Court.

P. del Jr.

Deed from Bear &c to Frost fully proved by the oath of Andrew Audis &c

Deed from Shaver &c to Stowe acknowledged &c & acknowledgment taken &c

Deed from Stowe &c to Shaver same

Deed for Trust from Miller to Kirtly in Trust for M. Sholes acknowledged &c

Deed from Lincoln to Rader acknowledged &c

Deed from I. Kyle &c to W. Smith acknowledged &c & acknowledgment taken &c

Deed from W. Smith &c to Kyle the same

Deed from Roach &c to Maggot fully proved by the oath of Harmon Aughey & Order to be certified

Deed from Harvey &c to Burley proved by the oath of John Maggot. Henry Morgan & John Connell & Recorded

Deed from Eates to Shoemaker proved by the oath of the Witness thereto &c

Deed from Shoemaker to Eates the same

Deed from Shoemaker &c to Shoemaker same

Deed from Turkheimer &c to Farley acknowledged & &c acknowledgment taken &c

Deed from Bower &c to the same . . . same

On the Motion of Ann Winger, Frederick Roads, & Abraham Bridgeman administrators of the estate of the Christian Winger dec'd is Granted them they having with Security entered into bond, as and made oath thereto as the Law directs, and it is ordered that Peter Moyer, Francis Stuart Michael Miller & John Early or any three of them being first sworn do appraise the said deceased estate and make report to the Court

Deed from Beverly Ex to Baugher proved by the oaths of Charles Armstrong, James Meaders & John Connell SSW.

Deed from Connel Ex to Baugher the same order

Deed from Berry Adm to Shaffer acknowledged with acknowledgment taken SSW

Report of the Valuation of Perry Brumbach Land made by the Commissioners rec'd SSW

Report of the Commissioners appointed to lay off Nancy Brumbach thirds of her late Husbands Land in this County returned SSW

Deed of Trust from Byrd Ex to Strickler acknowledged with acknowledgment taken SSW

Deed from the same to Heggans . . . . same

An appraisement bill of the estate of George Spears dec'd returned SSW

A Sale bill of Potts . . . . same

An appraisement bill of the estate of Catharine Pence dec'd returned SSW

An appraisement bill of the estate of C. Howard dec'd returned & filed

An appraisement bill of the estate of Ann M. Piper dec'd returned & filed

The Last will and Testament of Charles Rush dec'd was presented in Court, and proved by the oaths of Jacob Nicholas, Peter Nicholas and Jacob Rush. & filed And on the Motion of John Rush the Executor therein named who with Security entered into and acknowledged bond, and made oath as the Law directs, a certificate is Granted them for obtaining probate in due form. and It is ordered that George Mallow, Jacob Keplig Christian Kyger, & Joseph Mauzey or any three of them being first Sworn to appraise the estate of the said Deceased, and make Report to the Court

On the Motion of John Harrison, Jacob Pipe, Thomas Pemberton & Andrew Byrd. Security for the Executors of Cornelius O'Neal dec'd It is ordered that the said Executors be Summoned to appear here at the next Court to give Counter Security.

The Last will of John Fultz dec'd was presented in Court. and proved by 2. Witnesses thereto & filed and the executor therein named having refused the execution, thereof On the Motion of Reuben Fultz Administration with the will annexed of the said John Fultz dec'd is Granted him he having with Security entered into and acknowledged bond. and made oath thereto as the Law directs. and It is ordered that Christian Strole, John Nesbitt, William Oler, & John Camp-bell or any three of them being first Sworn to appraise the said estate &c.

Deed from Hess Exr to Miley acknowledged exss acknowledgt taken OK

Deed from Rable to Taverner, certified from the County Court of Woods OK

Bill of Sale from Baxter to Negroe James proved by the oaths thereto OK

Deed from Levich Exr to Nave proved by the oaths of Joseph Craven, Peachy Harrison & Reuben Harrison which with the Commission of his exss returned OK

The Last will and Testament of Peter Sipe decd was presented in Court and proved by the oaths of Robert Grattan & George Hunton OK. and on the Motion of the Executor therein named who made oath thereto and with Security entered into and acknowledged bond as the Law directs, and a certificate is Granted him for obtaining a probate. And it is ordered that George Gilmore, Benjamin Lewis, Peter Nicholas & Jacob Nicholas or any three of them being first sworn be appointed to appraise the said Deceased and make report &c

Ordered that Dorman Lofland be appointed Surveyor of that part of the road ~~leading from~~ where of Isaac Depo was Surveyor, of and that the usual Tithables appointed to work on the said road be attached hereto for his gang to work thereon and Keep the same in Good repair

Deed from Miller attorney in fact for Jacob Brumback to D Smith proved by the oaths of Saml Chandler, John Koontz, and Jos Fawcett, which with the Power of attorney thereto annexed is ordered to be Recorded

On the Motion of Henry Hansbarger who owns the Lands on one side of the North River and desiring to build a Water Grist Mill thereon and whereof belonging to himself or to the Comth. and to the fee simple estate in the Lands on the opposite side against which he will abut his said dam being in Daniel Teeple Geo. Coogler. (Who had legal Notice of this Motion) a Writ of Adquod=Dammum, is awarded him to be directed to the Sheriff and to be executed on the 12th day of July next. returnable as the Law directs

On the Motion of Daniel Teeple, who owns the lands on one side of the North River, and desiring to build a Water Grist Mill, thereon belonging to himself or to the Comth. and the fee simple estate in the lands on the opposite side against which he will abut his dam being in George Coogler, (who had legal Notice of this Motion) a Writ of Adquod=Dammum is awarded him to be directed to the sheriff. and to be executed on the 11th of July next. returnable as the Law directs.

Adm. pros. Harrison Exr to. Logan Exr acknowledged. Wess acknowledged Letter of Att.

Woods & Moore &c upon a Note on a Delivy bond

A. Note proved & Judgment

Moore & Harrison &c same as to Harrison and

A. Note acknowledged as to Williams & Judgmt

A. Rogers & Mashall &c Note proved and Judgmt.

Allen admr & Shew &c. . . . same . . .

A.

Ag. King &c v Lohey &c. upon a Note on a Delvy bond Note
Ag. proved & Judgmt

Ag. Dove v McClung &c. same

Ag. Crosby v Marshwood &c. same as to all but. (Wynne).

Orders that Godlove Peper be committed to the Jail of this County and there remain for two Hours — for a contempt offered to this Court.

M Gahey v Blose &c upon a Note on a Delvy bond Note
b proved & Judgment.

b. same v same . . . . . same

b. Branham v Emery &c . . . . . same

Ag. Woodleys assignees v Pitt &c . . . . same

S Vass &co v Welsh &c . . . . . same.

S. same . . v Miller &c . . . . same

S. same . . v Jackson &c . . . same as to Rice and.
Lewis

S. Comth v Lohey &c. Poor &c. . same as to all Defts

S. Phelps v Lohey &c . . . . . same

S. Shultz v Losh &c . . . . . same

Peper v Shuler Defendant appeared in Court and confessed a Judgment for per note. with Int & Costs. with the stay of execution to the 15th September next.

Ordered that Jacob Nicholas be appointed Surveyor of that part of the road whereof Tobias R. McGahey was late Surveyor of in the room of the said McGahey and that the usual Tithables appointed to work on the said road be allotted him for his Gang &c

St Clair Kerby who was appointed to superintend an Election for overseers of the poor in the East District of this County reported that Jacob Bear, George Gehring, and Henry Perky Esq. was duly Elected —.

Henry McGarrill who was appointed to superintend an Election in the South district reported that no Election was held whereupon It is ordered John Baxter Samuel Chandler & Samuel Miller be appointed overseers of the said District.

Geln Early, reported that no Election was held in the North district, whereupon It is ordered that John Riddle John Krotzer, and John Brock be appointed overseers for the said District

Ordered that John Smith be appointed Surveyor of that part of the road whereof Peter Thomas was late Surveyor, and that the usual Tithables allotted to work on the said road be appointed for his Gang to work there and Keep the same in Good repair

A View and report of a way for a road across the Peaked Mountain from Volentine Snyder, to Peter Miller being returned into Court in the words following viz April 23d 1806. This day &c whereupon It is ordered that the said Road be Established agreeable to the said report.

On the Petition of Jacob Kersh for ~~order~~ to alter the ~~road~~ beg road. ~~so far as~~ where it runs through his lands. It is ordered that Adam Dambarger, Henry Mongor, Henry Cook, & John Cellars, or any three of them be appointed to View the said alteration, as also the old road and make report to the Court Re

Polly Newton orphan of Ebenezer Newton decd came into Court and made choice of David Roalston as her Guardian who with Security entered into bond as the Law directs —

Ordered that the overseers of the poor Norton Gann (who was formerly bound unto William Bryan) unto Jacob Coffman expd to learn the trade of a House Carpenter and Joiner as the Law directs

Comm'th vs Robertson; order Information besides same

Same vs Hennessy

Same vs Nightwick New Summons

Woodson Smith &c Continued

Vance vs Reith upon a Habs Continued.

Overseers Poor vs Fortune & Adams. upon a summons heard, and it is ordered that the said Overseers take the said Children and provide proper places for them and that they be bound accordingly and Judgment for Costs

Present. Archibald Rutherford Gent.

Absent. Ezek Harrison . . . Gentn.

Roalston vs M Guire New Summons.

P.

Pepper vs Gongway New Summons awarded

Mauzey vs Shenger &c. New Summons awarded to both Defendants.

Wells vs Campbell &c New Summons awarded.

Custer vs Flowers .. New Summons.

Bakers exrs vs Brock &c. .. New Summons.

On the Motion of Jacob Boudenbush. leave is Given him to Keep an ordinary at his house in this County for one Year, on his entering into Bond and Security as the Law directs, —

Counts vs Harrison upon affidavit continued. partys heard, and Dismissed and Judgment for Costs vs the Prosecutor —

Carthrea vs Marshall continued

Lewis vs Carthrea continued.

Sprinkle vs Stacy. continued

Fessinger vs Ludwick. Defts Coun. Judgmt for Note Int & Costs

Wise vs Brock ..... same

Dyer vs Showalter ..... same

Custer vs Grove ..... same

Koontz vs Ayers &c. Defts Coun. Judgment for $16. with Interest and Costs.

Eabert vs Utz. Defts. Coun. Judgmt for Note & Costs

Woodsyerson vs Reeves ... same.

Peper v Songer Defts Call? Judgment per note Hits Costs

Hayes v Spilky . . . . . same

Sulser v Roark . . . . . same

McGahey v Crowe . . . . . same

Hawkins v Reid . . . . . same

~~Bradstreet v McGraw . . . . . same~~

Campbell v Vernden . . . . . same

Harrow v Lane . . . . . same

Hoohreser v Lads Smiley . . . . same

Lehr v M: Intire . . . . . same

Finch v Coffman . . . . . same

Fowler v Poe . . . . . same

Lincoln v Mallowny . . . . same

Lincoln v Brooks . . . . same

Same . . . v Palser . . . . same

Peper . . v Fellinger . . . . same

Folk . . . v Brooks . . . . same

P. Dickerson v Sulavin Continued Defendant

Report of a New for ~~road~~ an alteration in the road. so fair as runs through the Lands of Phelep Krieg & Henry Good being returned into Court, which is in these words we viz wherefore It is ordered that the said alteration be Established agreeable to the said Report. but that the old road is not to be stopped until

the said Alterations be opened and put in Good Repair, and that the overseer there with his hands work thereon &c

Edwards vs Whisler, On all'ns of Adquod damnum. Petitioners for a road from said Whisler Mill to establish said road, the said Petitions not further prosecuting their said Petition. It is ordered that the said Petitions be dismissed and that the Defts recover agst said Petitioners their Costs

Conrad vs Graves, heard and dismissed with Costs.

Shewalter vs Lincoln Continued

Noark vs Byrd &c. . . . Continued

Lofland &c vs Nichols &c By consent of the Parties, It is Ordered that the said Viewers, do go upon the way proposed for the said road, and mark the same plainly, and that they be at Liberty to make any alterations in the said way which may appear to the Court to be for the convenience of the parties, and make report thereof to the Court

~~Rogers vs Rogers &c Continued~~

Lankan vs Lightner Continued —

M'Gahey vs Meadows Continued

Spears exor vs Vance &c upon a Notice on a Delivery bond. Notice proved & Judgment

Lincoln vs Vance &c. same

Allen vs Vance &c: . . same

Shanks exor vs Vance &c . . . same

Rodds v Vance &c upon a Notice on a Delivery bond
Notice proved & Judgmt

On the Petition of Charles Beard, Edwin Nichols & William Smith, for a View to alter the ~~Cross~~ Road passing ~~Road Shrading~~ through their Lands between the Cross Road leading to Mahs. Furnace and Joseph Krotzer. It is ordered that John Donaven, Joseph Seevy, Thomas Harrison and David Usher, or any three of them being first sworn do appoint to View the said proposed alterations, as also the old road and make report of the Conveniences and inconveniences attending the same to the Court

Present Geles Turly Gent

Boon v Nichs &c on a Notice on a Delivy bond Notice proved and Judgment.

Ordered that William Robertson do pay 83 cents for swearing one profane oath ~~100 pass~~ ~~cents for being drunk~~ and also 83 cents for being Drunk, in the presence of the Court this day. and that he ~~be~~ pay the Costs of this Judgment

(104). Ordered that the Court be adjourned until the 3rd Tuesday in July next

Joseph Baxter

Tuesday to wit

At a court held for the county of Rockingham the 16th day of July 1806

Present. John Ewin, Joseph Baxter, Arch'd Retherford, Peter Early & G. Justice

An appraisement bill of the estate of Lewis Burkle dec'd returned OOR

A Deed from Kite Kes to. Shular acknowledged, wife's acknowledgment taken OOR

A Deed from Greenbery to Shular the same

A Deed from Greenbery to Bryan the same

An appraisement bill of the estate of Anthony Rocca dec'd returned OOR

The Last will and Testament of William Kite dec'd was presented in Court and proved by the oaths of Jacob Kyger & John Kite and ordered to be Recorded. and on the Motion of Martin Kite the executor named in the said will, who made oath thereto, and with Security entered into and acknowledged bond. as the Law directs a certificate is Granted him for obtaining a probate in due form, and It is ordered that William Pence John Kersten, William Ober, and Conrad Harnberger or any three of them being first sworn do appraise to appraise the said Decedents estate and make report to the Court

On the Motion of Justus Bettnitz, It is ordered that a Hawkers and Pedlars Licence be Granted him for 1 Year, he having Complied with the Law in that Case made and provided. (D.B.)

A Deed from Harrison Lee to Smith proved by the oaths of Saml. M. Williams, Archd. Thurston, & Danl. Rager, which with the Commissioners Report examination & return is ordered to be Recd.

A Deed from D. Harrison &c to D. Smith, acknowledged in Kentucky & Certified &c.

A Deed from Rager &c to D. Smith acknowledged in the State of Tennessee. Certified &c.

A Deed from Gilmore &c to Henry. acknowledged. wife acknowledged before &c.

A Settlement of the account of the Guardians of the Children of Ralph Loffler dec'd Rec'd &c.

On the Petition of Mathias Amon &c for a View of and Road leading from the end of the Turnpike Road at Madisons gap, the nearest and best way to intersect the Road leading from Staunton to Winchester at Mathias Wheelbarger, It is ordered that Benjamin Lewis, Joseph Sively, John Carthea and Barney Wire or any three of them being first Sworn be appointed to View the said way and make report thereof to the Court of the Conveniency and inconveniency attending the same —

A Deed from D. Smith to Harrison acknowledged &c.

A Deed from John Miller to Saml. Miller. the same

A sale bill of the estate of Adam Penn dec'd Rec'd &c.

Ordered that Abraham Reed be appointed to survey of that part of the road where of Thomas Lohey was late Surveyor of and that the usual Inhabitants appointed to work on the said road be allotted for his gangs to work thereon and Keep the same in good repair —

John Brock appeared in Court and took the oaths of an overseer of the Poor as the Law directs

On the Motion of William Campbell It is ordered that Elizabeth Williamson Widow and Executrix of Thomas Williamson dec'd and William Beard executor of Thomas Williamson dec'd and Jane Campbell, John Campbell and Nancy Campbell be Summoned to appear here at September Court next to shew Cause if any they can why the Non cupative will of Elizabeth Campbell dec'd shall not be proved and established —

Ordered that Andrew Anders be appointed an Overseer of the poor, in this County in the room of John Riddle who is excused from serving on account of ill health, and that he qualify as the Law directs.

Henry Hansbarger Writ of Adjacent-Damnum being returned into Court with the Jurors Inquest thereon It is ordered that Daniel Fenton against whose Lands the said Dam is to about be summoned to appear here at September Court next to shew Cause why the said Mill shall not be established.

Daniel Fentons Writ of Adjacent-Damnum being returned into Court Together with the Jurors inquest thereon

It is ordered that George Coogler be against whom damages the said claim is to abate be summoned to appear here at Septembers Court next to shew cause why the said Mills shall not be established —

Present. Josiah Harrison Gent.

Absent. John Ewell Gent

Overseers Poor v John Carr, who was Recognized to appear here as the Reputed father of Margaret Wolfenger bare born Child, the said Defendant personally appeared in Court. in discharge of his Recognizance, and being heard It is Considered by the Court that he be bound in a Recognizance to pay to the overseers of the Poor for the Maintenance of the said Child, in the sum of forty two pounds, payable in the following Manner, Twenty dollars at Next Septembers Court, and Twenty dollars, at the Next March Court, and Ten pounds annually until the said sum of £42 be paid and that he enters into Recogz with Security accordingly and that he stand committed until he complys with this order whereupon the said John Carr, with, Jacob Rose, John Rader and Jesse Harrison his Security personally appears in Court and acknowledged the Recognizance agreable to the above order.

On the Petition of John Rush Jr for a View of a Way for a Road the nearest and best way from the end of the Ferry pike Road at Madisons gap, to intersect the most public and convenient Road leading to Harrisonburg It is ordered that, Benjamin Lewis, Christian Kiger, Abraham Feller, and John Cathcart Jr. or any three of them being

first Sworn be appointed to View the said way and make report of the conveniens and inconveniences attending the same to the Court

Ordered that the Overseers of the Poor take into their Protection the Children of Jonathan Wooden and provide Masters as the Law directs —

Harrison &c vs O'Neils exrs Order New Summons. Returnable to Septr Inter Court

Deed from Berry &c to Berry acknowledged by the parties thereto &c

Ordered that Robert Gains be appointed Surveyor of that part of the road whereof Reuben Gains was late Surveyor of in the room of the said Reuben and that the usual Tithables attending to work on the said road be appointed for his gang &c

Peper vs Gongway. Order New Summons.

Hoover vs Mason &c .. New Summ

Zeibler vs Ettinger .... same

Brannaman vs Smith .... same

Ettinger vs Harrison .... same

M'Cue vs Herrington .... same

Nash &c. vs Murry &c .... same

Cogen vs M'Kinly .... same

Woods vs Smith &c on a Summons. dismissed.

Vance vs Rush. on an attachment. continued.

E. Herndon &c v. Smith &c on an Injunction,
This cause came on to be heard this 18th
(ex) day of July 1806. on the bill and answers. and the argu=
=ments of Counsel being heard, It is ordered that the said
Injunction be dissolved. Present Ezekiel Harrison Gent.

Comth v Nightwine, upon a presentment. The said Defendant
(c) call? and fined 83 cents for geting drunk. & Costs.

Samuel Miller & John Krotzer, appear'd in Court and
severally took the oaths, of overseers of the poor, according to
Law —

Dickerson v Sullaven, parties heard. and dismiss? and
(ex) Judgment for Defendants Costs —

Samuel Chandler appeared in Court and took the oath
# of an overseer of the poor as the Law directs.

(ex) Showalter v Lincoln dismiss? by order Plff attorney.

$10.02 Debt? James Sloan a Witness for Sullaven ags Dickerson allow'd
(c) 2 days attendance and 56 Miles Traveling to Court & Returning
Twice

(c) Woodley exrs v Ettenger &c Judgment per note Int & Costs.

(c) Seter v Stell . . . same

(c) Harrison &c v Ettenger &c. . . same

(c) Reese v Humphills &c . . . same

(c) Baker exrs v Brock . . . same

(c) Curtis v Flower . . . same

(c) Mauzey v Sherger . . . same

Wells v Campbell &c. Judgmt per note Into Court

Roalston v M Gee ..... same

Burgess v Young ..... same

Ordered that George Norton, Charles Lewis and John Wren or any two of them, be appointed to settle the estate accounts of Adam Penn dec'd and make report to this Court

On the Motion of Dennis Lanahan. It is ordered that he have leave to keep an Ordinary at his house in this County on his giving bond & Security as the Law (OR) directs

John Sheridan a Witness for Sulavin v Dickerson allowed 4 days attendance

Morris Kirby a Witness for Sulavin vs Dickerson allowed 4 days attendance

Absent Joseph Baxter Gent.

Present Peaby Harrison Gent

Ordered that Joseph Baxter, Asher Waterman and Charles Lewis Gent be recommended to his excellency the Governor as proper and fit persons to be commissioned as Sheriff for the ensuing year.

Ordered that the sheriff pay the following Claims out of the Forfeitures for 1804.

To Robert Grattan	$2.50
" John Marshbarger	2.50
" Abraham Phillips for 1 old Wolf &c	3.00
" James Barly	1.25

Ordered that Henry Overly have leave to Keep an ordinary at his house for 1 year, on his entering into bond with Security as the Law directs — (OK)

Ordered that Andrew Shanklin, & William Smith be appointed (in addition to the work they are to have done) to the Court that they have extend the stone pipe in the Court house up through the Jury Room, and out of the roof of the house in such a Manner as will be the most advantage to the County. and render an account thereof to the Court.

Ordered that the overseer of the poor bind Joseph Fell a poor child of Fell dec'd unto Ezekl Harrison to the learn the trade of a Weaver as the Law directs.

Curry vs Erwin &c on a Delivery bond. Not prosd as to B. Erwin and Judgmt

Wren vs Rea &c the same as to Rea & Shepherd

Ordered that the Court be adjourned until Court in Course.

Andr Shanklin

Tuesday to wit

At a court held for the County of Rockingham the 19 day of August 1806.

Present. Charles Lewis, George Hiestow, Geles Fearley, Joseph Harrison, P. Peachy Harrison & G. Justices

Joseph Baxter produced in Court a commission as Sheriff he is appointed a Sheriff of this County in the room of William Herring dec. whereupon he entered into bond and security, and made oath thereto as the Law directs and which said bonds are ordered to be Recorded

Smith & Bear dismissed agreed

On the Motion of Joseph Baxter, Joseph Fawcett Daniel Ragen, Silas H. Smith and John Burgess are admitted his deputies and sworn accordingly

Vass & Curtis & Seawright &c on a Notice on a Delivery bond Notice proved & Judgment

Present Peter Harrison Gent. Absent ~~Charles Lewis~~ & George Hiestow

Goodall on the Demise of William Byrum vs. Hodgson } on Ejectment Common Order against Jacob Earlsman Tenant in Possession of the Land

Bowman & Bailey &c William Blain Sheriff &c

Grand Jury Sworn for this County to wit David Lewis foreman, John Sheetz, Lewis Stephens George Rader, Samuel Gilmore, Isaac Parrott, Jacob Liscolm, James Green, Adam Radir, Joseph Lair, Jacob Pitchey, Frederick Nistrick, John Baker Edwin Nichols, Oliver M'Causland, John Hooper and

David Caldwell, who were sworn and retired from the bar to Consult on their presentments and after some time returned into Court and made the following ~~Presentments~~ presentment. We present John Bowyer &c and Nothing further appearing It is Ordered that the Grand Jury be discharged and that process Issue on the aforesaid presentments returnable as the Law directs.

Ordered that the Rules be held in the Clerks office on Thursday the 21st day of this Instant and on the day after the 3rd Tuesday in September Next as the Law directs —

Pefer vs Stuntoch office Judgment set aside & dismiss agreed.

Roalston vs Freeholder &c Jacob Shaver Spl Bail

Branham vs Arnow &c dismiss agreed

Tulser vs Green &c dismiss agreed.

Snoddon vs Wheelbarger. Peter Boler Spl Bail Office Judgt set aside payment of Issue

Miller admr vs Ellinger &c John Fritz S. B office Judgt set aside payt of Issue

Comth vs Wade On a Recognizance for a breach of the peace on the Complaint of Peter Miller the said Defendant personally appeared in Court in discharge of his Recognizance and being heard in his Defence the Court upon Consideration, are of the opinion that he be discharged. and Judgment for his Costs agst Prosecutor.

Wise vs Mercer two Suits John Detwiler Spl Bail, and the Defendant was Delivered up by his said bail & remanded in Custody

Beech vs Lane, the Defendant personally appeared in Court & Confessed a Judgment for the Debt in the Declaration Mentioned with the stay of Execution until November Court Next

---

M Gahey v Allen Peter Rumble Spl Bail and the said
D Defendant Delivered up by his said bail

George Gilmore & Jacob Bear who was appointed
D overseers of the poor for this County appeared in Court and
took the oaths prescribed by Law.

Oliver & Thompson v Baughn & Three Scots. George
D Gilmore Spl Bail

Phelps v Lohey. John Fritz Spl Bail Office Judgmt
D set aside payt & Issue to be tried &c

Hubbefeld v Fritz. William Lohey Spl Bail Office
D Judgmt set aside payt & Issue

Nash Matthews v Rice. William Matthews Spl Bail Office
D Judgmt set aside payt & Issue

Present. Archibald Rutherford & George Davis Gent.

Hopkins v Moark. William Robertson Spl Bail
C Office Judgmt set aside payt & Issue

C Kring v Harris dismissed at Defendants Cost.

C Gilmore v Hopkins dismissed agreed.

C Rice v Nicks dismissed agreed.

Commonwealth v Jacob Lamb, Nicholas Lamb. William
Lamb, Henry Lamb, John Lamb, Adam Lamb and
C. Adam Carpenter on a Recognizance for a breach of
the peace on the Complaint of Jacob Nigh the said
Defendants personally appeared in Court on discharge
of their Recognizance, and being heard. It is Considered
by the Court that they be bound to Keep the peace &
be of Good behavior towards all the good Citizens of
this Commonwealth for one year and one day and
more perticularly towards the said Jacob Nigh

in the sum of one Thousand dollars each, and one Good Security in the sum of one Thousand dollars or two Securities in the sum of fifty dollars each, whereupon the said Jacob Land, ~~with~~ ~~John~~ & Williams Land, with John Rader their Security, and Nicholas Land with Peter Zitty his Security and the said, John Land, Adam Land & Adam Caplinger with George Dove & George Chrisman their Security appeared in Court and entered into a Recognizance payable to William N. Cabell Governor, agreeable to the aforesaid Order, and Judgment for Costs —

Murry &c vs State John Wise S.B. office Judgment set aside pays & Costs

Ex. Mc Avoy vs Futrelle exts continued for Defendant.

Fretwell vs Davis The defendant was brought into Court and Delivered up a Schedule of his estate and took the oath of insolvent Debtor, and was discharged. (John Coalter esq. attorny for the Plff having acknowledged Notice) —

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock.

P.G. Harrison

Wednesday to wit

At a court continued and held for the said County the 20th August 1806

Present. Ezekiel Harrison, Asher Waterman George Purston & Archd Retherford Esqrs Justices

Elliott Retherford. came into Court and entered into bond and Security, and took the oaths of a constable as the Law directs —

Woodleys exrs vs. Smith Thomas Lohey Sfl Bail office Judgmt set aside payt & Issue

Rush vs Messerly. John Burgess Sfl Bail

Rice vs Rashford. Samuel Chandler Sfl Bail office Judgmt set aside payt & Issue

Poags exrs vs Penrow Office Judgmt set aside payt for Security & Issue

Sprinkle vs Herring &c . . . . . same

Stephens vs Harrison & Daniel Smith Sfl Bail office Judgment set aside payt & Issue

Rice vs Humphells &c Office Judgment set aside payt for Security and Issue

Present. George Dowe, Absent Ashes Waterman

Nash vs Roy. On the Motion of the Plff. by his attorney, for an Injunction to stay further proceedings on a Judgment Recovered by the said Defendant agst the said Nash, which Motion was upon argument overruled by the Court.

Harrison v Smith, Thomas Lohey S.B. and the said Defendant appears in Court and confess? a Judgment for the Debt in the Declaration Mentioned, with Intrest and Costs—

Clinger v Bear. Condemnas decree set aside, answer filed, Gend Replication and order Commissions.

Stephens v Lohey. Philip Roads Sh? Bail office Judgment set aside pays Costs

George Pence orphan of Adam Pence dec? came into Court and made choice of Michael Deck as his Guardian who with Security entered into bond and Security as the Law dect—

Commwth v Clark & Order Capias

Same v Salvage order Summons to Rockbridge

Same v Denning Order Capias

Vance v Rush on attach? continued.

Present. Charles Lewis Gent. & Peachy Harrison Gent
Absent Ezekiel Harrison.

Commwth v Robertson Not Guilty and Issue. Jury sworn to try the Issue to wit John Harrison, Berry Leonard, Philip Roads. Thomas Berry. Peter Crein, Cornelius Callahan Dwier, Daniel Duff. Asa Carrington. Henry Hugh Cook, John Ryan and John Smith. Verdict the Defendant Guilty and assessment 5 dollars and Judgment

John Koontz who was appointed a Coroner of this County appears in Court and with Security entered into bond and took the oaths of Office, as the Law directs—.

D. Pemberton v Boads. Continued.

On the Motion of Joseph Baxter, Sheriff Samuel Chandler is admitted his deputy and Sworn accordingly

Present. Ezk Harrison, Genl Atwood. Js McKetherford.

Jeffrey v Smiths exrs Jury Sworn to try the Issues & wit Tobias Smith, George Pete, John Vigers, Abraham Hamilton, Zebulon Harrison, John Wright, Peter Trenton, Jacob Nagle, George Leonard Michael Dick, Richard Booz and Samuel Hemphill. Ver dict. Verd for Defendant & Exigent Mem: on the trial of this Cause the Plff by his attorney took the following Exceptions Jeffrey v Smiths exrs &c which was Signed Sealed as the Law directs.

Ordered that the Sheriff Summon all the acting Magistrats in this County to appear here at Septemter Court next to take into Consideration, the Recommendation of New Magistrats, Militia Officers and other things which will be then laid before them —.

Parker v Revis Thomas Pemberton & Thomas Lokey Sp Bail Office Exigent set aside pays & Issue

~~Mayo v Kelly Patrick Rowan & Sp Bail the~~ Same Stipulated.

Rice v Rachford &c on a Notice on a Delivery bond. Jg Notice proved as to Rachford & Exigent.

Vass Matthias v Dicks &c the same as to Rachford all the Defendants

Same

S. Taylor v Weir &c . . . .

S. Berry v Hamilton &c . same as to A. Hamilton.

Ca. A. M Carn v May &c. same as to all the Defts

Ca. H. Rice v Riches & the same . . . .

Mathews v Kerr motion on Injunction

Ca This cause came on to be heard this 20th day of August 1806. on the bill, and answer, Exhibits, and the arguments of Counsel, It is ordered adjudged and decreed that the said Injunction be dissolved

Ordered that the court be adjourned until to Morrow Morning 10 Clock.

Ezekl Harrison

Thursday to wit

A court continues and held for the County of Rockingham the 21st. day of August 1806.

Present ~~Ezekiel Harrison~~ Andrew Shanklin, Ezekiel Harrison, John Ewen & Peachy Harrison.

Graham v ~~Harrison~~ Rice. On the Motion of the Plff by his attorney for an Injunction to stay further proceedings on a Judgment recovered by the said Defendant against the said Complainant. which is Granted him on his entering into bond & security as the Law directs —

Harrison exor v M Williams &c. M. C set aside Judgment confessed for the Debt in the Declaration Mentioned with Int & Costs. with the stay of Execution until November Court Next.

Roark v Roark &c. Jury sworn to enquire of the damages. to wit. Henry Culp, Benjamin Berry, Henry Lomax, Philip Roads, Landon Roads, Benjamin Linder, John Graham Samuel Gay, Barzel Rogers, Christian Yankle, and Cornelius Calahan & Jacob Roads. Verdict for Plff for $214.48 cents Damages with Interest & Costs and Judgment

50.

Paul vs Neiry &c Jury sworn to enquire of the damage to wit the same Jury as in Moark vs Moark &c Verdict for Plff for $60. Damages with Interest Costs and Judgment.

Cochran vs Erwin Jury sworn to enquire of the damages to wit the same Jury as in Moark vs Moark &c Verdict for the Plff for $59.30 Damages with Interest and Costs and Judgment

Bebler adm vs Shean. Plea ward and Judgment Confessed as per Specialty with Interest Costs. (Leave Equity)

Brock vs Breeding ..... same

Vass Matthias vs Tingley ..... same

Pence vs Nannetton &c ..... same

Strayer vs Wenning ..... same.

Zeigle vs Zeigle &c ..... same

Kyger vs Maggart ..... same

Rice vs Stults ..... same

Jacob Maggart vs J. Maggart ..... same

Salvage vs Showalter ..... same

Reed vs M'Causland ..... same

Stephens vs Boyd &c ..... same

Jones vs Ewing &c ..... same

Sepe vs Herndon &c ..... same

Woodleyetton vs Lotley &c ..... same

Hopkins v ~~Brad~~ Demer &c plea overd & Judgment confess as per specialty with Interest Costs (saving equity)

Butt v Arrow . . . . . same

Vance v Mathews . . . . . same

Logan v Herring . . . . . same

Scott v Hamilton . . . . . same

Rice v Boyd . . . . . same

Murry Marshall &c v Nash & Carthrae, Office Judgment set aside upon for Security & Issue

Harrison v Lacy. (four suits) Office Judgments set aside & agmt. for the appearance bail in each suit and Issue

Wallaston

Wilson Adm v Koontz. the Plaintiff by their attorney. Moves the Court to set aside the plea of the act of Limitations, in this cause alledging that it had been filed too late.

Wilson Adm v Koontz. When this cause was called the Plaintiff by their attorney objected, to reply to the plea of the act of Limitations and moved the Court to reject it, which Motion, upon argument was overruled, and the Plff by the Court. Plff rules to reply to the said plea, to which opposition the Plff excepted which were signed &c whereupon the said Plff filed a special replication in these words. "Wilson Adm v Koontz &c Plff to which replication the Defendant filed a rejoinder in these words. "Wilson Adm v Koontz &c" to which Rejoinder the Plff Demurred and Issue, and the cause is ordered to be Continued at the Plffs costs. Def. not to loose its place on the Docket.

Leonard v ~~Leonard~~ Lopey. Continued for award

Campbell adm v Ann Campbell &c Continued

Georg Leonard v P. Leonard. Jury sworn to try the Issue to wit Henry Culp, Benjamin Berry, Landen Reed, Benjamin Linder, John Graham, Samuel Gay, Christian Gabley, Barzel Ragen, Michael Dech, Lewis Nail Cornelius Callahan, & John Miller Verdict for Defendant & Judgment.

Harrison v Koontz dismissed agreed

March v Kelley. Phelep Koontz & Daniel Koontz Gill Bail

John Sheetz & Richard Boaz who was summoned to attend this days as Jurors, and not appearing, It is ordered that they be fined $8, each unless good cause be shewn to the contrary during present term.

Jones v Greer Continued

Newby v Smith Continued for Defendant.

Nutter v Sale Continued.

Ryan Exr v Kelly Exr Continued award.

McRoberts v Swartz &c dismissed for want security for Costs

Rice v Gowd Judgment for Plaintiff

John Sheetz who was this day fined for non attendance as a Juror, appears in Court and being heard. It is ordered that he be discharged.

Bright v Nicol, plea of N. Guilty withdrawn N.A. and Issue, Jury sworn to try the Issue to wit Philip Koontz Daniel Koontz James B. Erwin, Timothy Donavan, John Harrow, John Lincoln, William Sandy, Thomas Dunkerson Hugh Burns, Ezekiel Logan, Thomas Sulavin & George Sprinkle Verdict for Defendant & Judgment.

Ca. Showalter v Blair &c. Continued.

Ca. Same v Williamson heirs. Continued

Ca. Berry v Hamilton &c. By Consent of parties by their attorneys, leave is given them to take Depositions, on Giving reasonable Notice of the time and place of taking the same.

Ordered that the Court be adjourned until to Morrow Morning 10 O'Clock

And Franklin

Friday to wit

At a court Continued and held for the County of Rockingham the 22.d day of August 1806

Present Benjamin Harrison, Andrew Hawkins, Ezekiel Harrison & G. Justices Peachey Harrison . . . .

Harrison & Newton. on the Motion of the Defendant by his attorney. order Survey to be executed on ~~same day~~ Giving the Plff reasonable notice of the time —

Newton exrs v Armstrong. Office Judgment set aside payment & Issue

Mayberry v Shean . . . . same

Showalter v Grove Office Judgment set aside payment & Security & Issue

Rice v Pence . . . . same

Nicholas v Harrison . . . . same

Pence v Vernderwerke . . . . same

Trobaugh v Shean Office Judgment set aside payment & Issue

Allens adms v Shean . . . . same

Stuart v Wise Office Judgment set aside payment for Security & Issue

Gwinn v Wise . . . . same

Wash &c v Vernderw Office Judgment set aside payment and Issue

Ca Hawkins vs Shean office Judgment set aside payment & Costs

Peter vs Wise. office Judgment set aside payment for Ca Security & Costs

Ca Harrison vs Haynes. office Judgment set aside payment & Costs
Joseph Fawcett Spl Bail

Ca M'Kim vs Nesbitt, office Judgment set aside payment ~~for Costs~~ & Costs

Ca Wise vs Murray, (two suits) Henry Butt & Solomon Neffsman Spl Bail. office Judgt set aside payt & Costs.

Ca Branham vs Henderson Continued for Defendant.

Present John Ewen Gents

Herring assee vs Herring admr It appearing to the Court that William Herring one of the Defts is dead It is ordered that this ~~suit~~ do abate as to him

Richard Booz who was on Tuesday sworn for non attendance as a Juror, appears in Court and being heard It is ordered that he be acquitted of the said fine —

William Reed Esq & heirs of William Soddon dec^d ... In Chancery.
vs
George Snodden & Darcus Snodden admr & admrx Tutrix of said William dec^d: The Defendant Darcus Snodden.

being dead It ordered that this suit do abate as to her,

C. Miller vs Reed dismissed by order Plff.

Commonwealth vs Blain dismiss^d by order of the attorney for the Commonwealth

56.

Jacob Rush and wife &c
John Wright

vs. In Chancery.

Randle Vance &c.

This cause came on this 22nd day of August 1806 to be heard on the bill answers. Exhibits and report of the Commissioners and Surveyor made in pursuance of the Decretal order made in this cause on the day of February 1805, on consideration whereof It is ordered adjudged and decreed that the Plfts be put in the quiet possession of the 37 acres of Land described in the plat of the Surveyor and report of the Commissioners referring thereto by the Letters A. B. C. D and that they be quieted in the possession thereof quit of the Defendants and all persons claiming under them, and that the parties be respectively quieted in the possession of the Lands devised and descending to them, as stated in the bill and proceedings in Severally quit of the Claim of each other agreeable to the boundaries established by said plat and report. from which Order and decree the said Defendants prays an appeal to the ~~Court~~ third day of the Next high Court of Chancery holden at Staunton which is Granted them on there entering into bond & Security in the clerks office in the sum of 200$ Dollars. on or before the 20th September Next.

March vs Kelly the Defendant was Delivered up by his Special bail and the said Defendant confessed a Judgment of the Debt in the declaration Mentioned with the Costs and was by the Plfts attorney prayed in Execution

Young vs Wren John Dto Spl Bail

Murry Mundle &c vs Dto John Wren Special bail

Rees &c

v

Snodden & al Chancy

This cause came on to be heard this 22d day of August 1806, upon the bills answer and Exhibits filed thereto, and was argued by Counsel, upon Consideration whereof the Court are of Opinion that the wheat, fish flour, and the original price of Negroe Jack, not accounted for, by the administrator and in the bills Mentioned were, part of the personal estate of the said William Snodden, dec'd and ought to be accounted for by the admr and the Court are further of opinion that the Plfts, in this cause are entitled to the whole of the Defendt George Snodens part, of the personal estate of William Snoden dec'd under his agreement made with the Plfts, with Interest at the Rate of 5 per cent per annum on the whole, from the time, of the settlement of his accounts, made with this Court, on the day of 1793 Therefore the Court doth Order and decree that Master Commissioner Cravens do state and settle the said accounts together with the Interest on the whole, and make report thereof to this Court, in order that a final decree may be made, and thereupon the Defendant by his attorney Moved the Court also to direct the said Commission to examine into, state, and report an account of Services rendered by the said George Snodden, on the plantation of his Father after the Contract with his Mother, and before the death of his Father, and of any expenditures advanced by him for the support of the family and family, which the Court Refered to do—

Present George Nicholas, Absent Benjamin Harrison

Sheetz v Miller On the Motion of Defendant. Order of Survey on giving the Plff Reasonable Notice of the time of Making the same.

Margaret Kessner &c.

v

George Kessner estate & John Lincoln } In Chancery.

This Cause came on to be heard this 22nd day of August 1806 on the bill answers, Order of Publication, and other exhibits and the report of the Commissioner filed in this Cause, and was argued by Counsel, upon Consideration whereof the Court are of the opinion, that the Plff Margaret Kessner is entitled to the Sum of £ Three Hundred and Twenty four dollars and 25 Cents, being the balance of her share of the personal estate devised to her by her husband George Kessner dec'd, with Interest thereon at the rate of 5 per cent per annum from the first day of June 1790. till paid that being one year after the will of the said George Kessner dec'd was proved and Recorded in this Court) with Costs paid, and do order and decree that Thomas Lincoln who appears to be the acting executor of the said Kessner dec'd do pay the same to the said Margaret Kessner out of the estate of his said Testator, and that the Plff recover her Costs in this suit expended, and it is further ordered that the bill be dismissed as to the other Defendants without prejudice, should it be Necessary for them again to apply to this

Court for their Charg.

M Cann vs Riezo on the Motion of the Defendant the said Plff is rule to give Security for Costs on or before October Court Next.

Murry Mundle & Co vs John Pete, the Defendant by his attorney, produced in Court a Habeas corpus cum causa, It is Ordered that the proceeding in this Cause be certified to the first day of the Next district Court holden at Staunton.

Youngs vs Drew . . . the same order as above.

Ordered that the Court be adjourned until the 3rd Tuesday in September Next

And Franklin

Tuesday to wit

At a Court held for the County of Rockingham on the 18th day of September 1806

Present

John Lewis Andrew Franklin
Ezekiel Harrison & Josiah Harrison ? Gent. Justices

Sarah Scott orphan of James Scott dec'd made choice of John Click as her Guardian, who entered into bond according to Law,

A Deed from John Harrison & wife to Tho's Harrison prov'd by Henry Burgess & Dan'l Smith two of the Witnesses & O.R. to be certified, Wife relinquished &c

An Deed from ~~Andrew Liddis & wife~~ to John Ritchie & wife to Andrew Liddis acknowledged & OR wifes ack't taken &c

Christina Moyer came into Court and made Choice of John Eaton for her Guardian who gave bond with surety as the law directs.

A Deed from Benj.a Thomas to Handle Vance prov.d by John Chrisman one of the Wit & ordered to be certified

A Deed from Fye & wife to Royer ack.d wifes acknowledgement taken & OR

A Deed from Thomas Mauzy & wife to Mauzy ack.d wifes relinquishment taken & OR

A Deed from Shaver & Wife to Sharp ack.d wifes relinquishment taken & OR

A Deed from Elizabeth Rueffel to James Lohey ~~too Deed~~ ack.d & OR

A Deed from John Sheetz & wife to John Hoover ack.d wifes relin.q.t taken & OR.

A Deed from Sebastion Stonebraker & wife to Jn.o Showalter ack.d wifes relin.q.t taken & OR

A Deed from Jn.o Hoover & wife to Daniel Hoof ack.d wifes Relin.q.t taken & OR

A Deed from Augustine Armentrout & wife to Adam Michael ack.d wifes Relin.q.t taken & OR

Wm.m Miller & wife to Joseph Grove ack.d wifes ackt. taken & OR.

Eleanor Twitchet daughter of Samuel Twitchet dec.d came into court & made choice of Thomas Curry for her guardian who thereupon gave bond & security according to Law

An Appraisement of the Estate of William Kite dec.d rd. & OR.

A Deed of Trust from Joseph Hicks to John Kuontz prov.d by Peter Harry a witness & O to certified

A Settlement of Jacob Moyers estate rd. & OR

On Motion of Joseph Graham Ordinary Licence is granted him for one year on giving bond & Qual. in clerks office he produced the Sheriffs Receipt for tax tickets

A Deed from John Dean & wife to Robert Gaines ack. wifes relinq. taken & OR

A Deed from Henry Sprinkle to John Koontz prov. by Elliot Rutherford a wit & to be rec.

A Deed from Joseph Shanklin & wife to Andrew Shanklin further & fully prov. by Thos. Porter a Wit. thereto & OR with comm.

A Deed from Handle Vance to Peter Sucker & Christian Sites prov. by 3 wit & OR Comp. W. FOR

The Last Will & Testament of Eliz. Thomas Williamson dec. was presented in court and prov. by the oaths of George Huston John Campbell & William Robertson & ordered to be recorded and on the motion of Elizabeth Williamson & William Beard Exors named in s. Will who made oath thereto and entered into and ack. bond with security as the law directs a certificate is granted them for obtaining a probate in due form and it is ordered that John Pixley Martin Whitmore George Sapp & Jacob Hizer or any three of them being first sworn do appraise decedents estate

A Deed from Andrew Shanklin & wife to Dav. Kyle ack. wife relinq. taken & OR

A Deed from Jacob Pence & wife to Lepsa & David Herring ack. wifes relinq. & OR

William Campbell v Campbells heirs & parties all appeared in Court & Con.

A Deed from Anthony Rosenberger & wife to Charles Beard ack. wifes relinq. taken & OR

A Deed from Abraham Bloser & wife to Abm. Briant prov. by oath of Archibald Rutherford & Henry Gantzer & John Graham wife ack. & acknowledgement rec. & OR to be recorded

62.

A Deed from Abraham Blosser & wife to Parry proved by Hugh Devier Archibald Rutherford & Jno. Graham wit. thereto wife relingd. Certificate with Commission & OR

A Deed of Release from Jeremiah Kyle to Peter Crim ackd. & OR

A Deed from Jno. Coot & Jacob Garber Exors of Philip Coot dec'd to Jacob Earhart ackd. & OR

A Deed of Trust from John Hoover to William Carne & Charles Slade proved by oath of John Oneil & OR to be Certified

A Deed from Joseph Lair & Walter Newman Exors of Matthias Lair dec'd to Frederick Klyne ackd. & OR

Same from same to Peter Higgins same order

Same from same to Benj. Yount same order

A Deed from Handle Vance & wife to Joseph Moon proved by 3 wit Com'n & Certificate of wifes relingt. Rec'd. & OR

A Settlement of the Estate of Christian Painter dec'd Rec'd & OR

On Motion of John Shaver one of the Executors named in the Will of Nicholas Shaver dec'd who made oath thereto and entered into and ackd. bond with security as the Law directs Certificate is granted him for obtaining a probate thereof in due form

A Deed from John Koontz & wife to John Wise ackd. wifes ackt. taken & OR

Ordered that Ivy a poor child formerly bound to Charles Frye who is now willing to give her up be bound to Joseph Mauzey by the Overseers of the poor according to Stat. Form Indenture

Ord.

An Appraisement of the estate of Lewis Rumble dec.d ret.d & O R

A Deed from John Henry & Wife to Christly and John Deardorf ack.d wife relinq.t taken & O R

Pet.n Walter Davis about Ind. Ewin Esq.r
Ordered that Jacob Kyser Layton Yancey & Josiah Clark or any two of them do settle the account of the Estate of Lewis Rumble dec.d with his executors.

George Gilmore came into court and agreed to give up the Guardianship of John J Mackall an orphan of John Mackall dec.d for whom he had been appointed & qualified, & thereupon the s.d John J Mackall made choice of Jane Mackall for his Guardian who came into court and entered into & acknowledged bond with security according to Law

Ordered that the Overseers of the poor bind Ind. Allbright a base born child of Catharine Allbright unto Isaac Bolton to learn the trade of a blacksmith he being two years old the 18th day of January last.

Ordered that Zachariah Hoy be appointed overseer of that part of the road leading from Keezletown to New Market beginning at the poison fields & extending to the ford at Smiths creek in the room of Reuben Harrison & that the usual Tithables attend him &c.

Reuben Harrison vs Kerns &c on a Repl.t bond & 3d rent notice prov.d & Judt.

The last Will & Testament of Henry Armentrout dec.d was presented in court & proved by the oaths of John Koontz & Henry Lipe witnesses thereto and on motion of Jacob Argenbright and Elizabeth Armentrout executors named in the s.d Will who made oath thereto and entered into and acknowledged bond according to Law certificate is granted them for obtaining a probate thereof in due form. And it is ordered that William Lite Henry

cipe George Carpenter & Peter Koons or any three of them being first sworn do appraise said Estate.

A Deed from Edward Shanklin to Alexander Herring fully proved by Alexander Shanklin & O&R

A Deed from William Bryan & Wife to Jacob Winters ack.d by Wife & her relinquishment taken & O to be certified

Abraham Shaver & Wife to Benj.a Lewis a Bond, acknowledged and wifes relinq.t taken & O&R

Ordered that Godlove Pifer be confined in the Jail unto the rising of this Court.

John Harrison &c. vs Jn.o Oneil & Isaac Goare Exors of Corn.s Oneil dec.d on a summons to give them counter security, the Defts. appeared and being heard it is ordered that the s.d Executors do deliver up to the s.d John Harrison &c. all the property goods money & other estate of the s.d Cornelius Oneil dec.d unadministered to be held by them until the further order of this Court.

Ordered that the overseers of the poor bind Susannah Wooden daughter of Jonathan Wooden to Peter Whitmore, and Betsey Wooden daughter of same to Samuel Bowman, and Catharine Wooden daughter of same to Martin Burkholder, according to Law.

A Deed from Jacob Winters & wife to Jacob Moyers ack.d wifes relinq.t taken & O&R

Ordered that Negroe Boy Ezekiel, by the overseers of the poor be bound unto Jacob Rush to learn the trade of a Farmer according to Law

On Petition of Jacob Kersh for leave to alter the big road where it runs through his lands the Report of the viewers being returned and it appearing thereby that the alteration proposed will be no inconvenience to the publick it is therefore ordered that the s.d Rush have leave to alter s.d road agreeable to his Petition

A settlement of the estate of Adam Rinerdin.

(B) Rct. VOR

A Deed from Ezekiel Harrison & John Lockard a Committee for Morgan Bryan to William Bryan

(B) ack. VOR

Ordered that the clerk of this court do certify to the Executive a list of the names of the acting Justices of the peace for this county (W. Perry Dec'd, Smith & Hand resign'd)

A Deed from John Light & wife to Samuel Chandlee

(C) ack. wife Relinq't taken VOR

Henry Perkey Andrew Audis & John Baxter came into Court and severally took the oath of an overseer of the poor for this county.

Present. Walter Davis, Arch'd Patterson, ~~Walter Davis~~, Charles Lewis, George Deaver & George Dove — Giles Hurley. & Asher Waterman —

Ordered that Jonathan Shipman, Thomas Mowe, Michael Mauzy and Robert Gallaher be Recommended to his Excellency the Governor as proper and fit persons to be added to the Commission of the peace for the said County —

(P. ret. by Fawcett.)

Ordered that William Cave be recommended as Lieut in Capt. Magills Company in 1st Bat. 58th Regt in the room of William Rice resigned.

(cp)

Ordered that Ephraim Hausbarger be recommended as Ensign in Capt. Magills Company in 1st Bat. 58th Regt. in the room of Robert Erwin resigned.

(cp.)

(C) Hoffard vs. Vance & Ind't

(C) Lewis Zickle vs Ettinger. Cond. Deft.

(C) Bazin ... vs Smith. Ind't for note Int. & Cost.

(C) Cozer - vs McInley. - Same

(C) Hoover - vs Mason &c. Same

(C) Mauzey ofr. vs Boyer. Same

(C) Oneil - vs Funk. Same

(C) Trout - vs Clay. Same

(P.C) McCue - vs Herrington Als Sums

(C) Ettinger - vs - Harrison. Cond. Deft.

(C) Vap. Hartsock vs Murray Cond. Deft.

P C Pica. v. Gongwere. New Sums

P P Shugarts. v Wilhite. same

C = Comer. v. Culp &. Con. Defts.

P P = Warens. adm v McNeil. N Sums.

= Mayberry. v Hoover. N Sums.

P C = Same. v Robinson. Cont. Defts.

P P = Romick. v Funk. N Sums

C = Harris appl. v Caldwell N Sums

P P = Evans —— v Pickering —— N Sums

= Bagen —— v Woodard Con. Defts.

P C = Rice appl. v Thomas. N Sums.

= Hughes v Grumly Con. Defts.

= Hopkins. v Vance &. same

Ordered that William Herring be recommended as Lieut in Capt. William Harrisons Company of 1st Batt. 58th Regt. in the room of John Smith resigned and Jacob Spader as ensign in the room of Joseph Gongwere resign.

C = A Deed from Jeremiah Waren & wife to Samuel M Williams ack. by Waren. VOR

Ordered that James Brown be recommended as Lieut. in the ~~Hampshire~~ Capt. Jacob Hites Comp. in the 1st Batt of 58 Regt. and Samuel Hite ensign

Michael Mauzy Lieut. in Capt. Nicholas's Comp. in 2d Bat of 58 Regt. in room of Jacob Rush who refused to serve and John Conrad ensign in room of s. Mauzy promoted.

C = The Last Will & Testament of John Harrison dec. was presented in Court proved by the oaths of Andrew Shanklin and Benjamin Linder. witnesses thereto and ordered to be recorded. And on motion of Thomas Harrison & Reubin Harrison Executors therein named who made oath and entered into and ack. bond with security as the law direct, a certificate is granted them for obtaining a probate Opt. thereof in due form. And it is Ordered that

George Sites John Ewin Benjamin Harrison Junr. & Archibald Ruthenford or any three of them being first sworn do appraise the Estate of the Deceased.

An Appraisement of the Estate of Francis Doy dec.d rec.d & O.R

Ordered that George Huston John Given and John ~~Cathcart~~ Given or any two of them do settle the guaidean account of John Mackall with George Gilmore his former G.d.n Snake report. to November Court next.

Batt. vs Batt & al. 2d. leave to amend. Bill & add. Jno Shewalter & George Hoffman Defts.

Ordered that John Chrisman be recommended as Capt. James Mallory Lieut. & William Bryant Junr. Ensign of a Rifle Comp.y in the 116th Reg.t second Battalion

Ordered that Jn.o Boyd be recommended as Lieut. in Capt. Rutherford. Comp.y 1st Bat.n 116th Reg.t in room of George Roland resigned, and Samuel Donavan ensign in the room of Henry Welch who refuses to qualify.

Ordered that Philip Brawner be recommended as Capt. Frederick Rinecoter Lieut. and Abraham Painter Ensign in a new Company formed in the 2d. Battalion of 116th Reg.t

Ordered that Aron Dove be recommended as Lieut in Capt. Bakers Comp.y 2d. Battalion of 116th Reg.t in the room of Cornelius Riddle who refuses to serve and Abraham Baker in the room of Dove promoted.

Ordered that Henry Philips be recommended as ensign in Capt. Reuben Harrison Junr. Comp.y 1st. Battalion of 116th Reg.t

Ordered that Andrew Shanklin & William Smith have the Doors & Windows of the Court-House repaired & painted and bring in their account therefor.

B S Ca. Hartbrae v Carlbrae. Vc. On Dly. Bond notice
prov^d & Lod^t

B S Same - v Irwin notice prov^d & Lod^t vs Weaver

Jesse Harrison Commissioner of the Revenue
for this county presented his acct. ag^t the
C Commonwealth which being allowed is
ordered to be certified to the auditor of
publick accounts

C Reubn Harrison same same order

S Liggett v Sam^l Shanklin on Att^a. Samuel
Chandler being sworn as garnishee declares
he shall shortly have in his hands a
P sufficient sum of the Deft. to satisfy this
Debt & Cost and the Plf having prov^d his
C acct. Lod^t. is granted for £3:19:1 with
Int. from 23^d July 1803 till P^d & Costs and
it is ordered that the Garnishee Chandler
pay the same as soon as he recieves
money of the Deft to that amount.

Ordered that Asher Waterman Andrew
Shanklin & Archibald Rutherford or any
Ap two of them do settle the Estate of
C Valentine Hoffman dec^d. with the Executor
and make report to the Court.

Ordered that the overseers of the poor bind Andrew
Guinea (who was formerly bound to Jacob Custard
Ap & who is willing to give him up) to Samuel Dodd
to learn the trade of a shoemaker and the
s^d Custard is exonerated from his s^d contract.

Ordered that it be certified that George W
Harrison has resided in this county for one
C year last past is upwards of twenty one years
of age, and is a man of honesty probity &
good demeanor

A Deed of Trust from Peter Mayo to Samuel Chandler in trust for Daniel Bajen ack? & OR.

~~A Letter out of the Estate of Peter Mayo dec? ack? & OR.~~

Ordered that the Court be adjourned until tomorrow morning 9 o'clock.

And Thankling

Wednesday to wit

At a court continued and held for the County of Rockingham the 17 September 1806.

Present. Ezekiel Harrison, John Ewins
Archibald Rutherford & Peachey G. Justices
Harrison . . . . . .

On the Motion of James Duff It is Ordered that he have a license be Granted him to Keep an Ordinary at his house for one Year, on his entering into bond, with Jeremiah Kyle his Security in the Clerks office as the Law directs —

Commonwealth vs Bowyer Continued

Same . . vs Roler &c New Venire award to Shenandoah.

Same . vs Moore Order Information be Filed

Same . vs Lewis . . . . . Same . Order

Same . . . . . Same . . .

Same . . vs Wade . . . . . .

Same . . vs Miller &c . . . . . Same

Same . . vs Shoemaker Continued for Defendant.

Same . . vs Fulk . . . . Continued.

Same . . — abates by Return.

Ca Vance vs Rush on an attach. Continued

Overseers Poor vs Losh On a Recognizance, for reasons appearing to the Court this prosecution is ordered to be dismissed at the said Defendants Costs.

Hausberger vs Firkle, the Writ of Ad quod Damnum in this case returned to the Court with the Jurors Inquest thereon, and the said Firkle

Hausbarger vs D. Firkle on a Writ of ad. quod Damnum, to establish a Mill Dam, the said writ being returned into Court. Together with the Jurors inquest thereon, and it appearing to the Court that the said Firkle hath been duly summoned, and not appearing It is ordered that the said Mill Dam be established ~~Hausbarger on his~~ the said Hausbarger paying unto the said Firkle the Damages found by the said Jurors —.

Ca Firkle vs George Coogler, — the same order as above.

Ca Lewis vs Carthrea Jr. . . . Continued

Ca ORoark vs Byrd &c . . . . . same

Ca Lofland &c vs Nicholls &c . . . . same

Ca Carthrea Js vs Marshall . . . . same

Ca Deed from D. Sprinkle to Koontz fully proved by the oaths of Henry J Gambill & W. Sprinkle two Witnesses thereto

Ca Deed in Trust from Deeds to Koontz acknowledged by Henry J Gambill the Trustee & Recorded

Rice v Good. dismiss'd by Order Plff attorney.

John Haynes &c Petition for a Road. the Writ of Ad-quod-Dammum, awarded Peter Haynes. being returned into Court, together with the Jurors Inquest thereon, &c. & Ordered that the said Road be established agreable to the said Petition, and the report of the Commissioners appointed to View the said Road. upon the said Petitioner paying unto the said Haynes £12 the Damages found by the said Jury. and the Costs of the said Inquest. from which order the said Peter Haynes prayed an Appeal to the next District Court holden at Hagerstown on his entering into Bond with Patrick Rogers his Security.

M. Gahey v Meadows. Defendant. Call'd Judgment for £4 11 11/4 with Interest from 4th March 1805 till paid & Costs.

Rice v Lohey. Deft Call'd Judgment for £3 11 10½ with Interest from 20 February 1806 till paid & Costs.

Nutway Cutler a Witness for MGahey v Meadows Allowed 2 days attendance and 18 Miles Traveling to Court and returning —

Ordered that Jacob Carsh be appointed Surveyor of the New Road this day established from the Line between John Haynes and Peter Haynes not good fair from said John Haynes house and from thence untell it Comes into the Main Road leading from Frederick Haynes to the Widow Brethers and all the Tithables within 1 Mile on each side of the said Road be allotted him for his Gang to open the said Road. work thereon and Keep the same in Good Repair

~~In the Petition for the Deft Shaver and Lewis for~~

Comm.th v. Miller on a Presentment of the Grand Jury for fighting — the said Defendant Appeared in Court and agreed to submit the Matter to the Court. who fines him one dollar, and the Costs —

Joseph Fawcett. Silas D. Smith & Daniel Ragen Deputy Sheriffs for W. Herring late Sheriff Returned their list of Delinquents and Insolvents. in the Revenue, County & Parish Levies for the Year 1805. which was examined and allowed by the Court and ordered to be Certified, they having made oath thereto as the Law directs

Herndon & Smith, This Cliff having shewn no Cause for Continuing this Suit as an Original one, It is this 19 day Septem 1806 ordered and decreed that the same be dismissed with Costs —

Joseph Fawcett & Daniel Ragen Deputies Sheriffs for William Herring late Sheriff. Returned their accounts for Sundry Public Services rendered the Commonwealth which were ordered to be Certified to the auditor of Public accounts —

Ordered that the Sheriff pay unto James Burgess the sum of Six dollars out of the depreciation for the Year 1803 as per account rendered, for work done to the Jail

Ordered that Henry I Gaintill be appointed to Settle with Andrew Shanklin and William Herring late Sheriffs and make report thereof to November Court Next. and it is further ordered that so much of the order as appoints Peachey Harrison and George Hunters to Settle with them be rescinded —

Saml M. Williams Returned his account for Public Services, rendered the County which is ordered to be Certified to the auditor of Public accounts

Ordered that Daniel Bagen be appointed Guardian for his Children, Sally, Nancy, & Polly Bagen, Grand Children of John Harrison dec^d whereupon he entered into Bond, and Security according to Law —.

~~Ordered by the Court that the Sheriff~~
~~part of the road leading from~~

Ordered that the Court be Adjourned until the 3^rd Tuesday in October Next.

And Shankling

Tuesday to wit

At a Court held for the County of Rockingham the 21^st day of October 1806.

Present.

Andrew Shankling, John Ewen
Asher Waterman & Archd B Sherfey Esq^rs

Ordered that the rules be held in the Clerks office, on Thursday the 23^rd day of this Instant and on the days after that Third Tuesday in ~~December~~ November, December & January as the Law directs. —

Comth v Salvage. On an Indictment for the Motion of the attorney for the Comth and for reasons appearing to the Court this prosecution is ordered to be discontinued —

Sarah Ireland orphan of William Ireland dec^d came into Court and made choice of William Ireland as her Guardian who with Security entered into and acknowledged Bond as the Law directs —

Keiger v Smith, Dank Smith Sp. Bail. Judgment Confess for the Debt in the Declaration Mentioned, with Interest & Costs

Grand Jury Sworn to wit

William Shannon (Foreman) Aaron Solomon George Hardman, William Bryan, Henry Hammer, Daniel Teible, Abraham Boon Henry Kepler, Daniel Coffman, Samuel Gilmore, Philip Shellman, William Bowers, George Tailor, Frederick Black, Jacob Eversole & Henry Stalp who were Sworn, and returned from the bar to consult on their presentments, and after some time returned into Court and found the following, an Indictment of Commith v Koontz a true bill, and nothing further appearing, It is ordered that the said Jury be discharged and that process Issue on the said Indictment returnable as the Law directs.

Commth v Fulk. Dismissed.

Commth v Clerk &c orders New Capias returnable to February Court Next

Same v Denning ... same

Same v Roler &c New Summons to Shenandoah

Ordered that the Overseers of the Poor bind Rachel Ong. orphan of Reuben Edmond Esq. aged about 12 years to George Hardman as the Law directs—

Ordered that the Overseers of the Poor bind John James Crosby. born child of John Crosby aged 6 years in June last. to Sanders A. Reed. to learn the trade of a painter. as the Law directs—

Comth v Boyer Order Information be filed —

Leonard v Lokey dis mist. agreed. the Defendant agreeing to pay one half of all the Costs.

Comth v Moore. Order Capias returnable to February Court Next

Comth v Lewis, Not Guilty and Apeal and Continued.

Comth v Wade Not Guilty and Apeal.

Present George Nesbitt Gent

Comth v Shertz. on a Presentment the said Defendant appears in Court and plead Guilty and agreed to submit the matter to the Court who fined him One Dollar and the Costs —.

Comth v Shoemaker Continued —.

Comth v Wade Jury Sworn to try the Apeal to wit.
John Good, John Taylor, John Fuch, Zachariah Hoy, Henry Arrentrout, James Harrison, Samuel Miller, William Ewin
William Bear, John Sailor, James Craig & Thomas Lokey.
Verdict for Guilty and assessment $1.75 Cents. and
Judgment

On the Motion of Joseph Baxter Sheriff, John Ragen is admitted his deputy and sworn accordingly.

entered in book. Comm with Wade. David Miller proved 1 day attendance

Spangler v Eary, Phelimon Rook & William Penn Ejectment
~~and was tryed Ejectment Plaintiff Discontinued~~ —

Present Peachy Harris an George Dove Gent

Absent George Nesbitt Gent.

Ordered that George Westlow be appointed Commissioner
copd. for the ~~East~~ District of this County for 1807, and that he
qualify as the Law directs.

Absent. Andrew Shanklen Gent.

Ordered that Andrew Shanklen be appointed
Cop.d Commissioner for the ~~East~~ West District of this county for 1807,
and that he qualify as the Law directs.

Present Andrew Shanklen Gent.

Ordered that this Court be adjourned untill to Morrow
Morning 10 o'Clock

And Shanklen

Wednesday 10 wk

At a Court Continued and held for the
County of Rockingham the 22nd day of October 1806.

Present. Andrew Shanklen, John Erwin
Archibald Rutherford & George Dove Esqrs

Bowen v Roark dismiss. agreed.

Brock v Long two suits dismiss. per awarded.

Long v Brock three suits dismiss per award

Pettit v Cutler dismiss at Defendants Costs

Graves v Belshey Jury sworn to enquire of the damages
to wit, Henry Devier, Elliott Rutherford, John Meade
John Funk, Michael Deck, James B. Erwin, John
Rogers, Noah Trout, Samuel Hemphill, John Roland
Jam Thomas & John Lincoln, Verdict for the Plff for
~~two Cents~~ for $400. Damages with Interest ~~to Judgment~~
from 25th October 1803 tate plaid & Judgment.

Caldwell v Leonard Jury Sworn to try the Issue to wit the same Jury as in Craven v Belshy Verdict for the Plff for ~~the Deft~~ the amount Judgment £7 11 2½ with Interest from 24 day of August 1805 till paid, and Judgment.

Krieg v Haynes &c pleas & award and Judgment confess for the Debt in the Declaration Mentioned, with Interest & Costs

Brown v Phelps Jury Sworn to ~~try the~~ enquire of the Damages to wit the same Jury as in Caldwell v Leonard Verdict for the Plff for 1 cent Damages & Judgment

Snell v Rodman, the Defendant Confess & Judgment for £8 14/ with Interest from 9th day of October 1805 till paid with the stay of Execution untill the 20th November Next.

Present George Norton Gent.

Absent George Pone Gent

Reuben Harrison Commissioner for the use of the Commonwealth v Pone upon a Notice, to ~~issue~~ seize him for Retailing Goods of foreign Growth and Manufactury without a License, the said Defendant appeared in Court and Confessed a Notice of this Motion - and being heard by his attorney, It is ordered that this prosecution be dismissed at the said Defendants Cost, he having paid to the Sheriff $23 the amount of the tax for his retail Store untile the first day of May Next, which is ordered to be Certified to the Auditor of Public Accounts

Certfd to Auditor.

Goodtitle on the Demises of William Bryan v Jacob Evelsizer, Tenant in Possession, On the Motion of John Harris by his attorney, he is admitted a Defendant in the room of the said Evelsizer, who Confessed the Lease entry, and Ouster in the Declaration Supposed and agrees to insist on the title only at trial and Issue.

78.

Harrison v Lacey four Suits Dismissed by order of the Plaintiff

Leith v Paul dismissed by order of the Plaintiff

Jones v Greene abated by ~~Defendant~~ Plaintiffs Death

Hickey Exx v Sulavan Exx Dismissed by order of the Plaintiff

Mayberry v Skeen, plea waived and Judgment confessed as per specialty with Interest and Costs (saving Equity)

Parker v Reeves . . . . . same

Sprinkle v Herring &c (abates as to William Herring, one of the Defendants) plea waived and Judgment with Interest and Costs. (saving equity)

Newton exrs v Armentrout &c Pleas waived, and Judgmt confessed as per specialty with Interest and Costs (saving equity)

Showalter v Grove . . . . . same

Rice v Bentz . . . . . same

Nichols v Harrison . . . . . same

Pence v Herndon &c . . . . . same

Inbough v Skeen . . . . . same

Allens adms v Skeen &c . . . . . same

Stubblefield v Fretz &c . . . . . same

Snoddow v Wheelbarger . . . . same

Wise v Mruse . . . . . same

Same v Same . . . . . same

Stuart v Wise . . . . . same

Gwinn vs Weir . . . . . Same

Woodley exrs vs Spork &c . . . . . Same

Vass &Co vs Herndon . . . . . Same

Vass &Co vs Rice . . . . . Same

Hawkins vs Shew . . . . . Same

Phifer . vs Weir . . . . . Same

Harmon vs Hayne &c . . . . . Same

Stephens vs Lohey &c . . . . . same

Stephens vs Harrison &c . . . . . Same

Stephens vs Roark &c . . . . . Same

Phelps vs Lohey . . . . . Same

Murry &Co vs Vass &Co. . . . . Same

Rice vs Rachford . . . . . Same

Rice vs Hemphill &c . . . . . Same

McKim vs Hurston . . . . . Same

Miller admrx vs Ettinger &c dismissd agreed

On the Motion of Jacob Rise & Security for the Exrs of Cornelius Neal dec. It is Ordered that the John Neal be summoned to appear here at the next Court to shew cause why an attachment should not issue against him for a Contempt of the Court in refusing to Deliver up to the said Securities All the estate of the said Deceased in his hands.

Ordered that John Neal be summoned to appear here at the next Court, to shew cause why the Court should not proceed to appoint a Guardian for the Orphan of Cornelius Neal deceased —

Evans v Ettenger Thomas Lohey Spl Bail

Krieg v Ettenger Thomas Lohey Spl Bail, Office Judgt set aside payt of Fine

Rice v Herring Daniel Smith Spl Bail, Office Judgt set aside payment of Fine

Dunkinson v Roads. Continued.

Present George Dove Gent. Absent Archd Retherford

Jesse Harrison appears in Court. and took the oaths of a Constable and entered into bond with Security as the Law directs —.

Present Peachy Harrison —.

Welson &c v Koontz. On a Demurrer.
This day came the parties by their attorneys, and the Matter of Law, arrising on the said Demurrer being argued. It is Considered by the Court. that the said Demurrer be. overruled. and that the Plff answer over,

Hamilton v. Gilmore Dismss. by order Plaintiff

Ordered that this Court be adjourned until to Morrow Morning 10 of Clock

Jno Shanklin

Thursday to wit

At a court continued and held for the County of Rockingham the 23rd day of October 1806

Present Andrew Shanklin, Ezekiel Harrison, Sinclair Kerlly & George Keester. & J. Purkey

Marshbarger v Steuser. John Burgess Sp. Bail

Parnell v Conrod Sinclair Kerlly Security for Costs and all officers fees —.

Koontz v Jeffrey &c Samuel McWilliams, Joseph Cravens. Henry Gathbell Sp. Bail for said Jeffrey. Office Judgment set. as to the Security

Floyd v Beam &c On an Injunction

This Cause came on to be heard this 23rd day of October 1806. on the bill and answers, and was argued by ~~Counsel~~ Counsel. upon Consideration the Court doth order and decree the said Injunction be dissolved.

Kerr's exrs v Mathews. In Chancery.

This Cause came on to be heard this 23rd day of October 1806. on the bill and

Mathews v Kerr's exrs. In chancery. Dismissed by order of the Plfts attorney, and It is ordered adjudged and decreed that the Deft. recover against the said Plft his Costs by him about this Suit in that behalf expended —.

Mathews v Noble. In Chancery

This Cause came on to be heard this 23rd day of October 1806, on the bill, answers & Depositions, and was argued by Counsel upon Consideration, the Court doth order ~~and~~ adjudge and decree that the Injunction be dissolved.

Kerry v Donaghe, Continued
Present John Ewing Gent.

Keyes v Arguright &c dismissed by order of the Plffs attorney.

Frost v Norman dismissed by order of the Plffs attorney.

Lenedew v Mathews. John Harrison & Daniel Mathews Esqrs Bail

Herndon v Branham on an Injunction
This Cause came on to be heard this 23rd day of October 1806 on the bill & answer and was argued by Counsel, on Consideration, the Court doth order and Decree that the said Injunction be dissolved.

Vance v Salvage on an Injunction
This Cause came on to be heard this 23rd day of October 1806. on the bill & answer, and was argued by Counsel upon Consideration, the Court doth Order and decree that the said Injunction be dissolved.

Absent Sinclair Kartley Gentleman

Henry Wheeler v John Wheeler on a Demurrer.
This day came the parties by their attorneys, and the Matters of Law arising on the said Demurrer, being argued. It is considered by the Court that the said Demurrer, be overruled and that the Defendant be Compelled to answer the said Bill

Present: Ashe Rutherford Gent Absent. Ezel Harrison

Wilson & Co v Kourtz. Continued for the Plaintiff, and the Plff is rule to give Security for Costs

Campbells adm v Campbell &c Continued

Jordan v Stutts Continued

Showalter vs Blair & Jury sworn to try the Issue to wit Zebulon Harrison, Jesse Lincoln, Philip Carthrae, Jacob Roudebush, Reuben Harrison, Lamb Thomas, Thomas Sulavin, Lewis Vail, John Boyd, John Rogers, John Smith, & George Seitz, & Verdict for $86.76 Damages and Judgment.

Reid vs Moyers, Dismiss? for want of Information and Judgment for Defendants Costs.

Same vs Same . . . . . Same

Neikly vs Smith. Continued

Neither vs Sala . . . . Same

Ryan Exr vs Kelly Exr. Continued for award &c

Branham vs Herndon (two Suits) Continued.

Showalter vs Williamson Heirs Continued – Defendant.

Miller &c vs Cross dismiss for want Security for Costs, and Judgment for Defendants Costs

Nickey vs Tedwiler &c Continued for Plff.

Hamilton vs Noble Continued

Nesbit vs Shepman Continued

Jackson vs Burns. Continued

Harrison vs Newton. Com(Dest) Continued. Defendant

I. Harrison vs Newton (two Suits) Continued for Defendant.

Kelly vs Conrod Continued

Brooks vs Caldwell Continued

Harshbarger & Slusser, George Slusser Spl Bail,
and on the Motion of the said Defendant a Commissn
is award him to take the Deposition of Michael Smith
and Catharine Smith Debenppe on his giveing the Plft reason-
able notice of the time and place of taking the same

Ordered that the Court be adjourned until to
Morrow Morning 10 oClock.

Andw Thankler

Friday to wit

At a Court Continued and held for the County
of Rockingham the 21th day of October 1806

Present. Andrew Thankler, Ezekiel Harrison,
John Ewin & Sinclair Kerfley Ps. & G. Justices
George Nicolson.

Thowalter & Hoffman Hoffman on a Injunction
This day Cause came on to be heard.
this 21th day of October 1806 on the bill, and answer, and
was argued by Counsel, on Consideration the Court doth order
adjudge and decree that the said Injunction be dissolved.

Vance & Salvage Ps on an Injunction
This Cause came on to be heard this 21th
day of October 1806. on the bill, and answer, and was argued
by Counsel, on Consideration the Court doth Order and
Decree that the said Injunction be dissolved

Kerr & R Harrison. Josiah Harrison. Spl Bail

Swern & Capito On an Injunction
This Cause came on to be heard this 21th day
of October 1806 On the bill, answer and Exhibits, and was
argued by Counsel, On Consideration the Court doth order
and decree that the said Injunction be dissolved

You conv v Carthrea. By consent of the parties by their attornies. It is ordered that all Matters in difference between them in this Cause be referd to the final determination of James Machir, George Harris, & Samuel McMeehen, whose award, or the award of any two of them is to be made the Judgment of the Court.

Herring extr v Herring admr Continued

Moore v Caldwell &c an Injunction

This Cause came on to be heard this 24th day of October 1806. on the bill, answer and Exhibits, and was argued by Counsel, on Consideration the Court doth order adjudge and Decree that the said Injunction be dissolved

Reed &c v Snodden Continued

Rices extr v Loftus admr Continued

Pleasants Peachey Harrison & Hunt Sinclair Verby.

Moyers &c v Moyers &c In Chancery

This Cause came on to be heard this 24th day of October 1806 on the bill, answers and Exhibits and the report of the Commissioners returned in this Cause, on Examination whereof it is ordered that Master Commissioner Cravens do state and report to this Court an account between the widow of the decd and the Executor Stephen Conrod, and also between the Legatees and said Executors of the sums paid to each — so as to shew what each has received — That he also state an account of the whole personal estate which has come to the hands of said Executor ~~which has come to the hands of said Executor~~, whether in goods, which he sold, in Money, or in bonds, bills Notes or book accounts,

Copd. for Cravens

Specifying each, from whom, and when due, and when and how collected, as also an account of such Interest as it may appear just for the Executor to pay considering his Receipts, and disbursments, and that he do examine said Executor on oath if he feels it Necessary, and that as the said Executor charges said estate with a large sum in Clerk & Sheriffs fees, he do enquire into the ~~propriety of that~~ propriety of that account, and see whether the estate has received Credit for the amount of Judgments, recovered by the Executor or only for the bare amount of the Debts, and the said Commissioner may examine such Witnesses as shall be produced by either party and proceed in the absence of either party, who having reasonable Notice, shall fail to attend him —

Absent Ezekiel Harrison & George Newton —

Present. Peachy Harrison & Asher Waterman.

Sheppard & Evans exrs &c Complt.

Headerick & Hayns. In Chancery.

This cause came on to be heard this 24 day of October 1806. on the bill, answer and Exhibits, whereupon It is ordered and decreed that the accounts between the parties, be referred to Master Commissioner Cravens. who is Desired to examine and state an account. and make report to the Court, at the next term.

Cp & Def to Cravens.

Ordered that the Court be adjourned until the 3rd Tuesday in November Next.

Jno J Hamblin

A Court called and held for the County of Rockingham on the 29th day of October 1806 for the examination of Henry Martin committed to the Jail of this County on suspicion of felony.

Present.

Andrew Shanklin, John Erwin, Asher Waterman, Archibald Rutherford & Peachy Harrison } Gent. Just.

The prisoner being led to the bar in custody of the Jailor thereupon came divers witnesses to wit Edward Hatfield, Kemp Gaines, and Doct. Joseph Cravens, who were sworn and examined touching the said offence and the prisoner being fully heard in his defence & who plead not guilty by his counsel, the Court upon consideration of the circumstances of the case are of opinion that he is guilty and for the same is triable in the District Court whereupon he is remanded to the Jail of the County and from thence to be removed to the Jail of the District Court holden at Staunton

Be it Remembered that Edward Hatfield and Kemp Gaines personally appeared in Court and acknowledged themselves to owe and be indebted unto his excellency William H. Cabell Governor of the Commonwealth for the time being & his successors for the use of the Commonwealth in the sum of five hundred Dollars each to be levied of their several respective goods & Chattles lands and Tenements rendered. yet upon this Condition that if the said Edward Hatfield & Kemp Gaines shall make their personal appearance in Court on the first day of the next District Court at Staunton then & there to give evidence on behalf of the Commonwealth against Henry Martin then the above Recognizance to be void and of no effect without further Order of Court

And Shanklin

88.

Tuesday to wit

At a court held for the County of Rockingham the 18th day of November 1806

Present. Ezekiel Harrison, George Huston, Jacob Kyser and Josiah Harrison Gentlemen.

A Deed from M. Smith to Hamsberger proved by the oaths of Jacob Miller and Henry Miller jun.

A Deed from William Rice & to John Smith proved by the oaths of Benjamin Porter, Luke Rice and Robert Gray, which with the commission & Jury examination on their oaths returned &c.

A Deed from Zimmerman & Conto Merrick acknowledged which acknowledgment is ordered &c.

A Deed from same to Grim, which acknowledged &c.

A Deed from Wine Lee to Wine acknowledged which acknowledged &c.

A Deed from Lewis Lee to S. Lewis same

A Deed from Showalter & to Huffman same

The Last will and Testament of Gabriel Jones deceased (in his own hand writing) which was proved by the oaths of Daniel Smith, Charles Lewis, Jonathan Shipman, and Tobias R. McGahey.

The Last will and Testament of Gabriel Jones deceased was produced in Court by Margaret Jones the executrix therein named and was proved by the oaths of Daniel Smith, Charles Lewis Jonathan Shipman, and Tobias R. McGahey (who has frequently seen the said Gabriel Jones

~~proved~~ wrote, and were well acquainted with his hand writing / proved, the whole of the said Will and the signature thereto to be the hand writing of the said Jones. which is ordered to be Recorded. and on the Motion of the said executrix, who made oath. thereto. a Certificate is Granted her for obtaining a probate thereof in due form, (the said will requiring her to give no security). whereupon the other executor named in the said will appeared in Court and refused to Join in the said probate —

A Deed ~~from~~ of Mortgage from Grim to Menger acknowledged OR

A Deed from Thomas to Chrisman . . . . same

A Deed from Rhoades Exr to Showalter. acknowledged ~~was~~ acknowledgment taken OR

A Deed from Thompson Exr to Fogus the same

A Deed from Sailor Exr to Hoofman . . same

A Deed from Wise Exr to Wise . . same

A Settlement of the estate of Lewis Rumble dec'd was Returned OR

An appraisement bill of the estate of Thomas Williamson dec'd returned OR

The Last will and Testament of William Smith dec'd was presented in Court and proved by the oaths of Benjamin Smith and Henry Gambill two Witnesses thereto OR. And on the Motion of Daniel Smith and Deana Smith two of the Executors therein named who

with Security entered into and acknowledged bond and made oath thereto as the Law directs. a certificate is Granted them for obtaining probate in due form, and leave is reserved for the other executor named in the said to Join in the said probate. and It is that Henry L Gambill, Benjamin Harrison. Jr. George Peter & Archibald Rutherford or any three of them being first sworn be appointed to appraise the estate of the said Decd and make report to the Court.

Deed from Rudolph to Perkey further and fully proved by the oaths of Henry Perkey Exr. & ordered.

An appraisement bill of the estate Peter Pifer dec'd returned & Ord

Deed from Jos Scott ~~dec'd~~ to Henry L Gambill, acknowledged in the District Court of Richmond, and certified is ordered to be Recorded

Ordered that David Grove be appointed Surveyor of that part of the road whereof Henry Wenger was late Surveyor of in the room of the said Wenger and that the usual Inhabitants appointed to work on the said road be allotted him for his Gang &c

Ordered that Joseph Baxter & Giles Turley. be appointed to examine and settle the estate accounts of Adam Pifer dec'd with the admrs and make report to the Court

An appraisement bill of the estate of John Harrison dec'd returned & Ord

Mary Campbell a Wife of Elizabeth Campbell dec'd was presented in Court and was proved by the oaths of Michael Hoon and Jacob Campbell. two witnesses thereto.

Rec'd from Wm Instant Lease to Kite, was prescribed in Court and proved by the oaths of the witness thereto. which is with the Commission thereto for.

On the Petition of Peter Nicholas, Jacob Argenbright and Jacob Nicholas, for a View of an alteration in the road leading from Perkey Mill to Swift Run gap, so far as it runs through the land of the said Petitioners, and to make the said road Intersect the Swift run gap road at the house of the said Jacob Peter Nicholas, It is ordered that John Snap, John Wenston, Henry Perkey (Mill) and John Penn or any three of them being first sworn be appointed to View the said proposed alteration, as also the old road and make report of the Convenience and inconvenience attending the same to the Court

A View and report of a way for a road from the end of the turnpike road at Madison gap, to intersect the present road leading from Harrisonburg to Port Republick at or near Abraham Festers being returned into Court. which is in these words agreeable to an order &c which said road is ordered to be established, agreeable to the said report and View, (the persons through whose land the same will pass having form under their hands consented thereto) and it is ordered that John Carthrae Jr be appointed overseer of the said Road, and that all the tithables within three Miles on each side of the said road be allotted herein for his Gang to work thereon and keep the same in Good repair

Campbell v Campbell &c to shew cause why the Non Cupitave wife of Elizabeth Campbell dec'd should not be proved and Recorded
William Hook and Jane Campbell came into Court and
made oath that on the 5th day of June 1806 during the last
illness of Elizabeth Campbell & at her habitation and which
was five days before her death, the said William Hooks
informed her the said Elizabeth Campbell, that Colo. George
Hunter was not at home and could not be had to draw
her will as she had desired she then informed him, the
said Hooks in presence of the other Witness, that she would
make her will to them and stated that the land, which her
father gave her after the death of her husband
should be sold for the best price that could be obtained
in ~~the~~ three annual payments, that her two daughters
should have one Hundred and fifty pounds each of
the Money arising from the sale of said land and that
the balance thereof, she allowed to be equally divided
between her two boys (by which we understood) her
to mean her sons William Campbell and John
Campbell, and further said that she wished her Eldest
Daughter to have a Colt and her youngest Daughter
a Cow, and that her said Daughters should have
what beds and Clothing as were about the house and
all other such furniture about the house as was
made from their industry, of said Daughters to be
divided amongst them equally. and afterwards when
John Campbell her son brought James Hooks to draw
her will she said that she was not able, but had
made her will respecting to the bequests before Mentioned as the Witness Deposes, on Consideration whereof
It is ordered the same be entered on Record, and on
the Motion of William Campbell adm with the

with aforesaid answer is Granted him, he having made oath thereto. and with Security entered into and acknowledged bond. as the Law directs — and It is ordered that John Baker, George Safely, Martin Whitmore & Jacob Whitmore or any three of them being first Sworn be appointed to appraise the said estate and make report to the Court.

Ord from L. Moore Exr to W. Woods acknowledged

On the Motion Jacob Reichart admr of the estate of Philip Long dec'd is Granted him he having made oath thereto, and with Security entered into and acknowledged bond as the Law directs, and It is ordered that Henry Miller, Jacob Miller, Conrod Hamburger and Peter Rumble or any three of them being first Sworn be appointed to appraise the said Decedents estate and make report to the Court.

On the Motion of Evan Thomas admr of the estate of Moses Thomas dec'd is Granted him, he having with Security entered into and acknowledged bond with Security and made oath thereto, as the Law directs. and It is ordered that George Chrisman William Bryan Jr., Henry Krug and Charles Chrisman or any three of them being first Sworn be appointed to appraise the said estate and make report to the Court.

Ordered that John Wood the Overseer of the Poor bind John Woodin aged about 16 years on the 3rd of July last. to David Coffman to learn the trade of a Weaver as the Law directs.

Ord from Fisher to Hoy proved by the oaths of Isaac Kyzer and Henry Marsh & Witness thereto

94.

Dove v Vance on an attachment

The Constable having returned execution on one Waggon, and the said Defendant not appearing to reply the same, It is ordered that the Plff recover agt the said Defendant for the sum of £7 11 1½ with Interest thereon from the

Ordered that John Cook be appointed Surveyor of that part of the road leading from the Big Creek beyond Peeryes &c.

Ordered that John Cook be appointed Surveyor of that part of the road, whereof Abraham Bloyer was late Surveyor, &c. and that the usual Tithables appointed to work on the said road be allotted for his Gang &c.

Dove v Vance upon an attachment

The Constable having returned executed on one Waggon, and the said Defendant not appearing to reply the same, It is ordered that the Plff recover agt the said Defendant Seven pounds 9/ &c. with Interest from the 2d day of September 1806 and Costs. and It is further ordered that the Sheriff make sale of the said Waggon. and pay the amount of the said Judgment to the Plff. &c

Sifers exr &c v Young on an attachment.

The Sheriff having returned executed in the hands of Benjamin Lewis and Summoned him a Garnishee, who appears in Court and being Sworn doth declare he stands indebted to the Defendant the Sum of £50 and upwards by bond which is now due, and the said Defendant not appearing altho solemnly Called. Judgment is Granted the Plff for $39.55 Cent with Interest from 9th day of October 1804 tile

C/Sy. Catt Hosh 38

Kay and Costs, and It is ordrd that the said Garnishee do pay to the Plff the amount of the said Judgment out of the Money due in his hands —

On the Motion of Henry Perkey. Admrs of the estate of Susanna Rudlow dec'd is Granted him he having with Security entered into and acknowledged bond and made oath thereto as the Law directs. and It is ordrd that William. Beard, James Beard, Jacob Kyser and George Lafley or any three of them being first sworn be appointed to appraise the said estate and made report to the Court

A. Rice v M'Carty. Pr on a Notice on a Delivery bond Notice proved and Judgment —

Ordrd that Ezekiel Harrison be appointed Guardian ad litem for Elizabeth Neal. orphan of Cornelius Neal dec'd whereupon he entered into bond and security as the Law directs

Harrison Pr v Neal. who was summoned to appear here this day to shew cause why an attachment should not be awarded against him, and not appearing altho solemnly call'd It is ordrd that an attachment be awarded against him returnable here at January Court Next. and Judgment for Costs —

A Deed from Kyser &c to. Laymon, acknowledged by. Isaac Kyser, and wife, Anna Woolf Exr. John Sailor Exr. wife acknowledged the same and acknowledged by Nancy Armentrout and Margaret Kyser and was proved by. G. Gardner & Barzel Ragen two Witnesses as to Henry Kyser and the Commissioners and privy examination of Charity Kyser. which with the said Deed is ordrd to be Recorded.

Logan to Herring &c on a Notice on a Delivery bond
Notice proved and Judgment.

S. Cochran to Erwin &c . . . . . Same.

Ag Lanahan to Lightner &c . . . . . Same

G. Pyer to Vance &c . . . . . Same

B. Rosenbarger to Erwin &c . . . . . Same

Present. Andrew Shanklen, John Ewin, & Asher Waterman . . Gent Absent. Jacob Kyser & George Nesbet.

Isaac Harris, who was Committed to the Jaile of this County, on Suspicion of Felony, was Brought to the Bar in Custody of the Jailor, and being Charged with the said felony, plead Not Guilty, whereupon Divers witnesses to wit Dennis Lanahan, John Mead and Lemuel Quinn were Sworn and examined touching the said offence. and the said Prisoner being heard in his defence by his attorney, the Court upon consideration are of the opinion that he is not Guilty of the felony with which he stands Charged, and that he be discharged.

John Mead a Witness for the Commonwealth v I. Harris allowed 1 days attendance

Deed of Release from Mary Rice to John Smith proved by the oaths of Benja Porter & Luke Rice and Robert Gray and ordered to be Recorded.

Ordered that the Court be adjourned until to Morrow Morning 10 oClock

Ard Franklin

Wednesday to wit

At a court Continued and held for the County of Rockingham the 19th day of November 1806.

Present.

Andrew Shanklin, Ezekiel Harrison.
Silas Waterman & Peachey Harrison Jr. & G. Pleasants Jr.
Josiah Harrison - - - - - - - - - - - -

Vance & Rush on attachm. dismd. by order Plaintiff

Deed from Beller Exr to Campshire, acknowledged & proved by the oaths of Adam Shanklin, Henry Gambill & Davd Smith, which with the Commission of his mess. returned & ORd

New Report for a way for a road from the North River at the Widow Bears to Boles Mill, and from thence to John Snapp's being returned into Court. which report is in the Words following agreable to an order which said road is ordered to be established agreable to the said New and report, (the several persons through whose land the same is to pass having agried thereto) and it is ordered that Adam Buell be appointed Surveyor of that part of the said road from said Bears to Skelton's lane, and that George Heiser be appointed overseer of that part from the said lane to John Snapps, and that all the Tithables, within two Miles on each side of the said road be allotted for their gang, to open the said road & work thereon and keep the same in good repair

Wise & Selfridge on an Injunction Continued.

Hayes & Baker & On a Note & on a Delivery bond & Note proved, and Judgment agst all the Defendants except Barbour & Patton.

Ordered that Andrew Shanklew, Asher Waterman & Archibald Retherford or any two of them be appointed to examine state and settle the estate accounts of Michael Warrow dec'd with the exrs and make report to the Court.

Lewis v Carthrea Jr. on a Writ of Adjud Continued

Carthrea v Machall . . . . . same

Roach v Byrd &c . . . . same

Lofland v Nichols &c . . . . same

Shrickle v Berry dismiss'd by Information.

Present. John Ewin, Absent Andrew Shanklew Gent.

Cook &c v Cook a Slave &c

This Cause came on to be heard this 19th day of November 1806 on the bill answer and Exhibits, and was argued by Counsel, on Consideration, the Court doth order adjudge and decree that the Defendant do pay unto the Plff the the sum of one Hundred pounds Virginia Currency with Interest at 5 per cent from the 31st day of December 1804 by 84, till paid and their Costs about there suit in that behalf expended —

Stroh v Strickler parties heard and Judgment for £4 11s with Interest from the 25 Decem. 1805 till paid and Costs

Zeikler v Ettenger. Judgment per note with Int & Costs

Brannaman v Smith . . . . . same -

Mc ee v Herrington Defft Call'd Judgment per note with Int & Costs

Present Andrew Shanklew.

Warren adm vs McNeal &c Deft call? Judgmt per note &c

Ettinger vs Harrison . . . . same

Mayberry vs Robertson . . . same

Crozier vs Cook . . . . . same

Harris vs Caldwell . . . . same

Evans vs Roads . . . . . same

Rice vs Thomas . . . . same

Vaughn vs Grumley . . . same

Hopkins vs Vance &c . . . same

Salvage vs Conrad . . . same

Same vs Eversole &c . . . same

same vs Vance . . . . same

Woodruff vs Erwin . . . same

Terry vs Deas . . . same

Ott vs Herring . . . same

Eversole &c vs Mallory &c . same

Terry vs Bagen &c . . . same

Black vs Rachford . . . same

Peper vs Garigware . . . New Series

Shugart vs Aldrich . . . same

Mayberry vs Huber . . . same

Bowen vs Funk . . . . same

100.

Bagen v Wood agreed

Salvage v Moyers abates by Return

Nash &c v Murry &c Judgment per note Costs

Salvage v Fesser . . New Trial

Light v Hill &c . . . . New Trial

Ott v Cummings . . . dismiss agreed

Shirley v Murry &c. Court Deft.

~~Jones~~

Deaff v Showalter . . New Trial

Sibold v Baker . . . . same

Rice v Burton &c . . same

Penn v Nuber . . . . same

Joseph v Joseph Continued for Defendant.

James Quinn Attorney for Joseph v Joseph allowed

Dedt. self 2 days attendance

Henry I Gantt who was appointed, to settle with Andrew Shanklen, and William Herring late Sheriff of this County. made a report. Shewing that their was a balance of Money due in the hands of ~~Joseph~~ Joseph Fawcett and Daniel Bagen their Deputies of $377, 68 Cents. which account is rendered up to July Court 1806. and which balance is ordered to be entered on Record, and the said account filed in the Office

Ordered that Andrew Shanklen and Samuel Chandler be appointed to have such repairs done to the Jail as

is Necessary. and that they render an account of the expences to the Next Court

~~Whereas various Sums of Money allowed by this Court~~

~~being in the Sheriffs ..... Errors excepted~~

Joseph Fawcett & Daniel Ragen Deputies for Andrew Shankles & Wm. Herry

Ordered that ~~the Sheriff~~ pay unto Andrew Shankles the Sum of 84 Dollars and 13 cents. for work done to the Court house out of any Money that may be in his hands due the County as per account rendered.

Ordered that Andrew Shankles be appointed a Commissioner to have the lower part, of the inside of the Court house painted. of a Mahogany Colour (except the Windows) which are to be white, and return an account of the expences and that he also have ~~done~~ inclosed the Court house and Clerks office with good Locust post, and oak Rails, and that he have the said Railing and ~~posts~~ posts painted a Spanish Brown Colour, the quantity of Ground to be inclosed to be adjusted off by the said Shankles. and that he return an account of that expence also to the Next Court ——

Ordered that Joseph Fawcett & Daniel Ragen Deputies for Andrew Shankles and William Herring late Sheriff pay unto Andrew Shankles the Sum of 84 dollars and 13 cents. out of any Money in their hands due the County, for work done to the Court house as per account rendered

Ordered that Henry I Gambill be allowed ~~the Sum aforesaid~~ as aforesaid in his account for Monies due the County. the Sum of six dollars, for Services rendered as a Commissioner, in settleing with the former Sheriff ——

102

The Court proceed to lay the County Levey for the year 1806 a Statement whereof is as follows to wit.

To Daniel Smith attorny for his Servis	$100.00
" Samuel McWilliams for his Extra Servis	25.00
" Ditto under the review Law	20.00
" The Sheriff for his Extra Levies	25.00
" Henry I Gantt for Keeping the Courthouse	25.00
" John Cook for 1 Legn Post and Index	2.50
" George Snodden for One Ditto	2.50
" Henry Drummond for three Young Wolfs @ $3	9.00
" Henry I Gantt for Paper for the use of the Court	5.00
" Daniel Ragen for one Legn Post and Index	2.50
" Isaac Harrison for Ditto	2.50
" Reuben Harrison for Ditto	2.50
" Jonas Haynes for two Ditto	5.00
" Daniel Ragen for work done on the road with his Waggon &	4.25
" Barzel Ragen for Work done to the Jail	10.00
" Ezekiel Harrison Coroner for 1 enquest taken on the body of Mary Foren Child &	2.80
" Daniel Ragen for Summoning a Coroners enquest on Mary Foren Child &	3.15
	$246.70
To Sheriff Commission & County Depositum	411.80
	$658.50

By 2634 Tithables @ 25 Cents $658.50

Ordered that the Sheriff Collect from each Tithable person in this County 25 Cents their being in No. 2634 —

Ordered that Asher Waterman, Layton Yancey, Andrew Chandler & Ezekiel Harrison or any two of them be appointed to examine, state and settle the state accounts of Mary Kyser dec'd. and make report to the Court

Ordered that the Overseers of the poor bind Eli Harry a poor child of John Harry dec'd. be bound unto Samuel Chandler to learn the trade of a Sadler as the Law directs —

Present George Newton Gent.

On the Motion of Edward N. M'Dowell an Executor named in the Last will of William Smith dec'd. who with Security entered into and acknowledged bond, and made oath thereto as the Law directs, a certificate is Granted him for obtaining a probate thereof in due form —

Ordered that John Gunny, be bound by the Overseers of the poor to Archibald Rutherford to learn the trade of a Gunsmith, as the Law directs, (he being 16 years old the 3rd day of February last)

Ordered that the Overseers of the poor bind Joseph M'Coy unto Jacob Yount to learn the trade of a House Joiner, &c as the Law directs. —

Craig v Veeder on an attachment

The Sheriff having returned a Capias in the hands of Daniel Ragen, and summoned him a Garnishee, who appeared in Court and being Sworn, declares he stands Indebted to the Defendant, in the sum of 12/3 due for the balance on two executions, and that he also stands Indebted to the said Defendant of 40/6 due by by a book account, but that he had assumed to pay the said 40/6 to Archibald Rutherford, long before the said attachment was Served on this Deponant, and the said Defendant not appearing to reply the same Judgment is Granted the Plff for 25s with Costs from 21. March 1806 till paid and Costs, and it is

Ordered that the said Garnetts do pay unto the said Archibald Rutherford, the sum 40/6. aquable to his said assumpsit. and that he pay the said 12/3 to the plff. in part pay of the said Judgment and that he have execution for the residue ——

Ordered that Andrew Shanklen & Peachey Harrison be appointed a Commissioner, to examine, State and Settle the accounts of Henry Gamble who was, appointed to receive, any Monies due from the former Sheriffs of this County, and that they make report to next Court.

Whisler a Light, John Tuth Special Bail ——

Ordered that the court be adjourned untill the 3rd Tuesday in December next.

Andw Shanklin

Tuesday to wit

At a court held for the county of Rockingham the 16th day of December 1806.

Present. Andrew. Shanklen, Layton Yancey. John Ewin and Walter Davis Esqr Justices

Andrew Shanklen, to Eli Butcher. A Deed of Bargain & Sale for Land lying in Randolph County acknowledged and ordered to be Certified to that Court.

Ordered that the Sheriff pay unto John Hopkins Six dollars for one old Wolf Scalp, out of the Deposites for the year 1806. when Collected.

A Deed of Trust from Moses Hix to Gamble in Trust for Adam Forbush acknowledged by the party & Mrs acknowledged later 1806

A Deed from Pence &c to Pence proved by the oaths of John Rush, Christian Keger & Jacob Nicholas, 3 Witnesses thereto &c

A Deed from Lanair and wife to Miller acknowl'd & wife acknowledgt taken &c

On the Motion of Elenor Moore and David Coffman administrators of the estate of George Moore dec'd Granted them, they having with Security entered into and acknowledged bond and made oath thereto as the Law directs and Ordered Andrew Byrd Lewis Zeibles, John Peters, and Henry Marsh or any three of them being first sworn be appointed to appraise the said estate and make report to the Court

A Power of attorney from Jones to Harris Jr. proved by the oaths of Richard Austin & Jaquelin Harris and &c

A Deed from Manzies Lessee to Martin Porter for Land lying in Fairfax, was presented in Court and acknowledgt & wife acknowledgt taken and ordered to be certified

A Deed from Weaver to Perry in Trust for John Perry proved by the oaths of William Roborough and George Pence as to Weaver & acknowledged by Henry Perry &c.

Ordered that Henry Gambill pay unto Andrew Shanklin 2,38 Cents. for work done to the Court House in the Court house, as per account out of any Money due in his hands —

A Deed from Harrison to Cline acknowledged &c

A Deed from Cline Lee to M Williams same

A Deed from M Williams to Harrison. same

A Deed from Thomas to Vance further proved by the oaths of M. Bryan & Dan'l Bryan. and ordered to be certified.

106.

The Last will and Testament of Oswald Berth dec.
was proved in Court. and proved by the oath of Nicholas
Carn. one Witness thereto &c.

~~On the Motion of~~

Two Deeds from Waterman Exrs to Kelly acknowledged
were each in weight taken &c.

Deed from Gambelo Exrs to Waterman same

Deed from Herring Exrs to Kyser . . same

Deed from Shepman to Waterman proved by the
oath of the Witness thereto &c.

On the Motion of Elizabeth Herring and William S.
Herring administration of the estate of William Herring
dec. is Granted them they having made oath thereto
and entered into and bond & Security as the Law directs
and it is ordered that Francis Stuart James Lewis
George Snowden and Henry Vanstavger or any 3 of
them being first sworn to appraise to appraise
the said estate and make report to the Court.

Deed of Trust from Carthew to Newton & Gambill
for Benjamin Lewis. acknowledged by the parties.
&c.

Vass & Co v Herrington &c on a Note on a Delivered
Note proved and Judgt

S. Messford v Southes &c . . . . . same

S. Kyger v Maggart &c . . . . . same

S. Effert adm v Bloss &c . . . . . same

S. Laird v Herrington &c . . . . . same

C. S. Weir v. Brock &c. on a Delivery bond Notice proved and Judgment.

S. Beam v. Floyd &c. . same, with Interest at 10 per. from 1st November 1805 to 23 November 1806. as Damages &c.

S. Webb v. Mathews &c. same. with Interest at 10 per cent from 20th February 1806 to 23 October 1806. as Damages &c.

S. Smith v. Shaw &c. Notice proved as to all the Defts except Bailey & Judgment.

S. Felix v. Berry &c. the same as to all the Defendants.

C. Jones v. Carthrae &c. the same

C. Butt v. Arrow &c. . . . . the same

B. Koogler v. Brock &c. . . . . same

B. Sipe v. Carthrae &c. . . . . same

A. Romech v. Roach &c. . . . . same

A. Bowman v. same . . . . . same

A. Bebbs adm v. Shaw &c. . . . . same

A. Newhein v. Reed &c. . . . . same

A. Caldwell v. Moore &c. . . . . same Proved at Interest at 10 per cent from 20th May 1806 to 24 October 1806 as Damages &c.

A. Lingle v. Lingle &c. on a Note on Bond Notice proved and Judgment —

G. Woodley exor v. Lohry &c. . . . same as to Harrison

G. same . . . v. Byrd &c. . . . same as to Byrd.

G. McKeen v. Glyn &c. . . . same as to all Defts.

G. Nash & Co v. Arrow &c. . . . . same

Reid vs Lahey &c on a Duly Con'd Motion for as to Warren Dewyat

Maggart vs Maggart &c same as to all Defts.

Everson vs Mallory &c same.

Reid vs Stutts &c ..... same

Reid vs Boyd &c ..... same

Miller vs Hamilton &c ..... same

Waldaw vs Swearingen &c. same as to Defts.

Bible vs Byan &c same as to all Defendants

same

Same vs Same .....

Hopkins vs Boyd &c. ..... same

Scott vs Hamilton &c ..... same

Nite vs Stutts &c ..... same as to Stutts.

Motion from Brandon due to Shaver acknowledge usps acknowledgt taken 50¢

Matthews vs Noble on an Injunction

This cause came on to be heard this 16th day of December 1806. and the Plff having shewn no cause for Court continuing this suit as an original bill, It is on the Motion of the Defendant ordered and decreed that the same be dismissed with Costs —

Swearingen vs Capito ..... same

Howell vs Hopkins .. same

Warren .. vs Salvage. two Suits .. same

Caldwell v Moore . . . . . same

Floyd v Beam &c . . . . . same

Herndon v Barnhart. on the Motion of the Plff by his attorney. It is ordered this Cause be Continued as an original Suit.

Bell from Miller Exrs to Sowerbier acknowledged exps. acknowledged to him 50/

Sowerbier Exrs to Miller for Land Lying in Greenbrier, acknowledged exps acknowledgment taken & Order to be Certified.

On the Motion of Joseph Tracy. Leave is Given him to keep an ordinary at his house in this County for 1 year. enters into Bond with Henry Gambill his Security as the Law directs. he having Complied with the Law

Peters v Gonoway Defts Calld Judgment per Note with Interest

Mayberry v Nuber . . . same

Romich v Funk . . . . same

Sherly v Merry . . . . same &c

Salvage v Peters . . . . same

Pieff v Showalter . . . same

Perry v Nuber the same as per account with Interest

Shanklin v Sevin &c Judgt as to Sanger,

Campbell v Kerr &c . same as to both Defts.

Reed v Eversole . . . . same

Garber v Devier - Continued.

Shepard v Aelshets . . New Sevin

Joseph v Joseph Dismd agreed

Light v Stitt &c New Sems as to Kemptsell

Sibole v Baker New Sems

Rice v Burton &c. . . New Sems

Shaver v Smith &c New Sems as to Stitt

On the Petition of Charles Beard &c for a New ~~Roadway~~ to alter the Road leading from Mrs Kretzer by John Graham, D. Loflands &c to Kepells Town, or where it may intersect the present Road. It is ordered that John Donavon, Thomas Harrison, David Usher, and And. Shanklen, or any three of them being first sworn be appointed to View the said proposed alteration as also the Old Road. and make report of the Conveniency and inconveniency attending the same to the Court

John Sheridan allowed for M. Joseph is Abraham to J. P. Joseph allowed 3 days attendance

Sarah Sheridan . . same . . 3 days.

Ordered that Layton Garey. Michael Mauzey and Joseph Mauzey or any two of them be appointed to examine State and Settle the estate accounts of John Sillars dec'd with the Exr and make report to the Court.

Ordered that Jacob Cook be appointed Surveyor of that part of the Road whereof Samuel Sillars was late overseer off, and that the usual tithables to work on the said Road be allotted to him for his Gang to work thereon &c.

Ordered that the overseers of the poor lend Edward Mooney, Poor child of Edward Mooney

aged 13 years old the 6th. March last to Jesse Bowling to learn the trade of a Shoe and boot Maker as the Law directs —

Ordered that the Court be Adjourned until this Court in Course

Jno Shanklin

Tuesday to wit

At a court held for the County of Rockingham the 20th. day of January 1807

Present Andrew Shanklin, Ezekiel Harrison George Newton and Jonah Harrison Esqrs

On the Motion of Alexander Herring Surry of this County It. Ordered that Gordon M'Williams Examine into the Returns of William Herring to act as a Deputy Surveyor of this County. and make report to the Court

Herrings exrs v Herring adm. On the Motion of the Plff it is ordered that a Subpoena. of Revivor do Issue. Returnable as the Law directs, to Revive the said suit in the name of the admr of William Herring dec.

A Bill of Sale from Baker to Ong acknowledged & Recorded

An appraisement bill of the estate of Henry Drumbrook dec. Returned & R

An appraisement bill of the estate of Elizabeth Campbell dec Returned & R

Debts of the estate of Leonard Spence dec. Returned & R

A Sale bill of the estate of Leonard Spence dec. Returned & R.

A Deed from Kyser &c to Lagenour proved & acknowledged by a Deed Kyser ~~Proved & not~~ certified and proved as W. Kyser by Daniel Kyle and Jo. Fawcett Witness

of a Constable
John Conrod appears in Court, and took the oaths
prescribed by Law, and entered into bond & Security as the
Law directs ——

A Deed from Nicks Gambill to Rowland, proved by the
oaths of Gabriel & Garey & George Rowland as to Nicks
and acknowledged by Gambill. O.R.C.

A Deed from Rust to Parrott, proved by the oaths of the
Witnesses thereto O.R.C.

The Last will and Testament of William Headrick dec'd
was presented in Court and proved by the oaths of George
Mallow, Peter Bowlinger & John Mallow, as also the
Codicil thereto, annexed was proved by the same Witnesses
& Ordered to be Recorded, and on the Motion of the executrix
therein Named, who made oath thereto, and entered into
bond & Certificate is Granted her for obtaining a probate
in due form the said will requiring her to
be Given —

An agreement between Freeze & Medick proved by
the oaths of Jacob Medick and Sam'l Medick O.R.C.

A Deed from John Mesperly Exr to S. Mesperly acknowledg.
wife acknowledgt taken O.R.C.

A Deed from S. Mesperly to Gambetz in Trust for
John Black & acknowledg'd by the parties O.R.C.

Michael Mauzey & Jonathan Shipman produced in Court a Commission
wherein they are appointed Justices of the peace for this
County and they having taken the oaths prescribed by Law as
Order the Same

Bill of Sale from John Lyon to Sarah Lyon &c was acknowledged &R

A Deed from Jacob Leigh &c to Henry Perrine was presented in Court and acknowledged by all the parties thereto and were acknowledged (taken) except Jacob Perrine, and the same was also proved by the oaths of George Newton Frederick Spangler and Saml Chandler, as to the said Jacob Perrine &R

Henry Halpe and Jacob Pipe who was named as executors in the last will of Oswald Berk dec'd refused to take upon themselves the execution of the said Will, whereupon on the motion of Frederick Hamster administration of the estate of said Oswald Berk dec'd is granted him with the will annexed. and the said who with security entered into and acknowledged bond and made oath thereto as the Law directs — and it is ordered that Ezekiel Harrison, John Trumbo, Peter Tiger & Saml Morris or any three of them being first sworn be appointed to appraise the estate of the said Decedd and make report to the Court.

A Deed from Armentrout Exr to Armentrout acknowledged & ordered acknowledgment taken &R

Mary Donavan orphan of William Donavan dec'd came into Court and made choice of Robert Pitherford Esq. as her Guardian who with security entered into bond as the Law directs —

An appraisement bill of the estate of Moses Thomas dec'd was returned &R

The last will and Testament of Mary Nudlow dec'd was presented in Court and proved by the oaths of James Woods and Jacob Seah. and ordered to be Recorded — and on the Motion of John Nudlow. the executor therein named, who. with Security entered into and acknowledged bond and made oath thereto as the Law Directs. a certificate is

Granted him for obtaining aprobate thereof in due form,
and It is that Abraham Fisher Jacob Yount John
Perkey & Henry Perkey or any three of them being first sworn
be appointed to appraise the said estate and make report to
the Court

The Last will and Testament of Henry Fry dec'd was exhibited
in Court and proved by the oaths of the Witnesses thereto &c.
and on the Motion of the Executor therein named who with
Security entered into and acknowledged bond, and made
oath thereto as the Law directs a Certificate is
Granted them for obtaining aprobate thereof in due form
and It is ordered that Ezekiel Harrison Jacob Trumbo
Peter Foser and Samuel Stones or any three of them being
first Sworn be appointed to appraise the estate of the said
Deceased and make report to the Court.

Breeding &c. to Brock on the Motion of the Plff by their
Attorney It is ordered that an Injunction be Granted them
to stay all further proceeding on a Decree obtained
by the said Brock agst said Breeding in this Court on
their entering into bond & Security as the Law directs.

A Dedi from Abraham Stones to Garber acknowledged
and ordered to be Certified to the County of Frederick and
State of Maryland. as the Law directs —

Gordon M'Williams, who was appointed to examine
William Herring, made a report that he was duly
Qualified to execute the office of a Surveyor in this
County whereupon he appeared in Court and took the
oaths & of office as the Law directs.

An Article of Agreement made between Donald
Beth & Frederick Beth written in the German Language.
was presented in Court and proved by the Witnesses thereto

as also a Translation of the said agreement which was proved by Martin Garber, and ordered to be Recorded —

Deed from W. Harrison to Logan a Mulatto aged 18 Y.

Ordered that Andrew Shanklen be appointed Guardian for Adam Pugh orphan of Jacob Pugh dec? an Infant under the age of 14 years who with Security entered into and acknowledged bond as the Law directs —

Ordered that Jacob Mantz (who was formerly bound to Benja Harrison Jr.) be bound by the overseers of the poor to Andrew Cutler to learn the trade of a Saddler. as the Law directs —

Ordered that Jacob Alstot be summoned to appear here at March Court next, to shew cause why his children should not be taken away from him and be bound out. It being suggested to the Court by the overseers of the Poor that he is not in Circumstances to raise and educate them in a decent Manner.

Bond from Frederick Birk to D. Birk. a Mulatto aged 18 Y.

Ordered that Ezekiel Harrison and Giles Furly Gent be appointed to settle the estate accounts of Jacob Bellheimer dec? and make report to the Court

Ordered that Ezekiel Harrison and Giles Furly. be appointed to settle the estate accounts of Jacob Pugh dec? and make report to the Court.

A Report of View of an alteration in the road leading from Krotzers to Keyetts Town, which said report is in the words and figures following, Pursuant &c whereupon It is ordered that the said alteration be established agreeable to the said report. and It is ordered that Jacob Stouffenrose be appointed

who was is the Overseer of the old road be appointed
Surveyor of that that part of the said road. Beginning
on the old road near David Dolins Land. and from thence
to where it ~~intersects the~~ crosses the New Market Road
and that Samuel Wayne be appointed Surveyor from
thence to the Main road at James Craigs Plan.
and that the usual Tithables appointed to work on
the said old road be allotted them for their Gang.
to open the said road & work thereon and Keep the
same in Good Repair ——

A Report of View of an alteration in the road agreable
to the Petition of Jacob Lingle, was returned into Court in
the words following, viz the Viewers &c whereupon it
is ordered that the said alteration be established agreable
to the said report.

Ordered that the bounds of Dorman Hyland an Overseer
of the road be established extend Three Poles on each
side of the said road ——

On the Petition of David Kyle. for an alteration in
the road leading from the Court House to Mage Furnace
so fair as it runs through the Lands of the said Kyle
It is ordered Frederick Spangler, John Bright, Thomas
Harrison & John Domaree or any three of them being
first sworn be appointed to View the said proposed
alteration as also the old road, and make report
of the conveniencies and inconveniencies attending the same
and to the Court ——

Ordered that the Sheriff pay unto Jacob Lincoln the
sum of 6 dollars for one old Wolf Scalp out of
the Escheatum for the year 1806

Ordered that the sheriff pay unto George Fitzwater the sum of 18 dollars, out of the Depositum for the year 1806. for 3 yr old woolf scalp —

Branham v Walker on an attachment Continued.

A. Rice v Penn &c on a Note on a Delivery bond Motion for Judgment.

A. Hunt v Nero &c . . . . . same (Jos Fawcett)

A. Guin v same . . . . . same (Jos Fawcett)

G. Peper v Nero &c . . . . . same

G. Curtis v Grove &c . . . . . same

G. Peper v Songer &c . . . . . same

B Rowlston exr v M'Guire &c . . . . . same

B Showalter v Grove &c . . . . . same

I. Trout v May &c . . . . . same

I. Martin v Driver &c . . . . . same

Fawcett v Moore on an attachment.

Returned executed, in the hands of Sheriff

Harrison and summons him a Garnishee, who appears in Court. and ~~was sworn and declares~~ whereupon the same is Continued until next Court. for the Garnishee to make up his account —

Shegarts v Welshets New Summs.

Light v Hemphill &c Deft Calls Judgment.

118

Sebolo vs Baker, Defts Catt. Judgt for £15 and Costs.

Rice vs Burton &c Defts Catt Judgt.

Shaver vs Smith &c same

Early vs Shoo . . . . . same

Sellan vs McIntire &c . . . same

Bolton vs Nesbeg . . . . same

Roland vs Foster . . . same

Price vs Wheelbarger . . same

Salvage vs Moyes . . New Serits

Krieg vs Harrison New Serits

On the Petition of Sabastian Mack for a View of an alteration of the roads leading from Harrisburg to New Market so far as the same runs through the Land of the said Mack, It is ordered that, Thomas Cunningham Jesse Harrison, Thomas Moore Sen. and John Moore or any three of them being first sworn do appoint as also the old roads to View the said alteration, and make report of the Conveniencies and inconveniencies attending the same to the Court

Salvage vs Vance. Samuel Dodds Special bail

Ordered that the Overseers of the Poor bind Joe a Samb Mustee Boy (free Negroes), Joe aged 12 years old the 1st day March Next, Samuel age 10 years the 1st day of May Next. to learn the said Joe. the Trade of a Weaver and Samb the Trade of a shoemaker to George Hutton as the Law directs

Shirley v Murry &c. On the Motion of the Defendant by their attorney, and by consent of the Plff attorney It is ordered that the Judgmt rendered in this Case at the last Court be set aside, and the execution issued thereupon be quashed and that the same be recalled and cancelled ——

A Settlement of the estate of Thomas Lohey dec'd was rendered ——

Ordered that the Court be adjourned until Court in course ——

Ard Stanklin

Tuesday 20 inst

At a Court held for the County of Rockingham, the 19th day of February 1807.

Present. George Newton. Archibald Rutherford
Giles Early and Josiah Harrison Gent Justices

Ordered that the Court be held in the Clerks office on Thursday the 19th day of this Instant and on the days after the third Tuesday in March and April Next as the Law directs ——

Rice v Lary Joseph Newton Spl Bail Office Judgment set aside payment of Costs

Poddy v Feeney. Henry Kefell Spl Bail office Judgment set aside as to the Security ——

Chandler v Cave. Hugh Rivers Spl Bail office Judgment set aside payt of Costs

James Morrison produced in Court a license wherein he is admitted to practice as an attorney in the Superior and inferior Courts of this Commonwealth and he having the oaths prescribed by Law is admitted to practice in this Court

Shawhan vs Devier &c. Williams Cave Spl Bail

Ryan Exr vs Kelly Exr dismd. by order Plffs attorney—

Rice vs Kyle Williams Shannon Spl Bail office Judgment set aside payt of Spec

McCue vs Moore John Carthrae Jr. Spl Bail office Judgment set aside payt of Spec

Walker vs Vass & Carthrae. Daniel Raggow Spl Bail office Judgment set aside payment ~~procedendo &c costs~~ of Spec

Cook vs Peters David Boath Spl Bail office Judgment set aside payment of Spec

Thomas Moore Produced in Court a Commission wherein he is appointed a Justice of the peace in and for the ~~[redacted]~~ County of Rockingham, and he having taken the oaths prescribed by Law is ordered to be certified —.

Grand Jury Sworn to wit

James Quinn, David Roalston, John Ritchy Jeremiah ~~Warren~~, Sam Kyle, Jacob Lencolns Timothy Conaven, Frederk Beck, Jacob Merriman Isaac Parrott, John Neff, Jacob Penny, George Newman, Abraham Boon, Adam Faught, and David Coffman, who. ~~[illegible]~~ their charge. and retired from the bar to consult on their Presents. and after same time, Returned. into Court. with the following presents. to wit, no present. &c and Nothing further appearing It is ordered that the said Grand Jury be discharged and that process Issue on the said presents returnable as the Law directs.

Present Thomas Moore Gent.

Smith v King. Danl Golliday Spl Bail

Salvage v Bailey & George Berry S. B office Judgment set aside Sept 8 Inst

Frankum v Cummins, John Turner Spl Bail .. same

Plumb v Sinclair Joseph Woods Spl Bail and the Defendant was delivered up, and was by the Plffs attorny prayed in custody —

King v Moore, Danl Harrison Spl Bail

Rambo v Moore. Danl Harrison Spl Bail

Baker v Deal Danl Golliday Spl Bail Office Judgment set aside Sept 8 Inst

Berry v Joseph George Berry Spl Bail and the Defendant delivered up by him, and was by the Plffs attorny prayed in custody

On the Motion of Thomas Brill; It is ordered that Layton Gainey, Peter Nicholas, & John Rush be appointed Commissioners to lay off unto Mary Brill, late Mary Headrick Right of Dower in said late Husbands lands, and also to divide and lay off each of the ~~children's~~ Shares, the Shares of the Children of the said John Headrick dec'd and make report to the Court

Hoover v May & Henry May Spl Bail Office Judgment set aside aside Sept 8 Inst

~~Hawkins~~

Salvage v Hawkins, Michael Marsh Spl Bail Office Judgt set aside Sept 8 Inst

Wenger v Martin & Brannaman, Martin by Consent enters himself a Defendant and Henry Shank enters himself Spl Bail.

122 and Lewis Krolzer, appears & and enters himself
Bail for the Defd Bannaman

Strayer & Co v Ritchey, Frederick Kanester Defd Bail offers
Judgt set aside pays Costs

Salvage v Hanchum dismissed by order Plff.

Conuth v Moore. Not Guilty and Jury and Confession

Gelwood v Gelwood In Chancery.

Costs to Plff. Dismissed agreed, the Defendant
agreeing to pay all costs except five dollars and Judgmt.

Smith v Weaver Ls upon an attachment for rent.
The Sheriff having returned execution on the
Defendants property. to wit one Sow and Pigs &c and also in
the hands of Isaac Way and Summoned him as
Garnishee, who appears in Court and being sworn
declares he is indebted to the said Defendant Jacob Weaver in the sum
of Twenty Seven shillings and four pence, to be paid
in flower Barrels, at Plff option, and the Plff produces
in Court the said Defendants bond for $165.90 cents for
rent due the 10th April Next. Judgment is Granted him
for the said sum, and Costs, and it is further ordered
that the said Property be sold, at public sale, the
Sheriff giving Credit until the said rent becomes due.
taking bond and Security of the purchasers, thereof according
to Law, and that the said Garnishee pay
pay unto the said Plff the amount of the sum due
as aforesaid, in his hands on or before the first day of
March Next. —

Skyles v Moore Jacob Vote Defd Bail

Ordered that the Court be adjourned until to Morrow
Morning 10 o'Clock.

Test Rutherford

Wednesday to wit

At a court continued and held for the County of Rockingham the 18 day of February 1807.

Present. Andrew Shanklen, John Ewing
Archibald Rutherford and Giles Harley Esqrs Justices
Sinclair Kerlley.

Carthrae vs Heggans. Offer Judgt set aside and dismd agreed

Kyger vs Carthrae the same

Strole vs Kempher dismd agreed

M Cain vs Frazer. dismd & no Security for costs having given. and Judgment.

Phelps vs Reese dismd by order Plff attorney

Rice vs Brown. dismd agreed

Rowland vs Erwin. same

Smith vs Clerk &c. abates as to Clerk and New Capis vs Phelps

Smith vs Hennings & T. Guilty. and Issue and Continued

Smith vs Roler and Bosharp. New Summons vs Bosharp.

Same vs Bowyer Not Guilty and Issue

Same vs Shoemaker Continued

O Roark vs Stephens On the Motion of the Plff. by his attorney an Injunction is granted him to stay all further proceedings on a Judgment recovered by the said Defendant agt the said Plff. on his giving bond and Security as the Law directs

Smith vs Koontz New Summons.

124.

Gaunter. & Shurm adtrs &c In Chancy.

By Consent of the Parties by their Attorneys, the accounts in this Cause is Referred to Master Mommoppence Craven to be by him examined stated settled. and allowed and to the Court reported together with any matters that he may think pertinent or may be by either party required. and It is further ordered that he examine and take the Deposition of such Witness as shall be produced before him, and make report to the Court

---

Courth v Lewis Jury Sworn to try the Issues to wit. Jno Brooks, Danl Roark, Zepheniah Wade, Peter Keggan, Lewis Vick, Daniel Duff, Sanders A Reed, Daniel Wolfrey, Jesse Lincoln, Thomas Brill, Alexander Bowlow, and John Dickey. Verdict. Defendant Guilty, and one cent Damages and Judgment

---

Branham v Walker On attachment

The Constable having returned execution on four Comish plaints & and the said Defendant not appearing altho solemnly called It is considered by the Court that the Plff recover agst the said Deft by Plff with Interest from the 27 day of February 1804. the sum of £3 11 6/3 with Interest from the 27 day of February 1804. the same paid and Costs. and It is ordered that the Sheriff make sale of the said attached effects, and pay the Money arising from the said sale to the Plff in part of the said Judgment and that he have execution for the residue if any —

Fawcett v Moore On attachment.

Jesse Harris Gar. who was Summoned as Garnishee, appeared in Court. and being duly Sworn and examined appears to be Indebted to the Defendant the sum of £3 11 6/3.

and the said Defendant not appearing altho solemnly Called Judgment is Granted the Plff for £3 11 3/4. with Interest from 1st February 1806 tale paid and Costs, and It is ordered that the said Garnishee pay the said Sum of £3 11 3/4 the amount in his hands, as aforesaid and that he have execution for the residue —

Counth v Ellenger dismd no appearance prosecutor.

Wilson & Co v Koontz. dismd for want Security for Costs and Judgment for Defendant

Neithly v Smith Continued

Jordan v Heeltz Continued

Dunkenson v Roads Continued

Campbells adm v Campbell Continued

Heether v Sala. Jury Sworn to try the Issue to wit Conrad Hansberger, John Taflinger, John Black, Jacob Pope, Aaron Mesicks, Joseph Lincoln, Ezekiel Harrison, John Lincoln, Hugh Burn, Isaac Kyser, William Lewis, and John Carthrae Jr. Verdict for the Plff for £4 11 5/10 with Interest from august 1803 tale paid, and the Court. same is Continued until to Morrow for argument as to what Judgment to render on the said Verdict.

Present Ezekiel Harrison Gent

Absent Arch Mckerson Gent

Showalter v Williamson Jury Sworn to try the Issue to wit Gordon McWilliams, David Duff, Lewis Vail, David Delpey, Alex Brownlow, Landon Rees, John Tolles, David Roark, Peter Keegan John Dicky, Zephaniah Wade, and Thomas Bell, Verdict for Defendant & Judgment

126.

Callahan v Harrison on the Motion of the Plff it is ordered that a Summons Issue Returnable Instanter, Issue for Jesse Lincoln to bring into Court the article of agreement between the said Parties in his possession —

Branham v Herndon, two Suits, Continued for Plaintiff

Dickey v Entwistle etc Continued for Plff. but not to lose place on the Docket.

Hamilton v Webb. Continued

Wash &c v Sherman dismiss'd agreed

Jackson &c v Burns. Continued, and ~~order for Security for Costs~~ the Plff ruled to give Security for Costs on or before ~~the~~ this defendant offered no evidence to prove that the action was previous to April Court next, Daniel Ragen being sworn saith that the Plff. has left this County, and that he understood that he run away from Augusta, and that he has no property in this County to his Knowledge this defendant who was his Security for Costs, for him

Variations

Hunter v Webber Jesse Harrison Spl Bail

~~Hannigan~~

Scott v Frazer. Daniel Ragen Spl Bail, Office Judgment set aside ~~and order Security~~ Paying Costs

Smith v Campbell & Daniel Ragen and William Donavan Spl Bail Office Judgment set aside paying Costs

Fox v Moore dismiss'd agreed

~~Baldwin v Brown~~

Brooks v Caldwell Writ of Inquiry set aside N. C. Issue Jury sworn to try the Issue to wit John Dickey, John Sheetz, William Sandy, Thomas Brill, John Loftus John Black John Lincoln, William Lewis, Daniel Kelsey, James Mefford, Jeremiah Warren, & Conrad Hausbarger, Verdict for Plff for $30 with Int & Costs & Judgment.

On the Motion of Joseph Baxter Sheriff John C. Bryan is admitted his Deputy and Sworn accordingly

Miller v Marsh Writ of Inquiry set aside N. Guilty and Costs

Order that the Court be adjourned until to Morrow Morning 10 Oclock.

And Rankin

Thursday. 10 oclock

At a Court Continued and held for the County of Rockingham the 19th day of February 1807.

Present. Ezekiel Harrison,
Andrew Shanklin, Ezq Harrison,
John Erwin & Archd Patterson Esqrs Justices

Roalston v Freeholder, Office Judgment set aside payt of Costs.

Wash &c v Irwin, on the Motion of the Plff. it is ordered that the Discussion entered at the rules in this Cause, be set aside, and the same is Reinstated, and Leave is given the Sheriff to amend his Return —

Hayns v Harrow on the Motion of the Plff by his attorney an Injunction is Granted him to stay all further proceedings on a judgment recovered by the said Defendant agst the Plff. on his entering into bond and Security as the Law directs.

Mallonee v Day. on a Motion for Money paid as Security. execution for the said Defendant to Jacob Evans on his Notes proved and Judgment for $41.69 Cents with Int & Costs —

Thrasher v McArron. two Scire facias ward and Judgt confessed as to Shields with Int and Costs saving Security —

128.

Kerfoot v Deck &c. By consent. Issue is given the Plff. to take depositions —

Rice v Herring. Plea non assumpsit and Judgment confessed as per specialty with Int and Costs saving equity —

Krug v Ettinger . . . . . same

Harrison v M. Nerrow (Trespass) Continued for Defendant and it is agreed that the suit is not to abate by the death of either Party.

Grattan v Peter on the Motion of the Complainant. Commission is awarded him, to examine and take the Depositions of his Witness, on Giving the Defendant reasonable Notice of the time and place of taking the same.

Oliver & Co v Boughers &c (Three suits) Affirm Judgments set aside payment & Issue

Absent Ezl Harrison Gent Present. Kerby Gent

Harrison v Newton (In Debt) first suit for Beating
Jury Sworn to try the Issue to wit
Zepheniah Wade, John Boyd, Daniel Nelsey, Sanders
Boyd, John Moore, Robert Hill, William Lewis
Conrod Vanstavger, Christian Kyger, Alexander Rodman,
Henry Kepsell and Henry Sipe, Verdict for the Plaintiff
for £30 Damages and Judgment.

Harrison v Newton. (In Debt) for Shutting
Jury Sworn to try the Issue to wit James
Mallony, Jacob Penn, Benjamin Berry, Henry Cook,
John Keetz Jr. John Keany, Lewis Vail, William Donavan,
John Ryan, Frederick Semble, John Sarm. & George Snodon,
Verdict for the Plff for £69. 16 cents Damages. and
Judgment.

Keatly v Coursd Continued.

Smith v Nicks & Lewis Burgess Sett Bail office Judgt set aside Sept & Spec

Present. Josiah Harrison, & Thomas Moore Gent.

Absent. John Ewen, & Arch Betherford Gent.

Passed v Coursd Writ enquiry set aside Not Guilty and Spec, by Sworn, to wit. John Lincoln, John Sheetz, Zebulon Harrison, Nath Harrison Peter Armentrout Sen. Peter Armentrout Jr. Lewis Burgess. Anthony Knotzer, Joseph Thornton, Christian Beamer, John Kuntz, and John Decker. Verdict for the Plff for $50 Damages. and Judgment.

Dove v Fetzwaters By Consent this Cause is Continued until the Next Term at the Plffs Costs but not to loose its place on the Docket.

Murry & Co v Carthrae & Co on a Notice on a Delivery Bond, Notice, Bond & Judgment.

G. M'Kim v Carthrae & Co . . . . . same, as to Carthrae and Lewis

G. Voss & Co v Miller &c. . . . . same.

G. Voss & Co v Murry &c. . same as to Fergerson.

Garrison v Hays &c. . . . . same as to all Defendants

G.

G. Vance v Mathews &c. . . . . same

G. M'Kim v Hunter &c. . . . . same

130.

Pence v. Vernon &c. Notice proved as to Forgeson and Carthrae & Lunn and Judgment.

B. Zerbe v Preston &c. . . . . same

G. Hepburn v Harrison &c. same as to Harrison

Woodley exrs v Smith &c. . . . same

G. Parker v Reeves &c . . . . same

Brannan v Smith & Ellwyn &c . . . same

Harrison v Smith &c. . . . . same

Shirley v Ewing &c. . . same as to Weaver & Carthrae.

Garland v Dold &c. . . same

Newton exrs v Armentrout &c. . . same

Vass & Co. v. Philip Felker &c. . . same

same v Jacob Felker &c. . . same.

M'Cue v Herrington &c. same as to Marshalgo

Philips v Lohey &c. . . . same

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock.

And Shanklin

Friday to wit

At a court continued and held for the County of Rockingham the 20th day February 1807.

Present. Andrew Shanklin, Ezel Harrison, Joseph Harrison & Abm Jonathan Shipman Gent Justices

Bowers & Sipes exrs Office Judgment set aside No such Record of payment & Issue.

Bennett Exr & Boggs exrs &c It appearing to the court that the Defendant Gabriel Jones the sole Executor is dead, It is ordered that a Subpoenaw of Revivor do Issue against the executrix of the said Jones returnable as the Law directs.

Present Richd Rutherford Gent.

Shipman & Ewins exrs and Williams Herring. It appearing to the court that the said Herring is dead. It is ordered that a Subpoenaw of Revivor do Issue against the admrs of the said Herring Returnable as the Law directs —

Bruen & Nefflens assrs vs the Sheriff of the Complainant by his attorney, and Injunction & Enjoined him to stay all further proceedings on a Judgment Recovd by the said Defendant against the Complainant. on his entering into bond with Security as the Law directs

Chrisman & Handle Vance

Graff . . & Handle Vance

B. Harlan exrs & same . .

Warren exrs & same.

E. Harlan exrs & same

Beery . . & same.

Koontz & same

Office Judgment set aside in three Several Suits, payment. for Security and Issue.

Present. John Erwin Gent.

Absent. Archd Patterson Gent.

Reid vs George Hamilton &c. Affin Judgment set aside Sept. 1 & Sheriff

Hanstargus vs Roles two Securities approved & Recognizance for Security Affin Judgment set aside Sept. 1 Sheriff

Rodebeffer vs Stultz. John Koontz Spl Bail. Affin Judgt set aside Sept. 1 Sheriff

Kerry vs Donaghe. On an Injunction, this Cause came on to be heard this 20 day February 1807. on a Motion to dissolve the said Injunction which Motion on argument was overruled.

Callahan vs. Harrison, & Daniel Kelsey. Elsa Harrison. appears in Court. and acknowledge themselves Security for Costs.

Herdiman vs Ewens &c In Chancy.
By consent of the parties the accounts between the parties in this Cause is referred to Master Commissioners Graves, to be by him examined, Stated, and Settled and the Court Reports Together with any Matter, that he may think pertinent, or may be by either party required and make report to the Court.

Reed &c vs Snodden. In Chancy.
On the of the Defendant by his attorney this Cause is referred back to Master Commissioner to give the Defendant an opportunity to exhibit before him sundry accounts and Vouchers, which had been filed in the Cause but Missing at the trial, and which have been found since the report, with liberty to either party to produce such Testimony to the Commissioner, as they may deem Material to be examined

and reported by the said Commissioners, to the Court. & the other Matters which she may think pertinent or either party may require—

Callahan v Harrison The plea of Covenants not Broken, added and Issue and Continued

Mycum v Carthrae Continued for award

Miller v Marsh Writ enquiry set aside Not Guilty & Issue. Jury sworn to wit Jarvis Mallory, Benj^a Berry, Jacob Penn, Henry Snider, Daniel Fenble Henry Sipe, John Mesech John Funk, Abraham Stoner, Jesse Lewis & John Ryan and John Beeby who returned a Verdict for Defendant, and by Plff. Motion for a new trial the same was overruled & Judgment.

Moyers &c v Moyers exrs &c On the Motion of the Defendant by their attorney this Cause is referred back to Master Commissioner Graves, for the purpose of receiving Testimony, as to a quantity of Wheat sold by the executor of Jacob Moyers dec^d and not accounted for by him, and make report to the Court.

Jones v Seevely. on the Motion of the Plff. It is ordered that a Subpoena do Issue for Jarvis Brown to bring with him the original agreement between the parties

Joseph Negro v Stuart Continued award

Jones v Seevely Continued

Green v Showalter Continued

Hoy v West dis^d by order of the Plff & Judgt for Deft Costs.

Sheetz v Shaw Jury sworn to enquire of Damages. to wit Alexander Bownlow, James Campbell, Frederick Fickle, Henry Welch, Julius S. Foster, John Scamyhl Benjamin Reighart Abraham Mesheck, Henry Kepell John Ryan, John Feeny & Henry March Verdict for the Plff for $28. Damages with Int from 1st January 1806 till paid & Judgment.

Painter assm v Painter Jury sworn to try the Issue to wit the same Jury as in Sheetz v Shaw, ~~Verdict~~ for whereupon by Consent one of the Juror is withdrawn and the Cause is Continued until next Term

Donaghe v Bateman Continued

Rowenbush v Intervention Continued for Defendant. and on the Motion of the said Deft. Robert McClung who was Summoned as a Witness, for him in this Cause and not appearing It is ordered that he be fined in the sum of $16. unless good Cause be shewn, on or before the next Term —

Scamyhl v Stringfellow Jury sworn to try the Issue to wit Alexander Bownlow, James Campbell, Frederick Fickle, Henry Welch, Julius Foster, Henry March Benjamin Reighart William Shannon, Abraham Mesheck, Henry Kepell, John Ryan and John Feeny. Verdict for Plff for £21 11/4 Damages with Int from 25 March 1805 till paid & Judgment.

Ireland v Fawcett, Mot in my set aside Not Guilty &c. and Continued

Leonard v Leonard Continued

Cook v Drew. Continued

Patterson &c v Nash &c. Jury sworn to enquire of Damages to wit John Carpenter, John Kerr, Bazel Rogers, Gordon McWilliams John Koontz, Henry Sipe, Daniel Fenkle Jacob Perce, Henry Snider, John Bone Abraham Stoner and Peter Freeze. Verdict for the Plff for £99. 19 each Damages with Int from 19 Decr. 1804 ats paid Respit.

Woodly v Harrison Continued

Wireman v Mallonge Continued
Present Robt Rutherford Gent.

Ryan v Carmichael Fa. Mot enquiry set aside Special Jury sworn to try the Issue to wit John Carpenter, Gordon McWilliams, Abraham Stoner, Daniel Fenkle, Jacob Perce, William Shannon, Henry Welch, Alexander Brownlow, Gordon Rogers, Peter Freeze Julius Foster and Henry Sipe Verdict for Defendant & Judgment.

Rosebarger v Rogers Writ of enquiry set aside Not Guilty and Issue to wit John Carpenter Abraham Stoner, Gordon McWilliams, Jacob Perce, Henry Sipe Daniel Fenkle, John Sheetz, Henry Welch, John Kants, William Shannon, Alexander Brownlow, and Peter Freeze. Verdict for Plff for $34 Damages. ~~and the Defendant for a Contract, which Motion was~~ on the arbitration & Judgment

Erwin v Terbough. Discontd per aware

Kessell v Beaghart In Trespass.
Order serving as the Law directs, or Giving the Defendant Notice of the time of Making the same, and returning Plats and Reports.

Alexander Campbell late a Citizen of the Kingdom of Ireland appeared in Court and took the oath of a Citizen, as the Law directs which is ordered to be Certified.

Taylor v Showalter. The Defendant was brought into Court in Custody of the Jailor, Delivered up a Schedule of his property and took the oath of an Insolvent Debtor and was Discharged according to Law.

Ordered that the Court be adjourned until the 3d Tuesday in March next.

Jno Thornton

Tuesday Court

At a Court held for the County of Rockingham on the 17th day of March 1807

Present

Archibald Rutherford Jacob Kyger
Peachy Harrison & Thomas Moore } Gent Justices

Present George Keeton Esqr

Ordered that George Keeton John Smith & Jno Austin or any two of them do settle the estate account of Robert Hook dec'd with the Executors.

Ordered that Michael Mauzy Layton Yancey & Alexander Kirtly or any two of them do settle the Estate account of Jacob Bare dec'd with Jacob Bare the Executor

The Last Will & Testament of Philip Rymel dec'd with the Codicil thereto annexed was presented in Court & proved by the oaths of William Dunlap & Elizabeth Dunlap witnesses thereto

and. O R And on the Motion of Jacob Rife the Executor therein named who with security entered into and acknowledged bond and made oath as the law directs a Certificate thereof is granted him for obtaining a probate thereof in due form, and it is ordered that Michael Trout, John Shaver Joseph Bowman & William Dunlap or any three of them being first sworn do appraise the estate of said Deceased & make report to the Court.

A Deed of Trust from Jacob Cook & George Huston Trustees for Michael Ermin ack? by Cook & Huston & O R

A Deed from Carpenter & wife to Stephen ack? & O R wife Examin? &c

On Motion of Jacob Bear it is ordered that Henry Miller, Jacob Miller, William Pence & Henry Moyer or any three of them being first sworn do view the way proposed by S? Bear for turning the road leading from Swift run Gap to the lower end of the County through his own land as also the old road and make report of the Conveniences and inconveniences

An Appraisement of the estate of Charles Rife dec? Ret? & O R

A Deed from Samuel Chandler & wife to Frederick Young Acknow? by the oaths of Joseph Fawcett Julius Forter and David Wallace Witness Proved & O R

Same to Daniel Smith Same order

A Deed from Hamilton & Wife to Campbell ack^d by Hamilton & O R

Same Ch^s Miller & wife to Jacob Armentrout ack^d by Miller & O R

Same from Hamilton & wife to Gilmore ack^d by Hamilton & O R

Same from Baker & wife to Craig ack^d Wife Ex^d & O R

Same Pence & wife to Lewis ack^d wife C^a, Ex^d & O R

Same Kyle & wife to Craig ack^d by Kyle & O R

Same Alex^r Herring & wife to Wiegen ack^d by Herring & O R

Same Lewis & others to Vance prov^d by the oaths of John Chrisman & Christy Vance two of the Wit & to be Cert^d

An Appraisement Sale Bill of George Bloze Rec^d & O R

An Appraisement Bill of John Fulks, estate Rec^d & O R

A Deed from Haines & wife & Richard ack^d wife Ex^d & O R

Present Andrew Mauklin & A Ruttenford Esq^r

On Motion of Mary Dundore & John Dundore adm^rs of the estate of Christian Dundore dec^d it granted them they having made oath and entered into bond and security as the law directs And it ordered that George Huston John Humphille Benjamin Smith and Peter Thomas or any three of them being first sworn do Appraise said

decedents estate & make report to the Court

Ordered that John Byerly be appointed Overseer of the road from Alexander Herring to Byerly's Mill in the Room of John Black and that the usual Tithables attend him &c

On the Motion of Jacob Stoutermine it ordered by consent of Wm. Read and the P.Q.'s allowed that the Viewers of the Road from Keigletown to M. Kratzers have leave to amend their report and that a summons issue &c. the several persons through whose land the same will run

Ordered that Walter Davis be appointed Guardian for William B. Chipley & Elizabeth Chipley children & orphans of Abigail Chipley dec'd he having given bond & security as the Law directs

A Deed from Roughbough & wife to John Aldaffer ack. wife Ex. & O.R.

Same Christian & Jacob Wessole to William Crawford proved by the oaths of John Koontz Silas A. Smith & James Duff Witnesses thereto & O.R.

Same John Nave to Byers ack. & O.R.

Same Benj. Bowman & wife to Samuel Bowman ack. & O.R. wife Ex. &c

Same George Klein & wife to Joseph Thorn ack. & O.R. wife Ex. &c

Godfrey Spickey to John Cook Trustee for ~~William Crampton~~ Henry Cook Deed of Trust proved by the oath of Basil Ragan & George Cook Wit. thereto & O to be certified.

A Deed from Henry Black & wife to John Black ack. by Henry Black. & O.R.

A View & Report of a road from the mouth of the Lane between Alex. Herring & George Hoddin to Jonathan Shipmans Mill &c. and ordered that the several persons through whose lands the same will run be summoned to April Court next to shew cause why the same shall not be turned &c

A Deed from Archibald Magill &c to
Elizabeth Protzman with a certificate of
the acknowledgement before the County
Court of Frederick Rec.d and O R

On Motion of Gavin Hamilton an Injn is
granted him to stay proceedings upon a Jud.t
& Execution issued
against him by George Berry
in the County Court of Rockingham upon
giving bond and security in the Clerks Office

Elijah Dundore orphan of Christian Dundore
dec.d came into Court and made choice of
John Dundore for his Guardian, And it is
ordered that the s.d John Dundore be appointed
Guardian for the said Elijah & Jacob
& Samuel Dundore Infant Children of the
s.d Christian he having given bond with
security according to Law —

Elizabeth Dundore Orphan of Christian
Dundore dec.d came into Court and made
choice of John Brock for her Guardian
And it is ordered that he be appointed
Guardian for s.d Elizabeth and for Mary
& Rebecca Dundore two Infant Children
of said Christian he having given bond
& security as the Law directs.

An Appraisement Bill of William Berring
dec.d Rec.d & O R

A Settlement of the estate of Adam
Shank dec.d Rec.d & O R

Caine of Jacob Bowman dec.d came ordr.

A View & report of the Road leading from
the Augusta line by or near Benj.a Hawkins
until it intersects the Road from Hamilton
to Harrisonburg Rec.d And ordered that the
several persons through whose Lands the same
will run be summoned &c

A View & Report of an Alteration of the road from Harrisonburg to Newmarket and from Keizle Town to Newmarket through the land of Sebastion Allarch &c. and it appearing that the road when reported to be altered will be better and does not run through any person land but said Marsh who is the Petitioner it is ordered that the said Alteration be made & established agreable to said Report

Ordered that David Markwood orphan of John Markwood dec.d be bound unto Jacob Wymer by the Overseers of the poor to learn the trade of a Blacksmith he being years of age

Ordered that Peachy Harrison & Andrew Shanklin do settle the Sheriffs account of James Williams dec.d with the Executors

Ordered that Charles Lewis be appointed Overseer of the road from port port Republic to Swift run Gap between the South river and Linvills and that the usual tithables attend him &c

Ordered that Abraham Whitmore be appointed Overseer of the road leading from Harrisonburg to Genesis Gap in the room of Lithan Harrison and that the usual tithables attend him &c

Ordered that Peter Zilly be appointed overseer of that part of the road leading from the mouth of Brocks Gap to Pendleton of which John Folk was the former overseer and that the usual tithables attend him &c

Ordered that Christian Miller be exempt from the payment of County & parish levies in future he being very old & infirm

142.

On Petition of Thomas Bear & others for an alteration in the road leading from Keigle Town to New Market It is Ordered that William West Thomas Moore Thomas Dunkinson & Ezekiel Harrison or any three of them being first sworn do view the said proposed alteration and also the old road, and make report to the Court of the conveniences and inconveniences attending both ways, and also through whose Lands the said road will run as proposed to be altered.—

Ordered that the Orphans of John Bragner to Joseph Thorn to learn the trade of a Tanner & Currier according to Law, he being about thirteen years of age the 20th day of August next.

Ordered that Jacob Ritchie be appointed Overseer of the road from Brock Gap to Pendleton, in the room of William Cheny Holmes, and that the usual Tithables attend him &c

A Deed from Elizabeth Herring &c to Alexander Herring, proved by the oaths of William Rice & George Snodden 2 of the Wit. thereto and ordered to be certified.

Ordered that Samuel Jordan be summoned to the next Court to shew cause why his children should not be bound out according to Law.

Ordered that Isaac Miller be summond to the next Court to shew cause why his Children should not be bound out according to Law—

A Deed from Isaac Miller & wife to John Graham prov^d. by 3 Witnesses & O R with Cert^e

Present. Jonathan Shipman Walter Davis absent Thos. Moore George Burton & A Rutherford.

A Deed Henry Welch & Wife to Hicks in Trust for Wm Lewis &c. Wife Ex^d & O R

X C' A Deed from Pickering & wife to Pickering ~~ack'd &c~~ prov'd by the oaths of Solomon Matthews Thomas Lyon & Archibald Rutherford & O R with Cert

X C' Same from Same to Jacob Pickering same order

X C' Same from ~~Matthews~~ Same to John Pickering same order

X C' Same from A Waterman & wife to Burgess & Wallace ack'd by Waterman & O R

X C' A Deed of Mortgage from Burgess & Wallace & wife to Asher Waterman prov'd by the oaths of Robert Gray Gabriel Yaney & Daniel Smith & O R

X C' A Deed from Branham & wife to Campbell & Ritchie ack'd by Branham & O R

X C' A Deed from Samuel Chandler & wife to Daniel Garber prov'd by the Witness & O R

X C' A Deed of Mortgage from John Bitle & wife to David Laird ack'd by the oaths of John Graham and Jacob Wyant & O to be Certified

X C' A Deed from Grim to Gideon Morgan prov'd by the oaths of William Lewis & Henry Welch & O to be certified

X C' Same from Morris Morris Sen'r to Alexander Berry proved by the oaths of Benjamin Porter and James Lewis & O to be Cert'd

X C' Same from George Roland & wife to Coroner ack'd wife &c. & O R

X C' Same from John Graham & wife to Isaac Miller ack'd wife &c. & O R

X C' Same from Coroner & wife to Jonas Stine ack'd wife &c. & O R

X C' A Settlement of Valentine Bergsman & late Rel'd & O R

144

A Bond from Joseph Fawcett &c to his excellency Wm H Cabell Governor of this commonwealth was presented in Court and proved by the oath of Peachy Harrison a witness thereto. And it is ordered to be certified that this Court are of opinion that the sureties in the said bond are competent to pay the amount of the same penalty thereof.—

Ordered that Daniel Miller be appointed Overseer of the road from Harrisonburg to Staunton in the room of John Smith and that the usual Tithables do assist him &c

A Deed from George Roland Heirs to Ed Mahon Ack[d] cause Ex. [illegible] R

On Motion of Henry Tutwiler who made oath and entered into and acknowledged bond as the law directs certificate is granted him for obtaining letters of Administration of the estate of Patrick Power dec[d] in due form, and it is ordered that Clark Newland James Burgess William Shannon Hendrick Cutlip or any three of them being first sworn do appraise said decedents estate & make report to this Court.

Sheegarts a Ailshitz. Nonsuit

Mich[l] Garber a Devier Ind[t] for $16.67 with Int[t] from 1st of Nov[r] 1805 & Costs.

King a Harrison Con[d].

Selvage a Moyer Ind[t] p. note Def[t] Con

Shirley a Murray Con[d].

Strayer & Hoffman a Fritz Ind[t] p. note Def[t] Confs

Same a Hawkins same

Hawkins a Williams same

Baker Exor a Gamin &c same

Shanks adm[r] a Funk &c same

P. A. Caldwell v. Blazer. Issue fr Note Pro Costs

P. A. Graham apl. v. West, Same

P. Loftus — v. Tellenger & Sums

Davis — v. Dashner. Same

Motton. v. Rumble. Same

P. Winter v. Vance Con. Dept.

P. Bailey. v. Rice Con. & Sums

Hamilton. v. Waterman Con.

P. Carthrae. v. Mashall & al. Dismissed

P. Lofland. v. Nichols & Pettit for a road Dism.

Ordered that all the acting Justices of this county be summond to the 2d day of next court for the purpose P. of appointing Militia officers

P. A. Rice v. Hemphill & al. Debt Bond notice prov. & Issue

P. A. Rodgers v. Foster. & al. v. & D. Same ——

A Deed from Joseph Hicks to Branham ack. & O. R.

William Herring produced a Commision appointing him a Lieut. in the 58th Regt of the Militia with a Certificate thereon of his having taken the oaths prescribed by Law, which is ordered to be certified

The last Will & Testament of Thomas Lokey dec. was presented in Court and it is ordered that the Subscribing Witness be summond here to the next court to prove the same, and the Executors to Qualify. And on motion of the Widow it is ordered that all the P. Legatees, be summond to shew cause why the said Will should not be set aside the Testator not being in his perfect senses at the time of the execution thereof as is alledged. —

Ordered that the Court be adjourned until the 3d Tuesday in April next

Jno Franklin

At a Court called and held for the County of Rockingham on the 21st day of March 1807 for the Examination of Samuel Seible alias Samuel Westfall committed to the Jail of this County on suspicion of Felony.

Present

Benjamin Harrison

John Ewin Andrew Shanklin

Archibald Ruttenford & Peachey Harrison } Gent.

The prisoner being led to the Bar in custody of the Sheriff and having pleaded Not Guilty thereupon came divers witnesses to wit George Carr John Brannon John Harry John Click and George Trout who were sworn and examined touching said offence, and the prisoner fully heard in his defence And upon Consideration of the whole circumstances of the case the Court are of opinion that the prisoner is guilty and for the same is triable in the District Court whereupon he is remanded to the Jail of this County and from thence to be removed to the Jail of the District Court holden at Staunton

Be it remembered that George Carr John Brannon, John Harry, ~~John Click~~ and George Trout acknowledged themselves to be Indebted to his excellency William H Cabell Esqr. governor of this Commonwealth in the

sum of two hundred Dollars each to be levied of their several and respective goods and Chattles Land & Tenements Rendered yet upon this condition that if the said George Carr John Brannon, John Harry ~~John Black~~ and George Trout shall severally make their personal appearance before the Judges of the next District Court to be holden at Staunton on the first day of the sessions there to give evidence against the said Samuel Burkle alias Samuel Westfall and not depart thence without the leave of the said Court then this recognizance to be void.—

Benj. Harrison

Tuesday 10 oclock

At a court held for the County of Rockingham on the 21st day of April 1807.

Present.

Benjamin Harrison, Josiah Harrison,
Thomas Moore & Richd Patterson Gent.

A Commission & Privy examination of Sally Branham wife of Robert Branham returns certified & R

A Deed from Bright exrs to Hollins acknowledged & R and was proved by Ezekl Harrison as to Rachel Bright.

A Deed from Smith &c to Wyant acknowledged & examined taken & R

Ditto from Bowers &c to Rife . . . same

A Deed from Miller to Conrad acknowledged & R.

A Deed from Pugh to Dearmin proved by the oaths of the witness & R

A Deed from Miller to Shular proved by the oaths of William Penn, Leonard Null & Larris Smith & OR

A Deed in Trust from Christian Miller to William Penn for Michal Shular acknowledged by the parties & OR

A Deed from Songer to Grattan acknowledged & OR.

An Inventory of the estate of Gabriel Somers dec? returned & OR

A Deed from Adam Arguright Sen to George Argu-right, acknowledged with acknowlegment taken & OR.

A Deed from John Wise & others to Adam Wise acknowledged by said Wise Sen. Shank Sen. Coogler Sen. Adam Erwin, Balser Somers Sen. Philip Comer Sen. with acknowledg.t taken & OR

A Deed from John Wise & others to George Coogler acknowledged by said Wise Sen, Shank Sen, Adam Wise Sen, B. Somers Sen Philip Comer Sen. with acknowledg-ment taken & OR

A Settlement of the Estate of Adam Phifer dec? returned & OR

A Sale bills and appraisment bill of the estate of Joseph Byerly dec? Returned & OR

The Last will and Testament of Mark Alder dec? ~~deceased~~ was presented in Court and it appearing to the Court that the said Testator was not in his proper senses at the time of making the said will it is ordered that the same be set aside, Whereupon on the Motion of Barbara Alder the Widow administration of the said Deceadents estate is Granted, her, She having

with Security entered into and acknowledged bond. as the Law direct, and it is ordered that Jacob Bear, Henry Miller, Adam Hanstarger Sr. and Jacob Engle or any three of them being first sworn be appointed to appraise the said estate and make report to the Court.

The Last Will and Testament of Reuben Harrison dec. was presented in Court and was proved by the oaths of William Davilas, Josiah Harrison & Andrew Bowman, and ordered to be Recorded, and on the Motion of David Harrison, one of the Executors named in the said Will who with security entered into and acknowledged bond, and made oath thereto, as the Law direct, a Certificate is Granted him for obtaining a probate in due form, Nathl Harrison the other Exor named in said Will, appeared in Court and refused to join in the said Probate. And it is ordered that Benjamin Tallman, Andrew Bowman, Michael Summers, & Solomon Mathews or any three of them being sworn be appointed to appraise the said estate and make report to the Court.

(Copy with seal & order 52 enb.)

A Deed from Peter Lux to Dovel, proved by the oaths of Michael Mauzy, Michal Deck & Daniel Duff, and the Commission of his wife returned

A Deed from Kyzer Lux to Kyle acknowledged

A Deed from Cook Lux to Doubt acknowledged wife acknowledgment taken

A Deed from Laird to Retcher acknowledged

A Deed from Andrew Coffman to David Caldwell for Land lying in Amherst County. acknowledged by said Coffman & Ordered to be certified.

Deed of Mortgage from Dietz to Laird further
and fully proved by the oath of Henry D Garnsell and
ordered to be Recorded

On the Motion of Philip Royer administration of the
estate of Jacob Gebow dec? is Granted him, he having
with Security, entered into and acknowledged bond, and
made oath thereto as the Law directs, and it is ordered
that Peter Nicholas George Gebhard, Jacob Lingle and
Henry Peiro or any three of them being first sworn
be appointed to appraise the estate of the said Deceased
and make report to the Court.

Deed from Brompton to Peiro acknowledged &c

The Last Will and Testament of Thomas Lohey dec?
was presented in Court and it appearing to
the Court that the said Testator was not in his proper
senses at the time of Making the said Will, It is
ordered that the same be set aside, whereupon the
Widow of the said Deceased appeared in Court
and relinquished her right of administration
on the said estate which is ordered to be Certified.

The Last Will and Testament of Michael Bayler dec?
was presented in Court and was proved by the oaths
of Mathias Bast, Martin Snyder, Augustus
Armbrust & Richard and on the Motion of
George Bayler the executor therein named who
with Security, entered into and acknowledged
bond and made oath thereto as the Law directs
a certificate is Granted him for obtaining probate in
due forme, and It is ordered that John Herdman

Cert?

Jacob Cash, John Hayns, Lev. & Christian Wisler or any three of them being first sworn be appointed to appraise the said estate and make report to the Court

An appraisment bill of the Christian Dundore dec'd was returned & R

On the Motion of Joseph Baxter (Sheriff) Gabriel L. Yancy is admitted his deputy and sworn accordingly —

Present Ez'l Harrison. Absent. Benjamin Harrison.

Ordered that the Court be adjourned untill to Morrow Morning 10 o'clock

Ez'l Harrison

Wednesday 10 o'clock

At a court continued and held for the County of Rockingham the 22nd day of April 1807.

Present.

Andrew Shanklin, John Ewen, Joseph Harrison, & Michael Mauzey. & G. Sustaeg

A Sale bill of the estate of Jacob Pugh dec'd returned & R

Ordered that, the part of the Road leading from Harrisonburg to the Mountain Road by William Hopkins Mill, between the said Mill and the said Mountain road be added to and made a part of the Road John Millers bounds, who is the present Overseers of the Road from Harrisonburg to the said Mill, and that he work thereon and keep the same in Good repair as the Law directs

Commonth v Whisler dismiss'd

Deed from Coffman to Steckler proved by the oaths of the Witnesses thereto, which with the Commission & examination of this case returned, certified & ORd

Deed from Wyant Exr to Romaine acknowledged wife acknowledgment taken & ORd

Deed from Wyant Exr to Benjamin Smith for Land lying in the County of Fairfield and State of Ohio acknowledged wife acknowledgment taken and ordered to be certified for the Law deeds.

Deed from Parrott Exr to Lamb acknowledged wife acknowledgment taken & ORd

Deed from Penn Exr to Ryan acknowledged wife acknowledgmt taken & ORd

Deed from same to Kuntz . . same

Deed from Kuntz Exr to Penn . . same

Deed from Whitmore Exr to Young . . same

Deed from Lewis to Moore proved by the oaths of Christian Fete & Abbott Benjamin Vance two Witness thereto & Ordered to be Certified.

Deed from Chandler Exr to Garber, wife acknowledgment taken & Ordered to be Certified.

same . . to Young . . same

same . . to D Smith . . same

Deed from Miller Exr to Miller acknowledged wife acknowledgment taken & ORd

George W. Harrison. Produced in Court a Licence, wherein he is admitted to practice as an attorney in the

Superior and inferior Courts of this Commonwth and having the Oaths prescribed by Law is admitted to practice in this Court.

~~Orderd Peter Moore overseer &c~~

Ordered that the bounds of David Miller overseer of a part of the road from Harrisonburg to Colo. Harrison extend two Miles on each side of the said road.

On the Motion of Jacob High It is ordered that a Licence be Granted him to keep an ordinary at his County for one Year & he entering into bond ~~&c~~ with John Sufferens and John Ewin his Security as the Law directs —

Ordered from Harrison &c to Bear acknowledgt which acknowledgt is taken &c

Polly ~~Call~~ Calhoon orphan of Calhoon dec. came into Court and made choice of Samuel Chandler as her Guardian ~~&c~~ who with Security entered into bond as the Law directs —

Elizabeth Salter orphan of Jacob Salter dec. came into Court and made choice of Jesse Harrison as her Guardian, who with Security entered into, bond as the Law directs —

Ordered that Ralph Smith who was formerly bound unto William Donavin, be bound by the Overseers of the Poor to Samuel Silenbarger, to learn the trade of a Wheelright and that he be allowed at the expiration of his term the sum of Twenty dollars.

Overseers of the poor v Moore on a Recogz for a Bastard
of the peace on the Complaint of Eve Carpenter as being
the reputed father of her bare born Child, the said
Defendant appeared in Court in discharge of his
Recogz and agreed to enter into with Security a Recogz for the
Maintenance of the said Child in the sum of forty
two pounds to be paid in the following Manner.
to wit forty dollars to be paid on or before the
22nd day of June Next and the remaining one
Hundred dollars to be paid in four annual payments
of Seven pounds ten shillings per year from this day and that he
be committed untill he complys with the above
order

Ord from Wheelbarger Exr v Coogler proved by
the oaths of Archd Rutherford, David Wallace and
George Sites, which with the Commission & Inquisition
nation of his wife returned certified and ordered to be Record

On the Motion of George Arguebright administration of the estate of Jacob Arguebright dec'd is
Granted him, he having with Security entered into
and acknowledged bond as the Law direct and made oath thereto
ordered that Benjamin Smith, John Kirkpatrick,
Adam Arguebright & Samuel Garber or any
three of them being first sworn be appointed to
appraise the said estate and make report to the
Court

On the Motion of Henry Gambill, leave is Granted him
to keep an Ordinary at his house in this County for one
Year, on his entering into bond with David Smith his
Security as the Law direct.

156 Present. George Newton

Ordered that Jacob Beckwith be appointed Overseer of that part of the road, whereof Peter Crim was late Surveyor of in the room of the said Crim. and that the usual Tithables appointed to work on the said Road be allotted him for his Gang to work &c.

Agreed and report for an alteration in the road leading from Brocks Gap to Staunton so far as the same runs through the lands of the heirs of Matthew Harrison dec'd being returned into Court. which is ordered to be established agreeable to the said Report. and that the Overseers of the former way work thereon and keep the same in Good repair —

Sheily & Merry &c parties heard. and Non-suit awarded. and Judgment for Defendants Costs —

Samuel Tingley a Witness for Merry at the suit of Sheily allowed 2 days attendance.

On the Motion of Samuel McWilliams Clerk of this Court. Daniel Bryan. is admitted his deputy (for the special purpose of taking in Witnesses attendance,) and sworn accordingly —.

Allen & Lofland & Smith In Chancy.

Swaggart & Same.

Orders of Publication agst the Defft. Lofland who is out of the State returnable to August Court Next as the Law directs. and It is further ordered that the Defendant Smith do not pay away any money in his hands. due the said Defendant Lofland untill the further order of this Court.

Overseers of Poor v Moore who was ordered to be bound
in an recogz for the support of Eve Carpenter child, born
born child, in the sum of forty two pounds. whereupon.
the said Charly Le Moore with Isaac Harrison his Security
appeared in Court. and acknowledged themselves to owe and
be indebted to his excellency William H. Cabell Governor.
in the sum of forty two pounds to be levied of their
respective Goods and Chattles &c upon Condition that
the said Charly Le Moore shall pay to the Overseers
of the poor, of the County of Rockingham, for the
support of the said child the said sum of £42 in the
following Manner, £10 on the 22nd June Next. and
£10 annually until the said sum is paid, or
else save the said Parish indemnified. then the
above recognizance to be Void &c

Overseers of road leading from the County
line of Augusta to intersect the road leading from Harrison-
burg to Staunton at or near Jacob Kysors

George Koogler and Henry Harshbarger. who was summ-
oned to appear here at this Court to shew cause why
the road leading from the County line of augusta
to intersect the road leading from Harrisonburg to
Staunton at or near Jacob Kysors, so far as the same
runs through their lands, should not be established appears
in Court and prays a Writ of Adquird damages.
which is Granted, and to be executed on the fourth Saturday in June Next. Returnable as the Law directs. and It is ordered
that a New Summons be awarded agst said Kysor.

Douglass &c v Sheridan New Summons

On the Motion of Daniel Ragen, administrator of the estate of Thomas Lokey dec'd Granted him, he having with Security entered into and acknowledged bond and made oath thereto as the Law directs and It is ordered that Thomas Moore, Sen. Josiah Harrison, Daniel Mathews and Henry March, or any three of them being first sworn do appraise the said estate and make report to the Court.

Shugarts v Pelshets abated by return

Krug v Harrison dismissed

Loflen v Fellinger Contd Defendant

Davis v Parker Deft call'd and Judgment.

Hollon v Burkle New Summons

Bailey v Rice Continued Defendant

Winters v Vance same

Hamilton v Waterman dismiss'd agreed

McCue v Arrow Deft call'd Judgment.

Kyle v Longaway same

Williamson adm v Grove &c same

Hopkins " same same

Loflan v Donavan same

Bishop v Moore Continued Defendant.

Krotzer v Lyon &c New Summons.

Hays v Norman New Sum

Brigtol adm v Wendle New Sum

Bear v Whisler agreed

Cr Reighart v Kefell &c continued Defendant.

Cr same v Kefell . . . . . same

Ordered that the overseers of the Poor bind Thomas Noland (who was formerly ordered to be bound unto John Sufferens) to Said Esqrs to Learn the trade of a Potter (who is to have £20 at the expiration of his term the said Noland being 14 years old the 15 day of August Next. ——

Ordered that the overseers of the poor bind Susanna Jordan, poor child of Samuel Jordan, to John B. Darby. she being 7 years old the 18th of this Instant. as the Law directs —. and that she have £15 & freedom dues

Ordered that the following persons be allotted for Daniel Rogers Gang to work on the road of which he is overseer &c to wit Geo. Clare, John Rogers, Joseph Treary, Jacob Treary, Michael Simmons, John Tate Jacob Domaree, Thomas Domaree, Gordon Rogers Felix Shellman, John Roadcap, John Shellman and Ambrose Breedlove. and the Tithables at Webb's the Widow Smith's, and that he work thereon and keep the said road in Good repair ——

Ordered that Benjamin Smith be appointed overseer, of that part of the road whereof, Daniel Miller Jr. was late appointed and that he with the usual Tithables, work thereon and keep the same in Good repair ——

Present. Benjamin Harrison, Asher Waterman Peachy Harrison Archd Atherton & Edwd Harrison,

The Court proceeded to Recommend the following Officers
Capt. Bently in the 58th & 116th Regiments of the Militia in Rockingham
post.

2d Battalion in 58th Regiment.

Joseph Mauzey Captain of a New Rifle Company.

Jacob Lingle ..... Lieutenant.

Rhodham Kempher ... Ensign.

Henry Perky Ensign in Capt. Jacob Nichols Company in the room of John Conrod who refuses to serve.

George Cook Ensign in Capt George Hansbarger Company in the room of Adam Hansbarger, promoted —.

1st Battalion.

Annanias Lewis Lieutenant in Capt. Beards Company in the room of Lewis Hook resigned —.

Robert Hooks (son of William) Ensign in the room of William Campbell resigned —.

2d Battalion in 116th Regiment.

David Denton Lieutenant in Capt. W. Bryan's Company in the room of John Chrisman who refuses to serve

Thomas Hopkins Ensign in the room of David Denton.

1st Battalion.

Henry Sepe Lieutenant in Capt. John Penns Rifle Company in the room of Thomas Laird who refuses to serve

William Harrison Ensign in the room of W. Dunlap.

Michael March Capt. in the room of Reuben Harrison Removed

David Mathews Lieutenant in the room of M. March.

Jacob Pickering Ensign in the room of ~~the room of~~
Robert Harrison

David Harrison Lieutenant in the room of Dorman Copland who refuses to serve (in Capt. Zebulon Harrison Company)

John Carpenter Ensign.

160

Charles Shriman Capt of the Company of Cavelry in 116th Regmt in the room of Capt Shangler Resigned

William Ewin first Lieutenant

Cornelius Ruddle Second Lieutenant

William Shangler ~~Cornet~~ Cornet.

2d Battation 116th Regmt

George Leonard Capt in the room of Philip Brewer who refused to serve.

Abraham Painter Lieutenant in the room of William Neltreck who refuses to serve

Henry Shoemaker Jr Ensign in the room of Abraham Painter

Ordered that the Court be adjourned untill the 3d Tuesday in May Next. Benja Harrison

Tuesday to wit

At a Court held for the county of Rockingham the 19th day of May 1807.

Present,

Andrew Shanklin, Ezel Harrison
Peter Early & Thomas Moore. Gent Justices

Borland v Mesheck Disms. agreed at Defendants Cost.

Ordered that the rules be held in the Clerks office on Thursday the 21st day of this Instant and the days after the 3d Tuesday in June and July Next as the Law directs.

Grand Jury Sworn to wit

William Shannon (foreman), John Bush, John Shultz, Robert Retherford, John Whistler, George Pence Peter Good, Peter Miller, Jacob Carbaugh, Henry Pence George Cline, Philip Roady, Henry Stalp, Henry

Shoulderman, Abraham, Brannaman, Casper Haynes.
who, receiving their charge, and retired from the bar to consult
on their presentments, and after some time returned, and found
the following: viz Present. &c and Nothing further appear-
ing. It is ordered that the Grand Jury be discharged and
that process Issue returnable at the Law Term.

Rice v John Devier & Hugh Devier Sgl Bail. off in
Judgment set aside, ~~Payment & Costs~~ Due Nothing, and the Statute
of Usury and Costs.

Bell v Miller Robert Grattan Sgl Bail.

Lincoln v Bear & Jacob Rife Sgl Bail

Noncom v Caithrae Dismissed per award

Robert McClung who was fined at the last term for non atten-
dance as a Witness for Defendant ads Rounderbush appeared
in Court and being heard It is ordered that the same be remitted.

Richard Doherty who was confined in Jail, on Suspicion of
felony, was brought to the bar in Custody of the Jail and
being charged with the said felony It is considered by the Court.
that he be ~~discharged of the same~~ acquitted of the said charge
and It is further ordered that ~~he~~ the said Richard be confined
until the rising of the Court this day.

Donaghe v Bateman on the Motion of the Defendant a
Commission is awarded him to take the Deposition of Joseph
Dannelat, Debenpeck &c Giving the Plff reasonable notice
of the time and place of taking the same.

Huffman v King dismissed agreed

Present George Newton & George Dare

Beery v Vance, Benjamin Vance & Christy Vance Sp Bail
Pl. plea of payment &c to Security set a side, Judgment and
the said Defendant plead payment & Issue

Koontz v Koontz Vance, Christy Vance Sp Bail, the
Pl. same Order as above (he having Surrendered)

Stalp v Reeves &c John Phelps Sp Bail office Judgt
Pl. set a side payment & Issue

Koontz exon v Beery . . . the same
Pl.

Overseers of Poor v Knesp, on a Recognizance for a Breach
of the Peace, on the Complaint of Catharine Pefflo, of the
County of Shannandoah, as being the reputed Father of her
late born Child, the said Defendant Appeared in Court. on
discharge of his said Recognizance and being heard in his
Pl. defence by his Attorney. It is Considered by the Court that he
be bound with Security in the sum of £42, a Recognizance
in the sum of £42 for the support of the said Bastard
Child. Whereupon the said Peter Knesp, with David Cook.
his Security personally appeared in Court and acknow
-ledged themselves to owe and be indebted unto his excellcy
William H. Cabell Governor of this Commonwealth in
the said sum of £42 to be levied of their respective
Goods and Chattels Lands and Tenants and for the use
of the Overseers to be Rendered, Upon Condition that if
the said Peter Knesp shall well and truly pay to the
Overseers of the Poor for the Parish of Beckford and County
of Shannandoah the sum of $20 within one Month from
this day and $20 annually until the said sum of
£42 be paid to indemnify the said Parish for the
Maintenance of the said Bastard Child then the
above recog to be Void —

Nash & Co vs Henry Perkey upon a Scire facias on Spl. bail for Samuel Fergly. the said Defendant. surrenders the body of the said Fergly in Court. and was by the said Defts atty pray'd in Custody. and the said Scire fas is ordered to be dismiss'd at the said Defendants Costs —

Ordered that John Chrisman and William Byan be appointed Guardians, for the Children and heirs of James Williamson dec'd who are under the age of 14 years. whereupon they entered into bond and Security in the sum of £1500. as the Law directs. —

Salvage vs Reeves, John Lokey Spl Bail and was by the Defts atty pray Delivered up by his said bail whereupon David Harrison appeared in Court and acknowledged himself Spl bail for the said Defendant

P. Comth vs Phelps Order New Capias

Same vs Hennings Continued

Bell vs Reeves &c Casper Hayn Spl Bail

Woolfe vs Armstrong &c Peter Miller & John Reeves Spl Bail

Comth vs Shoemaker parties heard and dismiss'd at the Defendants Costs.

Chrisman vs Stultz John Koontz Spl Bail

Comth vs P. Roler &c Order Information be filed

Comth vs Koontz Not Guilty & Fine.

Same vs Hunter attach by Return.

Koontz vs Lush Dan Rager Spl Bail office Judgment set aside pay't of Fine.

Ordered that the Court be adjourned until to Morrow Morning 9 Oclock

Jno Franklin

Wednesday to wit

At a court continued and held for the County of Rockingham the 26th day of May 1807

Present.

Andrew Shanklin, Ezel Harrison,
Archibald Retherford & George Dove & Gt Justices

Comth v Bonzer Jury sworn to try the Issue to wit
David Caldwell, Nicholas Carns John Freeze, Isaac Parrott
William Freeholder, Abraham Painter, Jacob Boshang
Adam Freeze, Peter Freeze, Peter Denton, & Phelix Shettman
Verdict & Daniel Freeze. Verdict. the Defendant Guilty and
Judgment.

Comth v Freeze partie heard and Discharged

Comth v Moore continued

Dunkerson v Roady continued

Campbell adm v Campbell &c continued

Jordan v Stultz continued

Hamilton v Markham

Markham v Herndon two suits Continued at the Plffs Costs.

Hamilton v Webb. continued.

Jackson &c v Burns dismissed forwant of security for costs. and
Judgment for Defendant Costs.

Kelly v Coward Continued

Present.
Ezekiel Harrison, & John Ewell Gent.

Absent. Ezl Harrison & Archd Rutherford

Harrison v Denton Jury sworn to try the Issue to wit
George Shoddow, Daniel Nelsey, Henry Holsenpeller, Jacob
Wiseman, Roger Mallowny, George Chrisman, John Baker
Abraham Painter, Jacob Boshang John Crouse, David
Caldwell & Nicholas Carns. Verdict for the Plff for $26
Damages and Judgment.

Carpenter v Blair & dismiss for want Security for costs.

Rustin v Patterson & dismiss agreed.

Miller Ho v Shoe Benjamin Erwin Spl Bail offer Judgment set aside as to the Security.

Oliver Ho v Boucher & three Suits, Alias warned and Judgment, and as per Specialty with Interest & Costs (saving Equity)

two Suits
James Piper v B. Porter the Defendant Surrenders himself in Court, in discharge of his bail and Confesses a Judgment for the Debt in the Declaration Mentioned, saving Equity. with Interest & Costs. whereupon he delivered up a Schedule of his property and took the oath of an Insolvent Debtor and was discharged. (Notice having been acknowledged by the Plfts attorney.

Costs taxed to this mann. £2 18.

Comth v Boshang on a Presentment of the Grand Jury for a breach of the peace, for fighting, the said Defendant appeared in Court. and agreed to submit the Matter to the Court. who fined him £3 and the Costs.

Ordered that the Court be adjourned until to Morrow Morning 9 O'Clock

Saml Shanklin

Thursday 10 Oct

At a Court. Continued and held for the County of Rockingham the 21st May 1807.

Present

Amos W Shanklin, Ezek Harrison.
Archibald Rutherford & Josiah Harrison Esqrs Justices

John Cook
v. on a Notice for Money paid as his
P. Colp Security to Martin Cromer, Notice proved and Judgment for £6 14/8 with Interest and Costs.

William A. Menzies, produced in Court a Licence wherein he is admitted to practice as an attorney in the Superior and Inferior Courts of this Commonwealth and having the oaths prescribed by Law is admitted to practice in this Court

Plumb v. Sweeter Office Judgt set aside and disms'd.

Hamburger v. Sterer dism's by order the Plff. attorney and Judgment for costs

Mauzy v. Enright dism's by order the Plff.

Kyle v. Moore Office Judgt set aside and dism's

Nell v. Patterson & Ash & Patterson Def'ts bail Office Judgt set aside pays Costs

Olinger v. Bear dism's agreed (Costs taxed)

Chandler v. Cave dism's agreed

Brattan v. Nash & Barthas Jury sworn to enquire of Damages to wit John Mead, James Kyle, John Rogers, Enoch Allen Henry Cook, John Baker, John Callihan, Joseph Hicks John Lincoln, Daniel Deeps Sanders Ash'd & Davis Damages Verdict for the Plff for $111.59 with Interest from 23 May 1811 tele paid & Judgment.

Keithly v. Smith Jury sworn to try the Issue to wit The same Jury as in Brattan v. Nash & Co. Verdict for the Plff for $15 Damages and Judgment.

Trantham v. Cunningham, plea waived and Judgment as per Specialty with Interest & Costs (saving Equity)

Rowlston v. Freeholders &c. . . . . same

Chrisman v. Vance . . . . . same

Graff v. Vance . . . . . same

Hoover v. May &c. . . . . same

Cook v Peters plea warns and Judgment as per Note with Interest & Costs (saving equity)

Baker v Beal . . . . . same

McCoole
McCue v Moore . . . . . same

Walker v Nash & Co . . . . . same

Newlon exrs v Vance . . . . . same

Salvage v Bailey &c . . . . . same

Warren exrs v Vance . . . . . same

Smith v Hecks &c . . . . . same

Newton exrs v Vance . . . . . same

Strayer & Co v Ritchee . . . . . same

Beezy v Vance &c . . . . . same

Scott v Grover . . . . . same

Koontz v Vance . . . . . same

Rice v Hamilton &c . . . . . same

Rice v Lary . . . . . same

Hausburger v Boles (two suits) . . . same

Smith . . v Campbell &c . . . . . same

Conrad . . v Sefes exrs . . . . . same

V Heckey v Intruder's Writ of error set aside. Non assumpsit and Issue, to wit George Setz, John Carr, John Ryan Jacob Pirkey, Henry Kepele, Jesse Bolan, Barzel Rager, Jacob Taffinger, Simon Snyder, John Feaney, John Pence & William Pence, and Verdict for $2.52 cents Damages; On the motion of the Defendant by his attorney a Non suit is awarded. with $5/- Damages and Costs.

168.

Wenger v Martin &c Offic Judgmt set aside payment &c

Shanklin v Davis &c Offic Judgmt set aside payment for Security &c

Harrison adm v Hamilton &c
Cressels exrs v same . . . & Offic Judgmts set aside aside payment for Security and Costs

Winchester &c v Carthrae Offic Judgment set aside no such Record payment &c

Kelly v Taylor Offic Judgment set aside paymt & Costs

Branham v Carthrae Jr.
Ats . . v same . & Offic Judgments in them sets set aside, No such Record, payment &c

Krieg v Moore, Offic Judgment set aside, payment and Infancy and Costs

Rambo v Moore Jr. Offic Judgmt set aside and dismd. agreed

Cherryholmes v Ritter . . . . . same

Callahan v Harrison. Continued

Doe v Stuart Continued for awards

Green v Showalter dismd. No Information

Neaderach v Hagan. It appearing to the Court that the Plaintiff is Dead, on the Motion of the Plff, and by Consent of the Defendants attorney It is ordered that the said Suit be revived in the name of the said Neaderach executor.

Present Thomas Moore & John Crow Gent.
Absent. Archibald Rutherford

Dove v Fitzwaters Writ enquiry set aside, Not Guilty and Issue. Jury sworn to try the Issue to wit Joseph Hicks John Rogers, John Mead, Jacob Weseman, Enoch Allen, Sanders A Reed, Daniel Duff, Davis Donavew, Nath[l] Harrison, Joseph Krotzer, Henry Cook & John Callehan Verdict for Plff for £20 Damages & Judgment.

Overseers Poor v M Intire, who was committed to the Jaol of this County. for a breach of the peace, on the Complaint of Betsey Stutly as being the reputed father of her bare born Child. the said Defendant, was brought into Court by the Jailor, the Court upon Consideration doth order that the said Defendant be bound in a Recogz with Security in the sum of £42 to be paid to the overseers of the poor for the Support of the said Child to be paid in the following Manner, to wit Twenty dollars to be paid, in twelve one Months from this day. and Twenty Dollars annually until the said sum be paid, in order to indemnify the said Parish. and that he stand committed until he enters into a Recogz agreable to the above ~~Order~~ Order.

~~Ordered that none of the~~
Dove v Fitzwaters on the Motion of the Defendant by his attorney, ~~It is ordered~~ that none of the Witness attendance for the Plff in this suit be taxed in the Bill of Costs. except that of Richard Dempsey

Smith v Jn[o] Harrison, Ez[l] Harrison Sh[ff] Bail offer'd Judgment set aside payment & Issue

Davis v Shipman Henry I Gambill Sh[ff] Bail offer'd Judgment set aside payment & Issue.

Salvage v M Intire & the Defendant M Intire appeared in Court in Custody of the Jailor and confess[d] a Judgment for the Debt in the Declaration Mentioned, with Interest Costs.

Samuel M Intire who was confined in the Jail of this County. at the suit of the Overseers Poor, and also. at the suit of Benjamin Salvage, the said Defendant was brought into Court. delivered ~~in~~ a Schedule of his property. and took the oath of an Insolvent Debtor and was discharged Notice being acknowledged by the Plffs attorneys —.

Nuther v Salas. Judgment for the Plff agreeably to the Verdict of the Jury rendered in this Cause at the last Term and

Nuther v Salas on the Motion of the Defendant by his attorney a Non suit is awarded. the and 5f Damages the Jury having found under $20. and Judgment for Costs

Jones v Sevely Continued for Defendant.

Painter adms v Painter Continued

Koontz v Shannon. Jared Erwin Sfl Bail Office Judgt set aside payt of Sfieri

same . . v Erwin, William Shannon Sfl Bail Office

Judgment set aside payment of Sfieri

Boudereau v Fetwiler ctds Writ enquiry set aside N.C. of Sfieri. Jury sworn to try the Sfieri to wit John Cairns John Bryan, Jacob Pirkey, Henry Kessell, Jesse Bolen Barzel Rager Jacob Taflinger, Simon Sneider, John Searey, John Perico, William Devier and Roger Mallory. Verdict for Plff for $53.66 cents Damages with Interest from 15th of July 1803 till paid, & Judgment.

Ordered that Andrew Shanklen, Giles Early & John Koontz or any two of them be appointed to examine and State and settle the estate accounts of Cornelius Neal dec. with the executor and make report to the Court.

Leonard v Krieg dismissed by order Plffs attorney

Parsons v Thompson &c two suits Offices Judgments set aside
~~Payment for Security & Costs~~ and dismiss agreed

Kepell v Reighart The Plff by his attorney Moved the Court
to rule the Defendant to give Security which Motion was
on argument overruled

Ireland v Fawcett. The Defendant Call'd and not appe-
aring It is ordered that this suit be dismiss'd for want of
Information

Harrison v Hamilton Henry Smith Sheriff Office
Judgment set aside Payment &c Costs

Donagh v Bateman Continued

Present Asher Waterman & Peachy Harrison.

Leonard v Leonard Continued Defendant

Cook v Arnow Jury Sworn to enquire of the Damages.
John Ryan, Henry Sipe, Jacob Laflinger, William
Pierce, Jesse Boland, John Cann, John Feary Jacob
Perkey, John Pence, Bazel Ragen Roger Mallowry &
John Callehan Verdict for the Plff for $60 Damages &
Judgment

Rice v Mere Office Judgment set aside payment for Security
& Costs

Spangler v Same . . . . . same

Gilmore v Shipman Writ enquiry set aside N. C. & Costs

Ordered that the Court be adjourned until the Court in Course

Ino Shanklin

Tuesday to wit

At a Court Continued and held for the County of Rockingham the 16th day of June 1807.

Present. Walter Davis, Archibald Rutherford Michael Mauzy & Thomas Moore Gentlemen Justices

An appraisement bill of the estate Jacob Argabright dec'd returned & R.

Two Deeds from J Parrott Esq to Grove acknowledged in Pendleton County and certified to R.

An appraisement bill of the estate of Reuben Davis -on dec'd R & R

A Deed from Burkholder to P. Burkholder acknowledged & R

A Deed from same to Henry Burkholder. . same

A Deed from Lewis Esq to M'Culloch . . . same

Ordered that George Newton Robert Grattan and Charles Lewis or any two of them be appointed to examine state and settle the estate account of Leonard Fulwiler dec'd with the exrs and make report to the Court.

A Deed from Songer to Skinner proved by the witnesses thereto & R

A Deed from Wise Esq to Shank acknowledged by his said wife & Ordered to be certified

A Deed from Whetzel Esq to Bolenger proved by the oaths of the witnesses thereto, and acknowledged by said wife, & R

A Deed from same to M'Gahey the same

A Deed from Saffenger Esq to Freize. acknowledged wifes acknowledgment taken & R

A Deed from Richerson to Spangler acknowledged with acknowledgment taken & Ord

A Deed from Baxter &c to John Baxter further acknowledged by Polly Baxter & Order to be Certified

A Deed from same to Conrad . . . . . same

A Deed from same to Jo. Baxter . . . . same

an agreement made between the heirs of George Baxter dec. acknowledged by Polly Baxter & Order to be Certified

Three Deeds from G. Penn &c to Carpenter &c acknowledged with acknowledgment taken & Ord

A Deed from the same to Losh . . . . same

A Deed from Douglas ~~Lacock~~ attorney in fact for Enoch Garter, acknowledged which with the Power of attorney thereto annexed is Order to be Recorded

A Deed ~~from~~ of Trust from James Burgess to Joseph Dicks in Trust for Jno Graham ~~&c~~ proved by the Witness thereto. & Ord

A Deed from Herring Exr to Shaver &c proved by the oaths of the Witness thereto and Ordered to be Certified to the Court of the County of Augusta as the Law Directs —

A Settlement of the estate of John Marshall dec. returned & Ord

An appraisement sale and Sale bill of the estate of Philip Long dec. returned & Ord

A Deed from Bears Exr to Baker acknowledged with acknowledgment taken & Recorded

A Deed from same to Safley . . . . same

1714

Deed from Mortgage from Davis to Safley proved the Witness thereto & O.K.

Ordered that Charles Lewis, George Preston, & Robert Gattan or any 2 of them be appointed to settle the estate of Andrew Brady dec'd and make report to the Court.

The Last will and Testament of John George Haga dec'd was presented in Court and proved by the Witness thereto & Recorded.

Catharine Wire Widow of John Wire dec'd appeared in Court and relinquished her right of administration whereupon on the Motion of John Wire, administration of the said estate is Granted him he having made oath thereto and with Security entered into an acknowledged bond as the Law directs, and it is ordered that Robert Gattan, Henry Harshberger, Samuel Miller & James Magill or any three of them being first sworn be appointed to appraise the said estate & make report to the Court.

Darcus Robertson orphan of Rely Robertson dec'd came into Court and made choice of Jesse Harris =on as her Guardian, who with Security entered into bond as the Law directs

The Last will and Testament of Mary Bastis dec'd was presented in Court and proved by the oaths of Thomas Hopkins and Emanuel Roudebush and Ordered to be Recorded, and on the Motion of John Bastis one of the executors therein named who, made oath thereto and with Security entered into and acknowledged bond as the Law directs. a certificate is

Granted Liens for obtaining aprobate in due form and
It is ordered that John Hopkins, William Hopkins
Thomas Gordon, & David Bradston or any three of them
being first sworn be appointed to appraise the said estate
and make report to the Court

Ordered that the Overseers of the poor bind Martin Rost
to Christian Kite, aged 6 years the 2nd October next to learn
the trade of a Cooper as the Law directs

On the Motion of John Ryan, It is ordered that
he have leave to keep an Ordinary at his house, for one
year, on his entering into bond with William Fombaugh
his Security

Pays from Marshburger Exr to Miller acknowledges assets
acknowledgment taken &c

Ordered that Henry Perry have leave to bind Ann Wadlow
his ward to John Wedick as the Law directs

Elizabeth Wadlow . . . . . to John Millsburger
Catharine Wadlow . . . . . to Jacob Shirey
Barbara Wadlow . . . . . to John Boyer
Margaret Wadlow . . . . . to John Wadlow

Elizabeth Fry Widow of Henry Fry dec came into
Court and renounced the provision made her by her
said Husbands Will, which is ordered to be entered

On the Petition of Thomas Mauzy It is ordered that
Layton Yeary, Jacob Keplinger, Augustine Arrendsmith &
George Mallow, or any three of them being first sworn be
appointed to View a way for a Road leading from Michael

& Joseph Mauzey's to Store to said Thomas Moors Mill and also the a road from said Mill to fall into the same road somewhere near Henry Maugans. also a Road from said Mill to fall in the South River Road near Jacob Lengles Plantation, and make report of the Conveniens and inconveniens attending the said Roads to the Court.

Deed from Meeks to Retherford acknowledged and ordered to be Recorded.

On the Motion of Lucy Beard. It is ordered that so much of the Order establishing the New road leading from the North River at the said Beards to John Shaps be and the same is hereby rescinded so fair as the same runs through the lands of the said Beard but that the said road is hereby established agreeable to the consent of the parties filed in the papers which consent authorizes the said road to begins at the road leading from Harrisonburg to Staunton and that the owners open the same accordingly

Deed from Painter &c to Belkinnen acknowledged wife acknowledgment taken &c

Present Jonathan Sheppman

Ordered that the Sheriff take into his hands and possession all the estate of Mary Alstot deceased and well and truly administer the same according to Law

Deed from Mathews &c to Williamson dec? further and fully acknowledged by his wife she being first privily examined and is ordered to be Certified.

A Settlement of the estate of Joseph Byerly dec? return and ordered to be Recorded.

On the Petition of Mary Smith &c It is ordered that Samuel Miller, Jonathan Shipman, Andrew Newman, Thomas Hopkins, John Baxter, & Archibald Retherford &c or any three of them being first sworn, be appointed to View the Road from William Blairs up dry River gap to the foot of the Mountain, and that the Report the Situation of the said road, and also how many hands it will take to keep the said road in repair, Noting from what place they shall be taken.

Ordered that Christian Miller be exempt from the payment of County and parish Levies on account of old age and infirmities

On the Motion of George Hage & Andrew Sellars executors named in the Will of John George Hage dec. who made oath thereto, and with Security entered into and acknowledged bond as the Law directs, a Certificate is Granted them for obtaining Probate in due form.

And It is ordered that Derry Ryan, Lauram Bell David Harrison and Michael Sellars or any three of them being first sworn be appointed to appraise the said estate and make report to the Court

Ordered that the Overseers of the poor bind Catharine Smith Daughter of Peter Smith aged 9 years the last of august next to Abraham Whetstone, and that she be allowed 15 dollars as the Law directs.—

Ordered that the same bind Mary Smith Daughter of Peter Smith aged 6 years the 23rd July next to Peter Thomas as the Law directs and She is allowed 15 dollars.

Ordered that Layton Garey. S. Kelly, and Charles Lewis, or any two of them be appointed to settle the estate accounts of Andrew Espert. dec'd and make report to the Court

A Deed from Seth Lea to Erwin acknowledged for Record Present Geo Hueston.

A New and report of a way for a road from Jonathan Shipmans Mill to the Mouth of the Lain at George Maddox, being returned into Court. and it appearing that the several persons through whose land the said road is proposed to run, having been summoned; and they not appearing altho solemnly called It is Ordered that the said road be established agreeable to the said report, and It is Ordered that William Cave be appointed Surveyor of that part of the road from said Mill, to where the same Crosses the road call'd Ewens road. and that Alexander Herring be appointed Overseer of the part from the said Ewens road to the Mouth of the Lain, and all the Male Tithables on. one Mile on an half on each side of the said road be allotted the said Overseer for their respective Gang to open the said Road, work thereon and keep the same in Good repair —

Ordered that John Rice be appointed Overseer of that part of the road where of William Rice was late Surveyor of. and that the usual Tithables appointed to work on the said road be allotted him for his gang to work thereon and keep the same in Good repair

Smith a Whisler, parties heard. and find $2.50 Cents as the Law Directs.

A Commission & Privy examination of Mary Burges &c to allow to Mortgage to A Waterman returned Certified &c

Ordered that John Lincoln be appointed Overseer of
that part of the road whereof Henry Whistler was late
Surveyor of, and that the usual Tithables attached to work
on the said Road be appointed for his Gang to work &c

Smith vs Robertson Order Information be filed

Smith vs Miller parties heard and dismissed with Costs.

Smith vs Blair parties heard and dismissed with Costs.

Smith vs Blosser parties heard and dismissed with Costs

Smith vs Klein parties heard and the Deft fined $2.50
Cents and Costs

Ordered that John Shaver be appointed Overseer of that
part of the road, whereof Frederick Klein was late Survey
-or of, and that the usual Tithables attached to work on the
said Road be appointed for his Gang to work &c

Smith vs Miller & Fereboush parties heard and dismiss.
as to Fereboush, and Order Information as to Miller

Krings exrs vs Arnold on a Notice on a Delivery Bond
Note proved and Judgment.

Same .... vs Same ..... Same

Smith vs Tuttle parties heard and dismissed with
Costs. No Cause being shewn for an Information.

Saunderson & Petitioner vs Tuttle, (Herring) On the Motion of the
Defendant and for Reasons appearing to the Court, It is ordered
that former Proceedings in this Cause be Revoked
and that a Writ of Adjudged = Damages be awarded the said
Defendant Tuttle, to be executed on the 2nd Saturday

No. 317

writ if

Next July Next. and that a Summons be awarded agst the Defendant Herring to shew Cause why the said Road should not be Established it appearing to the Court that the same runs through his lands and It is further ordered that the Survey of the said Road be Suspended ~~any further~~ from any further, opening or Working on the same

Ordered that the Court be adjourned until to Morrow 10 o'clock. And Shanklin

Wednesday 10th Inst

At a Court Continued and held for the County of Rockingham the 17th June 1807.

Present

Andrew Shanklin, Asher Waterman
Water Davis & Archd Betherford & J.G. Justices
George Weston . . . . . .

Comth v Hayes parties heard and order Information to be filed

Comth v Bolenger parties heard and discharged with Costs.

Heard on Petitioners v Stoutsenberg on the Motion of the Defendant Stoutsenberg, a Writ of Adjudged Damnum is awarded him, to be executed on the Second Saturday in July Next Returnable as the Law directs, and It is ordered that a Few Summons be awarded agst Stephen Losh, David Kyle, Jacob Neely, John Graham & Isaac Miller

unit ep

Suth ep. Returnable to July Court Next.

Comth v Jordan, parties heard and Order Information be filed

Smith v Hoover Defendant Call. Order Information be filed

Smith v Kenley. parties heard, and order Information be filed

Overseers Poor v Jordan

& Same . . . v Miller } Order New Summons awarded.

Ordered that Jane Ireland have leave to keep an ordinary at her house in this County for one year on her entering into bond with Daniel Magee her security in the Clerks Office as the Law directs.

~~Absent Webster Davis Good~~

Loftus v Fellenger Continued

Propst v Moore Judgment per note with Interest & Costs

Krotzer v Lyons &c Judgment per Note with Interest & Costs

Bogetts admrs v Mendle abates by Return.

Holton v Rumble . . Continued for defendant

Loftus & Co v Moore Abates by Return.

Loftus v Ewin &c New Summons.

Cook v Ramey admr Continued for defendant

Bowman exrs v Harrison &c Judgment per note Interest & Costs.

Loftus & Co v Weir abates by Return.

Mayse & Abbott v Borland Judgment per note Int & Costs.

Neal v Lokey admr Continued Defendant.

Baughman v Mayer New Summons.

182.

Woods v Nave Judgment per Note Interest & Costs

Kreps & Co v Carter New Summons

Walton v Loar. New Summons

Ordered that the Sheriff Summon all the acting Magestrats to appear here at July Court Next for the purpose of appointing Constables, and laying of the County into proper districts

Bailey v Rice By consent of the parties by their attorneys all Matters in difference between them in this suit is referd to the final determination of Samuel Miller whose award is to be made the Judgment of the Court.

On the Motion of Jacob Rife, John Harrison, Andrew Byrd & Thomas Dunkenson It is Ordered that John Neal executor of Cornelius Neal dec'd be Summons to appear here at July Court Next in order to make a Settlement of the said Deceadents estate accounts with the Commissioners appointed at former Court.

Present Peachy Harrison Gent.

The Court proceed to make the allowance for keeping property taken under execution which is as follows for every Slave per day 20 cents for every head of horses or Mules per day 17 Cents for every head horn Cattle or hogs Nine per day cents, and for every Sheep or Goat 6 Cents per day —

Ordered that the Sheriff pay unto Andrew Shanklew. $23,10 cents out of ~~the forfeitures~~ any Money in his hands due the County for work done to the Court house as per account rendered —

* The Court proceeded to Regulate the Tavern Rates within this County as follows to wit

For	Dinner	£0. 3½ cts.
"	Breakfast	25.
"	Supper	25.
"	Lodging	12½
"	Madeira Wine per quart	1.50
"	Port Wine ditto	1.00
"	Teneriffe ditto ditto	1.00
"	Sherry ditto ditto	1.00
"	Malaga ditto ditto	" 50.
"	Best Spirits by ½ pint	" 25.
"	French Brandy Do	" 25.
"	Best Holland's Gin Do	" 25.
"	Best Whisk ditto	" 12½
"	Peach Brandy by ditto	" 25.
"	" Cider p. quart	" 12½
"	" Porter by the Bottle	" 40.
"	" Good Beer p. quart	" 12½
"	Hay & Stabling per 24 hours	" 25.
"	Corn & Oats per Gallon	" 12½
"	Pasturage per day	" 8.

Ordered that the Court be Adjourned until the third Tuesday in July next.

Jno Shanklin

184.

Tuesday to wit

At a court held for the County of Rockingham the 21st day of July 1807

Present

Andrew Shanklin, John Erwin
Walter Davis, George Keaton, Gelet & Gent Justices
Jesse & Peachy Harrison

A Deed from Hostetler &c to Armentrout proved by the oaths of A. Betherford, Dan'l Bryan, and Henry Hyambile 3 Witness thereto which with the privy examination of his wife ordered to be

On the Motion of Andrew Woolf and for reasons appearing to the Ct it is ordered that he be exempted from the payment of County and Parish Levy —

A Deed from Pross &c to Harpine acknowledged & ordered

An appraisement bill of the estate of George Moore dec'd ordered

On the Motion of Robert Strongfellow, an Injunction is granted him to stay all further proceedings on a Judgment recovered against him by John Seawright. on his entering into bond and security as the Law directs

Seawright v Strongfellow on a Note on a Delivery bond Notes proved and Judgment.

An appraisement bills of the estate of Jacob Gibson dec'd returned & ord

A Deed from Shank &c to Brannaman acknowledged with acknowledgment taken & ord.

A Deed from Clay &c to Doubt . . . saine.

A New and Report of an alteration in the road leading from Conrad Vanbarger to the Leech ford and from thence to where the same crosses the Stoney River, being returned into Court, by the Viewers, which alteration is ordered to be established agreeable to the said Report and the Petition of Christian Miller &c. and that the Viewers work thereon and keep the same in Good Repair —

The Last will and Testament of Sally Perkey dec'd was presented in Court and proved by the oaths of the Witness thereto subd and on the Motion of John Pence the Executor therein named, who entered into bond & Security and made oath thereto as the Law directs. a certificate is Granted him for obtaining probate in due form. and It is ordered that John Weston. John Snapp, Ulrich Sailor and Henry Kesler or any 3 of them being first sworn do appraise the said estate and make report to the Court.

A Deed of Trust from Newswanger to Salvage acknowledged &c

On the Motion of the Revd Andrew Hemphill, and he having produced Credentials of being in regular Communion with the Methodist Church, It is ordered that a Testimonial be Granted him to Celebrate the rights of Matrimony in this State he having Given bond & Security and took the oaths prescribed by Law.

The Last will and Testament of Elizabeth Whetzel dec'd was presented in Court and was proved by the oaths of Jacob Lantz, John Baker, & John H. Mallot the witness subd &c. and on the Motion of George Pore the Executor therein named. who ~~was~~ entered into bond with Security and made oath thereto as the Law directs. ~~a~~ Certificate is Granted them for

obtaining approbation in due form. and It is ordered. That
Jacob Lantz. Frederick Dove, John Baker and Richard
Bustard or any three of them being first sworn be appointed
to appraises of the said estate &c

On the Motion of Jonathan Taylor, It is ordered that leave
be given him to Keep an Ordinary at his house in this County
for one year, on his entering into bond with Henry L.
Gamble his Security in the Clerks office

Ordered that Thomas Brill be appointed overseer of that
part of the road from Staunton to Swift Run Gap, where
John Garey was Surveyor of, and that the usual
tithables attorted to work on the said road. be
appointed for his Gang to work &c

A Deed from Bell &c to Seitz acknowledged &R

Sam Sawyer &c Petitions v Feuble &c The Plaintiff not further
prosecuting their said Petition It is ordered that the same be
dismissed and that the said Feuble recover against the said
Petitioners his Costs expended in prosecuting his suit &c
Adjourned &c
Ordered that the bounds of that part of the road which
John Lincoln is overseer of be extended to the top of the North
Mountain on the North west side and two Miles on the North
east side —

A Deed from Campbell &c to Safely acknowledged by John Campbell
&R Wife acknowledgment taken &Rc

A Deed from J Campbell &c to M. Campbell acknowledged
wife acknowledgment taken &R

Robert Cave a Witness for Holtzclaw vs Rumble allowed
Pd. 1 days attendance and traveling 50 Miles to Court and the
Deft. same in returning —

A Deed from Agost Dey to Lewis acknowledged was ordered
to be recorded

Daniel Rumble &c Petitioners vs Dansbarger, & Coogler, The Petitioners
not further prosecuting their said Petition, It is ordered that the
same be dismissed, and that the said Dansbarger & Coogler
recover against the said Petitioners their Costs ~~by~~ expended in
prosecuting their Writs of Adjured-Damnum —

The Court Proceed to Lay off the County into Districts and
to appoint Constables according to Law which districts are as
follows, ~~Beginning with the 58th Regiment~~ the first district
~~is Bounded as follows~~, Beginning on the line that divides the 58th
Regiment and 116th Regiments, and thence with the Main road to the
County line of Augusta and from thence to the County line of
Pendleton which bounds shall be include one District — and
that Luke Rice and Ephraim Dansbarger be appointed
Constables within the same — The Second District Beginning
at the County line of Augusta and from thence along the ~~Regimental~~
~~lines which divides~~ Main road. ~~to where the~~ leading to Staunton to
the said Regimental line thence along the same to the top of
the peaked Mountain, so as to include Colo John Burkes
and from ~~the~~ to the Mouth of Cub Run, and thence South east to the top
of the ~~Blue~~ South Mountain ~~and then~~ which bounds shall
include one ~~other~~ district. and that Henry Perkey and
William Lewis be appointed Constables within the same. —

The Third District ~~Beginning~~, Beginning at Colo Perkeys
and from thence along the Peaked Mountain to the County line of
Shanandoah, and thence with the same to the top of the South
Mountain and thence along the same to the Diversion line of
the second district. which bounds shall include one other district
and that Johnson & George Graves be appointed Constables within

the same — The fourth distrct. Begenning on the Aversion line of the said Regiment, and from thence includ=ing Saml. Miller, John Herdman, John Eversole, Walter Bowland Samuel Dehart Thomas Harrison and the old furnace and from thence to the top of the peaked Mountain & thence with the same to the said Regimental line, and with the same to the Begenning, which bounds shall include one other distrct. and that Elect Retherford be appointed Constable within the said distrct.— The fifth distrct. to be Comprised of the Remaining part of the first Battalion of the 116th Regement. and that Henry March & William Brisbin be appointed Constable for the same. The 6th Distrct. Begenning on the Main road at Dehart. and thence with the same to Joshua Brocks, and from thence including B. Salrags Store, and from thence a Streight line including Saml. Parrats to the top of the North Mountain, and with the same to the Regent line at Dry River gap, and thence down the Regement line to the Begenning of the fourth distrct and with the same to the Begenning which bounds includes one other distrct and that James Mallowry be appointed Constable for the same — Seventh Distrct To be Comprised of the Remaining part of the second battalion of the said 116th Regiment (except Brocks Gap) and that Peter Palmer be appointed Constable for the same, The Eighth Distrct shall be comprised of Brocks Gap, and that Richard Vaughs be appointed Constable for the same —.

Elliot Retherford, Henry Perkey, Luke Rice, John Conrod William Brisbin, Richard Vaughey & Henry March appear in Court. and with Security entered into, bonds as Constables and took the oaths prescribed by Law —.

P. Hollow v Rumble dis mis by order Plff attorney

The Court doth Recommend unto his Excellency the Governor
Pd Let Joseph Baxter Asher Waterman, & Charles Lewis Gent be
by Hott. as proper and fit persons to be commissioned as Sheriff for
the ensueing year. —

~~Beard & Petitioner v Stoutenburgh~~
~~Beard & Petitioner v Stoutenburgh~~

Jacob Neely who was Summoned to appear here and
shew cause why a Road should not be established through his
lands, appeared in Court and prays a writ of Adjourn=
=Damman. which is Granted him, and to be executed on the
15 day of august next returnable as the Law Direct

On the Motion of Joseph Baxter Sheriff, Archibald Earle, Elliott
Rathbun & Barzel Ragen are admitted his Deputies and sworn
accordingly —

Mead v Lohey's adm. Judgment per note Int & Costs

Same

Baughman v Moyers &c. ...

Hays v Hoeman Deft call'd Judgment for £20 with Int
from March 1807 tells paid & Costs.

Snell v Rodman &c. on a Delivery bond Note proved as to
G Mesnock and Judgment.

Evans v Roads on a Delivery bond Note proved as to.
G. Roads and Judgment.

Ordered that this Court be adjourned untill the 3rd Tuesday
in august next.

Jno Franklin

Tuesday to wit

At a court held for the County of Rockingham the 18 day of August 1807

Present Andrew Shanklen.
St. Clair Kerby, Wales & G. Justices
Davis & Peachy Harrison

Patton &c v Yancy &c. agreed.

Koontz v Shannon &c. agreed.

Hayne v Leib &c. dismissed agreed.

Showalter v Blazer dismissed agreed.

Ordered that the rule be held in the Clerks office on Thursday the 20th day of this Instant and on the day after the 3rd Tuesday in September Next as the Law directs.

Branham v Rice, William Beard Sheriff bail

On the Motion of Joseph Strother, It is ordered that he be permitted to practice as an attorney in this Court. he having taken the oath prescribed by Law.

Timothy Donavan, Jacob Shaver & John Wire who was summons to attend on the Grand Jury. and was solemnly called and not appearing. It is ordered that they be fined each in the sum of $8 unless good cause be shewn to the contrary on or before the next Term

Grand Jury Sworn to wit
Robert Retherford, George Berry, James Kyle
Thomas Berry, John Rush, John Crouse, Abraham Fisher
Benjamin Tallman, Adam Faught, George Seter, John
Brock, John Sheetz Jr. Volunteris Bolton, William Beard

Joseph Thornton, & John Krotzer, who receive their charge and return from the Bar, to consult on their presentments, and after some time returned, and found the following, Bill of Indictment agst Coates a true bill, and also Surety presentment for breaches of the peace; and there appearing no further, business It is ordered that the Grand Jury be discharged, and that process Issue on the aforesaid presentments returnable as the Law directs.

Ryan v Cann dismd by the Plff, and Judgment for Defts

deft costs & Costs

Shirley v Boston Christian Deadmon Sfbail, Judgment confessd as per Specialty with Int & Costs, with the stay of execution entered October Court next

Weaver v Garrots & al Trespass. the Defendants appeared in Court and confessd a Judgment for £30 and one half the Costs. and Judgment, and the Plff agrees to stay execution 3 Months

Wenger v Martin & plea & award and Judgment confessd as per specialty with Interest Costs (saving Equity)

Smith v Phillips & al Non Capis awarded

same v Boler Capis awarded

Present George Duston Gent.

Smith v Krotz Continued

same v Moore Continued

Smith v Kinsley & al. Guilty & Fine and Sentence for Defendant.

Smith v Hennings Jury Sworn to try the Issue to wit Jacob Shultz, William Shannon, David Wallace, Timothy Donavan, John Ryan Jr. John Cleek, George Stonebraker, William Fowler, Volentine Miller, Ezekiel Logan, Danl. Dreffs, & John Feamy, find the Deft Guilty and assessment 6 cents Damages & Costs.

Comwlth v. P. Haynes. Capis awarded. returnable to next term.

Comwlth v. Robertson Continued

Comwlth v. Hoover Capis. awarded. returnable to next Court

Comwlth v. Miller . . . . . same

Williamson extr v. Vance & David Coffman Sptbail offein Judgmt set aside paymt & Spec.

Comwlth v. Jordan Not Guilty & Spec Continued

Bear v. Heggans & Dark Bagen Sptbail offein Judgmt set aside payt & Spec

Comwlth v. Harrison. Continued

same v. Herman. Continued

J. Graham v. Dalton. and
same . . v. Miller } John Carthrae Jr. Sptbail offein Judgmt set aside paymt & Spec

Campbell & Fletcher v. Arrow. John Carthrae Jr. Sptbail offein Judgmt set aside payt & Spec

Overseers Poor v. Whitler. on Recogz. Continued until the next term

Nash & Carthrae v. Jas. Family.
Carthrae . v. same &. } Jesse Harrison Sptbail
Hill . . v. same. } in three several cases.

Mayberry v. Harrison John Hoover. Sptbail offein Judgt set aside in payt & Spec

Harrison v. Grove Jacob Lamb Sptbail

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock

Ind Franklin

Wednesday to wit

At a court continued and held for the County of Rockingham the 19th day of August 1807.

Present George Sutton.
~~Graham Exon~~, Walter Davis
Josiah Harrison & Thomas Moore & G Sutton

Dunkenson v Roady Continued

Campbell admr v Campbell &c Continued.

Jordan v Kelly Continued,

Hamilton v Noble Writ enquiry set aside A. Guilly &c Issue

Rose v Harrison Daniel Bagen &c Bail office Judgment set aside payment &c Issue

Pleasants v Nash Matthias Office Judgment set aside payment for security &c Issue

Pence v Bohr . . . . . same . .

Lewis v Smith . . . . . same

Hangler v ~~&c~~ John Smith . . . same

Wallace . v John Smith . . . . same

Rice v Nichs . . . . . same

Lincoln v Bear &c Office Judgment set aside payment &c Issue

Rachel Cully Orphan of M Cully dec. came into Court and made choice of Mark Newland as her Guardian, who with
X security entered into and acknowledged bond in sum of $100 as the Law directs

Callahan v ~~&c~~ Harrison ~~Bail &c~~, ~~&c~~ Issue Harrison appears ~~ed~~ in Court and acknowledges himself security for the Costs and all Officers fees. and it is ordered that

M Gahey v Pence, Daniel Baugher &c Bail office Judgment. set aside as to the security —

194.

~~Callahan v Harrison on the Motion of the Plff. It is ordered that Daniel Dalley enter Security for cost in this cause~~

Callahan v Harrison on the Motion of the Plff. It is Ordered that so much of the order made at February Court last as binds Daniel Dalley Security for the cost in this suit be rescinded. Jury Sworn to try the Issue to wit, James Bolton, William Pence, Samuel Harry, Abraham Josephs, William Sandy, John Pence, Richard Kyle, John Koontz, Joseph Seively, Roger Mallowey, Thomas Dennison, & Peter Newton. Verdict for Plff for $71.33 cents Damages and Judgment

Norman v Readefer Jesse Harrison Spl Bail office Judgment set aside pay Costs

Shager & Hoffman v Fultz dismd by the Plff attorney.

Sharp v Hamilton John Sheetz Jr. Spl Bail

Armentrout v Memphell &c Daniel Ragen Spl Bail. office Judgment set aside pay Costs

Sockasee Negro &c v Stuart continued for award.

Donaghe v Bateman dismd agreed

Present Andrew Shanklen, & Peachy Harrison.

Absent George Newton & Walter Davis.

Bell exrs v Whetzel &c John Koontz Spl Bail for Whetzel.

Jones v Seively Jury Sworn to try the Issue to wit John Ryan, Davis Donavan, John Kysor, Jonas Friend, Jesse Lincoln ~~Joseph Kintzer~~, Daniel Matheny, Jacob Bowdenbush, Henry Kessell, ~~Thomas~~ Daniel Cuppy, John Dickey, John Sheetz & James Davis. Verdict for Defendant & Judgment.

Defendant

~~John Krotzer~~ to attend
Joseph Krotzer who was this day summoned as a Juror, and
not appearing, It is ordered that he be fined in the sum of $8
unless Good cause be shewn to the contrary on or before the next
term —

Walton v Grove &c on a Notice on a Delivery bond Notice
proved & Judgment

A Whitehouse v Eversole &c . . . . . same

Davis v Wheelbarger &c . . . . . same

Snoddow v Wheelbarger &c . . . . . same

G. Bowman v Veney &c . . . . . same

A. Rice v Wheelbarger &c . . . . . same

G. Bowlans v Vance &c . . . . . same

Ordered that the Court be adjourned until to Morrow
Morning 10 o'Clock . Ind Shanklin

Thursday to wit

At a Court Continued and held for the ~~said~~ County of
Rockingham the 20th day of August 1801

Present

Andrew Shanklin, Asher Waterman
Peachy Harrison & Arch'd Rutherford & Gt Justices

Sheetz v Wise It appearing to the Court that the Defendant
is Dead. It is ordered that a Scire fac do issue against the admrs
of the said Wise to shew cause why the said suit should not stand
~~and abate according to law~~ in the Name of the said admrs

The same

Spangler v Wise . . . .

Rice . . v Wise . . . . . The same

196.

Nagle ⁊ Harrison &c. It appearing to the Court that the Plff is dead. It is ordered that ~~the~~ a Scire fac do issue against the said Defendants to shew cause why the said suit should not stand against them in the name of the executors of the said Nagle.

Lacey ⁊ Ray Jury sworn to enquire of the damages to wit, John Miller, Richard Bowes, James Anderson, John Boyd, Abraham Painter, Henry Kephle, Daniel Donaven, John Shertz, Andrew Sellar, Jacob Shertz, Morris Kenchy & David Wallace Verdict for the Plff for 1 Cent. Damages & Judgment.

Wereman ⁊ Mallory dismissed by order Plff ~~attorney~~ deft cost &c. and Judgt for Defendants Costs.

Leonard ⁊ Leonard Contempt

Harrison admr ⁊ Hamilton &c plea warrd and Judgment confessed as per Specialty with Int & Costs (saving equity)

Everson exrx ⁊ Hamilton &c . . . . same

Kelly ⁊ Layton . . . . . same

Harrison ⁊ Hamilton &c . . . . . same

Shanklin ⁊ Devees &c . . . . . same

Leonard ⁊ Roads . . . . . same

Koontz exrx ⁊ Reeves &c . . . . . same

Ralph ⁊ Reeves &c . . . . . same

Hull ⁊ Rutherford &c . . . . . same

Koontz ⁊ Losh . . . . . same

Davis ⁊ Shipman . . . . . same

Koontz ⁊ Erwin . . . . . same

Smith ⁊ Harrison . . . . . same

Ott v Carthrae &c. plea &c and Judgment.

Winchester &c v same . . . . same.

Branham v same . . . . same

Painter exrs v Painter Jury Sworn to try the Issue to wit

David Wallace, Morris Hershey, Jacob Shultz, Andrew Sellar, John Shultz, David Donavan, Henry Kessell, John Rohr, John Boyd, James Anderson, Richard Booze & John Miller, Verdict for Defendant he being under age, and Judgment.

Deft Costs &c.

Lacy v Bay Jury Sworn to enquire of the Damages to wit

John Smith, John Crouse, Henry Fetterler, Henry Berry, Julius S. Foster, Daniel Bright, Jonas Strine, Jeremiah Warner, Abraham ~~Phelips~~ Phelps, John Beal, Abraham Painter, & Frederick Fenble Verdict for the Plff for $50.46 cents Damages with Int from 12th October 1806 till paid & Judgment

Present. Josiah Harrison & Jonathan Sheppard
Absent Asher Waters and Arch. Retherford

Plff Costs &c.

Kessell v Bergheart Writ Enquiry set aside Not Guilty & Issue. ~~Verdict for the~~ Jury Sworn to try the Issue to wit John Smith, John Crouse, Henry Fetterler, Henry Berry, Julius S. Foster, Daniel Bright, Jonas Strine, Jeremiah Warner, Abraham Painter, John Beal, Abraham ~~Painter~~ Phelps & Frederick Fenble, Verdict for the Plff for $10 Damages and a Judgment

Mayberry v Reeves : John Harrison Esq Bail. Office Judgt. set aside pays Costs

~~Miller admr v same . . . . same~~

Lincoln v same . . . . same

Miller admr v Reeves & John Harrison Esq Bail office Judgt set aside as to the appearance bail

Pltff cost ch. ✓ Woodley v Harrison &c Writ. enquiry set aside a Not Guilty and Issue. Jury sworn to try the Issue to wit. Jacob Sheetz, Jesse Lincoln, Andrew Sellars, John Sheetz, Davis Dunaway, Henry Kessell, John Boyd, John Bohr, David Wallace, Solomon Matheny, James Anderson, & John Miller. Verdict for the Pltff for $7 Damages & Judgment

Ordered that Isaac Bankes be confined in the Jail of this County untill the rising of the Court this evening, and that the Sheriff execute this order.

Beal v Anderson Archibald Retherford Sp Bail

Kerin v Harrison dismiss. no Information

Bell v Reeves &c Office Judgment set aside payment and Issue

Salvage v M.c Intire & Reeves . . . . same

On the Motion of Alexander Herring Surveyor of this County. It is ordered that he have leave of absence from this County untill the Last of November Next.

Harrison v Newton (two suits) Office Judgments set aside No such Record payment & Issue

Pltff cost ch. ✓ H. Kessell v Reighart W. & set aside Not Guilty & Issue Jury sworn to try the Issue to wit, John Smith, Jonas Strine, Frederick Funk, Abraham Hamilton, Daniel Duff, James Mallowy, Jeremiah Warren, Henry Fulweiler John Crouse, Armstead Breedlove, John Beal & Henry Berry. Verdict for the Pltff for $10. Damages and Judgment.

Rice v Hamilton &c ow a Notice on a Delivery bond
A. Notice from Judgment

Myers v Neiley &c on a bond for rent Notice from
S. Judgment

On the Motion of Timothy Donavan, and for reason
appearing to the Court. It is ordered that the Venire, entered agst
them on Tuesday last for non attendance as a Grand ~~Jury~~
Juror be rescinded.

Jacob Shaver . . . . . the same

John Weire . . . . . the same

Ordered that the court be adjourned until 8 Morrow
Morning 9 o'clock

Andrew Shanklin

Friday 10 oclock

At a Court Continued and held for the County of
Rockingham the 27th day of August 1807.

Present.

Andrew Shanklin, John Ewen,
Asher Waterman & Jonathan Shipman & G Justices

Plff Cont. &c. V Murry. Greenawalt &c v Smith Writ enquiry set aside N. C.
General replication & Issue. John Smith, John Sheetz, Thomas
Jones, Peter Armentrout, John Neals, Gordon M'Williams
Andrew Cutler, Julius S. Foster, David Wallace, Casper Rayner
John Berry & Gordon Rogers, Verdict for Plff for ~~$21.07~~ $21.07
Damages. with Interest from 7th March 1804 till said 27 Judgment.

Bryan v Evelsers Continues for Defendant, and order Scirey.
ow Giving ~~the~~ Reasonable Notice of ~~taxes~~ the time of Making
the same.

Poagesten v Pence. Continues for defendt

Chrisman v Stultz. Office Judgment set aside pay Costs

Stultz v Miller Mist enquiry set aside Not Guilty & Issue and continues for Plff. and It is ordered that the Surveyor go upon the lands, & survey the same as either party shall direct. on some day to be agreed upon by the parties they having reasonable Notice of the time —

Present Peachy Harrison Absent. Asher Waterman.

Miller v Wade M. E set aside Not Guilty & Issue

Merry Grennan &c v Nete Jury sworn to try the Issue to wit Henry Smith, Henry Davies, Phelps Hayn, James Henry, Solomon Mathews Jr. Daniel Duff, Mark Newland Abram Joseph, Jonas Strode, Sanders Allred, Thomas Berry & John Turner Verdict for the Plff for the Debt in Declaration Mentioned & Cent Damages & Judgment.

Miller v Wade. Jury sworn to try the Issue to wit The same Jury as in Merry Grennan &c v Nete, and Verdict for Plff for $15 Damages. & Judgment.

Light v Whisler continued

Krotzer v Vance continued

Gelmore v Shepperson continued

Fulton admr v Fellow . . continued

Whisler v Light . . continued

Rodeheffer v Stultz plea non & Judgment confessed as per Specialty with Costs.

Mauzey v Meadows continued

Mathews v Harrison continued

Price v Hyde plea ward & Judgment confess? as per Specially
C. v M. Ct Hist Court (saving equity).

Armistead v Newton Continued

Plff cost ch. Berry v Joseph Nit enquiry set aside. Not Guilty & Issue.
Jury sworn to ~~assess the Damages~~ by the Jury to wit John Smith
Peter Armistead, Gordon M'Williams, John Sheetz, Andrew
Cutler, David Wallace, Gordon Rogers, Thomas Jones, Julius
Foster, John Meals Joseph Dicks & Morris Dinckley, Verdict for
the Plff for £4 Damages and the Cost. Defendant agreed to pay
the Cost. and Judgment

Breeding &c v Brock on an Injunction ~~granted~~
This cause came on to be heard the 21st
day of August 1804, on the Bill answer and Exhibits and was
argued by Counsel, It is ordered adjudged and decreed that the
said Injunction be dissolved (except the sum of ten Dollars which
the Plff is entitled to) and It is further ordered and Decreed that
the Plff is entitled to

Harrison v Drew. Office Judgment set aside part for Security
& Issue

Breeding &c v Brock on an Injunction
This Cause came on by consent specially to be
heard this 21st day of August 1804 on the Bill, answer and
Exhibits and was argued by Counsel, It is ordered adjudged and
Decreed that the said Injunction be dissolved (except the sum of
Ten dollars which sum ~~appears~~ the Plff ~~is entitled to~~ was entitled to)
and It is further ordered and Decreed that the Bill be dismissed & that the
against the said Plff his costs by him about his Defence in that
behalf expended.

Present Archibald Rutherfoord Gent.

202

Roark v Stephens on an Injunction

This cause came on to be heard this 21st day of August 1807 on the bell and answer and was argued by Counsel. It is ordered adjudged and decreed that the said Injunction be dissolved.

Carthrae Jr v Branham, on an Injunction

This cause came on to be heard this 21st day of August 1807 on the bell and answer, and was argued by Counsel, It is ordered adjudged and decreed that the said Injunction be dissolved.

Hamilton v Baker Jury sworn to enquire of the Damages to wit, James Henry, Abraham Joseph, George Berry, Henry Devers, ~~James~~ Daniel Duff, Solomon Mathews, Mark Newland John B. Harry. Thomas Berry, Jonas Stevens Sanders A Reed and John Turner, Verdict for the Plff for $36 Damages with Interest from 1st day November 1806 the paid Judgment

Ordered that the Court be adjourned until the 3rd Tuesday in September next

Jno Franklin

Tuesday to wit

At a Court held for the County of Rockingham the 15th day of September 1807

Present

Andrew Shanklin, Ezel Harrison, Archibald Rutherford and Michael Mauzy ... Gent Justices

A Deed from Nicholas Fix to Peirce acknowledged was acknowledgment taken &c

A Deed from Campbell Fix to Safely proved by the witness as to W. Campbell, was acknowledgment taken &c

A Deed from Martin Fix to Whitmore proved by the oaths of P. Harrison, Archibald Rutherford & Paul Bryan & Henry Gamble, and was acknowledgment certified &c

A Deed from Whitmore Fix to Grove ..... Same

A Deed from Parrott &c to Zimmerman acknowledged by Jacob Parrott Fix in Shenandoah, and acknowledged by Isaac Parrott, was acknowledged was acknowledgment taken &c

A Deed from Harrison Fix to Bader acknowledged &c

A Deed from Rogers Fix to Bagew ..... Same

Two Deeds from Cheney Fix to Coconour, acknowledged was acknowledgment taken &c

A Deed from John Freeze to Jacob Freeze, acknowledged &c

Kyle v Rice and Injunction Granted to stay all further proceeding, on the Judgment at Law, (except the sum of Thirty five dollars) on his the said Rice Kyles entering into bond with Security as the Law directs

A Deed from May Fix to Wereman, acknowledged was acknowledgment taken &c

A Deed from the same to Chrisman ..... Same

Ordered that a License be Granted Zachariah Hoy. to Keep an Ordinary License at his County for 1 year. from 20th January last. on his entering into bond with ~~Thomas~~ John Moore his Security —

On the Motion of Henry Pence, administration is Granted him of on the estate of Jacob Argenbright dec'd. he having entered into bond and Security. and made oath thereto as the Law directs — and It is Ordered that John Rush, Georg Mallow, Peter Miller, & Henry Perkey or any three of them being ~~1st~~ first sworn be appointed to appraise the said estate and make report to the Court

Deed from Benj. Harrison to B. Harrison Jr. acknowledged in open Court

Levin ~~&~~ McWilliams, on a Note for Money paid as his Security to Thomas Harrison exor. Note proved and Judgment for $122,20 cents. with Interest from 1st. February 1804 & the said Costs.

Lavina Hayns orphan of Hayns dec'd appears in Court and made choice of John Kratzer as her Guardian, who enters into bond & Security as the Law directs

Sale bill of the estate of Reuben Harrison dec'd. returned & Rec'd

Ordered that the overseers of Poor bind John Bryan orphan of Rachel Bryan ~~to Philip~~ aged 5 years old the 1st February next. to Philip Fereboughs. as learn the trade of a cooper as the Law directs, the said Fereboughs paying unto him $20. at the expiration of his term

A Deed from Hayn to Hannah Hayn &c proved by the oaths of Andrew Shanklew, Benja Salvage & David Wallace, and ordered acknowledgt certified &c

A Report of the Widow Bells right of Dower, returned and ord

A Deed from Josh Lee to Spangler acknowledged ordered acknowledgt & cert &c

Joseph Baxter produced in Court a Commission whereby he is appointed Sheriff of this County for the ensuing year, whereupon he entered into bond and Security and made oath as the Law directs.

A Deed from Vance Lee to Coffman acknowledged ordered acknowledgt & cert &c

On the Motion of Thomas Hare it is ordered that a Tavern and Pedlars License be Granted them for one year, they having complied with the Law.

Peter Palmer appears in Court and with Security entered into and acknowledged bond, and made oath, as a Constable in this County as the Law directs

James Mallowry the same

Patsey Scott orphan of Robert Scott dec'd appears in Court and made choice of John Whitmore as her Guardian who with Security entered into bond as the Law directs —

Andrew Shanklew produces in Court his account for Service rendered as a Commissioner, of this County which was examined and allowed by the Court Ordered &c &c

A Deed from Vansburger Exr to Embry acknowledged & Ord.

Ordered that the overseers of the poor bind Peggy Renehart, orphan of Renehart decd aged 7 year the 20 august last, to Christy Boar as the Law directs. and it is ordered that he pay unto her 15 dollars at the expiration of her time —

Smith vs Hunsperg Garnishee dismissd agreed at the Defendants Costs —

An appraisement bill of the estate of Philip Rynex decd returned & Ord.

Crawford vs Shanklen on an attachment, Thomas Gordon sworn Garnishee. declares he hath only have in his hands, a sufficient sum of Money to discharge the Plfts demand. which is not to be paid sum. is due the Defendant by bond from Benjamin & Joseph Brewster and will be payable in about 2 years. and the Defendant was calld and not appearing It is considered by the Court that the Plft recover agst the said Deft 53£. with Int from 21st October 1806 till said Costs and It is further ordered that the said Garnishee pay the amount of the said Judgmt, when so much money he shall have recd on the bond aforesaid

A Deed from Conrod Exr to Hooper acknowledged & Ord.

Matthews vs Lincoln, an Injunction Granted to stay all further proceedings on a Judgment recovered by the Defendant agst the Plft. on his entering into bond and Security as the Law directs

A Deed from Lincoln to Matthews acknowledged & Ord.

Ordered that Conrod Rader be appointed Overseer of that part of the Road leading from Harrisonburg to William Hopkins Mill, Beginning (at the Bridge and including the same) on this side of said Hopkins Mill, untill it intersects the bounds of John Ewens, and that the Tithables on two miles on each side of the said road be appointed for his Gang &c

Ordered that Nicholas Peary be appointed Overseer of that part of the road whereof Christian Coffman was Surveyor of, and that all the tithables within two miles on each side of the said road be allotted him for his Gang to work thereon and Keep the same in Good Repair

Ordered that Layton Yancey and Michael Mauzey be appointed to examine, State, and settle the estate accounts of Philip Long dec'd and make report to the Court

Present. Benjamin Harrison Gent.

Overseers Poor to Whisler on a Recogz for a breach of the peace as being the father of Eve Baders Bastard Child, the said Defendant appeared in Court in discharge of this Recogz. whereupon the Court doth order & dent that the said Defendant be bound in a Recogz with security to pay to the Overseers of the Poor for the parish of Rockingham the sum of £42 to be paid in the following manner £20 to be paid the 1st November next. and then £6 pounds annually commencing from the said 1st day November next untill the said sum is paid up, whereupon the said John Whisler with Henry Whisler his Security appeared in Court and acknowledged themselves to owe and be indebted unto his Excellency William H. Cabell esq Governor in the said sum of £42. to be paid to the said Overseers of the Poor, agreeable to the

above. Order. and Judgment for the Costs

Ordered that Samuel Roach be appointed Surveyor of that part of the Road whereof Daniel Baugher was late Surveyor off in the room of said Baugher, and that the usual tithables be appointed him for his Gang &c

Present. John Ewen, Walter Davis, Giles Durly. &
Peahey Harrison & Jonathan Shepherd, Jacob Kyser,
Absent.
Andrew Shanklen.

Ordered that Richard Carter be appointed overseer of that part of the road whereof Paul Carter was late overseer, and that the usual Tithables appointed to work on the said Road be allotted for his Gang to work &c.

On the Motion of John Harrison, It is ordered that the Executors of Jacob Woodly dec'd be Summoned to appear here at November Court. next to settle the estate account of the said Jacob Woodly dec'd

A Deed from Harrison & Bright to Holmes further and fully proved by the oaths of Giles Durly and William Perrie as to said Bright and ordered to be Certified —

A Deed from Martha Anderson to James Anderson for Land lying in the State of Pennsylvania was acknowledged and Ordered to be Certified —

An appraisement bill of the estate of Thomas Lohey dec'd was returned into Court &c

The Court Proceeded to the appointment of Commissioners for the year 1808. whereupon It is ordered that Andrew Shanklen be Continued, and that Reuben Harrison for the

appointed in the room of George Newton, and it is ordered that they Qualify as the Law directs.

Overseers Poor v Michael Sulenbarger on a Recogz for a breach of the peace on the Complaint of Polly McHenry. as being the father of her bastard Child, the said Defendant appeared in Court. in discharge of his Recogz. whereupon It is ordered that he be bound in a Recogz in the sum of £42. payable to his excellency William H Cabell Governor and his Successors. for the use & benefit of the Overseers of the poor of the parish and County of Pochontas, the said £42 to be paid in the following Manner to Wit. $40 to be paid on or before the 15th day of October Next. and then $20 annually from that day until the said sum of £42 be paid up, and that he stand committed until he enter into Recogz agreeable to the above order, Whereupon the said Michael Sulenbarger with Samuel Sulenbarger his Security appeared in Court and acknowledged a Recognizance agreeable to the above Order

Deed from King to Custer acknowledged & R

Harrison v Evans &c an Injunction Granted to stay all further proceedings on a Judgment Recovered by the Plff in Deft. on his entering into Bond with Security in the Clerks office as the Law directs.

Overseers of Poor v Charles Ryan on a Recogz for a breach of the peace on the Complaint of Barbara Roop as being the father of her bare born Child. the said Defendant appeared in Court. in discharge of his Recogz. whereupon by Consent. It is ordered that this prosecution be dismissed.

12
16.6⅔8
24.00
48.6⅔8
42
6.6⅔8

42.000
48.6⅔.8
13.1¼

Ordered that Ezekel Harrison, Geles Turley, & Jacob Bispo or any two of them be appointed to examine, state and settle the estate accounts of George Spears decd and make rep^d report to the Court.

Ordered that the overseers of the Poor bind Ezekiel, age? 10 years 6th March next, also Lawson about one year of age and Frederick age 8 year the 20th January next, unto Lawton Yarley. the said Yarley paying unto each of the said Children, 16 dollars they being poor children of Melly (a free Negroe)

Commonwealth v Harrison Parties heard and dismissed at Costs of Prosecutor

Bill of sale from Ireland &c to Donavan proved by the oaths of Barzilla Rogers & Williams Sprinkle & ordered

Overseers Poor v Harrison continued on his Recognizance

Harrison v Callanhan. an Injunction Granted to stay all further proceedings on a Judgment Recovered by the Defend^t the Plff. on his entering into bond & Security as the Law directs.

Lofton v Tillinger parties heard and dismissed with Costs.

Ephraim Hardaberger appeared in Court and took the oath of a Constable, and entered into bond with Security as the Law directs.

Ordered that the Court be adjourned until to Morrow Morning 10 oClock

Wm Franklin

Wednesday to wit

At a court continued and holden for the said County of Rockingham, the 16th day of September 1807.

Present.

Andrew Shanklin, John Ewen, Esqrs.

Waterman B. Peachy Harrison. . . & Gent. Justices

Smith v. Mason New Summons.

Rose &c v. O'Neal. Ap. attach. issued award agst. said Defendant. returnable here at November Court next.—

Winters v. Vance Judgment per note Int. & Costs

Cook v. Long adm. Judgment per note when assets.

Walton v. Loar New Summons

Effler v. Ewen &c New Summons

Kreps &c v. Carter dismissed. by Plff. attorney

~~Recghart~~

Recghart v. Kesell on the Motion of the Defendant by his attorney It is ordered that a Commission be awarded the said Defendant to take the depositions of Joseph Keggans & Elijah Turner Debenepers on giving the Plff reasonable notice of the time & place of taking the same.

Comp. for Plff.

Recghart v. Kesell & two suits continued for Plff.

Present. Archibald Rutherford Gentleman.

On the Motion of Jno Brumback. It is ordered that Aaron Solomon Joseph Craven, & Bathurst Herring and Daniel Miller or any three of them be appointed Commissioners to

Cpd

Survey and lay off. the said Ann Brantacks ~~by~~ right of Dower in a Tract of Land containing 300 acres lying in the County of Rockingham near the Molehills and It is further ordered that they appraise that part of the Plantation call'd Glass Gow. which was laid off to the said Ann as her Dower in said place. and make report thereof to November Court next.

Bailey v Rice, parties heard and Judgment for ~~as award~~ for $18.92 cents. as per award, with Interest from 21st day of September 1806 till paid & Costs. the Plff allowing & crediting the Deft with the balance of the said award.

Samuel McWilliams Clerk of this County produced in Court his account for Public Service to this day which was examined and allowed by the Court & Ordered to be certified.

Joseph Baxter Sheriff ..... the same

Joseph Fawcett & Daniel Ragen. Deputy Sheriffs for Joseph Baxter Sheriff returned their List of Delinquents and Insolvents in the Revenue County & Parish Levies for the year 1806, which was Examined and allowed by the Court and ordered to be Certified. they having made oath thereto as the Law directs.

On the Motion of Samuel Gray It is ordered that he be exempted from the ~~County~~ payment of County and Parish Levies on account of old age and infirmities.

Thomas Herron ..... the same

Ordered that the Court be adjourned until Court in Course

Ard Shanklin

Tuesday to wit

At a Court held for the County of Rockingham the 20th day of October 1807

Present Andrew Shanklin, John Ewen Walker, David & Archibald Rutherford & Gent. Justices

Mauzy's Exr. Peter dismissed by order the Plff.

Ordered that the Rules be held in the Clerks office on Thursday the 29th day of this Instant and on the day after the third Tuesday in November, December and January next as the Law directs.

May & Callahan Reuben Harrison Jr. Sp. Bail Office Judgment set aside pay Costs

Rice & Mauzellon two suits dismissed by order the Plff.

Comth & Miller Not Guilty & Costs

Parsons & Loudermilk. Thomas M'Culloch Sp. Bail office Judgment set aside pay Costs

Lairson & Niswanger. Peter Potter Sp. Bail

Grand Jury Sworn to wit

Robert Rutherford, Christy Vance, Peter Brown, Thomas Hopkins, Henry Arbuckle, Henry May, William Fowler, John Hopkins, William Rice, Anderson Bowen, Samuel Silberger, Joseph Longaway, David Coffman, Peter Miller, William Crawford, Zebulon Harrison, George M Goat who Received their Charge, and retired from the bar to consult on their presentments, and after some returned into Court and found the following, no present Justices Burnside &c and nothing further appearing It is ordered that the Grand Jury be discharged and that Process Issue returnable as the Law directs.

Hyde v Delhart George Greiw Sylbail Office Judgment set aside pays Costs, he having Justified

Smith v Murry & Co On the Motion of the Plff an Injunction is Granted him to stay all further proceedings on a Judgment recovd by the the Defendant v the Plff. untill the further order of the Court on his entering into bond & Security as the Law direct —

Gilmore v Harrison & Danl Harrison Sylbail Office Judgment set aside pays Costs

Crews &c v Same . . . . . same

Ordered that the Sheriff Summons all the acting Magestrates in this County to appear here at Novr Court next for the purpose of recommending Meetes Officers &c

Vals & Co v Patton William Carthrae Sylbail Office Judgment set aside pays Costs

Abbott v Thompson. Henry Smith Sylbail . . . same

Brown v W. Carthrae. John Carthrae Sylbail . same

Harrison v Reeves upon an Attachment.

The Constable having returnd executed in the hands of Geo Rae, and Summoned him Garnishee, who was Sworn, declares he is indebted to the Defendant in a Sum more than the Plffs demand, and the said Defend was duly bound called and not appearing. It is ordered that Judgment be Granted the Plff for £17, 50 cents and Costs. and It is further ordered that the said Garnishee do pay the amount of the said Judgment to the Plff when the bond aforesaid shall become due, to be paid in Bawling agreeable to the Condition of the said bond &c

Salvage v Campbell Sarah Gelmire Sfflbail

Koontz v Eversole &c John Eversole Sfflbail

Harrison v Newton. Office Judgment set aside &c. Second payt Stet

Smith v Phelps New Capias awarded.

Koontz v Newhill. Jos Fawcett Sfflbail office Judgt set aside payt Stet

Blain v Hamilton. Zachariah Hoy Sfflbail

Ordered that George M. Bout be fined in the sum of Eight dollars for a contempt in leaving the Grand Jury before the same was discharged, unless good Cause be shew to the Contrary on or before the next Terme

Smith v Boler Not Guilty & Issue & Continued

Same v Hoover Not Guilty & Issue

Overseers v Poor v Harrison on allegg Contempt

On the Motion of Joseph Baxter, Thomas Bryan is admitted his Deputy and sworn accordingly —

Hubbefield v Glyn & Peter Newton Sfflbail. office Judgt set aside as to the appearance bail

Present. Peachy Harrison Gent.

Ordered that the Court be adjourned untill to Morrow morning 10 O'Clock

Andr Franklin

Wednesday to wit

At a Court continued and held for the County of Rockingham the 21st day of October 1807.

Present

Andrew Shaukler, Archibald Bethersons Peachy Harrison & G. Sustecey and George Dove

Pete v Murry &c. an Injunction Granted to stay all further proceedings on $100 a part of a Judgment recovd by the Defendants agst the Complainant at August Court last, on his entering into bond and security as the Law directs and filing a release of Error at Law

Blain v Carpenter and Nicely, the Defendant Carpenter appears by his attorney, W. E. set.

Blain v Carpenter & Nicely. this suit having abated as to the Deft Carpenter by return. whereupon on the Motion of the said Carpenter by his attorney who entered his appearance, It is ordered that the W. E awarded in this case be set aside, and the said Defendants plead condition performed. Genl replication & Issue

Carpenter v Blain &c an Injunction Granted. On giving bond and security, and on the said Plff confessing a Judgment in the suit at Law. between the said Blain Plff and said Carpenter Defendant. and filing a release of Errors at Law.

County v Koontz Judgment on an Inquirment. by consent of the Defendant. attorney. Judgment is awarded agst the said Defendant for 1 cent Damages and Costs.

Ordered that in all cases of Granting Injunctions in this Court. the Plff shall file with the clerk. a Release of all Errors at Law before Granting in the same —.

County v Peter Dayn Not guilty &c Issue.

County v Miller Continued

Comm'th v. P. Hayney Jury sworn to try the Issue to wit
Reuben Bawley, Henry Leonard, Benjamin Groves, Sanders Reps,
John Beaty, Stephen Matheny, Enoch Allen, Thomas Gelmore,
John Whisler, Thomas Sulaver, Henry Harshbarger, Henry Whisler,
Verdict for, that the Defendant is Guilty of stoping the road in the
Manner, stated in the Information, on the 22 day of April 1807 and contin-
-uing the same obstruction from the S. 22 of April 1807 until the 19 day of
May 1807 both days Inclusive, and Judgment

Spangler v. Smith disagreed

Wallace v. same . . . . . same

Henry Welch who was this day summoned to attend as a Juror
and not appearing, It is ordered that he forfeit in the sum of
$8. unless good cause be shewn to the Contrary on or before the
next term —.

Comm'th v. Kensley Jury Sworn to try the Issue to wit
Armstead Breedlove, Thomas Jones, John Ryan, William
Herring, John Mesick, Joseph Miller, Brumfield Long,
Daniel Whisler, John Beal, Jacob Cash, Peter Oiler and
Henry Martin Verdict Defent Guilty and assess his amerciat
to one cent and Judgment

Campbell v. Smith, an Injunction, Granted to stay all further
proceedings, on a Judgment Recovered by the said Defendant agst the
Plff. on his entering into bond and security, and filing release
of Errors. according to Law

Comm'th v. Hoover, Jury sworn to try the Issue to wit
The same Jury as in the Comm'th v. Hayney, Verdict.
Except Henry Sipe in the room of Henry Harshbarger, Verdict for.
Defent. is Guilty, and do assess his amercement to two cents, and
amercement

218.

Shultz v Weir admr Office Judgmt. set aside payt & Issue

Rice v Spangler &c ~~Office Judgment set aside~~ Merry & Gambill Spl bail. Office Judgment set aside, Merry & Issue

Davis v May &c Office Judgment set aside payment for Security & Issue

Carthrae Jr. v ~~Forster~~ Deihs . . . same

same . . v ~~Deihs~~ . . . ~~same~~

Anderson v M^c A Lee . . . . same

Nicholas v Hamilton &c . . . . same

Spangler v Blain . . . . . same

Koontz v Jefferson (2 suits) . . . same

Carthrae v Deihs Office Judgment set aside, payment No such record payt & Issue

Phelps v Bowyer. On attachment Thomas Dawkerson, Spl bail. and Cause remanded to the rules for further proceedings

Merry Welch who was this day. fined for non attendance as a Juror, appeared and being heard. It is ordered that the same be remitted —

Murry & Co v Baitler, On a Notice, to serve him for not returning an Execution ~~out~~ put into the hands of ~~Spencer~~ his Deputy. Daniel Ragen. against ~~Hoop~~ John Carthrae Jr. Notice proved and continued untill to Morrow.

Booth v Jordan Jury Sworn to try the Issue to wit Jacob Earsh, John Bowyer, Peter Oyler, John Beal, John Ryan, Thomas Jones, Brumfield Long, Armistead Bradlone, William Herring, Joseph Miller, Henry Martin and Daniel Whisler. Verdict the Defendant Guilty and so assess her damages to two cents. & Judgment.

Bebb v Loyd. Assgt Devenn Sett Bail office Judgment set aside Assgt of Spec

Carthaw Jr v Foster. John Koontz & Joseph Hicks Sett Bail office Judgment set aside Assgt of Spec

Comth. East Norman Continued

Comth v Eaton Continued

Comth v Eswin &c order Information be filed

Same v J. Miller ... same

Same v Rowdenbush ... same

Comth v Eaton, Not Guilty & Spec. Jury sworn to try the Spec to wit Stephen Matheny, John Wheeler, Reuben Rawley, Enoch Allen, William Rice John Shatz, Henry Spe Benjamin Lyons, John Mesech, Thomas Sulaven, John Ryan & Henry Leonard Verdict 1 cent amercement and Judgment.

Morgan for Pl v Foster &c on a Notice on a Delevy Bond Notice Motion for Judgment (as Justin & Robert Foster)

Smith v Campbell &c. same as to Campbell

Comth v Felt on a Presentment for Swearing. Deft call and not appearing fined $5 for swearing 6 profane oaths and Judgmt.

Comth v Reed &c order Information be filed

Same v Mason ... Non Summons

Same v Robertson. Order Capias

220.

Counts v Taylor parties heard and dismissed at Defendants costs.

Counts v Kents. parties heard and dismissed at Defendants Costs

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock

And Shanklin

Thursday the 23rd

At a Court continued and held for the County of Rockingham the 22nd day of October 1807.

Present

Andrew Shanklin, Asher Waterman
Peachy Harrison & George Dove . . . & Ge Seerley

O Roark v Stephens on the Motion of the Complainant and for reasons appearing to Court this Cause is Continued as an Original Suit.

Carthrae v Branham. The Complainant, having shewn no Cause for Continuing this suit as an original, one, the same is ordered to be dismissed. and that the Defendant recover agst the said Oliff his Costs by him about his said Defence &c

Lincoln v Reeves &c dismissed agreed

Krug v Moore dismissed agreed.

Rice v Wises admrs, the Sci fas awarded agst them being returned executed, the Defendants appeared by their attorney. and pleaded fully administered. Gent Replication & Issue. and Continues

Spangler v same . . . . same order

Bear v Heggans &c plea waived and Judgment Confessed as per Specialty with Interest & Costs, from which Judgment the Defendants by their attorney prays an appeale to the next district Court holden at Staunton. which is Granted him, on their entering into bond.

with security, on to Morrow.

Rice v Direct Jury sworn to try the Issue to wit Henry Welch Williams Herring, Peter Miller, Thomas Jones, Benjamin Grove, Julius L. Foster Stephen Matthews Henry Martin John Beal Henry Whisler, Conrad Brown & John Whisler, Verdict for the Plff and Judgment.

Owens Poor v Allen on Recogz continued

Doe v Stuart discontd per award and Judgment.

Lockridge v Lock Issue Harrison S.B office Judgt set aside payt of Issue

~~Colored Gant afsee Negroe Carthrae by~~

On the Motion of Colonel Gant afsee Negroe It is ordered that he be permitted to see John Carthrae Jr. in forma ~~Pa~~ Pauperis, and that James Allen and John Coalter esqrs be assigned him as Counsel who are to report the Circumstances of his Case and their opinion thereon to the Court.

Mayberry v Harrison plea waived and Judgment confessd as per Specialty with Interest and Costs. (Saving equity)

Pence v Rohr . . . . . same

Lewis v Smith . . . . . same

Williamson exor v Vance &c . . same

. . . . . same

Rice v Wicks . . . . . same

Armentrout v Hemphill &c . . . same

Doeman v Rodefer . . . . . same

222. Chrisman v Stultz plea Wave, and Judgment confess
as per Specialty with Interest Costs (saving Exons)

Harmon v Brew . . . . . same

Graham v Miller . . . . . same

Graham v Doalton . . . . . same

Lincoln v Bear &c . . . . . same

Rose v Harrison . . . . . same

Mayberry v Reeves &c . . . . . same

Pleasants v Nash &c . . . . . same

Salvage v Reeves . . . . . same

Bell v Reeves &c . . . . . same

Harrison v Stanton (two Suits) . . same

Dunkenson v Roads Continued

Campbells adm v Campbell &c Continued

Jordan v Stultz . . . . Continued

Hamilton v Webb . . Continued

Kirtly v Lowe . . . Continued

Leonard v Leonard . . . Continued

Bryan v Earlbrezer . . Continued

Poage exor v Perce . . Continued

Fulton adm v Fulton alias Bader Jury Sworn to enquire of
Damages &c. The same Jury as in Rice v Dixie, Verdict
for the Plff for £15 11 8/- Damages with Costs. from
29 March 1805 till paid Judgment.

Grant v Carthrae & Jas. Allen & John Coalter who was this day appeared as Counsel for the said Grant. Made default &c. whereupon It is ordered that the Clerk issue &c. bring the said suit, and that the Sheriff take into his possession the said Colonel, untill the said Defendant enter into bond with Security in the penalty of $600. Condition to have the said Negroe, forthcomming, &c. so as to answer the Judgment of the Court when the suit be ended.

Merrit Jonathan Shepman & Absent Asher Waterman.

Murry &c v Baxter on a Note ⁊ dismiss'd by the Plff attorney

Shultz v Miller, Continued, and by Consent. Either party is at Liberty to go upon the Land in Controversy and survey the same, on giving Notice of the time of making such Survey —

Harrison v Reeves on attachment. Henry Eyle & Margaret Reeves Thomas Dennerson. came into Court each and by their attorneys filed a plea claiming a part of the property attached in this case, to which each of the Plff by his attorney filed a replication & Issue, and Jury sworn to try the said Issue, to wit Henry Martin, John Beal, John Whisler, Benjamin Grove, Stephen Matharry, Julius S. Forbes, Thomas Jones, William Herring, Henry Welch, Conrad Brown, Henry Whisler, & Peter Miller, who return and found the following Verdict, to wit that Thomas Dennerson is entitled to 1 Waggon 2 Cows. 2 Stacks and 2 half Stacks of Rye, and two Stacks of Wheat Stacks unthreashed, thereof we find for him, and Judgment for Costs. for Margaret Reeves That Margaret Reeves is entitled to 40 Dozen of Wheat, and that Henry Oyle is entitled to one and a half stacks of Hay —

224.

√ Krotzers v Vance Jury sworn to enquire of the Damages. to wit, the same Jury as in Rice v Divier Verdict for the Plff for £9 "10/2 Damages with Interest from the 26th day of August 1806 tate paid, and Judgment.

√ Mauzey v Meadows Jury sworn to enquire of the Damages. to wit John Harrison, David Moore, Jos. Hicks, Jesse Bowling, William Rice, Thomas Hare Henry Leonard, John Fulk, David Wallace Benjamin Neish Jacob Nesewanger & William Reegher Verdict for the Plff for £8 "6/0½ Damages with Interest from 27 July 1804 tate paid Judgment.

Harrison v Reeves on an attachment.

The sheriff having returned, execution on sundry property, and the Deft not appearing to replay the same, It is ordered that the Plff recover against the said Defendant fourteen pounds with Interest from the 11th day of March 1804 tate paid Costs. and It is further ordered that the sheriff make sale of the balance of the property so attached after taking & delivering that part claimed by Thomas Dunkerson, Margaret Reeves and Henry Pyle, and that he pay the Money to the Plff in discharge of the Judgment. and that he have execution for the residue if any be

Ordered that the Court be adjourned untill to Morrow Morning 10 o'clock

Jn Thornbury

Friday to wit

At a Court Continued and held for the County of Rockingham and the 28th day of October 1807.

Present.

Andrew Shanklin, Asher Waterman, Archibald Patterson & Jonathan Shipman Esqrs Justices

Haynes vs Harrow on Injunction.

On the Motion of the Complainant by his attorney. It is ordered and decreed this 28th day of October 1807. that the said Injunction be dissolved.

~~Herring executor and~~
William Herring's administrator and
Bathewell Herring ~~executor~~ in his own
right and as Surviving Executor of Jesse
Herring dec'd ~~vs Leonard Herring admr~~ } In Chancery.
Leonard Herring administrator of Abram
der Herring Jr dec'd.

This cause came on to be heard this 28th day of October 1807. on the bill answer exhibits and the report of the Commissioners, made in pursuance of the order of this Court bearing date the 27th day of March 1799. on consideration whereof and of the arguments of Counsel on both sides it is Ordered ~~that~~ adjudged and decreed that the Defendant do pay to the Plaintiffs Administrator of William Herring the sum of £8 11 11/7 3/4 with Interest thereon at 5 per cent from the 9th day of December ~~1807~~ 1781. tett paid, and to the Plaintiffs. Bathewell Herring in his own right the sum of £8 11 11/7 3/4 and to him as Surviving Executor of Jesse Herring dec'd the sum of £6 11 2/6 3/4 with like Interest on said sums from the said 9th day of December 1781. tett paid, and that the Plaintiffs Recover against the said Defendant their Costs by them about their suit in that behalf expended.

226.

Brumfield v Belshey In Chancery.

This Cause came on to be heard this 23rd day of October 1807. on the bill, answer and Exhibits, and was argued by Counsel, on Consideration the Court doth order & decree, that the bill be dismissed and that the Defendant. Recover against the said Plff. his costs by him about his defence in that behalf expended

Jacob Yauntey &c heirs &c
David Shrum &c.
v
David Shrum admr &c

In Chancery.

This Cause came on to be heard this 23rd day of October 1807. and the arbitrators to whom this suit was referred by consent of the said parties having returned their award into Court. by which award their appears a balance due the said Plaintiffs of £11 16/6. whereupon the Court doth order and Decree that the Plff recover against the said Defendants the said sum of £11 16/6 with Interest thereon at five per cent from the 30th day of January 1797 till paid and their costs by them about their suit in that behalf expended

Daniel Helfrey
v
John Mere

In Chancery.

The Defendant being dec. this Cause is by consent of the Defendant attorney ordered to stand revived agst the administrator of the said Mere. whereupon this Cause came on to be heard this 23rd day of October 1807. on the bill answer and exhibits, and the arguments of Counsel being heard. It is ordered adjudged and Decreed that the Injunction be dissolved, and the bill be dismissed. and that the Defendant recover against the said Plff their costs by them about their Defence in that behalf expended.

Defts costs taxed.

(c) William v Pence, dismd agreed at the Defendants Costs.

(c) Koontz v Smith (two suits). Robert Gray Esqr Bail

Ordered that the Court be adjourned untill the third Tuesday in November Next. Andw Shankland

Tuesday to wit.

At a Court held for the County of Rockingham the 19th day of November 1807.

Present

Andrew Shankland, John Ewen, Jacob Kyser and Jonathan Shepherd . . . . . Esqrs Justices

(c) An appraisement bill and Sale bill of the estate of Mark Ader dec. returned & Rd

(c) Deed from Hare to Burgess acknowledged & Rd

(c) Deed from Early Exr to Catharine Early for land lying in the County of Dauphin and State of Pennsylvania acknowledged & order for examination to be certified

(c) The same to Conrad Allemon . . . . same

(c) Ordered that a Licence be Granted Dennis Lanahan to keep a Tavern at his County for one year from the 19th day of September last on his entering into Bond with Security as the Law directs —

(c) Deed from Weis &c to Coogler further proved by the oaths of Henry Gamble Danl Harper and Danl Bryan as to Michael Weis & Order to be certified

(c) Deed from same to Adam Weis . the same

228.

Ordered that Jeremiah Huffman be appointed Guardian for Margaret Huffman, Mary Huffman Children of Christian Huffman late Fultz. who entered into bond and Security as the Law directs ——

A Deed from Fisher &c to Black, acknowledged by the parties in the County Court of Harrison & Sentenced and Certified & Recorded

Early v Shaw &c on a Notice on a Delivery bond Noted & proved & Judgment.

A Settlement of the estate of George Spears Decd returned & R

A Deed from Wenger Exr to Christian Wenger Representative acknowledged & Recorded

The Last will and Testament of Jennet Powell dec'd was presented in Court and was proved by the oaths of Harmon Aughy and Michael Deck & Recorded

A Deed from Mathews to Burnsides proved by the oaths of James Duff, John Boyce & William Sprinkle and Ordered to be Recorded

On the Motion of Nancy Wilson administratrix of the estate of Robert Wilson dec'd is Granted her she having with Security entered into bond, and made oath thereto as the Law directs, and it is ordered that Jacob Shank Adam Long, Jacob Whitmore & John Aldoffer or any three of them being first sworn be appointed to appraise the estate of the said deceased and make report to the Court

Ct. C. Kearney v Losh &c on a Note or a Delivery Bond Motion
Ct. C. Issued and Judgment (as to Losh)

Ct. C. Laney v Rea &c . . . . . Same (as to both Defendants)

Ct. C. Harrison v Martin &c . . . . . Same

Ct. C. Laney v Rea &c . . . . . Same

Ct. C. Leonard v Roads &c . . . . . Same

Ct. C. Halpe v Reeves &c . . . . . Same as to Roads &
Earle

Ct. C. Cook v Peter &c . . . . . Same as to all Defendants

Ct. C. Patterson &c v Carthrae &c . . . . . Same

Ct. C. Walker v Carthrae &c . . . . . Same

Ct. C. Stephens v O'Roark &c . . . . . Same as to O'Roark

Ct. C. Brattan v Carthrae &c . . . . . Same as to all the
Defendants

Ct. C. Rosenbarger v Peter &c . . . . . Same

Ct. C. Harrison v Hamilton &c . . . . . Same as to George
Hamilton

Ct. C. Rice v Lacy &c . . . . . Same as to all the
Defendants

Ct. C. Hansbarger v Tinkle &c . . . . . Same

Ct. C. Coogler v Tinkle &c . . . . . Same

Ct. C. Morgan v Hawkins &c . . . . . Same

230. Overseers Poor v Moore &c on a Notice on a Delg bond
Ca. Notice proved (as to Moore & Judgment)

Mentz v Beard &c on Labond taken for rent Notice
Ca. proved as to Mein & admr thereof & Judgment

Frost v May &c on a Delivy bond Notice proved &
Ca. Judgment

Cooper v McKey . . . . same
Ca.

Overseers exrs v Hamilton &c . . same as to Gawen
Ca. and George Hamilton

Harrison admrs v The same . . . . same
Ca.

Deed from F. Knaebel &c to Burrows, acknowledged
Ca. wits acknowledgment taken & R

An appraisement bill of the estate of Henry Fry dec'd
Ca. returned & R

An appraisement bill of Dewalt Berk dec'd same
Ca.

Branham v Barker high Sheriff on a Notice, to fine him
Ca. for not returning an Execution put into the hands of his
Deputy Daniel Ragen. Notice acknowledged & Continued.

Dorthy Peters Widow of Godlove Peters dec'd came into Court
Ca. and relinquished her right of administration whereupon
on the Motion of Henry Hausbarger administration of
the said Estate is Granted him he having with Security
entered into and acknowledged bond, and made oath
thereto as the Law directs. and it is ordered that Robert
Ca. Gattard, George Coogler, Lev. Robert Magill and
Abram Erwin or any three of them being first
sworn. be appointed to appraise the said estate &

Murry. Gyrnman & Co vs Baxter high Sheriff. on a Notice to
Show him for not Returning an Execution put into the hands
of Daniel Ragen his Deputy agst. John Carthrae & Notice
acknowledged by the said Defendant, whereupon on the Motion
of the said Plff It is ordered that the said Defendant be fined
in the Sum of two and one half per cent. per Month from the return day
of the said Execution untill this day upon the amount of the
Original Judgment & Costs.

to fine him for not returning the execution agst John Carthrae &
Patterson & Co vs The same. Notice acknowledged,
by the Defendant. It is ordered that he be fined in the Sum of
2½ per cent per Month from the return day of the
said Execution untill this day upon the amount of the
Original Judgment & Costs

to fine him for not returning the execution agst John Carthrae &
Walker vs The same, Notice acknowledged, and the
Defendant fined be fined in the Sum of two and a half
per Month from the return day of the said Execution untill
the same was returned into the Clerks office, on the amount
of the original Judgment.

A Settlement of the estate of Philip Lord dec returned &
Ordered to be Recorded

A Deed from Patterson to Rice acknowledged and ord

A Deed from Harrison & to Smith proved by the oaths of
John Beedwell and Thomas Hatfield and ordered to be
Certified

Ordered that Andrew Shawklen, Peachy Harrison and
Samuel Chandler, or any two of them be appointed to
examine State and Settle the estate accounts of Jacob
Woodaly dec and make report to the Court.

A Settle of the estate of Robert Hooks dec. returned &

A Roadbreefer v Stultz &c on a Notice on a Delay bond & Notice proved & Judgment

(a)

Ordered that Isaac the Overseer of the poor bind John Smith orphan, Peter Smith aged about 13 years, unto Henry Early to learn the trade of a Waggon Maker, as the Law directs. and that he be allowed $20 for his freedom dues

Ordered that William Taylor. be appointed Surveyor of that part of the road whereof Archd Taylor was Surveyor of. and that all the Tithables within two miles on each side of the said road be appointed him for his Gang to work thereon and keep the same in Good repair

Ordered that John Ryan be appointed overseer of that part of the road whereof John Kuntz was Surveyor of. and that the usual tithables appointed to work on the said road be appointed for his Gang &c.

On the Motion of George Hunton It is ordered that George Wine, Peter Keller, John Hunton, & Henry Sholderman. or any three of them being first sworn be appointed to View that part of the road leading from Fredericksburg to Byerly Mill beginning Near where Wm Kerr made an Improvement and from there to where John Alford made an Improvement. and that they also View the New Way proposed for the same to be altered. and that they make report of the Convenience and inconvenience attending the same &c

(b)

Ordered that George Hunton, John Snapp & John Hunton or any two of them be appointed to settle the state of Captn Moffett and make report to the Court accounts and make report to the Court.

The Court proceed to lay the County Levy for the year 1807. as follows:

To Daniel Smith attorney	$100.00.
" Sheriff	25.00
" Clerk	25.00
Same for Extra Services	20.00
	$170.00

Ordered that the same be collected.

Ordered that the Sheriff Summon all the acting Magistrates in this County to appear here at Decm Court next for the purpose of recommending ~~two fit~~ Meletia Officers.

6th

A Settlement of the estate of Jacob Bellhemer dec'd returned

A Deed from Herron Fox to Kephart. proved by the oaths of the Witnesses thereto & acknowledged by ~~the~~ ~~his~~ his said wife she being first privy examined &c

Ordered that the Court be Adjourned until Court in Course

Jno Franklin

of Oyer & Terminer.

At a Court ~~Cap~~ held at the court house of Rockingham County ~~on~~ on Saturday the 21st day of November 1807 for the trial of Joseph a Negroe Man Slave the Property of the heirs of John Koplinger dec? on Suspecion of felony.

Present.

Andrew Shaw, John Ewen, Jacob Wyson, Peachey Harrison & Archd Netherton & Geo Purkey

The prisoner being led to the Bar in custody of the Gaoler and being charged with the felony plead not Guilty whereupon ~~Jacob~~ Devin Witness were Sworn to wit John Cox. Abraham Deal & George Long. were sworn and examined and the said Prisoner being heard in his Defence by George M Harrison and Samuel L. Harper. esquire. who were assigned his Counsel the Court upon consideration of the circumstances of the Case, are of the opinion that he is Guilty of Grand Larceny. and the prisoner praying the benefit of Clergy, It is ordered that he be burnt in the Left hand, in the presence of the Court, and that he be taken to the Public Whipping post & receive ten Lashes on his bare back well laid on, and It is further ordered that the Sheriff cause the Sentence to be executed immediately.

Andw Shanklin

And the court arose

Tuesday to wit

At a Court held for the County of Rockingham the 15 day December 1807

Present

Abram Shacklew. John Erwin. & G Gaskey
George Newton & Gab Early

Deed from J Carthrae to Douglass. proved by the oaths of Volentine Miller, John Carthrae Jr. & George Woolf & OR

Deed from Strickler Sen to Strickler Jr. acknowledged & OR

Deed of Trust from Kelsey Sen to Newton for Philip Koontz acknowledged wiser acknowledged & OR

Bill of Sale from Scott to Erwin proved by the oaths of the Witnesses thereto & OR

An appraisement bills of the estate of George Taylor returned & OR

Christian to Pummell &c on a Note on a Delv'd bond Note proved and Judgment.

Deed from Bright to Bolton proved by Henry Lyon Dennis Lanahan and Jacob Sala. & OR

Loffer v Smiley &c on a Notice on a Delv bond Note proved and Judgment.

The same v Welch &c Note proved as to Carthrae and Smiley and Judgment.

Winchester Ho v Carthrae &c on a Delvy bond Note proved and Judgment.

236

Otto v Carthrae &c on a Delig bond Action proved &c
To Judgment-

On the Motion of Peter Nicholas & Jacob George, Esq. it
Ordered that George Mallow, Sebastian M'Gaffy, William
Mechael and Jacob Keppling, Or any three of them being
first Sworn, be appointed to View the road leading from
Persays Mill to Mesh run Gap, from Col Rus so fair
as the same runs through the Lands of the said Petitioner
&c as to Intersect the old road on the said Lands as it
now runs, and make Report of the Convenience and Inconveniences attending the same

Ordered that Frederick Hagus be appointed Overseer of
that part of the road where of Jacob Kerth was Overseer of
and that the usual tithables Appointed to work on the
said Road be allotted for his Gang to work &c.

The Last will and Testament of Peter Shoemaker dec
was presented in Court and proved by the oaths of Peter Duffy
and Caleb Larrick and ordered to be Recorded. Whereupon
on the Motion of Frederick Hamester, administration of
the said decedents estate is Granted him with the said will
annexed. he having with Security entered into
bond and made oath thereto as the Law directs and
It is ordered that John Bonsto. John Lincoln, Jacob
Rife, and Joseph Bowman or any three of them being
first Sworn be appointed to appraise the estate of the said
estate &c

The Last will and Testament of Benjamin Hinton dec
was presented in Court and fully proved by the oaths of Mich
-ael Hoffman, and ordered to be Certified—

Deed of Trust from John Carthrae to Asher Waterman
Henry I Gambrill In Trust for Hugh Donaghe. ackno
-ledged by the parties and ordered to be Recorded

Deed from Shannon Lee to Clark proved by the
oaths of Peachy Harrison & William Graves, two
Witnesses thereto which with the Commission, and prior
examinations of his said case returned &c

On the Motion of Samuel Harrison, administrator of the
estate of Abner Harrison and is Granted him, he having
with Security entered into bond. and made oath thereto as
the Law directs. and It. Ordered that Solomon Mathews, Andrew
Bowman, Benjamin Tallman and Michael Simmons
any three of them being first Sworn be appointed to
appraise the estate of the said Abner, and make report to
this Court

Rees v Laney. On the Motion of the Complainant an
Injunction is Granted him to stay all further proceeding on
a Judgment Recovered by the said Defendant agst the said Plff.
on his entering into bond and Security, and filing a release
of errors as the Law directs

Ordered that Samuel Harrison be appointed Overseer of
that part of the road whereof Nath[l] Harrison was late
Surveyor in the room of the said Nathaniel and that the
Usual tithables appointed to work on the said road be attoted
for his Gang &c.

Ordered that John Shellman be appointed Overseer of that
part of the road whereof Mr John Donavan was late Surveyor
in the room of the said John and that the usual

Tithables appointed to work on the said road allotted for his Gang &c

Overseers Poor v Layman &c on a Note &c
~~Defendants to call~~ Note proved and Judgment
for as per Note with Interest Costs

The same v Phillips & Harrison on a Note for Money due by
a Recognizance &c Note proved as to Harrison and Judgmt

The same v Moore and Harrison - the same as to
Harrison —

~~Order to that~~
The same v Frye &c . . . the same as Frye.

Ordered that the overseers of the Poor bind John Smith
~~Orphan~~ Poor Child of Peter Smith, aged years
unto George Arguright to learn the trade of a
Sadler, as the law directs who is to receive 15 dollars when
free, and it is further ordered that so much of the
order as directs him to be bound unto Jacob Early
be rescinded

Wallow v Lowe Defft call'd Judgment per Note with Interest
Costs

Loftin v Campbell . . . . . the same

Deed from Jn° Black to R. Black proved by the
oaths of Davis Berry & Jacob Taffinger & Recorded

Branham v Cathran &c on Delvy Bond Note proved
& and Judgment.

~~Miller admrs~~ v Reeves &c on a Delvy Bond Note proved
&c. as to Lesley and Judgment.

Deed from Harrison &c to Cherryholmes ~~for~~ a Mortgage
Acknd by said Harrison, and proved by the oaths of G.W.
Harrison, Ezekiel Harrison J. and Lehew Gum as to John
Lockart, and by the ~~oaths~~ oaths of David Lincoln, Benjamin
Bryan and Andrew Blair as to John, Cornelius, William
~~Mosley~~, and Presalla Bryan, and ordered to be Recorded.

Deed of Trust from Lash to Harrison in Trust for Daniel
Ragen proved by the oaths of Isaac Harrison, and Richard
Earle, & Jno. Harrison and ordered to be Recorded.

Present:

Asher Waters now Ezekiel Harrison, Charles Lewis
St Clair Kelly Peasley Harrison, Michael Mauzey.

The Recorder to Recommend to his Excellency the following
persons as ~~for~~ Officers in the 1st Battalion 58 Regiment.
Approved by post.

Jacob Deitle Capt of a Company of Light Infantry

James Stephenson Lieutenant

Luke Reid Ensign

James Brown as Captain of Light Infantry Company.

Henry Perkey Jr. Lieutenant

Robert Hook Ensign

~~George Graves Lieutenant~~ ~~Reuben Kelly Ensign~~ in Capt Reuben Kelts Company
in the 2d Battalion in the room of David Kyser Removed.

Reuben Kelly Ensign in the room of George Graves.

Robert Erwin Lieutenant in Capt Jacob Kelts Company of
Riflemen in 1st Battalion in the room of Henry Pope who
is in the 116th Regiment.

Samuel Wade Esq. Ensign in Capt Williams
Bears company in 1st Battalion in room of William
Campbell resigned

John Fyo ~~in the~~ Ensign in Capt G. Vansburgs
Company in 2d Battalion in room of George Cook
who refused to serve

Benjamin Lewis Capt of a Company of Cavalry
in the 5th Regt.
John Knapp first Lieutenant
Samuel Harry second Lieutenant
William Lewis . . . Cornet.

Persons Sworn Duly to Colonel acknowledged &c

The Court proceeded to recommend the following
persons as ~~first~~ officers in the 116th Regent

Henry Welch Ensign in Capt Harpers Company of
Light Infantry, in the first Battalion in room of David Depp.
Resigned with the approbation of the Court Martial.

Ezekiel Harrison Jr. Ensign in Capt B. Harris's
Company in 1st Battalion in room of Henry Phelps removed.

Ordered that the Court be adjourned until to
Morrow Morning 9 o'Clock.

Jno Hankinson

Wednesday to wit

At a court continued and held for the County of Rockingham the 16th day of December 1807.

Present.

Andrew Shanklin, St. Clair Keatly.
John Ewin & Michael Mauzey. & G. Justices.

Commonwealth v Hayne Order Now Summons

The Court Proceeded to the Compliation of the County Levey for the Year 1807. as Followes.

To amount brought forward from November Court last	$170.00
To Henry S. Gamble for Keeping the Court house the ensuing year	25.00
To Henry S Gamble for paper for the use of the County for the ensuing Year	5.00
To Ezekiel Harrison for 1 days work on the road with his waggon and Horse	2.50
To Daniel Smith for work donde on the Roads	1.67
To Benjamin Smith for Ditto	1.50
Ditto for Ditto	2.50
Ditto for Ditto	7.50
Ditto for Ditto	7.50
To John Koontz for Ditto	6.00
To John Shellman for Ditto	5.00
To Gordon Rogers for Ditto	2.50
To Lewis Hepthern for Ditto	2.00
To John Hopthern for Ditto	7.50
To George Hooff for Ditto	5.00
To Peter Heggans for Ditto	2.50
To Lewis Zirkle for Ditto	2.50
To Thomas Moore for Ditto	$256.17

To amount Brought forward	$256.17.
To William West for Work done on the road	2.50
To Jacob Nicholas ... for ... Ditto	4.00
To Peter Oyler ... for ... Ditto	4.00
To Joseph Treavy ... for ... Ditto	2.50.
To George Woods ... for ... Ditto	3.00.
To John Cool ... for ... Ditto	3.00.
To Josiah Harrison for ... Ditto	5.00
To William Matheny for ... Ditto	2.00
To Daniel Harrison for ... Ditto	3.50
To Joseah Harrison for ... Ditto	7.50.
To Ditto ... for ... Ditto	4.83.
To David Harrison for ... Ditto	4.00.
To Benjamin Tallman for ... Ditto	2.50.
To Peter Thomas ... for ... Ditto	5.00.
To Adam Arquebright for ... Ditto	3.34.
To Daniel Miller ... for ... Ditto	2.50
To David Heatwood ... for ... Ditto	3.34.
To Samuel Garber for ... Ditto	9.50.
To George Dice for one old Wolfs Scalp	6.00.
To Abraham Reed for Sept. post and Index	2.50
To John Cook for ... Ditto	2.50
To Reuben Harrison Lev. for Lumber	2.34
To John Koontz Coroner for holding an Inquest on the body of John Doherty	$ 2.80
	$344.57

To amount brought forward ..... $344.57.

To William Johnston for Patroling as per account ... 5.25.

To Michael Vondershelt ... Ditto ..... 5.25.

To John Cocnower ..... Ditto 5.25

To Adam Vondershelt ... Ditto ..... 5.25.

To Boston Bader ..... Ditto (Captain) ... 5.25.

To Daniel Ragen for Work done on the Road with his Waggon ..... $ 9.75.

To Philip Haltz for ..... Ditto ..... 2.50.

To Gordon Rogers for ..... Ditto ..... 2.25.

To Joseph Treavy for ..... Ditto 2.50

To Michael Simmers for ..... Ditto ..... 1.50.

To John Shellman for ..... Ditto ..... 2.50.

To Samuel Chandler for Window Glass furnished the Jail, & for Wood for the Jail to this day ..... $ 40.00.

To David Wallace for Patroling as per account 48 Hours : 3.00.

To William Donaven ... Ditto ..... 3.00.

To John Messick ..... Ditto ..... 42 hours ... 2.67.

Copy To Richard Booz ..... Ditto ..... ditto ... 2.67.

To Samuel Chandler ..... Ditto ..... 2.67.

To Julius S. Foster ..... Ditto ... 12 hours ... .75

To Noah Trout ..... ditto .. 6 hours ... .37.

To Peter Harry ..... ditto ... ditto ... .37.

To William Borling ..... ditto ... 18 hours ... 1.12

$ 448.44

To amount brought forward $448.44
To Samuel Chandler for work done to the Jail ... 3.25
$451.69

To Sheriffs Commisson & County Depositums 663 12
$1114 81

By 3013 Tithables @ 3¢ Cents $1114.81

Ordered that the sheriff collect 3¢ Cent from each Tithable in this County thereby in No 3013.

On the Petition of Henry Pence. It is ordered that John Rush, George Gilmore, Peter Miller and Benjamin Lewis or any three of them being first sworn be appointed to View that part of the road leading from Perkins Mill, and also the road leading from Mrs Jones ford to Harrisonburg so far as the both runs through the lands of the Petitioner, so as they shall believe the old road on his land, as it now runs, and make report of the Conveniens, and inconveniens attending both the said roads to the Court.

Ordered that George Argenbright be appointed overseer of that part of the road whereof Benjamin Smith was Surveyor of, and that the usual tithables appointed to work on the said road be allotted his Gang &c.

Ordered that the overseers of the Poor bind Burgess Grady a Base born Child of Grady aged 16 years old the 4th day of June last. to Lepu Bowling to learn the trade of a Shoemaker as the Law directs. who is to pay to the said Burgess Fifty Dollars when he arrives at age

Ordered that George White be summoned to appear here at the Next Court to shew cause why his Children should not be taken away from him, and be bound out, it being suggested to the Court by the overseers of the Poor that they are ill treated ——

Pet. John Boyd The same.

Died from Huthy Lux to Coroner. further adjourned by his said Office, she being first privy examd &c

Ordered that Aaron Russ be permitted to Keep a Tavern at his House in this County for one year, Commencing at September Court last. on his entering into Bond with Joseph Fawcett his Security as the Law directs ——

Houltenine v Beard & Petitioner for a road

Nexely v The same . . . same.

The Writs of Adjud=Damnum awarded the Plaintiff in there Cases being returned into Court. Together with the Jurors Inquests thereon, and the said Petitioner Not further Prosecuting their said Petition, It is Considered by the Court that the same be dismiss'd and that the said Plffs Recover against the said Petitioner there Costs about there Writs aforesaid &c

Daniel Ragen & Archibald Earle Deputy Sheriffs for Jos. Baxter, Returns their List of Delinquents in the County Levy for the year 1806 which was examined and allowed by the Court

Hayns v Harrison In chay. The Plff having shewn no Cause for Continuing this Suit as an Ingenderd one It is Considered by the Court that the same be dismiss'd with Costs.

246.

Ordered that

On the Motion of David Ragen overseer of the Road from Harrisonburg to the Widow Smith, It is ordered that Isaac Hostetter and those as he lays all the Male Tithables on the Plantation of Peter Shellman, David Ragen, George Cline, Gordon Rogers, Richard Ragen, the Widow Smith and Jeremiah Kyle and Edwin Nichols, be allotted him for his Gang to work thereon and Keep the same in Good repair and It is further ordered that all the said hands be exempted from working on any other road and all other orders heretofore made be rescinded

Branham & Baxter upon a Notice.
Dismissed. agreed at the Defendants
Costs. by order the Plaintiff

Ordered that the Court be adjourned untill the 3d Tuesday in January Next.

Jed Hamilton

Tuesday to wit

At a Court held for the County of Rockingham, the 19th day of January 1808

Present.

Andrew Hamilton, John Erwin, Joseph Harrison and Thomas Moore Gent Justices

An appraisement bill of the estate of Mathias Miller dec'd returned & Recorded

On the Motion of Joseph Williams, It is ordered that John Baxter, Thomas Hopkins, Benjamin Smith, Joseph Graves and Reuben Harrison or any three of them be appointed to lay off his wifes right of Dower in her late Husbands Lands she being the wife of the late Mathias Harrison dec'd.

A Deed from Koontz Exr to Roseman acknowledged was
acknowledged before &c

A Deed from Trout Exrs to M. Trout proved by the oaths of the
Witness thereto and acknowledged by his said wife she being
first privily examined &c

The Last Will and Testament of Mathias Kerst dec'd was presented
in Court and proved by the oaths of the Witness
thereto &c. and on the Motion of Jacob and George Kerst
the executors therein named, who entered into
their own bond and acknowledged the same, they not being required to give security
and made oath thereto as the Law
directs a certificate is Granted them for obtaining a probate in
due form, and it is ordered that John Rush, George Hunter
Peter Nicholas and George Mallow or any three of them being
first sworn be appointed to appraise the said estate and make
report to the Court

A Deed from Heyman Exr to Cline proved by the Witness
thereto, which with the commission and Privy examination of
his wife Returned &c

A Deed from Cline & Jacob Brumbach to Mark Smith
proved by the oaths of Jarvis Allen, Jarvis Morris & Jr
George W Harrison, as to Cline and by Jarvis Allen, Joseph
Bywaters and Henry Langdale as to Jacob and ordered
to be Recorded

On the Motion of Joseph Graham It is ordered that a
License be Granted him to Keep a Tavern at his house
in this County for one year, on his entering into bond
and security in the Clerks office

Ordered that George Hunter and Robert Gratton be
appointed to settle the estate accounts of Henry
Brumbach dec'd with the exrs and in the room of the
former commissioners) and make Report to the Court

The Last will and Testament of Edward Walter dec was presented in Court and proved by the oaths of Betsey Dunlap and Hannah Dunlap two Witness thereto subd. and on the Motion of George Hunt one of the Exr. Executors therein named. who with Security entered into and acknowledged bond. and made oath thereto as the Law directs. a certificate is Granted him for obtaining aprobate in due form. and It is ordered. that Nicholas Faucher, John Runnion Senr. John Runnion Jr. and Andrew Runnion or any three of them being first Sworn be appointed to. appraise the estate of the said decedent and make report to the Court.

Ord pron D Smith to Mr Patterson proved by the oaths of Joseph Fawcett, Joseph Bywaters and Henry L. Gambile 3 Witness thereto subd

On the Motion of Robert Mallowry, It is ordered that he be prescribed to practice as an attorney in this Court he having taken the oaths prescribed by Law.

On the Motion of Joseph Baxter Gent Sheff ~~&c~~ is. Joseph Bywaters is admitted his deputy and Sworn accordingly

John Phelps and Samuel Marsh. the Executors named in the Will of ~~Edward Walter~~ John Phelps dec'd appeared in Court and refuse to take upon themselves the execution of the said Will, whereupon on the Motion of the said John Phelps and Samuel Marsh. administration of the said estate is Granted them with the said will annexed. who with Security entered into and acknowledged bond, and made oath thereto as the Law directs and It is ordered that Thomas Moore Isaac Lyon, Philip Koontz, and

Zachariah Hoy or any three of them being first sworn to be appointed to appraise the estate of the said Decedent and make report to the Court

Ord from Shaver exrs to Shaver proved by the oaths of Henry Shaver and John Rader two Witns thereto &c

Ord from same to John Rader proved by the oaths of Henry Shaver and Nicholas Shaver two Witns &c

Ord from same to Henry Shaver proved by the oaths of John Rader & Nicholas Shaver two Witns thereto &c

A. Hutchefield v Gipson &c on a Body Case Motion proved and Injunct

D.S. Harrison v Drew &c . . . . . same

D.S. Rife v Harrison &c . . . . same as to Harrison

D.S. Armentrout v Hemphill &c . . . . same as to all Defendants

D G.H. Harrison v Newton &c . . . . same

same v same &c . . . . same

G.H.

On the Petition of Martin Bonner It is ordered that Graham Perry Reuben Harrison, Martin Burkholder, and Richard Rogers or any three of them being first Sworn be appointed to View an alteration in that part of the road leading from Newton old Mill to Harrisonburg so far as the same beginning at the branch in the lane where Leonard Herring formerly lived through his own land to the corner of Charles Beards field and from thence to intersect the old road at the end of his lain and that they also View the old road and make report of the Convenience and inconvenience attending both ways and make report to the Court.

M.C.

250

On the Motion of John Chrisman and David Harrison administration of the estate of Nathaniel Harrison dec'd is Granted them they having entered into and acknowledged bond and made oath thereto as the Law directs and It is ordered that Christian Depp. John Howard. Isaac Depp and Volentine Woolf or any three of them being first sworn do appraise the said estate and make report thereof to the Court.

Deed of Trust from Miller to Gray in Trust for Dorcas Lofland proved by the oaths of Jeremiah Kyle and Silas H. Smith and ordered to be Recorded

The Last will and Testament of John Philips dec'd was produced in Court and proved by the oaths of Thomas Moore and William Losey and ordered to be Recorded. whereupon John Philips and Samuel Marts the executors named in the said will appeared in Court and refused to take upon themselves the execution of the said will, and ordered to be Certified and on the Motion of the said John Philips and Samuel Marts, administration of the said estate is Granted them with the said Will annexed. they having entered into bond with Security, and made oath thereto as the Law directs and It is ordered that Thomas Moore Isaac Tyson Philips Kooney and Zachariah Hoy or any three of them being first sworn do appraise the said decedents estate and make report to the Court.

A Report of a View of an alteration in the road leading from Perkeys Mill to Swift Run gap, so fair as the same runs through the Lands of Peter Nicholas and Jacob Argenbright being returned into Court in the words and figures following In pursuance to which alteration is ordered to be established agreable to the said Report. and It is further ordered that the said old road be discontinued when the said New Way shall be opened and put in good repair by the said

Nicholas and Christyaabright, And by Consent of the said Peter Nicholas and Christian Kyger, (who was interested in the above alteration) It is agreed that the said Kyger shall have a road across his land the said Nicholas land fifteen feet in Width from the Mouth of said C. Kygers lane where the road now comes out of said lane across the land of the said Nicholas to where the new road comes out of the said Nicholas field, and It is ordered that the said last Mentioned road be established, and that Christian Kyger keep the same in good repair it being for his own use.

Noerman v Heidgardner On an attachment

The sheriff having returned executed on one Stack of Rye &c and the said Defendant being Called and not appearing It is Considered by the Court that the Plff recover against the said Defendant £10"10/ due by two Notes to wit one for £9"3/9 and the other for £1"6/6 with Interest from 21st April 1804 tho paid the other for £1"6/6 with Interest from 8 day May 1804 tho paid and Costs: and It is further ordered that the Sheriff make sale of the said attached effects and pay the money arising from such sale to the Plff and that he have execution for the residue if any.

Appeal from E. Harrison Esqr to Gl W Harrison acknowledged &c.

Present Ezek Harrison & Walter Davis Gent

Betsey Peter and Adam Peter orphans of Godlone Peter dec came into Court and made Choice of Jacob Kyger as her Guardian, who entered into bond & Security as the Law directs.

Robert Gratton the same for Mary Peter orphan of said Godlone Peter

Robert Gratton the same for Daniel Wire, orphan of John Wire

Henry Hansberger the same for Eve Wire late

Ordered that Adam Weis be appointed Guardian for Barbara Peiser orphan of Godlove Peiser an infant under the age of 14 years. who entered into bond and security as the Law directs

Ordered that Adam Weis be appointed Guardian for Michael and Abram Weis orphans of John Weis dec'd. infants under the age of 14 years. he having given bond and security

Mayberry & Harrison &c vs a Delivery Bond. Motion & Rule Granted and Judgment.

Ordered that John Hudson be appointed Guardian for John, Elizabeth, Jacob, & Jonathan Croft. orphans of Philip Croft dec'd. and Infant under the age of 14 years; who enter into bond & Security as the Law directs.

Ordered from Court to Bail proved by the oaths of Jacob Sala, Gilbert & Taylor, and Henry L Gambill and ordered to be Recorded.

Overseers Poor vs Boyd. Martin heard. and dismissed with Costs.

Ordered that George Seitz be appointed Guardian for Eve, Dolly & Jacob Peiser, orphans of Godlove Peiser dec'd and Infants under the age of 14 years who entered into bond & Security as the Law directs.

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock And Thursday.

Wednesday to wit

At a Court continued and held for the County of Rockingham the 20th day of January 1808

Present

John Ewen, George Norton
Wallis Davis & Peachy Harrison & G. Keerby

Ordered that John Moore be appointed overseer of that part of the road leading from Harrisonburg to New market Beginning at the Poysonfields and from thence to George Neff's, and that all the Male labouring tithables within two miles on each side of the said Road be allotted him for his gang to work thereon and keep the same in good repair.

Ordered that William West be appointed Overseer of that part of the road leading from Harrisonburg to New Market. Beginning at George Neff's, and continuing from thence to the County line, and that all the Male tithables within two miles on each side of the said Road be allotted him for his gang to work thereon and keep the same in Good repair. and that the former order appointing the said West overseer of the said road from the Poysonfields to the County line be rescinded.

Present Ezekl Harrison.

Bolton & Romanis on an appeal from a Judgment recovered by the appellees against the appellant before Andrew Shanklin esquire. This day came the parties by there attorneys and the Record of the Judgment aforesaid being seen and inspected it seem to the Court that there is no error in the said Judgment and proceedings and that the same be in all things affirmed and that the appellee recover against the said appellant Damages at the rate of 10 per cent. per annum on the amount of the said Judgment and Costs and his cost expended in defending the said appeal in this Court.

254

Deed from Henry Burgess dec to Jno Burgess. a Knowledge
wife acknowledge letter &c

Ordered that Joseph Williams be appointed overseer of that
part of the road where of ~~Lacy~~ John Baxter was Surveyor
of in the room of the said Baxter and that the usual
tithables appointed to work on the said road be allotted for
his gang &c

Ordered that Randolph Mitchell be Summons to appear
here at ~~March~~ February Court next to shew Cause why his Children
should not be taken away from him and ~~taken away~~ be
bound out by the overseers of the poor It being Suggested
to the Court by the overseers of the Poor that they are
ill treated

Ordered that Solomon Huffman be appointed Overseer of
that part of the road where of David Grove was overseer
of and that the usual tithables appointed to work on
the said road be allotted for his gang &c

On the Motion of ~~Dorcas~~ Dolly Peper Widow of Godlove
Peper dec'd It is ordered that George Coogler, Clements
Erwin and William Herring be appointed to lay off
her right of Dower in her late Husbands lands and
make report to the Court

On the Motion of John Miller Jun't It is ordered that
he be exempted from the payment of taxes for his
Negro Woman Jane she being blind

Ordered that Asher Waterman, Peaty Harrison &
Andrew Shanklen or any two of them ~~being~~ be
appointed to make a further Settlement of the Mole of
Thomas Harrison dec'd with the estate &c

Ordered that Asher Waterman, Peachy Harrison and Andrew Shanklin or any two of them be appointed to make a further settlement of the estate of Robert Graves dec'd with the debts and make report to the Court

Ordered that Peachy Harrison Saml Chandler and Andrew Shanklin or any two of them be appointed to settle the estate accounts of Mathias Lair dec'd with the exhibits and make report to the Court

Ordered that Garvin Hamilton be appointed overseer of that part of the road whereof Robert Gains was Surveyor of — and that the usual tithables be attached for this Court to work thereon &c

Ordered that Ezek Harrison, Geo Furly and Capt William Bryan or any two of them make a further settlement of the estate of Nicholas Shaver dec'd with the exhibits and make report to the Court

Ordered that St Clair Keitly, Michael Mauzey Josias Clark and George Hamberger or any two of them be appointed to settle the estate account of John Foltz to dec'd and make report to the Court.

Ordered that Conrad Snyder be exempted from the payment of County & Parish Levies on account of age and infirmity.

Reynard v Kessell &c. Parties heard and Judgment pro confesso

Same v Kessell Same

On the Motion of John Boyd It is ordered that he be permitted to keep an Ordinary at his house in this County for one year, on his entering into bond with Jacob Lakes as

his Security in the Clerks office.

Vs. Vernon Poor & Wife. New Summons awarded.

Bolton & Donavan on an appeal from a Judgment recovered by the appellee agst the appellant in the Second day of January 1808. before Andrew Shandlen, This day came the parties aforesaid by their attorneys and being heard and the Record of the said Judgment being seen, and Inspected. It is considered by the Court that the same be dismissed they being of the opinion that they had not Cognizance of the same, and that the appellee recover against the said appellant his Costs by him about his Defence in that behalf expended &c

Abrm E. Harrison Pltff & Andw Shandlen

Ezel Harrison & Losley adms. for Money paid by the said Pltff. as Security for the said Losley in his lifetime to Jacob Woodley as by Notes produced and Judgment for £136.4/3 with Interest and Costs.

The same & the same. for Money paid as Security for the said Losley to William Rice. Notice & a Narrow-legd and Judgment for £6.16/2 with Interest and Costs.

Ordered that the Court be adjourned until the third Tuesday in February next

And Shandlin

Ordinary Keepers in Rockingham, where they obtained Licence

James Duffy Licence Commencing at ~~[illegible]~~ September Court 1808, & expired
Zacharias Hoy ... at September Court 1808. & ditto
John Ryan ... at July Court ... 1808 & ditto
Jane Juland ... at June Court ... 1808. expired
Dennis Lanahan ... at November Court ... 1808, expd
Henry S. Gambile ... at May Court ... 1809. expd
Jacob Wyser ... at November Court ... 1808 expd
Peter Nicholas ... at December Court ... 1808. expd.
William M'Mahon ... at April Court ... 1809. expd
Joseph Graham ... at May Court ... 1809.
Joseph Irwin ... at June Court ... 1809.
Henry Overly ... at June Court ... 1809. to expire at April Court 1810
John Read ... at July Court ... 1809
John Ryan ... at October Court ... 1809 (to Commence on 30th June last)

Peter Nicholas ... at December Court 1809 expires in 1810.
James Duffy ... at October Court 1809 ... ditto ... 1810.
Dennis Lanahan ... at November Court 1809 ... ditto ... 1810.

Virginia to wit

At a court held for the County of Rockingham on Tuesday the 16th day of February 1808

(Present

Charles Lewis, George Nicholas, Michael Harnsberger & Archibald Rutherford . . Gentlemen Justices

(Ordered that the Rules be held in the Clerks Office on Thursday the 18 day of this Instant, and on the days after the third Tuesday in March and April next as the Law directs—

A Grand Jury sworn to wit for the body of this County to wit John Bush foreman, Henry Lyman, Isaac Shipman, Peter Bowman, George Cline, Isaac Bumgarner, Henry Batt, John Bader, Sebastian Baider, John Bock, Jacob Bise, Henry Pence, William Rice, William Beard, John Sheetz, and William Fowler, who were sworn and receiving their Charge and retired from the bar to consult on their Presentments, and after some time returned and found the following, the Presentment of the Road &c and nothing appearing it is ordered that the Grand Jury be discharged and that Process issue on the aforesaid Presentments returnable as the Law directs

Spangler a Roberson &c on a Notice on a Delivery bond Notice proved and Judgment.

Overseers Poor a Akers on a Recognizance dismissed at Defendants Cost

Same . . a Jordan on a Summons dismissed no Information

Same . . a Isaac Miller . . . Same

Salvage a Harrison, Judgment Confessed as per Specialty with Int. & Costs. with the stay of execution entered May Court next.

B 6 M Cae v Jones on a Notice on a Delivery bond & Notice proved and Judgment

On the Motion of Samuel McWilliams Clerk of this Court Gilbert Taylor is admitted his Deputy and sworn accordingly for the Special purpose of taking in Writings attachments —

C Weir exrs v Gilling two Securs David Wheelbarger Special bail and the Defendant Delivered up, whereupon he confessed a Judgment for the Debt in the Declaration Mentioned and Costs.

C Reddle v Holt, Peter Palmer Special bail offer'd Judgment Set aside as to the Security —

C Overseers Poor v Micklethwait, on a Summons, parties heard, and It is ordered that the said Overseers take into their possession the children of the said Defendant and bound proper Places for them to be bound, and Judgment for Costs.

C P Ordered that the Overseers of the poor bind, Randolph Micklethwait a poor child of Randolph Micklethwait aged 13 years the day of July next to George Parrott to learn the trade of a Farmer, as the Law directs

D Mowatt v Jenkins, Frederick Spangler Special bail offer'd Judgment set aside payment of Costs

C P X Ordered that the Overseers poor bind Sarah Micklethwait a poor child of Randolph Micklethwait to Aaron Thomas aged 10 years the 15 day of this Instant as the Law directs.

C P Coutts v John Phelps, Not Guilty and Capias and Certified and a New Capias awarded agst Jacob Phelps Returnable here at the next Term

C P Weirs adms v Beard, on a Notice, for Money paid by the said adms. as Security for said Beard to Jacob Mentz. Notice proved and Judgment for £90.12 Curt. with Interest from 19th day January 1808 with Costs

Rice v Shipman &c Isaac Harrison Sphbail office Judgt set aside pay[t] of Issue

Wayt & Taylor v Hyrn & Jesse Harrison Sphbail office Judgmt set aside pay[t] of Issue

Ordered that Giles Fenly, Josiah Harrison, Thomas Moore and Peter Heggan or any two of them be appointed to examine state and settle the estate account of Cornelius Neal dec[d] and make report to the Court

Norman v Crim. Ezel Harrison Sphbail office Judgt set aside pay[t] of Issue

Salvage v Beaver Jesse Harrison Sphbail office Judgt set aside pay[t] of Issue

Counts v Moore Continued

Same v Boler Continued

Lincoln v Ezel Harrison & John Harrison Sphbail office Judgmt set aside pay[t] of Issue

Counts v Miller Jury Sworn to try the Issue to wit John B. Harry, Peter Shrunk, Henry Leonard, Thomas Goins, Jacob Roop, Jacob Coogle, John Beal, Enoch Allen, Joseph Trevey, Thomas Rice, Henry Drumbrod and Thomas Logan, Verdict the Defendant Guilty and do assess his amercem[t] to 1 Cent and Judgmt.

Counts v Robertson Continued.

Counts v Norman Robertson Parties heard and dismissed with Costs

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock.

Jas Harrison

Wednesday to wit

At a Court Continued and held for the County of Rockingham the 17th day of February 1808

Present

Ezekiel Harrison, J. Kerlly, Archt Rutherford & Asher Waterman & Gent Justices

Cyphaw vs Hupp &c Attmt by order of the Plaintiff

Overseers Poor vs Harrison on a Recognizance, Continued.

Bader vs Whisler Writ enquiry waived and Judgment for Costs

Spangler vs Bier add plea waived and Judgment confessed for Specialty with Interest & Costs

Rice vs same - - - - - - - - same

Brayhart vs Kessell. Writ enquiry set aside, N.A and the act. Lim. Gen. Replication & Issue

Campbell & Ritchie vs Arrow Jury sworn to try the Issue to wit Thomas Logan, Benjamin Lewis, Jesse Lewelin, David Phelps, Jacob Donaven Abraham Hamilton David Miller John Shatz Jr. Christian Armentrout, William Borland William Sandy & Richard Bouz Verdict for the Plff for the Debt in the Declaration Mentioned and 1 cent Damages & Judgment

Messrs vs Baker Jury sworn to enquire of the Damages to wit the same Jury as in Campbell &c vs Arrow Verdict for the Plff for $28. with Interest from the 1st January 1809 the said Judgment.

Counts vs Jacob Erwin Not Guilty & Issue Jury sworn to try the Issue to wit, Thomas Logan, Benjamin Lewis, Jesse Lewelin David Phelps, Jacob Donaven, Abraham Hamilton, David Miller, John Shatz Jr. Christian Armentrout, William Borland, William Sandy and Richard Bouz Verdict of Guilty and one cent assessment, and Judgment

The Court proceeded to appoint men to Value property taken on under executions in this County, whereupon It is ordered that Frederick Spangler, Robert Retherford, Henry Andrew Shaffner Peter Nicholas, Jobe as R. McGahey, Jacob Keplinger Jacob Rife Henry Halp and John Shaver, be appointed and that they Qualify as the Law directs.

Comth v Henry Martin Not Guilty & Issue Jury sworn to try the Issue William S. Herring, Andrew Cutler, Robert Retherford John B. Harry, Samuel Gay, Jr Jacob Sheetz, Thomas Jones Daniel Protzman, Philip Deich and Peter Leonard. Robert Retherford John Bowyer & John Beal. Verdict that the Defendant Guilty and assessment 1 cent and Judgment.

Comth v Harris on Continuance for Defendant.

Comth v Joseph Miller Not Guilty and Issue Jury sworn to try the Issue, Abraham Hamilton, Jacob Dieffenbach, David Miller, Richard Boze, Christian Frimentrout, John Jacob Sheetz. William Borland David Philips. Benjamin Jones, Aaron Shaw, Henry Whisler & Peter Zeltley, Verdict. Defendant, Guilty and assessment 1 cent & Judgment.

Comth v Boudenbush Order Capias returnable here at this term. Jeriw.

Comth v Reed Not Guilty and Issue, Jury sworn to try the Issue to wit William S Herring, Andrew Cutler, John B. Harry Robert Retherford, Samuel Gay Jr. Benjamin Grove, Jacob Sheetz, Thomas Jones Daniel Protzman, Philip Deem. Peter Leonard John Bowyer & John Beal. Verdict. Defendant Guilty and assessment 1 cent and Judgment.

Comth v Flenniken by order of the attorney for the Comth.

Genin exon v Herring, two writs Daniel Smith Sr Bail office Judgmt set aside and no papers. & Issue

James Reid v A Herring three scire Daniel Smith Sfbail. Office Judgmt. set aside payment and Issue

William Reid v B. Lewis, two scire Henry L Gambill Sfbail. Office Judgmt set aside payt & Issue

Waterman v Grumley Office Judgmt. set aside ~~costs~~ and discontd. agreed

Comth v Sandy & M Williams. Debt Information be filed, whereupon the attorney for the Commonwth filed his Information to which the Defts. plead Not Guilty and Issue. Jury sworn to try the Issue to wit John B. Harry. Daniel Bolzman, Andrew Cutler, Samuel Gay Jr Robert Rutherford Benjamin Grove, William S. Herring. Jacob Sheetz. John Bowyer, John Beal. Philip Deens & Peter Leonard. Whereupon by consent the Jury is adjourned until to Morrow Morning 10 o'Clock.

Overseers Poor v Sulenbarger. Debt Note for money due by a Recogz. entered into for the support of a bastard born child of Polly M Henry. Note proved as to Samuel Sulenbarger, and Judgmt for $40 with Interest from 15th day October 1804 until paid & Costs

Hamilton v Webb Jury sworn to try the Issue to wit Richard Booze, Christian Armentrout, John Messersh Jacob Hoover, Philip Miller Aaron Shew Joseph Thornton John Sheetz Jr. David Phelps Isaac Hoy, Henry Hoover and James Galaspy, Verdict for the Plff for $13, with Interest from 1st April 1801 until paid & Costs.

Deeter v Carthrae & John Carthrae Jr. Sfbail

Kelly v Evans Continued

George Leonard v A. Leonard. W. E set aside N. A. & Issue

Branham vs Rice Office Judgmt set aside payt of Costs

Hagan &c vs Harrison &c Office Judgmt set aside payt for Security of Costs

Hill vs Smiley Office Judgmt set aside payt of Costs

Carthrae &c vs Smiley do same

Vass & Carthrae vs Smiley do same

Perrineau vs Mallory Office Judgmt set aside payment for Security of Costs

McCausland vs Vete do same

Salvage vs Campbell Office Judgmt set aside payt of Costs

Bryan vs Cavelsier Continued

Pogue &c vs Perrie Continued

Gilmore vs Shipman Continued

McCue vs Carthrae Office Judgmt set aside No such Record payt of Costs

Pleasants vs Carthrae &c on a Notice on a Delay bond Notice & Proofs. Judgmt.

Ordered that the Court be adjourned until to Morrow Morning 10 o'Clock

A Waterman

Thursday 16 inst

At a Court held & continued and held for the County of Rockingham the 18 day of February 1808

Present

Asher Waterman, Charles Lewis Archibald Bellenford and George Dame . . . . Esq Justices

Hunt v Woods. The Defendant confessed a Judgment for £13 17 6 Damages and Costs with the stay of Execution for 3 Months

Sheely v Weis admr plea waived and Judgment confessed as per Specialty with Int & Costs saving equity

Parsons v Londonderry . . . . . same

Brown v Carthrae . . . . . same

Abbott v Thompson . . . . . same

Davis v May &c . . . . . same

Kaskaden Paulton . . . . . same

Carthrae v Foster . . . . . same

same . . . v Neish . . . . . same

Bibbo . . . v Loyo . . . . . same

Anderson v M'Aleo & . . . . . same

Hyde v Tucker . . . . . same

Nicholas v Hamilton &c . . . . . same

Spangler v Blaiw . . . . . same

Lockridge v Lash plea waived and Judgmt. as per Specialty with Interest and Costs (Savery Equity)

Koontz v Sufferenne . . . . . same

Same . . v Same . . . . . same

Koontz v Mumphill . . . . . same

May v Callahan &c. . . . . same

Gelwicks v Harrison & Dennison Abates as to Harrison, and Judgmt. as to Dennison as per bond with Int & Costs (Savery Equity)

Ewen &c v Thos & Jane Harrison, Abates as to Thos Harrison, and plea waived and Judgmt. as to Jane Harrison as per note with Int & Costs (Savery Equity)

Harrison v Hunter plea waived and Judgmt. Confessed with Interest and Costs

Carthrae v Neely . . . . . same

Nash & Carthrae v Doaller plea waived and Judgmt. Confessed as per Specialty with Interest & Costs, subject to the following Credits paid to Jacobs for £10.11.8 paid John Carthrae the 22 October 1806 and by $110 paid said Carthrae 11th Dec 1807.

Commonwealth v Sandy & Wm Williams, The Jury Sworn in this Cause on yesterday, not agreable to their adjournment. Verdict that the Defendants are Guilty, and do assess their amercmt. to 1 Cent. each and Judgmt.

Y. Leonard v N. Leonard. Jury Sworn to try the Issue to wit. David Wallace, John Mefferd, Jacob Leggett, Thomas Sulavan, Joseph Neely, James Kyle, Joseph Cocanour, William Borland, Benjamin Harrison for James Devany, Anthony Sowerbus, and Solomon Matheny. Verdict for Plff for $29. Interest from 11th October 1804 till paid and Judgmt

Blair v Zimmerman, Plea ~~not~~ guilty and Judgm. confess? for ~~Debt 38 Cents~~ $7.13 Cents with Interest on $60 from

Pierce v Carthrae, Daniel Rogers Sp Bail, offer Judgt set aside payt. & Issue

Blair v. Carpenter, plea warn and Judgm. confess for $109.38 Cents with Interest at 6 per cent from 18th day of February 1808 till paid & Costs

Ryan Exr v Roop Peter County Sp Bail offer Judgm. set aside payt. & Issue

Whisler v Leight The Defendant pleads not an absconding Debtor, nor any Reason to suspect that he was about to remove his effects off the premises Genl. Replication, and Issue, Jury Sworn to try the Issue to wit John Smith, John Fisher, James Galaspy, Isaac Hess, Richard Vaughn, Christy Shoemaker Edward Hatfield, John Dearmon, Jacob Roop, Peter County John Harris, and Jacob Conrod. whereupon by Consent John Smith one of the Jurors is withdrawn, and the rest of the Jurors form rendering their Verdict is discharged and the Cause is Continued

Mathew v Harrison Continued

Leight v Whisler Continued

James Esqr a Negro &c v Smith Continued

Stubblefield v Mathew. John Burgess Sp Bail off. Judgt. set aside payt & Issue

Gelmore v Weiss Jury sworn to enquire of the Damages to wit the same Jury as in Whisler v Leight Verdict for Plff for £16 Damages with Interest from 1st December 1806. till paid. and Judgm.

Present. Jonathan Shipman, & Peachy Harrison Gent.

Branham v Herndon two Suits Continued for Defendant.

Reynhart v Kyle Continued for Defendant

Rees v Breyth N.E set aside N.A. & Issue. & Continued.

✓ Neyh v Fath N. E set aside Not Guilty record and Satisfaction Gent Replication and Joinder, Jury sworn to try the Issue to wit John Harris Pets County, Jacob Conrod, Jacob Roop John Pearmon, Joseph Coconour, William Borland, James Gallaspy, Isaac Hoss, David Phifer, John Smith and Edward Hatfield, whereupon by Consent. Joseph Coconour one of the said Juron is withdrawn and the Cause is Continued until to next Term.

Mayberry & King v Robertson John Fuelt Spbail

Sheetz v Miller Continued for Defendant

Herdgarden v Kelner Continued

Woolf v Armentrout to Continued

Harrison v Freevy Continued

Kyser v Hoke Continued

✓ White v Carthsar ~~N.E set aside~~ Daniel Ragen Spbail N.E set aside Covenants performed. Gent Replication & Joinder Jury Sworn to try the Issue, Sanders Reed, James Deany, William Sandy David Wallace, Frederick Spangler, James Kyle, Daniel Prolzman, Jarvis Quinn, John McSpeeth, Joseph Deeths Alexander McKinsey and Michael Zimmers Verdict for the Plff. for $145.67 Cents with Interest from 23 day of May 1805 Cts paid Defendant.

Adams v Adams dismissed by order Plff. attorney.

Burgess v Bagen dismiss agreed

Wiseman v Gongaway Offrs Judgm. set aside and dismiss.

Gettinger v Miller Continued

Shanklin v Sites M & set aside, Tender and refused Genl Replication & Issue

Rees v Spangler &c Continues for Defendant.

Shanklin v Sites Continues for Defendant

Earle v Donavan. Offrs Judgment set aside payment for the security & Issue

Mountz v Eversole &c Offrs Judgment set aside payment & bonds

Lair exr &c v Vesevanger &c. Same

Salvage v Callahan &c Offrs Judgm set aside payment for the security and Issue

Greenan v White. New Order Sum. returnable here at the next Court

Reynolds v Reynolds &c

&

The same v Same. } On the Motion of the Defendant by their attorney, to dissolve the Injunction awarded the Plff. to stay further proceedings on two Judgments Recd against him in this Court. Heard the 18th instant and was argued by Counsel, It is on this 18 day of February 1808. Ordered and Decreed that the said Injunctions be dissolved.

Matthews v Lincoln. On the Motion of the Defendant by his attorney, to dissolve the Injunction awarded the Plff to stay all further proceedings on a Judgment Recovered against him in this Court, and was argued by Counsel, It is on this 18

day of February 1808. Ordered and decreed that the said Injunction be dissolved

Ordered that the Court be adjourned until until the 3rd Tuesday in March next.

A Sinton

At a court held for the County of Rockingham on Tuesday the 15th day of March 1808

Present

George Huston Josiah Harrison
George Dove & Giles Tenley — Gent Jus.

On Motion of John Taylor he is admitted to practice as an attorney at Law in this Court he having taken the oath prescribed by Law —

A Deed Joseph Yount & wife to John Brock acknowledged and OR she being privily &c.

A Deed James Green & wife to George Chrisman Ack. & OR wife Examined. &c

A Deed from Jacob Roop & wife to Jacob Roop Junr. Ack. & OR. she being privily &c. &c.

A Deed from Abraham Zimmerman & wife to John Savage Ack. & OR she being privily &c.

A Deed from William Knox to Benja. Salvage proved by the oaths of Benja. F Salvage David Kyle & Thomas Bryan Wit thereto & OR

A Deed from Shephard Gum to Comfort White house proved by oath of Christian Liter Oden White house & Lepsa Lewis Wit thereto & OR

A Deed from John Rush & wife to Peter Nicholas Ack. by John Rush & OR

211.

A Deed from Peter Nicholas & wife to John Rush ack. by Peter & O R.

A Deed from Robert Gaines to Richard Gaines proved by oaths of 3 Wit & O R.

A Bill of Sale William Johnston to Wm Hopkins proved by oaths of Joseph McRea & Phineas Swartz. & O R

Inv'y. & Appt. of Matthias Lair dec'd. Ref'd & O R

Sale Bill of Same ——— the Same

Settlement of Same . . the Same

A Settlement of the Estate of Robert Craven dec'd Ref'd & O R

Ferdinand Lair to James Boggs Power of Atto. ack. & O R & certified

On Motion of Sarah Johnson Ordinary License is granted her upon giving bond and security in the Clerks office

Report of the Viewers of that part of the road leading from Perkys mill & also that part of the road leading from the ford at Wm Jones, to Harrisonburg so far as they both run through the Lands of Henry Pence being returned it ordered that the proposed alteration be established agreeable to said report & that the Overseers open & keep the same in repair

On Petn of Zachary Shackelford &c for certain alteration in the road leading to Brocks Gap called Grattans road so far as it runs through their lands it is ordered that David Ralstone Lepec Harrison and William Hopkins being first sworn do view the old road as well as the new one proposed and make report to the Court.

A Settlement of the Estate of Thomas Harrison dec^d Ret^d V O R

An Agreement between Michael Sellars & James Sellars proved by the oath of David Harrison a Wit & O R

The Last Will & Testament of Christian Grove dec^d was presented in Court and proved by the oaths of Michael Bear Betty Bear & Elizabeth Bear Wit thereto & Ordered to be recorded And on Motion of Joseph Baxter the Executor therein named who made oath and entered into and acknowledged bond with security according to Law Certificate is granted him for obtaining a probate in due form. And it is Ordered that William Crawford Samuel Bowman Thomas Gordon & John Hopkins or any three of them being first sworn do appraise said Estate and make report to the Court.

A Report of Commissioners appointed to lay off and assign to Elizabeth Williams late Elizabeth Harrison her dower in the Lands of Matthew Harrison dec^d was returned and Ordered to be established subject to a lease made by the Guardian of the Infant children of s^d Matthew Harrison dec^d to Roger Malloy & C R —

A Deed Ezekiel Harrison & wife to Leonard ack^d by wife & she privily Ex^d according to Law

The same to John Hoover same order

The same to Wm Chamberlain same order

A Report of Commissioners appointed to lay off the dower of Dolly Phifer in the Lands of her Husband Godlove Phifer dec^d Ret^d V O R

Ordered that Peter Swoope be appointed Surveyor of that part of the Road whereof Daniel Hashbarger was late overseer —

Inv^y & Appr^t of Edward Walker dec^d Returned & O R —

Upon a Jacob Eckart the reputed father of a Base born child of Catharine Feltz dec'd, the Defd was brought into court in Custody and upon consideration of the case, it Ordered that the Defd do pay to the Overseers of the poor of the parish of Rockingham the sum of £42 to be paid as follows to wit £6 in one month from this date and six pounds annually until the whole sum be paid, and that he enter into a Recognizance with good security for the payment thereof, and is ordered to be committed until he comply with this order — And thereupon the said Jacob Eckart took the oath prescribed by Law for the relief of Insolvent Debtors, and was discharged out of Custody —

On Motion of Tobias R. McGahey a Licence is granted him upon giving bond in the Clerks office with Henry J. Gambill as his Security. —

A Settlement of the Estate account of Cornelius Orrick dec'd was returned & ordered to be recorded And it is ordered that all the bonds notes, accounts & evidences of Debt due said Estate be delivered with said Settlement be delivered by the Clerk to Zekiel Harrison guardian for the orphan child of said Cornelius, and that the Clerk keep a list & receipt for the same

An Invty & Appt of the Estate of Peter Shoemaker dec'd Ret'd & O R

David Kyle Esqr. of [illegible] came into Court and made choice of Jacob Rust as his Guardian who entered into & Acknd bond with security according to Law. —

An Invty & Appt of the Estate of Elizabeth Witzel dec'd Ret'd & O R

A Deed from John Pinson & wife to Andrew Arden proved by 3 Wit & O R with commission

Same from Adam Harter & wife to Frederick Smith

Same order —

A Deed from John Shaver &c to Henry Whonger proved by the Oaths of Henry Whitler Jesse Lincoln & Giles Tenley Wit. thereto & O R

A Deed from Adam Despony & wife by George Dove their Atty in fact to John Fulk, ack. by said Dove and O R ~~with the Power of Atty thereto annex~~

A Power of Atty from Despony & Wife to George Dove returned & O R with certificate

A Deed from Adam Despony & wife by George Dove their Atty in fact to John Fulk Ack by said George Dove & O R

A Deed from Philip Harter &c to George Sonnefronk proved by the oaths of George Dove Jacob Baker & Jacob Peltz Wit thereto, as to Philip Harter William Harter & John Dispony, and ack. by George Dove as Atty in fact for Henry Harter & John Harter & O R with the power of Atty thereto annexed

On Petn of Richard Ragan & John Ragan for an alteration in the road leading from Harrisonburg to Woodstock and to Brocks Gap through their lands It is ordered that Robert Rathbone Moses Sampler & James McPick being first sworn do view the said road as prayed to be altered and make report to the court

A Deed of Trust from Abraham Hamilton & wife & George Hamilton & wife to Henry Smith Trust for William Rice proved by the oaths of Richard Gawin & Luke Rice Wit thereto & O to be Certd.

Same from Gawin Hamilton to Thomas Gilmore in Trust for William Rice proved by the oaths of Joseph Hinton and William Wiltshire Wit thereto and O to be cert.

On Motion of Barbara Fultz & Adam Fultz adm of the estate of Sebastian Fultz dec'd granted them they having made oath and given bond with security according to Law and it is ordered that Adam Reader Peter Shekle, John Burkholder & John Purkepile or any three of them being first sworn do

appraise the said decedents estate and make report to the court.—

A Deed of Release from Henry & Gamble to Martin Cromer ack^d. & O.R.

A Rush vs Carithras &c. on D Bond notice proved & Ind^t

Kizer vs Kirtley &c. on D Bond. the same—

Catharine Salcer orphan of Jacob Salcer dec^d came into Court and made choice of Adam Christ as her guardian who entered into and ack^d bond with security as the law directs.—

Ordered That the Overseers of the poor bind Peggy Robinson a base born child of Sally Robinson to Henry Ryman according to Law the said Peggy being about 1 year & 8 months old

On Motion of Conrad Hansbargen & S^t Clair Kirtley who propose establishing a road on their lands leading to great road from Harrisonburg to Swift run gap It is ordered that Daniel Baugher, Henry Miller Christian Miller & John Maggert or any three of them being first sworn do view the said road as proposed, and make report to the court.

On Pet^n Martin Cromer for the alteration of the road leading from Hinton's old mill to Harrisonb^g the report being returned it is ordered that the said alteration be established agreeable to said report and that the overseer keep the same in lawful repair.—

On Pet^n of Adam Hansbargen & Daniel Baugher for an alteration in the road leading from Shenandoah River to swift run gap Beginning at said Hansbargen

land at the foot of the mountain passing
Daniel Boughers house and down said Boughers
Road to the forks thereof at the great road
It is ordered that John Pence Henry Hammon
John Maggert & Christian Miller or any three
of them being first sworn do view the
the said road proposed where it is proposed to
turn it, as the old road, and make report to
the Court —

Commonwealth vs John Fell upon a warrant
for a breach of the peace and to
compel him to give security to
keep the peace & be of good behaviour
&c —

The Defr being brought into court and
the parties heard It is considered by the
Court that the Defr do enter into a
recognizance himself in the sum of one
hundred Dollars, and two good securities in
the sum of fifty Dollars each, or one good
security in the sum of One hundred Dollars
conditioned that he the said John Fell
shall be of good behaviour and keep the
peace towards all the good citizens of this
Commonwealth particularly Mary M
Brett for twelve months and that he
pay the costs of this prosecution and
stand committed until he comply
with this order —

An Inv'y & Appt of John Philips dec'd
was rec'd & O R

A Sale Bill of same — same order —

Upon a Harrison On a recognizance
to compel him to indemnify the parish
for the support of a base born child

The parties being heard It is considered that
this prosecution be dismissed at the Defts
Costs he agreeing to pay the same & to execute
a bond for the Indemnification of the parish
which is done accordingly —

On Petn of William Lokey &c for an alteration in the road leading from the Big spring to the forks of the road near Zachariah Hays It is Ordered that Thomas Moore Sen. Lewis Zirkle Andrew Bird ~~and~~ Phileman Hoak or any three of them being first sworn do view the ~~Ground~~ as well where the road is proposed to be new as the old way & make report to the Court of the Conveniencies & inconveniencies attending both ways.

Ordered that the Overseers of the poor bind John Robinson a base born child of Sally Robinson to Andrew Bowers to learn him the trade of a Blacksmith & that the Overseers ascertain his age &c

Ordered that the Overseers of the poor bind Rachal Blizzard to Ferdinand Lair she being about ten years of age.

Heavy vs. Ragan &c on Bond noticed proved and Ord.

Ordered that Michael Mauzy Dayton Yancey & St Clair Kirtley or any two of them settle the Estate account of Michael Taylor dec with his administrator

Ordered that Walter Davis Jonathan Shipman and Benjamin Harrison Sen. or any two of them do make a further settlement of the estate of Silas Hart dec with his Executors.

Ordered that Asher Waterman Peachy Harrison and Archibald Rutherford or any two of them do settle the Estate account of Moses Thomas dec with his administrator.

Ordered that it be certified ~~to the Auditor of public accounts~~ that George Metz

was overcharged in his tax for the years 1803. and 1805. to the amount of two dollars and seven cents and It is Ordered that the Sheriff pay the same out of any deposition in his hands —

Ordered that William Rice be appointed Overseer of that part of the road leading from Harrisonburg to the N. Mountain in the room of Elihu Mefick the former Overseer, and that the usual Tithables attend him in keeping the same in lawful repair, and it appearing to the court that the land given by Samuel M.Williams for said road was only as much as lies out side of his fence as it now stands therefore it is Ordered that the overseer do not open the said Road on the side of s.d M.Williams any wider than it now is. —

On Petn of Rich.d Ragan &c. for an alteration in the road leading from Harrisonburg to Woodstock and to Brocks Gap through their lands the View & report being returned It is Ordered that the said road be altered as proposed and that the Overseer keep the same in good repair &c

On Motion of the adm.r of William Herring dec.d It is ordered that the heirs of s.d William be summoned to the next Court to shew cause why negroes Bob & Sarah belonging to the said Estate shall not be sold.

Ordered that the Sheriff have leave to amend his return upon the Execution of Rice Ass.t vs Hiney —

On Motion of William Adams adm.r of the Estate of Margaret Cummins dec.d is granted him, (John Cummins her brother having relinquished his right to adm.r,) and

279

The said William Adams having made Oath and entred into and ack.d Bond with security according to Law. And It is ordered that John Turner, David Bright & Elliott Rutherford, & Bazill Ragan or any three of them being first sworn do appraise said Decedents estate and make report to the Court —

Ordered that Andrew Shanklin, Asher Waterman, and Peachy Harrison or any two of them do settle the estate account of Thomas Waren dec.d with his admr —

A Settlement of the estate of Jacob Pugh dec.d rec.d V & R

Ordered that the Court be adjourned until Tomorrow morning Ten o'clock

And Shanklin

Wednesday 16th of March 1808.

Present

Andrew Shanklin Asher Waterman — } Gent.
Peachy Harrison & Archibald Rutherford }

Ordered that the overseers of all the roads leading to and adjoining the Town of Harrisonburg be summoned to the second day of April court next & that they make report of the number and situation of the tithables allotted to each of said roads.

Ordered that the Court be adjourned until Court in course Thomas Harrison Orphan of William Harrison be bound by the Overseers of the poor to Henry Welch to learn the trade of a Cooper according to Law and that they ascertain his age &

Ordered that the Court be adjourned until Court in Course

A. Shanklin

At a Court Call'd and held at the Court House of Rockingham County on Wednesday the 23rd day of March 1808. for the examination of Adam Blose. who was committed to the Jail of this County on Suspicion of Felony, and stands charged with feloniously Stealing taking and taking away one Hoe the Propety of Danl Doyle and of the Value of 50 Cents and one bar of Iron the property of St. Clair Keilly of the Value of 175 Cents.

Present.

Andrew Shanklin, Asher Waterman,
Archibald Rutherford, Peachy Harrison & G. Eustace
Jacob Kyser

The said Prisoner being led to the bar in Custody of the Jailor and was charged with the felony aforesaid who plead Not Guilty whereupon came Divers Witness to wit, Daniel Doyle, George Waggoner, St. Clair Keilly, Enoch Berry, Henry Moyer. Daniel Harshman Sen. Michael Mauzey & Andrew Hoke.

who were Sworn and examined touching the said offence and the said Prisoner being fully heard in his defence by Robert Gray his attorney, upon Consideration the Court are of the Opinion that he is Guilty of the said felony. and for the same is Triable in the County Court. whereupon It is ordered that he be remanded back to Jail and there to remain untill discharged by Law, or that he enter into a Recognizance with Good Security in the Sum of one Hundred Dollars. that is to say the said Adam Blose in the Sum of 50 dollars and three Securities in the Sum of 16 Dollars 67 cents each or one Good Security in the Sum of 50 Dollars. Whereupon the said Adam Blose, with Michael Deck, John Blose and George Blose his securities appeared in Court and acknowledged a Recognizance

themselves to one and be indebted unto his excellency William A. Cabell Governor of Virginia and his Successors in the sum of One Hundred Dollars Jointly in the sum of 50 dollars and each of the Securities in the sum of Sixteen dollars and 67 Cents to be Levied of their respective Goods and Chattles Lands and Tenaments and for the use of the Commonwealth to be Rendered. On Condition that if the said Adam Shore shall make his appearance on the first day of next May Court next to be held for the said County then and there to do and perform what the said Court shall in that behalf Consider, and shall not depart the said Court unless discharged by due Course of Law then the above recognizance to be Void else to remain in full force and Virtue.

and the Court assent

Jno. Shanklin

Tuesday to wit

At a Court held for the County of Pocahontas the 19th April 1808.

Present

Adam Shanklin, John Ewen
Peachy Harrison, & George Dowe Gent Justices

Ordered that Adam Shanklin, Archibald Rutherfoord and Peachy Harrison be appointed Commissioners, to lay off by certain Metes and bounds the precincts for this County, and that the Surveyor allow them in laying off the said Rules and that they make report to this Court on or before

1761
46
134

C Campbell v Merriam Sc. Notice proved on a delivery bond and Judgment.

C Strayer v Berry Sc. Notice proved and ~~Judgment~~ Judgment

C Reighart v Kessler Sc. Notice proved and Judgment

C ~~Same~~ v Same . . . . . same

C Fulk v Leonard Sc. . . . . same

C Deed from Petchen Exr to Stone acknowledged & recorded agreed taken & ~~Ack~~

C Deed from same to Boyer . . . same

C Deed from Erwin Exr to Ferebough . . . same

C Deed from same to Carter . . . same

C Deed from George Penn Sc to Henry Penn acknowledged by Charles Penn and Ack

C Anderson v ~~Mathews~~, an Bond & an Injunction Granted to stay all further proceedings, on a Judgment recovered by the said ~~Plff~~ Beal agst the Plff on his entering into bond and security in the Clerks office

C Inventory, Appraisement bill, and Sale bill of the estate of Mary Myers dec'd returned & ~~Ack~~

C Settlement of the estate of Mary Myers dec'd returned & Ack

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock.

Thos Chandlin

Wednesday to wit

At a court continued and held for the County of Rockingham County the 20th day of April 1808

Present

George Huston, Reuben Harrison
Archd Rutherford and Josiah Harrison & G. Dustin

X Deed from Moray &c to Moyers acknowledged unto acknowledgment taken &c

Deed from Peter Miller &c to Miller proved by the Witness thereto &c

Bill of Sale from Wm Carthrae to Frances Carthrae proved by Oath thereto &c

Bill of Sale from same to Mary Carthrae same

Deed from Parrott &c to Adams proved by the oaths of Josiah Harrison, Jno M. Taylor and N. L. Gambill which with the Commission & Examination of this unto Returned is &c

On the Petition of John Koontz to alter the road from the Widow Smiths to Keplers Town, It is ordered that Samuel Chandler, Peter Sprinkle, and Jacob Yount being first sworn be appointed to View the said proposed alteration as also the old road and make report to the Court of the conveniency and inconveniency attending the same

A. Beeches & Price exhibit two Bills (in Chancery) (on Injunction) No Cause being shew for Continuing these Causes as original suits, they are ordered this 20. April 1808 to be dismissed with Costs.

On the Motion of Henry I Gambell, a Licence is Granted him to Keep an Ordinary at his house in this County for one year. on his entering into bond with Robert Grattan his Security in the Clerk Office

Deed from Warshbarger &c to Stouttemire a Surveyors Surveyors Return Filed

Report of the Viewers of the alteration of the road on the Petition of David Boughner &c made their report in these words Pursuant &c whereupon It is ordered that the said alteration be established agreable to the said report. and It is further ordered that the said Old way is not to be stoped untill the New way is opened by the said Petitioner and put in good Repair

Deed from Adam Blose &c to Grady a Surveyors Surveyors Return Filed

Deed from George Taylor &c to Jno Taylor .. the same

Deed from Jno Taylor &c to Geo. Taylor . . . same

The Last will and Testament of Abraham Smith dec'd was presented in Court and proved by the oaths of Robert Grattan and Thomas Stuart and ordered and on the Motion of Henry Smith one of the executors therein named who made oath thereto and enters into bond with Security as the Law directs a certificate is Granted him for obtaining a probate in due form, and It is ordered that Benjamin Smith Henry Warshbarger Peter Boler, and Daniel Brannaman or any three of them being first sworn do appraise the estate of the said Smith and make report to this Court.

285.

Deed from David Kyser Exr to Jno Kyser. proved by the oaths of Jos Fawcett, David Kyle and Henry McGambill, which with the Privy examination of his wife returned certified and ordered to be Recorded

Deed from M. Blair &c to John Manly, acknowledged. wife acknowledgment taken &c

George Newton. Returned into Court his account for Services rendered as a commissioner for the year 1807. and the Court having considered that 16 days is a reasonable the same is ordered to be certified to the auditor of Public accounts

Report of the Dower of Nancy Brumbach, in the late Husbands Land together with a Valuation of the Land left to Jacob Brumbach one of the heirs, was returned and ordered to be Recorded

Report of the alteration in the road leading from the Widow Smith to Kepell Town on the Petition of John Koontz by the Viewers this day made which is in these words, in Pursuance of an order of Court &c whereupon it is ordered that the said Report and Plan be established agreeable to the said Report, and it is further ordered that the said old road is not to be stopped untill the said new road is opened and put in good repair by the said Petitioner;

Ordered that David Neatwood be appointed Overseer of that part of the road whereof Abraham Whitmore was Overseer off and that the several tithables appointed to work on the said road be attended for his Gang &c

On the Petition of John Tenfield Esqr. for a View of the Road leading from Cooks Creek to the Fearing of the North River at Mr Gills. and also the road leading from the Mouth of Cooks at Alexander Herrings to where it intersects the road leading from Harrisonburg to the said Ferry. It is ordered that Benjamin Harrison Jr. James Davis, Andrew Erwin Sen. & Clemons Erwin or any three of them being first sworn be appointed to View the said Roads, and make a report to the Court whether the road leading from Cooks Creek to the said Ferry, may not be altered so as to join with the road leading from the Mouth of the Cove aforesaid, and State the Conveniencies and inconveniencies attending the said proposed alteration.

Ordered that Aaron Solomon be appointed Overseer of that part of the road in which Daniel Harrison was Surveyor off, and that he with the usual Tithables appointed to work on the said road work thereon and keep the same in Good repair —

On the Motion of Archibald Retherford Administration of the Estate of Jacob Woodly dec. with the will annexed is Granted him, he having with Security entered into and acknowledged bond, as the Law directs.

On the Motion of Archibald Retherford, who made oath thereto and with Security entered into and acknowledged bond, as the Law directs. administration (De bonis non,) of the estate of Jacob Woodly dec. is Granted him, with the last will and Testament of the said Woodly, thereto annexed.

Matthews Lincoln on a Injunction, the Plff having shewn no cause for Continuing his bill as an Injunction Dismissed it. this 20th of April 1808 Ordered to be dismissed with Costs.

On the Petition of George Hardiman Jr for a View of a Way for a Road leading from George Perry's Shop to intersect the Road leading from Harrisonburg to Ley River gap. It is ordered that Michael Miller, William Ewin Isaac Long and Daniel Miller or any three of them being first sworn be appointed to View the said proposed Road. and make report of the Conveniencies and inconveniencies attending the same to the Court.

Herring admrs v Herring heirs Sci Fa issued against Walter Davis Guardian for William & Elizabeth Chifly Orphans of Abbegal Chifly late Abbegal Herring, returnable to June Court next

Report made by the Commissioners on the Petition of William Linsey Jr for an alteration in the road to New market was returned into Court. whereupon it is ordered that the said Report be Recorded and the said Petition be dismissed

Two Deeds from M. Cromer Exr to D. Boalston acknowledged with a Memorandum thereon endorsed

A Deed from Boalston Exr to Cromer acknowledged with a Memorandum thereon endorsed

A Deed from Martin Cromer Jr to Messrs acknowledged, with a Memorandum thereon endorsed.

Andrew Shanklin Archibald Patterson & Reuben Harrison who was appointed Commissioners to lay off the prison rules in this County made a Report and Survey of the same, which is ordered to be established by the Court and entered of Record

Order to David Smith

On the Petition of Reuben Harrison, It is ordered that David Smith, Asher Waterman Benjamin Smith and Joseph Graves or any three of them being first sworn be appointed to View the alteration made in the Road leading from Harrisonburg to Staunton, beginning at the end of Irish Street and from thence to where the same Intersects the said Staunton Road just beyond the old brick yard and make report immediately to the Court of the convenient attending the same, whereupon the said Commissioners made a report stating the alteration to be a better way than the old road, and that the same is in good order. which alteration is ordered to be established agreeable to the said report.

Smith's Mayn plaintiff heard and dismissed

Deed from Rogers &c to Rice acknowledged &c

Ordered that the Indenture of the Pore bind Michael Clynefelter aged 14 years in December last to Henry Sagger to learn the trade of a Black Smith who agrees to pay unto the said Michael 18 dollars when free.

Deed from R Kyle to Jno Rogers proved by the oaths of Andrew Shanklin Asher Waterman and Mich. Robinson, which with the Commission & returns certified are ordered to be Recorded

Campbell &c
Lyon's Campbell &c on the Motion of the Defendant by their attorney, a Commission is awarded to take depositions on Giving the Plff Notice

Ordered that the Overseers of the poor bind Robert Brattan (agreed 11 years the 4th of May next) to Christian Landis, to learn the trade of a Waggon Maker. and that he be allowed the sum of Twenty dollars for his freedom dues.

Smith & Beard discharged.

Ordered that Michael Summers be appointed Overseer of that part of the road leading from Harrisonburg to New Market Beginning at the beg spring and ending at or near Solomon Mathews Coaling Ground. and that all the Male Labouring tithables on one and half miles on each side of the said road be allotted for his Gang to work thereon and keep the same in Good repair.

Ordered that Henry March be appointed Overseer of that part of the road leading from Harrisonburg to New Market Beginning at Solomon Mathews Coaling Ground to the forks of the said road and that all the Tithables on one and a half mile on each side of the said be allotted for his Gang to keep the same in Good repair, and It is ordered that the order made appointing Abraham Rue Overseer of the said road from the beg spring to the said forks be rescinded.

Ordered that Jacob Myers be appointed Overseer of that part of the road in the room of Peter Boles and that the usual Tithables allotted to work on the said road be appointed for his Gang &c.

Ordered that George Cline be appointed Overseer of that part of the road whereof Charls Beard was Overseer of, ~~and that~~ except that he is to work no farther than to Joseph Freeys house, and that the usual Tithables allotted to work on the said road be appointed for his Gang. and It is further ordered that the ~~Limits~~ bounds of the Overseer of the road from the Beg. Spring at Krotzer be extended to the said Joseph Freeys house.

Ordered that the Overseer of the poor bind Theodorick. a free Negro aged 8 years the 1st January last. to Rachel Bettes to learn the trade of a Shoemaker, who is to have for his freedom dues 16 dollars at the expiration of his term

On the motion Jacob Weigh leave is granted him to keep an Ordinary at his house in this County for one year, on his entering into bond with John Penn his Security in the Clerks office

Ordered that Martin Cannon be appointed Overseer of that part of the road whereof Philip Stultz was Overseer off. and that the usual tithables appointed to work on the said road be allotted for his Gang &c

A Report made by the Commissioners appointed to View an alteration in the road agreable to the Petition of Zachariah Shackelford. &c was returned into Court. whereupon It is Ordered that the said alteration be established agreable to the said report, and It is further ordered that the old road is not to be stoped untill the said New road is opened and put in good repair

Commission Pigg examination of Margaret Bryan & wife of Mr Bryan &c to Cherryholme returned 10th

Ordered that the County of Rowan Lofland. Surveyor of apart of the road to New Market extend no further then to the four Mile post near David Ushers — and It is further Ordered that John Howard be appointed Overseer of that part of the road beginning at the said four Mile post, to the said John Howards house and that all the Tithables within 3 Miles of the said Road be allotted for his gang to work thereon and keep the same in good repair

John Koontz. Daniel P

The Several Overseers of the Roads leading into, and adjoining the town of Harrisonburg, this day met and agreed to an allotment of the hands for each of them, which allotment is agreed to by the Court and ordered to be Recorded.

Ordered that the Overseers of the poor bind Thomas Shanklin orphan of Mollie Shanklin, to Henry Welch to learn the trade of a Sadler as the Law directs. who is to have for his freedom dues 15 dollars

Archibald Loker orphan of Thomas Loker dec'd came into Court and made choice of Henry Marsh as his Guardian who is also appointed Guardian for Daniel, David, Thomas, Polly Loker and William Loker children of the said Thomas Loker dec'd who with Security entered into Bond as the law directs.

Ordered that the Court be adjourned untill Court in Course.

Jno Shanklin

A List of the Several Overseers of the Different Roads leading into and adjoining the town of Harrisonburg. Together with an allotment of the hands assigned to each Overseer. who are to work on no other Road but the one allotted to the Overseer. which allotment was confirmed by the Court, and ordered to be Recorded. which is as follows—

George Argabright Jn. Overseer of the road from Harrisonburg to the New began Benj.a Smiths far. his gang all the Tithables on the following Plantations

Benjamin Smith
Adam Argabright.
Peter Thomas.
Jamaco Chandler
Robert Dumphells
Samuel Dumphells
John Dumphells.
Samuel Garber &
Daniel Miller (near Argabrights)

Daniel Bagen Overseer from Harrisonburg to William Smiths Land (at Dry fork) for his gang all the tithables of the following Plantation

Daniel Bagens.
Gordan Bogers.
Felix Shellman
William Smiths Jun.r (except those for Sam.l Long).
Jeremiah Kyles.

John Koontz from Harrisonburg to Chernet Ridge, for his Gang. the all hands of the following Plantations

John Koontz.
Samuel Leedy.
George Seitz
Thomas Harrison heirs where M.r Mathony now lives
David Kyles (formerly M.r Rogers)

Daniel Miller from Harrisonburg to Garber Meadow on (New works) all on the following plantations.

Daniel Miller
Daniel Garber
Joseph Cravens.
Thomas Harrison heirs where Jams Mesick now lives
David Whitmore
David Deatwood
Frederick Young.
Isaac Long
Michael Miller
Jacob Myers.

William Rice from Harrisonburg on the Road to Hosiers Mill, his gang all tithables on the following Plantations

William Rice
John Eversole.
Reuben Harrison (except [illegible])
Ephraim Mesicks

293.

George Cline from Harrisonburg to Jos Peery on the Woodstock back road. all the Tithables at the following places.

George Cline
Charles Beard (where he formerly lives)
Richard Ragen
Joseph Peery
Samuel McWilliams

Martin Cromer from the Woodstock road towards Newtons Miller in room of P. Skelly for his Gang. all the Tithables at the following Plantations

Martin Cromer at his place which he purchased of Skelly and Peery &c
Charles Beard at home place
Peter ~~Hamplt~~ Vanpelt

George Arguebright Senr. Overseer from the Staunton road towards Rawleys Mill &c all the hands at the following Plantations

George Arguebright.
Daniel Wine
Isaac Burner

John Shellman from the forks of ~~at~~ road high, on Woodstock Road. all the hands at the following Plantations

John Shellman,
John Donaven
Edwin Nicholy

Dorman Loffland, over a part of road from New Market from M. Smiths to 4 Mile post this hands, on the following Plantations —

Dorman Loffland.
Thomas Harrison
David Usher
David Kyle (Furnace place)
Isaac Miller
John Graham.
William Smith dec? (where he Sam lives)
Polcarpin Bolton

Philip Frebough, from forks of road at Jo Cravens on Dry River gap road, all hands on following places Plantations

Adam Frebough heirs
John Harrisons heirs
John Means
Jonathan Bolton the following was added by order of September Court 1813.
Michal Miller, Jr.
Isaac Long
John Eversole. Sold. Jno Frebough is the Owner. Jno Long overseer.

Recorded by order of Court made at April Court 1808

Test. J. McWilliams Clk

Tuesday to wit.

At a court held for the County of Rockingham the 17th day of May 1808.

Present.

Aaron Shanklin, Wallis Davis, Josiah Harrison & Peachy Harrison . . . . Gent. Justices

Ordered that the rules be held in the Clerk office, on Thursday the 19th day of this Instant and on the day after the 3rd Tuesday in June and July next according to Law.

Grand Jury sworn to wit

Thomas Hopkins foreman, Michael Miller, John Eversole, Daniel Harshbarger, William Foubough, Henry Fleshe, Lewis Stephens, Christian Deadmore, John Rush, John Kentz, Henry Nesler, Wolfy Sailor, Jacob Rife, Jacob Christman, Evan Thomas, Arthur Davis and John Rader, who were sworn and received their charge, and retired from the bar, to consult on their Presentments, and after some time returned in Court and found the following, two Summons for Larceny v Adam Bloss two bells, and also a presentment v Pedlering, and Mace: and nothing further appearing It is Ordered that the said Grand Jury be discharged and that Summons Issue on the said presentments Returnable as the Law directs.

Rice v Porter & Mathews surety's agreed

Ruffner v Coffman surety's agreed

Selfrey v Baker, on a Notice for Money paid as his security Notice proved and continued.

Weir admr v Roler & Daniel Fuller & Adam Bittle Sheriff Office Judgment set aside pays Costs

Mayberry &c v Robertson offrs Judgt set aside and dismd a gnd

Graham v Funk. John Funk Sclbail offrs Judgt set aside payt & Issd

Salvage v Purly & Wm Thomas Sclbail offrs Judgt set aside payt & Issd

Hughes v Boyd. Jeremiah Warren Sclbail offrs Judgt set aside as to the appearance bail

Donavan v Boyd on attachmt

The sheriff having returned executed in the hands of Samuel Glyn, and summoned him a Garnishee who appeared in Court and being sworn declares that he will owe the said Defendant the sum of $50 for rent which will be due on the first day of March next, and the said Defendant being called Judgment is Granted the Plff for $18.33 cents with Interest and Costs and it is further ordered that the said Garnishee do pay to the said Plff the amount of the said Judgmt when the said rent shall become due.—

Salvage v Moyers. two suits dismissed by order of the Plaintiff

Reed v Martin dismd a gnd in Court

Miller v Coffman &c on a Notice on a Delivery bond Notice proved and Judgmt

Spangler v Blain &c on a Notice on a Delivery bond Notice proved as to Blain and Judgmt

Matheny v Harrison N. E set aside N. G and Issue. and Continued for Defendant, and by consent It is ordered that the Surveyor go upon the Lands in Controversy on

some day to be agreed upon by the parties a survey and lay off the same as either party shall direct, and return a plat and report to the Court.

Ordered that Isaac Hays & Israel Hays Sheriff of Orange be set aside past Office

Present Charles Lewis, Archibald Rutherford, Jacob Kyser and Peter Turney.

Absent. Andrew Shanklin, Josiah Harrison & Walter Davis

Adam Bloss late of the County of Rockingham Labourer who stands Indicted for Larceny was appeared in Court in discharge of his Recognizance, and thereof being arraigned plead not Guilty to the Indictment and for his trial put himself upon God and his Country, whereupon came a Jury to wit

David Wallace, Robert Rutherford, William Sandy, Samuel Sulenbarger, Henry Kessell, Samuel Stele, Joseph Strock, John Funk, Philip Royer, William Selman, Benjamin Harrison & Jacob Argabright, who being elected tried and sworn the truth of and upon the premises to speak upon their oaths do say that the said Adam Bloss is not Guilty of the Larceny aforesaid as in pleading he hath alledged, Whereupon the said Adam Bloss being arraigned on the second Indictment and plead not Guilty and for his trial put himself upon God and his Country, and thereupon came a Jury to wit William Donaven Thomas Jones John Hemphill, Jesse Lincoln, Solomon Mathews, William Lolley Zachariah Hog, John Howard, George Argabright, Christy Kersley, Hugh Burns and David Miller who being elected tried and sworn the truth of and upon the premises to speak upon their oaths do say that the said Adam Bloss is Guilty in Manner and form as in the Indictment ags[t] him is alledged, and that he return to Jail from whence he came and that the goods and Chattles, so stolen are forthcoming so as to be restored. Whereupon the said prisoner is remanded to Jail

Wayt v Mace. Charles Lewis Sp Bail office Judgmt
set aside as to the appearance bail

Ordered that William Robertson be confined in the Public
Jaile of this County. untill the rising of the Court to day. for
a contempt offered the Court.

Ordered that Mathias Leep alias Nicholas Legg be fined in the sum of Eight
Dollars. for non attendance. as a Venire. Man summoned
on the trial of the Commonwealth v Adam Blose
unless good cause be shewn to the contrary on or before
August Court Next

Koontz v Harrison dismiss by order of the Plaintiff.

Earle v Donavon Office Judgment set-aside and
dismiss agreed

Maddox v Hultz. John Koontz Sp Bail

Ordered that the Court be adjourned untill to Morrow
morning 10 o'Clock.

Jos. Thompson

Wednesday to wit

At a Court continued and held for the County of Rockingham and the 18th. May 1808.

Present

Asher Waterman, Archa. Rutherford
Jacob Kyser and George Bowle. & G. Keerties.

Ca. Green v Harrison Office Judgment set aside and dismiss'd agreed.

Ca. Smith v Jacob Phelps Plurias Capias returnable here at August Court next.

Ca. Smith v Rounderbush dismiss'd by return

Ca. Smith v Burnsyder two presentments dismiss'd by order of the Attorney for the Commonwealth

James Allen ... Compl't

Ca. "

Charles Lofland & } In Chancery
Daniel Smith ... Defts

This cause came on to be heard by Consent to be heard this 18th. day of May 1808. upon the Bill and the answer of the Defendant Smith and the exhibits filed in the Cause, and the Order of Publication made in this Cause at April Court 1807. appearing to be duly executed, and the Defendant Lofland still failing to enter his appearance and give Security according to the act of assembly, and the rules of this Court, and it appearing to the Court that the Defendant Daniel Smith has in his hands £29 11 0 10 with Interest from the 15th of March 1808. Money belonging to the Deft Lofland, and it also appearing to the Court from another exhibit filed in the Cause that the Deft is indebted to the Plff £14 11 8. It is therefore ordered and decreed that the Deft Smith do pay to the Plff the said sum of £14 11 8. and his Costs (except a Lawyers fee) out of the Money of the other Deft Lofland in his hands, upon the Plff. entering into bond and Security to be filed in the Clerks office in this Cause, according to law all which is decreed and ordered accordingly and the Plff. also entered into a

Reed vs Boyd & William Donavan & James Craig
Sfbail. for Boyd
Offrs Judgm. set aside as to the appearance bail

Foster vs Boyd Archibald Patterson Sfbail

Young vs Grandall Zachariah Hoy Sfb bail offrs
Judgm. set aside payt & Sfrs

Adam Blow late of the County of Rockingham Labourer
who stands Indicted for Larceny was led to the bar in custody
of the Jailor and thereupon being arraigned plead not
Guilty

Adam Blow late of the said County of Rockingham
Labourer who stands convicted of Petit Larceny was again
led to the bar in custody of the Jailor and thereupon
it being demanded of him if any thing for himself
he had, or knew, to say why the Court here to Judgm.
and execution against him according to law, should
not proceed, and nothing being offered in delay of Judgm.
It is therefore considered by the Court that the said Adam
Blow be taken to the Public Whipping post and
receive ten lashes on his bare back that being the
Number by the Jurors aforesaid in their Verdict
against
aforesaid arraigned and that the sheriff execute this
Orders accordingly —

Smith vs Boles continued

Same vs Robertson continued

Same vs Moore continued

Dunlavon vs Roads continued

Jordan vs Stultz continued

Hartley vs Conrad continued

Ryan v Earlsizer continued

Iverson Poor v White discnp? no Information

Brumbrook v Hertt v Writ ejectment warrd and Judgm? for Costs

Commonwth v John Phelips, Jury sworn to by the Sheriff to wit William Sandy, David Wallace, Daniel Protzman, Henry Mace, Jacob Salow, George Waggoner, Henry Moyers, William Sites, Benjamin Harrison, Daniel Powell, Henry Shaver & Daniel Harry. Verdict. Viz that the Defendant is not Guilty and Judgm? v the Prosecutor for Costs

Boags extr v John Ellt. Smith appearance bail for Jacob Pence.
Jury sworn to by the Sheriff to wit John Grady, Peter Sprinkle, Thomas Jones, John Fulk, Daniel Hairshman, Henry Hoover, John Peckering, Henry Whisler, Henry Satterlee, John Beal Isaac Hess, and Peter Waggoner, Verdict for the Plff for the Debt in the Declaration Mentioned, to be discharged by the payment of £2 11 5/3 with Interest at 6 per cent from 4th April 1794 till paid and Costs Judgment

Lincoln v Gregely discnp? by order the Plaintiff

Kyger v Hosier
Archer v Rogers Continue for defendant.

Hackleys extrs v Hoy John Lobey Sheriff Office Judgm? set aside pay? Sheriff

Donaghe v Beeks & on a replevy bond for rent. Notice proved and C. Judgment

Kyger v Negga & Daniel Bagen Sheriff Office Office Judgm? set aside pay? Sheriff

Hess admrs v Lord Thomas Summons Sheriff

Sheetz v Miller Jury Sworn to try the Issue to wit
William Sandy, Samuel Sulenbarger, Henry Shaver, Jacob
Sala, David Wallace, Benjamin Harrison, William Sites
Daniel Botzman, David Harry, Daniel Dovel, George
Waggoner, and Henry Mogey. Verdict for $3.34 cents
Damages. whereupon. the Court doth Order it to be Certified
that the title and bounds of Land did come in question
and Judgment for Costs

Whisler v Light. and

Light v Whisler By consent of the parties by their attorneys
all matters in difference between them in these suits
is referred to the final determination of Giles Turley and
Ezekiel Harrison, and whose award or the award of their
umpire in case of disagreement is to be made the Judgment
of the Court.

Whisler v Light and Light v Whisler. these suits are
ordered to be determined agreed that the parties having agreed
the same

Koontz v Harrison by Consent of the parties by their
attorneys It is ordered that a commission be awarded
the Plff to examine and take the Deposition of Sundry
Witnesses of the and State of Georgia, on giving
the Defendant Reasonable notice of the time and place
of taking the same, which Deposition is to be taken by
any three Magistrates in the said State who will
Certify themselves to be Magistrates Such

Barnhart v Herndon two suits Continued Plaintiffs

Bell v Beard &c In chancery. Order Publication v John
2 Sepi. mand. M'Neal and wife, Returnable to ~~August~~ October Court next.

Davis admr v Woods Continued

Nigh v Falck Continued for the Plaintiff, but not to loose its place on the Docket.

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock

A Waterman

Thursday 19 inst

At a Court Continued and held for the County of Rockingham the 19th day of May 1808

Present

Andrew Shanklin, Asher Waterman,
Peachey Harrison and Arch.d Bethelfoot Esq.rs Justices

Keighley v Allen &c Office Judgm.t set aside, payment for Security and Stay

Jamin (a free Negro) v Smith, Writ enquiry set aside, N. G. and Gen.l Replication and Issue, to inst John Smith, Richard Booz, Gordon Rogers, Benjamin Berghart, Henry Welch, William Rice, Jacob Rohr, Mark Newland, John Rogers, Benjamin F. Talvage, Andrew Cutler & John B. Harry, Verdict for the Plff for Seven dollars Damages and Judgm.t

Gilliland v Shepman Jurs Sworn to try the Issue to inst.

Benjamin Harrison, Henry Fulwider, John Pence, Jacob Nigh, John Rohr, Jesse Bowling, Stephen Matheny, Samuel Pate, Daniel Protzman, Silas S. Foster, George Wheretenbarger & Elijah Jones Verdict for the Plff for £20. Damages with Interest on £10 from 15 March 1805 and on the remaining £10 from 15 March 1806 tate Stay & Judgm.t

Lewelle v Harrison &c plea waived and Judgment confessed as per Specialty with Interest and Costs (saving equity)

Hagar extrx v Harrison &c . . . . . same

Stubblefield v Mathews . . . . . same

Hill v Smily . . . . . same

Carthrae v Smily . . . . . same

Vass &Co v Smily . . . . . same

Lewis extrx v Herring (two suits) . . . . same

Pierces exrs v Mallowry . . . . . same

Rice . v Shipman &c . . . . . same

Aaron Rice v Herring (3 suits) . . . . same

Hoeman . v Grim . . . . . same

William Rice v Lewis (2 suits) . . . . same

Wayt &Co . v Hysor &c . . . . . same

M'Causland v Hite . . . . . same

Lair extrx . . v Neswanger . . . . . same

Koontz . . . v Evesole &c . . . . . same

Salvage . . . v Callahan &c . . . . . same

Same . . . . v Cammel . . . . . same

Same . . . . v Beaver . . . . . same

Koontz . . . v Linsle . . . . . same

Ryan &c v Roop . . . . . same

M'Cue v Carthrae, plea waived and Judgment.

Collins v Leyda Jonathan Shipman Gilbait office Judgm set aside payt of Issue

Harrison exrs v Shipman &c Frederick Spangler Gilbait office Judgm. set aside payt of Issue.

Reichart v Kessels Writ enquiry set aside N. A & N. A withdrawn and N. P. within one year as to the Partnership Merchantile accounts. 5 year. Genl Replication and Issue Jury Sworn to try the Issue to wit Benjamin Harrison, Henry Fetwater, John Perrin, Jacob Keyser John Bohr, Elijah Jones, Jesse Bowling, Stephen Matheny. Samuel Yeto, David Protzman, Julian S. Foster & George Whetenhaller Verdict for the Plaintiff for $8.87 Cents Damages. whereupon the Court not having heard Argument to set aside said Verdict, Judgment is ordered for said sum whereupon the Defendant Moved the Court to award a Non Suit which upon argument was awarded & 57 Dollars Damages and Judgm for Costs.

Herrgardus v Kitrus Plaintiff being Call'd and not appearing It is ordered that this suit be dismissed with Costs.

Pulser v Stone dismissed no Information

Rice v Bright Jury Sworn to try the Issue to wit Andrew Cutler, Robert Retherford, George Berry, Henry Welch Ezekiel Logan, Benjamin B. Reichart, Jacob Bohr, Samuel Seltzgarger, Richard Booz, John Smith & John B. Dairy. & Caleb Newland.
Verdict for Defendant and Judgm. Memo on the trial of this cause the following bill of Exceptions offered to the Court. Rice v Bright &c. which was signed and sealed as the Law directs.

Snodder v Stultz, Writ enquiry set aside N. A Genl. Replication & Issue

Woolf v Armentrout & Continued

Harrison v Drury Continued

Gallinger v Miller Continued

Absent Asas m Shanklen,
Present Joseph Harrison.

Shanklen v Seter. Jury sworn to try the Issue to wit
John Smith, William Rice, George Berry, Ezekiel
Logan, Benjamin B. Reighard, Jacob Bohr, Mark
Newland, John Rogers, Richard Booz, Henry Welsh
Andrew Cutler & John B. Harry. Verdict for Defendant.
on the Motion of the Plff. a New trial is awarded. on
his paying the Costs of this day.

Smith v Braswell Writ enquiry set aside and Judgm
for Costs

Anderson v Eaton Continued

Parrott v Carns Continued this sup? by order the Plff.

Hemesprung v Klein Continued

Rice v Spangler &c. The Defendant filed a special plea
to which the Plff replied General Replication & Issue
Stephen Matheny, John Pence, Benjamin Harrison, Daniel
Protzman, William Donavon, John Bader, Isaac Bowlin
Jacob Leigh, Elijah Jones, Henry Fetwiler & John
Bohr, & Samuel Seitenbarger, Whereupon by Consent
Benj? Harrison one of the Jurors is withdrawn and the
Cause is Continued.

Norris v Jacob Bitts Samuel Bitts Sp Bail

Austin v Cathcart &c. Office Judgm set aside Pay?
and Issue

Watterman v Leonard Offic Judgt set aside Appt for the appearance last Sprs.

Loftus v Carthsaw . . . . . same

Donaghe v Rice . . . . . same

Newton exrs v Hazel . . . . . same

Henry v Hamilton &c . . . . . same

Gowb v Mallowy . . . . . same

Mayt v Rice . . . . . same

~~Salvage v Harrison . . . . . same~~

Harrison v Donavow . . . . . same

Mesick v Boyd &c . . . . . same

Rice v Hemphill . . . . . same

Same v Anderson . . . . . same

Jas Rice v Mallowy . . . . . same

Salvage v Harrison Offic Judgt set aside no such Record Appt Sprs

Baxter v Herring Daniel Smith Sp Bail Offic Judgt set aside Appt Sprs

Nelsey v Baker, on a Notice for money paid as Security to John Weir adm, Judgt for $200.77 Cents with Costs for 21 Novem 1807 title Scire Facias Costs

Ordered that the Court be adjourned until the 3d Tuesday in June next.

And Shankland

At a Court held for the County of Rockingham on Tuesday the 21st day of June 1808.

Present.

Andrew Shankland, Archibald Rutherford
Jonathan Shepherd & Thomas Moore Esqrs

Deed Release from Gamble to Mesterly acknowledged & Rd

Deed from Penn &c to Penn further proved as to George Penn by Andrew Dorrman & Isaac Dorrman & Christy Dorrman and by the oaths of Christian Ryger and Peter Ogler as to Peter Penn and ordered to be certified

Deed from Storm &c to Burgess Returned and certified from the State of Ohio, as the Law directs & Rd

Deed from Wiseman &c to Moyer acknowledged & Rd

Ordered that Giles Furly, Jacob Rife and John Bader or any 2 of them be appointed to examine State & settle the estate accounts of Mathias Miller and to make report to the Court

An appraisement bill & Sale bill of the estate of Abner Harrison dec'd Returned & Recorded

Deed Release from Cook to Yokley acknowledged & Rd

Absent Jno Shepherd Present Jos Harrison

On the Motion of Jonathan Shipman, an Injunction is Granted herein to stay all further proceedings on a Judgment Recovered by George Gilmore in this Court on his entering into Bond and Security, as the Law directs

A Deed from Doolt to Hartman acknowledged, entered acknowlegmt. taken & Ord.

A Deed of trust from Hartman to Doolt proved by the oaths of the Witness thereto & Ord.

Ordered that Asher Waterman, Andrew Shanklin and Peachy Harrison or any two of them be appointed to examine State and settle the estate accounts of John Fullen dec'd with the Adms and make report to the Court

A Settlement of the estate of Jacob Bear dec'd returned & Ord

A Deed release from Perrie to Miller acknowledged & Ord

A Deed of Trust from Miller &c to Perrie in trust for M. Mack & Sulser acknowledged by the parties and Ord

A Deed from Michael Lindsay Exr to Richard Bowers for Land lying in Frederick proved by the oaths of David Holmes and Jonathan Shepherd and Ordered to be recorded

A Deed from Carpenter Exr &c. Perrie Exrs to Henry Perrie &c. acknowledged by Perrie and Carpenter whereas the said Henry Perrie by his last Will & Testament did devise certain Property unto his wife Rebecca Perrie and which with the Privy examination of his wife

A Deed from same to George Perrie Jr. .. same

A Deed from same to Perkey .. same

A Deed from Name Exr to Hunteneger acknowlegd & Ord.

A Deed from same to A. Amon same

A Deed from Phillip Fix to Mussman. Lecture
Leaves unacknowledged Letters &c

A Deed from William Cochran to Margaret Cochran
acknowledged &c

A Deed from same to S. Cochran same

A Deed from same to Magell same

An appraisement held and sale bill of the
estate of Jacob Argenbright returned &c

On the Motion of Thomas Atherselter, It is ordered
that he be exempted from the payment of Road
his fathers County and Parish Levy for the year 1847.

A Deed from Kemphes Fix to Fulk acknowledged
unacknowledged Letters &c

Ordered that Joseph Graves, Samuel Chandler and
Elliott Rathford, being first sworn do appraise
& View an alteration in the Road leading from
Harrisonburg to Col. Harrisons, proposed by Daniel
Miller, and that they make report of the Conveni
ences and inconveniences attending the said altera
tion as also the old Road to the Court.

A Deed from P. Armentrout Exr to Armentrout &c
acknowledged unacknowledged Letters &c

A Deed of trust from Hamilton to Gelmon in trust for
William Reed fully proved by the oath of Reuben
Garis & Ordered to be Certified

A Deed of trust from Abraham & George Hamilton to
Smith for William Reed, fully proved by the oaths

of Robert Gains Deed to be certified.

Ordered that Walter Davis, Jonathan Shepman & James Davis or any two of them be appointed to examine state and settle the estate accounts of Thos Tutten dec'd with the executor and make report to the Court.

On the Motion of John Smith administration of the estate of his late wife Jane is Granted him. he having made oath thereto and entered into bond & security as the Law directs.

A Deed poor from Dingley Dec'd to Smith proved by the oaths of James Allen, Gilbert D. Sayler & Andrew Shanklin as to Dingley. wife acknowledgm. Return certified and was acknowledged by said Smith &c.

A Deed from Frazier Dec'd to Head proved by the oaths of William Brisben & George W. Harrison and wife acknowledgm. Return certified &c.

A Deed from Bagley Dec'd to Miller proved by the oaths of Norman Bagley, James Smith and Barbara Miller wife acknowledgm taken &c.

A Deed from Hetley Dec'd to Furnes acknowledged wife acknowledgm taken &c.

A Deed from Miller Dec'd to Stevens acknowledged &c.

An appraisment bill of the estate of Christy Lyons dec'd returned &c.

Ordered that Abraham Newman be appointed overseer of the road in the room of William Dever, and that the usual hands appointed to work on the said road

be attotted for his Gang. to work thereon (except such as shall be hereafter attotted to other roads)

Ordered that Peter Powell be appointed Overseer of that part of the Road Beginning at Colo Harrison house to the New Erection in the room of John Herdeman and that the usual tithables appointed to work on the said road be attotted for his gang to work on

Deed from Tallman Lex to Stephens acknowledgt which acknowledgt tatten Cert

Deed from David Coffman to Sam. Coffman acknowledgt Cert

Deed from Miller to Conrad acknowledgt Cert and to be Recorded

Deed from Conrad to Miller same

Ordered that John Nestant be appointed Overseer of the road in the room of Christian Stroto, and that the usual tithables appointed to work on the said Road be attotted for his gang to work

Ordered that
David Guinn
Gwynn adms & on a Note to recover Money attached by Writ of Fieri facias to his Intestate, as high sheriff of the County of Middlesex Note proved and assigned for £316.18.5 with Interest at the rate of 15 per cent from the 23rd day of May 1808 till paid and Costs.

Ader from Lewelw Lewis to Perry acknowledged Dft

Ader from same to Baider . . . . same

Grace Harrison, Ann, Elizabeth, and Mary Harrison orphans of Nathl Harrison came into Court and made choice of John Chrisman & Daniel Harrison as their Guardians, and It is ordered that the said Harrison & Chrisman be appointed Guardians for the other Children of the said Harrison who are Infants under the age of 14 years who entered into bond and security as the Law directs.

Ordered that Cornelius Bryan be appointed overseer of that part of the road in the room of Joseph Krotzer and that the usual tithables appointed to work on the said road be allotted for his Gang to work &c.

Ordered that Christian Allebough be appointed overseer of that part of the road leading from Harrisonburg to Brocks Gap Beginning at the Run at the said Allebaughs Smiths shop, to where it intersects the Mountain road and that the tithables within two miles on each side of the road be allotted for his gang &c and It is further ordered that Nicholas Perry bounds extend no farther than to the said Run.

Rose & al Plff. on a Summons. dismissed by order of the Plfts attorney —

Harrison & Harrison Deny March Sessions.

Commonwealth & Mace Ven Summons

Ordered that that Adam Howard by appointed Overseer of the road leading from Hopkinsburg to New Market. Beginning at John Howards to a large Stone standing in the road, and that all the Tithables within two Miles on each side of the said road be attoted for his gang. and It is further Ordered that the bounds of Samuel Harrison begin at the said Stump, and from thence to the big spring

On the Motion of Peter Taylor It is ordered that he be exempted from the payment of County & Parish Levies on account of old age and infirmities

Freeze & Porter &c on a Motion on a Delivery bond Motion found as to Defendt and Judgment

Ryan & Jones &c on a Motion on a Delivery bond Motion found and Judgmt.

Ordered that the Overseers of the Poor bind Manly a Negroe boy aged 8 years the 18th October last, and Lawson a free Negroe aged 3 years the 24th December 1805 to Layton Yancy to learn the Trade of a Shoemaker as the Law directs.

Rice & Weir adm'rs &c on a Motion on a Delivery bond Motion found and Judgmt

Spangler & Weir adm'rs &c ... same

Sheetz & same ..... same

Ordered that Aaron Solomon Overseer of the road from Benjamin Smiths, bounds extend no farther there to where the said road intersects the road leading from Harrison

burg to Colo. Harrison, and It is further ordered that all former orders be respected —

Koontz v Boyd &c
Same v Same } Or Attachments.

The sheriff having returned on the attachments executed on a bed &c and a Parcel of hay &c and Executed on Elliott Rutherford and summoned him a Garnishee, who appeared in Court and being sworn declared he has in his hands sundry accounts to collect for the Defendant, the precise amount not known supposed to be about £24 or 25, and it remains uncertain how much thereof will be collected, and the said Defft being call'd and not appearing. It is ordered that he have Judgment for on the first attachment for £4.7/5. with Int & Costs and on the second for £3.11.3¾ with Int from 16th. November 1804 all past Costs. and It is further ordered that the sheriff make sale of the said attached effects and pay the Money arising from such sale, (first paying and satisfying an execution of William Reid and David Smith and so much as shall be agreed to be paid to James Craig on his attachment and that the said Garnishee pay the balance of there Judgments if any to the Defft out of any money that is in his hands, or that shall be due the said Defendant.

A Deed of trust from Dead to Harrison In trust for Henry Rogers proved by the oaths of William Burton & Henry Marty, as to Dead and acknowledged by Harrison and ordered to be Recorded.

Herring admr & Herring heirs, on a summons to shew Cause why two Negroes belonging to the said estate should not be sold. and the said Children not appearing altho solemnly call'd. It is ordered that the admr make sale of the said Negroes according to Law

Ordered that Walter Davis, Archibald Rutherford and Asher Waterman or any two of them be appointed to examine state and settle the estate accounts of Sarah Harrison decd with the admr and make report to the Court.

Deed of Release from Hunter & Gambill to Laithrae acknowledged & Recorded

Deed of Trust from Laithrae to Gambill & Magee in trust for Hugh Donaghe acknowledged by the parties and ordered to be Recorded.

Ordered that the overseers of the Poor bind John Farry aged 18 years the last of this Month) and who was formerly ordered to be bound unto Henry Metzger unto William Bear to learn the trade of a black Smith, who is to receive for his freedom dues fifteen dollars.

Deed from Phelps to Bowers acknowledged & Ord.

Craig vs Boyd on an Attachm.

The Sheriff having Returned executed on one Def. and the Defendant not appearing to defend the same, altho solemnly call'd. It is considered by the Court that the Pltf recover agt the said Defendant £5 11s 8½d with Interest from 21st May 1808 and Costs. and It is further ordered that the sheriff make sale of the said attached property and pay the Money arising from

said sale to the Deft in satisfaction of the said Judgmt.

Ordered that the sheriff pay unto Andrew Shanklen the sum of ~~of~~ one Hundred and Sixty ~~Eight~~ dollars and 58 cents being the amount of the account for Railing in the Court House & ~~and for~~ ~~thereof~~ out of any Money in his hands due the County

Delv? to Sheff.

On the Motion of John Harrison & David Harrison an Injunction is Granted them to stay further proceedings on $35 apart of a Judgment recovered against them by Hagar Eaton in this Court on their entering into bond and security and filing a release of errors as the Law directs

A View and report of the alteration of the road leading through the land of David Tuttle, being returned into Court and the Court having examined the same, are of the opinion, and do order that the road leading from Cooks Creek to the ford at Magells be discontinued and that the overseer of the same be discharged from working on the same and that the report of the Viewers are in all things confirmed

Harrison v Bruton on an appeal entered ~~by~~ dismissed

~~Ordered~~

Ordered that Arthur Davison be appointed Overseer of the road leading from Harrisonburg to Mary River gap, Beginning at ~~the~~ William Blairs House, to the ~~foot~~ 5th mile tree — and that Henry Kephart be appointed overseer from the said road beginning at that ~~place~~ the said 5 Mile tree to the 10 mile

Trew, and that ~~Robt~~ William Blair the appointed overseer on the said road Beginning at the end of Kephart settlement and from thence to the top of the Mountain, ~~and that he~~ and it is further ordered that the hands which have been this day allotted to the said overseers, as also to Joseph Hunter an overseer, and to Henry Smith, who is appointed an overseer (in the room of Gawin Hamilton) and to Thomas M'Culloch (who is appointed in the room of Isaac Crawford) whose bounds is to extend from Henry Smiths Mill to the Mouth of Breery branch gap, and William Freeholder, from the Mouth of said Gap to the top of the Mountain, which said allotment is ordered to be Recorded. and the Several hands this allotted is ~~not~~ to work on no other road but the road, they are assigned to. and it is ordered that the hands assigned this day to Thomas Gordon an Overseer be Recorded who is to work on no other road.

The bounds of these Several Overseers are Recorded at this end of the Minutes of this court and copies delivered to the Sheriff

W

Ordered from Wells Esqr to Harry proved by the oaths of Benja Smith Jos Travers and Samuel Chandler, and the commissions of his Majesties Justices &c Lieut. Returned is Ordered to be Recorded.

E.

On the Motion of Joseph Drury It is ordered that a Licence be Granted to Him Keeping an ordinary at his house in this County for one year from March Court last. and he entering into bond with Henry Gambill his Security in the Clerks office.

Ordered that John Ewen, Archibald Retherford and Reuben Harrison. or any two of them be appointed to examine state and settle the estate accounts of Jacob Eversole dec^d with the exec^rs and make report to this Court.

On the Motion of Jane Ireland. It is ordered that a license be Granted her to keep a tavern at her house in this County for one year, she her entering into bond with William Donaven her Security as the Law Directs

Mary, Joseph, Samuel and David Eversole orphans of Jacob Eversole dec^d came into Court and made choice of John Eversole as their Guardian — who has given bond & entered into Court to give Security —

Ordered that the Sheriff Summons all the acting Magistrates in this County to appear here at next Court for the purpose of Recommending Militia Officers &c

Ordered that this Court be adjourned until the third Tuesday in July next. Ard Shanklin

See on other side for Overseers of Roads and their hands Recorded

A List of Surveyors Overseers of Roads in Rockingham County. who names have been allotted and who are to work on said other Roads &c.

Joseph Denton Overseer from the Bar Mallow to William Blairs on Dry River gap road for his gang. all his own hands. the hands belonging to Levering on his place, Gabriel Pain, Daniel M Guire, John Nair, Reuben Rawly, Abraham Joseph Wann Campbell, John Gray Berry & Isaac Lee and Joseph Hamilton

Arthur Davis from the said M. Blairs to the 5 Mile Tree for his Gang. James Dawson, John Morley, John Loftis, Peter Whelmore, Peter Bowman, John Bowman Samuel Anderson, Joseph Anderson, Jacob Moyer John M Kee William Crawford and hands, John Dennis and Brother, John Berry Thomas Berry, James Berry. Joseph Berry, & Samuel Berry —

Henry Kephart from the 5 Mile Tree to the 10 Mile Tree his Gang. Charles Sprecher Henry Berry. William Bridges, Mathews Bridges Henry Bargle, John Bargle Isaac Waggy. Abraham Waggy. W.— Lambert James Blain. Charles Blain James Anderson George Hamilton & Abram Hamilton.

William Blair Overseer from 10 Mile Tree to top Mountain & his Gang. William Rawly. Robert Gwinn and his Sethable, Alexander & James Heins, Isaac Rea and Sethable, John Miller and his Sethable, Samuel Miller and his hands.

Thomas Gordon Overseer from his own house, to Dry River on the Brocks Gap road. his Gang all his own hands, Samuel Gilmore John Carrible, — Good, Drake (a free Negroe) George Berry. Samuel Bowman, Henry John Black, Christian & Jacob Eversole.

Henry Smith Overseer in the room of Gwin in Hamilton from Muddy Creek to said Smiths Mill, his Gang. All his own hands, Benjamin Thompson, Geo Gilmore and hands Thomas Gilmore and hands, Luke Rice and William Melchey.

in room of J. Crawford Thomas M Culloch, Overseer from said Smiths Mill to the Mouth of Briery branch Gap. his Gang. Michael Dowdenhelt and hands, William Cochran and the Sethable at his place, John Black and hands, William Divers ford, George Baker, Jacob Londermilk, & Isaac Crawford.

William Freeholder, from the Mouth of the Gap to the top of the Mountain, for his Gang. all the Estables, from the Mouth of the gap, on the South side of the Branch, for three miles down, and square a Crop, to the augusta line.

A Copy Test S. M. Williams Clk

Tuesday to wit

At a Court held for the County of Rockingham the 19th day of July 1808.

Present

Andrew Shanklin, Peachy Harrison
Josiah Harrison & Jonathan Shepherd & J. Justices

A further Settlem of the estate of Silas Hart dec was Returned & Ord to be Recorded

On the Motion of John Ryan, a Licence is Granted him to keep a Tavern at this County in this year for one year on his entering into Bond with William Frankenstein his Security in the Clerks office.

Spangler & Blain &c On a Notice on a Delivy bond. Notice proved as to William & James Blain and Judgment

Ordered that the Sheriff take into his hands and possession all and singular the Goods and Chattles of William Reeves dec who died intestate and administer the same according to Law. It appearing to the Court that he has been dead for 3 Months and that no person hath applied for administration on the said estate.

321.

Deed of Trust from Shanklin to Rush in Trust for Rush & Newcomer by the parties &c &c

Deed of Trust from Robertson to Rose in Trust for David Hoffman proved by the oaths of James Morrison, John Dutton & Peter Boyer & ordered to be Recorded.

A New and Report of an alteration in the road from Harrisonburg to Miller Iron Works agreeable to the Petition of Daniel Miller, which alteration is ordered to be established agreeable to the said Report. but that the old way is not to be shut untill the said New way is opened and put in good Repair

Deed from Moore Exr to Moore proved by the oaths of the Witness thereto &c &c

Deed from Woods and Wife to Heggan & Newcomer acknowledged and ordered to be Recorded

On motion that Andrew Shanklin, Archibald Robertson and Peachy Harrison or any two of them be appointed to examine state and settle the estate accounts of Anthony Rhodes dec and make report to the Court.

On the Motion of Margaret Hamilton & Abraham Hamilton admrs of the estate of Garvin Hamilton dec is Granted them they having made oath thereto, and with Security entered into and acknowledged bond, as the Law directs and It is ordered that Joseph Hunton, Henry Smith, James Quinn and

Isaac Shepman
or any three of them being first sworn be the appointed to appraise the estate of the said decedent and make report to the Court.

The Last Will and Testament of John Stets dec'd was presented in Court and was proved by the oaths of the witness thereto & Ordered to be Recorded, and on the Motion of Benjamin Lewis & William Stets two of the Exors named in the said Will, who made oath thereto, and with Security entered into and acknowledged Bond as the Law directs, a certificate is Granted them for obtaining Probate in due form, and Whereupon Cordelia Stets the other executrix named in the said Will appears in Court and refuses to take upon herself the execution thereof and It is Ordered that Oliver McCausland, John McCausland John Overton and Henry Sefe, or any three of them being first sworn be appointed to appraise the said estate and make report to the Court

Cordelia Stets Widow and relict of John Stets dec'd appears in Court and renounces the provision made her in her said Husbands Will, and on the Motion of the said Cordelia It is ordered that George Overton John Snap, & Tobias R McGahey being first sworn be appointed to lay off the said Cordelia her right of Dower in the lands of the said John Stets dec'd and make report to the Court

Deed of Mortgage from Watson to Debrell & acknowledged &c

323.

C Robertson v Weber Tobias R. M'Gahey Sptbail

John Eversole who was appointed at the last Court Guardian for, Joseph, Samuel & David Eversole orphans of Jacob Eversole dec? appeared in Court. and with Security entered into bond as the Law directs

Present

Asher Waterman, John Ewen, Jacob Kyser.

Absent. Josiah Harrison & Peachy Harrison.

David Harrison exor of
Reuben Harrison dec? ... Appellant
agst.
Williams Brisbow ... appellee. } On an appeal from Recovery a Judgment by the appellee agst the appellant before Josiah Harrison & Thomas Moore esqrs on the ~~day of~~ day of June 1808.

This day came the parties by their attorney and the Court having seen and considered the Record of the said Judgment, and having heard the testimony of the Witnesses and the argument of the Counsels, It is considered by the Court that there is no error in the said Record and proceedings, and that the said appeal be dismissed, and that the appellee recover agst the said appellant his Costs by him about his defence in that behalf expended

Sptbail for Defts & Ewen for Plff.

Dec? from John Stite Lessee to Nichols proved by the oaths of Robert Branham and Samuel Stite two Witnesses thereto

Cd A Deed from Shaver etux to Shaver further and fully proved by the oaths of John Lincoln & Deed to be certified.

Cd A Deed from Shaver etux to Parrott acknowledged with a Memorandum taken &c

A Settlement of the estate of Thomas Warren dec. was returned and Ordered to be Recorded

Commonwealth Mace New Summons awarded.

Ordered that the following hands be allotted to John Cook Overseer of the road from Joseph Dewey to the big Spring at Warrens. to wit, all the hands, at Richard Shaw, at Wallen Browns, at John Perrys, at Christy Vannas, Joseph Vaughn's at that part of Crotzers plan (where Joseph Krotzer Jr. lives) & Ordered It is further ordered that the said hands be exempted from working on any other road

Cd A Deed from Graham etux to Neeley acknowledged with Memorandum taken &c

Ordered that John Monroe be Summons to appear here at the Next Court to shew Cause why his Children should not be taken away from him and be bound out by the Overseers of the poor it being Suggested that he is not in Circumstances to raise and Educate them in a decent Manner

On the Petition of John Smith &c for a View of a Way for a Road leaving from the County line of Augusta near George Mc Smiths to Harrisonburg, passing along

the line between William Cravens & Isaac Newman, from them to Joseph Douglass planta-tion crossing dry river below James Davis house and near where Welshhon lives and passing his house and William Coats to intersect the road leading from Miller Iron Works to Harrisonburg near Colo Harrisons It is ordered that William Pierce, James Davis Wellcar. Isaac & John Rice or any three of them being first sworn do assemble to View the said way and make report of the convenient and Incon-venient attending the same to the Court.

Ordered that Asher Waterman & Charles Lewis

Ordered that Asher Waterman, S. Blair Kelly and Charles Lewis. be Recommended to his excellency the Governor, as proper and fit persons to be Commissioned as Sheriffs for the ensueing year.

Ordered that the Court be adjourned untill the 3rd Tuesday in August Next.

Ino Shanklin

At a Court Call'd and held for the County of Rockingham on Wednesday the 10th day of August 1808 for the examination of Henry Martin on Suspicion of Felony and Stands Charged with feloniously stealing of the ear of John McLaughlin.

Present.

John Ewen, Asher Waterman, Wallis Davis Peachey Harrison & Joseph Harrison. - & Gentlemen

The said Henry Martin appears in Court in discharge of his Recognizance, and being charged with the said felony pleads not Guilty, whereupon came Divers Witnesses viz. John McLaughlin, Jesse Rowlston & Mrs Leigh

who were sworn and examined touching the said offence, and the prisoner being heard in his defence, the Court upon Consideration of the Circumstances of the Case, are of the opinion that he be acquitted, and discharged.

and the Court arose

John Ewen

Tuesday to wit.

At a Court held for the County of Rockingham the 16th day of August 1808.

Present.

Andrew Shanklin, John Ewen, Archibald Robertson & Gentlemen
Wallis Davis

Strayes &c v. Wesley Samuel Coffman Gbail offers

Judgment set aside pay't Costs

Price v. Berry &c John Moore Gbail. offers Judgment set aside as to Berkley Pay't Costs

Ordered that the Pleas be held in the Clerks office on Thursday the 18th day of this Instant and on the day after the 3rd Tuesday in September next as the Law directs.

S. Rice v Thomas &c On a Motion on a Delivery bond
Motion proved as to Benjamin Thomas & Surety

Salvage v Dupp John Shaver Affidt

Elizabeth Nail orphan of Mathias Nail dec'd came into
Court and made choice of Adam Price as her Guardian
who entered into Bond & Security as the Law directs

Grand Jury sworn to wit
Thomas Hopkins, foreman, Peter Brown
Henry Sipes, George Safley, Lewis Stephens, Peter Crum,
Frederick Black, Henry Lyman, William Fowler, Robert
Rutherford Ulrick Sailor, Abraham Deal, Jacob
Hyger, Jacob Roop, Henry Shoaldsman and Abraham
Boon who received their charge, and retired from the Bar
to consult on their Presentments, and after some time
returned, and found the following, to wit Present &c Nothing
further appearing. It is ordered that the Grand Jury
be discharged, and that process Issue on the said
presentments returnable as the Law directs.

Shackelford v M'Laughlin, By consent of the parties, all
Matters in difference between them in this suit is referred to
the final determination of Archibald Rutherford, William
Bryan & David Poulton and their award to be made
the Judgment of the Court.

Jacob Kisor and Allen Kirtly Gent
Abrm Asher Watterman & John Ewen Gent.

Davis v May &c an a Notice on a Note bond Notice proved and Judgm.

G. May v Callahan &c ..... same

G. Harrison v Grove &c ..... same as to Grove

Asher Watterman Produced in Court a commission wherein he is appointed a Sheriff of this County for the ensuing Year, and he having made oath thereto, and entered into bond and security as the Law directs which bonds were severally acknowledged by the Obligors thereto and ordered to be Recorded.

Caldwell v Robertson Covd Custard Sfbail

Strayer & Coffman v Dale Williams Dele Sfbail

Dundore adm v Dale &c Williams Dele Sfbail

On the Motion of Asher Watterman Sheriff, Joseph Fawcett, David Ragin, Archibald Earle, Joseph Bywaters, and Silas M Smith are admitted his deputies and sworn accordingly

Brothers v Dale Jacob Dale Sfbail office Judgm set aside payt & Issue

Asher Watterman Sheriff appeared in Court and entered his protest against the sufficiency of the Jail of this County.

Graham v Nott &c David Loch Sfbail office Judgm set aside payt & Issue

Harrison v Brumfield Joseph Fawcett Sfbail office Judgm set aside payt & Issue

Miller v Leap &c David Munger Sfbail office Judgm set aside payt & Issue

329

Overseers Poor v Gay on a Recognizance for breach of the peace, on the Complaint of Ann Grady as the father of her bare born child, the said Peter Gay appeared in Court in discharge of his Recognizance, and acknowledged himself to be the father of the said Child, the Court upon Consideration doth order ~~that~~ the said Defendant enter into a Recognizance with one or more Securities in the sum of ~~forty~~ ~~two~~ pounds ~~Currency~~ ~~Dollars~~ for the support of the said bastard Child to be paid to the Overseers of the Poor of the parish and County of Rockingham in the following manner, ~~Seven~~ ~~Dollars~~ pounds within one month and ~~twenty~~ ~~Dollars~~ Seven pounds annually until the said sum of ~~seventy~~ ~~Dollars~~ forty two pounds be paid, and that he stand Committed until he enter into such recogz.

Miller v Bagsell & Jacob Roof Sflbail offrin Judgmt set aside payt of Costs he having Justified

Henderson v Ferguson, William Vance Sflbail in two suits. Offrin Judgmts set aside payt of Costs (he having Justified)

Wyatt v Emily William Lewis Sflbail offrin Judgmt set aside payt of Costs

Smith exrs v Campbell William Reis Sflbail offrin Judgmt set aside as to the Security

Ryman v Shaver ~~Rule for Security for Costs and on the~~ Motion of the Defendt. by his Atty a Commission is awarded him to examine and take the Depositions of Nicholas Shaver on Giving the Plfs notice of the time and place of taking the same

Aldridge v Watson & Negg Attachment v same & Same - Emily was offered as Sflbail, and was objected to by the Plfs Atty, but having Justified, he was Rejected by the Court. Offrin Judgmts set aside as to the Security

Harrison v Losey two suits, Issachar Hoy Gilbail
Offic Judgmt set aside, payt of Costs

Carter v Berry Mclain Kirby Gilbail & Office Judgm.
set aside as to the security and the Defendant was delivered
up by his said bail, whereupon Daniel Ragan enters his
Gent bail for the said Defendant.

Bader v Negg am dismiss agreed

Thompson v Smily, Mathew Watson Gilbail office Judgm.
set aside payt of Costs, (he having Certified)

P. Foster v P Mallowry Thomas Hopkins Gilbail Offic
Judgm set aside payt of Costs

Overseers Poor v Gary. the Defendant was brought into
Court by a Warrent from under the hand of Walter Dennis
Gent. and Notice being proved, and he having delivered up
a Schedule of his estate and took the oath of Insolvent
debtor was discharged according to Law

Ordered that the Court be adjourned until to Morrow
Morning 10 of Clock.

And Hamblin

Wednesday to wit

At a Court Continued and held for the County of Rockingham on the 17th day of August 1808

Present.

Andrew Shanklin, George Keerler,
Peachy Harrison, Joseph Harrison & G Sevier
& Michael Mauzy.

Selvedom v Sala dismissed agreed

Bagley v Utz and
same v Bloxd. & dismissed agreed.

Bowers v Hoop . . dismissed agreed.

M Causland v Hoop dismissed agreed

Knop v Hoop . . . same

Ordered that John Norman be confined in the Jail of this County until the rising of this Court this evening for a contempt offered the Court.

Herrsperger v Cline Continued Plff.

Proffit v Neto dismissed agreed

Mayberry & King v John Moore dismissed agreed.

Smith v Boler Continued

Smith v Robertson Continued

Smith v Mason. The Defendant being called and not appearing It is ordered that he be fined in the sum of five dollars for swearing six profane oaths. and Costs

Smith v Philip Moore Continued and on the Motion of the attorney for the Comth. an attachment is awarded agt. John Taylor a Witness Summoned for the Comth. returnable here to this Next Court.

Clk. Costs $4.61.

Courth & Philips, N. G. & Spurr, and the Defendant by his attorney confess'd a Judgmt for $10. and Costs.

Courth & Pickering parties heard and order Information be filed, to which opinion of the court the Defts by his atty excepts &c

Courth & Mace parties heard and order Information be filed. To which opinion of the Court the Defts by his atty excepts &c

S. Shanklin & Baker &c on a bond taken for rent Notice proved and Judgmt.

S. Sheetz & Shew &c on Notice on a Delay bond Notice proved and Judgmt.

Dennison & Roads continued

Campbell admr & Campbell continued

Jordan & Stultz continued

Kelly & Coons continued

Goodtitle Lessee of William Bryan & Cavelsizer Jury sworn to try the Issue to wit John B. Darry, George Cline, Anthony Lowenbier, Conrad Cline John Hoover, Philip Miller, William Silvious, George Seitz, Benjamin Thompson, David Miller, William Spurrier and John Smith, Verdict for the Plff for the Land in the Declaration Mentioned and one cent damages, and Judgmt

Whisler & Light, and
Light & Whisler . . 5 Continued for one and

On the Motion of Asher Waterman Esqr Sheriff Ordered John Burgess & Bazzel Rager his deputys and sworn accordingly

Leeper & Morgan Daniel Rager Sheriff bail office Judgmt set aside as to the Security

Berry v Hamilton &c In Chancery

It appearing to the court that the Defendant Hamilton is dead, On the Motion of the Plff by his attorny a subpoena of Revivor is issued & is awarded against Margaret Hamilton and Abraham Hamilton admrs of the said Gavin Hamilton dec? returnable to the next court

Present. ~~Andrew Bradley~~ & George Dove.
Absent. Josiah Harrison & George Hurton.

Branham v Vernam ~~directed to be tried~~ & Jury sworn to try the Issue to wit John B. Darry, John Smith Philip Miller, David Miller, Adam Curry, William Sprinkle, George Seitz, George Cline, John Hoover Benjamin Thompson, John Fulk, & George Fawley Verdict for Defendant and Judgment.

Norris v Dets Office Judgm. set aside payt & Issue

Smith admr v Campbell . . . . . same

Keplinger v Longmore Office Judgm. set aside as to the security & upon payment & Issue

Salvage v Glyn &c . . . . . same

Forbes v Boyd . . . . . same

Forbes v Boyd Office Judgm set aside payt and Issue

Lair v Askins &c Office Judgment set aside as to the security payment & Issue

Hoonty v Weir admr. two suits. Office Judgments set aside payment & Issue

Alexidge v Watson & Office Judgment set aside
Heggan both vs same. payment and Issue

Miller v Sedenberger William Sprinkle Affidavit

Branham v Herndon dismd by order of the Plff attorney

Hogh v Fulks Continued for the Plaintiff

Woolf v Ammonds & Writ enjoin set aside Covenants
& for proper Gen Reflication & Issue, Judge Solomon Matheny, Andrew
Hoke, George Bay, Henry Moyer, Thomas Hare, John
Eaton, David Wallace, Tobias Smith Jereboam Hankman,
Jacob Becker, Isaac Belcher and John Boyer, Verdict for
the Plff for $749 Damages with Interest from 25th November
1806 till paid, and Judgment.

Ordered that Caspar Hayne be confined in the Jail of this
County untill sun set this day, for a Contempt offered
to the Court. and that the sheriff execute this order immedi
-ately

Ordered that the Court be adjourned untill to Morrow
Morning 10 o Clock.

Andw Hamilton

Thursday 10 mst
At a Court continued and held for the County of
Rockingham the 18th August 1808
Present.
Andrew Hamilton, John Ewen
Archibald Robertson & Josiah Harrison & G Curtis

Gellinger v Miller dismd agreed.

Boyer v Skeen dismd by order of the Plff.

Mathews v Harrison Continued for Defendant

Harrison v Treery Continued

Rice v Spangler & dismd agreed

335.

Riggan v Moore dismd agreed

Wyson v Nola W. Est and N a Spinder Jury
sworn to try the Issue to wit John Rogers Thomas,
Benjamin Shepherd Peter Sprinkle, George Peter Williams
Coleman, Adam Curry, Thomas Sullaven, Hugh
Connell John Smith, Benjamin Harrison and Isaac
Bowland. Verdict for the Plff for $17. 87 cents Damages
and Judgmt.

Smith v Amos &c on a Notice on a Delivery bond Notice
proved & Judgmt.

Bias v Mims and
Chandler v Mims ... & the Defendant was brought into
Court by attachment from under the hand of Andrew
Chandler esq. and ~~Notice having been proved~~ delivered in
a Schedule of his property. and Notice being proved, he
was permitted to take the oath of an Insolvent Debtor and
was discharged

Collins v Lloyd, plea Mann and Judgmt Confess
as per Note with Interest and Costs (saving 4 cents)

Mizell admr v Boles &c ..... same

Hughey v Allen &c ..... same

Donaghe v Rice ..... same

Banks v Herring &c ..... same

Newton exor v Hazel ..... same

Henry v Hamilton &c ..... same

Gowe v Mallowny ..... same

Harrison etc v Shipman &c plea warn'd and Judgm.
Confess'd as per Note with Interest Costs (saving equity)

Kinig v Grandall . . . . . same

Cocomour v Hays &c . . . . same

Wayt v Rice . . . . . same

Walsman v Leonard . . . . same

Harrison v Bonaven . . . . same

Mesick v Boyd . . . . . same

Graham v Funk . . . . . same

Rice v Memphell . . . . same

Rice v Anderson &c . . . . same

Nackleyesen v Hoy &c . . . . same

Kyger v Veggans &c . . . . same

Rice v Mallowry . . . . same

Salvage v Surly . . . . same

Salvage v Harrison plea warn'd and Judgm. Confess'd

~~Boag~~
~~Boyd~~
Austen v Carthrae &c dismiss'd agreed

Joseph Cocomour who was this day summoned to attend as a Juror, and not appearing altho solemnly call'd It is ordered that he be fined in the sum of $8. unless good cause be shewn to the Contrary by the next Term

Loftus v Carthrae &c. plea warn'd and Judgm Confess'd as per Note with Interest Costs (saving equity).

337.

Smith exrs v Thompson &c Office Judgmt set aside payment for Security and Issue

Lane v Lyon &c Office Judgmt set aside payment for the Security and Issues

Price v Carthrae plea warrd and Judgment as per Bond with Robert Scott (Savings equity)

Monty v Harrison. Writ enquiry set aside N. a Jurider Jury sworn to try the Issue to wit Abram Hoke George Snodon, John Price, Solomon Mathey, James Kyle, John B. Nary, Philip Shultz, John Boswell Daniel Holzman, John Brindle, Gad Gilmore and John Boyer, Verdict for the Plff for Price pounds 9/3 with Interest from 21st March 1806. and on the Motion of the Plff a New trial is awarded him on the payment of the costs of the day.

Graham v Price &c The Defendants Peter Wareman and George Berry having

John Graham
William Price Philip & In Chancery.
Wareman & George Berry The defendants Wareman and Berry not appearing and answering the Plff bill altho personally summoned on the Motion of the Plff by his Attorney. the Court this 18th day of August 1806. doth as to them taxe the said bill for confessed and will proceed at a future day to decree the Matter thereof, unless the said defendants shall appear here on or before the Next Term and answer the said bill, and that a Copy of this order be served upon them.

Hamilton vs Sets By consent of the parties by their attorney all matters in difference between them in this Cause is referred to the final determination of Benjamin Smith and Frederick Spangler, and their award, or the award of their umpire in case of disagreement to be made the Judgment of the Court.

Colonel Grant vs L. Carthrae By consent of the parties by their attorneys a Commission is awarded ~~the Defendant~~ them to examine and take the Deposition of Mary Metrupe residing in the State of Maryland, which Commission may be directed to and the Depositions taken by any two Magistrates residing in the said State, who will certify themselves to be such, on Reasonable Notice of the time and place of taking the same being given

Comm for Deft.

Davis admr vs Woods Daniel Ragen Gilbert W.E set aside Non Detinet Genl Replication and Issue Jury sworn to by the Court to wit ~~Henry~~ Devier, Peter Sprinkle, John Smith, Benjamin Harrison, Thomas Cummins, George Rea, Hugh Connell, William Selman, Jacob Rohr, Thomas Sulaven, Henry Entwells and Isper Bowland. Verdict for the Plaintiff for the Mare in the Declaration mentioned of the Value of £50. and Six dollars Damages for the Detention of s^d Mare & Judgment.

Joseph Cocconour who was this day fined for non attendance as a Juror, appeared in Court and being heard, It is ordered that the same be remitted.

339.

Hopkins v Showalter &c Jury sworn to enquire of the Damages to wit. John B Harry, Philip Stultz James Kyle, Andrew Stotler, David Polzman John Brindle, John D. Bofell, Geo Gilmore Solomon Matheny, John Bowyer, John Pence and George Snodder Verdict for plff for the Debt in the Declaration Mentioned to be discharged by $45.48 cents. Debt with Interest on $16.54 cents part of said Debt at 6 per cent from 24th October 1806 till said 6 per cent Damages & Judgment.

Absent George Dove. Clerk Peachy Harrison.

Woods v Dove &c on a Notice on a Delay Bond Motion ironed and Judgment.

Hyger v Messick. Offer Judgm. set aside Judgment for Security and Stine

Salvage v Lofley admrs Offer Judgment set aside Judgment fully administered, and Scire[illegible]

Harrison v Grove & Dove. on a Delay Bond Notice proved as to Dove and Judgm.

Ordered that the Sheriff Summon all the acting Magistrates in this County to appear here at the Next Court, for the purpose of Recommending Militia Officers &c.

Ordered that the Court be adjourned until the 3rd Tuesday in September Next Ind Franklin

Tuesday to wit

At a court held for the County of Rockingham the 20th day of September 1808

Present.

Ezekiel Harrison, Waller Davis
Josiah Harrison & Thomas Moore & G Justices

An appraisement bill of the estate of Goalove Peyer dec'd returned & R

A Sale bill of the estate of Denwal Bush dec'd returned & R

A Sale bill of the estate of William Kite dec'd returned & R

A Settlement of the estate of Aaron Eppert dec'd returned & R

A Deed from Bowman Exr to Miller acknowledged with — acknowlegmt taken & R

A Deed from Coffman Exr to Houtteman . . same

A Deed from Coffman Exr to Parsons . . . same

A Deed from Coffman Exr to Poler . . . same

A Settlement of the estate of Robert Samplin dec'd returned & R

An appraisement bill of the estate of Sarah Perky dec'd returned & R

A Sale bill of the estate of Sarah Perky dec'd returned & R

A Commission & Jury examination of Delilah Fawcett wife of Benjamin Fawcett to B Salvage returned & R

A Deed from A. Fulk Exr to Dispony acknowledged with acknowlegmt taken & R

A Deed from Whitehaeus Exr to Salvage . . same

Deed Trust from Wheelbarger &c to Price in Trust for Thomas Gelwicks acknowledged by said Wheelbarger & Price & OK

Mary Armentrout orphan of John Armentrout came into Court and made choice of Zephaniah Wade as her Guardian, who entered into bond with Security as the Law directs

Deed from I. Strickler &c to M. Strickler acknowledged wife acknowledgm taken OK

Deed from Bolton &c to Spangler . . . same

Deed from Tallman &c to Stephens . . . same

Deed from Grove &c to Denton proved by the oaths of Benjamin Salvage, John Burgess & Silas D Smith, 3 Witness thereto, which with the Commission & examinations of his wife returned are OK

Sally Baker orphan of Michael Baker came into Court and made choice of John Krotzer as her Guardian who enters into bond and Security as the Law directs

On the Motion of John Erwin Jr & Andrew Erwin administration of the estate of Andrew Erwin dec'd is Granted them they having made oath thereto and entered into bond with Security as the Law directs and it is ordered that Isaac Magell, Henry Harshbarger, Abraham Miller & Adam Wise or any 3 of them being first sworn do appraise the said estate and make report to the Court

Deed from Seth Lee to Beighe proved by the oaths of Archibald Retherford, Andrew Shanklen & Henry Gamble 3 Witnesses thereto. which with the Commission & examination returned certified and O.K.

Deed from Smith Lee to Scott acknowledged wife's acknowledgment taken & O.K.

Deed from Harrison Lee to same . . . . same

Deed from Hoover Lee to S. Hoover . . . same

Deed from J. Byerly Lee to Kyle . . . . same

Two Deeds from J. Lair Lee to Knotzer proved by the oaths of Peachy Harrison A. Retherford and Benj'a Harrison, which with the Commission & examination of his wife ret'd & O.K.

Deed from Morgan Lewis to Morgan further proved by the oath of Parmenas Woods and O.K. certified

Deed from Grove and wife to Curtard acknowledgment wife's acknowledgment taken & O.K.

On the Motion of John Penn administration of the estate of John Dennard dec'd is Granted him he having entered into bond with security, and made oath thereto as the Law directs. and it is ordered that Joseph Denton James Henry. Arthur Davis and Peter Bowman or any 3 of them do appraise the estate of the said Deceased and make report to the Court

Deed from Thompson Lee to Adams acknowledgment wife's acknowledgment taken & O.K.

Deed of Trust from M. Strickler Exr. to Kyser in trust for Jos Strickler ~~acknowledged~~ acknowledged by the said Strickler and Kyser Ack

Cr

Deed from Beard and wife to Golladay for land lying in Augusta. acknowledged by said Beard and wife she being first P. examd & certified

Cr

Deed from Jacob Myant Exr to Benjamin Smith for land lying in the State of Ohio. acknowledged before

Cr

Two Deed from Dalby Exr to Roads acknowledged wife acknowledgment taken Ack

T

Cr

The Last will and Testament of Christian Bear dec'd was produced in Court and proved by the oaths of David Brumfield, Benjamin Linvill & Jacob Cocanour and ordered to be Recorded and On the Motion of the Exrs therein name, who entered into bond with Security and made oath thereto as the Law directs. a certificate is Granted them for obtaining a ~~Probate~~ Probate in due form and It is ordered George Chrisman, Nicholas Peery, Jacob Cocanour and Joseph Krotzer Sr. or any 3 of them do appraise the said estate and make report to this Court

Cr

An appraisement bill of the estate of Mary Baxter dec'd ret Ack

Cr

Deed from Ewers to Lincoln acknowledged and Ack

Cr

Deed from from Trusty Exr to Johnston proved by the oaths of David Kyle G. McWilliams & Jon. Taylor 3 Witness which with the comp of his wife Returned Ack

Cr

Deed of Trust from Evensole Exr to Shamblen in trust for Michael Miller proved by the witness thereto and the comp. of his wife ret. Ack

Cr

X

Deed from Perrie &c to N. Perrie further proved by the oath of Chris M Cauland as to Peter Perrie Dec'd to be Certified

Ordered that the Overseers of the Poor bind Patsy Dear Orphan of — Dear aged 8 year the 13th day of August last to William Bullard as the Law directs

Deed from Nave Lee to Loflin acknowledged unless acknowledged before Oath

Ordered that the Overseers of the Poor bind Polly Wilbert (who was formerly bound unto Nicholas Shaver) unto Daniel Showalter, as the Law Directs and it is further ordered that the said Shaver be exonerated from the said Indenture.

Deed from Peter Lee to Nichols for Land lying in Madison further and fully proved by George Burton & Certified

Deed from Weir &c to Weir further acknowledged by Benj Cowan Ordered to be Certified

An appraisement of the estate of Abraham Smith dec'd Returned

A Sellers of the estate of Anthony Roads dec'd returned

A Plat and report of the Dower of Cordelia Pate to wife of John Pate returned

Ordered that the Overseers of the Poor bind Thomas Burton aged ~~14 years~~ 14 years the 20th February last to Orphan of Robert Burton dec'd Perry Futrelle to learn the trade of Skin dresser and Breeches maker as the Law directs. who is to have for his freedom dues $20

A Report of a View of a Way for a Road leading from the Augusta County Line to intersect the Road leading from the Iron Works Colo Harrisons, being returned into Court, which is in these words, Pursuant to an order &c Whereupon It is ordered that George Carpenter and Joseph Douglass be Summoned to appear here at November Court next to shew Cause why the said Road should not be established agreable to the said report &c

Philip Moyer an orphan of Philip Moyer dec came into Court and made Choice of Tobias R M Gahey, as his Guardian, who is also is appointed Guardian for Catharine Moyer orphan of said Philip, who entered into Bond with Security as the Law directs

Ordered that John Harshbarger be appointed Overseer of the Road in the room of Robert Grattan, and that the usual tithable appointed to work on the said Road be allotted for his Gang to work thereon &c

A Acct from Waterman Lee to Letty a Mulatto girl wages & attendance as Nurse 40/

A Acct from Same to Conrad Same

An appraisement bill of the estate of Nath[l] Harrison dec returned 40/

A Sale bill of the estate of Nath[l] Harrison dec returned 40/

Ordered that Charles Lewis George Preston and John Snapp Sr or any two of them do examine state and settle the estate account of Peter Sipe dec with the Exr and make report to the Court

A Deed from Rogers &c to Kyle acknowledged, order
Ca acknowledge taken &c

Ordered that Giles Fridly. John Lincoln and John Riddle
or any two of them be appointed to examine state and
Ca settle the estate accounts of Edward Watkins dec and
Ca make report to the Court.

Overseers of the Poor

Isaac Fridly. } On acrogg for a breach of the peace
as being the father of Elizabeth Lamon
Ca base born child the said Defendant appeared in Court in
discharge of his recogg. and being heard, It is considered by
the Court that he enter into a recogg. with security for the
Maintainance of the said Bastard child in the sum of forty
two pounds. Whereupon the said Isaac Fridly. Goeth George
Fridly and George Hagar his securities appeared in Court
and Acknowledged themselves to owe and be indebted to his
excellency William H. Cabell Governor of Virginia in
the sum of £42 to be paid to the Overseers of the Poor
for the said County for the support of the said bastard
child in the following Manner, Twenty dollars to be
paid to the said Overseers on the third Tuesday in
November Next and then Twenty dollars annually
until the said sum be fully paid. or otherwise
enamnify the Parish then this Recognizance to
be Void

A Deed of Release from Hicks to Burgess acknowledged &c
Ca
A Deed from Burgess &c to Graham acknowledged &c
Ca

M. Woods v Shandlers on an attachment Continued

Deed of Trust from R. Patton to Saml Clark in trust for William McMahan was proved in Court and ordered to be recorded

Appeal adm v Comer &c on a Notice on a Delivery bond Notice proved & Judgm (for use D Rager)

McGowans exrs v same . . . . . same

Merchant . . . v same . . . . . same

Preis exrs v Penrichers &c on Notice on Delivery bond (in 4 Cases) Notice proved and Judgment.

Present.

Charles Lewis, Peachy Harrison, George Dove, Adam Shandler, George Purston, Jacob Kyser, [illegible]

Deed from Peter Seitz Exr to C. Seitz acknowledged was acknowledged in Court

Bond from Christian Seitz to Peter Seitz acknowledged & recorded

Deed from Seitz Exrs to Erwin were acknowledged & ordered to be certified.

two Deeds from Harrison Exr to Graham acknowledged were acknowledged in Court

Seitz v Merry &c In Chancery.

It appearing to the court that the Defts in this cause is dead, It is ordered that Subpoenas do Issue in the Name of Benjamin Lewis and William Seitz exrs of the said Seitz returnable to the next Court

Archibald Earle, John Burgess, Silas D. Smith and Joseph Bywaters Deputy for Asher Waterman returned their list of delinquents and Insolvents in the Revenue, tax County, and Parish Levies for the year 1807 which was severally examined by the Court and ordered to be certified they having made oath thereto As the Law directs

Ordered that Charles Lewis George Hunter & Clair Kerby or any two of them, examine state and settle the estate accounts of Philip Meyer dec with the assets and Make report to the Court.

Ordered that the Overseers of Alexander Herring dec Overseer of the road, extend to Cooks Creek, and that he work thereon and Keep the same in Good repair

On the Petition of John & Joseph Krotzer & David Sho. Brumfield for a View, of a way to alter the Rocky Gap road so as to run on the line between them. It is ordered that George Chrisman, Christian Krotzer, & James Green and John Cook or any 3 of them, being first sworn do view the said proposed way as also the old road and make report of the conveniency and inconveniency attending the same to the Court

A View and report of an alteration in the road agreeable to the Petition of Jacob Bear was returned into Court. which alteration is ordered to be established agreeable to the said report.

The Court doth Recommend unto his excellency the Governor James Craig and Peter Shrinkle, the said Craig as Lieutenant and Shrinkle as Ensign in the

The Court doth recommend unto his excellency the Governor, the following persons as officers in the 81st Regiment.

James Craig Leutenant in the room of John Boyd (Run away)

Peter Sprinkle Ensign in the room of Lawr Donaver removed

David Wallace of Light Infantry Company Capt. in the room of Samuel V. Harper removed

Henry Welch Leutenant in the room of David Wallace.

Jacob Koontz Ensign in room of Henry Welch

James Henry Second Leutenant in the horse in the room of Cornelius Riddle removed.

Hugh Brock Cornet in the room of William Spangler who refuses to serve.

Cornelius Jackson Ack. a Recog. for a breach of the peace on the Complaint of Catharine Fogues. the said Defendant appears in Court dis discharge of her Recog. Whereupon the Court doth order that she give Security in the Sum of $50 to make her personal appearance on the first day of the next Court to be held for this County, and thereupon, Jordan Jackson and Molly Stevengath appears in Court and acknowledges themselves to owe and be indebted to his excellency William H. Cabell Governor and his Successors in the said Sum of fifty dollars to be levied of their respective goods and Chattels Lands & Tenaments &c

Upon condition that if the said Polly Jackson shall make her personal appearance

Ent by post.

on the first day of the next court, then and there abide by the Judgment of the Court, and shall Keep the peace and be of good behavior in the mean time then this recog to be Void —

Delivers to Shanklin Exr of Burgess

Ordered that the Sheriff pay unto Andrew Shanklin the sum of Twenty one dollars and 68 cents, and to Jeremiah Kyle $10.44 cents and to Henry Burgess Jr two dollars out of any Money in his hands due the County. which Several claims are for work done ~~to the~~ in Railing ~~the~~ in the Court house and for repairs to the Jail, as per account rendered

Ordered that Archibald Patterson Andrew Shanklin and Peachy Harrison or any two of them do examine state and settle the estate accounts of John Kesslinger dec'd with the exrs and make report to the Court.

Ordered that Giles Tarly, John Lincoln & John Reddle or any 2 of them do examine state and settle the estate accounts of Henry Fry dec'd with the exrs and make report to the Court

Ordered that the same persons examine state and settle the account of Oswald Berth dec'd with the exrs and make report to this Court.

Comth vs Reuben Thornhill for a breach of the peace on the Complaint of Henry Marsh, the said Defendant appears in Court. in discharge of his recognizance, the Court upon Consideration of the case, do order and direct that the said Defendant be bound to his Good behavior for one year and 1 day in the sum of two Hundred dollars, payable to William N. Cabell Gent or and his Successors. that is to say the said Thornhill in the sum $100 and ~~and~~ one security in the sum of $100 or two securety in the sum of $50 each. ~~to be of good behavior~~ and that he stand Committed until he

enters into the said Recogg. whereupon the said Reuben Thornhill with Ezekiel Harrison his Security appeared in Court and entered into a Recognizance agreeable to the above Order.

Samuel M Williams Clerk of this Court produced in Court his account for Public Service to this day which was examined and allowed by the Court and ordered to be certified

" Joseph Baxter . . . . . same

" The same (as Jailor) . . . . same

G. Weir admr & Longway &c. on a Note on a Delivered Note from Judgment.

Henry S. Gambill returned an account of Monies Received by him as Agent for the County. Amounting thereto the last settlement to $634, 15 Cents and that he had paid out and expended for the County the sum of $642, 76 cents leaving a balance due him from the County of $8. 61 Cents. which balance. the Sheriff is hereby Ordered to pay to him out of any Money in his hands due the County —

Ordered that the Sheriff pay unto Gordon M Williams the sum of 2 Dollars out of any Money in his hands due the County for Surveying and Laying off the Prison Rules of this County —

Delv? to A. Shackleford by order of M Williams

S. C. Humphill vs Adams & on a bond taken for rent. Note from Judgment

On the Motion of Alexander Herring Surveyor of this County It is ordered that he have Leave of Absence from the County, from the 15th October Next to 1st January 1809

Ordered that the Court be adjourned until the third Tuesday in October Next.

Test Thankling

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of October 1808

Present.

Andrew Shanklin, Joseph Baxter
Josiah Harrison Thomas Moore & Jacob Kyser Esqrs. Justices

Ordered that the rules be held in the Clerks Office on Thursday the 20th day of this Instant and on the days after the third Tuesdays in November, December and January Next as the Law directs

Miller & Douglass. Deyt Peter Sfbbail Office Judgm. set aside post & Office

Strayer Hoffman & Lokey &c Henry March Sfbbail Office Judgment set aside post & Office

Davis & Boggs & Woods Gad Gilmore Sfbbail Office Judgm. set aside prop to Oct as to the appearance bail

Lokeys admr & S. Lokey &c John Lokey Sfbbail Office Judgm set aside post & Office

Moffett admr & Gains Williams Woods Sfbbail

John Parsons v Neff & Offer Judgm set aside, and
Def. agreed

Jacob Cocanour who was this day summoned to attend as
a Grand Juror, and not appearing altho solemnly call'd it
is considered by the court that he be fined in the sum of
$8 unless good cause be shewn to the contrary by the next
Term

Smith & Overly disagd. agreed

Falls v Williams two suits disagd by the Plff

Price v Boyd &c. disagd agreed

Grand Jury Sworn to wit
John Baxter foreman, William Carthea
Benjamin Harrison, Jacob Stito, William Gould
George Sites, George Snodon, George Neffman, John
Boler, Hugh Dever, George Compton, Jacob Rife
Joseph Douglass, Anthony Yount, Christian Funk &
Evan Thomas who received their charge and retired
from the bar to consult on their presentments and after
some time returned into court and made the following
~~and further the following~~ as a Present. John Hoerner
fee and another further appears. It is ordered that
the Grand Jury be discharged. and that process issue
returnable as the Law directs

Hemphill v Koontz disagd. agreed. (Costs taxed)
Miller v Bagell &c. same . . do.

Kyle v Logan &c. & James Harrison Sheriff
same v M. Harrison
Judgments set aside except Plff

Ca. Hamilton & Chandler &c and
Same & Berry } In Chancery.

It appearing to the Court that the Pfft
in these Suits they stand severed by Consent
are dead. It is ordered that a ~~Sabpoena Scire facias~~
in the ~~Case~~ name of Margaret Hamilton and Abraham
Hamilton adms of said Hamilton ~~dd~~ ~~said Defendants to shew~~
cause why ~~the said Suits should not stand against them~~

Ca. Miller & Tuttle Peter Poler Sfbail Office Judgm set aside
pagm & Sfieri

Weaver & Reed.
Ca. Bank & same & } Thomas Bear Sfbail in these
Mayer &c & same } Suits Office Judgm set aside pagt Sfieri
(he having died)

Ca. Brunlow & Crocus William Craven Sfbail
Cook & Anson Henry Mace Sfbail Office Judgm.
Ca. set aside pagt Sfieri

Present Archibald Patterson & George Gore.
Absent Joseph Barker, Thomas Moore &
Josiah Harrison

Ca. Smith & Polly Jackson On a recognizance for a breach
of the peace on the Complaint of Catharine Rogers. The
said Defendant appeared in Court in discharge of her
Ca. recognizance, and being heard. It is Considered by the
Pfft. Court that she ~~be bound in~~ Give Security for her
Good behavior for one year
and one day in the Sum of Twenty dollars ~~with~~
~~two Securities in the sum of ten dollars each~~
~~good Security in the sum of ten dollars~~, whereupon Richard
Jackson and John Fawver appeared in Court and
acknowledged themselves to owe and be indebted
to his excellency William H. Cabell Governor and

his Successor in the said sum of Twenty dollars to be levied of their respective Goods and Chattles Lands and Tenaments and for the use of the Court to be rendered. Or Condition that the said Polly Jackson shall Keep the peace and be of Good behavior, towards all the Citizens of this Comth for one year and a day. and perticularly towards the said Catharine Fogus then this recogz to be Void

Matthews
v
Harrison } In Case
By consent of the parties ~~by their~~ ~~their~~ all matters in difference between them in this Suit is referd to the final determination of Joseph Krolzer ~~for~~ & Benjamin Smith. Jor. Travers Joseph Fawcett and Andrew Byrd whose award ~~is to be made~~ or the award of any three of them is to be made the Judgmt of the Court

2 Att. for P. Harrison

Comth v Mesheck. On Presentment of the Grand Jury for Swearing, one profain oath. ~~praies Subpa and~~ the Defendant appears in Court and Confess a Judgmt for the fine and Costs

Comth v Moore Jury Sworn to try the Issue to wit. William Campbell, David Roalston, Moses Sharp George Moss Isaac Kyzer, Lewis Lowrie George Berry Henry March Henry Philips, James Hooks Robert Harrison & John Shaver. Verdict Defendant Guilty and amusment $ 50 Cents and Judgment.

for Pltf Costs

Shackelford v McLaughlin disms. by order Plaintiff

Ordered that the Court be adjourned until to Morrow Morning 10 O'Clock. Ino Franklin

Wednesday to wit

At a court continued and held for the County of Rockingham the 19th day of October 1808.

Present.

Andrew Shanklen, Archibald Rutherford
Peachy Harrison & George Dove . . . & G. Justices

Rutherford v Chandler disms. agreed.

Smith v Herring New Summons awarded

Same v Erwin . . . same

Smith v Robertson . . Continued

Moore v Shanklen . . . continued

Mounty v Fox Order dismission set. aside and remanded to the Rules

Smith v Roler Continued

Smith v Martin & McLaughlin Order Information be filed

Smith v Rice and Board . . . . same

Smith v Hooks & Thompson . . . . same

Overseers Poor v Monroe Continued

Dunkerson v Rhodes . Continued

Campbell adm v Campbell Continued

Jordan v Stults Continued

Hertly v Conrod dismissed at the Defendants Costs

Conrough v Funk & Henry Hoover Spl bail office Judgmt set aside paying Costs. (he having surrendered)

Whisler v Light continued for award.

Light v Whisler ..... same

Counts v Pickering Not Guilty & Issue. Jury sworn to try the Issue to wit Richard Booz. Reuben Rawley, William Blair, Andrew Cutler, Thomas Dare, James Messecks, John Rogers. George Carpenter, James Brown, Alexander Mason, John Newton, & Frederick Cline, Verdict that the Deft was Guilty and amerciament 10 Dollars, and Judgmt

Young v Thompson Continued

Counts v Mace Not Guilty & Issue Jury sworn to try. Henry March, Samuel Funk, John Cowan, George Snodden, Jacob Pickering Adam Hemerspring, Harrison Isaac Thompson, William Rogers. William Shirley Henry Gilmore John Piper & James Hooks. Verdict. Defendant Not Guilty and Judgmt. agst Moses Sharp the Prosecutor for Costs.

Rice v Sheridan Office Judgmt set aside No such Record Issue & Issue

Salvage v Anderson Office Judgmt set aside paying for Security & Issue

Tyger v Watson & ..... same

Brown & Co v Watson & two suits same

Parsons v Thompson & ..... two suits ..... same

Harrison v Treacy Continued

S. Myers v Henry &c on a Reply bond for rent. Notice proved and Judgment.

Present.

Ezekiel Harrison & George Newton,

Absent.

Archibald Retherford & George Lowe.

Neigh v Fulks Jury sworn to try the Issue to wit Richard Booz, Reuben Bawley, Jacob Carbaugh, Peter de Lambert, Andrew Cutler, Thomas Hare, James Brown, Lewis Lewis, James Mefferd, John Newton, John Rogers and Anthony Govert. Verdict for Defendant, and Judgm. Attend on the trial of this cause the Plff. felo the following exception to the opinion of the Court. Neigh v Fulks &c which was signed and sealed as the Law directs.

Chandler v Harrison Setts continued for want of Jacob Adolph whereon this day

A. Arnow v Smiley &c on a bond taken for rent. Notice proved & Judgment.

Koontz v Harrison Jury sworn to try the Issue to wit John Fulks, Jacob Neisly, Henry Mefferd Reuben Thornhill, Luke Rice, Morris Newcher, Samuel Fenstermaker, Christian Shoemaker, Benjamin Grove, Isaac Thompson, James Woods & William Rogers. Verdict for the Plff for £9 5/3 with Interest from 25 day March 1806 till paid and Judgment.

On the Motion of Henry F. Greenwood, and he having taken the oaths prescribed by Law is admitted to practice as an attorney in this Court

Carpenter v Snapp George Newton Sp Bail Office Judgm. Stand as fixed against Deft

Ordered that the Court be adjourned until to
Morrow Morning 10 o'Clock

Gl Harrison

Thursday to wit

At a court continued and held for the County
of Rockingham the 20th day. October 1808

Present.

Andrew Shanklin, John Ezekiel Harrison, John
Ewen, George Kisler, & Abraham Harshbarger & George Pirtle Justices

Caplinger v Lanty dismissed by order the Plfts attorney.

Croft v Sefes error Office Judgm set aside Payment and
fully administered Gen. replication & Issue

John Graham
" Plaintiffs
William Rice, Jacob } In Chancery.
Jeremiah & George This Cause came on to be heard this 20th
Berry
day of October 1808. on the bill, and answer of the Defts. Rice and
It appearing to the Court that the Conditional decree made in
this Cause at the on the day of August Term last. Graham
duly served as to the Defendants Jeremiah and Berry had been
as to the Defendant Rice failing to appear the Plfts Bill
duly served on them and they ~~had~~ ~~appearance~~ altho Solemnly
called The Court doth decree and order that the Injunc-
tion awarded the Plff. be ~~perpetuated~~ made perpetual
and that the Plaintiffs recover against the said Defen-
dants his Costs by them about his suit in that behalf
expended.

Messrs Adam Brady Jury sworn to enquire of the Damages
&c to wit James Blair, Joseph Bowlin, Henry Gilmore
Luke Rice, George Airey, Benjamin Vanpelt, James Berry
John Negan Thomas Delaney George Seibert, Abram Wert
and Abraham Harshbarger, Verdict for the Plff for
$25 Damages with Interest from 1st November 1807 title
paid & Costs.

Krayer Hoffman & Kessler plea wager and Judgment confessed
as per Speciality with Interest and Costs (saving Equity)

Norris & Stite . . . . same

Graham & Stott &c. . . . same

Strother & Stite . . . . same

Miller & Leap &c . . . . same

Henderson & Fergerson . . . . same

same . . . & same . . . . same

Thompson & Smiely . . . . same

Kyger & Messenlo &c . . . . same

Aldridge & Watson . . . . same

Heggambothom & Watson . . . same

Smiths exors & Thompson &c . . same

same . . & Campbell . . . same

Kepliuger & Gongeway . . . same

Wayt & Smily . . . . same

Harrison & Brumfield . . . . same

Salvage & Loskey exors . . . . same

Salvage & Glyn &c . . . . same

Harrison & Loskey (two suits) . . . same

Foster & Mallowry . . . . same

Lair & Askew &c . . . . same

Koontz & Wiser admrs (two suits) . . same

Rices exors & Loffers admrs Continued

Moyers &c & Moyers &c. Continued

Shepmans & Evans exors . . Continued

361.

Reiss exrs &c vs Reiss Continued. and by Consent a Commissn is awarded the Plffs to examine & State the depositions of Robert Roberts a Witness residing in the County of Elbert and State of Georgia, which Commissn is to be directed to, and the Deposition taken by any two Justices of the peace in said County that will certify themselves to be such, on Giving the Defendant Notice of the time and place of taking the same

Moyers exrs vs Reiss exrs Continued

Henry Whisler vs Jno Whisler Continued

John Miller Plff

vs

Benja Harrison Deft } In Chancery.

This Cause came on to be finally heard on the bill, answer, Depositions and Exhibits, and the Decree of the high Court of Chancery, and Report of the Commissioners made in pursuance to the Decree of the said high Court of Chancery, and the former Orders of this Court, on Consideration whereof It is this 20th day of October 1808 Ordered and decreed that the Defendant do convey to the Plaintiff the Land in the bill Proceedings Mentioned with a Special Warranty, on the Plaintiff paying to him the Sum of £2.12.8 being the excess of the Plaintiff proportion of the expences of obtaining the Patent for the said Lands and the taxes thereon above the Value of the three crops from the old field taken by the Defendant, with Interest thereon at Six per cent from the 1st day January 1803 till paid, and It is further Ordered that the Defendant do pay to the Plff his Costs expended in this Cause in this Court.

Scott vs Meadow. It appearing to the Court that the Deft in this Cause is dead. It is ordered that a Sha. do Issue against the heirs Representatives of the said Meadow to shew Cause why this suit should not be proceeded

in to a final decree against them, and it is further ordered that Henry Perry (Mill) be appointed Guardian to defend this suit for such of said heirs as are under age.

John Fulk admr of Margaret Dempsey & } In Chancery.
Martin Whetzels admrs.

This cause which is ordered to stand revived in the name of John Fulk admr of Margaret Dempsey against George Done Surviving admr of Martin Whetzel dec'd the Defd Elizabeth Whetzel being dead and this suit ordered to abate as to her, } Came on to be heard this 20th day of October 1808 on the bill, answer and the report of the Commissioners heretofore appointed to settle the said estate as recorded in this Court and to which Report the Court by consent has had reference, and was argued by Counsel, & it is on Consideration ordered and decreed that the said Defendants do pay to the Plff the sum of £22.16/3 with Interest at 6 per cent from the 1st day of February 1798 the date said and that each party pay one half the ~~cost~~ whole costs expended in this suit

Samuel & Newton exrs In Chancery. Dismissed at the Defendants Costs.

John Cathcart & Mackall exrs. . . . Same.

Harnett & Hopkins exrs.
It appearing to the Court that the Plff is dead. It is ordered that this suit do abate.

Deaver & Snider . . . . Same

Salvage & Mathews and Bear In Chancery
It appearing to the Court that the Defd Bear is Dead It is ordered that a Sci fa issue do issue against his executors to shew Cause why the said suit should not stand against them ——

363.

Willeard Robertson
v
Campbell Daniel § In Chancery

This Cause, coming to be heard on the bill, and the order of Publication appearing to be executed according to law, and the rules of this Court, and the Defendant still failing to appear and answer the Plffs bill

Willeard Robertson
v
Campbell Daniel § In Chancery

This Cause came on to be heard this 20th day of Octobr 1808 upon the bill, and other exhibits, and the Defendant against whom the Plff appears to have proceeded against according to law and the rules of this Court, and still failing to appear and answer the Plffs bill and the order of Publication made in this Cause on the 28th day of March 1799 appearing to have been duly executed. The Court doth therefore decree order and decree, that that the Plffs bill be made perpetual, and the same is accordingly made perpetual and this further Orders and decrees that the Plff recover against the said Defendant his Costs &c

Orders that the Court be adjourned until to Morrow Morning 10 o'clock

And Franklin

Friday to wit

At a Court continued and held for the County of Rockingham the 21st day of October 1808.

Present

Ezekiel Harrison, John Ewen, Peachey Harrison George Huston and Archibald Rutherford . . . & G. Justices

Bennett &c
v
Hoggatt &c

In Chancery.

This Cause came on to be heard on the Bill answer and exhibits, and was argued whereupon by consent the accounts between the parties is referred to Master Commissioner Travers to be by him examined stated and settled and to the Court reported and that he report specially how much Money is in the hands of the executrix of said Jones and the estate of said Hoggatt and any other Matter specially that either party may require

Bearskin &c
v
Reed &c

In Chancery

On the Motion of the Plaintiffs by their Attorney this Cause is referred to Master Commissioner Travers, to state the Value of Negroe Jacob at the time he was sold by George Snodden and also the Value of the hire of the said Negroe by the year from the death of William Snodden, until the time of sale after deducting his taxes and clothing, and also the Value of the Waggon not appraised appraised and sold by the Deft George Snodden and any other Matter specially which he may think proper or either party may require, each party

B
by &c

party having liberty to produce any evedence which they may, have before the said Commissioner and report the same, with his Opinion thereon to this Court.

Jesse Bennett &c
v
Peter Hogg exrs &c } In Chancery

By Consent of the parties by their
6p.d attorneys it is this 21st day of October 1808. ordered and decreed that Master Commissioner Graves, do call on the Executrix of Gabriel Jones decd having first given Mr. John Harris Notice of the time of Meeting and examine, state and report what Monies of the estate of the late Peter Hogg esq. were in the hands of the said Gabriel at the time of his death as Executor of said Peter Hogg, when the same were Received; and of the disbursments by said Gabriel out of the estate of said Hogg; and of any ~~Monies~~ payments to the Legatees, and make report thereof to this Court with such Matters specially as he may deem pertinent or the parties may require

---

Francis Kerby v Michael Deck and
Michael Deck v Francis Kerby . . . } In Chancery

6p.d There suits the first being an original, and the second a cross Bill, came on to be heard together, between the Plff. in the first, and Michael Deck who has answered, and between the Plff and Defendant in the second, upon the bills answers, Replications, exhibits, the examination of Witnesses, and was argued by Counsel, on Consideration, whereof It is this 21st day of October 1808 Ordered and decreed in the first suit that the Defendant Deck do within a convenient time convey or cause to be

convey to the Plaintiff Kerby in fee, the Lands in the bill Mentioned with general Warranty, in case the conveyance be made by him alone, and in case he procure any one or more, who may be interested in the legal title to Join him in a conveyance that the title from such person or persons, so uniting with him, in the conveyance may be by Special Warranty as to them, yet that the same, be made with a General ~~Conveyance~~ Covenant of Warranty by said Mc Nab the Defendant. and let the said Defendant, procure the title to be made from what quarter, or in what Manner he may. It is ordered that he either Join in the Deed so as to bind himself to a General Warranty as aforesaid, or procure the legal title to be vested in himself if it is not already done, and then convey with general warranty to the Plaintiff, and It is further ordered and decreed that the Defendant pay to the Pltff. his costs expended in this suit - and as to the second or cross suit aforesaid it is ordered that the Plaintiffs bill be dismissed, and that he pay to the Defendant. his costs expended therein, - But leave is reserved to the said Mc Nab Deft the Defendant in the first suit & Pltff in the second suit aforesaid, to shew cause against these decrees at the first quarterly Court next after he shall be served with a copy of these ~~of~~ —

Absent. John Ewen

Sherman &c
vs
Ewens ets } In Chancery.

This cause came on to be ~~heard~~ finally heard this 21st day of October 1808. upon the bill, answer exhibits, report of Commissioner, and the Exceptions filed by the Defendant to said report, and was argued by Counsel, upon Consideration whereof the Court, overruled the Exceptions, doth.

adjuged order and decree, that the defendant do pay to the Complainants £37 11 9/2½ their share of the estate of William Ewen dec? with Interest thereon at 5 per Cent from the 15th day of August 1796 untill paid, and their Costs by them about their suit in that behalf expended. Subject to a credit for £9 11 6/- paid Alexander Graham the 23rd of January 1804 ~~and that the Defft~~

Gasper Dayus
&
Peter Barnhart & In Chancery

This Cause came on to be heard this 21st day of October 1808, upon the bill, answer and exhibits and was argued by Counsel upon consideration whereof the Court doth adjudge, Order and Decree that the Defft do convey to the Plff. the 5 acres of Land in the bill and Proceedings Mentioned, in fee simple with a General Warranty, upon the Complainants paying to the Defft the sum of Twenty dollars, the balance of the Purchase Money, with Interest thereon at 6 per cent from the 1st day November 1808 till paid and that the Defendant recover against the Plff his costs by him about his Defence in that behalf expended.

Present A. Chandler

George King
&
Hugh Donaghe & In Chancery

This Cause came on finally to be heard this 21st day October 1808. on the bill, answer and Exhibits, and was argued by Counsel upon consideration the Court doth adjudge, order and Decree that the Injunction awarded in this Cause be dissolved and that the Defendant Recover against the said Plff. his costs by him about his Defence in that behalf expended.

Ordered that the Court be adjourned untill the third Tuesday in November Next.

Wm Shanklin

Tuesday to wit

At a court ~~Continued~~ held for the County of Rockingham the 15th of November 1808

Present

John Ewin Joseph Baxter
George Huston & Jacob Kyger } Gentlemen Justices

A Bill of Sale from Moyers to Crawford acknowledged & ord

A Deed from Derry Fox to Doreman acknowledged & ord

A Deed from Boler Lee to Folans ... same

A Deed from same to Lear ... same

Ordered that Frederick Berk be appointed overseer of the road from the Shenandoah River to the County Line in the room of Mathias Stone and the usual tithables appointed to work on the said road be allotted for his Gang to work thereon and keep the same in Good repair

Ordered that John Stone be appointed overseer of the road beginning at the spring branch at Baxters Foot and from thence to Piles Mill and that the usual tithables appointed to work on the said road be appointed for his Gang &c

369.

Deed from Bell &c to Board &c & Bell further acknowledged by Jann Graham Esq. the Deeds first proving examined. & Order to be certified

Ordered that Joseph Mauzy be appointed Overseer of that part of the road in the room of Jacob Nichols and that the usual tithables appointed to work on the said road be his Gang to work thereon & Keep the same in Good repair

Deed release from Miller to Bagell proved by the Witness thereto &R

Deed from Dorlinger &c to J. Dorlinger acknowledged by the Grantor, and their Several wifs, and them acknowledged before &R except the wife Elizabeth Dorlinger

The Last will and Testament of David Byerly dec'd was presented in Court and proved by the oaths of John Byerly and John Crouse, two witness but the same being in the German Language a translation was produced in Court and was proved by the oath of Aaron Solomon which was ordered to be Recorded and on the Motion of the executor therein named who made oath thereto and entered into bond and Security as the Law directs a Certificate is Granted them for obtaining probate in due form, and It is ordered that Abraham Boon, Peter Brown, Aaron Solomon & John Early or any 3 of them being first sworn be appointed to appraise the estate of said deceased & Make report to the Court

Deed from Dorlinger to Shell, acknowledged &R

Ordered that Henry Overly be appointed Overseer of the road in the room of George Carpenter and that the usual Tithables appointed to work on the said road be allotted for his Gang

On the Motion of Jacob Kyzor It is ordered that a Licence be Granted him to keep a Tavern at his house in this County for one year, on his entering into bond with Henry L. Gambell his Security in the Clerks office

Dennis Lanahan . . . . . same

On the Motion of John Askins an Injunction is Granted him to stay all further proceeding on a Judgment Recovered by the Defendant Lair agst said Askins, on his entering into bond with Security, in the Clerks office and filing a Release of Errors

Sarah Morrell orphan of John Morrell did come into Court and made choice of Fredk Nestrick as her Guardian who entered into bond Security as the Law directs.

I. Bees exrs
v
B. Bees } In Chancery

On the Motion of the Plff a commission is awarded him to take the depositions of John Gaines and George Gaines residing in Boon County State of Kentucky, which depositions may be taken by any two of the Justices of the said County that will certify themselves to be such, on giving the Defendant Reasonable notice of the time and place of taking the

same.

Hannah Fry orphan of Henry Fry dec'd came into Court and made choice of Andrew Orbough as her Guardian who entered into bond and security as the Law directs

Ordered that Asher Waterman and Andrew Shanklen be appointed to make a further Settlement of the estate of Mary Kyser dec'd and make report to the Court

An appraisment bill of the estate of Andrew Erwin dec'd returned & ord

Ordered that Peter Zetty be appointed Guardian for John Hollinger orphan of Peter Hollinger dec'd who entered into bond and security as the Law directs

The Last will and Testament of Peter Negley dec'd was presented in Court and was proved by the oaths of Jacob D. Williamson and Mary Potter and Recorded, and on the Motion of Mary Negley executrix therein named who enters into bond with security, and made oath thereto as the Law directs. a certificate is Granted her for obtaining probate in due form. ~~and obtain letters testamentary for the other executors to join in the said probate.~~ And It is ordered that Andrew Byers. Thomas Moore John Moore and Lewis Zerkle or any three of them be appointed to appraise the said estate and make report to the Court.

A Sale bill of the estate of Anthony Roads dec'd returned & ord

Present Jonathan Shipman. Andrew Shanklen & Ezekiel Harrison
Absent. George Nesbit & Jacob Kyser.

Cranmer Hl. v Smith On an attach.

The Sheriff having returned Executed On one Sorrell horse &c and the Defendant not appearing to replevy the same, On the Motion of the Plff a Judgmt is awarded the Plff as per note with Int and Costs and It is further ordered that the sheriff make sale of the said attach property and pay the Money to the Plff &c and that he have execution for the residue if any

Graham v Neffman On an attach

The sheriff having returned executed On one Sorrell Mare &c and the said Defendant not appearing to replevy the same altho solemnly Call'd Judgmt is granted the Plff as per note with Interest and Costs. and It is further ordered that the sheriff make sale of the said Property, and pay the Money arising from the said sale &c

Deed from George Clem and wife to Jacob Lamb. for Land lying in Ohio acknowledged wife acknowledgmt taken & ordered to be certified

Deed from same Jacob Burton ... same

The Last will and Testament of Henry Cook dec'd was produced in Court and proved by the oaths of Harmon Neyhey, Conrad Vansburgen and George Conrad &c. and On the Motion of John Cook one of the Executors therein named. who entered into bond with Security, and made oath thereto. as the Law directs. a certificate is granted them for obtaining Probate in due form, and It is further ordered that Henry

6p.

273.

Miller Jacob Miller, Tobias R. McGahey and William Perrine Esq. or any 3 of them being first sworn be appointed to appraise the said estate and make report to the Court.

Deed from Basil Lee to Baker acknowledged & ordered

Deed of release from Dowell & Rutherford to Dehart proved by the oaths of Aaron Shanklin, Jacob Wyant, and Adam Dehart

Deed from Conrod & Perrine to Jacob Conrod acknowledged and

Deed from Peter Conrods exrs to John Conrod acknowledged & ordered

Hamilton executor

" In Chancery

Chandler &c

On the Motion of Defendants by their attorney, the Injunction awarded the Pltf testator to stay further proceedings on a Judgment recovered by the Defendant Chandler against him Pltf in this Court at the Nov 1808 Term and decreed that the Injunction be dissolved

Davis admr &c vs Woods &c on a Motion on a Delivery bond Motion granted as to Woods for Judgment.

Ordered that Layton Yancy, Michael Mauzey and George Hunter or any two of them be appointed to make a further Settlement of the estate of Peter Conrod dec'd and make report to the Court.

Smith &c vs Carpenter &c

George Carpenter who was Summoned to appear here to shew Cause why a Road should not be opened through his land agreable to the Petition of John Smith &c appeared in Court and prays a Writ of Adjured-Damnum which was Granted, and which is to be executed on the Last Saturday in this Month returnable to the Next Court.

Ordered that Joseph Graham and Jonathan Shepman be appointed Valuers of Property, under the act of Assembly directing the sale of Property taken under executions, and that they qualify as the Law directs —

Ordered that Philip Kyzer be appointed Overseer of the Road in the room of Philemon Boarts and that the usual Tithables allotted to work on the said Road be appointed to work on the said Road &c

Samuel M'Williams Guardian for Mary Dunbar returned into Court his account which was examined and allowed & ordered to be Recorded

Ordered that the Sheriff summons all the ~~acting~~ acting Magistrates in this County to appear here at the Next Court in order to take into their consideration the building a bridge across the spring branch at the end of German street. & the Appointment of Militia Officers

Order that the Court be adjourned until the 3rd Tuesday in December next. Ths Franklin

Tuesday to wit

At a court held for the County of Rockingham the 20th day of December 1808.

Present. Andrew Shanklin, Joseph Baxter, Josiah Harrison & Geo. Purkins Esqrs

On the Motion of Peter Nicholas It is ordered that a Licence be granted him to keep an ordinary at his house in this County for one year on his entering into bond with Henry I Gambill his security in the Clerks office

A Deed from Kessell to Glyn proved by the oaths of Geo. W Harrison & Henry I Gambill two Witnesses thereto

A Deed from Levy Lee to Long acknowledged in open Court

A Deed from Thomas Lee to Bear acknowledged and ordered to be Recorded

Salvage vs Robertson &c on a Delay bond Notice proved & Judgm.

Manester vs Lyons &c ..... same

Overseers Poor.

" " On a Notice

Moore &c. } Judgment for Ly with Interest from

the 22d April 1808 into said Court

Batherson vs Martin &c On a Replevy bond, Notice proved as to all the Defts (except Martin) and Judgm.

A Commission of the Privy examination of Ruth Wooden to Higgason & Allen Recorded

Power of attorney from Negyam to Steinberger proved by the witness thereto &R

Deed from Morgan & to Hughy acknowledged wife relinquishes dower &R

Deed from John Morgan exr to Henry Morgan acknowledged &R

Deed from Henry Morgan Sen to Conrad acknowledged wife relinquishes dower &R

Deed from John Morgan exr & Henry Morgan Sen to Martin Morgan acknowledged by the Parties &R

Deed of Mortgage from Moyer to Wolgemuther proved by the oaths of Geo. W Harris and Richard P. Fletcher the Witness thereto &R

Deed from Strickler Sen to Howard proved by the oaths of Joseph Evans, George Fite, and David Smith, with the Privy examination of his wife returned Certified and ordered to be Recorded

Deed from David Coffman to Early &c (Trustees) acknowledged and &R

Elizabeth Heffman orphan of Charles Heffman dec. came into Court and made choice of David Berry as her Guardian, who enters into Security, as the Law directs.

Deed from Rogers Sen to Rice, wife acknowledgment taken &R

Deed from Mathews Sen to Beaver exr acknowledged and &R

Deed from McMullen Sen to Wiseman acknowledged wife acknowledgment taken &R

Ordered that the overseers Poor here, Thomas Ingebery orphan of Louis Barbee to William Cherryholmes age 4 years the 1st day april Next. to learn the trade of a Weaver, and who is to have for his freedom dues #20

Magdalen Sholes Widow of John Shular dec'd came into Court and Relenquesta her right of administration whereupon on the Motion of Christian Stroh adm'r of the said estate is Granted him he having entered into bond Security and made oath thereto as the Law directs, and it is ordered that William Penny, John Hester, Benjamin Kite and Henry Long or any 3 of them being first sworn do appraise the said estate and make report to the Court.

Ordered that John Maggart be appointed overseer of that part of the road in the room of Absolum Roach, and that the usual tithables allotted to work on the said road be appointed for his gang to work thereon and Keep the same in Good repair

Ordered that Samuel Garber be appointed overseer of that part of the road in the room of George Argebright, and that the usual tithables appointed to work on the said road be allotted for his Gang.

On the Petition of John Baxter to alter a part of the road called (the old Mountain road.) Beginning near opposite to Joseph Williams house thence leaving to the left so as to run by the house of the

Petitioner, and thro a Court Course to wards Joseph Barter to enlarge the old road nearly opposite to said Joseph house, It is ordered that John Miller Rees Williams Hopkins, Thomas Gordon, and Andrew Bear or any three of them being first Sworn, do ~~appraise~~ View the said way as also the old road and make report of the convenience and inconvenience attending the said ways. to the Court

Bar from Freeze Sues to Taffinger acknowledged SR

Woods v Chandler Continued.

Chandlers ~~adm~~ v Chandler &c On an Injunction ~~&c~~ No Cause being shown to Continue this bill as an Original Suit the same is ordered to be dismissed.

View and report of a road made agreable to the Petition of Conrad Hartzogen &c was returned into Court. Made by the Viewers, which Road is ordered to be established agreable to the said Report and It is further ordered that the said Road be opened and Kept in repair by the said Petitioner.

Ordered that the Sheriff Summon all the acting Majestrates in this County to appear at January Court Next in order to take into their Consideration the building a Bridge across the Spring River where the same Crosses Jeppews Creek and also the Recommendation of Militia officers —

Ordered that the Court be adjourned until Court in Course.

Ino Franklin

~~Rockingham Court Calls and held for~~

At a Court of Oyer & Terminer held at the Court house of Rockingham on Tuesday the 17th day of January 1809. for the trial of Lewis a Negroe boy the Property of John Pence. charged with felony. Burning his Masters Stable on the 9th Instant)

Present.

Ezekiel Harrison, Joseph Barton George Austin Peachy Harrison & Jonathan Shepman Gent. Justices

The said Prisoner was led to the bar in Custody of the Jailor, whereupon the Court appointed Robert Gray esqr his Counsel attorney. and ~~thereupon he refused~~ he being charged with the felony plead not Guilty. whereupon. divers Witnesses to wit Samuel Shutter, Charles Pence. Daniel Protzman, William Campbell. Judy a Negroe Woman, Ned, and Gabriel Negroe boys. were several sworn and Charged. as the Law directs. and the said Prisoner being heard in his defence by his attorney the Court upon consideration of the circumstances of the Case are of the opinion that he is not Guilty of the said Offence, and that he be discharged

and the Court arose Ezk. Harrison

Tuesday to wit

At a court held for the County of Rockingham the 17 day of January 1809.

Present

Andrew Chandler, Ezekiel Harrison

Peachy Harrison & Jonathan Shepman Gent Justices

A Deed from Jno. Harrison and wife to Smith

Acknowledged & Ord

An appraisw. bill of the estate of Gawin Hamilton dec'd. Rec'd $60

An appraisw. bill of the estate of John Dundas dec'd. Rec'd $60

A sale bill of the estate of Adam Erwin dec'd Rec'd $60

An appraisw. bill and sale bill of the estate of Mathias Kersh dec'd. Rec'd $60

A further Letter of the estate of Mary Myers dec'd Rec'd $60

A Deed from D. Fenible Exr to I. Fenible acknowledgt and acknowledgt Rec'd $60

Ordered that George Hunter, Peter Nicholas and Tobias B. M'Gahey, or any two of them be appointed to examine State and Settle the estate accounts of Mathias Kersh dec'd and make report to the Court

A Deed from Thomas Exr to Chandlee Junr acknowledgt in the state of Pennsylvania and certified according to Law $60

A Deed of Trust from Conrad to Chandlee for Jno Rowntree proved by the oath of Julian S. Forten one Witness thereto

A Deed from Beard &c to Bell further proved as to Jane Beard by the oaths of E. Rutherford Jacob Leggett & Lemuel Gray Jr. and ordered to be certified

381.

X A Deed from Laverner Lux to Rable acknowlegd in the County Court of Wood 68 R

A Deed from Barnhart Lusto Harris acknowlegd more acknowledgm later 68 R

A Deed from B. Bagen Lux to D Bagen same

A Deed from Peter Fo to Coffman acknowlegd by Peter 68 R

A View and report of an alteration in the Mountain Road made agreable to the Petition of Jno Baxter was returned into Court, which was examd and the said alteration ordered to be established agreable to the said report, and it is further ordered that the old Road is not to be stoped untill the new way is opened and put in good repair by the Petitioner —

Ordered that the Court be adjd untill the 3d Tuesday in February next. Jno Hamblin

Tuesday 16 inst

At a Court held for the County of Rockingham the 21st day of February 1809.

Present.

Jno Ezekiel Harrison, John Ewen, Joseph Barbee, George Huston Jacob Kyger Esqrs Justices

Ordered that the rules be held in the Clerks Office on Thursday the 23d Instant and on the days after the third Tuesday in March & April next as the Law directs

Salvage v Rupp dismd Chargrand Offrs Judgm set aside and dis.

Salvage v Mathews & Chancey. dismd agreed.

Moon adms v Leggans extx dismd at Defendants Costs

Rymer v Woolf John Clark Sflbail. Offrs Judgm set aside and the appearance bail payt & Issue.

Phelps v Bowyer dismd agreed.

Young v Thompson dismd agrd.

Comth. v Kean on a recogs for a Breach of the Peace, on the Motion of the attorney for the Comth. It is ordered that the recogs be dismd. at the Costs of the Prosecutor

Grand Jury Sworn to wit.
David Lair foreman John Lobey, George Gilmore, Peter Seiler, David Coffman, George Rader, John Rader, Joseph Gongaway, Daniel Zeigler, Martin Miller, Henry Eyman, William Campbell, Volentine Miller, Christian Seiler, Henry Roads & Nicholas Leap, who receive their Charge and retired from the Bar, to consult on their Presentments, and after some time returned into Court and made the following. We Present Lewis Arnold &c and Nothing further appearing It is ordered that the Grand Jury be discharged and that Process Issue on the said Presentments returnable to the Lawdays.

Rice v Fell &c Dorman Lofland Sflbail Offrs Judgm set aside payt & Issue

Devers v Leighton Jacob Zeigler Sflbail

Mayt &c v Kyser &c Isaac Harrison Sflbail offrs Judgm set aside payt & Issue

383.

Couch vs Kerring Parties heard and dismissed

Adopter vs Rice & Williams Board Affidavit

Baker vs Rice ..... same

Ordered that Reuben Skeen be summons to appear here at the Next Court, to shew Cause if any there be can or Knows to say why an apprentice Girl by the name of Mary Roach should not be taken away from him and be bound out to some one else it being suggested that she is ill treated

Hawkins vs Keefer Trespass Affidavit

Couch vs Erwin dis Parties heard and dismissed.

On the Motion of Revd Andrew B. Davidson, who Produced a Certificate of his being in Regular Communion with the Presbyterian Church, It is ordered that a Testimonial be Granted him to Celebrate the Rights of Matrimony according to the Forms and Ceremonies of the said Church. he having with Security, entered bond, and made oath thereto according to Law.

Ordered that Nancy Brenker be summoned to appear here at the Next Court to shew Cause why her Children should not be taken away from her, it being suggested by the Overseers of Poor that she is not in Circumstances to raise and Educate them in a Decent Manner

Couch vs Kerrin and Flowers on a Presentment for fighting Dismissed as to Flowers and order Information as to Kerrin

Ordered that the Court be adjourned until to Morrow Morning 10 O'Clock

Wm Franklin

Wednesday to wit

At a Court Continued and held for the County of Rockingham the 22.d day of February 1809.

Present.

Andrew Shanklen, Ezekiel Harrison, Charles Lewis & Peachey Harrison . . . . . & G. Justices

Devers & Wyant &c. George W. Harrison Special bail.

Same & Herring &c. Dismiss.d agreed.

Kerby & Peck &c. and
Peck & Kerby . . . & In Chancery.
On the Motion of the Defendant (in the first suit) and for Reason appearing to the Court. It is ordered that the Condemnation decree awarded in these suits at the last term be set aside,

Smith & Martin & M.Laughlin. Not Guilty as to Martin and Judgment and Capias awarded agst M.Laughlin returnable here at the next term.

Smith & Woods & Thompson. Capias awarded returnable here at the next term

Smith & Norman Defendant Call.d not appearing. It is ordered that he be fined in the sum of $3 cents for getting drunk and 166 cents for swearing two profane oaths. and Judgment for Costs.

Smith & Fell &c. Dismiss.d by order the attorney for the Smith.

Smith & Terry Continued

Smith & Thornhill on a Presentment for retailing Liquor without a License. the said Defendant appeared in Court. and confess.d himself Guilty of the fact. whereupon the Court fined him $30. and Costs. Judgment for costs

Woods & Shanklen on attach.t Continued

~~Smith & Brien & Wood &c. Continued~~

385.

Stets extr v Stete on an attachment

The sheriff having returns executed on Summy property. and the said Defendant not appearing to reply the same altho solemnly call'd It is Considered by the Court that the Plffs recover ~~by~~ agst the said Deft $1000. with Interest from the 1st day of March 1808 tille said, and It is ordered that the Sheriff make sale of the said attach property. and pay to the Plff the said Dawgs. first paying the amount of two executions in the hands of the Sheff. of Morris v Stete and Shaver agst Stete, and that they have execution for the residue if any be

Couth v Boler Porter on a Recognizance, Parties heard, and the Court finds the Deft $3 and Dawgs for Costs

Deff's 5.80.

Dewitteson v Boady Continued

Jordan v Hatty Continued

Campbell v Campbell adm Continued

Whisler v Light and
Light v Whisler } Dawgs's per awards.

Harrison v Treery Continued

Shamblen v Sebe Continued

Anderson v Eaton N E set aside N. A & Spruce and Continued

Blair v Hamilton Continued Dismiss'd agreed

Dever v Stete on an attachm The Sheriff having returned executed on Sunday Bokerly, and the said Deft is not appearing to reply the same altho solemnly call'd It is considered by the Court that the Plff recover agst the said Deft. $21.80 Cents with Interest from the 15 day of August 1808. until, paid and It is further ordered that the Sheff make sale of the said attach property. and pay the said Dawgs. &c

Snodon v Hatty Continued for Defendant

Branham vs Rice plea warr. & Issue. as per bond with Interest & Costs (saving &c)

Gant vs Carthrae Continued

Counts vs Luke Rice The Defendant appear & plead Not Guilty & Issue. Jury Sworn to try the Issue to wit
John Losley, Samuel Hoover, Davis Wallace, Philip Stultz
Timothy Donaven, Joseph Wells, Benja Grove, Daniel Smith
John Bowling, Philip Esq. Jury. Reuben Thornhill, Zacha-
riah Nye, Verdict that the Defendant was Guilty, and
assessment 2 cents. and Judgt.

Koontz vs Fox dismis? agreed.

Counts vs Bears Capis awarded Returnable here at the Next Term

Thornhill Exr vs Marshall W. & set aside & Genl
Publication & Issue. Jury Sworn to try the Issue to wit
John Hoover, William Beard, John Jenkins, John Moyers.
Benjamin Thompson, Luke Rice, William Donaven, Wm
Rice, Frederick Cline, Joseph Graham, Thomas Pain &
George Airey & Verdict for the Plff for $34.17 Cents Damages
and Judgment.

Newman vs Hamilton. this Suit having abated by the Death of the Defendant. by Consent the Same is ordered to Stand Revived against Abraham Hamilton & Margaret Hamilton Admr Administratrix of said Hamilton dec'd

Craven vs Rogers Samuel Chandler Sp bail off in Judgt set aside, Sept Issue

Rice vs Rogers & Samuel Chandler Sp bail

On the Motion of Asher Waterman Shff. Henry & Devers is admitted his Deputy and Sworn accordingly

Ordered that the Court be Adjourned until to Morrow Morning 10 Oclock

Asht Buttersworth

Thursday to wit

A Court Continues and held for the County of Rockingham the 23rd February 1809.

Present.

Isaac Shanklen, Ezekiel Harrison, Archibald Rutherford & Josiah Harrison . . 3 Q Justices

Dodds v Green Jury Sworn to enquire of the Damages to wit John Graham, Solomon Mathews David Kyle Robert Rutherford Benj. Harrison, Zachariah Hoy John Rogers John Hoover Robert Harrison Godfrey Grandle Geo Gilkison Samuel Hoover, Verdict for £18.11.11½ Damages with Interest ~~from~~ from 1st April 1808 Int. Paid & Sworn.

Foster v Boyd, Plea Wams and Issuent Confess as to Note with Interest and Cost saving equity.

Salvage v Nite Jury Sworn to enquire of the Damages to wit the same Jury as in Dodds v Green. Verdict for the Plff for $60 with Int. from 4th February 1808 Int. Paid & Sworn.

Croft v Selves exrs Jury Sworn to ~~enquire of the Damages~~ try the Issue to wit same Jury as in Dodds v Green. Verdict for Plff for Debt in Declaration Mentioned ~~subject~~. Subject to the Credit endorsed on the note, ~~Interest~~ with Interest from 24 Novr. 1796 Int. Paid & Sworn.

Cook v Anson. the Plaintiff being dead, It is ordered that a Scirfas. do Issue against the said Deft. to shew cause why the said suit should not stand agst him in the name of the executors of said Cook

Craig v Grahams Continued for Defendant

Brice v Airey &c plea Waiver and Judgment for Specialty with Interest and Costs (saving equity)

Miller v Tinsley ..... same

Miller v Douglass ..... same

Salvage v Anderson ..... same

Lokeys adm v Losley &c ..... same

Cowrough v Funk &c ..... same

Kyger v Watson &c ..... same

Weaver v Reed ..... same

Burk v Reed ..... same

Strayer &Co v Reed ..... same

Strayer &Co v Losley &c ..... same

Carpenter v Snapp ..... same

Parson v Thompson &c ..... same

Parson v Thompson &c ..... same

Kyle v Harrison ..... same

Kyle v Logan &c ..... same

Hensperger v Cline, Rule for Security for Costs on or before 1st April Court Next and the Cause is Continued

Airey v Gilmore & Ux set aside Special pleas filed, General Replication and Issue. Jury Sworn to try the Issue to wit: Anthony Yount, John Rogers, John Hoover, Solomon Mathews Daniel Smith Samuel Hoover, Robert Harrison, Zachariah Hoy Godfrey Grandle Williams Donaver and Isaac Harrison & John Graham. Verdict for the Plff for $100 Damages & Judgment.

389.

Miller v Sulenbargers Offrs Judgmt set aside payt of Costs

Ordered that the Overseers of the Poor bind Isaac Denny ~~of the age of~~ Orphan of Joseph Denny aged 12 years the 20th of December last ~~unintelligible~~ and Westly Denny Orphan of the said Joseph aged 10 years in June last. unto John Smith to learn the trade of Shoo and Boot Makers. as the Law directs who are to have for their freedom dues 20 each.

Ordered that the ~~Court~~ Overseers Poor bind William Dailey ~~Orphan~~ base born Child of Nancy Alford aged 15 years the 16 January last. unto John Smith to learn the trade of a Shoo and Book Maker as the Law directs who is to have for his freedom 15 dollars

Waugh v Kerby Offrs Judgmt set aside payt of Security & Costs

Wayt v Cathcart ..... same

Hughs v Warren Offrs Judgmt set aside & Defendt recovr payt of Costs

Ordered that the Court be adjourned until the 3rd Tuesday in March next.

Ino Shanklin

Tuesday to wit

At a Court held for the County of Rockingham the 21st day of March 1809. Present.

George Newton, Joseph Harrison, Thomas Wood and Ezekl Harrison

Two appraisement bills of the estate of Peter Heggans dec'd returned Witness to the Record

A Sale bill of the estate of Peter Heggans dec'd returned & R

An appraisement bill of the estate of Christian Bear dec'd returned & R

A Deed from Adam Utz to Daniel Utz proved by the oaths of John Weaver, Lewis Blankenbeker and Cornelius Carpenter & R

A Deed from George Utz to same . . . . same

A Deed from Bear to Kyle acknowledged & R

A Bill of sale from Elsten to Baker & acknowledged & R

A Bill of sale from same to Peter . . . same

A Deed from Crumbacker Exr to Souder acknowledged & Witness acknowledged before Baker & R

A Deed from Erwin Exr to Peter . . . . same

A Deed from Malsbee Exr to Deeds . . . . same

A Deed from same to Bolton . . . . same

A Deed from Brannaman Exr to Brannaman . . same

A Deed from Boler Exr to Rambert . . . same

An appraisement bill of the estate of John G. Haga dec'd returned & R

391.

Deed from Wiseman & Wife to M Miller acknowledged
Mrs acknowledgt taken & Ord

On the Petition of Joseph Moore for leave to alter the
part of the road call'd Beam Road) It is ordered that
Isaac Anderson, Peter Sowerwine, Peter Wells and
Isaac Pilcough or any three of them to being first
sworn be appointed to View the said alteration, and that
they make report of the conveniens and inconveniens attend
=ing the said Way as also the old Road to the Court

Deed of Trust from Jno Carthrae Jr to Charles Yancey &
for James Mirion exrs for Land lying in the County
of Albemarle was proved by the oath of Joseph Thornton
as to said Carthrae & Ordered to be Certified

Deed from Jno Vance to Solomon Vance, proved by
the Witness thereto & Ord

Deed from same to same for Land lying in
the Sate of North Carolina was proved by the Witness
thereto & Ordered

The Last will and Testamt of Daniel Marshman dec.
was presented in Court and was proved by the oaths of
Josiah M. Clark and George Marshman and Ordered
to be Recorded

Ordered that the Overseers poor bind James Smily
a bare born Child of Mary Baggs aged 4 or 5 years to
Samuel Harry to learn the Trade of a Hatter as the
Law directs

A Bill of Sale from Keeplor to Nestrute acknowledged
& Ord

Deed from Harrison Exr to Perrin acknowledged Mrs
Acknowledgt taken & Ord

The Last will and Testament of Francis Stuart dec? was presented in Court and proved by the oaths of Andrew B. Damarow & Samuel Chandler & ordered and on the Motion of the executor therein named who entered into bond with Security and made oath thereto as the Law directs a certificate is Granted them for obtaining aprobate in due form, and it is ordered that Henry Smith Peter Moyer, Alexander Herring and Henry Metzger or any three of them being first sworn be appointed to appraise the estate of the said Stuart and make report to the Court.

George Shulas orphan of John Shulas and came into Court and made choice of Martin Kuto as his Guardian who entered into bond with Security as the Law directs.

Ordered that Jacob Kyzer, Charles Lewis & Joseph Mauzy or any two of them be appointed to examine State and Settle the estate accounts of William Kuto dec? and make report to the Court.

The Last will and Testament of Robert Hooks dec was produced in Court and was proved by the oaths of Robert Hooks, Ann Hooks and George Hunton and ordered to be Recorded and on the motion of the executor therein named who entered into bond with Security and made oath thereto as the Law directs, a certificate is Granted them for obtaining aprobate in due form, and it is ordered that William Hooks Henry Neely, William Campbell & William Beard or any three of them being first sworn be appointed to appraise the estate of of said Hooks & Make report to the Court.

A Settlement of the estate of Sarah Harrison dec? was returned & OK.

393.

Ordered ~~that the Persons of~~ that Henry Perky have leave to bind Joseph Moyers his ward to Jacob Rush to learn the trade of Tanner as the Law directs

Ordered that Samuel M'Williams have leave to bind Ezekiah Reader his ward to James Craig to learn the trade of Black Smith according to Law.

Petition of the estate of Moses Thomas dec'd returned & R.

On the Motion of Rev'd Isaac Heiswander and he having produced Credentials of his being in Regular Communion with the United Church, It is ordered that a Testimonial be Granted him to Celebrate the rights of Matrimony according to the said Church he having made oath thereto and entered into bond & Security as the Law directs.

Ordered that Walter Davis, Robert Magill, Henry Hausbarger or any two of them be appointed to lay off Jane Erwins Widow of Adam Erwin dec'd right of Dower in her said husbands Land and make report to the Court.

On the Motion Rev'd William Craven and he having produced Credentials of his being in Regular communion with the Methodist episcopal Church, It is ordered that a testimonial be Granted him for Celebrating the rights of Matrimony according to the forms of the said Church, he having made oath thereto and entered into bond with Security according to Law

Ordered that the Overseers of the Poor bind John Darry orphan of John Darry dec'd to Henry Lefler to learn the trade of a Wheal right, according to Law he being about 17 years old

On the Motion of Mayberry Curry. admr of the estate of Adam Curry dec? it is Granted him he having made oath thereto. and entered into bond and Security as the Law directs.

Peter of Release from Newton &c to Cook. acknowledged by Newton. and proved by Wetzel as to Ermmon & H

View and report of an alteration in the road made on the Petition of John & Jos Krotzer &c being returned into Court. which alteration is ordered to be established agreeable to the said report. and it is further ordered that the old road is not to be shut up until the said New road is opened and put in Good repair by the Petitioners

Ordered that Jacob Lemley be appointed Overseer of that part of the road in the room of Thomas Bransfield and that the usual Tithables appointed to work on the said road be altered for his Gang &c

Petition of the estate of Henry Fry dec? rel H & H

Ordered that the Overseers of the poor bind John Bryan poor child of Rachel Bryan. to John Means to learn the trade of a Collier, as the Law directs. and it is further ordered that so much of the order as directs said boy to be bound to Philip Fenbaugh be rescinded —

Mayberry &c v Grandle &c on a Note or a Delivery bond Note proved and Judgt.

Depp admr v Woods &c on a Delivery bond Note proved as to Woods and Judgt.

Ordered that the Overseers Poor bind John Leverston base born Child of —— Leverston. to George Coogler to learn the trade of a Potter according to Law.

Chandler v Hamilton Pow on Note on a Debt bond
Note proved as to Geo. Hamilton, and Judgm. accordg
to Law

~~Order to be~~

Bell v Bearse In Chancery. Bill taken for confess.
unless the said Defendants shew good cause
to the contrary on or before the third Tuesday in May
next.

Bell v Bearse In Chancery On the Motion of the
Plff. the bill is taken for confess. and the Matter thereof
decreed accordingly unless the said Defendants shall
appear here at the next term after he shall be served with
a copy of this order — and shew good cause to the contrary.

Elijah Dundas orphan of Christian Dundas ad
came into Court and made choice of Joseph Baxter as
his Guardian, who is also appointed Guardian for
Jacob & Samuel Dundas. Infants under
the age of 14 years. who entered into bond with Surety
as the Law Directs.

Dun from Harrison to Brock proved by the
Witness thereto. which with the Privy examination of
their wives returned and ordered to be Recorded

Dun from. John Kepling Esq to Moore. proved by
the oaths of Joseph Holms. Archd Patterson and Danl
Bryan, 3 Witness thereto. which with the Privy examinat
returned; returned and ordered to be Recorded

Present. Joseph Baxter & Archibald Patterson
Absent George Hunter.

Smith to John Jenkens, on a recogz for a breach of the peace on the Complaint of John Smith (Shoemaker) the said Defendant appeared in Court in discharge of his recogz. whereupon divers Witness were Sworn, and examined, upon Consideration whereof the Court are of the Opinion the same be dismissed with Costs.

An Instrument in Writing, from Mary Dennew. revoking a Power of attorney executed by her to John Penn, was presented in Court and proved by the oaths of the subscribing Witnesses thereto &c.

Ordered that the Court be adjourned until Court in Course.

D. J. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 18 day of April 1809

Present

Andrew Shanklen, Jacob Myers, Walter Davis & Conrad Harrison } Gent Justices

Ordered that the Court be adjourned until to Morrow Morning 10 O Clock

And Shanklen

Wednesday to wit

At a Court Continued and held for the County of Rockingham the 19th day of April 1809

Present

Andrew Shanklen, Ezekiel Harrison, Peachey Harrison & Archibald Rutherford } Gent Justices

A Sale bill of estate of Christopher Smith dec^d returned & R

Ordered that Jacob Nyson, William S. Herring & Benj^a Smith or any two of them do settle the estate accounts of Christopher Smith dec^d with the exrs & Make report to the Court.

On the Petition of David Weir, for an alteration in the road leading from ~~Harrisonburg to Port Republic~~ Colo. Harrison Mill to Fredericksburg agreeable to the Petition of the said ~~Petition~~ David Weir & It is ordered that Peter Brown, Abraham Boon John Sheets & Henry Shoulderman or any three of them being first sworn do View the said alteration as also the ~~New~~ old road, and make report of the Conveniences and inconveniences to the Court.

A View and report of an alteration in the road made on the Petition of Joseph Moore, was returned into Court, ~~with which was ordered by the Court.~~ Whereupon It is ordered that the said alteration be established agreeable to the said report, (Jerimiah Shelton through whose land the same is to run having consented thereto) and It is further ordered that the overseer of the said road to work thereon and Keep the same in Good repair. But the said old road is not to ~~be~~ be stopped until the said New way is opened and put in good repair by the said Moore

A Deed from Scott to Welch ~~for~~ proved by the Witness thereto & O R

A Deed from ~~Peter~~ Brisbon dec^d to Gray proved by the oaths of Abram Shanklen, Peachy Harrison & Henry Bussey Jn^r which with the Privy examination of his wife returned, are ordered to be Recorded

A Deed from Nolans Exr to Davies proved by the Witness thereto which with the Privy examination of his wife being returned certified are ordered to be Recorded

A Deed from Nolans to Spangler acknowledged &Rd

A Deed of Trust from Parry to Gambill in trust for Cyrus C Baldwin for land lying in Augusta proved by the Witness thereto & Ordered to be certified

A Deed from Nolans to Shepman acknowledged & Recorded

A Deed from P. Ferebought Exr to Adam Ferebought acknowledged with a Memorandum ~~&Rd~~ to be &Rd

On the Motion of William M Mahan a License is Granted him to Keep a Tavern at his House in this County for one year - on his entering into Bond with John Perry his Security as the Law directs.

A Deed from Jno B Parry Exr to Fenton proved by the oaths of Nich Patterson. Peachy Harrison & Francis Spangler, which with the Privy examination of his wife being returned certified are ordered to be Recorded

On the Motion of the administration of Nathl Harrison dec. It is ordered that Lyda Harrison, Phiby Harrison & Gracy Harrison heirs of Nathl Harrison dec be summoned to appear here at June Court next to shew cause why a Negro Man Slave belonging to the said estate shall not be sold according to Law

The Last will and Testament of Samuel Short dec was presented in Court and was proved by the oaths of Henry Dofflemyer & Jno Pestana ——— and Ordered to be Recorded. and on the Motion of the executor therein named who entered into Bond with Security and made oath thereto a certificate is Granted him for obtaining a probate in due

form, and It is ordered that John Nyson Sr. Philip Pete, Christian Stoto and Christopher Conner or any 3 of them being first sworn do appraise the estate of the said Decedent and make report to the Court.

Smith vs Geo. Woods on a Recognizance a breach of the peace on the Complaint of Margaret Woods. the said Defendant appeared in Court. and agreed to enter into a Recognizance with Security in the sum of $200. that is to say himself in the sum of $100. and 3 Security in the sum of 33 Dollars and 33 cents each. whereupon the said George Woods with David Bransfield & John Howard Sr. John Penne his Security entered into a Recognizance agreeable to the above Order, and the said Defendant agreed to pay the Costs

An appraisement bill of the estate of William Smith and returned Ord

A sale bill of the estate of William Smith and returned Ord

Smith vs Duff on a Presentment Traverse heard and Order suspending the fee. & the Attorney on said Prosecutor.

On the Motion of Hugh Woods, It is ordered that he be exempted from the paying of County & Parish Levies on account of old age and infirmities

Ordered that David Miller be appointed Overseer of that part of the road in the room of Reuben Harris dec. and that he with the usual Tithables allotted to work on the said road be appointed for his gang

Overseers Poor
vs Glew. New Summons

Smith vs Duff on a Presentment Traverse heard & Defendants Recognizance and Defendants Costs and on the Motion of the said Duff a Licence is granted

him to keep an Ordinary at his house in this County for one year commencing at September Court last. on his entering into Bond with Henry I Gambill as his Security in the Clerks office

Comth v Hoy Pursuant ~~praeter~~ ~~Board~~ ~~and Recognizance~~ ~~of the Defendant Cath~~ ~~And on Motion~~ [redacted]

On the Motion of Zachariah Hoy It is ordered that a Licence be Granted him to keep an Ordinary at his house in this County for one year, Commencing at September Court last. on his entering into Bond with Ezk Harris as his Security in the Clerks office

On the Motion of John Myers administrator of all and Singular the Goods and Chattles & Grants him on the estate of ~~his~~ late Barbara late Barbara Ferebaugh and he having entered into Bond With Security, and made oath thereto as the Law directs

Ordered that an an Election be held in the east District at the house of Adam Harshbarger for the purpose of Choosing three fit persons to act as Overseers of the Poor for said district on the Second Saturday in May next. and that Taylor Garey Superintend the said election also an Election to be held in the North district on the same day at the house of Benjamin Salvages and that Ezekiel Harrison attend the same, and also that an Election be held in the South District on the same day at the Court house of Rockingham. for the same purpose and that, Archibald Rutherford Superintend the same, and It is ordered that Sheriff give Public Notice to the freeholders at house Keepers in each district of the time and places for holding the said Elections

401.

The Last will and Testament of Samuel Kemphell dec: was presented in Court and proved by the oaths of Benja Smith & Adam Arguebright and ordered to be Recorded. and on the Motion of the executors therein named who made oath thereto. and with Security entered to and a Renewing bond. as the Law directs. a certificate is Granted them for obtaining aprobate in due form, and It is ordered. that Saml Chandler, George Arguebright Jr. Peter Brown, & Aaron Solomon or any 3 of them do appraise the estate of the said decedent and make report to the Court.

The Justices of this County having been summoned to appear here at this Court for the purpose of directing the building a bridge a cross the Spring run where Germon Street crosses the same, and a Majority not appearing the Court proceeds to make the said order Wherefor It is ordered that Archibald Rutherford be appointed to superintend the building a good and Sufficient Bridge a cross the said run at the said place, and that he make a report to the Court of the expences attending the same in Judgt. next.

Ordered that the Court be adjourned untill the 3d Tuesday in May next. And Franklin

At a Court held for the County of Rockingham on the 4th day of May 1809. for the trial and examination of John Perce on suspecion of Felony. and stands charged with Feloniously Stealing a pair of Mens Boots of the Value of $6 —

Present,

Clayton Nancy. Joseph Baxter, Jacob Swanger
Kyzor Haralson Peachy Harrison & Gabl Fearly. Esqrs Justices

The said John Perce appeared in discharge of his Recognizance entered into before the Superior Court of the said County of Rockingham. and plead Not Guilty to the said charge, whereupon Sundry Witness ~~were sworn~~ to wit James Blair, John Kelly. Morris Hensley. William Hensley, Jesse Bowling and Henry Martin. were sworn and examined Touching the said offence, and the said Prisoner being heard in his defence, ~~by his attorney~~ the Court upon Consideration are of the opinion that he is Not Guilty of the said offence, and that he be discharged

Clayton Nancy

and the Court arose

Tuesday to wit

At a court held for the County of Richmond the 16th day of May 1809.

Present

Joseph Baxter, George Weston, Jacob Kyser and Josiah Harrison . . Gentlemen Justices

Ordered that the Sales be held in the Clerks office on Thursday the 19th day of this Instant and on the days after the 3rd Tuesday in June & July next according to Law.

On the Motion of Henry Gambill It is ordered Leave be Granted him to Keep a Tavern at his house in this County for one year on his entering into Bond with Daniel Smith his Security

Chrisman v Moyer. Davis Brumfield & Thos Gales Sheriff

Peyton adm v Porter. Joseph Douglass Sheriff Office Judgt set aside payment & Issue

Hamilton v D. Dever. Joseph Douglass Sheriff Office Judgt set aside payt & Issue

Smith v . . . Same . . . . . Same

Grand Jury Sworn, to wit

Benjamin Harrison (foreman) David Bowman, David Coffman, Daniel Falls, John Rush, William Beard, John Crowe, Ulrey Saler, George Lafley Daniel Tinkle Henry Shoderman, Peter Brown, Henry Sipe, Christian Seter, Jacob Rife & Jno Koontz who Recd their charge, and retired from the bar to Consult on their Presentments, and after some time returned into and made the following, viz Present &c and Nothing further appearing, It is ordered that the Grand Jury be discharged, and It is further ordered that Summons Issue on the Presentments returnable to the Law dent.

On the Motion of Briscoe. by. Baldwin, who Produced in Court a Certificate, wherein he is admitted to practice as an attorney in the Superior Courts of this Commonwealth. and he having taken the oaths Prescribed by Law he is admitted to practice in this Courts

Devers for Porter Williams & Herring Sp Bail offer Judgt set aside Sayt & Spur

Kyle & Hannah Williams Hannah Sple bail offer Judgt set aside Sayt & Spur

Devers & Memphills two suits Elliotts Rutherford & Sp Bail offer Judgt set aside Sayt & Spur

Deed from Denton Lee to Dunbar, her acknowledged ackd acknowledgt taken & C

Massey & Wise admr dismiss agreed.

Shamblin admr & Douglass & Pff in Judgt set aside and and dismiss agreed

Drew & George (free Negroe) dismiss at Defendants Cost

Smith & for Devers Henry Miller Sp Bail, offer Judgt set aside Sayt & Spur (he having Surrendered)

X Deed of Release from Gambill to Deal acknowledged & C

Deed from Deal Lee to Earnest acknowledgt ackd acknowledgt taken & C

Devers & Cutler two suits Joseph Graves Sp Bail offer Judgt set aside Sayt & Spur

Nicholas in Amon William Graves Sp Bail offer Judt set aside Sayt & Spur

Deves v Cane two suits, Isaiah Shepman Sflbail
Offis Judgt set aside payt & Stet

Deves v Shepman Williams Cane Sflbail offis Judgt
set aside payt & Stet

X Deed from Peter Lee to Wm proved by the oaths of
George Overton & Charles Lewis two Witness & Ack
with the Commission of his Lunse returned certified, am Ack

X Deed from Dto to Wm proved by the oaths of Chas
Lewis & George Overton Ack

Rice v Glyn Jno Harrison Sflbail

Present Charles Lewis & A. B. Matherson

Comm with
James a free Negro } on a recogz for a breach of the peace
on the complaint of James Mefford
The Defendant appeard in Court in discharge of his
recogzance, and agrees to enter into a recogzance with
a security for his Good behaviour, for one year and [illegible] hereafter
in the sum of $100. and four securities in the sum of $25
each whereupon the said James with, Peachy Harrison
Robert Gray, Henry Welch and Henry J Gambell his
Securitys entered into a recognizance agreeable to the
above Order.

Read v Gregory Daniel Ragen Sflbail

Ordered that the Overseers Poor bind Peggy Jackson
Orphan of Peggy Anderson, aged 3 years the 20th day
of April last to Robert Lewis, who agrees to give her
15 dollars freedom dues.

Dis. sep.

Deed from Thomas Williamson exr to Read Acknowledged
Ack

Graham v Rice Williams Beard Sflbail

Comth v Hoods & Thompson The Defendants was brought into Court on a Capias, and plead Not Guilty & Issue Joined

Overseers Poor v Jacob Coogler on a Recogn, as the reputed father of a base born child of Betsey Ings. the Defend and appeared in Court in discharge of his Recogn whereupon It is ordered that the same be Continued until to Morrow and that he enter into a Recogn with one or more Security for his appearance here on to Morrow, in the sum of one Hundred and fifty dollars. Whereupon the said Jacob Coogler with William Rice his Security appeared in Court and entered into a Recogn agreable to the above order

Comth v Hoods & Thompson Jury Sworn to try the Issue to wit. Isaac Lincoln, William Dunlap, David Lincoln William S. Herring, Jacob Stets, Timothy Donavan, Richard Bryan, Henry Tulweiler, Jacob Nisely, John Jenkins, George Cline, & Andrew McClellan Verdict the Defendants Guilty, and amerciament 10 Dollars each & Judgment.

Step v Bohr Dismd at the Defendants Costs.

Overseers Poor v Steen dismd.

Ordered that William Roberson (N.B.) be summoned to appear here at the Next Court, to shew Cause why his apprentice, Robert Morton should not be taken away from him, It being suggested by the said Robert that he is ill Treated, and It is further ordered that the said Roberson do not give bonds to the said Robert Morton to attend here at the Next Court, Not hereby or restrain the said Robert from procuring, his witnesses or from being here at the Next Court

Counth v Doy parties heard and discharged at Defendants Costs.

Ordered that the court be adjourned untill to Morrow Morning 10 o'clock Joseph Baxter

At a court continued and held for the County of Rockingham the 17th day of May 1809

Present

Ezekl Harrison, John Emery
Archd McPherson & George Long Esqrs Justices

On the Motion of Samuel McWilliams Clerk of this Court Benjamin F. Talmage is admitted his Deputy and sworn accordingly, for the special purpose of taking in Writings attendance in the Clerks Office

Whyte v Thompson &c. Joseph Graham Sp. Bail of his Judgt set aside payt of Iss.

Rice v Rogers &c. Of his Judgt set aside payt of Iss.

Counth v Roberts Not Guilty & Iss. Continued

Peters admr v Herring Dan. Smith Sp. Bail of his Judgt set aside payt of Iss.

Barbara Argubright Widow of Adam Argubright dec. from under her hand & Seal relinquishes her right of administration whereupon on the Motion of John Argubright & Christy Kensly administrator of the estate of said Adam Argubright is Granted them, they having with Security entered into and Acknowledged bond & Made oath thereto as the Law directs. and. It is ordered that Aaron Solomon Peter Brown, Peter Thomas and Jos Byerly or any 3 of them being first Sworn to do Not the said appraise the said estate and make report to the Court &c.

Cr Comth v Martin & M Laughlen N. G & Issue as to M Laughlen and continued until next terme

Cr Doyle v Smily & Williams Lewis Sthbail off in Judgm set aside pay & Issue

Cr Comth v Bears Not Guilty & Issue and continued

P. Cr Comth v Kerns order Capias returnable here at the next Terme

Cr Comth v Terry, Deft call & not appearing, It is ordered that he be fined in sum of 83 cents for being drunk, and Costs

Present Josiah Harrison Gent.

Cr Lincoln v Lincoln & Ezek Harrison Sthbail off in Judgm set aside pay & Mercy and Costs

P. Cr Comth v Arnold New Suits awarded

Cr Comth v Kelly order Information be filed by the attorney

Cr Comth v Thornhill continued

Cr Woods v Shamblen on attach continued

Cr Dennison v Poor Costs

Cr Jordan v Slutty continued

Cr Campbells adm v Campbell continued

Cr Shamblen v Sels Judgment for awarded

Cr Addison v Eaton. dismiss no Information

Overseers Poor v Jacob Coogler. The Defendant appear who was Recognized to appear here this day. to answer the Complaint of Betsey Ng as the father of her bare born Child the said Defendant appeared in Court in discharge of his Recogz and being heard. It is ordered that he enter into a Recognizance with Security in the sum of forty two pounds to indemnify

the Parish, for the support of the said Barbara Chela-
to be paid to the Overseers of Poor of Rockingham
in the following Manner, that is to say. Twenty dollars
in one Month from this time, and Twenty dollars
within one year from that time and then 25 dollars
annually until the said sum of forty two pounds
be paid, or otherwise indemnify the said Parish,
and that he stand committed until he give such
Security, Whereupon the said Jacob Coogler, with Henry Welch
his Security, appeared in Court and acknowledged themselves to owe
and be indebted to his excellency John Tyler Governor of this
Commonwealth and his Successors in the said sum of forty two pounds
to be levied of their respective Goods and Chattles, Lands and
Tenaments, and for the use of the Overseers Poor to whom due.

But upon Condition that if the said Jacob Coogler,
shall pay to the Overseers of Poor for the County of Rocking-
ham, the said sum of Twenty Dollars within one Month
from this day, and Twenty dollars within one
year from that day, and then Twenty five dollars
Annually until the said sum of forty two pounds
be paid up, then the above Recognizance to be
Void &c

Cole Gant. v Carthrae W.C set aside and the Defendant
for plea saith that the Plaintiff is a slave and therefore
not entitled to his freedom, to which the Plff replyd Genl
and Issue and Continued until next term

Wolf v Herring. Daniel Smith Sheriff Office Judgm.
set aside payment & Issue

Craig v Graham W.C set aside Not Guilty and Issue.
Jacob Stets, Samuel Gay, Jacob Welch sworn, George Arg-
bright, Peter Emmet, David Wallace, Benjamin
Porter, George Snodden, David Thompson, Samuel Stets, John
Argubright and John Smith, Verdict for the Plff for $10
Damages & Judgment.

Devers v Lash Frederick Spangler Gilbert Offer Judgm set a side pray[t] Issue

Pence v Falls dismissed by order of the Pltffs attorney, and Judgm for Defendants Costs

Austen &c v Parry dismissed by order Plaintiffs, and Judgment for defendants Costs

Bowman v Pickering dismiss'd agreed at Defendants Costs

Spangler v Rogers dismiss'd agreed

On the Motion of Joseph Graham It is ordered that a Licence be Granted him to keep a Tavern at his house in this County for one year on his entering into Bond with John Graham his Security in the Clerks Office

Kyle v Bear Office Judgm. set aside pray[t] for Security and Issue

Dupuy adm v Harrison &c . . . . . same

Bowers v Robertson &c . . . . . same

Dupuy adm v Steen . . . . . same

Ordered that the Court be adjourned untill to Morrow Morning 10 O'Clock.

D[d] Harrison

At a court continued and held for the County of Rockingham the 16 day of May 1809.

Present.

Ezekiel Harrison, Joseph Bartis
George Newton, Geles Early & Abm Bethel 3 G Justices
George Dove

Taylor &c v Newton on the Motion of the Plff by their attorney It is ordered that the Sworn Surveyor of the County of Rockingham do go upon the lands in Controversy on some day to be agreed upon between the parties, and survey, and lay off the same as either, shall require, and return a fair plat and report to the Court

Koontz v Sprinkle & Chaney on the Motion of the Plaintiff by his attorney It is ordered that the heirs of Thomas Harrison dec? be made Defendants in this suit, and that the Plff have leave to amend his bill, and It is further ordered that, Benjamin Smith, Joseph Crakers, Reuben Harrison & Samuel M Williams exrs of said Thomas Harrison, be appointed Guardians to defend the said suit for the said Children who are under the age of Twenty one years and that ass? Issue accordg.

Adopter v Price &c Office Judgm set aside on pay? & Issue

Baker v Price &c ..... same

Krotzer v Thornhill Office Judgm set aside on pay? for security and Issue

Alexander v Smith ..... same

Bartis v J. Smith (Shoemaker) ... same

Cook admr v Arion. Plea sworn and Judgment confessed as per Specialty with Interest & Costs (saving equity)

Miller v Salenbarger plea waw? and Judgmt confessd as per Note with Interest and costs (saving equity)

Maupin v Kerby . . . . . same

Myers v Woolf . . . . . same

Wayt . . . v Carthrae . . . . . same

Wayt &c v Kyser &c . . . . . same

Rice . . . v Fell &c . . . . . same

Wright v Warren . . . . . same

Craven v Rogers . . . . . same

Miller v Hamilton. Geo. Snodon, Sfbail, Offrs Judgt. set aside as to the appearance bail

Brown v Donaven &c Offrs Judgmt set aside pay. for security

Shipman v Lair &c on the Motion of the Defendants by their attorney, to dissolve

Shipman v Lair &c. On Consideration of the Defendants Bill

This cause came on to be heard this 18th day of May 1809. on the bill, and answers of the Defts Lair and Peachon, and exhibits, and was argued by Counsel. It is considered by the Court that the Injunction Granted the Defts. to stay further proceedings on the Judgment Recovered by the said Defendant Lair agst Benjn Harrison, be dissolved

Albert Gelar Surly Gent.

Mauzy v Maggott. Daniel Rogers Sfbail offrs Judgmt set aside as to the appearance bail

Mayse v Jones . . . . . same

Harshbarger v Maggott &c (three suits) . . . same

Mauzy v Jones . . . . . 1 . same

Askew v Lair dismd agreed

Smith v Marsdle &c. On the Motion of the Defendants by their attorney It is this 18 day of May 1809. Ordered and decreed that the Injunction Granted the Plaintiff to stay further proceeding on a Judgment recovered by the said Defendants agst him be dissolved.

Carpenter v Blair &c. on the Motion of the Plaintiff. It is ordered that this cause be remanded to the rules for the answer of Wm. Albert one of the Defendants.

Carthrae v M'Carty &c. This cause came on to be heard this 18 day of May 1809. on the bill, answer of Thomas M'Carty Jr. and was argued by Counsel. It is ordered and decreed that the Injunction Granted the said Plaintiff to stay further proceeding on a Judgment recovered by the said Defendant agst him be dissolved.

Harrison v Evans Continued

Rea v Lacy Ux Continued

Stringfellow v Seawright This cause came on to be heard this 18th day of May 1809 on the bill and answer of the Defendant as to part of the bill and a Demurrer as to the residue of said bill and was argued by Counsel upon consideration the Court overrule the Demurrer and, thereupon the Stringfellow v Seawright on the Motion of the Defendant by his attorney to dissolve the Injunction awarded the Plaintiff, stay further proceeding on the Judgment recovered by the said Defendant agst the Plff, which Motion on argument of the Counsel was overruled, ~~over the Defendant~~ and the Demurrer being also argued was also overruled and It is further ordered that the Defendant answer the said bill

Absent Ezek Harrison.

Ezel Harrison

John Reeves &c & In Chancery finally

This cause came on to be heard this 18th day of May 1809 upon the bill exhibits, and depositions of Witnesses, and orders made therein, and it appearing that the Defts John Reeves Jr and Thomas Dunkenson have been duly served with the Conditional decree made in this cause at May Court 1802, against them, and that the order of Publication made therein at October Court 1805 against the other Defendants the heirs and other legal representatives of Brewer and Thomas Reeves deceased, has been duly executed according to law, and the rules of this Court, and the Defendants John Reeves and Thomas Dunkenson, as well as the other Defts the heirs and other legal representatives of Brewer & Thomas Reeves dec'd still failing to enter their appearance and answer the Plaintiffs bill according to law and the Rules of this Court. upon Consideration whereof and of the original bill, & bill of Revivor and other exhibits in this cause do this 18th day of May 1809 adjudge order and decree that the heirs and other legal representatives of Brewer and Thomas Reeves dec'd Convey to the Plaintiff the 220 acres of Land by certain Metes and bounds, by him claimed being the balance of the three Tenaments or tract of land in the bill and proceedings mentioned (after deducting therefrom the 80 acres conveyed by John Reeves Sen'r to the Defendant Thomas Dunkenson by deed of Bargain and Sale or some other good and sufficient assurance in fee Simple, with a General Warranty, and it appearing to the Court that the Defts Thomas Dunkenson and John Reeves Jr have some claim or title from the said Brewer and Thomas Reeves and which has been obtained long subsequent

to the purchase made by the Plaintiff, the Court doth therefore order adjudge and decree that the said Thomas Dunkerson and John Reeves Jr ~~all the right and title they have to the said Lands~~, do also convey to the Plaintiff all the right and title they have to the aforesaid 300 acre tract (Except the 80 acres which the said Thomas Dunkerson holds under the Conveyance from John Reeves Sen.) in fee simple with a Special Warranty against themselves and their heirs, and all persons claiming under them or either of them, and It is further ordered and decreed that the Defts do pay to the Plaintiff his costs by him expended in the proceeding this Sept &

Campbell & Smith Continued

Peter exrs &c Merry. Gerrard &c. In Chancery
On the Motion of the Defendants by their attorney to dissolve the Injunction awarded the Plaintiff Testator to stay further proceedings on a Judgment Recovered by the said Defendants against him; and was argued by Counsell, It is this 18th day of May 1809. Ordered and Decreed that the said Injunction be dissolved.

Hamilton adm &c Berry. In Chancery
On the Motion of the Defendant by his attorney to dissolve the Injunction awarded the Plaintiffs Testator to stay further proceedings on a Judgment Recovered by the said Defendant against him; and was argued by Counsel Counsel It is this 18th day of May 1809. Ordered and decreed that the said Injunction be dissolved.

Present. Peachy Harrison,

Read &c

Smoddon & In Chancy.

This Cause came on to be finally heard this 18th day of May 1809. upon the bill answer and exhibits and upon the Reports of the Commissioner made therein on the 20th day of October 1806 and the report of the 12th of June 1807 and the report of the 20th February 1809 and the exceptions ~~made~~ and evidence taken before the Commissioner, and was argued by Counsel, upon Consideration whereof the Court are of opinion that the first report made by the Commissioner ~~the~~ on the 20th day of October 1806. be confirmed and doth order adjudge and decree that the Defendant do pay to the Plaintiff £556. 65 Cents. the balance stated to be due by the Commissioner in that report with Interest upon £329. 87 part thereof at the rate of 5 per cent from the 19th day of October 1806 until paid (the Commissioner having calculated the interest to that day) and It is further ordered ~~and~~ adjudged and decreed that the ~~Pet~~ Plaintiff Recover against the said Defendant ~~his costs~~ their Cost by them about their suit in that behalf expended from which Order and decree the Defendant prays and appeal to the next high Court of Chancery, and which is Granted him.

Swaggart v Loffland &c In Chancery

This Cause came on to be heard this by Consent this 18 day of May 1809 upon the bill, answer of the Defendant Smith and the exhibits filed in the Cause. and the order of Publication made thereon at April Court. 1807. appearing to the Court to have been

duly executed and the defendant Loffland still failing to enter his appearance and give security agreeable to the act of assembly, in such case made and provided and the rules of this Court, and it appearing to the Court that the defendant Loffland is indebted to the Plaintiff £18.14.5 with Interest thereon from the day of May 1803 and it also appearing to the court that the Deft Daniel Smith has in his hands £13.12.10 money belonging to the defendant Loffland, It is therefore ordered and decreed that the Plaintiff recover against the Defendant Loffland the said sum of £18.14.5 with Interest thereon from the day of May 1803 cents paid and costs, and that the defendant Smith do pay to the Plaintiff the said sum of £13.12.10 the money in his hands belonging to the said Loffland, towards satisfying this decree upon the Plaintiff entering into Bond with Security, to be filed in the Clerks Office in this Cause as the Law directs, and that the defendant Loffland do pay & satisfy the Plaintiff the balance, all which is ordered and decreed accordingly

Ca Harrison is Dreury dismiss?

Marsh v Thornhill dismiss? by order of Plaintiffs Ca attorney.

Archibald Patterson who was appointed to superintend an Election for Overseers of the Poor for the South district for the County of Rockingham made a report that no election was held whereupon the Court appointed ~~Edmund~~ Jacob C. Erwin, Joseph Williams and Joseph Leavens.

overseers of said Districts, Layton Yancy who was appointed to superintend the election in the east District not having made any report, the Court doth appoint Henry Perky (Mill) Joseph Mauzy, and Henry Miller overseers for the said district, and Ezekiel Harrison who was appointed to attend the election for the North district made a report that no election was held in said District whereupon the Court appointed John Baker, John Rader, & Henry Sipe, overseers for said district.

Ordered that the Court be adjourned until to morrow morning 9 Clock

E. Harrison

Friday to wit

At a Court continued and held for the County of Rockingham the 19th day of May 1809.

Present

Abram Shanklin, Ezekiel Harrison
Archd. Patterson and Peachy Harrison } G. Justices
John Ewen & George Huston

The Court proceeded to lay the County Levey for the year 1809 (Commencing at December Court 1808) a Statement whereof is as follows

To Daniel Smith esqr. attorny for the Commonwealth for one year ending at December Court next $ $100.00
" Sheriff for his services for 1 year 25.00
" Samuel M Williams Clerk for same term for his ..... $ 25.00
Extra Services 20.00
" Ditto for Services under the Revenue Law ....
" Henry I Gambill for Keeping the Court the same time ..... $ 25.00
" Henry I Gambill for paper furnished for the use of the County for one year ..... $ 5.00
$200.00

Amount Brought forward			$200.00
To Bathewell Herring	for work on the road		10.00
" Alexander Herring	for	ditto	10.00
" George Snodden	for	ditto	7.50
" Daniel Marshbarger	for	ditto	1.50
" Abraham Neswanger	for	ditto	2.25
" Samuel Garber	for	ditto	5.00
" David Brumfield	for	ditto	5.00
" Jacob Curtis	for	ditto	3.00
" Benjamin Bryan	for	ditto	2.00
" Robt Englerth	for	ditto	2.00
" John Hunter	for	ditto	5.50
" Michael Mash	for	ditto	2,00
" Zachariah Hoy	for	ditto	4.00
" John Lotley	for	ditto	2.50
" Jacob Veto & John Kents (K.T.)	for	ditto	1.75
" Phely Moore	for	ditto	2.00
" John Kenty (K.T.)	for	ditto	10.00
" Samuel Veto	for	ditto	83
" Daniel Miller	for	ditto	9.50
" John Burtis	for	ditto	4.00
" Roger Mallory	for	ditto	2.00
" Phelip Bostow	for	ditto	1.75
" Thomas Harrison	for	ditto	3.00
" Thomas Cummens	for	ditto	3.00
" Volentine Bolton	for	ditto	3.00
" Dorman Lofland	for	ditto	6.00
			309.08

amount brought forward			$309.08.
Marcus Clark	for	work done on the road	3.00
" Joseph Bartis	for	ditto	7.12
" Michael Summers	for	ditto	1.50
" Josiah Harrison	for	ditto	7.00
" Thomas Moore	for	ditto	2.50
" George Woods	for	ditto	5.00
" William West	for	ditto	3.00
" Abraham Peters	for	ditto	2.50
" Andrew Byrd	for	ditto	2.50
" Lewis Zerkle	for	ditto	2.50
" Mary Heggans	for	ditto	2.50
" Richard Patton	for	ditto	2.50
" William Matheny	for	ditto	2.00
" Francis Stuart	for	ditto	2.00
" Frederick Black	for	ditto	1.67
" John Entwistle	for	ditto	2.00
" Frederick Haynes	for	ditto	2.00
" George Woods	for	ditto	3.75
" Henry Whistler	for	ditto	7.17
" John Howard	for	ditto	14.00
" Jacob Woolf	for	ditto	16.00
" Samuel Dehart	for	ditto	4.00
" Peter Thomas	for	ditto	2.50
" John Koontz	for	ditto	3.87
" ditto	for	holding an Inquest as Coroner on	2.80
Grace Peto			$ 46.

Amount Brought forward		$410.46
To Joseph Coconour for work done to the Jail		8.50
" George Fitzwater for one old woolf scalp		6.00
" Thos Bryan for one	Ditto	6.00
" David Neely for one	Ditto	6.00
" Jacob Day for one young	Ditto	3.00
" Adam Lamb for two old Woolf Scalps		12.00
" John Hostens for three old Woolf		14.00
" William Bryan for one old woolf scalp		6.00
David Wallace for Patroling 66 hours		4.12
" William Bohland	18 hours	1,12
" Jacob Koontz	48 ditto	3.00
" John Mossack	24 ditto	1,50
" Silas D. Smith	12 ditto	,75
~~Benjamin Coleman~~ Daniel Smith	24 ditto	1.50
" Thomas Bryan	12 ditto	,75
" Peter Harry	12 ditto	,75
" Daniel Protzman	6 ditto	,37
" Robert Scott	6 ditto	,37
" John Kyle	6 ditto	,37
" Richard Hughes	6 ditto	,37
" Frederick Martin	6 ditto	,37
" Barzeb Bagley Jailor for Keeping the Jail from 17 August 1808 to 18th May 1809		$ 15.00
" Andrew Shanklin, Asher Waterman & Archibald Patterson Commissioners appointed to have a ~~People~~ raised on the Court House		$100.00
		$606.30

amount brought forward	$606.30
To Samuel Harrison for work done on the road	3.00.
" Andrew Bowman . . . . ditto	1.50
	612,80
Sheriffs Commission and County deposetum	195 31.
	$808 11
&c	
By 2993 Tithables @ 2½ cents	$808.11.

Ordered that the Sheriff collect from each Tithable in this County the sum of 2½ Cents, there being in No. 2993.

Ordered that Andrew Shanklen, Asher Waterman, & Archibald Rutherford, be and they are hereby are appointed Commissioners, for the purpose of having erected on the Court house a good and sufficient Steeple, for the purpose of hanging a bell therein, and that they have the Necessary fixing made for the hanging said bell, and It is further ordered that the Sheriff pay unto the said Commissioners the sum of Sixty five dollar and 94 Cents, being the balance due the County of the deposetum for 1805 & 1806 for the purpose of Purchasing said bell (which is not to exceed sum of 50 Dollars,) and It is further ordered that the said Commissioners proceed to have the said work done, on the best terms, that can be, and that they render an account of their proceedings to the Court. taking bond with Security from the undertaker

dep. to Sheriff

Ordered that the Sheriff pay unto Henry J Garnett the sum of Twenty four dollar and 75 Cents out of the deposetum for the year 1806. for sundry blank books to be furnished the County for the use of the county as per account rendered

On the Motion of Asher Waterman Sheriff, William Scott is admitted his deputy and Sworn accordingly

On the Motion of Tobias B. McGahey. It is ordered that a Licence be granted him to keep a tavern at his County for one year on his entering into bond with Daniel Ragin his Security in the Clerks office

Ordered that the Sheriff Summon all the acting Magistrates in this County for to appear here at the next Court in order to take into their consideration the Propriety of building a Poor house ~~or Houses~~ for the use of the Poor of the County of Rockingham —

Ordered that the Court be adjourned until the 3d Tuesday in June Next.

And Thankley

At a Court held for the County of Rockingham on Friday the 26th day of May 1809. for the trial and examination of John Breadwell charged with feloniously stealing and carrying away from the House of Jacob Wheelwood one Seive of Broken Bacon,

Present.

Andrew Thankley, Archibald Rutherford,
Rachey Harrison, Jonathan Shipman & Gt Justices
Jacob Kyser . . . . . .

The said Prisoner was led to the bar in Custody of the Jailor and being charged with the felony plead ~~not~~ Guilty whereupon Sundry Witnesses were Sworn and examined to wit
P. Jacob Wheelwood, Thomas Beeks & Jacob Wheelwright ~~and~~ and the said Prisoner being fully heard by his Counsel the Court upon consideration of the Circumstances of the Case are of the opinion that he is Guilty of the said Offence, and for the same he is liable in the County Court of Rockingham, but that the same is abatable offence, and that he enter into a Recognizance with one or More Securities in the Sum of $160 that is to say the said Breadwell in the Sum of Eighty dollars. and the Security in the Sum of Eighty dollars. and It is further ordered that he stand Committed until he give such Security, or is otherwise by Law, Whereupon the said John Breadwell with Thomas Breadwell his Security appeared in Court and acknowledged

themselves to one and be endebted unto his excellency John Tyler Governor of Virginia in the sum of £160. that is to say the said John in the sum of £80 and the said Thomas in the sum of £80 to be levied of their respective goods and chattles Lands and Tenaments and for the use of the Comth. to be rendered. Yet upon condition that if the said John Brodwell shall appear before the Justices of our Court of Rockingham on the third Tuesday in August next then and there to answer an Indictment to be preferred against him for Petit Larceny and shall not depart the said Court unlesse discharged by Law. the the above recog to be void

And the Court adjourn'd Andr Franklin

At a Court Call. and held for the County of Rockingham on Saturday the 27th day of May 1809 for the trial and examination of Robert Gilmore, who stands charged with feloniously stealing & carrying away one Bridle the property of Mary Sandy & Bridle of Andrew Erwin and Eugenia Erwin

Present

Benjamin Harrison, Andrew Shanklin
Archd Sutherland, George Deaton & Timothy E. Harrison

The said Prisoner was led to the bar in custody of the Jailor, and being charged with the said felony, answered guilty and confess'd himself Guilty thereof, Whereupon It is Ord and that he be taken back to the Jail of this County and there to remain untill the Next Superior Court to be held for the said County of Rockingham.

Andrew Erwin, Thomas Rolston, Andrew Erwin Jr. and John Neitz, John Allspach and Gordon Rogers appeared in

Court and each acknowledged themselves to owe and be
indebted unto his excellency John Tyler Governor of
Virginia and his Successors, the sum of One Thousand
dollars each to be levied of their respective goods and
chattels Lands and Tenaments and for the use of the said
Commonwealth to be rendered

Upon Condition that if they and
each of them shall make their appearance on the first
day of the next Superior Court to be held for the said
County of Rockingham then and there to give evidence
in behalf of the Comth agst Robert Gilmore Charged
with felony, and shall not depart the said Court unto
discharged by Law, that this Recogz to be Void

and the Court arose Ant Franklin

Tuesday to wit

At a court held for the County of
Rockingham the 20 day of June 1809

Present

Andrew Shanklin, John Ewin, Silas
Kerby and Alex Rutherford . . S.G. Justices

A Deed from Campbell & Allen to Roalston acknowledged
& ordered to Record

A Deed from Maggart Exr to Meadows acknowledged
& ordered to Record

A Deed from same to Smith . . same

A Deed from same to Roach . . same

A Deed from Cupp Exr to Poles acknowledged & ordered to Record

A Deed from Roadcap to Nair acknowledged & ordered to Record

X Deed from Dete Sen to Oyler acknowledged by the said Dete which with the comson certified &c

Deed from Shannon Sen to Fulweiler proved by the oaths of Andrew Shandler & Arch. Patterson &c

Ordered that Andrew Sellan be appointed overseer of that part of the road in the room of Adam Howard and that the usual tithables appointed to work on the said road be allotted for his Gang &c

Deed from Road Sen to Jo. Fenske acknowledged wife acknowledgt taken &c

Ordered that the Overseers poor bind Presly a black child of Molley, to spin woman age 4 years the 1st April last to Adam Rader to learn the trade of a Weaver, who is to give him fifteen dollars

X Deed of Trust from Nair Sen to Solomon in trust for Readers &c acknowledged by the parties &c

Deed from Adolphus Sen to Long acknowledged wife acknowledgt taken &c

Deed from Isaac Burner Sen to Burner, acknowledged Orders to be certified to Shannon oath

Deed from Thomas Sen to Bear, wife acknowledgt and Orders to be certified

An Appraisement bill, and Sale bill of the estate of Leonard Fulweiler dec Return &c

A Settlement of the estate of Leonard Fulweiler dec Returned &c

Cd A Deed from Robertson Exrs to Coffman proved by the oaths of Witness thereto & O R

Cd A Deed from Weaver Exr to Austin a Surveyors Certificate & Surveyors return & O R

Cd A Settlement of the estate of Christopher Smith and return & O R

Cd A Settlement of the estate of Martin Keto and return & O R

Cd A Deed from Whitzel Exr to Fisher proved by the Witness thereto & O R

Cd A Deed from Jacob Bear to Henry Bear a Survey Certificate & O R

Cd A Deed from Henry Bear to Jacob Bear same

Cd A Deed from Vandeman Exr to Burkholder a Survey Certificate & Surveyors return & O R

Cd A Deed from Lewis to Harry a Surveyors Certificate & O R

+ Joseph Craven, Joseph Mauzy Jacob & Erwin Overseers Poor appointed and took the oaths of Office according to Law

Cd A Deed from Harrison Exr to Miller a Certificate & Surveyors return & O R

B H On the Petition of William Hopkins, for a View of that part of the Road leading from Harrisonburg to the old Mountain Road so far as the same runs through his land & it is ordered that Abraham Bear Thomas Gordon, Samuel Bowman and Daniel

Gelmore or any three of them being first sworn
be appointed to View the said alteration, and make
report of the Conveniency and Inconveniency attending the
same to the Court

On the Motion of David Long administrator of the
estate of Daniel Harshman. dec'd is Granted him
he having with Security entered into bond, and made
oath thereto as the Law directs, and It is William
Perce, Michael Shuler, Henry Mayer, and John
Kyser or any three of them being first sworn to
appraise the said estate and render report to the Court.

The Last will and Testament of Jacob Perkey dec'd was
presented in Court and proved by the oaths of Job English
and George Newton, two Witness thereto SOR, and on
the Motion of Henry Perkey and Jacob Perkey the Exrs
therein Named, who with Security entered into and
acknowledged bond, and made oath thereto as the Law
directs, a certificate is Granted them to obtain Probate in due form
and It is ordered that John Newton Oliver
McCausland, John Snapp, and Henry Perkey Jr. or any
three of them being first sworn do appraise the said
estate and make report to the Court.

Margaret Kesell Widow of Geo. Kesell dec'd
came into Court and relinquished her right of adminis-
tration whereupon on the Motion of Archibald Patterson
and William Kesell administration of the said estate
is Granted them they having with Security entered into
and acknowledged bond and made oath as the Law
directs and It is ordered that, John Brock, George
Carpenter Henry Overly and John Kents or any
3 of them do appraise the said estate and make

to the Court.

On the Motion of Margaret Kessell Widow of George Kessell dec'd It is ordered that George Stevens John Brock and John Snapp or any two of them be appointed to lay off her right of dower in her said Husbands Lands and make report to the Court

Ordered from Fry's Ferr to Roads ackd & rect ackd & rect taxes 60lb

Ordered from Shoolty's Ferr to Coffman same

Ordered from Brock's Ferr to Shoolty same

Ordered that the Bounds of the Surveyor of the Road leading from the North fork of Shenandoah River to Rawleys Thomas be ~~discontinued~~ of which John Lincoln was the Overseer be divided into two districts the district beginning at the River to where the road Crosses Brocks Creek, and that Jacob Brubbe be appointed the overseer, the 2nd district to begin at the said Creek ~~and~~ to the said Thomas, and that Christy Wash ~~for~~ be appointed the overseer and that all the tithables ~~appointed~~ within two miles on each side of the said road be attached for their gang to work on

Ordered that Reuben Harrison be appointed overseer of the Road in the room of William Rice and that the usual tithables appointed to work on the said road be attached for his Gang &c

Ordered that Roger Mattoon be appointed overseer of the road in the room of Joseph Williams and that

he with the usual tithables appointed to work on the said road work thereon and keep the same so

Ordered that Abraham Fesher be appointed overseer of the road in the room of John Perkey, and that he with the usual tithables appointed to work on the said road work thereon so

Ordered that Thomas Bear be appointed overseer of the road in the room of Samuel Harrison, and that he with the usual tithables appointed to work on the said road be his Gang so

On the Motion of Rev. Joseph Samuels who produced a certificate of his being in Regular Communion with the Methodist Church, It is ordered that a Testimonial be Granted him to Celebrate the rights of Matrimony according to the form of his Church, whereupon he entered into bond, and Security, and took the oaths prescribed by Law

Elizabeth Argubright, orphan of Adam Argubright came into Court and made choice of Adam Brett, as her Guardian and it is ordered that the said Adam Brett be appointed Guardian for Sarah ~~Adam~~ Argubright orphan of said Adam, who with Security entered into bond as the Law directs.

Leonard Argubright, and Mary Argubright orphans of Adam Argubright dec'd came into Court, and made choice, the said Leonard of George Argubright Jr. and the said Mary of George Argubright Sr. as their Guardians, who entered into bond with Security as the Law directs.

G. Meller vs Douglass &c on a Delcy bond Notice prove ans Judge.

G Meller vs Finkle &c same

G. Davis vs Carthrae &c same

(Dft) J. Branham vs Rice &c same as to Beard

J. Carthrae vs Smily &c same as to all defendants

J. Campbell &c vs Amon &c same (to Dft)

(D.ft) J. Wayt vs Amon &c same

J. Wayt vs ~~Dft~~ Smily &c same

J. Henderson vs Ferguson &c same (Dft)

J. Same vs Same &c same (Dft)

G. M Cue vs Carthrae &c same

G. Thompson vs Smily &c same (Dft)

G. Aldridge vs Walton &c same (Dft)

A. Sept exrs vs Smily &c same

A. Strayer Hoffman vs Vote &c same

A. Bryan vs Burgess &c same

A. Bell vs Robertson &c same

J. Rice vs Lewis &c same as to Lewis

J. Schrodes vs Vote &c same as to all the Defts

Ordered Shaw & Co. Smith & Nelson &c . . . . . Same

Ordered Counts & Eaton &c . . . . . Same

Ordered Bounlow & Childers &c . . . . . Same (DH)

Ordered Bond from Harrison &c to Bock proved by the oaths of John Allen and Robert Harrison &c (DH)

Ordered Deed from Morgan Exr to Graham acknowledged & ackowledgm ordered &c (DH)

John Baker, Henry Lipe and Joseph Williams who were appointed Overseers of the Poor for this County appeared in Court and took the oaths prescribed by Law

Ordered Sager & Salenbarger &c on a Motion a Delivery Bond Stole proved and Judgm

Ordered Bowman & Lower &c . . . . . Same

Nancy Erwin orphan of Shaw Erwin and came into Court and made choice of Robert Nagell as her Guardian who with Security entered into Bond. as the Law Directs.

Harrisons admrs
&
Harrisons heirs } On a Summons to shew Cause why a Negroe Man belonging to the said estate should not be sold, according to Law. & and they not appearing altho solemnly Call'd It is Ordered that the said administrators make sale of the said Negroe Man as the Law directs —

Ordered that Layton Yancy & Sinclair Kerby and Joseph Mauzey or any two of them be appointed to examine & state and Settle the estate accounts

of Lewis Penchart dec? and make reply at the Court.

Herdeman v Mansfield on attachm. The Constable having returned executed on a horse, and the Defft not appearing at the solemn call? It is ordered that Judgm? be awarded the Plff for twelve dollars, as per Note. and ~~It is further~~ with Interest and Costs. and It is further ordered that the sheriff make sale of the said Property according to Law

Polly Dougherty orphan of Mathew Dougherty came into Court and made choice of John Carthrae as her Guardian who entered into Bond with Security as the Law directs

On the Motion of the executors of B Williams Smith dec? It is ordered that the heirs of William Smith ~~on~~ be summoned to appear here at the Next Court to shew cause why their one half of Negro Slaves belonging to them should not be sold, and It is further ordered that Benjamin Smith be appointed Guardian to defend this Summons for the said heirs who are under age.

Deed from Joseph Graham to John Allison for Land lying in Kentucky acknowledged and ordered to be Certified

On the Motion of Joseph Henry It is ordered that a License be Granted him to keep a Tavern at his House in this County for one year from 1st day of May last on his entering into Bond with Henry Gamble his Security as the Law directs

Reuben Harrison Commissioner of this County produced in Court his account amounting to 77 days which was allowed by the Court and ordered to be certified

Ordered that Joseph Krotzer the appointed overseer of the road in the room of John Cook whose bounds is hereby extended to the forks of the road leading to Woodstock Gap, and that usual Allotment appointed to work on the said road be allotted for his gang &c

Ordered that Susanna Brewer orphan of Andrew Brewer aged 6 years in February last be bound by the Overseers Poor to Peter Cecil Esq. as the Law directs who is to give her 17 Dollars

Ordered that the Overseers Poor bind Andrew Waldon a free boy aged 14 years the 29th February last to Jacob Nichols to learn the trade of a black Smith who is to give him Twenty dollars

Ordered that a License be Granted to Henry Overly to Keep a Tavern at his house in this County for one year from 24th April 1809. on his entering into bond with Samuel Chandler his Security as the Law directs

A View and report of a New for an alteration in the road made on the Petition of David Wine, was returned in Court which was examined by the Court, and the said alteration established agreeable to the the said report and It is further ordered that the said old road is not to be stoped untill the New road is opened and put in Good repair by the Petitioner

A Report of View of an alteration in the road leading from Harrisonburg to Millers Iron Works was returned into Court, by the Viewers which alteration is ordered to be established agreeable to the said report. and It is further ordered that Overseers of the said road, work thereon and keep the same in good repair

Present Ezel Harrison, George Huston, George Dove.
Josiah Harrison, John Ewin, Charles Lewis

Ordered that Thomas Moore, Daniel Mathews and Josiah Harrison or any two of them be appointed to settle the estate accounts of Peter Bright and and make report to the Court.

Ordered that the same state and settle the estate accounts of Abner Harrison and and make report to the Court.

Bowers & Co vs Daniel Coffman Ap Bail
Coffman Judge set aside as to the appearance bail, pay. for the Principal and Issue

Ordered that Peachy Harrison, Daniel Smith and Henry J Gambill or any two of them to examine state and settle the Guardian account of Robert Grattan Guardian for Jacob Sheetz, son of Jacob Sheetz and make report to the Court.

Ordered that Benjamin Smith, John Brock Joseph Crotzer Jr John W Bader and Henry J Gambill (or any three of them.) be and they are hereby appointed Commissioners for the purpose of receiving any proposals that they may be offered for the

purchase of a ~~quantity of~~ Tract of Land ~~not to exceed~~ not exceeding 150 Acres ~~to be under Survey~~ situated in this County ~~as near~~ (as near as can be to the Center of the said County) ~~and that~~ for the purpose of erecting a poor house or work house thereon for the use of the poor of said County, and that they also examine and state to the Court the situation, price and quality of the said Land, ~~as to the Court shall seem proper~~ and the said Commissioners are further authorized to offer in payment of the said Land one third of the Purchase Money in hand and the balance in ~~two~~ three annual payments and to report fully to the Court ~~at~~ or ~~before the September~~ before the September Court next.

Ordered Miller New Summons

Same v Ludwick Alias by return

A Deed from Luke Rice Exr to John Smith acknowld. & ord. with acknowledgt. taken & C.R.

A Deed from Charles Clark to Thomas Clark proved by the oaths of James Gilmore, Henry Tetwiler and Mark Newland & C.R.

A Deed from Burgess Exr to Clark proved by the witness thereto, and the Comp. and Pury examination of the wife Relinquishment & Certificate are ordered to be Recorded.

A Deed from W Rice to Thomas Clark acknowledged with acknowledgt. taken & C.R.

Copy with Treasy or a Presentment for Suffering Certificate Gaming in this house, Parties heard, and the Court decree that the Defendant is Guilty and Judgment according to Law

437.

Ordered that George Austin, Charles Lewis and Tobias A. M. Gahey or any two of them do examine state and settle the estate accounts of John Perkey and make report to the Court.

Smith v Drury on Presentment of the Grand Jury for suffering unlawfull Gaming at his house this day came as well the attorney for the Comth as the Defendant by his attorney, and being heard, It is Considered by the Court that he is Guilty of the said offence. Whereupon the said Defent filed errors in arrest of the Judgment. and because the Court is not advised what Judgment to render, on the same is Continued untill the Next Court.

Ordered that John Rush be Summoned to appear here at the Next Court, to render an account of any estate that he may have in his hand belonging to Daniel Weirbough, and to shew cause why he should not give up the same, to such person or persons as the Court shall direct.

Ordered that the the Court be adjourned untill Court in Course.

Ino Hamblin

At a Court of Oyer & Terminer held for the County of Rockingham on Wednesday the 5th day of July 1809. For the trial of Alexander a Negroe Man slave belonging to Henry Smith for Stealing, Charged and Conveying away one Horse from his said Master and one Horse the Property of Richard Vaughn.

Benjamin Harrison, John Ewens George Austin, Archibald Rutherford and Walter Davis . . . . . & G. Justices

The said Negroe was brought to the bar, and being charged with the felony, pleaded Not Guilty, whereupon the Court assigned, George W. Harrison ~~Esqr~~ esqr his Counsel and thereupon sundry Witnesses to wit, Henry Smith, Richard Hughes and Christian Shaddle & John Hoover were sworn and examined touching the said felony ~~the Court upon Consideration of the Circumstances of the case are of the opinion that~~ Whereupon the Court, not being unanimous, in their opinion that it is ordered that the said Negroe be discharged.

and the Court arose.

Benj[a] W Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 18 day of July 1809.

Present

Andrew Shanklin, Archibald Rutherford
George Newton & Joseph Bowles . . . . . Gentlemen

The Court doth recommend to his excellency the Governor Asher Wakeman, Charles Lewis and M. Neally, as proper and fit persons to be commissioned as Sheriff for the ensuing year.

Cert. & sent by post.

X

Deed from Adam Fix to Jacob Bellehouse. Acknowledged. Wife examined & Certificate ordered

Deed from Conrad Harnsberger Sen to George Harnsberger. Acknowledged & wife examined & Certificate ordered to the State of Ohio

Deed from same to Jacob Harnsberger . . . . Same

Deed from Harris & Lee to Burgess. Evans acknow
ad agnt taken & Ord

Deed from Mary Burgess & Lee to Spruce, acknow
& Ord Evans acknowledgt taken & Ord

Deed from same to Grant ... same

Mary Mabbe, appears in Court and took the oath
of a Overseer of the Poor according to Law

John Rader ... same

Eve Hale orphan of Hale dec came into Court
and made choice of Jacob Nicholas as her Guardian
who enters into bond with Security according to Law

Deed from Spence to Spilsby acknowledged & Ord

Shipman & Lair &c In Chancy

Smith & Mercy &c In Chancy

Carthrae & M Carty &c ... In Chancy

Peter exr & Murry &c ... In Chancy

Hamilton adm & Berry ... In Chancy.

On the Motion of the Defendants in these suits
(and the Plfts having shewn no cause for continu
ing them as Original suits in Chancery) It is
Ordered that they severally be dismissed and that the
Defendants recover their costs expended in defen
ding these several suits

Ordered that John Driver be summoned to appear
here at the Next Court to shew cause why his Children
should not be taken away from him and be bound
out, it being suggested to the Court by one of the Over
seers of the Poor that he is not in circumstances fitting

and educate them in a decent Manner.

Ord from Harrison Ler to Harrison a Scire vulgo 50/6
~~acknowledges Copy & acknowledges Letter 50/6~~

Ord from Mauzey Ler to Bolenger acknowledges
copy & Scire vulgo Letter 50/6.

Ann Krug Widow of Henry Krug dec came into Court and Relenquisho her right of Administration whereupon on the Motion of John Rader, administration of the said estate is Granted him he having with Security entered into and acknowledged bond and made oath thereto as the Law directs and It is Ordered that George Christman, Joseph Krotzer & Jacob Rife, & Peter Rucker, or any 3 of them being first sworn do appraise the said estate and make report to the Court.

Present, Josiah Harrison.

Andrew Shanklen Produced in Court his account for his services as a Commissioner, which was examined and allowed by the Court and ordered to be certified

Ordered that John Rader be appointed Guardian for John Krug an Infant under the age of 14 years who enters into bond with Security as the Law directs.

Ordered that ~~Exec~~ Peter Turly, Joseph Baxter and Jacob Rife, or any two of them do examine state and settle the estate accounts of John Krug dec and make report to the Court.

Whereupon it Peter Centerline, and It is ordered that the said John Rader George Beeston and Christian Kyger be appointed a Committee, to take care of the estate of the said

Wereborough, It appearing to the Court that he is a person of unsound mind, and It is further order that they enter into bond with Security, according to Law at the next Court.

The Last Will and Testament of Polly Baxter dec'd was presented in Court and proved by the oaths of Byrd Hankins and ordered to be Recorded and on the Motion of John Baxter the executor therein named, who entered into bond with Security, and made oath thereto, a certificate is Granted him for obtaining a probate in due form, and It is ordered that William Hopkins, Thomas Gordon, Andrew Bear, & Thomas D Hopkins or any 3 of them being first sworn do appraise the said estate and make report to the Court

Deed of Release from Ann King to Joshua King acknowledged & ordered to be certified to Shenandoah

George, and Mary Kefell orphans of George Kefell dec'd came into Court and made choice of Archd Rutherford as their Guardian, and It ordered that the said Rutherford be appointed Guardian for Andrew and Phoeby Kefell, Infant children of said George Kefell, who entered into bond with Security in both cases as the Law directs

Ordered that the overseers of Poor Miss James Smiley orphan of unto Nicholas Leap to learn the Trade of a House Joiner, the said Boy being 9 years old, who is to have 20 Dollars, & freedom dues, and It is further ordered that ~~so ordered~~ the order made

at a former court. as direct him to be bound unto Samuel Harry to be rescinded

Smith / executor

B. Smith Guardian } on a Summons.
for S.W. Smiths heirs } The said Defendant not appearing altho solemn. call. It is ordered that the said executor. make sale of the Negroes Mentioned in the said Summons. according to Law.

William Smith exr

v

B. Smith. Guardian for the Children and heirs of said W. Smith } on a Summons &c.

The said Defendant not appearing altho solemn. call. It is ordered that the said executor make sale of the one half of the said Negroes Slaves Mentioned in the said Summons. and that they account with the said Children for the price thereof. according to Law

Present.
Jonathan Shipman ~~and Josiah Stanton~~.

Sale bill of the estate of Peter Sepo dec. ~~and ordered~~ to be ~~to the~~ Court Returned and OK.

Smith v Hamilton on an appeal Continued

Overseers Poor v Monroe and
same . . v Brewster . . } Continued

Morton v Robinson . . . dismist no appearance

Harrison v Mefferd &c on a Note or a Debt bond Note sued & Lays (for use A B. Smith)

Rice v Hayes &c . . . . same

Comth v Thornhill &c . . . . same

same v Phelps &c . . . . same

Green v Dorsey &c . . . . same

Ordered that Henry Perkey (Mill) be summoned to appear here at the next Court to shew cause why an Information should not be fetid against him for refusing to appear and Serve as an Overseer of the Poor.

William Lewis, Ephraim Hargrave, and Elbert Rutherford who are appointed Constables appears in Court and with Security entered into bond and took the oaths prescribed by Law.

On the Motion of John Dear. It is ordered that a Licence be Granted him to Keep an Ordinary at his house in this County for one year on his entering into bond with Jesse Harrison his Security in the Clerks Office

Ordered that the Court be adjourned until the third Tuesday in August Next

And Thursday

Tuesday to wit

At a court held for the county of Rockingham the 15th day of August 1809.

Present.

Ezekiel Harrison, Joseph Baxter & Gideon Kelly & Charles Lewis Esqrs Justices

A Deed from Forsythe Lee to Coffman acknowledged & Recorded

On the Motion of John W. Peyton and he having taken the oaths Prescribed by Law, is admitted to practice as an attorney in this Court

A Deed from Henry Rotenpellar and wife to Jacob Kesneiger for Land lying in Hampshire was proved in Court and acknowledged by the said Henry & Wife she being first privily examined Ordered to be certified

A Deed from Early to Shiflet acknowledged & R

A Deed from Lair Lee to Adkins Lee, proved by the oaths of John Baker & George Dove which with the Commissioners Wife relinquishment certified & R

A Deed from Black Lee to Small acknowledged, wife acknowledgment taken & R.

Ordered that the Rules be held in the Clerks Office on Thursday the 17th day of this Instant and on the day after the third Tuesday in September next as the Law directs

Grand Jury Sworn for the body of this County to wit William Pate (foreman) Philip Koontz, Samson Lewis, Henry Sipe, David Berry, Peter Zelley, David Coffman, Peter Shekle, Philip Bear, Abner Gates, John Whitmore John Cook, Mechael Deets, Peter Driver, George Berry,

Marin Erwin, Thomas Clark and Thomas Hopkins who received their charge, and retired from the bar to consult on their Presentments, and after some time returned into Court and made the following. and Indictments — John Brandt for Petit Larceny. a true bill," and a Presentment agt. — Overseers of the road &c and nothing further appearing It is ordered that Summons Issue on the said Presentments returnable to the next Court

Deed from Nesbaum Lee to Graham a Knowledgt was acknowledgt before

Donaghe & Arnold. John Clark Sheriff

On the Motion of William Negan one of the Exors named in the will of Peter Negan dec who entered into Bond with Security and made oath thereto as the Law directs, a Certificate is Granted them for obtaining a probate in due form

The Last will and Testament of Peter Sellars dec was presented in Court and was proved by the oaths of John Yancy and Paul Leigh, and ordered to be Recorded. and on the Motion of Thomas Bell and John Maggart the executors therein Named, who entered into Bond with Security and made oath thereto, ~~and bond to the Records~~ a Certificate is Granted them for obtaining a probate in due form, and It is further ordered that John Yancy. Henry Sellars Jacob Kessling and Adam Dansbarger or any 3 of them being first sworn do appraise the said deceased estate and make report to the Court

Rice v Hays & Jason Thomas Spl bail Office Judgt
set aside Capt & Sheriff

Mayberry v Thompson Henry Smith Spl bail Same

Marble v Reader Office Judgt set aside and discharged

John Brainard who was recognized to appear here this
day to answer an Indictment for Petty Larceny was solem
-nly called but came not.

Smith v Kerr the Defendant appeared in Court and
pleaded Guilty and threw

Ordered that David Brumfield be appointed Constable in
the Room of Peter Palmer whose time is expired, and that
Richard Hughes and Henry Perkey be continued as Consta
-bles in this County in their respective Bounds whereupon
they severally entered into Bond with Security as the Law
directs

Ordered from Kerr's to Wenger further proof as to
Abraham Bowman and Thomas Lincoln and ordered
to be certified by Joseph Baxter.

Devers v Watson Patrick O'Williams Spl bail office
Judgt set aside, Capt & Sheriff

Gellerson v Rev. David Mathews & George Rea Spl bail
in Debt office Judgt set aside, Capt & Sheriff

Ragan v Williamson David Coffman Spl bail and
the Defendant was Delivered up by his said bail, who was
thereupon Committed to Jail

Evans v Kerr Henry Harp Spl bail

Laymow v Ryan. George Carpenter Sp Bail office Judgt set aside as to the appearance bail. whereupon the said Defendant was delivered up by his said bail, and plans in custody, whereupon Peter Denton enters Sp Bail for said Defft.

Brisben v Petts and
Caldwell v Petts. E. Abrahams Phelps and Phelps Sp Bail

Mierbough v Rush. The Defendant who was summoned to appear here this day appears in Court and produces his account of Expences and articles furnished the said Daniel Myerbacher, as per account filed and which account amounting to the sum of £72:3:2½ is allowed by the court, and after deducting from the money & bonds in the hands of said Rush the same there appears to be still in the hands of the said John Rush the sum of £320:12:7½ in Money and bonds as per account filed Marked A. and the persons heretofore appointed by the Court as a Committee for the said Daniel Myer=bacher appearing in court and refusing to act — The court doth this 15th day of August appoint John Rush Committee for the said Daniel Myerbacher who is an Idiot, to take care of the said Estate now belonging to the said Daniel Myer=bacher; whereupon the said John Rush with Jacob Nicholas & Peter Nicholas his securities came into court and Entered into and acknowledged their bond to the said Court in the sum of Two Thousand dollars conditions for the good Management of the said Idiot Daniel Myerbachers Estate as the Law directs —

The Last will and Testament of John Neeld dec? was presented in Court and was proved by the oath of Aaron Solomon and ordered to be for further proof

Asher Watsman Sheriff produced in Court a Commission wherein he is Continued in office for the ensueing year, whereupon he entered into bond with Security as the Law directs which bond is ordered to be Recorded

Rec? & Entd. George Dove Spl Bail offered Judgment set aside Payne and Spriel

John Breedwell who was Recognized to appear here this day to answer an Indictment for Petit Larceny. was Solemnly Call? and not appearing It is ordered that the Attorney for the Commonwealth prosecute his said Recognizance

Ordered that Andrew Shanklin, Peachey Harrison and Archebald Retherford or any two of them to examine, and make a further Settlement of the estate of Thomas Campbell dec? and make report to the Court.

Ordered that Thomas Moore, Josiah Harrison and Asa Harrison or any two of them do examine state and settle the accounts of Philemon Rhoads Guardian of the Children of George Phelps dec? and make report to the Court

Com?th v Lewis Arnold on Presentment for swearing three profane oaths. The Defendant not appearing altho Solemnly Call? It is ordered that that he be fined according to Law with Costs

Com?th v Miller Continued

Ordered that the Court be adjourned until to Morrow Morning 10 o'Clock.

Ezk. Harrison

Wednesday to wit

At a Court of Oyer & Terminer and Gaol Delivery continued and held for the County of Rockingham the 16th day of August 1809

Present

Abram Shanklen, Ezekiel Harrison, Peachy Harrison & John Ewers Esqrs Justices

Grove v Woods Dismissed agreed at Defendants Costs (except the Lawyers fee and Sheriffs Fees)

Armentrout v Henry Armentrouts heirs, M.Clair Kelly and Christian Lesley, Order Publication agst Lesly Returnable to November Court Next. and it appearing to the Court that Process of Contempt has been duly executed on the other Defendants, and they not appearing altho solemnly called It is ordered that the Plffs Bill be taken for confessed as to them and it is further ordered that the Court will proceed at a future day to decree the Matters therein unless the said Defendants shall appear here on or before the 1st Tuesday in October Next and answer the said Bill and it is further ordered that they be served with a copy of this Order

Bates v Skelly &c on the Motion of the Complainant by his attorney, It is ordered that James Brooks be made a party Defendant in this Cause.

Koontz v Henry Shrunkels &c Order Publication as to Peter Shrunkels and Christian Fleshenger Returnable to November Court Next.

Herring v Crowe. Joseph Craven & Bail offrs Judg
ment set aside as to the appearance bail pay & Issue

Dec for Herring sur to Kyle proved by the Witness
Recd $10

Comwth v Martin & M Laughlen Continued

Granville v Harrison W E set aside N. Guilty. and special
plea & filed. Gent Replication and Issue

Comwth v Kerns Jury sworn to try the Issue to wit
Abraham Peay, Reuben Booze, William Harrison, Daniel
Falls, James Blair Morris Veirchy, Thomas Bill
Kemp, James George Snodder, James Davison, William Dunlap and
Goodsey Granville Verdict the Defendant Guilty and
assessment $150 Cents. and Judgment

Comwth v M Bahey dismissed agreed at the Defendants
costs (except the attorneys fee).

Harrison v Thompson & Jury Props & Bail

Comwth v Thornhill Continued

same v Kelly Not Guilty and Continued

Parrott v ~~Woods~~ Goodwood Capias Scire facias & Bail

~~Commonwealth v Rice~~

Kirby v Thornhill & Reuben Harrison his appearance
bail, Reuben Harrison & Bail offrs Judgt set aside
as to the appearance bail

Comwth v Rice on Recognizance. parties heard and
Defendant fined $2.50 Cents. and Costs.

Present Joseph Baxter & Charles Lewis.

Bowman v Weber Robt R. McGahey Sp Bail

on a Presentment of the Grand Jury for retailing Liquors without License
Commth v Henry a Motion was made by the Deft
attorney to quash the Presentment because it did not
appear upon the body of the Presentment that the
Grand Jury was Sworn, or the Presentment made
in solemn form, or upon the oath of the Jury which
Motion upon argument was overruled whereupon the
defendant shewed that he had paid the amount
of the License to the Clerk before the said Presentment
was made the Court was of the opinion that the
same be discharged

D. Commth v Perley Order Non Summons

Owens Pro v Mowry

same . . v Brinker & Continued

Woods v Shandelin on attach dismissed by
order of the Plaintiff

Dever v McWilliams Samuel McWilliams Sp Bail
Offer Judgt set aside Costs & Paid

Dunlavey v Roads Continued

~~Jos Downs vs Hetty Continued~~

Campbell Wadsworth v Campbell Continued

Jordan v Stutz Continued and on the Motion of the
Plff by his attorney It is ordered that a Subpoena Duces
Tecum issue for the Clerk of Fredonia
County, to appear here on the 2d day of October
Court Next and to bring with him the original
papers in the Injunction, in which the Bond in the proceed-
-ings mentioned

Paul v Hamilton Offer Judgt set aside as to the appear-
-ance bail Payment and Costs

C Harrison v Thompson the Defendant appeard in Court and confess a Judgm for the Debt in the Declaration Mentioned with the stay of execution 6 Weeks

A Murry & Co v Smith &c on a Notice on a Deley bond Notice proved as to Smith and Judgm. with 10 per cent Damages from 3d November 1809 to 18 May 1809.

C Gant v Carthran continued

M Shodden v Stelly. plea of N. A withdrawn plea of Not Guilty and Issue Levy sworn to try the Issue to wit Robert Harrison, Godfrey Grandle, Daniel Falls Morris Nerstey, Abraham Peery, Richard Booze, Philip Dey, Kemp Gaines, Christian Seter, Parmenus Woods Daniel Travis and John Butcher. Verdict for Defft. and Judgm. on the treat of this Cause the Pltf files the following exceptions ~~to the Judge's Charge~~ &c. Shodden v Stelly &c. which were Signed and Sealed as the Law directs

C Scott v Stephenson Daniel Bagen Sheriff Office Judgm set aside as to the appearance bail

C Craig v Herndon &c . . . . . Same

C The Last Will and Testament of John Neeble dec was presented in Court and fully proved by the oath of David Grove and ordered to be Recorded and on the Motion of John Neeble executor therein Named. who entered into bond with Security, and Made oath thereto a certificate is Granted him for obtaining Probate in due form, and it is ordered that David Grove Henry Smith, David Coffman and Abraham Nerwagen or any 3 of them being first Sworn do appraise the said estate &c

Cfg with 52 Defft.

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock

Wm. Harrison

Thursday 10 o'clock

At a Court Continued and held for the County of Rockingham the 17 day of August 1809

Present

Joseph Baxter, Wallis Davis
Peachy Harrison & Wm. Harrison Esqrs. Justices

D. Sheetz vs Leonard M. C. Ward and Judgm for Costs

Hamilton adm vs Gains dismd agreed.

Beard vs Yancey M. C. Ward and Judgm for Costs

Bowen vs Robertson &c pleas Ward and Judgm. confessed as per Specialty with Interest and Costs (Saving &c)

Depp adm vs Shew . . . . . same

Aldopher vs Rice &c. . . . . same

Peters adm vs Porter &c. . . . . same

Holt vs Herring . . . . . same

Baker vs Rice &c. . . . . same

Nicholas vs Anson . . . . . same

Salvage vs Goodman Jury sworn to inquire of the damages &c to wit David Wallace Thomas Sulavin Daniel Protzman Hugh Jeffrey, Charles Burlow David Kyle Richard Booze Thomas Adams, Joseph Nicks James Brown Patrick Lambert and Godfrey Grandle Merdict for the Plff for $32. 37 cents Damages with Interest from 8th day of January 1808 with Costs &c Judgt.

Strayer &c v Moore Continued

Same v Same Continued

Grandle v Harrison Jury sworn to try the Issue to wit John Smith, Charles Burton, Patrick Laurent, James Brown, Joseph Nicks, Thomas Adams, Richard Booze, David Kyle, Hugh Jeffrey, Daniel Protzman, Thomas Sulavan and David Wallace, Verdict for Plff for $25 Damages and Costs agreed.

Sam v Yount Continued

Hennesprung v Cline dismissed for want of security for Costs.

Nupps adm v Losh M'E set aside Covenants not broken and Gen'l Replication & Issue Jury sworn to try the Issue to wit Joseph Cravens, Godfrey Grandle Anthony Yount, Charles Yount, Daniel Falls, Robert Harrison, Benj'a Reighart, Henry Mace, Jacob Donavan Tobias Smith, Stephen Shrope and Jacob Leggett Verdict for Plff for $90 Damages with Int from 17th October 1808 Costs &c and Judgm't.

Rudolph Brock who was this day summoned to attend as a Juror was solemnly call'd but came not therefore It is considered by the Court that he make his fine in the payment of $8 unless he shall shew good cause to for such his non attendance at the Next term

Wheeler v M'Kinney M'E set aside Ng & Issue and Continued

Same v Messick Same

Deed from Preston Lux to Herring, acknowledged and Certified from State of Kentucky ordered

3d A Deed from Herring &c to D Kyle. acknowledged by the said Grantors & Delivered first duly exam? & Recorded

2d Lokey adm? v Harrison &c Petty & Gambill Default of bail Covenants not Broken Genl Replication and Issue & Continued for Defendant

4 Harrison exr v Bolton Ne exeat and Judgm for Costs

2 Higgins v Robertson Continued

3 M Kinsey v Fenn Ne exeat and Judgm for Costs

2 Shaw v Hatley Rule for Security for Costs

Dever v Portis Ne set aside N. A and Issue Jury Sworn to try the Issue to wit. Robert Harrison Joseph Graves James Smith, Daniel Fall, Alexander Whitney, Julius L. Portis, Jacob Donavan, Richard Booze, Mathias Dunn, John Smith, John Graham and John Smith (Shoemaker) whereupon by Consent. Richard Booze one of the Jurors is withdrawn and the cause is continued

3 Rudolph Brock who was this day sworn for non attendance as a Jury man, appeared in Court & being heard. It is ordered that the same be Remitted

2 Beal v Gregory Affirm Judgm set aside payt & Issue

2 Layman v Ryan . . . . . same

2 Rice . v Glyn . . . . . same

2 Rice . v Seelenbarger . Affirm Judgm set aside payt for Security and Issue

Absent Joseph Baxter, Peirit Jn? Shipman

Baxter Sheriff &c Kessell. M & set aside Conviction not
proven, Special Replication, and Issue filed, Jury sworn
to try the Issue to wit Robert Harrison, Joseph Cravens
James Smith, Daniel Falls, Alexander M Kinsey Julius
S. Foster, Jacob Donaven, Richard Booze, Matthias Anon,
John Smith, John Graham and John Smith (Shoemaker)
whereupon by consent Julius S. Foster one of the Jurors is
withdrawn and the Cause is Continued untill the Next
Term

Sites &c Messick &c on the Motion of the Complainant by
his attorney. It is ordered that Reuben Harrison be appoin-
ted Guardian to defend this suit for the Children &
heirs of Thomas Harrison dec'd

Lambert &c Smith M. & set aside N. A. Affirmed &
Continued for defendant.

Ireland &c Donaghe Continued

Murphey &c Ludwick Continued

Rice &c Sheridan. Continued

A Deed from J. Burgess Exr &c to Pagen acknowledged
and ordered to be recorded Satisfied 1818

A Deed from same to Rice ..... same

Ordered that the Court be adjourned untill the 3rd
Tuesday in September Next

J. D. Mills

Tuesday to wit

At a court held for the County of Rockingham the 19th day of September 1809.

Present.

Andrew Shanklin, John Ewen, Jonathan Shepman
Joseph Harrison & Jacob Kyser — J. G. Jeffries.

On the Motion of Asher Waters an Gent Sheriff Richard P. Fletcher is admitted his deputy and sworn accordingly

A Deed from Funk and wife to Harshbarger proved by the oaths of John Shank & Reuben Kennedy and ORd

A Deed from Keffling Ex to Moore, Certified from the State of Ohio ORd

An appraisement bill of the estate of Christy Mengis dec. ORd

A bill of the estate of Thomas Campbell dec. returned ORd

The last will and Testament of Ann Newton dec. was presented in Court and proved by two of the Witness thereto ORd and on the Motion of David Caldwell the executor therein named, who made oath thereto as the law directs, a certificate is granted him for obtaining a probate in due form. the said Will &c. giving Security to be given by the said executor.

A Deed from J. Harrison Ex to R. Harrison. wife acknowledges. returned certified ORd

A Deed from Woods &c to S. M. Williams proved by the Witness to Joseph Woods and the Privy examination of his wife returned Certified, and acknowledged by George Woods, wife acknowledges taken ORd

A Deed from George Woods to Jo Woods acknowledged wife acknowledges taken ORd

A Deed from Hoffman Esq to M Williams acknowledged
Cer. before acknowledger taken &c

A Deed from M Williams Esq to Hoffman . . . Same

A Deed from Felix Esq to Hyde proved by the oaths of
Cer. James Hogshead & William Smith, which with the Privy
examination of his Wife returned certified & ordered to be Recorded

A Deed from Tallman Esq to Tallman proved by the oaths
Cer. of Jonah Harrison & Saml Glyn &c

A Deed from of Gift from J. Smith to Mary Ann Perley &c
Cer. proved by the Witness thereto &c

A Deed from Partridge to Abraham Smith proved by
Cer. the oaths of John Fair, Isaac Myers and Mathew Kenny
and ordered to be Recorded

A Deed from Landis Esq to Bates acknowledged before
Cer. acknowledger taken &c

A Deed from Myers &c to Merchant, acknowledged by the
parties before acknowledger taken &c

A Deed of Release from Dunn to Perley proved by the
Cer. Witness thereto &c

A Deed of Release from Veto to Wiley fully proved by
Cer. the Oath of John Smith &c

A Deed from Peters Esq to Wiley fully proved by the oaths
Cer. of Jacob Veto &c

A Deed from Kenny &c to Peters proved by the oaths of Joseph
Peters as to George & Joshua Kenny, by George Parrot as to George
Cer. Joshua & Frederick Kenny, and by James Morrison as to George
Kenny and by Benjamin Warren and George Peters as to
Benjamin Salvage - Ordered to be Recorded

On the Motion of Rev. Benedict Reynolds and he having produced Credentials of his being in regular communion with the Methodist Church and he having entered into Bond with security, and took the oaths prescribed by Law, a Testimonial is Granted him for Celebrating the Rights of Matrimony and the Law directs.

A Deed from Bryan &c to Trustees of Methodist Church acknowledged, wife acknowledgt taken & Ord

A Deed from Curtis Lee to Knowles acknowledged, wife acknowledgt taken & Ord

A Deed from Seth Lee to Shaver proved by the witness thereto, which with the Commission of this Court related Certificate & Ord

A Deed from John Chrisman Lee to Morgan acknowledgt wife acknowledgt taken & Ord

A Deed from Hamilton &c to Miller acknowledgt Abraham, Joseph, & George Hamilton & Zachariah Fields and Ord and to be Recorded

A Deed from Rader Lee to Gott acknowledgt wife acknowledgt taken & Ord

Catharine Shobe came into Court and made choice of Thomas Cunningham as her Guardian who entered into Bond with Security as the Law directs.

A Deed purporting to be a Marriage Contract between Nathaniel Offutt and Nancy N. Watson, was proved by the oaths of Mathew Watson & James Smith & Ord

A Deed from J. Smith to Riddle proved by the oaths of Silas N. Smith, John Hughes & C. Riddle & Ord

Deed from Blackstock. Huffman acknowledges deed
Ord acknowledgt taken & Ctf

Ordered that Abraham Neewanger be appointed Guardian for Joseph Wenger, Michael Miller for Mary Wenger & Eliz Nancy Wenger for Elizabeth Wenger, which said Joseph, Mary and Elizabeth Wenger are Children and heirs of Christy Wenger dec'd who severally entered into bond with Security as the Law directs —

Ordered that John Lincoln, Geo Early and John Puddle or any two of them to examine state and settle the accounts of Peter Shoemaker dec'd and make report to the Court

Ordered that David Long be appointed Guardian for Abby, Caty and Sally Harshman orphans of Daniel Harshman dec'd who entered into bond with Security as the Law directs

The last will and Testament of Polly Baxter dec'd was presented in Court and fully proved by the oath of Thomas Hopkins and ordered to be Certified

Ordered that Robert Grattan, Jacob Kyger, and William S. Herring or any two of them do examine state and settle the estate accounts of Christy Wenger dec'd and make report to the Court

On the Motion of Nancy Wenger Widow of Christy Wenger dec'd It is ordered that John Early, Henry Wenger, and John Flory, be appointed to lay of her Dower in her said Husbands Lands and make report to the Court

On the Motion of John Dever It is ordered to be Certified that he has paid 530 cents more land tax than he ought to have paid between the years 1798 & 1803 —

Ordered that Joseph Hamilton be appointed Guardian for Ann & Peggy Webb Children of Polly Sally Webb decd who entered into bond with Security as the Law directs.

X
C. Deed from Samples Exr to Roalston acknowledged & ackd ackd & ordered to be recd

By Consent of Abraham Hamilton George Hamilton Joseph Hamilton and Zachariah Field husband of Anna Field late Anna Hamilton the said Abraham, George, Joseph and Anna being Children & heirs of Gavin Hamilton decd and the said Joseph Hamilton being guardian for Anna Webb & Margaret Webb decd children & orphans of Sarah Webb decd who was one of the children of the Gavin Hamilton decd It is Ordered that Jonathan Shipman, Henry Smith and James Quinn or any two of them being first sworn do lay off and divide the Lands of the said Gavin Hamilton decd lying in this County between the heirs aforesaid in such manner as to them shall seem most convenient so as to do Justice to all the heirs and in making said division the Commissioners aforesaid may if they find it necessary & convenient assign and allot the whole one entire tract to any one share, if the situation, size & value of the tract may seem to require it, and the shares of the Anna Webb and Margaret Webb, may be laid off in one share without making any division between them — And it is further ordered that the Commissioners aforesaid do lay off and assign to Margaret Hamilton widow of Gavin Hamilton decd her dower in his Lands aforesaid and make report of their proceedings to November Court next

A Deed from Despray to Tuck proved by the oaths of George Dowe and John Astin &c.

A Deed from Burgess Lee to Baxter acknowledged with acknowledgt. taken &c.

A Deed from Parsons Lee to Carver ... same

A Deed from N. Troutbough Lee to A. Troutbough proved by Abram Dudlow and John Dudlow, which with the Commissr and Privy examination return. &c.

Ordered that Geles Fenly. Joseph Baxter and John Lincoln or any two of them do examine state and settle the Guardian account of Jacob Pond Guardian for the heirs of Christy Painter dec? and make report to the Court.

Ordered that Benjamin Harrison Jr Benjamin Harrison Lee. and William S. Herring or any two of them do examine state and settle the estate account of Samuel Mowell dec? and make report to the Court.

A Deed from Dudlow Lee to Dudlow proved by the oaths of the Witness thereto which with the Commission & Privy examination return &c.

A Deed of Release from Perley to Weaver acknowledged &c.

A Deed from Benjamin Smith Lee to Cline acknowledged with acknowledgt taken &c.

A Deed from George Cline &c to Benjamin Smith for Land lying in the County of Fairfield, State of Ohio acknowledged by the said George and wife she being first privily examined and ordered to be certified

463.

A Deed from Logan Esr to R. Harrison acknowledgd
wch. acknowledgt ordd to be R

A Deed from Benjamin Smith, Senr. and Daniel
Smith to Isaac Rentcle for land lying in the County
of Pendleton. was presented in Court and acknowledgd by
the said Parties, wch. acknowledgt ordd to be R

A Deed from Butt Esr to Dever acknowledgd wch
acknowledgt ordd to be R

~~A Certificate of the emancipation from~~

A Deed from David Stapleton to David Smith for
land lying in the State of Kentucky, and the same
from the same to same for land lying in the State of
Ohio was presented in Court and acknowledgd by
Alexander Henry attorny for said Stephen and ordered
to be Certified.

Evans v Harris on an Attachment Continued.

Ordered that Jacob Rentcle be appointed Constable in
the room John Conrod, and that Robert Harrison
in the room of William Brisben and Henry March.
who severally entered into bond with Security and made
oath as the law directs

Ordered that Layton Harvey. Gabriel Harvey and Joseph
Harvey or any two of them do examine state and settle
the estate account of John Morgan and and make
report to the Court.

A Certificate of the emancipation from Nelson and
Craven to Negroes Lewis &c acknowledgd ordd to be R

A Deed from Lyons Esr to Woods acknowledgd ordd to be R

Henry Persley (Miller) appeared in Court and took the oath of an overseer of the Poor for the Parish and County of Rockingham as the Law directs

Ordered that the Bounds which was formerly laid off to James Mallowey a constable be divided and be made apart of the bounds of David Brumfield & Elliott Rutherford by the following line from John Cools a straight line to Hunters Mill and from there to Thomas Hopkins, ~~to the said line~~ —

On the motion of Conrad Custer, It is ordered that Jacob Rife, Henry Kalb, Henry Harshbarger, and Jacob Good or any three of them being first sworn do View and alterations in the road leading from New Market to Brocks Gap proposed by the said Custer and Miller on their own ~~to part as the same for the~~ land ~~of about 150 or 200 yards through the land of the said Custer~~ Land to wit about the distance of 150 or 200 yards on the land of said Custer, and about 150 or 200 yards on the Eastern line between the said Miller and Michael Wolfinger, and that they make report of the Conveniences and inconveniences attended the said alterations as also the old way ~~to the Court~~ to the Court

Deed from Rufner &c to Miller proved by the oaths of Martin Rufner, John Rufner and Conrad Hyle and ordered to be Recorded

Ordered that the Sheriff pay unto Archibald Rutherford the sum of forty five Dollars and 54 cents. being the amount of the expence of building a Bridge over the Spring Run where German Street crosses the same out of the Depositions for 1806 & 1807 —

Ordered that Jacob Meyers be appointed overseer of the road in the room of Nicholas Peery. and that he with the usual tithables appointed to work on the said road work thereon and keep the same in Good repair

A View and Report of the alterations in the road made on the Petition of William Hopkins, was returned into Court in these words "Pursuant &c. whereupon It is ordered that the said alterations be established agreeable to the said Report. and It is further ordered that the said ~~alterations~~ old Road is not to be stopped, until the said alterations are opened and put in good order by the said ~~Hopkins~~ ——

Deed from Wyant &c to Harrow & Young acknowledged & ordered to be certified

On the Motion Stephen Conrad, who is desirous of building a Water Grist Mill, and who owns the land on one side of Shenandoah River and the fee Simple in the land on the opposite side, against which he will abut his dam belonging to Christian Miller, It is ordered that a Writ of Adquod Damnum be awarded him and to be executed on the first Tuesday in October Next.

Deed from Noop &c to Snyder acknowledged & ordered to be certified

On the Motion of Christian Kyger, It is ordered that that it be certified to the auditor of Public accounts that he was ~~over~~ charged two dollars in his taxes for the year 1809.

Present. Layton Yancey, Archd Rutherford George Newton Ezek Harrison, M'Clair Keith, Giles Early

A Deed from Clerk Lee to Davidson acknowledged & ordered to be certified

A Deed from the same to Rogers . . . . . same

A Deed from Daniel Smith and Fanny his wife to Alexander Henry for land lying in the County of Clermont and State of Ohio was Presented in Court and acknowledged by the said Smith and wife she being first privily examined & Deed to be certified

A Deed from same to the same for land lying in the County of Green and State of Kentucky . . same order

The Commissioners appointed by an Order of this Court at May Term last to examine and fix on some piece or tract of land that would answer for to erect a Poor house on for the use of the Poor of the County of Rockingham this day made a report which is in the words and figures following, Pursuant to an order &c. Whereupon It is ordered that George Hunter, John Brock and Archibald Rutherford be appointed Commissioners to enter into a contract with Jacob Sheetz for the tract of land mentioned in said report upon the terms and conditions following, viz for the sum of 18,00 Dollars payable, six Hundred dollars when a Deed is made, and the balance in two annual payments the first payable on 1st day November 1810. — and that the said Deed be made to the Justices of the said County and their successors for the use of the said Poor, and the said Commissioners are hereby directed to enter into any Contract that will bind the Justices for the faithfull compliance of this Contract and It is further ordered that the said Sheetz is to keep possession of the Premises until the 1st day of May next (except such of the houses as the Court may order to be repaired) and for the purpose of the said Commissioners enabling the said

Commissions to make the first payment, It is ordered that the Sheriff pay unto the said Commissioners the sum of Six Hundred dollars out of the Monies for 1806 & 1807. — and that they make a report of their proceedings to November Court Next.

X Ordered that Reuben Harrison and Gabriel L. Garvey be appointed Commissioners for the ensueing year and that they qualify as the Law directs.

Cd George Leonard & on a Notice for Money paid to John Leonard } Mathias Mills adm^r as his Security. Notice proved and Judgm^t for £92.11 cents w^th Interest from 27^th July 1809 till paid Costs

C. On the Motion of Alexander Deering Surveyor of this County It is ordered that he have leave of absence from the 1^st day of Next Month to 15^th day of January Next.

A. Ordered that the Sheriff Summons all the acting Justices in this County to appear here at November Court Next for the purpose of recommending Militia Officers —

X Ordered that Aaron Shandley and Henry J Gambill be appointed, to get made for the use of the Court house such and so many benches as they shall think Necessary, and return an account to this Court.

Ordered that this Court be Adjourned until the third Tuesday in October Next —

Ard Shandley

At a Court called and held for the County of Rockingham on Saturday the 14th day of October 1809 for the trial & Examination of Leonard Cooper Alias John Breedwell who stands charged with feloniously stealing and leading away one Horse the property of Joseph Fawcett (brewer)

Present

Benjamin Harrison John Irwin
Jacob Kyger Archibald Rutherford } Gent Justices
& Andrew Shanklin

The said prisoner was led to the bar in custody of the Jailor and being charged with the said felony plead Not Guilty whereupon sundry witnesses were sworn and examined Viz Joseph Fawcett (brewer) Joshua Acton and John Stephens and the prisoner being fully heard on consideration of the circumstances the Court are of opinion that he is guilty of the felony aforesaid and for the same is triable in the superior Court for the County of Rockingham whereupon it is Ordered that he be taken back to the Jail of this County and there remain until the next Term of such superior Court—

Joseph Fawcett (brewer) Joshua Acton & John Stephens came into Court and acknowledged themselves to be indebted to his excellency John Tyler esquire Governor of the Commonwealth for the time being and his successors in the sum of one hundred and fifty dollars each of their respective goods & Chattles to be levied and to the Commonwealth rendered

Yet upon this condition that if they shall severally make their personal

appearance on the first day of the next Superior Court to be holden for the County of Rockingham then and there to give evidence on behalf of the Commonwealth against Leonard Cooper Alias John Breedlove and not depart without the leave of the said Court then the foregoing recognizance to be void. —

And the Court arose.

B. J. Harrison

Tuesday 10 oclock

At a court held for the County of Rockingham the 17th day of October 1809.

Present.

Andrew Shanklin, Ezek. Harrison,

Joseph Baxter and Nich. Rutherford Gent. Justices

A Deed from Harrison Exr to Woolf acknowledged in State of Ohio & OR

Ordered that the Rules be held in the Clerks office on Thursday the 19 day of this Instant. on on the day after the 3d Sunday in November, December and January next. & the Law days

A Deed from Shaver to Waggoner acknowledged & OR

A Deed from Seitz &c to Coffman further acknowledged by Dupler & OR

A Deed from Shaver to Bader acknowledged & OR

On the Motion of John Rine It is Ordered that a Licence be Granted him to Keep a Tavern at his house in this County for one year from 30th day of Instant. on his entering into Bond with Frederick Strayler his Security in the Clerks office as the Law directs.

Grand Jury Sworn to wit

Jacob Clemons Erwin Foreman, John Miller, Valentine Bolton Peter Oster, Philip Bear, Abraham Boon, Solomon Perkey, Peter Bowman, Peter Brown Henry Snyder, John Roder George Huffman, David Coffman, John Eversole, John Sheets and Joseph Coconour, who Recd their charge, and Retired from the Bar to Consult on their Presentments, and after some time Returned into Court and Made the following a Presentment v Daniel Breeze for an assault, and a presentment v John Sheltman Overseer of road, and Nothing further appearing, It is Ordered that the Grand Jury be discharged and that process Issue on the said Presentment Returnable as the Law directs

George Arguebright who was this day Summoned to attend as a Grand Juror, was Solemnly Called and not appearing, It is Ordered that for such his Contempt he make his fine with his Excellency the Governor, in the payment of $8 unless good Cause be shewn for such his Non attendance at or before the Next Term.

Deed from Emsley Sisk to Back proved by the oaths of Henry Hammer, John Hammer, & Henry Hammer Jr. & OR

Overseers Poor v Polbert on a recgz as the Reputed father of a bastard Child of Rachel O'Broak, the said Defendant appeared in Court in discharge of his Recognizance, and the Court having heard the Testimony are of the opinion that he is the father of the said Child, and do order that he give Security for the Maintainance of the said Child in the sum of £42 to be paid to the Overseers of the Poor of the said County of Rockingham in the following Manner, that is to say Twenty Dollars within two Months from this day and $20 in twelve Months from that time and there Twenty dollars annually until the said sum be

paid up, and that he enter into a recognizance with good Security, ~~agreeable to the above order~~, payable to his excellency John Tyler Governor, and his Successors agreeable to the above order, whereupon the said James Nobert with John Hoover his Security, and entered into a recognizance, accordingly

Overseers Poor v Philep. Miller, who was recogn to appear here this day to answer the complaint of Barbara Faught as being the father of her bare born child. the said Defendant appears in Court in discharge of his recogz, and acknowledges himself to be the father of the said child, whereupon it is order that he ~~pay~~ (3) ~~forthwith~~ pay to the said Overseers of the Poor for the support of the said child the sum of forty two pounds to be paid in the following Manner that is to say from this time $20 within two Months, and $20 within one year from this day. and then $20 annually, until the said sum of £42 be paid, and that he enter into a recogz. payable to John Tyler Governor, and his Successors, ~~immediately~~, whereupon the said Philep. Miller, with David Miller and Henry Flook his Security. appears in Court and enters into a recogz agreeable to the above Order.

+ (2) Deed from Morgan Lee to Watson acknowledged & acknowd to be ~~for~~

+ (2) Deed from same to C. Morgan . . . same

" same . . . to A. Bear . . . same

+ (2) " same . . . to Roberts . . . same

+ (2) " same . . . to Mason . . . same

+ (1) Allen from Morgan Exr. to Albright action on Judgt. assd.
(2) action vulgar debt 50/

+ (3) . . same . . . to John Smith . . same
+ (4) same . . . to Goodall . . same
+ (5) same . . . to Miller . . same
+ (6) same . . . to Lengle . . same
+ (7) same . . . to Negley . . same
+ (8) same . . . to Blakey . . same
+ (9) same . . . to Perry . . same
+ (10) same . . . to Smith . . same
+ (11) same . . . to Overly . . same
+ (12) same . . . to Bayles . . same
+ (13) same . . . to Jones . . same
+ (14) same . . . to N. Scott &c . . same
+ (15) same . . . to Prouce . . same
+ (16) same . . . to Davis . . same
+ (17) same . . . to J. Weiks . . same
+ (18) same . . . to Shephard . . same
+ (19) same . . . to Wayt . . same
+ (20) same . . . to Speck . . same
+ (21) same . . . to J. Wayt . . same
+ (22) same . . . to Gunnel . . same
+ (23) same . . . to Lyford . . same
+ (24) same . . . to Gambell . . same
+ (25) same . . .

(26) Harris on Pl. v Nagar exrs Dsr an Injunction dismd. agreed, at the Defendants Costs.

Harnsbarger v Weiss the Defendant appeared in Court in Custody and confessed a Judgment for the Debt in the Declaration Mentioned & Costs

H 73.

Commth v Foques. who was Committed to Jail
Dft allowed for a breach of the peace
on the Complaint of Catharine Foques his wife. the said
Defendant was brought into Court. whereupon divers
Witnesses were Sworn and examined. The Court upon Consider-
ation of the Circumstances of the Case are of the Opinion
that he be bound. to his good behaviour, for one year and
one day. himself in the sum of $25. and one Security
in the sum of $25. or two Securities in the sum of $12.50
each Whereupon the said Henry Foques, Together with
Tobias B M Gahey and Adam Fesher his Securities
entered appeared in Court and entered into a Recogz a-
greable to the above Order.

Bowman v Stonesprings on an Attach. Henry
Leonard Shebbail, and Cause remains to the rules

Evans v Harris and
Higgins exon v Harris } on Attachments.
Benjamin Lewis Shebbail, and
Remanded to the rules

Overseers Poor v Moore &c on a Notice for Money
due by Recogz. Notice proved and Judgmt

Pennsylvania v Mallory &c on a Duly bond Notice
proved and Judgmt.

Ordered that the Court be adjourned until to
Morrow Morng 9 Clock Ad Franklin

Wednesday the 18th October 1809.

Present.

Ezekiel Harrison, John Ewer,
Archd Buthersford and Jacob
Hyson . . . . . } J.G. Justices

Settlement of the estate of Jacob Eversole dec'd returned
and filed in the Records.

Deed from Struse Fox to Coconour, proved by John
Sufferins, Bathurst Sampler & James Craig, and ack-
nowledgt taken &c.

Ordered that Thomas Moore, Ezek Harrison, and Andrew
Dd to Pyper or any two of them do examine state and settle
W.M.M the estate accounts of Peter Noggans dec'd with the exrs.
and make report to the Court

Morgan v Smily dismd by the Plaintiff.

M Gahey v Meaders Office Judgt set aside & agreed

Commth v Deuff Not Guilty and Spl bail plea filed Genl
Replication and Issue. Jury sworn to try the Issue to wit
Benjamin Vanpelt, Peter Vanpelt, Jacob Donaven, Thomas
Donaven, James Deen, John Beal, Patrick Lambert Jas.
Cole, George Coshenberry, John Feeny, Isaac Johnston &
Henry Martin, Returned a Verdict that Daniel
Falls mentioned in said plea was not a freeholder, and Judgt for
Defendant, on said plea, and the Jury are discharged from render-
ing a Verdict on the first plea

Ott exrs v Carthrae &c Office Judgment set aside No
such Record, & Judgment Genl Replication & Issue

Gaw & Scott Daniel Ragen Spl bail Office Judgt set a
side Judgt & Issue

Comth vs Jas Duff. It is ordered that the Attorney for the Commonwealth file an Information against the said Duff for suffering John Pence &c to play Cards at his house, that being

Comth vs James Duff. On the Motion of the attorney for the Commonwealth It is Ordered that the said Defendant be Summons to appear here at February Court next to shew Cause why an Information should not be filed against him for suffering John Pence &c to play ~~with Cards in~~ at his house at the game of Cards Call'd Loo for Money Contrary to Law.

Comth vs Jo. Treevy. On a Recog. the Attorney for the Comwlth not being further willing to prosecute this present It is with the Consent of the Court dismiss'd.

Same vs John. Pence, David Wallace, Jacob Koontz John Rogers, William Rice, ~~George Barnhart~~ George Barnhart, Christian & John Semmes ... the same

Comth vs Joseph Treevy, On the Motion of the attorney for the Commonwealth It is ordered that the said Defendant be Summoned to appear here at February Court Next to shew Cause why any Information should not be filed against him for suffering William Rice &c to play at unlawfull games ~~Call'd~~ for Money with dice at this house Contrary to Law.

Comth vs William Rice, Christian and John Semmes. On the Motion of the attorney for the Comth It is ordered that the said Defendants be Summoned to appear at February Court next to shew Cause why Informations should not be filed against them for unlawfully Gaming for Money with dice

at the house of Joseph Treavy within twelve months last past &c

Comth v John Penn, David Wallace, John Rogers and Jacob Koontz, on the Motion of the attorney for the Comth. It is ordered ~~that~~ the said Defendants be summoned to appear here ~~at the~~ at February Court next to shew cause why Informations should not be filed agst them for unlawfully playing at the game of Cards called Loo for money ~~with~~ at the house of James Duffy, within six Months ~~last past~~

Brown v Donavan &c plea warrd and confess. as per Specialty with Interest and Costs (saving equity)

Smiths v Dever . . . . same

Smiths v Hugh Dever . . . same

Alexander v Smith . . . . same

Hugh Dever v Neinstedt . . . same

same . . . v same . . . same

same . . . v Cutler . . . same

same . . . v Porter . . . same

same . . . v Cutler . . . same

same . . . v Losh . . . same

same . . . v Cave . . . same

same . . . v Shipman . . . same

same . . . v Cave . . . same

Ragen v Rader &c Offrs Inquis set aside, payment for Security & Costs

Kessell v Smith . . . . same

Kessling v. Stites &c. In Debt. The Defendant produces in Court a Writ of Habeas Corpus, It is ordered that a copy of the Record in this suit be Certified to the Superior Court.

Holmes v. Sufferenes, &c.
Same v. Same. } In Debts.

On the Motion of the Defendants in these suits, who produced in Court a Writ of Habeas Corpus, It is ordered that ~~a Copy~~ Copies of the Record in these suits be Certified to the Superior Court.

Comth v. Duff. The said Defendant appears in Court and by his attorney agrees to submit the Matter ~~of~~ to the Court, whereupon It is ordered that he be discharged. and the Rule this day entered against him be discharged.

On the Motion of James Duff It is ordered that a Licence be Granted him to Keep a Tavern at his house in this County for one year on his entering into bond with Daniel Smith his Security in the Clerks Office

Present Andrew Shanklin

Comth v. John Fell on a Recogz for a Breach of the Peace on the Complaint of George Gordon Jun. The said defendant appears in Court in discharge of his Recognizance and being heard, It is Considered by the Court that he be bound to his Good behaviour for one ~~day~~ year and one day Towards all the Good Citizens of this Commonwealth, and that he enter into a Recognizance payable to his excellency John Tyler Governor of Virginia, himself in the sum 100 Dollars and one Security in the sum of $100 or two Securities in the sum of $50 each and that the said John Fell and Comfield entitle he enter into such Recognizance

Smith v Fell &c who was recogz to appear here, and at this Court and in the Mean time to Keep the peace, On the Motion of the attorny for the Commonwealth and for Reasons appearing to the Court It is ordered that a Scirfas do awarded on the said Recognizance.

Baxter Sheriff v Kessell &c Continued for Defendant

Ordered that the Court be adjourned until to Morrow 10 O'clock

Ard Thankston.

Thursday to wit

At a Court held for the County of Rockingham the 19th day of October 1809.

Present

Ezekiel Harrison, John Ewen, George Newton and Archibald Butherford . . . . . G. Justices

On the Motion of James Murphey, It is ordered that Derry Ryan be Summoned to appear here at the next Court to Shew cause why Isaath Beckham his apprentice, Should not now in the Custody of said Ryan, should not be delivered to the said said Murphey it appearing that the said Child has been duly bound by the Overseers of Poor of Shenandoah County.

Kyle v Bear plea was & Judgmt Confessed with as per Specialty with Interest and Costs (Saving Equity)

Nupps adm v Harrison &c . . . . . same

Bice v Rogers &c . . . . . same

Kyle v Smiely &c . . . . . same

Kyle v Compton &c . . . . . same

Kyle v Hannah . . . . . same

Mayberry v Thompson . . . . . same

479.

Laymon v Ryan plea war & Judgm. as per Specialty with Return of Cork (saving equity)

Dever v Warren . . . . . same

same v M Williams . . . . same

Rice v Glyn . . . . . same

Rice v Lantz &c . . . . . same

Rice v Nash &c . . . . . same

Paul v Hamilton . . . . . same

Rice v Seidenbarger . . . . . same

Herring v Crowe . . . . . same

Gilleson v Reed (3 suits) . . . same

Ordered that Charles Fox be committed to the Jail of this County and there to remain until the rising of the Court this evening for a contempt offered to the Court.

Sellars v Smith Office Judgm set aside prayed for Security and Issued

Commonwealth v James Moody, On a Recogz for a breach of the peace on the Complaint of John Beal. The said Defendant appears in Court in discharge of his Recogz. whereupon divers Witnesses were Sworn and examined, the Court upon Consideration, are of the opinion that the said Defendant be bound to his good behavior for one year and one day towards all the good Citizens of this Commonwealth and more particularly towards the said John Beal, and that he enter into a Recogz payable to his excellency John Tyler Governor of this Commonwealth, himself in the sum of 100 dollars and one Security in the sum of 100 Dollars ~~and~~ or two Securities in the sum of 50 Dollars each, and that he stand committed to the Jail of this County until he find

such Security. whereupon the said James Moody, with David Cunnum and James Cole his Securities appeared in Court and entered into a Recognizance agreeable to the above order

Koontz vs Borland dismissed agreed.

Smith vs Thornhill order Information be filed

Smith vs Persley dismissed at Defendants Costs

Smith vs Kelly Jury Sworn to try the Issue to wit David Lincoln, Hugh Diver, Samuel Stalb, Thomas Salaver, Jacob Rohr, Anthony Sowerbier, William Seter, John Effinger, Jesse Lincoln, George Seter, Robert Rutherford and John M Causland, Verdict Defendant Guilty amerciament one Cent and Judgment.

Moffett vs Day dismissed by order Plffs attorney.

Dunkenson vs Boads. Continued

Campbell adm vs Campbell Continued

Jordan vs Stultz Continued and on Motion of the Plaintiff by his attorney. It is ordered that a Subpoena Duces Tecum be awarded to Thomas Tidball Deputy Clerk of Frederick County, to appear here on 2d day of February Court Next and bring with him the original papers in the injunction proceedings in which the bond in the proceedings Mentioned —

A Deed from Ames to Miller & acknowledged and OR

Smith vs Drury for suffering unlawfull Gaming in his house The said Defendant appears in Court and agrees to submit the matter to the Court. whereupon the Court having heard the Testimony, It is considered by the Court that he be discharged an acquitted, and the Rule made against him on yesterday be discharged.

White vs M Kensey, and
same vs Messenger. The Defendant being
Call'd and not appearing. It is Ordered that there
Suits be dismiss'd

Gant vs Carthrae Jr. Continued and the parties agree that this
Cause shall be tried, or dismiss'd at the Next Term.

Loskey & Ux vs Harrison &c. Jury Sworn to try the Issue
to wit David Lincoln Hugh Dever, Thomas Sulaven,
Samuel Hall, John M Causlen, William Seter, Anthony
Sowerwine, John Effinger, Josiah Lincoln, Jacob Rohr, Robert
Rutherford and George Seter, Verdict for the Plaintiff for
$433.34 cents Damages with Interest on $333.34 cents part
thereof at 6 per cent from 18. November 1806. and Interest on $100 the
balance from the 18 November 1807 till said and Judgm.

Strayer &c vs Moore Continued

Strayer vs same Continued

Keggans vs Robertson Continued

Shew vs Neilly dismiss'd for want of security for costs

Dever vs Porter Continued

Sarver vs Yount &c. It appearing to the Court that the Plff
is Dead, It is ordered that a Supa. Scirfas do Issue against the
said Defendants Returnable here at the Next Court to shew
Cause why the said Suit should not stand revived in the name
of the admr of said Plaintiff.

Ireland vs Donaghe Continued

Bolton vs ~~Bolton~~ Harrison &c Order Survey on some day
to be agreed upon by the parties, on giving Notice of the
time, and that Survey Returns 5 fair plats and reports to
the Court

Lambert v Smiley Jury Sworn to try the Issue to wit
Peter Sprinkle, John Cook, Benjamin Vanpelt, Mathias Bone
Joseph Hall, Thomas Adams, James Cole, Stephen Lash
Jacob Donaver, John Terry, David Timmins and
John Beal, for $91.25 Cents Damages with Interest from
1st day of March 1808 tells said & Judgt.

Brown &c v Watson exrs Jury Sworn to try the Issue to
wit. Anthony Sowerber, Jacob Rohr, Robert Rutherford
David Lincoln, Thomas Sclaver, Hugh Dever, William
Sites, John Effinger, John McCausland, George
Sites, Samuel Hall & Henry Master. Verdict for Plff for
Debt in the Declaration Mentioned and 1 Cent Damages & Judgt.

Brown &c v Watson exrs Jury Sworn to try the Issue to
wit the same Jury as in the first suit. Verdict for the
Plff for the Debt in Declaration Mentioned with Interest from
the 22d June 1802 tells said & 1 Cent Damages & Judgt.

McMakew v Shutter, The Defendant was brought in
Court in Custody and confessed a Judgt for $50.24 Cents
with Interest from this day until paid and was paid in
execution

Ordered that the Court be adjourned until to Morrow
Morning 10 O Clock

Ind Franklin

Friday to wit

At a Court Continued and held for the County of Rockingham the 20th day of October 1809.

Present.

Ezekiel Harrison, John Ewen
George Huston & Arch.d Rutherford J.s Justices

Waggoner exr.x vs Hughes, two suits Offer Judgm.t set aside payn.t and Issue

Custer vs Robertson (seven suits) Offer Judgments set aside payn.t for Security and Issue

Parrott vs Woods Offer Judgm.t set aside payn.t and Issue

Holmes vs Palser Offer Judgm.t set aside payn.t for Security & Issue

Hyger vs ~~Boyer~~ Royer dismis.d by order of the Plff.

Present Isaac Shanklin

Holmes vs Stultz Offer Judgm.t set aside payn.t for Security and Issue

Lincoln vs Chandler & Henry Gamble Special bail Offer Judgm.t set aside payn.t & Issue

Samuel McWilliams Clerk of this Court produced in Court his account for Public Service since September Court 1808. ~~which was examin~~ up to this Court, which was examined, and Allowed and ordered to be Certified

Ragan vs Wallace, William McMahan Special bail offered Judgm.t set as to the appearance bail

Asher Waterman Sheriff produced in Court his account for sundry public Service since September Court 1808. which was examined and allowed by the Court and ordered to be Certified

Barzil Ragen Deputy sheriff and Jailor for Asher Waterman Shff Produces in Court his account for Sundry expenses
1/ of supporting Sundry prisoners confined in the Jail of this County. which was examined and ordered to be Certified, he having made oath thereto. as the Law directs

Ordered that the Court be adjourned untill the 3rd Tuesday in November Next.

Andrew Hunter

Tuesday to wit

At a Court held for the County of Rockingham the 21st day of November 1809

Present

Ezekiel Harrison, John Ewers, Joseph Baxter and Geo. Newton . . Js

5 A Deed from Whitlers Exr to Lewellin acknowledged by his wife, she being first privily examd & Certified

2d A Deed from Snyders Exr Lahmer acknowledged wife acknowledged taken & Ord

3 A Deed from Smith Exr to Smith acknowledged in the Corporation Court of Staunton, and certified according to Law and Ord

4 On the Motion of Dennis Lanahan, It is ordered that a Licence be Granted him to keep an Ordinary at his house in this County for one year on his entering into bond with Henry J Gambill his security in the Clerks office

Nancy Sipe orphan of Peter Sipe dec. came into Court and made choice of Reuben Kiny as her Guardian who entered into bond with security as the Law directs.

6 A Deed from W. Foubough to Adam Foughbough fully proved by Peter Bowyer & ordered to be certified

Ordered that Adam Vanbarger Jr be appointed Overseer of the road in the room of Frederick Haynes and that he with the usual Tithables appointed to work on the said road, work thereon and Keep the same in Good repair

Cp. "

David Brookhart in the room of Jacob Rechweine same order

Cp. "

An assignment bill of the estate of John Shular dec returned & Rd

Ordered that Philip Road be appointed Overseer of the road in the room of Jesse Harrison, and that he with the usual tithables appointed to work on the said road, work thereon and Keep the same in Good repair —

Cp. "

A Settlement of the estate of Samuel Morrell dec returned & Rd

Ordered that Jonathan Bolton be appointed Overseer of the road in the room of Philip Terebough, and that he with the Tithables appointed to work on the said road work thereon and Keep the same in Good repair.

Cp. "

Eveta Krotzer Widow of Simon Krotzer dec came into Court and relinquished her right of administration, whereupon on the Motion of John Krotzer administration of the estate of the said Simon is Granted him, he having made oath thereto and with Security entered into bond, as the Law directs, and it is ordered that David Rolston, David Brumfield, George Cline, and William Ryan (Capt) or any three of them being first sworn do appraise the said estate and make report to the Court.

Cod & Sent.

Edward from County Lee to Duff acknowledged, which with privy examination of his wife returned certified are ordered to be Recorded

C.

~~Ordered that the Overseers of the Poor be~~

Ordered that Samuel Jordan be Summoned to appear here at the Next Court to shew cause why his Childrend should not be taken away from him and be bound out by the Overseers of the poor, It being suggested to the Court that he is not in Circumstances to raise and Educate them in a proper manner.

~~Ordered~~

Joseph Noble and Lydia Noble orphans of John Noble dec'd came into Court and made choice of Jacob Noble as their Guardian, who with Security entered into bond as the Law directs.

Deed of Trust from Duff and wife to Rutherford for John Koontz, acknowledged by the said James Duff and wife & they being first Privy examd, and also by the said Rutherford Sold.

On the Motion of John Loftus, It is ordered that John Black, William Cochran, Jr. James Davidson and Henry Waddle, or any three of them being first sworn do View the alteration in the road leading from Henry Smiths of Breezy branch Gap, so fair as it turns through the lands of the heirs of Ralph Loftus dec'd and make report of the Conveniences and inconveniences attending the same to the Court

Ordered that Andrew Shanklin, Archibald Rutherford & Asher Waterman or any two of them do examine state and settle the estate account of John Dunnaway dec'd with John Penn the admr and make report to the Court

Settlement of the estate of Peter Neggans (made by the executrix) was returned Sold ——
A Supplementary Settlement of the same estate returned Sold.

Smith & Hamilton Attorneys for the Plaintiff in appeal

1

Murphey v Ryan Continued

Ordered that the Sheriff Summon all the acting Magistrats in this County to appear here at December Court next, for the purpose of examining the Sheriff List of Delinquents in the Revenue tax for 1809. and for the purpose of Recommending Militia Officers.

Deed from Rutherford to Carter acknowledged & Ord

Deed from I. Kyle Exr to Rutherford . . . same

Deed from same to Miller . . . same

Deed from Henry Fulwiler, Peter Whetzel Exr. George Whetzel Exr. to Jno Fulwiler acknowledged by the said, Henry. Peter & George and Susanna wife of said George she being first privily examd and ordered to be Recorded and also acknowledged by Shook Exr. she being examd & Certified.

A Settlement of the estate of Nathaniel Britten dec. returned and Ordered to be Recorded

Deed from Lesly Exr to Keeler proved by the Witness thereto. which with the Privy examination of his wife returned Certified Are ordered to be Recorded

Ordered that the Court be adjourned until the 3rd Tuesday in December next.

Jno Franklin

Tuesday to wit

At a Court held for the County of Rockingham the 19th day of December 1809.

Present

Ezekiel Harrison, Joseph Bywaters
George Huston & Gelis Early . . J. G. Harris

Deed from Shank &c to Branaman, - acknowledge in Penny[illegible] vania for to Shank &c and certified according to Law and acknowledged in Court and ord. the same be duly examined

Deed from Detwiler &c to Detwiler further acknowledge by Robt M Clung Esq. was acknowledged & ord.

Ordered that Charles Lewis Taylor Yancy & Joseph Mauzy or any two of them do examine state and settle the estate account of Charles Bush dec and make report to the Court.

Ordered that Charles Lewis, Taylor Yancy & Joseph Mauzy or any two of them do examine state and settle the estate accounts of John Mongar dec. and with the admr and make report to the Court.

Deed from Moore &c to Moore proved by the oaths of two witnesses as to Moore and acknowledged by Joseph Moore & ord.

Deed from Grove Lewis to Whitmore acknowledged was ordered & certificate ord.

Deed of Trust from Black to Montgomery his Trust proved by the oaths of Thomas Montgomery, William Montgomery and Polly Montgomery, and ord.

On the motion of Peter Nicholas, It is ordered that a Licence be granted him to keep an ordinary at his house for one year, on his entering into bond with Henry & Garnett his securities in the Clerks office.

Deed from Harrison &c to Sparyles acknowledged & ord.

Ordered that Joseph Barlis be appointed Overseer of the Road in the room of Aaron Thomas and that he with the usual liberties appointed to work on the said Road open and work thereon and keep the same in Good repair

On the Motion of Christian Road, administration of the estate of Isaac Brannaman an is Granted him he having given bond and Security, and made oath thereto as the Law directs, and It is ordered that Michael Frost John Bacon Jacob Rife and Peter Van Packer or any 3 of them being first Sworn do appraise the estate of the said Deceased and make report to the Court

Murphey v Ryan On a Summons.

The Plaintiff being Called and not appearing It is ordered that the said Summons be dismissed at the Costs of the said Plaintiff.

Lynn v Beck On an Attachment

The Constable having returned executed on Sundry Property belonging to the said Defendant and the said Defendant being Called and not appearing, to replevin the same and the same being executed in the hands of William Darrow, and Summoned him as a Garnishee who appears in Court and being Sworn declares he is indebted to the Defendant in the sum of Six dollars and the 11th October 1810. whereupon on the Motion of the Plff by his Attorney Judgment is Granted him for $24 with Interest at the rate from the 19th day December 1809 till paid and It is further ordered that the Sheriff make sale of the said property and pay the amount to the Plff. and that the said Garnishee pay the amount due as aforesaid also the Plff, and if any overplus should remain to pay the same to the Defendant.

On the Motion of William Hooks, It is ordered that he be exempted from the payment of Revenue County and parish Levies for his two negroes, Isaac and Bytha, on account of their being old and infirm ——

Ordered that Philip Bear be appointed overseer of that part of the road commonly call'd Grattans old road beginning at the forks of Lenville Creek Road, and to the round hill, and that all the Tithables within two Miles on the South east side of said road be allotted for his gang to open work thereon and keep the same in good repair

Wayland v Beasley on an attachm

The Constable having returned executed on sundry Negroes, belong to the said Defendant, and he not appearing to replevy the same & he is also solemnly call'd Judgm is awarded the Plff for the amounts of the two notes with Int and Costs, and It is ordered that the sheriff make sale of the said attached effects, and pay the Money arising from said sale to the Plff in discharge of the said Judgm &c

Deed from Harrison to Carpenter proved by the oaths of Bazzel Rogers and David Rogers & OR

Deed from Golliday Exr to Kolenberger acknowledged & OR

Deed from Bryant & Wife to Gamble acknowledged and acknowledgm taken & OR

Deed from the same to Sullender ... same

Deed of Trust from Sollenbarger & wife to Rogers for John Evens proved by the Witness as to Solenbarger, and acknowledged by Rogers & OR

491.

On the Petition of Richard Gains &c It is ordered that Jonathan Shipman, James Lewis and William Rice be appointed Commissioners to View the road as they were directed by the Court to Lay out from Connecticut River past [illegible] which was laid out into three Divisions, and make report to this Court of the situation of said road, as also the Number of Rhanes allotted on the said road, and that they also proportion the said Rhanes to each of the said Districts in such Manner and such Number as they shall think is Just and Right.

On the Motion of Jacob Deyo &c an Injunction is Granted him to stay all further proceedings on a Judgment Recovered by John Dewey &c against the said Deyo and N. Green, on his entering into Bond with Security and filing a Release of Errors according to Law

Ordered that the Overseers of the Poor bind Jonathan Wooden poor child of Jonathan Wooden, aged 8 years about Christmas next to Jacob Tuttle to learn the trade of a Potter as the Law directs

Rice vs Rice In Chancery

By consent of the Parties, It is ordered that a Commission be awarded to the Plff to examine and take Depositions on giving the Defendant Notice of the time and place of taking the same.

Ord Issue from Smith to Harrison for Daniel Pagen from Mr Metcalf as to Smith and action owlge by Harrison £0.12

Overseers Poor vs Gordon. On a Summons to shew cause why his Children should not be taken away from him. The Defendant not appearing. It is ordered that the Overseers take the said Children into their Care, and the said Summons be dismissed.

Ordered that the Overseers Poor bind Theodorius Jordan ~~son~~ son of Samuel Jordan aged 3 years 18th May last to Roger Mallowny to learn the trade of a Weaver according to Law.

(a) An Appraisment bill of the estate of John Neto dec^d returned & R

(b) Ordered that George White be summoned to appear here at the next Court to shew Cause why his Children should not be taken away from him and be bound out it being suggested to the Court by the Overseers of the Poor that he is not in Circumstances to raise and Educate them in a proper Manner,

(c) J. Smith exhibits a Complaint &c on a Delft bond, a Notice issued & Sundry.

(d) G. Foster v Mallowny &c . . . . . Same)

(e) A. Tuck v Wright &c . . . . . Same)

(f) Mayt &co v Hyser &c . . . . . Same)

(g) S. Graham v Jones &c . . . . . Same)

(h) Ordered that the overseers of the Poor bind John Rush who was formerly bound to Anthony Whitzell aged 16 years the 20 February 1804, to John Booth to learn the trade of a Farmer as the Law directs

(i) Ordered that the Sheriff Summons all the acting Majestrates in this County to appear here at the next Court, for the purpose of Examining the Sheriffs List of Delinquents, in the Revenue tax for 1809 County & Parish taxes and for the purpose of Recommending, Militia Officers, and for the recommendation of New Majestrates,

Ordered that Volentine Bolton be appointed Overseer of the road in the room of John Shelton and that the usual tithables allotted to work on the said be appointed for his Gang to open work thereon &c.

Ordered that Asher Waterman & Andrew Shanklen be appointed Commissioners for the purpose of ~~buying~~ fixing such a Stove in the Dungeon of the Jail, on the best terms they can, and make report of the expenses to the next Court.

Ordered that the Court be adjourned until Court in Course.

Ino Shanklin

Tuesday to wit

At a Court held for the County of Rockingham the 16th day of January 1810

Present

Ezekiel Harrison, Joseph Baxter Walton
Davis and Josiah Harrison . . . J. G. Justices

315
46
54
493

Deed from Lyle &c to Miller acknowledged by Lyle and by the other Parties in Pennsylvania Certified &c

Deed from same &c to Shoolty . . . . . same

Deed from Funk &c to Coffman acknowledged by Funk &c and by C. Gile, and by the others in Pennsylvania &c

Deed from Coffman &c to Swaby acknowledged as to acknowledgment &c

Deed from Eversole &c to Bowman . . . same

On the Motion of John Miller, It is ordered that John Black be appointed a commissioner to View the road up dry River in the room of William Rice, and that he with the other commissioners appointed at the last Court make report to the Court.

A Deed from Coffman &c to ~~Swartz~~ ~~acknowledged~~ ~~Test~~ acknowledged Test. Sam. Hoge

Two Deeds from Arnow to Bergharn. proved by Jacob Harshbarger and Garland McAlester & Bond to be Recorded

A Deed from Bell to Zelly. proved by the oath of Josiah Harrison one Witness thereto. which with the Letter of attorney thereto annexed are ordered to be Recorded.

~~Kerby to Stogbright on attach for Money Paid as his Security &c~~

A Deed of Trust from Sebo to M Williams in Trust for Michael Bowk proved by Wetrupp thereto Sam. Hoge

Deed of the estate of Evans Wallis dec'd Acknd Sam. Hoge

" Ditto of John King same

" Ditto of Oswald Bush same

" Ditto of Mathias Miller same

Graham v. Beeks on an attachr

The Constable having returned on the attachr executed on Sundry property. and the said Defendant not appearing altho solemnly Called, Judgmt is awarded the Plff for £19 " 18/11 due by Note and for £9. 17 cents due by account with Interest and Costs and It is ordered that the Sheff make sale of the said attached effects, and pay the Money arising from said sale to the Plff in discharge of the said Judgmt. &c

The last will and Testament of John Davis deceased was presented in Court and proved by the oaths of James Davis Jr. and Wellington Shields Wits. and on the Motion of Wallis Davis the Executor therein named who entered into bond with Security and made oath thereto, as the Law directs a Certificate is Granted him for obtaining Probate in due form and It is ordered that Jacob C. Erwin, Andrew Erwin John Smith and James Magelo or any 3 of them do appraise the estate of the said Davis & Make report to this Court

Ord from Noble ets to Thomas acknowledged &R

Ord from Tulwiler & Tulwiler further acknowledged by Mary Whitzel wife of Peter Whitzel, and ord to be Certified

Tolleys ets v Harrison &c On the Motion of the Defendant Harrison an Injunction is Granted him to stay all further proceedings on a Judgt Recovered by the said Plff agt said Defendant on his entering into bond with Security and filing a release of error with the Clerk of this Court

Ordered that the overseers of the Poor bind Hannah Bryan a Mulatto of Rachel Bryan, aged about 9 years to Zebulon Harrison as the Law directs

An appraisement bill of the estate of John Noble dec'd returned &R

Ord from Chandler Exr to Welch acknowledged & a Certificate taken &R

An article of agreem made between Henry Whitsles & John Lewis duly proved by the oaths of Peter Tarly and John Whitsles &R

Henderson v Herring On the Motion of the Defendant by his attorney an Injunction is Granted him to stay all further proceedings on a Judgt Recovered by the said Plff agt him, on his entering into Bond with Security, and filing a Release of

$29.54 cts Paid

errors, with the clerk of this Court.

Present.

Andrew Shanklin, Layton Yancey, John Erwin, Giles Early, Jonathan Sherman, George Dunton, and Jacob Kyser.

Ordered that the sheriff pay unto Asher Waterman & Commissioners appointed to have a Stone & Steple built on the Court house, and to have the bell hung therein & the sum of $51.34 Cents. as per account that being the sum expended by them for the purposes aforesaid. to be paid out of the Depositum for 1809

Ordered that the sheriff pay unto Henry J Gambill and Andrew Shanklin Commissioners appointed to have certain repairs, and Benches made for the Court house the sum of Twelve Dollars, as per account rendered to be paid out of the Depositum for 1809

Sent by Post 1st Jan 24 Aug 1810

The Court proceed to Recommend the following Officers in the Militia, in the 58 Regmt. in Rockingham as follows

Henry Perkey Leutenant in the room of Michael Mauzey removed.

Peter Bolinger ensign in the room of said Henry Perkey

Benjamin Kite Capt. in the room of Reuben Kite resigned

Adam Harshbarger Jr Capt in room of Geo. Harshbarger removed

Jacob Runkle Leutenant in the room of said Adam Harshbarger.

Jacob Conrad Ensign

Robert Erwin Capt of (Rifle Company) (in 1st Battalion) in room of Jacob Kite removed

Williams Erwin Leutenant in room of said Robert Erwin

James Davis . . . . Ensign in said Company in room of Samuel Kite resigned.

491.

The court proceeded to Recommend the following persons as officers in the 1st & 2d Battalion 116th Regt as follows

First Battalion

William Harrison Capt of Rifle Company in room of John Pence (Cashiered)

William Scott in the room of Henry Seely resigned

George Rew ensign in said Company in the room of said William Harrison

Ezekiel Harrison Capt of Company in room of Reuben Harrison resigned

Henry Phelps Lieutenant in room of Ezek Harrison resigned

Samuel Moffett ensign in the room of Ezk Harrison promoted

Peter Koontz ensign in Capt Zebulon Harrison Company

Daniel Matheus Capt in room of Michael Mason resigned

Jacob Roads Lieutenant in room of said D. Matheus

John Losey ensign in room of Jacob Pickering resigned

2d Battalion

John Trumbo Lieutenant in Capt Leonards Company in the room of Abram Painter refused to act.

David Wolverman ensign in same in room of Henry Shoemaker refused to act.

Ord from Harrison Esq to Chandler fully acknowledged by his wife Ordered to be Certified.

Ord from Harrison Esq Welch acknowledged wife acknowledged wife acknowledged before Ogle

Ord from Rees Esq to Harrison in Court from Brewbakers proved by the Witness as to Rees, and acknowledged by Harrison and Ogle

Kerlin v Arguright on a Note for Money Paid as
(cd) security for to Christian Kiger, Note proved and Judgm
for £66 11 6 with Interest and Costs

Deed from Carthrew to Harris on in Trust for Bagen
proved by the oaths of Land M Williams, Richd P. Fletcher
and Henry Gamble as to Carthrew, and acknowledged by
Harris on Oath

Deed from Black &c to David Bowman, proved by
the oaths of the Witness thereto as to Mary Black, Isaac
(3) Black Edward Ford and Samuel M Intire. ~~and the~~ with
the Privy examination of them Wife returned Certificate and
ordered to be Recorded

Deed from Crawford &c to Crawford acknowledged by
(cd) the said Isaac Crawford, Rebecca Crawford, George Baker and wife
the being privy examined and Oth

Deed from Crawford &c to Isaac Crawford acknowledged
(cd) by the Parties thereto according to Law and R

Deed from Crawford &c to Baker . . . Same
(cd)

Deed from same . . to B. Crawford . . same
(cd)

Deed from same . . . to Curry . . . . same
(cd)

Deed from Penn Esq to Smith here acknowledged
(cd) Deed acknowledged Letter Att

Ordered that Archibald Rathford have leave to bind
Jeremiah Short &c be bound by the Overseers of the Poor to
Edward Hefle to learn the trade of

Ordered that the Court be adjourned until Court in
Course

Jno Hamilton

Tuesday to wit

At a Court held for the County of Rockingham the 20th day of February 1810

Present.

Ezekiel Harrison, Joseph Barlow, George Hawker
Archd Rutherford, Jacob Kyser . . . . . } J. Justices

C. Ordered from B. Harrison exon to Bear a Scire facias 50th

Ordered that the Sheriff summon Jonas Strite to appear here at the next Court to shew cause why William Jordan his apprentice should not be taken away from him and be bound to some one else it being suggested to the Court that he is ill treated

Ordered from Rogers to Carver proved by the oaths of John Shellman, and Reuben Harrison & ordered

Ordered that the rules be held in the Clerks office on the Thursday the 22nd Instant and on the days after the 3rd Tuesdays in March and April next as the Law directs

A. Caldwell v Peter &c on a Delivery bond Note proved & Judgt.
A. D. Caldwell v Shultz &c . . . . . same
A. Neff's adm v Lash &c . . . . . same
G. Krug v Peter &c . . . . . same
G. Chrisman v Rogers &c . . . . . same
G. Dundas adm'r v Hamilton &c . . . . . same
M. Evans v Krim &c . . . . . same
A. Paul v Hamilton &c . . . . . same
A. Rogers v Nicholas &c . . . . . same
A. Rogers v Wallace &c . . . . . same
A. Reuben v Peter &c . . . . . same

On the Motion of Dolly Smith, administration of the estate of David Smith decd is Granted her, she having entered into bond and security and made oath thereto as the Law directs and it is Ordered that, David Lacey John Brock Peter Kuntz and John Kuntz (K.M.) or any three of them being first sworn do appraise the estate of the said Decedent and make report to the Court

Ordered from Howard Court to Dessoe a Commonwealths writs attachment Costs £0.1.6

Shulan admr of Seegler Vs Suit. Gabriel Yancy and James Beezely & Bail, who thereupon entered the said Defendant in Court, and the said Defendant Confessed a Judgment in the said Suit for the Debt in the Declaration mentioned with Costs

Grand Jury sworn for the said County to wit
John Baxter, foreman, John Krotzer, John Layman, Christian Ottemore, George Huffman, David Boalston, Henry Sipe, John Shuey, William Fowler, Aaron Lair, Jonathan Taylor, John Brock, William Sites, John Smith, Samuel Lynn, and Joseph Showalter, who rec'd their charge, and retired from the bar, to Consult on their presentments, and after some time returned into Court and made the following to wit, We the Grand Jury being impannelled and sworn for the County of Rockingham on the 20 February 1810 & made the following Presentments we Present the overseers of the Road &c and nothing further appearing it is ordered that the Grand Jury be discharged, and it is further ordered that Summons Issue on the said Presentments against the said Defts returnable as the Law directs

501.

Mauzy v Hammer disms? agreed

Dever v Yancey &c. . . . . same

Shular adm v Hammer . . . . same

Steckleather v Beal (two suits) disms? agreed

Alias from Bowman Clk to Denton a Sumwhere issue a Summons returnable 4th

The last will and Testament of John Davis dec? was presented in Court and fully proved by the oath of Nancy B. Davis & Evans to be certified.

King v M'Culloch. disms? agreed at Defendants Costs

Berry v Hamilton &c Nolle prosequi as to R Hamilton & Lucy.

Rice v Salenbarger &c. Nolle prosequi and Lucy.

Rice v Hays &c. . . . . same (Costs paid)

Bowers v Robertson &c. . . . . same

Rose v Trent &c. . . . . same

Alias from Hammer to Harnbarger Ex Trust for Kelly a Summons 20th

Mauzy v Ryan Offem Lucy set aside and disms? agreed

Baker v Stultz &c on the Motion of the Plff. by his Atty, and it appearing to the Court that ~~one~~ process of Contempt has been Served on the said Defendant Stultz and &c It is ordered that the said Bill be taken for Confess? as to these Defendants, and that the Court will proceed to decree the Matter thereof unless the shall cause to the contrary, at the next Court after they shall be served with a copy of this order

(a) A Deed from Vance &c to Chrisman acknowledged &c

(b) Holman v Stultz. Joseph Bywaters Plea of Payment by the Security set a side on motion for appearance bail, payment by Principal & Issue

(c) Bagen v M. Dever John Dever Sp Bail offers Judgt set aside Issue & Issue

(d) Bagen v M. Dever John Dever Sp Bail

(e) Keys ~~& Morgan~~ ~~Sheriffs~~ ~~of~~ Plaintiff ~~and Defts for~~ &c.

(f) Lewis v Mayo dismissed agreed

(g) Agreed
An Article of agreement between John & David Hunter &
Benj. Bowman acknowledged &c

(h) Bagen v Harrison (3 suits) Benj. Harrison Sp Bail,
Judgment confessed as per Specialty with Richd Cocke with the
stay of execution until August Court next

(i) Holman v M. Carthren & Williams Lewis Sp Bail offers
Judgt set aside Issue & Issue

(k) Ordered that the overseers of the Poor bind Matthew
Robertson, aged 2 years the 24th day of August next, John Beatty to learn
the trade of a Joiner as the Law directs and that he
have for freedom dues £15.

(l) On the Motion of William Taylor & James Crawford
who took the oaths prescribed by Law, they are admitted
to practice as Attorneys in this Court

Ordered that the Court be adjourned until to Morrow
morning 10 o'clock

Wm. Harrison

Wednesday to wit

At a Court Continued and held for the County of Rockingham and the 21st day of February 1810

Present

Ezekiel Harrison, John Ewen, Charles Lewis and Jacob Kyser ... Gentlemen Justices

Crawley v Askins dismissed agreed

Alias from Bolton Ats to Terebaugh a Knowledge vs a Knowledge taken &c

On the Motion of the administrator of George Kesselle deceased It is ordered that the heirs of the said George Kesselle be Summoned to appear here at the next Court to shew Cause if any they can why the Slaves which belonged to the said Kesselle dec'd Seized and possessed of should not be sold, and the Money arrised between the said heirs agreable to the act of Assembly

Comth v Robertson Continued

Comth v Drapeau's ex Recognizance

Comth v Marlow & M'Laughlin Continued

Taylor &c v Nelson Office Judgment set aside Plea and Replication filed, and Continued until next Term

Comth v Boyd Jury sworn to try the Issue to wit Alexander Herring, James Thomas, John Beal, Michael Dick, Andrew M'Clellan, Daniel Price, Philip Terebaugh Jesse Lincoln, David Davies, Zachariah Hoy, Joshua Coithred and John Noves, Verdict that the Defendant Guilty and amerciament 7 Dollars and Jurors

Comth v Rhonthell Plea and Demurrer filed and Continued

Comth v Miller dismissed

Comth v Rice on a Summons to shew Cause why an Information should not be filed against him for unlawfully Gaming The said Defendant not appearing to shew Cause It is ordered that the attorney for the Comwth file an Information for the said offence.

(2) The same v Jacob Koontz ..... same

(2) same v D Wallace ..... same

(2) same v John Pence ..... same

(2) same v Rogers ..... same

(2) Comth v Christian & John Sensmen The attorny not being willing to further to prosecute in there Cases. ~~It is with the~~ they are with the assent of the Court ordered to be dismissd

(2) Comth v Moore Continued

(2) same v ——— abats by returns

(2) Comth v Wiseman, Dismissd at the Defendants Costs.

(2) Dunlevy v Boads dismissd by order of the Plaintiff, and Judgt. for Defendants Costs

(2) Campbell's admrs v Campbell Continued

(2) Gant v Carthrea Continued

(2) Strayer & Co v Moore Cont.d

(2) Strayer v same Continued

(2) Dever v Portis Jury Sworn to try the Issue to wit

(2) Andrew M'Cleland, Zachariah Hoy, David Davies, Jesse Lincoln, John Beal, Alexander Herring, Daniel Frees, James Thomas, John Hoover, Michael Deck, Philip Terebaugh & Tobias Smith, whereupon by Consent the Jurors Jury is adjourned untill to Morrow Morning 10 o'Clock. Whereupon the trial of this Cause, the following bill of Exceptions was taken to the Opinion of the Court which was signed and sealed as the Law directs &c

506.

Mayer v Jones &c on Duly bond, Notice proved as to Jones & Sugar

Mauzy v Jones &c . . . . . same

Mauzy v Maggot &c on Duly bond Notice proved and Sugar

. . . . . same (as to bond) (Record to go)

Bowman v Huber &c . . . . . same

Hansbarger v Maggot &c (3 Cases) . . . . same

. . . . . same

Fowler v Poor &c . . . . . same

Commuth v Shellman, Partie heard, and Dismissed

Perkins extr v Hole exr, Office Judge set aside Sugar & Issue

Nolan v Leith &c Office Judge set aside ~~Reg~~ as to ~~Affe~~ Affidavit and Sugar & Issue

Evans v Harris office Judge set aside Sugar & Issue

Heggans extr v Harris N E set aside N.A & Issue and Continued until next term

Foreman v Shenefiring dismissed

~~Foreman v Shenefiring dismissed~~

Heggans v Robertson N.C. set aside N.A & Issue here Sworn to try the Issue, to wit John Means, Samuel Salen Sayer, James J. Marshall, Daniel Falls, John Carthrea, Adam Beighart, William Kessell Volentine Bolton, Richard Hughes, John Bowyer, Nicholas Claybrook and Jacob Pickering Verdict for the Plff for $31.02 cents Damages with Interest at 6 per cent from the 19 March 1808 till Said & Sugar.

Jacob Moyer who was this day Summoned to attend as a Juror, and not appearing, It is ordered that for such his Contempt he fine in $8 unless he shall appear at the next Term and shew cause to the Contrary.

affirmed

Ludwick v Murphey Continued

Coffman v Leggett Judgment agreable to the award returned by the Arbitrators. the said Defendant appearing in Court and consents to the same (Subject to a credit of $9.05 cents) being the balance of a Note due from the Plaintiff to the Defendant

Present
George Hunter & Archd Rutherford Absent John Ewen

Bartis Sheriff v Kessell &c Jury Sworn to try the Issue to wit Nicholas Claybaugh, Henry Shaver, Richard Vaughn, Volentine Bolton, Solomon Mathews, James Cage, Samuel Sulenbarger Williams Erwin, Jacob Cannon, John Cathrea, John James Mackall & John Means. Verdict for the Plt for the Debt in the Declaration Mentioned, to be discharged by $16 Damages & Costs.

Sanderson v Yount &c Non Seresa as awarded

Ireland v Donaghe abated by Defendants Death

Moore v Moore Dismissed by order Plaintiffs attorney

Boswell v Pence W. E set aside & Co & Issue and Returned

Rice v Mackall Office Judgt set aside as to the 4th and bail Bayd & Issue

Morgan v Hunter Office Judgt set aside as to the appearance bail Bayd & Issue

Rice v Sherredan Special plea and Demurrer filed, and Continued

Penn admr v Crowe &c Office Judgt set aside as to the appearance bail Bayd & Issue

Same

Cage exrs v Mackall

Lewis v Arrow. Dand Bayd & Ibail. Office Judgment set aside Bayd & Issue

Mechael v Walton. Dand Bayd & Ibail Office Judgt set aside as to the appearance bail

Smith v Matheny & Offrie Ly set aside as to the appearance bail, paym & Sfree

Holmes v Crowe . . . . . same

M'Mahan v M'Mahan . . . . . same

Holmes v Meiss & Joseph Bywaters & Daniel Bagen & Albail. offrie Ly set aside, paym & Sfree

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock

E Z Harrison

Thursday 22 nd

At a Court Continued and held for the County of Rockingham the 22 nd day of February 1810.

Present

Ezekiel Harrison, George Sterrett, Rodney Harrison & Jonathan Keyser, John Crew & G. Gusler Archd Sutherson

Newman v Stevenspring on the Motion of the Plaintiff. It is ordered that the order dismissing this suit on yesterday be set aside, and the cause is Reinstated.

Peter v Smith N.C set aside, & A & Sfree, and suit dismissed by order of the Plaintiff.

Parrott v Woods Plea non Ly as per Specialty with Interest & Costs (saving equity)

Graves v Crabtree . . . . . same

Sellars v Smith . . . . . same

Kessell v Smith . . . . . same

Waggoner &c v Hughes . . . . . same

Same . . . v Same . . . . . same

Holmes . . . v Steltz . . . . . same

Holcum v Palser Plea war Judgm. dismiss as respectfully with Costs (Savery Equity)

Custer v Robertson (Seven Suits) . . . . . the Same

Bagen v Bader &c . . dismiss agreed (Costs to be)

Gaw v Scott . . . . dismiss agreed (Costs to be)

Dever v Porter, The Jury Sworn to in this Cause on Yesterday appear in Court agreeable to their adjournment, Verdict for the Plaintiff for £100 & Damages & Judgm.

Note exd v Daniel Bagen £13 offer Judgm set aside pays & Costs

Writ from Whitehead &c to Falls acknowledged &c.

Writ from Same to Coffman Same

Genl Replication with Special Replication filed

Jordan v Skelly, Jury Sworn to try the Issue to wit Daniel Falls, Daniel Probyman, Benjamin Nagle, Solomon Mathews, John Means, Volentine Bolton, Jacob Leggett Joseph Bellheimer, Maurice Steiche, William Jinkens, John Butcher and Jacob Boas, Verdict for the Plaintiff for the Debt for the Debt in the Declaration Mentioned to be discharged by the Payment of £63, 82 cents with Interest from the 10th day Novem 1807 till paid & Judgment

Hogshead v Phelps dismiss agreed

Moffett adms v Gain Jury Sworn to try the Issue to wit Daniel Falls, Daniel Probyman, Benjamin Nagle, Solomon Mathews, John Means, Volentine Bolton, Jacob Leggett Joseph Bellheimer, Maurice Steiche, William Jinkens, John Butcher and Jacob Boas, Verdict for Defendant and Judgm.

Writ from Duffy &c to Rutherford & Fawcett Ex Trust for John Worley, fully acknowledged by said Fawcett & Ordered to be certified

509.

Adam Losh v. Stephen Losh Jury sworn to enquire of the Damages to wch, Henry Philips, David Wallace, Solomon Mathew, Volentine Bolton, Jacob Leggett, Daniel Probzman, Joseph Bellhouse, Maurice Hinchey, William Jenkins, Benja Nicholas, John Butcher and Jacob Boas Verdict for the Plaintiff for £8 11/- Damages with Interest from 1st April 1808 till paid & Costs.

Berry v Newton Jury sworn to enquire of the Damages to wch the same Jury as in Losh agt Losh. Verdict for Plff for £37 11 3/4 Damages with Interest from 10th November 1807 till paid & Costs.

Fell Serjant v Bachford Abated by the Marriage of the Plaintiff with Ebenezer Harrison,

Bolton v Harrison Exts Motion & rule to Compute Covenants not broken Genl Replication & Issue Jury sworn to try the Issue to wch Daniel Probzman, Maurice Hinchey, David Wallace, Jacob Bohs, Benjamin Nicholas, Solomon Mathew, George Berry, Richard Hughes, Henry Philips Joseph Bellhouse, John Butcher and Jacob Leggett, Verdict for the Plff for £30 Damages and Costs. Attorneys on the trial of this Cause the Defendant offered a Demurrer to the evidence, which the Plff refused to Join, whereupon the Plff by his Attorney move the Court to compell the Plff to Join in the said Demurrer, which Motion was overruled by the Court, to which opinion the Plff excepted. which was sign'd and Sealed & the Law doth

Harrison v Belshey The Defendant Produced in Court a writ of Habeas Corpus, whereupon it is ordered that a copy of the Record be Certified to the Superior Court and the said Defendant is committed

Note exon v Note vs Daniel Rogers S. C. Offered Bail set aside as to the Bail

Note exts v same same

Order that the Court be Adjourned until Court in Course

Geo. Newton

Tuesday to wit

At a Court held for the County of Rockingham the 20th day of March 1810

Present. Ezekiel Harrison, John Ewers, George Newton & Jonathan Shipman & G Jeffries

A Deed from Harrison & wife to Long &c. acknowledged by B. Harrison & Wife

A Deed from Welch & wife to Penn acknowledged & Ord

A Deed from Chipman to Brannaman acknowledged & Ord

A Deed from N. Penn & wife to J. Penn acknowledged wife acknowledged & Ord

A Deed from John Penn & wife to Henry Penn same

A Deed from Cole to Bethart acknowledged & Ord

A Deed from Smith & wife to Boop acknowledged wife acknowledged & Ord

Two Deeds from Simon to Berryhard fully proved by the oath of Gaa Gilmore & Deed to be recd

A Deed from Carthrae to Woolf proved by the oaths of the Witness thereto & Ord

A Deed from J. Carthrae to C. Carthrae proved by the oaths of John Carthrae Jr George Woolf and Curtis Roberts & Ord

A Deed from Robertson & wife to Coffman proved by the oaths of Jacob Rife and Danl Bumgard & Ord

A Deed from A. Harrison & wife to B. Harrison, proved by the oaths of 2 Witness thereto which with the Privy examination of his wife returned & order to be recd

A Deed from Morgan & wife to Roberts proved by the oaths of Jno Carthey & Richard Emmet & Adam Wright 3 Witness & Ord

Deed from Wiseman Exr to Bryan acknowledged wits acknowledgt taken & OR

Deed from Kemp & Harris to [illegible] wits acknowledgt taken & OR

Taken up by the parties the quietus being rcvd.

Deed from Crawford &c to Baker fully acknowledged by Curry & Wife, wits acknowledgt take Deed to be certified

Deed from same to L. Crawford . . . . same

Deed from same to Sarah Crawford . . . same

Deed from same to B. Crawford . . . . same

Deed from Nagle Ex to Cowen acknowledged wits acknowledgt taken & OR

Deed from Campbell Exrs to Saffly . . . . same

Deed from Cowen Exr to Sitz . . . same

Deed from Wheltzel Exr to Peter Bolinger proved by the oaths of Henry Probst & John Hayes, and acknowledged by said wits & Recorded

Deed from Mathews Exrs to Beam duly fully acknowledged by his said wits & ordered to be certified

Deed from Bader Exr to Shaver acknowledged wits acknowledgt taken & OR

Deed from Maggart Exr to Michael, proved by the oaths of Henry Probst and John Penn, which with the Privy examination return'd & OR

Deed from Hall Exr to Davis, proved by the oaths of Archd Patterson & Alexander M Kinzy & Wilcup. which with the Privy examinate on his wife return'd OR

A Sellers of the state of Charles Rush &c. return'd & OR

Deed from Maggart Exr to Perrie proved by the oaths of Williams Michael & George Michael 2 Witness which with the Prop examination returned and ack

Deed from Kelly &c to Samuels proved by the oaths of Jacob Lingle Jacob Bear, and George Conrod 3 Witness as to the Kelly 1. ack

Deed from Kelly to Bear proved by the oaths of Jacob Lingle and Geo Conrod 1 as to Kelly ack Recorded

Deed from Crouse Exr to Shades acknowledged with acknowledgt later ack

Deed from Speyer Exr to Deatwood . . . same

Deed from same . . . to Boads . . . . . same

Deed from Funk to Marshbarger fully proved by the oath of Joseph Yount ack Recorded

An appraisment Bill of the estate of Robert Noble ack Recorded

Deed from Carthrew Exr to Burger proved by the oaths of George Woolf and John Clark 1. Willard Douglass ack Recorded

Deed from Bellhimer Exr to Greffen acknowledged with acknowledgt later ack

Deed from Cravens Exr &c Floray fully acknowledged by said Craven wife ack

Deed from Bolton Exr to B. Fultz, acknowledged by Bolton Exr. ~~Exr~~ Fultz Exr ~~wife~~ Swoope Exr 1 wife acknowledgt later, and acknowledged by Eve Fultz ack

Deed from same to Jacob Fultz . . . . same

Deed from Freze Exr to Peery acknowledged with acknowledgt later ack

~~Orders for~~

On the Motion of Abraham Bauaman and Abraham Newcomer administration of the estate of Elizabeth Shank dec'd is Granted them, they having entered into bond with security and made oath thereto as the Law directs, and it is ordered that Jacob Chrisman Henry Eyman, Joseph Krotzer and John Krotzer or any three of them being first sworn do appraise the estate of the said decedent and make report to the Court

~~Orders~~

The Last will and Testament of Joseph Selser dec'd was proved in Court ~~written~~ in the German Language which was proved by the oaths of the Witness thereto, and also a Translation of the said Will which was also proved by the oaths of Jacob Rife and Martin Garber, which Translation is ordered to be Recorded, whereupon on the Motion of Mary Selser & David Hessler the executors therein named, who entered into bond with security, and took the oath prescribed by Law, a Certificate is Granted them for obtaining Probate in due form, and it is Ordered that Adam Shultz, Jacob Carbaugh, Christy Coffman and Christy Funck or any three of them being first Sworn do appraise the said estate and make report to the Court

The Last will and Testament of William Dunlap dec'd was proved in Court and proved by the oaths of David Bowman and Adam Shultz two Witness thereto and ordered to be Recorded and on the Motion, the executors therein named, who entered into bond with security and took the oath prescribed by Law a Certificate is Granted them for obtaining Probate in due form, and it is ordered that, Joseph Bowman, David Bowman, Jacob Rife and Adam Shultz or any three of them being first Sworn do appraise the estate of the said decedent and make report to the Court

Caty Good orphan of Good dec[d] came into Court and made choice of Henry Reads as her Guardian, who entered into bond with Security, as the Law directs

Will from Bell to Zetty further proved by the oath of Thomas Moore Ordered to be recorded

An appraisement bill of the estate of Adam Brightbill dec[d] returned 40£

Ordered that Abraham Nereweiger be appointed Guardian for Samuel Shank orphan of Elizabeth Shank who entered into bond with Security as the Law directs.

On the Motion of Henry Lefer administration of the estate of Christian Sailor dec[d] is Granted him, he having with Security entered into bond with Security, and made oath thereto as the Law directs and it is ordered that George Boabach, George Sleeches, Henry Kepler and Conrad Cline or any three of them being first sworn do appraise the estate of the said Deceased and make report to the Court

Will from Banks dec[d] to Driver acknowledged proved acknowledged to be 40£

Smith v Matheny. Jacob Day Gilbail plea of payment by the Security et a rule payt for the Principal & Int[t]

Ordered that Thomas Moore, Josiah Harrison and Daniel Mathews or any two of them do examine state and settle the estate accounts of Christopher Howard and make report to the Court

On the Motion of Ruth Davis executrix of John Davis dec[d] who entered into bond with Security, and took the oath prescribed by Law, a Certificate is Granted her for obtaining Probate in due form

Will from Davis to Bellheimer acknowledged 40£

Deed from Eyman to Bryan In Trust for Abraham Brannaman & John Eyman acknowledged &R

Deed of Mortgage from Palmer to Salvage proved by the oaths of the Witness thereto &R

Grove & Nott. on a Note for Many paid as his Security to John Graham & Note from and Judgm for £15.19.11 with Interest from 1st February 1809 till paid & Costs

On the Petition of George Snodden, Bathurst Herring and Alexander Herring, It is Ordered that David Coffman William Gowl, James Quinn and Robert Magell or any three of them being first Sworn, do View the old road commonly called Graham old Road) from the South west Corner of said Snoddens field, to where it entersects the Road leading from Harrisonburg, to Magells ford at the South end of Adam Shanks Lane, and that they make a report of the Convenience and inconvenience attending the said alteration, as also the old way and make report to the Court

Ordered that Charles Beard be appointed Overseer of that part of the road, in the room of Martin Conner, and that he with the hands heretofore appointed to work on the said road, work thereon and keep the same in good

On the Motion Davis Roark and Isaac Goar Securities for Philemon Roark, Guardian for the Children of George Philips dec. It is ordered that he be Summoned to appear here at the Next Court to give Counter Security

Kesells adms v Kesells heirs. The said Defendants being Summoned to appear here at this Court to shew Cause

~~Negroe~~ why the Slave or Slaves, belonging to the said George Kellis estate should not be sold, ~~&c &c~~ were Solemn Call'd and not appearing It is ordered that the admrs made sale of the said Slave or Slaves agreeable to the act of assembly &c

Ordered that John Pagen be appointed Overseer of the road in the room of George Cline, and that he with the Tithables heretofore appointed to work on the said road work thereon and keep the same in good repair

John Whitmore in the room of David Nealwood

Court vs Abraham Mefford for a breach of the peace on the Complaint of Caty Loth the Defendant was brought into Court, whereupon on the Motion of the attorny for the Court It is ordered that the same be continued untile next Court ~~in the sum of £200~~ and that the said Defendant do enter into a Recognizance for his appearance on that day, that is to say the said Defft in the sum of £100, and one Security in the sum of £100 or two Security in the sum of 50 Dollars each, and that he in the Mean time Keep the peace and be of good behaviour and that he stand Committed untile he ~~goes~~ enter into such Recogz.

sr.
16
78

Overseers Roads Strike abate by returns.

Ordered that James Brown be summoned to appear here at the next Court to shew cause if any he can why his Children should not be taken away from him, and be bound out by the Overseers of the poor, It being suggested to this Court that he is not in Circumstances to raise and Educate them in a proper manner.

Philemon Bloark Writ of Adjured-Damages being returned into Court with the Juries Inquest thereon, whereupon It is ordered that the alteration Mentioned in the said road be established on the Petitioners paying unto the said Bloark ~~his Costs~~ the Damages found by the Jury and his Costs about his Writ &

Ordered that the Overseers of the poor bind Ralph Smith who was formerly ordered to be bound to Samuel Sulenbarger to Michael Sulenbarger, to learn the trade of a Wheelwright ~~a~~ who is to be bound agreeable to the ~~said order~~ Conditions of the said order.

Ordered that the Court be adjourned until the 3d Tuesday in April Next.

J. Harrison