

**ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA**

MINUTE

BOOK

15

1902

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday October 25. 1902.

Present Hon. George G. Gattan presiding

A writing purporting to be the last will and testament of Abner D. Brunk dead, was this day presented in Court and being sworn by the Oaths of B. F. Rodiffer and J. H. Tate, the subscribing witnesses thereto, is admitted to probate and ordered to be recorded. And on the motion of John S. Kibler the Executor named in said will who made Oath thereto according to law, and appeared in Court and together the American Surety Company of New York by J. M. Newman its Pres. Vice Pres. attested by Geo. G. Gattan Jr. Pres. Asst Secy under a power of Attorney heretofore filed his surety entered into and acknowledges a bond in the penalty of Twenty five hundred dollars. Conditioned according to law. A Certificate is granted the said John S. Kibler for obtaining a probate of the said will of Abner D. Brunk dead in due form and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1200.

John F. Blackburn who was on the 17 day of October 1902 duly appointed and commissioned by the Governor of Virginia a Notary Public for the County of Rockingham for the term of four years from said date, this day appeared in Court and together with Samuel Hausberger his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Five Hundred dollars. Conditioned for the faithful discharge of the duties of said Office or trust each waiving the benefit of their exemption as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Copy of this order to the Secretary of the Commonwealth. And thereupon the said John F. Blackburn qualified as such Notary Public by subscribing to and taking the Oaths required by law.

On the motion of J. Samuel Hausberger, John F. Blackburn appeared in Court and qualified to practice law in this Court by taking the Oath required by law.

Ordered that this Court be adjourned until Monday morning next at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday October 27. 1902.

Present Hon. George G. Gattan presiding

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday October 28. 1902.

Present Hon. George G. Gattan presiding

On the Application of J. D. Pye & others for the Establishment of a Public Road this day came against the petitioners by their Attorney, and the Viewers to whom was recommended the report in this cause having made and filed their report recommending the Establishment of the said road in accordance therewith it is ordered that, whereas J. D. Pye ^{and Mrs. J. D. Pye} be summoned to appear here on the first day of the November Term next.

of this Court to show cause if any he can why the road prayed for in this cause shall not be established through his land agreeably to the report of the viewers aforesaid.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gathan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday October 29th 1902.

Present Hon. George G. Gathan, presiding.

A writing purporting to be the last will and testament of Margaret D. Herring, deed was this day presented in Court and being sworn by the Oaths of Holmes Pelton and Silas Flicker of the subscribing witnesses ^{trusts} is admitted to probate and ordered to be recorded. And on the motion of George Schisman, the Executor named in said will who made oath thereto according to law and appeared in Court and entered into and acknowledges a bond in the penalty of Four Thousand dollars conditioned according to law. A Certificate is granted the said George Schisman for obtaining a probate of the said will of Margaret D. Herring deed in due form said will providing that no security be required of the said Executor. And it is ordered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$2000.⁰⁰

On the Application of A. K. Eppard others for the Change of a Public Road.

It is ordered that the viewers heretofore appointed to view said proposed change of road be and they are ^{hereby} instructed to report as to the advisability of the Establishment and Construction of a new road ~~at or~~ near the place of the proposed change.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gathan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday October 30th 1902.

Present Hon. George G. Gathan, presiding.

Ordered that this Court be adjourned until the first day of the next term

Geo. G. Gathan

Virginia At a County Court held in and for the County of Rockingham at the Court House thereof on Monday, November 17, 1902.

Present Hon. George G. Galtman, presiding.

The clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's office of this Court at and since the last October Term, which list being seen and inspected by the Court is ordered to be filed.

A writing purporting to be the last will and testament of Frances Linchoss, dead, was this day presented in Court and being proven by the Oaths of Abram Phillips, Jesse Spitzer and S. D. Hampler, the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of E. R. Neff, the Executor named in said will who made Oath thereto according to law, and appeared in Court and together with S. D. Hampler his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two hundred and fifty dollars. Conditioned according to law. A Certificate is granted the said E. R. Neff for obtaining a probate of the said will of Frances Linchoss, dead, in due form. And the Court doth appoint Abram Phillips, Jesse Spitzer, Frederick Willard, J. John F. Schwaetter, to appraise the Estate of the said Frances Linchoss, dead, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$125⁰⁰.

On the motion of Mary K. Long, the Court doth appoint S. H. Shaver guardian for Elmer L. Long, Infant son of John J. Long, dead, under the age of 14 years. And thereupon the said S. H. Shaver appears in Court and together with the American Surety Company of New York by D. M. Newman its President Vice President attested by Geo. G. Galtman, J. Res. Asst. Secy. under power of Atty. duly Certified and filed, his surety, entered into and acknowledged a bond in the penalty of Five hundred dollars. Conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

On the motion of Oscar Ernest Gams, and it appearing to the Court that he is a regularly ordained Minister in the Baptist Church, and Authorized to Celebrate the Rites of Matrimony, he appears in Court and together with J. L. Staples his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five hundred dollars. Conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

On the motion of Nora B. Strickler, widow of D. B. M. Strickler, dead, who made Oath thereto according to law, and appeared in Court and together with W. H. Bentner her surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five thousand dollars. Conditioned according to law. A Certificate is granted the said Nora B. Strickler for obtaining letters of Administration in due form upon the Estate of the said D. B. M. Strickler, dead. And the Court doth appoint L. H. Rolston, D. B. Schwaetter, M. H. Spitzer, and S. J. Devereux, to appraise the estate of the said D. B. M. Strickler, dead, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administration was estimated not to exceed the sum of \$2500⁰⁰.

On the motion of M. F. Myers, the Estate of David G. Ray, dead, is committed to John Schutger, Sheriff of Rockingham County, for Administration. It appearing to the Court that more than two months have elapsed since his death without application for Administration upon his estate.

A writing purporting to be the last will and testament of Geo. B. Gilmore, dec'd, was this day presented in Court and there being no subscribing witnesses thereto, Ellen F. Hockle and J. H. Leannehoff were sworn and severally deposed that they are well acquainted with the handwriting of the said Geo. B. Gilmore and only believe the said writing and the name thereto subscribed to be wholly in the handwriting

of the said Geo. B. Gilmer dec'd. whereupon the same is admitted to probate and orders to be recorded, and it is
intended of record that the amount of property to pass under the said will was estimated not to exceed the sum of
\$3500.

6. B. Cam. Justice of the Peace this day paid into Court the sum of \$6.00 it being the amount of a judgment for
fine rendered by him on the day of Nov 1902 in the Case of the Commonwealth vs. Roger for
Cruelty to Animals.

On the Application of J. Luther Finkle others for the Establishment of a Public Road
This day came the parties, and it appearing to the Court from the report of John D. Fawcett Road Commissioner
for Plain District that the road prayed for in this Cause has been fully completed by the Contractors
and is in good condition and ready for travel. It is ordered that the Clerk of the Board of Supervisors
issue a warrant upon the Treasurer of this County payable to Henry J. Davis for the sum of \$245.00
being balance on Contract price for Constructing the said road.

Commonwealth.

Upon an Indictment for felony
Charles Joseph alias Cassin Isod
This day came the Attorney for the Commonwealth and the prisoner Charles Joseph alias
Cassin Isod was led to the bar of the Court in custody of the Jailor of this Court.
And thereupon the Court fixed Wednesday November 26 1902 for his trial. And
the Clerk of this Court is ordered to issue a Venue Facies to the Sheriff of Rockingham
County directed, Commanding him to summon sixteen persons from a list furnished
him by the Court returnable to said date to serve as Jurymen upon the trial of the
said Charles Joseph alias Cassin Isod for felony, and thereupon the prisoner was remanded
to jail.

Virginia In the Circuit Court of Rockingham County October Term Nov. 7. 1902.
Plff. vs. Def.
The Commonwealth } On an appeal from the County Court of Rockingham County
This day came the Appellant by Counsel, and the appellee by Geo. N. Conrad, Atty. for
the Commonwealth, and the Court having heard arguments of Counsel for the appellants
and for the appellee and having maturely considered the same, as well as the transcript
of the record in this Cause, is of opinion that the County Court of Rockingham County
erred in refusing to sustain the motion of appellants to quash the execution against
them set out in the said transcript. And it is therefore ordered that the judgment
of the County Court in the petition of appellants complained of be reversed and
annulled, and the Court now proceeding to render such judgment as the County
Court ought to have rendered doth order that the execution in favor of the
Commonwealth of Virginia against the appellants for certain fines and Costs
particularly set forth in the transcript of the record be quashed for the
reason that there is misarrest in the Cause included in said execution the
sum of seventy-three dollars and 36 cts (\$73.36) being for allowance to
attorneys for the Commonwealth erroneously taxed against the appellants, and
this Cause is now remanded to said County Court with instructions to direct
the issuance against the defendant in the execution set forth in the trans-
cript of the record an execution for the same sum for which the said
execution set forth in said transcript of the record originally issued less
the said sum of \$73.36 above held to be erroneously taxed against the appellants
A Copy Teste D. H. McManz Clerk

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday November 18. 1902.

Present Hon. George G. Gattan, presiding.

Commonwealth.

Upon an Appeal from the Judgment of a Justice for a Misdemeanor.
John E. Kuntz.

This day came the Attorney for the Commonwealth and the defendant John E. Kuntz in obedience to his recognizance entered into at the September term last of this Court, and thereupon came the following jury to wit: Adam M. Pifer J. James E. Bellhumer P. S. Frobaugh. Turner A. Brown J. Ward Myers J. D. Whitman Oscar B. Orelough L. R. Driver Wm. H. Bowman L. Starns J. E. Greener J. R. Magalis who being elected and tried were sworn well and truly to try the issue joined and a true verdict render according to the evidence and not having time fully to hear the evidence were adjourned until tomorrow morning at 9 O'clock.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday November 19. 1902.

Present Hon. George G. Gattan, presiding.

Presenting purporting to be the last will and testament of Geo. H. Rosenberger deceased together with Codicils thereto annexed and made part of said will were this day presented in Court. And it appearing to the Court that F. E. Keyes one of the subscribing witnesses to the Codicils to said will resides out of this State and in the City of New York. On motion of Mrs. Amelia K. Rosenberger the Executrix named in the said will it is ordered that a Commission issue to Chas. F. Thompson a Notary Public residing in the City of New York to take the deposition of the said F. E. Keyes in accordance with and in pursuance of Section 2537 of the Code of Virginia and for said purpose leave is given the said Executrix to withdraw the said will, ^{recording same} leaving an attested copy with the clerk of this Court.

Commonwealth.

Upon an Appeal from the Judgment of a Justice for Misdemeanor.
John E. Kuntz.

This day came again the Attorney for the Commonwealth and the defendant in person and by Counsel. And thereupon came the jury impaneled and sworn on yesterday for the trial of this Cause pursuant to their adjournment and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and not having agreed upon a Verdict were adjourned until tomorrow morning at 10 O'clock.

On motion of the Commonwealth the Court ordered that the case be continued until the next term of the Court.

Present Hon. George G. Bathan, presiding.

Commonwealth.
@ } upon an appeal from the judgment of a Justice for Misdemeanor.
John E. Kovatz

On the motion of H. F. Myers, a creditor the Estate of Margaret J. Ray, dec'd, is committed to John L. Sautzer, Sheriff of Rockingham County, for Administration, it appearing to the Court that more than two months have elapsed since her death without administration upon her estate.

Pliff

Deft.

It being suggested to the Court that R. H. Niles the plaintiff in the foregoing Cause has departed this life, and that O. B. Roller has been appointed and qualified as his Executor, It is ordered that this Cause be revived and proceed hereafter in the name of said Executor as plaintiff.

On the motion of Jeremiah M. Nizer, and it appearing to the Court from evidence introduced that he is a regularly ordained Minister in the Baptist Church and authorized to Celebrate the Rites of Matrimony, he appeared in Court and together with Riley Beck and Adolphus Nizer his Sponsors who justified as to their sufficiency entered into and acknowledges a bond in the penalty of One Hundred dollars conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

Dand Hollar. } Upon an Indictment for Felony

This day came the Attorney for the Commonwealth and the defendant and Hollan, in obedience to his recognizance, and on motion of the Attorney for the Commonwealth for reasons appearing to the Court the trial of this case is continued until Monday morning next being November 25th 1902 and thereupon the Jurors summoned for his trial were adjourned until said date, and thereupon Charles

Viney John Viney, William Strother Charles H. White, ^{and Black} D. D. Patton, Frank Miller, J. P. Key, R. B. Hall to be sureties in the behalf of the Commonwealth and H. H. King, Gardner Walter, Deputy, H. R. Bowman, L. K. Kerner, William Smith, Joseph Carter, sureties in behalf of the defendant, appeared in Court and each acknowledges themselves to be indebted to the Commonwealth of Virginia in the sum of \$50 each, to be levied of their respective goods and chattels, lands and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of the Homestead Exemption as to this obligation, also waiving any claim or right to pay any liability arising to the Commonwealth under this recognizance, with Ciphers detached from the bonds of this State. Yet upon this Condition that they each make their personal appearance before the Judge of this Court on the said 7 day day of this present term of the Court being November 24, 1902, as sureties as aforesaid and not depart thence without leave of the Court. And the Court doth award an attachment against Adolph Pickney, a surety on behalf of the Commonwealth returnable to said date for his failure to appear here this day as a surety as aforesaid in obedience to his recognizance. And on the motion of the said David Hollar, the Court doth permit him to renew his bail for his appearance at said date. Whereupon the said David Hollar, with Benken Hollar his surety (who justified as to his sufficiency) acknowledges themselves to be indebted to the Commonwealth of Virginia in the sum of \$50 each to be levied of their respective goods and chattels, lands and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of their Exemption as to this obligation also waiving any claim or right to discharge any liability arising to the Commonwealth under this recognizance, with Ciphers detached from the bonds of this State. Yet upon this Condition that the said David Hollar does make his personal appearance before the Judge of this Court on the said 7 day day of this present term of the Court being November 24, 1902, to answer the said Indictment against and not depart thence without leave of the Court.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. H. H. H.

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday November 21st 1902

Present Hon. George G. Nathan presiding

Commonwealth

George F. Adeley } upon an Indictment for Felony.

This day came the Attorney for the Commonwealth and the Defendant George F. Adeley in obedience to his recognizance entered into at the October Term last of this Court. And on motion of the Attorney for the Commonwealth for reasons appearing to the Court the trial of this Cause is continued until the 2nd day of the December Term next of this Court being December 16, 1902. And thereupon Geo. H. Dager, Jacob L. Evans, sureties in behalf of the Commonwealth, Miller Williams, Turner Smith, Morris Rinker, John Dager, George P. Williams, John M. Campbell and David Miller, sureties in behalf of the defendant appeared in Court and each acknowledges themselves to be indebted to the Commonwealth of Virginia in the sum of \$50 each to be levied of their respective goods and chattels, lands and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of their exemption as to this obligation also waiving any claim or right to discharge any liability arising under this recognizance, with Ciphers detached from the bonds of this State. Yet upon this Condition that they each make their personal appearance before the Judge of this Court on the said 2nd day of the December Term next of this Court.

being December 16. 1902 as witnesses as aforesaid and not depart thence without leave of the Court.
 And On the motion of the said George Fadelay the Court doth adjudge him to answer his bail in the sum of \$300⁰⁰ for his appearance at said date, and the said George Fadelay being under the age of twenty-one years Augustine Helter and Newton Helter his sureties (who justified as to their sufficiency) acknowledge themselves to be indebted to the Commonwealth of Virginia in the sum of \$300⁰⁰ jointly to be levied of their respective goods and chattels land and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of their Homestead exemption as to this obligation, also waiving any claim or right to discharge any liability arising to the Commonwealth under this reorganization with Coupons detached from the bonds of this State yet upon this Condition that the said George Fadelay does make his personal appearance before the judge of this Court on the said 2nd day of the December Term next of this Court being December 16. 1902 to answer the said Indictment against him and not depart thence without leave of the Court.

On the Application of Mrs L. Shoemaker others for the ^{change} establishment of a Public Road.
 This day came Mrs L. V. Minger, one of the land owners upon the proposed change of road ordered to be opened in this Cause by a former order of this Court, and not making any objection to the opening & widening of the road as heretofore ordered, but claiming that she has not been allowed just Compensation for the land taken from her and the damages to the residue of the tract, beyond the pecuniary benefits to be derived in respect to such residue from the opening & construction of said road as proposed. And it appearing to the Court that the said L. V. Minger has never been made a party by proper notice and that she has a right to have said Compensation ascertained by Commissioners in accordance with law, doth upon her motion appoint Samuel J. Miller J. M. Kennedy, A. B. Glick G. E. Miller G. H. Snell Commissioners to go upon the land of said L. V. Minger proposed to be taken for said road as shown by the report of Viewers, upon the 25 day of November 1902, and ascertain and report what will be a just Compensation to the said L. V. Minger & report thereon in accordance with law.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock
 Geo. S. [Signature]

Virginia - Pt a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday November 23rd 1902

Present Hon George G. Galtan, presiding.

A. J. Thompson Peff }
 D. H. Brock Deft. } Upon a Warrant removed from before a Justice

This day came the parties in person and by Counsel, and it appearing to the Court that all matters in controversy in this Cause have been settled, It is ordered that this Cause be dismissed each party to pay his own Costs.

Ordered that this Court be adjourned until Monday morning next at 10 O'clock
 Geo. S. [Signature]

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday November 24. 1902.

Present Hon. George G. Gattan, presiding

Commonwealth

David Hollar. } Upon an Indictment for Felony.

This day came ^{against} the Attorney for the Commonwealth, and the defendant David Hollar in obedience to his recognizance entered into at a former day of this term, and being thereof arraigned pleaded not guilty to the said Indictment, and four persons summoned by the Sheriff under a writ of Habeas Facias from a list furnished him by the Court of persons residing remote from the place where the offense is charged to have been committed and duly qualified in all other respects to serve as jurors there was selected a panel of fifteen persons, who were examined by the Court and found to be free from exceptions, and thereupon from this panel the persons struck four, and the remaining twelve were selected to constitute the jury to wit: J. P. Earman, W. R. Begon, D. J. Myers, J. S. Ewing, P. R. Crakley, J. N. Miller, D. P. Shifflett, W. F. Perry, J. K. P. Earman, J. H. Rolston, Samuel S. Brumentrait, D. J. Myers, J. who being thus elected and tried were sworn well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their oath do say that the jury find the prisoner David Hollar not guilty James K. P. Earman Foreman whereupon the jury was discharged. And it is considered by the Court that the prisoner be discharged and go hence without day or.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday November 25. 1902.

Present Hon. George G. Gattan, presiding

John Kuciley, Plff.

George M. Call, Deft. } Upon a Warrant removed from before a Justice.

This day came the plaintiff and defendant in person and by Counsel. And thereupon the defendant filed his plea of Non detinet, to which the plaintiff replied generally. And thereupon by Consent of parties came the following jury of seven to wit: Adam M. Pifer & James G. Bellhimer, P. S. Doolough, J. Ward Myers, J. D. Whitman, J. N. Caldwell, J. H. Skunkel who being elected and tried were sworn well and truly to try the issue joined and a true verdict render according to the evidence and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their oath do say that the jury upon the issue joined find for the defendant J. N. Caldwell Foreman, whereupon the jury was discharged. And it is considered by the Court that the plaintiff take nothing by his bill, but for his false claim he is merced, and that the defendant go thereof without day and recover against the plaintiff his Costs.

by him about his defence in this behalf expended

Ordered, that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday November 26, 1902.

Present Hon George G. Gattan, presiding.

Commonwealth.

vs. Charlie Joseph alias Cassin Isrod } upon an Indictment for felony.

This day came again the Attorney for the Commonwealth, and the prisoner Charlie Joseph alias Cassin Isrod was again led to the bar of the Court in Custody of the jailer of the Court. And it appearing to the Court that the prisoner is a foreigner and unable to speak or fully understand the English language. On the motion of the prisoner Joseph Hammond was duly sworn to interpret all matters necessary to be interpreted upon the trial of the said Charlie Joseph alias Cassin Isrod, and thereupon the prisoner moved the Court to quash the Indictment and demurred thereto on the ground that it does not sufficiently set forth the Crime of an attempt to Commit rape and being requested by the Court to state more specifically his ground of objection & demurrer declined to do so, and thereupon the Court overruled the motion to quash and also the demurrer. And the said Charlie Joseph alias Cassin Isrod being thereof arraigned pleaded not guilty to the said Indictment, and from persons summoned by the Sheriff under a writ of Habeas Facias from a list furnished him by the Court of persons residing remote from the place where the offence is charged to have been committed and duly qualified in all other respects to serve as jurors there was selected a panel of sixteen persons who were examined by the Court and found to be free from exceptions. And thereupon from this panel the prisoner struck four, and the remaining twelve were selected to constitute the jury to wit: J. N. Caldwell, J. H. Henkle, George Miller, J. B. Earman, H. R. Begon, J. S. Ewing, J. M. Miller, J. K. P. Earman, Adam M. Pifer, Jr., James G. Billhimer, P. S. Doolough & J. D. Whitmore, who being thus elected and tried were sworn well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court, and having fully heard the evidence but not having time to hear the argument of Counsel were adjourned until tomorrow morning at 9 O'clock. And were placed in charge of John D. Sutzger Sheriff of Rockingham County and H. C. Sutzger his deputy to whom was administered an Oath that you shall keep this jury together and have no communication with them yourselves nor permit any other person to converse or have any communication with them touching this trial during the trial of this Cause and Cause them to appear in Court on tomorrow morning at 9 O'clock So help you God. And thereupon the prisoner was remanded to jail.

Ordered that this Court be adjourned until tomorrow morning at 9 O'clock.

Geo. G. Gattan

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday November 27th 1902.

Present Hon. George G. Gathran presiding.

Commonwealth.

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Upon an Indictment for felony

Charles Joseph alias Cassini Isrod.

This day came again the Attorney for the Commonwealth, and the prisoner Charles Joseph alias Cassini Isrod, was again led to the bar of the Court in custody of the Jailor of this Court. And thereupon came the jury impeached and sworn on yesterday for his trial pursuant to their adjournment and having fully heard the Argument of Counsel retired to their room to consider their verdict and after sometime again appeared in Court and upon their oath do say that the jury find the prisoner Charles Joseph alias Cassini Isrod, guilty of an attempt to Commit Rape in manner and form as charges in the Indictment and ascertain his punishment at Confinement in the Penitentiary for seven years. Geo. Miller Foreman, whereupon the jury was discharged.

And thereupon the prisoner moves the Court to set aside the verdict of the Jury and grant him a New trial upon the grounds that it is Contrary to the law and the evidence, and in arrest of Judgment, which motions the Court doth take time to Consider. And thereupon the prisoner was remanded to jail.

Ordered. That the Commonwealth of Virginia pay unto the following named persons the sum opposite their names for the Attendance Mileage and Services as Jurors for the Commonwealth upon the trial of a Misdemeanor Case at this term of the Court and that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts Viz:

Name of Juror.	Days	Miles	Total	Name of Juror.	Days	Miles	Total
✓ Adam M. Pifer Jr.	3	48	4 92	✓ J. D. Whittem	✓ 3	33	4 32
✓ James G. Bellhumer	3		3 00	✓ Samuel S. Bementmt	✓ 1	14	1 56
✓ P. S. Jorlaugh	3	66	5 64	✓ R. B. Donwei	✓ 3		3 00
✓ Calvin B. Denton	1	16	1 64	✓ H. H. Bowman	✓ 3		3 00
✓ J. Hard Myers	3	48	4 92	✓ G. R. Stearn	✓ 3	30	4 20
✓ Oscar B. Orelaugh	3	75	6 00	✓ J. R. Greener	✓ 3		3 00
✓ H. R. H. Messick	1	14	1 56	✓ J. R. Magalis	✓ 3		3 00
✓ Turner R. Brown	3	60	5 40				

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum opposite their names for their Attendance Mileage and Services as Jurors for the Commonwealth upon the trial of Felony Cases at this term of the Court, and that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts Viz:

Name of Jurors	Days	Miles	Total	Names of Jurors	Days	Miles	Total
✓ Adam M. Pifer Jr.	3	32	4 28	✓ J. R. Greener	✓ 1		1 00
✓ James G. Bellhumer	3		3 00	✓ J. R. Magalis	✓ 1		1 00
✓ P. S. Jorlaugh	3	44	4 76	✓ J. B. Eaman	✓ 4	48	5 68
✓ Calvin B. Denton	1	16	1 64	✓ H. R. Pagon	✓ 4	33	5 32
✓ J. Hard Myers	2	32	3 28	✓ J. M. Caldwell	✓ 4	54	6 16
✓ Oscar B. Orelaugh	1	25	2 00	✓ J. M. Heukel	✓ 4	42	5 68
✓ H. R. H. Messick	3	42	4 68	✓ O. J. Myers	✓ 3	12	3 48
✓ Turner R. Brown	2	40	3 60	✓ J. L. Ewing	✓ 4	18	4 72
✓ J. D. Whittem	3	22	3 88	✓ P. R. Cratley	✓ 2	24	2 96
✓ Samuel S. Bementmt	2	28	3 12	✓ J. N. Miller	✓ 4	48	5 92
✓ R. B. Donwei	1		1 00	✓ D. P. Shifflett	✓ 3	36	3 28
✓ H. H. Bowman	2		2 00	✓ H. F. Perry	✓ 2	4	2 16
✓ G. R. Stearn	1	10	1 40	✓ J. R. Eaman	✓ 4	42	5 68
✓ George Miller	4	60	6 40	✓ J. R. Greener	✓ 2	16	2 64
				✓ O. J. Myers Jr.	✓ 3	6	3 24

On the application of Peter D. Ripley & others, for the Establishment of a Public Road

This day came again the parties and the Court having ^{viewed} the evidence and having considered the same with report of Viewers and the written proposition of B. J. Brock, one of the land-owners on the route of the proposed road, filed with the papers, is of opinion that the proposed road ought to be established as a public road, and that it should be established upon the route shown on the plat by the red dotted line, doth establish the same upon said route, and doth allow the sum of \$75⁰⁰ for the Construction of the necessary fences on the County farm, and to B. J. Brock the sum of \$370⁰⁰ being the amount agreed to be accepted by him in his written proposition for this route and to D. N. Washington trustee for Addie C. Washington the sum of \$106⁰⁰ as allowed by the viewers, and the Court doth appropriate the sum of \$250⁰⁰ for the Construction of said road and Culverts, all of which is Certified to the Board of Supervisors of this County for its approval or disapproval.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof, on Friday November 28th 1902.

Present Hon. George G. Gattan presiding

On the motion of Josephine Hollingsworth, widow of D. B. M. Hollingsworth, dead, who made oath thereof according to law, and appeared in Court and together with John E. Roller and O. B. Roller her trustees (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, Conditioned according to law. A Certificate is granted the said Josephine Hollingsworth for obtaining letters of Administration in due form upon the estate of the said D. B. M. Hollingsworth, dec'd. And the Court doth appoint M. B. Caldwell Wm. J. Potts, J. H. Meff, and Ed. K. Martz, to appraise the Estate of the said D. B. M. Hollingsworth dec'd. any three of whom may act after first being duly sworn. And it is entered of record that the amount of her duty to come into the hands of the said Administration was estimated not to exceed the sum of \$1000⁰⁰.

On the motion of B. G. Stephens, the Estate of Mrs. Mary E. Stephens, dead, is committed to Jno. A. Sinton, Sheriff of Rockingham County for Administration, it appearing to the Court that more than sixty days have elapsed since her death without application for Administration upon her estate. And the Court doth appoint John E. Dool, J. L. Dumbert, B. B. Huraw, G. W. Reber to appraise the estate of the said Mary E. Stephens dec'd. any three of whom may act after first being duly sworn.

L. P. Under Justice of the Peace this day paid into Court the sum of \$7⁰⁰ it being the amount of his judgment for fine rendered by him on Oct. 28th 1902. as follows: Lemuel M. Caldwell & Israel M. Ingold for abusive language \$5⁰⁰ and Sam. & Frank Fink for violation of the Sabbath \$2⁰⁰.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday November 29 1902.

Present Hon. George G. Gallam presiding

Ordered That this Court be adjourned until Monday morning next at 10 O'clock

Geo. G. Gallam

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday December 1 1902

Present Hon. George G. Gallam presiding

Whitmore Bros. Plffs.

L. H. Whitmore

Deft.

Upon an appeal from the judgment of a Justice

This day came the parties in person and by Counsel, and thereupon the Defendant filed his plea of Not guilty, to which the plaintiffs replied originally and thereupon by Consent of parties came the following jury of seven to wit: Adam M. Pifer Jr. P. S. Drabough J. Hard Myers Sumner R. Brown J. H. Hinkle D. J. Myers and J. R. Caldwell, who being elected and tried were sworn well and truly try whether the defendant unlawfully withhold from the plaintiff possession of the property in the writ in this cause mentioned to wit: A Certain blacksmith shop situated on Federal Alley in Harrisonburg in said County and whether he did so unlawfully withhold possession thereof at the date of the issuance of the writ in this cause to wit: October 2 1902, and a true verdict render according to the evidence, and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their oath do say we the jury find the defendant not guilty J. R. Caldwell, Foreman, whereupon the jury was discharged. And it is considered by the Court that the plaintiffs take nothing by their bill, but for their false clamour be in mercy, and that the defendant go thereof without day and recover against the plaintiffs his Costs by him about his defence in this behalf expended.

Ordered That the following names persons be allowed the sum opposite their names for their attendance mileage and services at this term of the Court as Petit Jurors and that the same be certified to the Treasurer of this County for payment viz

Names of Jurors	Days	Miles	Total	Names of Jurors	Days	Miles	Total
✓ Adam M. Pifer Jr.	3	48	492	✓ J. R. Caldwell	✓ 2	36	344
✓ James G. Bellhumer	2		200	✓ J. H. Hinkle	✓ 2	28	312
✓ P. S. Drabough	3	66	564	✓ D. J. Myers	✓ 1	4	116
✓ J. Hard Myers	4	64	656	✓ D. J. Myers Jr.	✓ 2	4	216
✓ H. R. L. Meenick	3	42	468	✓ J. L. Meenick	✓ 1	10	140
✓ Sumner R. Brown	2	40	360	✓ J. L. Meenick	✓ 1		100
				✓ J. R. Magahis	✓ 1		100

On the motion Lawrence L. Garland, and it appearing to the Court from evidence introduced that he is a regularly ordained Minister in Baptist Church and Authorized to Celebrate the Rites of Matrimony, he appeared in Court and together with Speer P. Farrell and J. M. Randall his Sureties who justified as to their sufficiency entered into and acknowledged a bond in the penalty of Five Hundred dollars Antelimus according to law and thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

On the application of J. H. Whitesell others for the Establishment of a Public Road
 This day came the parties, and the Viewers heretofore appointed having made and filed their report recommending the establishment of the said road. It is ordered that the following named persons, land-owners along the route of said proposed road, be summoned to appear here on the 1st day of the December Term next being December 15, 1902, to show Cause if any they can why the road prayed for in this Cause shall not be established through their land agreeably to the report of the Viewers aforesaid. N. J. Isaac Miller, H. E. Botton, J. N. Falls, R. E. Painter & L. Keller.

W. J. Callender, Road Commissioner for Bellby District in this County having reported to the Court that owing to the high waters last Spring a section of the road leading from Hilberts Shop to blum along Haggy Creek was entirely washed away and that he had succeeded in having the said road repaired at a cost of \$117.⁰⁰ and it appearing to the Court that said work was a public necessity. It is ordered that the Treasurer of this County pay unto Morris Perry & Son the Contractors for said work \$110.⁰⁰ and to the said W. J. Callender the sum of \$7.⁰⁰ amount paid by him for work. All of which is ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

W. J. Callender, Road Commissioner for Bellby District in this County having reported to the Court the expenditures on the part of the County of Rockingham for lumber spikes and labor on Bridge across North River at Rockland Mills. And it appearing to the Court that said work was necessary. It is ordered that the Treasurer of this County pay unto J. D. Campbell the sum of \$11.⁰⁰ to J. Hook Meyercheffer \$5.²⁵ all of which is ordered to be Certified to the Board of Supervisors of Rockingham County for its approval or disapproval.

On the application of L. J. Keller others for the Establishment of a Public Road.

W. J. Callender Road Commissioner for Bellby District having reported to the Court that J. R. Dutwiler the Contractor for opening and construction of the said road has nearly completed his Contract it is ordered that he be paid the sum of \$150.⁰⁰ it being one half of the Contract price. And that a warrant be issued upon the Treasurer of this County for the payment of the sum out of the funds appropriated for the purposes of said road.

On the Application of H. L. Shoemaker others for the Establishment of a Public Road.

W. J. Callender Road Commissioner for Bellby District having reported to the Court that J. R. Dutwiler the Contractor for opening and construction of the said road has completed sufficient of said road to justify the payment of one half of the amount due upon his Contract. It is ordered that a warrant be issued upon the Treasurer of this County payable to the said J. R. Dutwiler for the sum of \$125.⁰⁰ out of the funds appropriated for the opening of the said road.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. E. Callender

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday December 2, 1902

Present Hon. George G. Galtman, presiding

This day came Jacob D. Delick Guardian for John S. Delick, who alleges that he is aggrieved by an entry in the Personal Property Book made by E. L. Dutwiler Commissioner of the Revenue for District Bellby in Rockingham County for the year 1901 page 52, line number 13, whereby he is charged with four dollars and

forty cents State Taxes and Eight dollars and fifty-eight cents County Taxes for the year 1901 on Monies And thereupon the said Jacob D. Blich as Guardian aforesaid moved the court to exonerate him from the payment of four dollars and forty cents of the State Taxes and Eight dollars and fifty-eight cents of the County Taxes so erroneously charged against him for said year; which motion was defended by Geo. H. Leonard the Attorney for the Commonwealth for said County, and the said E. L. Dittwiler the Commissioner who made the assessment and W. F. Johnson Examiner of Records were examined as witnesses touching the application. And it appearing that the said book, in which said alleged erroneous entry has been made, was delivered to the Treasurer of the said County on the 30th day of July, 1901, and that application for redress was made on this day for the first time; and that the erroneous assessment was not caused by the failure or refusal of the applicant to furnish the Commissioner on oath, with the necessary information as required by law, and it appearing that some time previous to said assessment the said Jacob D. Blich had settled his account as such guardian and paid over to him the amount due before February 1st 1901. All which the court certifies as facts proved upon the application aforesaid, on consideration whereof, and from such facts so proved, the court is satisfied that the said Jacob D. Blich as guardian is erroneously charged in said book with State Taxes amounting to four dollars and forty cents and with County Taxes amounting to Eight dollars and fifty-eight cents. Whereupon it is ordered that the said Jacob D. Blich Guardian for John D. Blich be exonerated from the payment of four dollars and forty cents, State Taxes and Eight dollars and fifty-eight cent County Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him, together with the penalty thereon.

This day came Rebecca Shultz, who alleges that she is aggrieved by an entry in the Land Book made by Jacob L. Kenger Commissioner of the Revenue for Lincoln District, in Rockingham County, for the year 1901, pages 35 & 36 lines number 29 & 1 whereby she is charged with Eighty-eight cent State Taxes and One dollar and fifty-seven cent County Taxes for the year 1901 on two tracts of land containing $12\frac{1}{4}$ A. & $10\frac{1}{4}$ A. respectively described as lying at Cherry Grove in the Brush. And thereupon the said Rebecca Shultz moved the court to exonerate her from the payment of thirty-two cents of the State Taxes and sixty-two cent of the County Taxes so erroneously charged against her for said year; which motion was defended by Geo. H. Leonard the Attorney for the Commonwealth for said County, and the said Jacob L. Kenger, the Commissioner who made the assessment, was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the 25th day of September, 1901, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that by deed Recorded February 17, 1896 Jos. B. Mitchell conveyed to Rebecca Shultz 2 A. Rebecca D. Smith in same deed conveyed $10\frac{1}{4}$ Acres of land which was duly transferred to Rebecca Shultz aforesaid by deed recorded Feb. 26, 1900 the heirs of Rebecca D. Smith or Jos. Smith in order to perfect the title to said $10\frac{1}{4}$ A. conveyed All their right title and interest in said $10\frac{1}{4}$ A. and it was again assessed to the said Rebecca Shultz. All of which the court certifies as facts proved upon the application aforesaid. On consideration whereof, and from such facts so proved, the court is satisfied that the said Rebecca Shultz is erroneously charged in said book with State Taxes amounting

to Thirty-two cents and county Taxes amounting to sixty-two cents. Whereupon, it is ordered that the said Rebecca Shultz be exonerated from the payment of Thirty-two cents State Taxes and sixty-two cents county Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to her together with the penalty thereon.

This day came Rebecca Shultz who alleges that she is aggrieved by an entry in the Land Book made by Jacob L. Wenger Commissioner of the Revenue for Linville District, in Rockingham County, for the year 1902 page 35 lines Number 31 & 32, whereby she is charged with Ninety cents State Taxes and One dollar and Eighty cents county Taxes for the year 1902 on two tracts of land containing $12\frac{1}{4}$ & $10\frac{1}{4}$ Acres respectively, described as lying at Cherry Grove in the Parish. And thereupon the said Rebecca Shultz moved the Court to exonerate her from the payment of Thirty-two cents of the State Taxes and sixty-five cent county Taxes so erroneously charged against her for said year; which motion was defended by Geo N. Conrad the Attorney for the Commonwealth for said county, and the said Jacob L. Wenger the Commissioner who made the assessment, was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said county on the 11. day of September, 1902, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that by Deed Recorded February 17, 1896 Jos. H. Mitchell conveyed to Rebecca Shultz 2 A. Rebecca S. Smith in same deed conveyed $10\frac{1}{4}$ acres of land which was duly transferred, & Rebecca Shultz afterwards by deed Recorded February 26, 1900 the heirs of Rebecca S. Smith & Jos. Smith in order to perfect the title to said $10\frac{1}{4}$ A. conveyed all their right title and interest in said $10\frac{1}{4}$ A. and it was again assessed to the said Rebecca Shultz. All which the Court certifies as facts proved upon the application aforesaid, on consideration whereof, and from such facts so proved, the Court is satisfied that the said Rebecca Shultz is erroneously charged in said book with State Taxes amounting to thirty-two cents & county Taxes amounting to sixty-five cents. Whereupon, it is ordered that the said Rebecca Shultz be exonerated from the payment of Thirty-two cents State Taxes and sixty-five cent county Taxes so erroneously charged, if not already paid and if paid, that it be refunded to her together with the penalty thereon.

Ordered that this Court be adjourned until tomorrow morning at 10th O'clock.

Geo. H. Hutton

Virginia at a County Court continued and held in and for the County of Rockingham at the Court House thereof on Wednesday December 3, 1902.

Present Hon. George G. Gratian Presiding

Settlement of the Account of Jacob S. Geil Adm. of the Est. of Henry Andes decd.

" " " David Union Brunk Exors. of Daniel Brunk decd.

" " " Ann L. Paugher Guardian of Rebecca J. Paugher

" " " Geo. E. Rife Agent & atty in fact for Devisors of J. P. Brock decd. 27

copy.

for the Commonwealth is entitled to the sum of \$20. for presenting two felony cases at this term of the Court
viz Commonwealth v David Heller for larceny \$100 - same v Charles Joseph alias Cassin Isod for Rape \$100
being done to 1000

Hiram Long infant son of James Long deceased, over the age of fourteen years
this day appeared in Court and made choice of John Henry Long as his
Guardian, the Court doth appoint him as such Guardian, whereupon he
appeared in Court, and together with John Jarrels his surety (who satisfied
the Court as to his sufficiency) entered into and acknowledged a bond
in the penalty of \$500 conditioned according to law and thereupon he
qualified as such Guardian by taking the oath required by law
it appearing to the said Court that the said ward has not property and that the object
of this qualification is to obtain a marriage license

James Bailey G. Frank Bailey Charles H. Bailey.
and James Bailey partners trading as James Bailey & Co. } upon a Notice.

H. A. Vaughan. Deft.
This day came again the plaintiff by their Counsel, and it appearing to the Court that the defendant
has had due notice of this motion, and being solemnly called came not, and the Court having
been and inspected the papers doth consider that the plaintiff recover of the defendant the sum of
One hundred dollars with legal interest thereon from the 30 day of July 1901 until paid and
then Costs about their suit in this behalf expended

Commonwealth.
D. S. Lewis Jr. Charles D. Hammer M. H. Jansen. } upon an Appeal from the Judgment of D. M. Smitzer
J. L. Davis John F. Lewis and E. L. Deshaerts Charles Fletcher } Mayor of the Town of Haverhill and Ex Officio J. J.

This day came again the Attorney for the Commonwealth, and it is considered by the Court
that the writ of this Court since an execution against the defendants in accordance
with the order of the Circuit Court of this County, a copy of which was entered upon
the minutes of this Court on the first day of this present term of the Court.

Commonwealth.
Charles Joseph alias Cassin Isod. } upon an Indictment for Felony.

This day came again the Attorney for the Commonwealth, and the prisoner Charles Joseph
alias Cassin Isod, was again led to the bar of the Court in custody of the Jailor
of this Court, and the Court having maturely considered the motions of the prisoner
to set aside the verdict of the jury and grant him a new trial upon the grounds that
it is contrary to the law and the evidence and in arrest of judgment, doth overrule
said motions. And it being enquired of the prisoner if anything further he had or
knew to say why the Court should not now proceed to pronounce judgment against
him according to law, and nothing further being offered or alleged in delay of judgment
it is considered by the Court that the said Charles Joseph alias Cassin Isod be imprisoned
in the Public Jail and Penitentiary house of this Commonwealth for the term of seven years
that being the period by the jurors in their verdict ascertained to hard labor, and the
proper officer is ordered as soon as possible after the adjournment of this Court to remove
and convey the said Charles Joseph alias Cassin Isod from the Jail of this County to the Public
Jail and Penitentiary house of this Commonwealth there to be kept imprisoned and treated in
the manner prescribed by law for the term aforesaid.

Now Be it remembered that upon the trial of this Cause the prisoner excepted to certain rulings of the Court and tendered his eight bills of exceptions which he prays may be signed sealed and enrolled and made a part of the record in this Cause which is done accordingly. And on the further motion of the prisoner the execution of the sentence in this Cause is suspended for sixty days and thereupon the prisoner was remanded to jail.

Ordered that this Court be adjourned until the first day of the next term -
Geo. E. Gathen

Virginia - At a County Court held in and for the County of Rockingham at the Court House thereof on Monday December 15. 1902.

Present. Hon George G. Gathen, presiding.

The Clerk of this Court this day presented in Court a list of Dads re. received and admitted to record at the Clerk's Office of this Court at and since the last November term, which list being seen and inspected by the Court is ordered to be filed.

On the motion of S. H. Swank, who made oath thereof according to law. And appeared in Court and together with G. H. Shaffer his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars. Conditioned according to law. A Certificate is granted the said S. H. Swank for obtaining letters of Administration in due form upon the estate of Barbara Swank dead. and it is entered of record that the amount of property to come into the hands of the said administrator was estimated not to exceed the sum of \$250⁰⁰.

On the motion of H. E. Swank the Court doth appoint J. N. Swank Guardian for Fleda Maude Swank infant daughter of the said H. E. Swank under the age of 14 years. whereupon the said J. N. Swank appears in Court and together with H. E. Swank his surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of Eight hundred dollars. Conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

On the motion of Simon Heatwole. And it appearing to the Court that he is a regularly ordained Minister in the Methodist Church and Authorized to Celebrate the Rites of Matrimony he appeared in Court and together with Samuel D. Heatwole his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five hundred dollars. Conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

A writing purporting to be the last Will and Testament of Wm P. Looker dead. was this day presented in Court and being proven by the Oaths of J. H. Brill and J. H. Wolfe the Subscribing witnesses thereto, is admitted to probate and ordered to be recorded. And thereupon On the motion of Sarah Frances Looker the Executrix named in the said will who made oath thereof according to law. And appears in Court and entered into

and acknowledged a bond in the penalty of Three Thousand dollars conditioned according to law. A Certificate is granted the said Sarah Frances Loker for obtaining a probate of the said will of Wm. P. Loker decd. in due form. And the Court doth appoint J. M. Phill, Charles Hamon, Ed. E. Coffman, L. H. Bruce, J. M. Lamb to appraise the estate of the said Wm. P. Loker decd. any three of whom may act after first being duly sworn. And it is ordered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1600. The said will providing that no security be required of the said Executors.

On the motion of Benj. F. Bowman, and it appearing to the Court from evidence introduced that Daniel Bowman is a person of unsound mind, the Court doth appoint the said Benj. F. Bowman Committee for the said Daniel Bowman, whereupon he appeared in Court and together with R. J. Miller and Joseph M. Bowman his sureties who justified as to their sufficiency entered into and acknowledged a bond in the penalty of Four Thousand dollars, conditioned according to law. And thereupon he qualified as such Committee by taking the Oath required by law.

W. B. Lane Justice of the Peace this day paid into Court the sum of \$22.⁵⁷ it being the amount of a judgment for fine rendered by him on the 11 day of December 1902 in the case of the Commonwealth vs. Joseph Tice for Assault & Battery.

A writing purporting to be the last will and testament of John T. Russell, decd. was this day presented in Court and being proven by Robert E. O'Rourke one of the subscribing witnesses thereto is continued for further proof.

The Baltimore Building Loan Association of Baltimore City, &c. Plffs.

Elizabeth Lewis and James Lewis her husband, &c. Defts. } Upon a Notice

This day came The Baltimore Building & Loan Association, a Corporation and Rud. M. Robinson Randolph Barton and John T. Harris Receivers of said Corporation by Counsel, and moved the Court to appoint D. N. Haas in the place of Wm. L. Hancey, decd. as trustee in a certain deed of trust dated the 17 day of February 1894, and of record in the Clerk's Office of this Court in Deed Book No 48, at page 316, &c. whereby the said Elizabeth Lewis and James Lewis her husband, conveyed to the said Wm. L. Hancey as Trustee to secure the payment of a certain indebtedness to the said The Baltimore Building & Loan Association of Baltimore City, that certain lot with buildings thereon situated in the town of Harrisonburg, Virginia, on the East side of Blacks Run, which was conveyed to the said Elizabeth Lewis by Peggy Gibson Esq. and others by deed of July 11, 1881, which is of record in said Clerk's Office in Deed Book No 19 at Page 478, the same lying in the block between Wolfe and Rock Streets and adjoining a lot formerly owned by Mrs. Flynn and the lot owned by Mrs. J. M. Kent. And it appearing to the Court that legal and timely notice of this motion has been served upon the said Elizabeth Lewis and James Lewis her husband and upon Mary A. Hancey Adm^r of said Wm. L. Hancey decd. And no one appearing in opposition to the motion, the Court doth therefore appoint the said D. N. Haas as Trustee in the place of the said Wm. L. Hancey decd. in the deed of trust aforesaid.

This day came J. L. Miller who alleges that he is aggrieved by an entry in the General Property Book made by Jacob K. Henger, Commissioner of the Revenue for Lincoln District in Rockingham County for the year 1901, Page 19 line Number 9 whereby he is charged with One Dollar and Sixty one Cents State Taxes and Three dollars and One Cent County taxes for the year 1901. And thereupon the said J. L. Miller moves the Court to exonerate him from the payment of One Dollar and Sixty one Cents the State Taxes and Three dollars and one Cent County taxes for erroneously charges against him for said year which motion was defended by Geo. N. Leonard the Attorney for the Commonwealth for said County and the said Jacob K. Henger the Commissioner who made the assessment.

was examined as a witness touching the application. And it appearing to the Court that the said book, in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the 28 day of July 1901 and that application for redress was made on this day for the first time and that the erroneous assessment was not caused by the failure or refusal of the applicant to furnish the Commissioner on oath with the necessary information as required by law, and it appearing that the property was included in an assessment in Central District on page 17 at line no 18 ^{which has been paid} All which the Court certifies as facts upon the application aforesaid. On Consideration whereof and from such facts do prove the Court is satisfied that the said J. L. Miller is erroneously charged in said book with State taxes amounting to One dollar and sixty one Cents and County taxes amounting to Three dollars and one Cent Whereupon it is ordered that the said J. L. Miller be exonerated from the payment of One dollar and sixty one Cents State taxes so erroneously charged if not already paid and if paid that it be refunded to him together with the penalty thereon.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. S. Harrison

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday, December 16, 1902

Present Hon. George G. Gathau, presiding.

Commonwealth.

George Fadelley } upon an Indictment for a Felony.

This day came the Attorney for the Commonwealth, and the defendant George Fadelley in person in obedience to his recognizance and by Counsel, and from persons summoned by the Sheriff under a writ of Habeas Corpus from a list furnished him by the Judge of persons residing remote from the place where the offense is charged to have been committed that duly qualified in all other respects to serve as Jurors there was selected a panel of sixteen persons who were examined by the Court and found to be free from exception and thereupon from this panel the prisoner stricken from and the remaining twelve were selected to constitute the jury. To-wit D. D. Blaser, F. P. Shovatter, P. A. Hartman, Peter Roller, S. R. Bonman, B. F. Saufley, A. J. Myers, R. D. Heaven, H. J. Denton, Frederick Rodas, J. H. Kenney of H. Rhodes who being thus elected and sworn were sworn well and truly to try the true delinquency make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their Oath do say that the jury find the prisoner George Fadelley not guilty of the felony charged in the indictment but guilty of Petit Larceny in manner and form as charged in the Indictment and ascertain his punishment at Confinement in the County Jail for Sixty and five of Seventy dollars Peter Roller, Foreman. Whereupon the jury was discharged and the prisoner committed to the Custody of the Jailor of this Court.

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum affixed their names for one day's Attendance mileage and services as Jurors for the Commonwealth upon the trial of a Felony case at this term of the Court, and that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts viz: D. D. Blaser \$1.36 F. P. Shovatter \$1.36 P. A. Hartman \$1.36 Peter Roller \$1.52 R. L. Yancey \$1.72 S. R. Bonman \$1.64 J. A. Bonman \$1.24 B. F. Saufley \$1.26 A. J. Myers \$1.16 R. D. Heaven \$1.02 H. J. Denton \$1.40 Frederick Rodas \$1.02 John Hollar \$1.42 Thomas Kelle \$1.40 J. H. Kenney \$1.40 J. H. Rhodes \$1.02

Ordered. That the following names jurors be allowed the sum apparto their names for two days attendance mileage, i.e. at the January and November Term. 1902. respectively as Petit Jurors. it appearing to the Court to the Court that the Clerk. inadvertently omitted the same from the list of Allowances. to Jurors. at said terms of the Court. and that the same be Certified to the Treasurer of this County for payment viz: Jacob Purkey. \$4⁰⁰
J.D. Whitman \$3¹²

Ordered. That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gathau

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday December 17. 1902.

Present Hon. George G. Gathau, presiding.

On the motion of Mrs Sallie E. Slater and Mrs Fannie Strickman the only adult distributees of Margaret J. Hellebustine dec'd. Verne R. Slater who made oath thereunto according to law. appeared in Court and together with Nathaniel R. Slater his surety who justified as to his sufficiency entered into and acknowledged a bond in the penalty of Two hundred dollars Conditioned according to law. A Certificate is granted the said Verne R. Slater for obtaining letters of Administration in due form upon the estate of the said Margaret J. Hellebustine dec'd. And the Court doth appoint Schuyler Bradley Jno R. Brown and P. J. Spitzer to appraise the estate of the said Margaret J. Hellebustine dec'd after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$100⁰⁰

Ordered. That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gathau

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday December 18. 1902.

Present Hon. George G. Gathau, presiding.

A writing purporting to be the last will and testament of John D. Ruml dec'd. which was at a former day of this term of the Court proven by one of the subscribing witnesses thereto and Continued for further proof was this day again presented in Court and being proven by the oath of O. E. Layman another subscribing witness thereto is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$500⁰⁰

A writing purporting to be the last will and testament of Walter Leapehart dec'd. was this day presented in Court, and there being no subscribing witnesses thereto, Lehel D. Harrison and R. H. Snyder were sworn and severally deposed that they are well acquainted with the handwriting of the said Walter Leapehart and verily believe that the said writing and the name thereto subscribed is wholly in the handwriting of the said Walter Leapehart. whereupon the same is admitted to probate and ordered to be recorded. And on the motion of Jacob P. Lowman the Executor named in said will who made oath thereunto according and appears in Court and entered into and acknowledged a bond

in the penalty of Fifteen Thousand dollars. Conditioned according to law. A Certificate is granted the said J.P. Looman for obtaining a probate of the said will of Walter Kasehart dead in due form, said will providing that no security be required of the said Executor. And the Court doth appoint H.H. Snyder, Peter Guyer and M.P. Lewis to appraise the Estate of the said Walter Kasehart dead, after first being duly sworn. And it is entered of record that the amount of property to pass under the said will in this State was estimated not to exceed the sum of \$10711.⁰⁰

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattau

Virginia:—At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday, December 19, 1902.

Present Hon. George G. Gattau presiding.

On the motion of O. G. Deeds, the Estate of George Deeds dead is Committed to John H. Snitzer Sheriff of Rockingham County for Administration, it appearing to the Court that more than two months have elapsed since his death without application for Administration upon his estate.

On the Application of B. F. Langley & others for the establishment of a Public Road. This day came the parties in person and by Counsel and George D. Whitmer in person and by Counsel and the Court having seen the reports of Commissioners heretofore appointed to ascertain the Compensation to which the land-owner G. D. Whitmer is entitled to & the excellent trusts and the Evidence of both sides having been heard, by Consent of all parties the Court doth decide that a public road should be established from some point near the residence of G. D. Whitmer on the Maynesboro road to the Keegletown road and doth establish said road on the route shown on the plat & survey of the Vicinity by the line running from the point on the Maynesboro road to the point on the Keegletown road and doth allow to S. H. Brown Jr. the sum of \$175⁰⁰ & to G. D. Whitmer the sum of \$125⁰⁰ in full of all Compensation & damages for the opening of said road through their lands. The old road from the point D. to Bennett's lane to be closed and the said S. H. Brown Jr. & G. D. Whitmer being in Court consented to the opening of said road on the said route & to accept the amount allowed to them respectively in full of damages & Compensation. But this road shall not be opened until the petitioners or some one for them enter into a Contract to open said road without Cost to the County and this order is Certified to the Board of Supervisors of this County for its approval or disapproval.

On the motion of Sarah F. Greiner, the Estate of John Foley dead is Committed to John H. Snitzer Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since his death without application for Administration upon his estate.

In the Matter of Sarah F. Greiner, upon a Motion to Substitute a Trustee.

This day came Sarah F. Greiner by Counsel and it appearing to the Court that John Foley (Substituted Trustee for McDonough Davis dead) who was selected & has acted in the Capacity of Substituted Trustee for Sarah F. Greiner has departed this life and that John H. Snitzer Sheriff of Rockingham County & as such Administrator of the Estate of the said John Foley has had due notice of this motion, as well as all parties in interest and it further appearing to the Court from the evidence of witnesses that the said Sarah F. Greiner has selected H. H. Hume of Rockingham County to be the room and stead of John Foley deceased it is therefore ordered that the said H. H. Hume be & he is hereby appointed Trustee for the said Sarah F. Greiner in the room & stead of John Foley & the said H. H. Hume as such Substituted Trustee is substituted & clothed with all the Authority & right vested in said John Foley under the deed of John S. Carver saide to

John Foley substituted Trustee of Sarah F. Green of date the 28th day of July 1885 for ten Acres eleven poles of land duly recorded in Deed Book No 31. pages 125 & 126 to which deed special reference is hereby made for more minute description.

Commonwealth

Upon an Indictment for Felony.

Jacob R. Metzger & Thornton Metzger

This day came the Attorney for the Commonwealth and it appearing to the Court that the defendants who escaped from the custody of the jailor are still at large it is ordered that this cause be continued until the January Term next 1903 of this Court.

Commonwealth

Upon an Indictment for Perjury.

Jacob R. Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendant Jacob R. Metzger who escaped from the custody of the jailor is still at large it is ordered that this cause be continued until the January Term next of this Court.

Commonwealth

Upon an Indictment for Perjury.

Thornton Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendant Thornton Metzger, who escaped from the custody of the jailor is still at large it is ordered that this cause be continued until the January Term 1903 next of this Court.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock

Geo. H. Hutton

Virginia: At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Saturday December the 20, 1902.

Present Hon. George G. Grattan Presiding.

Ed. Firebaugh M.D. This day presented in Court an account against the County of Rockingham amounting to the sum of \$2.50 for services on date Lunacy case session which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

Ed. Firebaugh Coroner This day presented in Court an account against the County of Rockingham amounting to the sum of \$5.00 for Coroner services on death of colored Infant which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

B. H. Switzer M.D. This day presented in Court an account against the County of Rockingham amounting to the sum of \$2.50 for Examination of Miss J. M. Cate charged with lunacy which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

The following claims of witnesses on behalf of the Commonwealth before Justice of the Peace of this County were presented and examined by the Court and appearing to be correct and properly chargeable to the Commonwealth under the law. It is ordered that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

Style of Prosecution	Name of witness	Day	Rate	Per	Style of Prosecution	Name of witness	Day	Rate	Per
Commonwealth v. R. Morris & J. Skifflett	R. J. Landes	13	18	March	Commonwealth v. Frank Knight	Thomas Kephart	11	02	1
	St. Owen Gorman	Dec. 31	December	1					

It is ordered to be certified to the Auditor of Public Accounts that Geo. N. Leonard Attorney for the Commonwealth is entitled to the sum of \$10.00 for prosecuting one felony case at this term of the Court viz Commonwealth v. George Sadley.

Ordered that the following named persons be allowed the sum opposite their names for their attendance mileage and tolls as witnesses before the grand jury at the October Term of this Court and that the same be certified to the Auditor of Public Accounts.

Witnesses before the Grand Jury	Name of witness	Day	Rate	Per
	John Venev	1	14	1.06
	Charles Venev	1	14	1.06

Ordered that the following named persons be allowed the sum opposite their names for their attendance mileage and tolls as witnesses for the Commonwealth at the November and December terms 1902 and that the same be certified to the Auditor of Public Accounts.

Style of Prosecution	Name of witness	Day	Rate	Per	Style of Prosecution	Name of witness	Day	Rate	Per
Commonwealth	A. J. Daylor	2		1.00	Commonwealth	J. B. Pirkey	2	24	1.96
	John Rogers	2		1.00		R. B. Hall	2	24	1.96
	Robert Daylor	1		.50	Commonwealth	Geo. H. Dager	1	30	1.70
vs. Midland	M. A. Emswiler	2		1.00	vs. Geo. Sadley	Jacob L. Evans	1	30	1.70
	J. A. Ammentrud	2		1.00	Commonwealth	Arthur J. Johnson	1	10	.90
	Paul Eorman	2		1.00	vs.	Mr. Arthur J. Johnson	1	10	.90
John E. Kooz	Effie Emswiler	2		1.00	Charles Joseph	Nina Johnson	1	10	.90
Commonwealth	Charles Venev	2	28	2.12	Commonwealth	Mr. Nina M. Barry	1	10	.90
	John Venev	2	28	2.12	Commonwealth	Geo. H. Dager	1	30	1.70
	Wm. Strother	2		1.00		Jacob L. Evans	1	30	1.70
vs. felony	Charles White	2		1.00		W. E. Leaster	1	20	1.30
	Adolph Pirkey	1	72	3.38	vs.	Mr. Smith	1	30	1.70
	Geo. R. Black	2		1.00		Samuel Shoemaker	1	20	1.30
	L. D. Patterson	2	16	1.64	George Sadley	Jacob P. Garber	1	30	1.70
David Stellar	Frank Miller	2		1.00					

Commonwealth vs. Alice Driver } Upon an appeal from the judgment of a Justice

This day came the Attorney for the Commonwealth, and it appearing that the process awarded in this cause at the August term of this Court has not been executed. It is ordered that said Alice Driver and James Kiester her surety be summoned to appear here on the first day of the January Term 1903 next of this Court to show cause if any they have why the Commonwealth shall not have executed against them upon their said recognizance and further to do and receive what our said Court may in this behalf consider.

Spill R. J. Miller M.D. This day presented in Court an account against the County of Rockingham amounting to the sum of \$250 for examining Ann Crawford charged with larceny.

which being sworn to, was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

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This day came Thomas Lennig who alleges that he is aggrieved by an entry in the Land Book made by Geo. N. Carman Commissioner of the Revenue for Central District, in Rockingham County, for the year 1901, pages 62 & 74 line number 16 whereby he is charged with One dollar and forty-four cents, State Taxes and One dollar and forty cents County taxes 1901 on certain lots of land lying inside & outside Corporation of Harrisonburg. And thereupon the said Thomas Lennig moved the Court to exonerate him from the payment of seventy-two cents of the State Taxes and seventy cents of the County Taxes so erroneously charged against him for said year; which motion was defended by Geo. N. Conrad the Attorney for the Commonwealth for said County, and the said George N. Carman the Commissioner who made the assessment, was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the County on the fourteenth day of August, 1901, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the said lots are twice assessed, and that seven of said lots are within the Corporation of Harrisonburg viz ^{Pt} Blocks ¹⁶ 9, ¹⁴ 12, ¹⁰⁷ 18, ¹¹ 7, ¹⁸ 7, ¹⁰ 4, ¹⁸ 1 and nine outside of the town of Harrisonburg viz ^{Pt} Blocks ⁸ 28, ⁸ 34, ⁸ 21, ¹ 33, ⁶ 23, ¹⁵⁶ 25, ⁸ 18. All which the Court certifies as facts proved upon the application aforesaid, on consideration whereof, and from such facts so proved, the Court is satisfied that the said Thomas Lennig is erroneously charged in said book with State Taxes amounting to seventy-two cents and County Taxes amounting to seventy cents. Whereupon, it is ordered that the said Thomas Lennig be exonerated from the payment of seventy-two cents State Taxes and seventy cents County Taxes so erroneously charged, if not already paid and if paid that it be refunded to him together with the penalty thereon.

Ordered that this Court be adjourned until Monday morning at 10 O'clock
Geo. H. Hatten

Virginia, At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Monday December 22nd 1902.

Present Hon. George G. Grattan Presiding

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J. P. Howser J.P. This day presented in Court an account against the County of Rockingham amounting to the sum of \$1.00 for Examination of Rebecca J. Hopkins adjudged a lunatic and being sworn to, is examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

In the matter of the Probate of the last Will and Testament of George H. Rosenberger. This day came again Amelia K. Rosenberger the Executrix named in said will, by her Counsel and thereupon came A. R. Rosenberger, by Counsel and objects to the probate of the same, ^{and put himself as defendant} It is therefore ordered that Wm. F. Thompson the Notary Public residing in the City of New York, to whom a Commission was issued at the November Term last to be joined to take the deposition of J. E. Key, one of the subscribing witnesses to the last Will and Testament of said George H. Rosenberger, to give notice to the said

L.R. Rosenberger of the time and place of the taking of the said definition in accordance with and in pursuance of Section 2537 of the Code of Virginia

Commonwealth

George Fadley } upon an Indictment for felony.

This day Came again the Attorney for the Commonwealth and thereupon Came the Defendant George Fadley by his Counsel. And it is Considered by the Court that the Commonwealth of Virginia recover of the said George Fadley the sum of Twenty dollars that being the amount by the jury in their verdict ascertained and her Cts. by her about her prosecution in this behalf expended and that he be Confined in the Jail of this Court for the term of sixty days that being the period by the jury in their verdict also ascertained and thereafter until said Fine and Cts. are paid or he be discharged therefrom according to law.

On the Application of Solomon Hanger others for the Establishment of a Public Road

It is ordered that this Cause be recommended to the former Viewers who are instructed to go again upon the route of the proposed road and make report to the Court as whether the road prayed for in this Cause is of such public necessity as to justify the expenditure of the amount estimated for damages and Construction of the said road.

On the Application of the American Hardwood Manufacturing Company for the Establishment of a Public Road

This day Came again the petitioners by their Attorney, and it appearing to the Court that the order entered in this Cause at the August Term last, establishing the Road prayed for and appropriating the sum of \$560.⁰⁰ to pay land damages and Construction of said road has been Certified to the Board of Supervisors of this County and that said board at its meeting held on the 3rd day of November 1902 approved said order and appropriated said sum of \$560. payable out of the County levy for the year 1902. It is ordered that the Commissioners of Roads for Stone wall District in this County proceed at once to let to Contract the Construction of the said road at a Cost not to exceed the sum of \$120.⁰⁰ and make his report to Court.

On the Application of L.L. Yancey others for the Establishment of a Public Road

It appearing to the Court that the order entered in this Cause at the September Term last of this Court establishing the road prayed for in this Cause and appropriating the sum of \$82.⁵⁰ to pay land damage and Construction of the said road has been Certified to the Board of Supervisors of this County and that said Board at its meeting held on the 3rd day of November last approved said order and appropriated said sum of \$82.⁵⁰ payable out of the County levy for the year 1902. It is ordered that the Road Commissioners for Kinville District proceed to open said road at a Cost not to exceed the sum of \$37.⁵⁰ and make his report to Court.

On the Application of J.M. Haunpfer others for the Establishment of a Public Road

This day Came again the petitioners. And it appearing to the Court that the order entered in this Cause at the October Term last establishing the road prayed for and appropriating the sum of \$250.⁰⁰ to pay land damages has been Certified to the Board of Supervisors of this County and that said Board at its meeting held on the 3rd day of November 1902 approved said order and appropriated the said sum of \$250.⁰⁰ payable out of the County levy for the year 1902. It is ordered that the Road Commissioners for Courtland District see to the opening and Construction of the said road in accordance with the report and order of this Court by the petitioners and make report to this Court.

On the Application of H. D. Kite others for the Construction of a Bridge over Elk Run.
 It appearing to the Court that the order entered in this Cause at October Term last of this Court appropriating the sum of \$250.⁰⁰ to Construct an abutment at the proper site for said Bridge has been Certified to the Board of Supervisors of this County, and that said board at its meeting held on the 3rd day of November 1902. Affirmed said order and appropriated said sum of \$250.⁰⁰ payable out of the County levy for the year 1902. It is ordered that Geo. R. Eastham and H. D. Kite who are hereby appointed ^{commissioners} for that purpose proceed at once to let to Contract the Construction of the said abutment at a Cost not to exceed the said sum of \$250.⁰⁰ and make their report to the Court.

On the application of B. B. Miller others for the Establishment of a Public Road.
 This day came again the parties, and it appearing to the Court that the order entered at the October Term last of this Court establishing the road prayer for in this Cause and appropriating the sum of \$232.⁰⁰ to pay land damages and Construction of the said road, has been Certified to the Board of Supervisors of this County, and that said board at its meeting held on the 3rd day of November 1902. Affirmed said order and appropriated the said sum of \$232.⁰⁰ payable out of the County levy for the year 1902. It is ordered that the Road Commissioners for Ashby District proceed at once to let to Contract the opening and Construction of the said road, at accordance with the report and order of this Court at a Cost not to exceed the sum of \$75.⁰⁰ and make report to this Court.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.
 Geo. H. H. H. H.

Virginia - At a County Court Convened and held in and for the County of Rockingham at the Court House thereof on Tuesday December 23. 1902.

Present Hon. George G. Galtan, presiding.

On the motion of Geo. G. Galtan Jr. ^{who has been duly licensed to practice law in this state} Substant R. Smithall, appeared in Court and qualified to practice law in this Court by taking the Oath required by law.

Ordered That this Court be adjourned until the first day of the next term.
 Geo. H. H. H.

Virginia. At a County Court held in and for the County of Rockingham at the Court House thereof on Monday January 19. 1903.

Present Hon. Lyman Chalkley, Judge of the County Court of Augusta County, presiding the Judge of this Court - Hon. Geo. E. Galtman being too ill to preside.

It appearing to the Court that for the dispatch of business, it is necessary to summon a Special Grand Jury, at this first day of the present term of the Court. Therefore a Special Grand Jury is ordered to be impaneled forthwith, whereupon the following persons qualified in all respects to serve as Grand Jurors, were summoned by the Sheriff under a Writ of Venue Facias issued by the Court under the order of the Court; from a list furnished by the Judge of the Court viz: E. N. Myers, Frederick Roden, R. L. Myers, John Dollar, James H. Stinson, Wm. H. Dillman, B. H. Edwards, B. F. Rodeffer and with B. F. Rodeffer as foreman, were examined, selected and impaneled and sworn in accordance with law. A Grand Jury in and for the County of Rockingham and having received their charge from the Court retired to their room to consider of their presentments and after sometime returned into Court, and not having completed the business before them were adjourned until tomorrow morning at 10 O'clock.

The Clerk of this Court this day presented in Court a List of Deeds, &c. received and admitted to record in the Clerk's Office of this Court at and since the last December Term, which list being seen and inspected by the Court is ordered to be filed.

On the motion of John N. Turner who made oath thereof according to law, and appeared in Court and together with D. M. Senger and S. D. Turner his sureties who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Seven thousand dollars, conditioned according to law. A Certificate is granted the said John N. Turner for obtaining letters of Administration in due form upon the estate of David H. Turner dead. And the Court doth appoint J. D. Patterson, B. F. Miller, Abner Senger, J. B. Hamsburger and Daniel Evers, to appraise the Estate of the said David H. Turner dead. Any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$3500⁰⁰.

On the motion of Dorothy Getz, others heirs of Barnard Getz dead. Wm. J. Powers who made oath thereof according to law, appeared in Court and together with S. D. Ryman his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Four hundred dollars, conditioned according to law. A Certificate is granted the said Wm. J. Powers for obtaining letters of Administration in due form upon the estate of the said Barnard Getz dead. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$200⁰⁰.

A writing purporting to be the last will and testament of David Bowman dead, was this day presented in Court and Samuel B. Orchart and Hugh Pence being duly sworn, depone and say that they are well acquainted with the hand writing of the said David Bowman, and truly believe the said writing and the name thereof subscribed to be wholly in the hand writing of the said David Bowman, whereupon the same is admitted to probate and ordered to be recorded. And on the motion of Solomon M. Bowman and Emma M. Minnick, the Executors named in said will who made oath thereof according to law and appeared in Court and together with W. H. Orchart and S. J. Bowman their sureties who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty

five thousand dollars. Conditions according to law. A Certificate is granted the said Solomon M. Bowman and Ezra M. Munnick for obtaining a probate of the said will of David Bowman dead in due form. And the Court doth appoint M. J. Garber, S. B. Dehart, M. M. Seukel & Wm. J. Davis to appraise the estate of the said David Bowman dec'd, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed twelve thousand dollars.

It appearing to the Court that Emanuel Suter, Committee for Lydia A. Dieckman a person of unsound mind, has departed this life. On the motion of Elias Brunk, the Court doth appoint him Committee for the said Lydia A. Dieckman, whereupon the said Elias Brunk appeared in Court and together with Samuel Brunk his surety who justified as to his sufficiency entered into and acknowledged a bond in the penalty of six hundred dollars. Conditions according to law. And thereupon he qualified as such Committee by taking the Oath required by law.

A writing purporting to be the last will and testament of Emanuel Suter, dead, was this day presented in Court and being sworn by the Oaths of Ed. C. Marty and O. B. Rollen the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Elizabeth F. Suter the Executors named in said will, who made Oath thereto according to law, and appears in Court and entered into and acknowledged a bond in the penalty of One thousand dollars. Conditions according to law. A Certificate is granted the said Elizabeth F. Suter for obtaining a probate of the said will of Emanuel Suter dec'd in due form said will providing that no security be required of the said Executors. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1,062.⁰⁰

A writing purporting to be the last will and testament of Elizabeth F. Painter dec'd was this day presented in Court and being sworn by S. F. Shank and Geo. S. Root two of the subscribing witnesses thereto, is admitted to probate and ordered to be recorded. And thereupon D. B. H. Sontz the Executor named in said will, having by a writing filed renounced his right to qualify as such Executor. On the motion of the said Geo. M. Huffman who made Oath thereto according to law, appears in Court and together with Thomas J. Huffman and Richard Hammer his sureties who justified as to their sufficiency entered into and acknowledged a bond in the penalty of six hundred dollars. Conditions according to law. A Certificate is granted the said Geo. M. Huffman for obtaining Letters of Administration in due form upon the estate of the said Elizabeth F. Painter dec'd, with her said will annexed and the Court doth appoint Samuel D. Shank, Samuel Root, James M. Saffley to appraise the Estate of the said Elizabeth F. Painter dec'd after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1,500.⁰⁰

On the motion of Ormus G. Deeds the Court doth appoint him Guardian for Mary L. Deeds Infant daughter of Joseph Deeds dec'd under the age of 14 years whereupon he appears in Court and together with John P. Kowitz his surety who satisfied the Court of his sufficiency entered into and acknowledged a bond in the penalty of One hundred dollars. Conditions according to law. And thereupon the said Ormus G. Deeds qualified as such Guardian by taking the Oath required by law.

James F. Deed Infant son of Joseph Deeds dec'd, over the age of 14 years, this day appears in Court and made choice of J. P. Kowitz as his guardian the Court doth appoint him

as such guardian. whereupon he appears in Court and together with Ours. G. Seads, his surety (who satisfied the Court of his sufficiency) entered into and acknowledges a bond in the penalty of One hundred dollars. Conditions according to law. And thereupon he qualified as such guardian by taking the oath required by law.

✓ On the motion of the Heirs, D.P. Hanger, who made oath thereto according to law, and appears in Court and together with, Abraham D. Heatwole, Jos. G. Heatwole and Jacob P. Hanger his sureties (who justified as to their sufficiency) entered into and acknowledges a bond in the penalty of Four thousand dollars. Conditions according to law. A Certificate is granted the said D.P. Hanger for obtaining letters of Administration in due form upon the estate of Manasses Heatwole dec'd. And the Court doth appoint Abraham, Surety John H. Barnhart, Christian Ford, Samuel M. Bunkholder, John R. Surfe, to appraise the estate of the said Manasses Heatwole dec'd. any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2000.⁰⁰

✓ Hattie B. Bennis, widow of J. B. Bennis, having by a writing filed renounces her right to qualify as Administrator of the Estate of her deceased husband. On her motion, Chas. G. Henning, who made oath thereto according to law, and appears in Court and together with the American Surety Company of New York, by R. M. Newman its Pres. Vice President, attested by Geo. G. Grelban Jr. its Pres. Asst. Secy. under power of Atty. duly Certified and filed, his surety entered into and acknowledges a bond in the penalty of Four hundred dollars. Conditions according to law. A Certificate is granted the said Chas. G. Henning for obtaining letters of Administration in due form upon the estate of the said J. B. Bennis dec'd. And the Court doth appoint John B. Buckle of P. H. Buck. to appraise the estate of the said J. B. Bennis dec'd. after first being duly sworn and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1200.⁰⁰

certified J. B. Hauman, who was on the 15th day of January 1903, duly appointed and Commissioned by the Governor of Virginia. A Notary Public for the County of Rockingham, for the term of four years from said date, this day appeared in Court and together with Henry M. Peery his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Five hundred dollars. Conditions for the faithful discharge of the duties of his said office or trust, each of the said obligors, saving the benefit of their exceptions as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and Copy of this order to the Secretary of the Commonwealth. And thereupon the said J. B. Hauman qualified as such Notary Public by subscribing to and taking the Oaths required by law.

A writing purporting to be the last will and testament of E. S. Pomington, dec'd. was this day presented in Court, and Jacob J. Fisher & O. B. Roller being duly sworn before our say that they are well acquainted with the hand-writing of the said E. S. Pomington, and verily believe the said writing and the name thereto subscribed to be wholly in the hand-writing of the said E. S. Pomington, whereupon the same is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$3094.⁰⁰

A writing purporting to be the last will and testament of John Hollingsworth, dec'd. was this day presented in Court and being sworn by the Oaths of John Ruff & R. H. Roudabush, two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to

receives the sum of \$600⁰⁰

A writing purporting to be the last will and testament of Moses Shretter, dead, was this day presented in Court and being sworn by the Oaths of H. C. Hale and M. D. Ryals, the subscribing witnesses thereto is admitted to probate and ordered to be recorded and it is ordered of record that the account of property to pass under the said will was estimated not to exceed the sum of \$800⁰⁰

On the motion of Anna M. Lewis Executrix of Mr. J. Lewis dead, the Court doth appoint Jas. H. Blackburn & N. Harper of L. C. Co. to appraise the Estate of the said Mr. J. Lewis dead after first being duly sworn.

On the motion of Mrs. D. V. Effinger, the Estate of Abraham Smith, dead, is committed to John D. Switzer Sheriff of Rockingham County for Administration. De bonis non.

On the application of Chas. D. Painter for Retail and Bar Room Liquor License at the building in rear of Deals Hotel in Elkton Va.

On the motion of the said Applicant by his Attorney this motion is ordered to be docketed and continued until the next term of this Court.

On the motion of Emanuel Williams, the Estates of Lindsey Williams and Alfred Williams are committed to John D. Switzer Sheriff of Rockingham County, for Administration. It appearing to the Court that more than sixty days have elapsed since the death of each of them without application for Administration upon their Estates.

On the motion of J. M. Putney the Estate of Laura Johnston dead is committed to John D. Switzer Sheriff of Rockingham County for Administration. It appearing to the Court that more than sixty days have elapsed since her death without application for Administration upon her Estate.

Commonwealth

Allice Doiron and James Keister } *Ubi a dei facias upon a forfeited recognizance*

This day came the Attorney for the Commonwealth, and it appearing to the Court that the process in this Cause has been duly executed upon the said James Keister and he appearing in person and by Counsel, it is ordered that the same be docketed and continued until the next term of this Court.

In the matter of releasing the vendor's lien retained in the deed from Abram Smith to Geo. H. Effinger. This day came Mrs. D. V. Effinger, Executrix of Geo. H. Effinger, dead, by Counsel, and it appearing to the Court, that notice of this motion was accepted by John D. Switzer Sheriff of Rockingham County, and as such Administrator of Abram Smith, and that 20 days notice of this motion was waived, and it further appearing to the Court from the bonds this day exhibited to the Court by said Mrs. D. V. Effinger, Executrix of Geo. H. Effinger, dead, that the same have been cancelled and paid, and it also appearing to the Court that more than 20 years have elapsed since the maturity of said bonds, for which a lien was retained to secure the same, and that the lien retained to secure the deferred payments upon the land purchased by the said Geo. H. Effinger in his life time from the said Abram Smith should be marked satisfied. It is therefore ordered

that the clerk of this court be and is hereby directed to mark released, or discharged, the vendor's lien securing the deferred payments upon the land purchased by Geo. H. Effinger from Abram Smith in his life time, and which was conveyed to the said Effinger by the said Smith and wife, by deed bearing date March the 1st, 1855, and which is duly of record in Book Record D.B. #27, page 304, of the County Clerk's Office of Rockingham County. said entry of satisfaction should be made upon the margin of the page of the deed book aforesaid, wherein said deed is recorded.

Ordered ^{that} this court be adjourned until tomorrow at 10 O'clock

Lymon Chalkley.

Virginia at a County Court continued and held in and for the County of Rockingham at the Court House thereof on Tuesday January 20. 1903

Present Hon. Lymon Chalkley Presiding

This day came again the Grand Jury impeached and sworn on yesterday. pursuant to their adjournment and again retired to their room to consider of their presentments and after sometime again returned into court and made the following presentments viz:

An Indictment against Robert Murray for a felony. A true bill. B. F. Rodeffer, Foreman.

An Indictment against Whit Eaton for a felony. A true bill. B. F. Rodeffer, Foreman.

An Indictment against John Baker for Petit Larceny. A true bill. B. F. Rodeffer, Foreman.

An Indictment against Jacob Faulkner for Felony not a true bill. B. F. Rodeffer, Foreman.

And having completed the business before them were discharged from further attendance upon this term of the Court.

Commonwealth

Robert Murray } upon an Indictment for Felony.

This day came the Attorney for the Commonwealth, and the prisoner Robert Murray, was led to the bar of the Court in Custody of the Jailor of this Court, and thereupon the Court set Tuesday next the 8th day of this present term being January 27 1903 for his trial, and the clerk of this Court is ordered to issue a Vane Facias to the Sheriff of Rockingham County, directed commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date to serve as Jurymen upon the trial of the said Robert Murray for felony. And thereupon the prisoner was remanded to jail.

Commonwealth

Whit Eaton } upon an Indictment for Felony.

This day came the Attorney for the Commonwealth, and the prisoner Whit Eaton, was led to the bar of the Court in Custody of the Jailor of this Court and thereupon the Court set Wednesday the Ninth day of this present term being January 28 1903 for his trial, and the clerk of this Court is ordered to issue a Vane Facias to the Sheriff of Rockingham County directed, commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date to serve as Jurymen upon the trial of the said Whit Eaton for felony. And thereupon the prisoner was remanded to jail.

Commonwealth

John Baker. } Upon an Indictment for Petit Larceny

This day came the Attorney for the Commonwealth, and it is ordered that the Clerk of this Court Certify and deliver a Copy of the said Indictment to J. P. Howver, a Justice of the Peace for Council Magistral District as provided under Section 1106. of the Code of Va. as amended by the Acts of the General Assembly of Virginia Session 1897 & 8.

Ordered That the following named persons be allowed the sum opposite their names for their Attendance mileage and services as Grand Jurors at this term of the Court and that the same be Certified to the Treasurer of this County for payment viz: B. F. Rodeffer \$2²⁵ E. N. Myers \$2³² Fredrick Rodes \$2⁰⁰ R. L. Myers \$2²⁴ John Hollan \$2⁴⁸ M. H. Billhimer \$2²⁸ James H. Shires firing \$2¹⁶ R. B. Howard \$2³²

M. H. Layman returned to the Court the plat and Certificate of Survey made by Jasper Hance Surveyor of Rockingham County of a Certain tract of land containing 2 R. 3 P. situated 1/2 miles East of McLehensville and adjoining the lands of Reuben May M. H. Haynes &c and was returned delinquent in the name of Amanda Haynes for the non payment of the taxes thereon for the year 1899, and sold for said taxes by the Treasurer of this County on the 17th day of December 1900 and purchased by the said M. H. Layman at whose instance the said plat and survey was made and the Court having examined the said report and finding it to have been made in conformity with the law, and seeing no objections to the said report it is ordered that the same be recorded in the Clerk's Office of this Court as required by law.

John F. Hummel returned to the Court the plat and Certificate of Survey made by Jasper Hance Surveyor of Rockingham County of a Certain tract of land, containing 89 Acres 1 Rod & 30 poles situated about 9 miles N. W. of Hainsburg about 3 miles from Mth Lebanon and adjoining the lands of Samuel Bowman & heirs the old Loftis tract and was returned delinquent in the name of Orshuld Sandy for the non payment of the taxes thereon for the year 1899, and sold for said taxes by the Treasurer of Rockingham County on the 17th day of December 1900, and purchased by the said John F. Hummel at whose instance the said Plat and survey was made and the said John F. Hummel having assigned and undivided one half interest in said land to his brother Chas. R. Hummel requests the deed be made them jointly. And the Court having examined the said report & survey and finding it to have been made in conformity with the law, and seeing no objections to the said report it is ordered that the same be recorded in the Clerk's Office of this Court as required by law.

B. B. Lam. J. P. Paid into Court the sum of Five dollars, it being the amount of a judgment for fine rendered by him on the 22nd day of Dec. 1902 in Case of Commonwealth v. M. Knight for Drunkenness & disorderly Conduct.

J. Under J. P. paid into Court the sum of \$14⁰⁰ it being the amount of two judgments for fine rendered by him as follows. Jan'y 17. 1903 Lemuth v. Robert Royer for Trespass \$2⁰⁰ & same date same v. Thomas Dofflemyer for Assault & battery \$12⁰⁰

On the Application of R. L. Williams others for the Establishment of a Public Road It appearing to the Court from the report of James L. Bonser R. Road Commissioner for Sturtevant District that the road prayed for in this Cause has been Completed by Charles Life the Contractor and is now ready for travel and that there is due the said Contractor the sum of \$100⁰⁰ it is ordered that the Treasurer of this County pay unto the said Charles Life the said sum of \$100⁰⁰ out of the funds appropriated for the purposes of said road and the Clerk of this Court is ordered to issue a warrant therefor.

On the application of Adam Ritchie others for the establishment of a Public Road.

It appearing to the Court from the report of J. F. Neff, Road Comm. for Linville District that that portion of the road prayed for in this case beginning at Philip Baker and ending at Erasmus Brady has been completed by D. H. Ritchie the Contractor and is now ready for travel and that there is still the said Contractor the sum of two hundred and twenty five dollars. It is ordered that the Treasurer pay unto the said D. H. Ritchie the said sum of \$225.00 out of the funds appropriated for the purposes of said road and the Clerk of this Court is ordered to issue a warrant therefor.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Lyman Chalkley.

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday January 23rd 1903.

Present Hon. Lyman Chalkley, Presiding.

On the motion of Wm F. Bowser Administrator of the Estate of Barnard Getz dead the Court doth appoint Milton Taylor, Michael Neff, Jacob Miller and W. H. Orbaugh to appraise the Estate of the said Barnard Getz dead any three of whom may act after being duly sworn.

Commonwealth of Virginia }
 Upon a Charge of Felony.

Jacob Faulkner

This day came the Attorney for the Commonwealth and the prisoner Jacob Faulkner was led to the bar of the Court in Custody of the Jailor of this Court, and thereupon the prisoner moved the Court to release him from Custody, and thereupon the Attorney for the Commonwealth stated to the Court that he desired to present the matter before the next Grand Jury upon Consideration the Court doth override the motion of the prisoner and doth order that he be remanded to jail to await the action of another Grand Jury.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Lyman Chalkley.

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday January 27, 1903.

Present Hon. Lyman Chalkley, Presiding.

A writing purporting to be the last will and testament of R. L. Gowl dead, was this day presented in Court and was sworn by ^{the oaths of} Paulleton Bryan & Winfield Liggitt the subscribing witnesses thereof, and there being some interlineations and erasures made in said will since its execution Winfield Liggitt and E. A. Thayer were sworn and solemnly depose that they are well acquainted with the handwriting of the said R. L. Gowl and truly believe that the said interlineations and the writing explaining the erasures are in the hand writing of the said R. L. Gowl, whereupon the same is admitted to probate and ordered to be recorded. And on the motion of R. L. Gowl the Executor named in said will who made oath thereof according to law and appeared in Court and entered into and acknowledged

a bond in the penalty of \$800? And it is ordered according to law a Certificate is granted the said John Good for obtaining a probate of the said will of R. C. Good dead in due form said will providing that no security be required of the said Executor And the Court doth appoint J. M. Paine J. H. Rolfe J. P. Myers and J. N. Moser to appraise the estate of the said R. C. Good dec'd any three of whom may act after first being duly sworn And it is entered & record that the amount of property to pass under the said will was estimated not to exceed the sum of \$7526 ⁰⁰

On the motion of E. J. Shifflett, the Court doth appoint him Guardian for Cordy Mildred Shifflett and Floyd Conrad Shifflett, Infant Children of the said E. J. Shifflett under the age of 16 years. Whereupon he appeared in Court and together with Conrad M. Shifflett his surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars And it is ordered according to law. And therefore he qualified as such guardian by taking the Oath required by law.

On the motion of H. H. B. Marshall one of the heirs of Sally B. Marshall dec'd the Estate of the said Sally B. Marshall dec'd is committed to John A. Switzer Sheriff of Rockingham County for administration. It appearing to the Court that more than two months have elapsed since her death without application for administration upon her estate.

Commonwealth

Robert Murray. } Upon an Indictment for felony

This day Came again the Attorney for the Commonwealth, and the prisoner Robert Murray was again led to the bar of the Court and Custody of the Jailor of this Court and being thereof arraigned pleaded not guilty to the said Indictment and upon process summoned by the Sheriff under a writ of Habeas Facias from a list furnished him by the Court of persons residing remote from the place where the offence is charged to have been committed and duly qualified in all other respects to serve as jurors, there was selected nine persons who were examined by the Court and found to be free from exceptions, whereupon the Court ordered the Clerk to issue another Writ of Habeas Facias to the Sheriff of Rockingham County directed commanding him to summon ten additional persons from a list to be furnished by the Court returnable for the next day, which was done accordingly they appeared were examined by the Court and seven found to be duly qualified and free from exceptions, and thereupon from this panel the prisoner struck four and the remaining twelve were selected to constitute the jury to-wit: Geo. G. Sanger, Geo. D. Whitman, H. H. Korte, J. H. Shank, Chas. B. Kier, John A. Switzer, J. B. Scott, J. M. Whitner, J. S. Leaver, H. F. Shuffman, N. D. Shuffman, who being thus elected and tried were sworn well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidences having received their charge from the Court and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict And after sometime returned into Court and not having agreed upon a verdict were adjourned until tomorrow morning at 9 1/2 O'clock and were placed in charge of John A. Switzer Sheriff of Rockingham County and H. B. Switzer and Samuel D. Harma his Deputies to whom was administered an oath that you shall keep this jury together and have no communication with them yourselves nor permit any other person to converse or have any communication with them touching this trial during the trial of this case and cause them to appear in Court on tomorrow morning at 9 1/2 O'clock. So help you God And thereupon the prisoner was remanded to Jail

Ordered That this Court be adjourned until tomorrow morning at 9^h o'clock.

Lyman Chalkley,

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Wednesday January 28. 1903

Present Hon. Lyman Chalkley Presiding

Commonwealth.

Robert Murray. } Upon an Indictment for felony.

This day came again the Attorney for the Commonwealth and the prisoner Robert Murray was again led to the bar of the Court in Custody of the Jailor of this Court, and thereupon Cause the Jury impeached and sworn on yesterday for his trial pursuant to their adjournment and again retired to their room to consider of their verdict and after sometime again returned into Court and upon their oath do say that the Jury find the prisoner Robert Murray, guilty of the felony of rape in manner and form as charged in the indictment and as certain his punishment at Confinement in the Penitentiary for eighteen years D. H. Shanks, Foreman, whereupon the Jury was discharged. And it being enquired of the prisoner if anything he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law. And nothing being offered or alleged in delay of judgment, it is considered by the Court that the said Robert Murray be imprisoned in the Public Jail and Penitentiary house of this Commonwealth for the term of Eighteen years that being the period by the jury in their verdict ascertained, to hard labor. And the proper person is ordered as soon as possible after the adjournment of this Court, remove and convey the said Robert Murray from the Jail of this County to the Public Jail and Penitentiary House of this Commonwealth therein to be kept imprisoned and treated in the manner prescribed by law for the term aforesaid. And thereupon the prisoner was remanded to Jail.

Commonwealth.

Whit Eaton. } Upon an Indictment for felony.

This day came the Attorney for the Commonwealth and the prisoner Whit Eaton, was again led to the bar of the Court in Custody of the Jailor of this Court, and being thereof arraigned pleaded guilty to the said Indictment, and waived trial by a Jury and submitted all matters of law and fact for trial to the Court, and the Attorney for the Commonwealth being present and consenting thereto. And the Court having heard the evidence adduced doth adjudge the said Whit Eaton guilty in manner and form as charged in the indictment, and doth ascertain his punishment at Confinement in the Penitentiary for three years. It is therefore considered by the Court that the said Whit Eaton be imprisoned in the Public Jail and Penitentiary House of this Commonwealth for the term of three years to hard labor, and that the proper person as soon as possible after the adjournment of this Court, remove and convey the said Whit Eaton from the Jail of this County to the Public Jail and Penitentiary House of this Commonwealth therein to be kept imprisoned and treated in the manner prescribed by law for the said term of three years. And on the motion of the said Whit Eaton the execution of the sentence in this Cause is suspended for sixty days, for the purpose of applying to the Circuit Court for writ of Error and Supersedeas. And thereupon the prisoner was remanded to Jail.

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum offfort their names for their attendance. Mileage and tolls as Jurors for the Commonwealth at this term

of the Court upon the trial of felony cases and that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts Viz:-

Names of Jurors.	Days	Miles	Total	Names of Jurors.	Days	Miles	Total
✓ W. G. Leuger	✓ 2	10	2 40	M. H. Spitzer	✓ 2	24	2 96
Perry J. Shank	2			Solomon A. Rhode	✓ 2	18	2 72
✓ Emanuel J. Surpe	2	44	3 76	Le. Le. Scott	✓ 2	20	2 80
✓ Geo. D. Whitner	2	22	2 88	Geo. W. Huffman	✓ 2	22	2 88
✓ Charles L. Heltzel	2	4	2 16	S. H. Whitesel	✓ 2	18	2 72
✓ H. H. Kuntz	2	25	3 07	J. L. Leaver	✓ 2	10	2 40
✓ R. H. Shank	2	12	2 48	J. H. Rodeffer	1	—	1 00
✓ Lehar B. Keri	2	16	2 64	H. F. Huffman	✓ 2	10	2 40
✓ John R. Donbaugh Jr.	2	20	2 80	Le. D. Durivander	✓ 2	6	2 24
✓ R. B. Lehar	2	32	3 28	G. P. Styer	1	—	1 00
Archib. White	✓ 2	36	3 44	Le. B. Huffman	✓ 2	22	2 88

Commonwealth.

o } Upon an Indictment for Felony.
Jacob R. Metzger & Thornton Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendants who escaped from the Custody of the Jailor of this County are still at large it is ordered that this Cause be Continued until the February Term next of this Court.

Commonwealth.

o } Upon an Indictment for Felony.
Jacob R. Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendant Jacob R. Metzger who escaped from the Jailor of this County is still at large it is ordered that this Cause be Continued until the February Term next of this Court.

Commonwealth.

o } Upon an Indictment for Felony.
Thornton Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendant Thornton Metzger who escaped from the Custody of the Jailor of this County is still at large it is ordered that this Cause be Continued until the February Term next of this Court.

It is ordered to be Certified to the Auditor of Public Accounts that George N. Conrad Attorney for the Commonwealth for this County is entitled to the sum of \$20⁰⁰ for prosecuting two felony cases at this term of the Court Viz: Commonwealth v Robert Murray for Rape \$10⁰⁰ and Jane & Whit Eaton for Seducing \$10⁰⁰

It appearing to the Court from a writing duly Certified and filed that Nellie V. Swank John A. Swank Infant Children of Charles H. Swank died over the age of 14 years have made choice of their mother Mrs Lucy M. Swank as their guardian the Court doth appoint her as such guardian and on her motion doth also appoint her guardian for Mildred Hinton Swank Grace L. Swank Charles L. Swank Mary E. Swank Infant Children of the said Charles H. Swank died under the age of 14 years. Whereupon she appears in Court and together with John Shaffer her surety who satisfied the Court of his sufficiency entered into and acknowledged a bond in the penalty of Fifty dollars conditioned according to law. And thereupon she qualified as such guardian by taking the oath required by law.

Commonwealth

Upon an Indictment for Felony
 Charles Joseph Alvin Benjamin Perod

This day came the Attorney for the Commonwealth, and on the motion of the prisoner, the execution of the sentence in this case, is suspended for thirty days from the expiration of the former suspension, to enable him to apply to the Circuit Court of this County for writ of Error and Superedeas.

This day came Joseph V. Kavanaugh and James M. Kavanaugh, partners doing business under the firm name and style of Kavanaugh Bros; and moves the Court for its consent to and approval of the assignment to themselves P. J. Lamb, of the license granted to the said P. J. Lamb, at the April term of the Court 1902 to sell by retail in quantities not exceeding five gallons, at any time to any individual male, Aged ~~18~~ 21, male liquors, or any mixture thereof alcoholic liquors, liquors containing alcohol, or fruits preserved in alcohol, at the place of business of the said P. J. Lamb, in the Sprinkel Building on the South side of West Water Street, in the town of Haverhill. And the Court being fully satisfied that the said Joseph V. and James M. Kavanaugh are fit persons, and will keep an orderly house, and that the specific tax required by law on the original license has been paid, and that said Kavanaugh Bros. have executed the bond required by law, in the penalty of Five Hundred dollars (\$500⁰⁰) it is therefore considered by the Court that said assignment by said P. J. Lamb, to said Kavanaugh Bros. of the license granted to said Lamb, at the April term of Court 1902, the same expiring on the 30th day of April 1903, be approved; and that said assignees, shall take unto themselves and have all the rights and privileges acquired by the said P. J. Lamb, under the original issue of said license subject to the terms and conditions thereof and the obligations, penalties and conditions imposed by law.

Ordered That this Court be adjourned until the first day of the next term.

Lyman Chalkley.

Virginia. At a County Court held in and for the County of Rockingham at the Court House thereof, on Monday, February 16, 1903.

Present Hon Lyman Chalkley, Judge of the County Court of Augusta County, presiding the Judge of this Court Hon. George G. Galtman, owing to illness being unable to preside.

The Clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court at and since the last January Term, which list being seen and inspected by the Court is ordered to be filed.

The Grand Jurors summoned under a Venue Facies to this day were called and the following six qualified to act as Grand Jurors, appeared viz: D. B. Shumatter, M. A. McLaughlin, John L. Frank, E. X. Miller, Geo. H. Hedrick, and George H. Harrison, whereas three were summoned from the bystanders by order of the Court, viz: C. L. Hedrick, P. S. McLaughlin, and J. P. Huffman. (A sufficient number of the Grand Jurors summoned not having appeared) The above named Grand Jurors, with George H. Hedrick as foreman, were examined impaneled and sworn, in accordance with law. A Grand Jury in and for the body of the County of Rockingham, and after having received their Charge from the Court, retired to their room to consider of their presentments. The Constable and Commissioners of the Revenue of the County having been summoned, they appeared were sworn and sent before the Grand Jury and after sometime the Grand Jurors returned into Court and made the following presentment viz: "An Indictment against Perry L. Shaver and Jane Bible for a felony, to-wit: kill Geo. H. Hedrick Foreman," and not having completed the business before them were adjourned until tomorrow morning at

10 o'clock. And thereupon Theodore Entzger, Joseph May, E. H. Sherman, David Davis, Joseph Miller, W. B. Hawley & Robert Monger ^{of Boston} before the Grand Jury were recognized in the sum of \$50 each, as the law provides for their appearance here on tomorrow morning at 10 o'clock.

On the motion of Debbett Campbell, the Court doth appoint Isaac Stillert Guardian for Robert Campbell Infant son of Robert Campbell dead under the age of 14 years. Whereupon the said Isaac Stillert appeared in Court and together with Debbett Campbell his surety (who satisfied the Court of his sufficiency) entered into Court and acknowledged a bond in the penalty of One hundred and forty dollars Conditioned according to law. And thereupon he qualified as such guardian by taking the oath required by law.

Lizzie Hillis, Infant daughter of Agnes Hillis dead, over the age of 14 years, this day appeared in Court and made choice of Robert C. Nizer as her guardian. The Court doth appoint him as such guardian. Whereupon he appeared in Court and together with Adolphus Nizer his surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of fifty dollars. Conditioned according to law. And thereupon he qualified as such guardian by taking the oath required by law.

On the motion of Florence B. Hickey, the Court doth appoint C. L. Andrew guardian for May Lilly Turner, Infant daughter of D. H. Turner, dead, under the age of 14 years. Whereupon the said C. L. Andrew appeared in Court and together with the American Surety Company of New York his surety, by H. M. Newman, its Res. Vice President attested by Geo. G. Galtan Jr. its Res. Asst. Secy under a power of Atty. duly certified and filed, entered into and acknowledged a bond in the penalty of Fifteen hundred dollars Conditioned according to law. And thereupon he qualified as such guardian by taking the oath required by law.

On the motion of Emanuel Horner, D. E. Horner, who made oath thereto according to law, appeared in Court and together with Emanuel Horner his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fifty dollars. Conditioned according to law. A Certificate is granted the said D. E. Horner for obtaining letters of Administration in due form upon the estate of Luther Horner dead. And the Court doth appoint Philip Butler, Philip Horner and J. C. Cooper to appraise the Estate of the said Luther Horner dead after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$30.⁰⁰

A writing purporting to be the last will and testament of S. G. Driver, dead was this day presented in Court and being proven by the Oaths of J. G. Hite and J. Newton Hilmer, two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And thereupon Lila M. Leahthy Driver the Executrix named in said will, who made oath thereto according to law, appeared in Court and entered into and acknowledged a bond in the penalty of One thousand dollars Conditioned according to law. A Certificate is granted the said Lila M. Leahthy Driver, for obtaining a probate of the said will of S. G. Driver dead in due form, said will providing that no security be required of the said Executrix. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$3000.⁰⁰

A writing purporting to be the last will and testament of Nancy Jackson dead was this day presented in Court and was proven by ^{the oath of} Jerry Dovel one of the subscribing witnesses thereto. H. V. Strayer the other subscribing witness thereto having departed this life. Winfield Liggett was sworn and depened that he is well acquainted with the handwriting of the said H. V. Strayer, and verily believes his signature as an attesting witness to the said

well is in the handwriting of the said W.D. Strayer, whereupon the same is admitted to file and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$300⁰⁰.

L.P. Smider, Justice of the Peace, paid into Court the sum of \$2⁵⁰ it being the amount of a judgment for fine rendered by on the 15 day of January 1903. in Commonwealth v. Erasmus Khetzel for Assault.

J.H. Pickering Justice of the Peace, paid into Court the sum of \$3⁵⁰ it being the amount of two judgments for fine rendered by him as follows. Jan'y 21. 1903. in Commonwealth v. George Kumpf for Assault \$2⁵⁰ and Feb'y 2. 1903. same v. W. G. Blakeman for Larceny \$1⁰⁰.

J.P. Howell Justice of the Peace this day paid into Court the sum of \$6⁰⁰ it being the amount of ten judgments for fine rendered by him as follows Feb'y 10. 1903 Commonwealth v. John Baker Petit Larceny \$5⁰⁰ & Feb'y 3. 1903. same v. Will Shmatter for Abusive Language \$1⁰⁰.

E. Floyd Justice of the Peace, paid into Court the sum of \$20⁰⁰ it being the amount of a judgment fine rendered by him Jan'y 13. 1903 in Commonwealth v. H. A. Hussy for Carrying Concealed Weapons.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Lynnan Chalkley.

Virginia. Bt. a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday February 17 1903.

Present Hon Lynnan Chalkley presiding.

Continued
D. O. Dickert who was on the 7 day of February 1903 duly appointed and Commissioned by the Governor of Virginia a Notary Public for the County of Rockingham for the term of four years from said date. This day appeared in Court and together with O. B. Roller his Surety who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of Two hundred dollars. And pledged for the faithful discharge of the duties of his said Office each of the said obligors swearing the benefit of their exemption as to this obligation. which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Copy of this order to the Secretary of the Commonwealth and thereupon the said D. O. Dickert qualified as such Notary Public by subscribing to and taking the Oaths prescribed by law.

This day came again the Grand Jury impaneled and sworn on yesterday pursuant to their adjournment and again retired to their room to consider of their presentments and after sometime returned into Court and made the following presentments viz:
An Indictment against John H. Flaumery for Retailing Liquor, A true bill Geo. H. Hedrick, Foreman.
An Indictment against John H. Flaumery for Retailing Liquor, A true bill Geo. H. Hedrick, Foreman.
An Indictment against John H. Flaumery for a Misdemeanor. A true bill Geo. H. Hedrick Foreman.
An Indictment against J. L. Fugua for a Misdemeanor A true bill Geo. H. Hedrick, Foreman.
An Indictment against J. L. Fugua for Retailing Liquor, A true bill Geo. H. Hedrick Foreman.
An Indictment against J. L. Fugua for Retailing Liquor a true bill Geo. H. Hedrick Foreman.
An Indictment against J. L. Fugua for Retailing Liquor. A true bill Geo. H. Hedrick, Foreman.
An Indictment against J. L. Fugua for Retailing Liquor, A true bill Geo. H. Hedrick, Foreman.

An Indictment against H. H. Miller for Retailing Liquor. A true bill. Geo. H. Hedrick, Foreman.
An Indictment against Perry H. Haven and Jane Bible, for a Felony. A true bill. Geo. H. Hedrick, Foreman.
An Indictment against John Howard Ware, alias John Howard Blakely, for a Felony. A true bill. Geo. H. Hedrick, Foreman.
And having completed the business before them were discharged from further attendance upon this term of the Court.

Ordered That the following names persons be allowed the sum opposite their names for their attendance mileage and services at this term of the Court, as Grand Jurors, and that the same be Certified to the Treasurer of this County for payment. Viz: D. B. Shewalter \$2.80 Geo. R. Eastman \$1.48 M. D. Allbaugh \$3.28 John A. Trunk \$3.28 E. X. Miller \$3.44 Geo. H. Hedrick \$2.64 Geo. H. Haiside \$4.00 L. Hedrick \$3.00 P. D. Drabough \$2.88 R. B. Bluffman \$2.88 L. E. Johnson \$2.00

Commonwealth. } Upon an Indictment for Misdemeanor
John H. Flaumery

This day came the Attorney for the Commonwealth, and it is ordered that the Clerk of this Court Certify and deliver a Copy of said Indictment to J. D. S. a Justice of the Peace for Plains Magisterial District in this County, as provided under Section 1106 of the Code of Virginia 1887, as amended by the Acts of the General Assembly of Virginia Session 1897-8.

Commonwealth. } Upon an Indictment for Misdemeanor
J. L. Fugua

This day came the Attorney for the Commonwealth, and it is ordered that the Clerk of this Court Certify and deliver a Copy of said Indictment to L. B. Sam a Justice of the Peace for Stonewall Magisterial District in this County, as provided under Section 1106 of the Code of Virginia 1887, as amended by the Acts of the General Assembly of Virginia Session 1897-8.

Commonwealth. } Upon an Indictment for felony
Jacob R. Metzger & Thornton Metzger

This day came the Attorney for the Commonwealth and it appearing to the Court that the defendants Jacob R. Metzger and Thornton Metzger, who escaped from the Custody of the Jail of this County are still at large, it is ordered that this Cause be Continued until the March Term next of this Court.

Commonwealth. } Upon an Indictment for felony
Jacob R. Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendant Jacob R. Metzger, who escaped from the Custody of the Jail of this County is still at large, it is ordered that this Cause be Continued until the March Term next of this Court.

Commonwealth. } Upon an Indictment for felony
Thornton Metzger

This day came the Attorney for the Commonwealth, and it appearing to the Court that the defendant Thornton Metzger, who escaped from the Custody of the Jail of this County

is still at large. It is ordered that this cause be ~~be~~ continued until the March Term next of this Court.

Southern Railway Company Appellant.

Rockingham Exchange Company Appellee.

} upon an appeal from the judgment of a Justice.

This day came the appellant by its attorney, and moves the Court to substitute The United States Fidelity and Guaranty Company of Baltimore City Md. as surety in the appeal instead of Geo. G. Herring, who was entered as surety by the Justice, which motion the Court doth sustain, whereupon the United States Fidelity Company of Baltimore City Md. by E. E. Lipton its attorney in fact executed a bond in the penalty of seventy five dollars, conditioned for the payment of the said judgment and all costs and damages that may accrue in case said judgment is affirmed.

W. B. Roller Mayor of the town of Haverhill, and Esq. Justice of the Peace, this day paid into Court the sum of \$80.⁰⁰ it being the amount of two judgments for fines rendered his honor as follows: John 16, 1903. Commonwealth v. Walter Bricker for Adultery \$40.⁰⁰ and John 17, 1903. Same against Mollie Martin for Fornication \$40.⁰⁰

On the Application of W. J. Mayschoffer others for the Establishment and Construction of an Iron or Steel Bridge Bridge over Brooks Creek in this County.

This day came again the parties, and Messrs. G. R. Eastham and E. B. Surtzer the Commissioners appointed heretofore to Contract for and superintend the Construction of the said Bridge, having this day filed their report from which it appears that the work has been fully completed at a cost including pay of said Commissioners aggregating the sum of \$1162.³⁰ as shown by an itemized statement filed by said Commissioners as follows: Virginia Bridge and Iron Company for Steel Bridge \$759.⁰⁰ Peter Roller for Lumber \$73.¹⁰ E. S. Karsos for Lumber \$13.⁰⁰ Swartz Bros. & Co. for Lumber \$7.⁰⁰ Paid by G. R. Eastham E. H. Snoman for Masonry \$293.⁰⁰ G. R. Eastham Comr. \$10.⁰⁰ E. B. Surtzer \$7.⁰⁰ It is ordered that the Clerk issue warrants upon the Treasurer of this County for the payment of one half of the amounts above set forth to the parties entitled thereto payable out of the funds appropriated for the purposes of said Bridge.

In the matter of the Application for the Establishment of an Iron or Steel Bridge over Smiths Creek near Jacob D. Sellers.

This day came again the parties, and Messrs. G. R. Eastham and J. D. Sellers the Commissioners heretofore appointed to Contract for and superintend the Construction of the said Bridge, having this day filed their report from which it appears that the work has been fully completed at a cost including the pay of the said Commissioners aggregating the sum of \$595.⁰⁸ as shown by an itemized statement filed by said Commissioners as follows: Virginia Bridge & Iron Company for Steel Bridge \$1021.⁵⁰ E. H. Snoman for Masonry \$397.⁰⁰ J. D. Sellers for Lumber Lumber hauling Lumber Cement from Depot \$119.⁴⁸ G. R. Eastham Comr. \$12.⁰⁰ J. D. Sellers Comr. \$10.⁰⁰ It is ordered that the Clerk issue warrants upon the Treasurer of this County for the payment of one half of the amounts above set forth to the parties entitled thereto payable out of the funds appropriated for the purposes of said Bridge.

On the Application of J. Luther Berkle others for the Establishment and Construction of an Iron or Steel Bridge.

This day came the parties, and Messrs. G. R. Eastham and L. J. Dorei the Commissioners heretofore appointed to Contract for and superintend the Construction of the said Bridge, having this day filed their report from which it appears that the work has been fully completed at a cost including the pay of Commissioners aggregating the sum of \$305.⁰⁹

1/2 in 2nd & 3rd Co.
1/2 in 4th & 5th Co.

as shown by an itemized statement filed by said Commissioners as follows: Virginia Bridge & Iron Co. for Bridge over 4261st L. J. Down for Lumber \$39.09 Geo. R. Eastham. Comor. 15th. It is ordered that the black issue warrants upon the Treasurer of this County for one half of the amounts above set forth to the parties entitled thereto, payable out of the funds appropriated for the purpose of said Bridge.

E. R. Neff moved the Court to correct an erroneous assessment of 900 ^{in the name of Samuel Shunkle} Acres of land ^{lying} in Brock's Gap in Linville Magisterial District in this County. ^{signed 4 Jan 1903} Geo. N. Conrad the Attorney for the Commonwealth being present in Court and waiving the notice required by Statute, and the Commissioners of the Revenue for Linville and Plain Districts was examined as touching this application. And it appearing to the Court that said tract of land lies in Plain District and is assessed in said District to the said E. R. Neff, as will appear by reference to line No 13 page 34 of said book. It is therefore ordered that the Commissioners of the Revenue for Linville District drop from this book the tract of land assessed to Samuel Shunkle Estate at line No. 16 page 36. and that this order be Certified to the Auditor of Public Accounts.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Lynnon Chasler.

Virginia At a County Court continued and held in and for the County of Rockingham at the Court House thereof, on Wednesday, February 18, 1903.

Present Hon. Wm. M. Atkinson Judge of the County Court of Frederick County Va. presiding, the Judge of this Court, Hon. Geo. G. Gathen, owing to illness being unable to preside.

On the Application of Leha J. Painter for Retail and Barroom Liquor License at the building in rear of Deal's Hotel in Ediston, Va.

This day came the Applicant in person and by Counsel and thereupon came J. J. Heard, A. D. Ruffner, H. H. Marshall, Geo. W. Blalton, L. L. Powell, Le H. M. Grier, S. B. Cover, E. L. Jahnke, H. B. Gentry, D. F. Hoffman, J. O. Hensberger, others as will appear from petition, by Counsel, and entered themselves as Contestants to said application. And on motion of said Contestants for reasons appearing to the Court, the trial of this Cause is continued to and set for Tuesday the 2nd day of the March Term next of this Court.

On motion of the Auditor the Estate of Louisa Shufflett dead is committed to John A. Sontger, Sheriff of Rockingham County for administration it appearing to the Court that more than two months have elapsed since her death without application for administration upon her estate.

Commonwealth

John Howard Hare alias John Howard Blakey } upon an Indictment for a Felony.

This day came the Attorney for the Commonwealth, and the prisoner John Howard Hare alias John Howard Blakey was led to the bar of the Court in Custody of the Jailor of this Court and being thereof arraigned pleaded not guilty to the said Indictment. And on motion of the prisoner the trial of this Cause is continued until the March Term next of this Court. And thereupon the prisoner was remanded to Jail.

Commonwealth.

Upon an Indictment for a felony.
 Perry H. Shaver and Jane Bible.

This day came the Attorney for the Commonwealth, and the prisoners Perry H. Shaver and Jane Bible were led to the bar of the Court in Custody of the Jailor of this Court and being thereof arraigned each pleaded not guilty to the said Indictment. And on motion of the defendants the trial of this Cause is continued until the March Term next of this Court. And thereupon the prisoners were remanded to jail.

Commonwealth.

Upon an Indictment for a felony.
 Perry H. Shaver and Jane Bible.

This day came the Attorney for the Commonwealth and the prisoners Perry H. Shaver and Jane Bible were led to the bar of the Court in Custody of the Jailor of this Court and being thereof arraigned each pleaded not guilty to the said Indictment. And on motion of the defendants the trial of this Cause is continued until the March Term next of this Court. And thereupon the prisoners were remanded to jail.

On motion of Creditors the Court doth appoint John D. Switzer Curator of the Estate of Julia Pundblow decess. whereupon the said John D. Switzer appeared in Court and together with W. C. Switzer his surety who justified as to his sufficiency entered into and acknowledged a bond in the penalty of five hundred dollars conditioned according to law. And thereupon he qualified as such Curator by taking the Oath required by law.

Ordered. That this Court be adjourned until the first day of the next term.

W. M. Atkinson
 Judge of the County Court of Frederick County Va.

Virginia.

On Vacation.

Before the Judge of the County Court of Rockingham County.
 Be it remembered that H. M. R. Bridger who was on the 21st day of January 1903 duly appointed and commissioned by the Governor of Virginia a Notary Public for the County of Rockingham, for the term of four years from said date this day personally appeared before me Judge of the County Court of Rockingham County in Vacation and together with Israel Doves his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned for the faithful discharge of the duties of his said office, each of said obligors waiving the benefit of their Exemptions as to the said obligations which bond is ordered to be recorded by the Clerk of said Court: who is directed to transmit a copy of said bond and a copy of this order to the Secretary of the Commonwealth and thereupon the said H. M. R. Bridger qualified as such Notary Public by subscribing to and taking the oaths prescribed by law. Given under my hand this 27th day of February 1903.

Geo. G. Gathan.

Jesse J. S. Messerly Clerk

Virginia At a County Court held in and for the County of Rockingham, at the Court House thereof on Monday March 16. 1903.

Present Hon. Wm M. Pittman Judge of the County Court of Frederick County Virginia. presiding. the judge of this Court Hon Geo J. Galtan, owing to illness being unable to preside.

The clerk of this Court this day presented in Court a list of Deeds &c., received and admitted to record in the Clerk's Office of this Court at and since the last February term, which list being seen and inspected by the Court is ordered to be filed.

On the motion of the Widow heirs of Solomon Shifflett deceased, Dr. G. Raughter, who made oath thereunto according to law, appeared in Court and together with J. H. Churchill his surety, who justified as to his sufficiency, entered into and acknowledges a bond in the penalty of One hundred dollars, conditioned according to law. A Certificate is granted the said Dr. G. Raughter, for obtaining letters of Administration in due form upon the estate of the said Solomon Shifflett deceased. And the Court doth appoint Geo. L. Brice, Thomas Hensley, Luther Menden + Nicholas Hensley, to appraise the estate of the said Solomon Shifflett deceased, any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$50⁰⁰.

Robert Burkett and Ernest Burkett, Infant sons of Samuel Burkett deceased, now the age of 14 years, this day appeared in Court and made choice of J. H. Conrad as their Guardian, the Court doth appoint him as such guardian. Whereupon he appeared in Court and together with Wm B. Olsen his surety (who satisfied the Court of his sufficiency) entered into and acknowledges a bond in the penalty of Two hundred dollars, conditioned according to law. And therefore the said J. H. Conrad qualified as such guardian by taking the oath required by law.

On the motion of E. Fletcher, who made oath thereunto according to law, and appeared in Court and together with Isaac D. Davis his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Six thousand dollars, conditioned according to law. A Certificate is granted the said E. Fletcher, for obtaining letters of Administration in due form upon the estate of Clarence B. Fletcher deceased, and the Court doth appoint Jacob J. Keil, Jacob K. Hauger, Jacob J. Neff Joseph H. Brunk, to appraise the estate of the said Clarence B. Fletcher, deceased, any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of Forty five hundred dollars.

On the motion of J. H. Taylor, the Court doth appoint him Guardian for, G. Taylor, Emory Taylor, T. Taylor, Geo. Taylor, Noah Taylor, Miles Taylor, + Remo Taylor, Infant Children of H. F. Taylor, whereupon he appeared in Court and together with American Surety Company of New York, by S. M. Newman Res Vice Pres. attested by Geo. J. Galtan, Jr. Recd and Secy. under power of Atty duly Certified and filed, his surety entered into and acknowledges a bond in the penalty of One thousand dollars, conditioned according to law. And therefore he qualified as such Guardian by taking the oath required by law.

On the motion of Otis H. Hume and Wm D. Gacher who made oath thereunto according to law, and appeared in Court and together with B. F. Hume, and D. M. Hume, their sureties (who justified as to their sufficiency) entered into and acknowledges a bond in the penalty of fifteen thousand dollars, conditioned according to law. A Certificate is granted the said Otis H. Hume and Wm D. Gacher, for obtaining letters of Administration in due form upon the estate of William H. Hume deceased. And the Court doth appoint John H. Manger, D. H. M. Rogers, Joseph J. Brown, James H.

Orbaugh and Joseph E. Thorne to appraise the estate of the said Wm. H. Hume, dead, any three of whom may act after first being duly sworn - and it is entered of record that the amount of property to come into the hands of the said Administrators was estimated not to exceed the sum of \$8000⁰⁰

On the motion of Elizabeth Bilbo, nee Gomer, and Magdalene Plant nee Gomer, devisees of Henry E. Gomer dec'd D.D. Diebert, who made oath thereunto according to law, appeared in Court and together with American Bonding Company of Baltimore by Ed. S. Conrad its Vice President attested by E. L. Diebert its Cashier under Power of Atty. duly Certified and recorded, his Surety, entered into and acknowledged a bond in the penalty of Fifteen hundred dollars Conditioned according to law. A Certificate is granted the said D.D. Diebert for obtaining letters of Administration De bonis non ^{in due form} upon the Estate of the said Henry E. Gomer dec'd with his will annexed. And it is entered of record that the amount of property to come into the hands of the said Administrators was estimated not to exceed the sum of \$1000⁰⁰

On the motion of Matilda C. Reedy, T.D. Pennington, who made oath thereunto according to law, and appeared in Court and together with Paul Reedy his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five thousand dollars Conditioned according to law. A Certificate is granted the said T.D. Pennington, for obtaining letters of Administration De bonis non, in due form upon the Estate of Philip Reedy, dead, with his will annexed, And it is entered of record that the amount of property to come into the hands of the said Administrators was estimated not to exceed the sum of \$2500⁰⁰

On the motion of Anne E. Pennington, the Executrix named in the will of E.S. Pennington dec'd, admitted to probate at a former term of this Court who made oath thereunto according to law, and entered into and acknowledged a bond in the penalty of One thousand dollars Conditioned according to law. A Certificate is granted the said Anne E. Pennington, for obtaining a probate of the said will of the said E.S. Pennington dec'd said will providing that no security be required of the said Executrix And the Court doth appoint Henry Mason Medford Spitzer and Absalom Ritchie to appraise the estate of the said E.S. Pennington dec'd after first being duly sworn.

A writing purporting to be the last will and testament of Edward Graves dec'd was this day presented in Court and being sworn by the Oaths of Geo. J. Galtan Jr. and Chas. Guffin Henning the Subscribing witnesses thereto, is admitted to probate and ordered to be recorded. And on the motion of Charles Guffin Henning the Executor named in said will who made oath thereunto according to law, and appeared in Court and entered into and acknowledged a bond in the penalty of One thousand dollars Conditioned according to law. A Certificate is granted the said Chas. G. Henning for obtaining a probate of the said will of the said Edward Graves dec'd said will providing that no security be required of the said Executor and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$500⁰⁰

Lucy Maude Rhodes Infant daughter of J. Perry Rhodes dec'd over the age of 14 years this day appeared in Court and made choice of her mother Fannie M. Rhodes as her Guardian, the Court doth appoint her as such Guardian, whereupon the said Fannie M. Rhodes appears in Court and together with James H. Rhodes her Surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of Fifteen hundred dollars Conditioned according to law. And thereupon she qualified as such guardian by taking the Oath required by law.

A writing purporting to be the last will and testament of Mary M. Hinegardner dec'd. was this day presented in Court and being sworn by the Oaths of John H. Miller and M. D. Miller, two of the Subscribing witnesses thereto is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$100⁰⁰

On the Application of Daniel O'Donnell for Retail Liquor Dealers License at his present place of business in the Esplanade Building on the North Side of West Water Street in the town of Harrisonburg Va.

On the Application of Wm A. Heron for Retail Liquor Dealers License at his present place of business in the town of Mt. Lakeyville in this County.

On the Application of J. H. Savage for Retail Liquor Dealers License at his present place of business on the North Side of East Water Street in the town of Harrisonburg Va.

On the Application of W. H. Wells for Retail Liquor Dealers License at his present place of business in the Bank Building on North Side of East Water Street in the town of Harrisonburg Va.
Ordered: That the foregoing applications be docketed and continued until the April Term next.

In the matter of the funds in hands of General Receiver of the County Court to the Credit of Ernest Burkett and Robert Burkett

J. H. Conrad having duly qualified as guardian of Ernest Burkett and Robert Burkett in the County Court of Rockingham County, and it appearing that there is a fund in the hands of H. H. Beetham General Receiver of the County Court of Rockingham County, viz: the sum of \$34.03 due to Ernest Burkett and \$52.60 due to Robert Burkett, it is ordered that the said Receiver do pay unto said J. H. Conrad guardian said sums as due after deducting all proper charges for a settlement of his account in regard to said funds.

John A. Switzer Plff
M. C. Rigel Deft } Upm a Notice.

This day came the Plaintiff and Defendant by Counsel, and thereupon the Defendant filed his plea of non assumpsit and set-off to which the Plaintiff replied generally and the Cause continued to later day of this term of the Court.

On the Application of the American Hardwood Manufacturing Company others for the Establishment of a Public Road

This day came Hugh Connell by Counsel filed his objections to the Establishment of the road prayed for in this Cause, it is ordered that the same be filed and continued.

On the Application of H. J. Foley others for the Establishment of a Public Road

It is ordered that Mrs. J. G. Edwards through whose land the road prayed for in this Cause passes, be summoned to appear here on Friday next the 5 day of this present term to show Cause if any she can why the report of the Viewers and the order establishing the road prayed for in this Cause shall not stand affirmed as to her.

On the Application of H. N. Deputy for Retail Liquor Dealers License in the Private House in the town of Harrisonburg in the Room now occupied by G. J. Hottel.

Ordered that the foregoing application be docketed and continued until the April Term next.

On the Application of Charles E. Conrad for Retail Liquor Dealers License at his present place of business in the Lock Building on North Side of West Water Street in the town of Harrisonburg Va.

Ordered that the foregoing application be docketed and continued until April Term next.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

W. M. Atkinson Judge

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday March 17, 1903.

Present Hon. Wm M. Atkinson, Judge of Rockingham County Court presiding

On the Application of James M. Kavanaugh and Joseph V. Kavanaugh partners doing business as Kavanaugh Bros. for Retail Liquor dealers license at their present place of business in the Virginia Hotel in Harrisonburg, Va. and also in the Sprunkel building on South Side of North Water Street in said town.

Ordered that the foregoing application be docketed and continued until the next term next.

A writing purporting to be the last will and testament of Matthew J. Baldwin died, was this day presented in Court and being sworn by Jasper Haire and ^{the said Jasper Haire} ~~James C. Haire~~ is admitted to probate and ordered to be recorded. And on the motion of Frances Baldwin the Executrix named in said will who made oath thereof according to law and appeared in Court and entered into and acknowledges a bond in the penalty of One hundred dollars conditioned according to law. A Certificate is granted the said Frances Baldwin for obtaining a probate of the said will of Matthew J. Baldwin dec'd in due form said will providing that no security be required of the said Executrix and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1000⁰⁰.

A Paper writing purporting to be the last will and testament of B. F. Kibler of Dayton Rockingham County, Virginia, bearing date June 14, 1900, having this day been presented to Court, and the propriety of the probate thereof being on motion of Hettie Kibler, the widow of B. F. Kibler, submitted to the Court, and the Court having considered the testimony of J. M. Kester, and it appearing therefrom that the said will is not wholly in the handwriting of said B. F. Kibler, but that a portion of said will was written by said J. M. Kester, at the instance of the said B. F. Kibler, it was accordingly ordered that the said will be not admitted to probate as and for the true last will and testament of the said B. F. Kibler, and the clerk of the Court is directed to place said will on file in the clerk's office of the County Court of Rockingham.

Charles T. Painter Plff.

J. D. Heard & others. Dfts.

} Upon an application for Retail Liquor License at Elkton.

This day came the plaintiffs and defendants in person and by Counsel, and the Court not having time fully to hear the evidence the Cause is continued until tomorrow morning at 10 o'clock.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

W. M. Atkinson

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday March 18, 1903.

Present Hon. Wm M. Atkinson, presiding.

copied B. T. Ballender, Road Commissioner for 8th District this day presented in Court an

account against the County of Rockingham amounting to the sum of £ for services rendered by him on Public Roads in his district which being sworn to was examined and allowed by the Comt. and ordered to be Certified to the Treasurer of Rockingham County for payment.

On the application of Mr. L. S. Peters for a Continuance of the Dry River Road approaching from the North to North East end of Cemetery St on Northwest side of the town of Bridgewater a distance of 500 yds. The Court doth adjourn. J. B. Myers. S. J. Miller. R. B. Kellen & Emanuel Long. ^{if any of them of whom may act} Viewed & Viewed said proposed road made report to this Court at its next term as the law requires.

On the Application of Jacob Holmiger versus for the Establishment of a Public Road Beginning at Luther Meitz place then north through the lands of Mary Shwaller then to intersection of Broadway Avenue

The Court doth appoint Jos. S. Mayes, George H. Haerlin, Jos. M. Pannan and D. B. Peter. Two or any three of whom may act. To view said proposed road and make report to this Court at its next term as the law provides.

On the Application of L. B. Gacey others for the Establishment of a Public Road Beginning at Richards Pomeroy on the River Bank Road and running thence on a twelve foot reservation to Waterloo Mills & also to Current with road running by Smithalls. to Shenandoah River.

The Court doth appoint Geo. R. Eastham, Chas. G. Hauser, & L. Hedrick, & John Filler, Viewers (any three of whom may act) to view the said proposed road and make report to the Court at its next term as the law requires.

On the Application of John H Taylor & others for the Establishment of a Public Road
from some point on the Keegleton to the Public Road leading now leading from S^o
Keegleton road to the Valley Pike

The Comt doth appoint G. R. Eastman Henry Forster D. S. Hanson J. G. Myers. Newis any three of whom may det. to view said premises and make report to this Comt at its next term as the law directs.

On the Application of John Reebush others for the Establishment of a Public Road from near Joseph Wheelbarrow through D. P. Shwaller farm to Rewai to Rewai Road near Ghost Shop on Dry Rewai.

The Court doth appoint J. G. Mearns & F. Miller, G. H. Hume & Davis to view said proposed road and make report to this Court as the law provides.

Charles T. Painter

Pepp

J. T. Heard & others

Waft

Refer an application for Retail Liquor Dealers License
to E. H. T.

Lat Ekton

This day came again the parties, and the Court having fully heard the evidence adduced and argument of Counsel doth refuse to grant said License. It is Considered that the Contestants J. J. Heard & other recover of the Affiant Chas. J. Painter, their Costs about their in this behalf expended.

Version on the bath,

Canini orca Lath

Terry H. Shaver & Jane B. B. B.

Return an Indictment
for Felony

Perry H. Shaver & Jane Pettit

Refers an
Indigment for
Palmer

This day came the attorney for the Commonwealth and the prisoners Perry, Id Shaver and James Roberts were led to the bar of the Court in custody of the jailer of this Court. And on the motion of the prisoners for reasons appearing to the Court the

Trial of these Cases are continued until the April Term next of this Court in the Commonwealth.

John Howard Hare alias John Howard Blakey } upon an Indictment for Felony.

This day came again the Attorney for the Commonwealth and the prisoner John Howard Hare alias John Howard Blakey was led to the Bar of the Court in Custody of the Jailor of this Court and thereupon the Court set Friday next the 5 day of this present term of the Court for his trial. And the Clerk of this Court is ordered to issue a Venue Facias to the Sheriff of Rockingham County directed Commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date to serve as Jurymen upon the trial of the said John Howard Hare alias John Howard Blakey for felony. And thereupon the prisoner was remanded to jail.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

J. M. McKinnon
Clerk

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday March 19. 1903.

Present Hon. J. M. McKinnon presiding

On the motion of the Heirs of Mary R. Layman dec'd John E. Layman, who made Oath thereof according to law. and appeared in Court and together with Joseph D. Templeman his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Fifteen hundred dollars Conditioned according to law. A Certificate is granted the said John E. Layman for obtaining letters of Administration in due form upon the Estate of the said Mary R. Layman dec'd? and the Court doth appoint D. H. Moore John G. Moore Stuart E. Lawton Charles Lawton & D. B. Brummett to appraise the estate of the said Mary R. Layman dec'd? Any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$750⁰⁰.

On the motion of the heirs of Philip Layman dec'd? John E. Layman, who made Oath thereof according to law. Appeared in Court and together with Joseph D. Templeman his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars Conditioned according to law. A Certificate is granted the said John E. Layman for obtaining letters of Administration in due form upon the estate of the said Philip Layman dec'd? with his will annexed. And the Court doth appoint D. H. Moore John G. Moore Stuart E. Lawton Charles Lawton & D. B. Brummett to appraise the Estate of the said Philip Layman dec'd? Any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$250⁰⁰.

A writing purporting to be the last will and testament of Leatham R. Gambell dec'd? was this day presented in Court and being sworn by the Oaths of Puddledon Bryan & Emma Lyon Bryan, the subscribing witnesses thereof is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under

the said oath was estimated not to exceed the sum of \$2800⁰⁰

On motion of Mrs Susan E. McDowell widow of J. H. McDowell dec'd who made oath that according to law and appeared in Court and together with Wm E. Harrison and J. G. Campbell her trustees who justified as to their sufficiency entered into and acknowledged a bond in the penalty of Two Thousand dollars Conditioned according to law. A Certificate is granted the said Mrs Susan E. McDowell for obtaining letters of Administration in due form upon the estate of the said J. H. McDowell dec'd. And the Court doth appoint D. B. Bates, Leha. S. Hender, J. H. Pascoe & E. Beard to appraise the estate of the said J. H. McDowell dec'd any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1000⁰⁰

Bertha V. Layman, Ernest D. Layman, Maude E. Layman, Infant Children of Philip Mary R. Layman, dec'd, over of the age of 14 years this day appeared in Court and made choice of Joseph D. Isenfleman as their guardian the Court doth appoint him as such guardian. And on motion of the Adult heirs of Philip Mary R. Layman, the Court doth also appoint him guardian for Maggie L. Layman and Charles E. Layman Infant Children of the said Philip Mary R. Layman dec'd, under the age of 14 years, whereupon he appeared in Court and together with John E. Layman, George F. Layman, George E. Phillips and J. H. Layman, his trustees (who satisfied the Court of their sufficiency) entered into and acknowledged a bond in the penalty of Twelve Hundred dollars, Conditioned according to law. And thereupon he qualified as such guardian by taking the oath prescribed by law.

Commonwealth

§ Upon an Indictment for Retailing Liquor No. 1.
J. L. Fuqua.
This day came the Attorney for the Commonwealth, and the defendant J. L. Fuqua in person and by Counsel, And thereupon the defendant filed his plea of Not guilty to which the Attorney for the Commonwealth replied generally, whereupon came the following jury to wit: Daniel S. Long, Geo. W. Quell, Adam S. Heatwole, Mark Sellers, Ernest D. Shelbyard, John J. Heatwole, Jerry F. Lineweaver, Charles M. Sellers, D. F. Robinson, J. E. Baleman, J. H. Kuffman, J. B. Stone, who being elected and tried were sworn well and truly to try the issue joined. And a true verdict render according to the evidence and having fully heard the evidence and argument of Counsel, retired to their room to consider their verdict and after sometime returned into Court and upon their Oaths do say that the jury find the defendant J. L. Fuqua guilty in manner and form as charged in the Indictment and fix his fine at One hundred and ten dollars D. S. Long, Foreman. Whereupon the jury was discharged. And it is considered by the Court that the Commonwealth of Virginia recover of the defendant J. L. Fuqua the said sum of One hundred and ten dollars, being the amount of the fine by the jury in their verdict ascertained, and her Costs ^{by her} about her prosecution in this behalf expended.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

W. M. Harrison

Judge

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday March 20. 1903.

Present Hon. Mr. M. Altman presiding.

Commonwealth.

§ Upon an Indictment for Retailing Liquor. No 2.

J. L. Fuqua.

This day Came the Attorney for the Commonwealth and the defendant J. L. Fuqua in person and by Counsel, and thereupon the defendant filed his special plea of once in jeopardy having been formerly convicted for the same offense, and the Court having heard the evidence adduced doth Consider that the said Indictment be dismissed. It is therefore Considered by the Court that the defendant J. L. Fuqua as to said Indictment be discharged and go hence without day re.

Commonwealth.

§ Upon an Indictment for Retailing Liquor. No. 3.

J. L. Fuqua.

This day Came the Attorney for the Commonwealth, and the defendant J. L. Fuqua in person and by Counsel, and thereupon the defendant pleaded guilty to the said Indictment and waived trial by a jury and submitted all matters of law and fact for trial to the Court, and the Court having heard the evidence and argument of Counsel doth Consider that the Commonwealth of Virginia, recover of the defendant J. L. Fuqua the sum of seventy five dollars fine, and her Costs, ^{by her} about her prosecution in this behalf expended.

Commonwealth.

§ Upon an Indictment for Retailing Liquor No 4.

J. L. Fuqua.

This day Came the Attorney for the Commonwealth and the defendant J. L. Fuqua in person and by Counsel, and thereupon the defendant filed his special plea of once in jeopardy having been formerly convicted for the same offense, and the Court having heard the evidence adduced doth Consider that the said Indictment be dismissed & that the defendant J. L. Fuqua as to the said Indictment be discharged and go hence without day re.

Commonwealth.

§ Upon an Indictment for a Misdemeanor.

J. L. Fuqua.

This day Came the Attorney for the Commonwealth, and the defendant J. L. Fuqua in person and by Counsel, and for reasons appearing to the Court the orders entered in this Cause at the February term last of this Court be and the same is hereby set aside. And thereupon the defendant J. L. Fuqua pleaded guilty to the said Indictment and waived trial by a jury and submitted all matters of law and fact for trial to the Court, and the Court having heard the evidence and argument of Counsel doth Consider that the Commonwealth of Virginia, recover of the defendant J. L. Fuqua the sum of thirty dollars fine and her Costs, ^{by her} about her prosecution in this behalf expended.

Commonwealth.

§ Upon an Indictment for Retailing Liquor.

H. H. Miller.

This day Came the Attorney for the Commonwealth, and the defendant H. H. Miller.

in person and by Counsel and thereupon the defendant pleaded guilty to the said Indictment and waived trial by a jury and submitted all matters of law and fact for trial to the Court and the Court having heard the evidence and argument of Counsel doth consider that the Commonwealth of Virginia owes of the defendant H. H. Miller Twenty dollars Fine and her Costs by her about her prosecution in this behalf expended.

Ordered that the following named persons be allowed the sum opposite their names for their attendance mileage and tolls as witnesses for the Commonwealth at the December, January February terms 1902+3 and that the same be certified to the Auditor of Public Accounts viz

Style of Prosecution	Name of witness	day	mile	toll	total	Style of Prosecution	Name of witness	day	mile	toll	total
Commonwealth	F. M. Evans	1	66	3	14		Luther Stephens	1	12		98
Geo. F. Adeley Jan. Term	B. H. Meredith	1	66	3	14		Isaac Barton	1	4		66
Before	Brent Bowman	2		1	00		Wm C Barton	1	4		66
	E. R. Davis	2		1	00		Spencer Hoover	1	12		98
	Wm Anthony	2		1	00		Charles McMullen	1			50
	W. B. Switzer	1			50		Bert Ruebush	1			50
	Dr. D. O. Jones	2		1	00		D. Coffman	1			50
	R. A. Davis	2		1	00		John Daught	1			50
	J. L. Reiter	2		1	00		S. J. Hensley	1	20		130
	Wm P. Sheffelt	1	22	1	38		Theodore Eustace	2		12	112
	C. E. Long	1		12	62		Joseph May	2		18	118
Grand Jury	Jacob Brock	1		06	56		E. H. Sherman	2			118
Commonwealth	Dr. D. O. Jones	1			50		Nash Good	1	6		74
	R. A. Davis	1			50		Davis Davis	2	20		180
	J. L. Reiter	1			50		Jack Cash	2	20		180
	C. E. Conrad	1			50		Joseph Miller	2	20		180
	W. A. Braithwaite	1			50		R. J. Snaps	2	20		180
	John Spencer	1			50		E. J. Cowan	2	24		196
Robert Murray	Henry Frances	1			50		Robert Coffman	2	20		180
Commonwealth	Wilbur Anthony	1			50		H. B. Hensley	2	20		180
	Brent Bowman	1			50		C. L. Jordan	2			100
	W. B. Switzer	1			50		R. A. Davis	2			100
Whit. Eaton Feb. Term	Joseph Burkholder	1			50		J. L. Armstrong	2			100
Before	E. A. Leoster	1	12		98		J. H. Dwyer	2			100
	Charles Ford	1	2		58		Wm Shepherd	2			100
	Will Estep	1	12		98		Joseph Dams	2			100
	S. A. K. Eppard	1	30		120	Grand Jury	S. J. Stedley	2			100
	Robert Monger	2	30		220						

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum opposite their names for their attendance mileage and tolls as jurors upon the trial of Misdemeanor Case at this term of the Court and that the same be paid by the Treasurer of this County & certified to the Auditor of Public Accounts

Name of Jurors	day	mile	toll	total	Name of Jurors	day	mile	toll	total
✓ Daniel B. Long	1	16		164	✓ Jerry F. Linnear	✓	1	18	172
✓ Geo. W. Buell	1	6		124	✓ Charles M. Sellers	✓	1	25	200
✓ Adam B. Heatwell	1	20		180	✓ B. A. Rolston	✓	1		100
✓ John J. Heatwell	1	9		136	✓ J. E. Bateman	✓	1		100
✓ Wm R. Sellers	1	23		192	✓ J. M. Huffman	✓	1		100
✓ Ernest A. Hilliard	1	25		200	✓ J. A. Stone	✓	1		100

Upon the application of Chas. G. Hausberger & others for the Establishment of a Public Road.

This day came against the parties by their Attorney, and on motion of the Petitioner it is ordered that this Cause be recommitted to the former Viewers H. P. Elin D. I. Hanson, Geo. R. Eastman & Geo. R. Filler with instruction to go again upon the route designated by letters upon the plat and make report to this Court at its next term as the law provides.

On the Application of Wm. R. Border & others for the Establishment of a Public Road

The Court doth appoint Charles E. Fahmy, Charles S. Hinder, Isaac Turner and D. B. Siler Viewers, any three of whom may act to view said proposed road and make report to this Court at its next term as the law provides.

On the Application of H. J. Foley & others for the Establishment of a Public Road

It is ordered that the process awarded against Mrs. J. G. Edwards at a former day of this term of the Court be made returnable to the April Term next of this Court.

L. B. Donitz, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of \$10.⁴⁴ for Medicine furnished his son Confined in Jail which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

John B. Switzer, Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of \$262.⁸⁵ for Keeping & supporting sundry prisoners Confined in Jail from May 19 to Aug. 24, 1902 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

John B. Switzer, Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of \$204.⁹⁵ for Keeping & supporting sundry prisoners Confined in Jail from Aug 24, 1902 to Jan 12, 1903 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

John B. Switzer, Sheriff of Rockingham County this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of \$9.⁰⁰ for Guarding Prisoners in sundry Commonwealth Cases from April 25th to Jan 27, 1903 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

H. B. Switzer, Deputy Sheriff of Rockingham County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of \$9.⁰⁰ for Guarding Prisoners in sundry Commonwealth Cases from April 25, 1902 to Jan 27, 1903 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

R. B. Davis, this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of \$1.⁶⁰ for Arresting Robert Murray for felony \$1.⁰⁰ summoning 3 witnesses for which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

J. L. Renter Special Policeman, this day presented in Court an account against

the common wealth of Virginia amounting to the sum of \$1⁰⁰ for Arrest of Jacob Farrell for felony
 Mileage re. which being shown to was examined and allowed by the Court and ordered to be Certified
 to the Auditor of Public Accounts for payment.

Settlement of the account of Henry George Wittig Committee for Martin Wittig
 " " " " " Mr. F. Powers Executor of Estate of Lydia Weaver Decd.
 " " " " " Joseph Blank Guardian of the Person of Otho B. Shewalter
 " " " " " E. M. Bowman Trustee of the The Trust Fund of N. H. & Mary J. Corum
 " " " " " O. H. Myers Guardian for M. H. Roundabout
 " " " " " Nevada Brown Exor of Belinda Brown Decd.
 " " " " " Geo. G. Glatton & L. S. Hensberger Exors of A. E. Hensberger decd.

The foregoing settlements were this day presented in Court and having been
 filed in the Clerk's office of this Court the time prescribed by law and there
 being no exceptions taken thereto, they were examined by the Court and
 appearing to be correct are ordered to be recorded.

This day came Walter N. Deputy and moved the Court for its consent to and
 approval of the assignment to him by L. J. Hattle of the License granted to the
 said L. J. Hattle at the April term of Court 1902. ^{from April 1, 1903, to April 30, 1903} to sell by retail in quantities
 not exceeding five gallons at any time to any individual wine and spirit
 malt liquors or any mixture thereof alcoholic bitters bitters containing alcohol
 or fruits preserved in ardent spirits at the place of business in the Rensselaer
 on the south side of East Water Street in the town of Harrisonburg. And the
 Court being fully satisfied that the said Walter N. Deputy is a fit person and
 will keep an orderly house and that the specific tax required by law on the
 original license has been paid and that said Walter N. Deputy has executed
 the bond required by law, in the penalty of Five Hundred dollars (\$500⁰⁰); it is
 therefore considered by the Court that said assignment by L. J. Hattle to said
 Walter N. Deputy of the License granted to said L. J. Hattle at the April term
 of Court 1902, the same expiring on the 30th day of April 1903, be approved
 and that assignment shall take unto themselves and have all the rights and
 privilege acquired by the L. J. Hattle under the Original issue of said license
 subject to the terms and conditions thereof and the obligations penalties and
 conditions imposed by law.

On the motion Sigourney Proctor the estate of W. B. Downs deceased is
 committed to John A. Switzer Sheriff of Rockingham County for administration
 it appearing to the Court that more than two months have elapsed since his
 death without application for administration upon the Estate.

Commonwealth

Upon an Indictment for a Felony

John Howard Ware alias John Howard Blakey

This day came the Attorney for the Commonwealth and the prisoner John
 Howard Ware alias John Howard Blakey was again led to the bar of the Court
 in custody of the jailor of this Court and being thereof arraigned pleaded
 not guilty to the said Indictment And from persons summoned by the
 Sheriff under a writ of Venue Facias from a list furnished him by the
 Court of persons residing remote from the place where the offence is charged
 to have been committed and duly qualified in all other respects to serve
 as Jurors, there was selected a panel of fifteen persons, who were examined

by the Court and found to be free from exceptions, and thereupon the Court ordered the Clerk to issue another venire facias to the Sheriff of Rockingham County directed, Commanding him to summon the bystanders one additional person from a list furnished by the Court returnable forthwith which was done accordingly he appeared was examined by the Court and found to be duly qualified and free from exceptions the panel of fifteen being thus completed the prisoner was furnished a list thereof and having struck therefrom five of the persons of said panel the remaining twelve were selected to constitute the jury to sit. Daniel B. Long, Geo. W. Snell, Adam B. Heatwole, R. D. Rolston, J. H. Huffman, J. A. Stone, W. L. Harrison, W. H. Shaver, L. D. Davis, Daniel B. Harrison, W. R. Suttles and Geo. D. Black who being thus elected and tried were sworn well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court and having fully heard the evidence and argument of counsel retired to their room to consider their verdict and after some time returned into Court and upon their oath do say we the jury find the prisoner John Howard Ware alias John Howard Blakey guilty in manner and form as charged in the indictment and as certain his punishment at confinement in the Penitentiary for one year. W. L. Harrison forman and thereupon the jury was discharged whereupon the prisoner moved the Court to set aside the verdict of the jury and grant him a new trial on the grounds that it was contrary to the law and the evidence which motion on consideration the Court overruled. And it being inquired of the prisoner if anything further he had or knew to say where the Court should not now proceed to pronounce judgment against him according to law and nothing being offered or alleged in delay of judgment it is considered by the Court that the said John Howard Ware alias John Howard Blakey be imprisoned in the Public Jail and Penitentiary House of this Commonwealth therein to be kept imprisoned for the term of one year that being the period by the jurors in their verdict ascertained to hard labor and it is ordered that the proper Officer, as soon as possible after the adjournment of this Court remove and convey the said John Howard Ware alias John Howard Blakey from the Jail of this County to the Public Jail and Penitentiary House of this Commonwealth therein to be kept imprisoned and treated in the manner prescribed by law for the term aforesaid and thereupon the prisoner was remanded to jail.

Charles T. Painter Plff

J. T. Heard, others. Defts. } Upon a motion to grant a retail liquor dealers license at Elkton Va

Upon the hearing of this matter testimony for and against the application for the granting to the Applicant behav. T. Painter of a retail liquor dealers license in the Deal Hotel property at Elkton Va the Court having considered the evidence doth refuse to grant such license and doth adjudge that the defendants recover of the Applicant their Costs in this behalf expended, and the said Painter having at once prayed an appeal from the judgment of this Court to the Circuit Court of Rockingham County the same is granted ^{him} and the Clerk of this Court is directed to certify all papers to said Circuit Court all papers relating to this cause a copy of this order, execution of this judgment is suspended for a period of thirty days from the rising of the Court in order to give the Applicant time within which to perfect his appeal.

It is ordered to be Certified to the Auditor of Public Accounts that George N. Conrad Attorney for the Commonwealth is entitled to Forty five dollars for prosecuting for Meis deacon Cases and one Felony Cases at this term of the County Jy. Commonwealth of Va. J. L. Fugate.

for retarding liquor \$10⁰⁰ same & same. for same \$10⁰⁰ same & same for selling liquor on Sunday \$5⁰⁰
 and same & W. H. Miller for retarding liquor \$10⁰⁰ + same & John Harris there also John Harris Baker
 for house making.

Ordered That the Commonwealth of Virginia pay unto the following named Jurors the sum of forty
 their names for their attendance and mileage and services at this term of the Court as Jurors
 for the Commonwealth upon the trial of a felony case, and that the same be paid by
 the Treasurer of this County and Certified to the Auditor of Public Accounts Viz:

Name of Juror.	Days	Mile	Total	Names of Jurors	Days	Mile	Total	
✓ Daniel B. Long	1	16	164	J. H. Hufferdun	✓	1	25	200
✓ Geo. W. Snell	1	6	124	J. A. Stone	✓	1	10	140
Adam A. Heatswale	1	20	180	W. L. Harrison	✓	1	20	180
✓ John J. Heatswale	1	9	136	W. L. Harrison	✓	1	18	172
copy ✓ Jerry F. Luicewasser	1	28	172	J. A. Davis	✓	1	8	132
✓ B. F. Rolston	1	20	180	Fredrick C. Rodes	✓	1		100
J. E. Robinson	✓	1	25	200	Daniel J. Harrison	✓	1	100
✓ W. R. Sellers	1	23	192	Geo. D. Black	✓	1		100

In the matter of the application of Perry E. Shank others for a Correction of an
 Erroneous assessment made by W. F. Johnston Examiner of Records of the funds
 in the Cause of David E. Shank re Benjamin J. Shank re it is ordered that the
 fund in the hands of the Special Commissioner is liable to be taxed after 1st
 deducting the Costs of suit & sale Except that it appearing to the Court that Joseph
 Shank David Shank Lewis Shank are indebted in sums greater than the amount
 owing to them that their share shall not be taxed by the said Examiner of
 Records & the said Perry E. Shank appearing to the Court to be also indebted
 in a greater sum than his distribution share it is ordered that his said
 distribution share shall not be taxed but the said indebtedness of the estate
 shall not be deducted from the fund before the taxation thereof and it is
 further ordered that an appeal is granted to any one aggrieved by this
 order & the Clerk of this Court is ordered to certify a copy of this order
 to the Circuit Court of Rockingham County for the purpose of review.

Commonwealth

② Jacob R. Hetzel & Thornton Hetzel } upon an Indictment for felony

Commonwealth

② Jacob R. Hetzel } upon an Indictment for Perjury

Commonwealth

② Thornton Hetzel } upon an Indictment for a felony

This day came the Attorney for the Commonwealth, and it appearing to the Court
 that the defendants in the foregoing Causes who escaped from the Custody of
 the Jailor of this County are still at large It is ordered that the foregoing Causes
 be continued until the April Term next of this Court.

Ordered That this Court be adjourned until the first day of the next term.

W. H. Harrison Juror

Virginia In the County Court of the County of Rockingham April 18. 1903.

This day appeared before me Judge of said Court in Vacation, John H. Taylor, who was on the 14 day of April 1903, by his Excellency the Governor of Virginia, appointed and commissioned a Notary Public for the County of Rockingham for a term of four years from said date, and together with Charles H. Nicholas, his surety who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of Five hundred dollars conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors waiving the benefit of their Exemption as to the obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a copy of said bond and a Certificate of said qualification to the Secretary of the Commonwealth and thereupon the said John H. Taylor, qualified as such Notary Public by subscribing to and taking the Oaths prescribed by law. Given under my hand this 18th day of April 1903.

Geo. S. Gattan

Virginia At a County Court held in and for the County of Rockingham at the Court House thereof on Monday April 20th 1903.

Present Hon. George S. Gattan, presiding.

The Clerk of this Court this day presented in Court a List of Deeds etc., received and admitted to record in the Clerk's Office of this Court, at and since the last March term, which list having been read and inspected by the Court is ordered to be filed.

It appearing to the Court from a writing duly Certified that Effie Swank and Stella Swank, infant daughters of David Swank dead, over the age of 14 years, have made choice of S. Hunter Swank as their Guardian, the Court doth appoint him as such guardian. It appearing that there is a fund due them in this County from the Estate of Samuel H. Robison dead, they being residents of the State of West Virginia. Whereupon the said S. Hunter Swank appeared in Court and together with P. H. Donorad, his surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of Fifty dollars, conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

Mary Knupp, widow of Jackson Knupp, dead, this day appeared in Court and renounced her right to qualify as Administratrix of the Estate of her deceased husband. On her motion Charles E. Fahney, who made oath thereof according to law appeared in Court and together with H. C. Horner and W. E. Fahney his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Ten thousand dollars, conditioned according to law. A Certificate is granted the said Charles E. Fahney for obtaining letters of Administration in due form upon the estate of the said Jackson Knupp, dead, and the Court doth appoint John H. Lurdamore, J. P. H. Gabel, B. F. Hume and Jacob Bough to appraise the Estate of the said Jackson Knupp, dead, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2000⁰⁰.

H. J. Kayler, one of the Executors named in the will of L. H. Kayler, dead, this day appeared in Court and renounced his right to qualify as such Executor. Whereupon on motion of L. G. Kayler the other Executors named in said will who made oath thereof according to law appeared in Court and together with H. J. Kayler his surety who justified as to his sufficiency entered into and acknowledged a bond in the penalty of Ten thousand dollars, conditioned according to law. A Certificate is granted the said L. G. Kayler for obtaining a probate of the said

with of C. H. Mayhew died. And it is entered of record that the amount of property to come into the hands of the said Executor was estimated not to exceed the sum of \$1000⁰⁰

On the motion of E. H. Kaufman County Treasurer of Rockingham County. C. H. Pauer appeared in Court and qualified as his deputy by subscribing to and taking the Oaths prescribed by law.

C. D. Hausberger, who was on the 14th day of April 1903, duly appointed and Commissioned by the Governor of Virginia. A Notary Public for the County of Rockingham for the term of four years from said date this day appeared in Court and together with A. E. Kaufman his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars. Conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors, waiving the benefit of their exemptions as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Certificate of said qualification to the Secretary of the Commonwealth. And thereupon the said C. D. Hausberger qualified as such Notary Public by subscribing to and taking the Oaths prescribed by law.

John H. Guin, who was on the 19th day of March 1903, duly appointed and Commissioned by the Governor of Virginia. A Notary Public for the County of Rockingham, for the term of four years from said date this day appeared in Court and together with Wm. H. Beahart his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars. Conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors, waiving the benefit of their Exemptions as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Certificate of said qualification to the Secretary of the Commonwealth. And thereupon the said John H. Guin qualified as such Notary Public by subscribing to and taking the Oaths prescribed by law.

H. B. Gentry who was on the 3rd day of February 1903, duly appointed and Commissioned by the Governor of Virginia. A Notary Public for the County of Rockingham, for the term of four years from said date this day appeared in Court and together with H. E. Deal his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars. Conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors, waiving the benefit of their Exemptions as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Certificate of said qualification to the Secretary of the Commonwealth. And thereupon the said H. B. Gentry, qualified as such Notary Public by subscribing to and taking the Oaths prescribed by law.

On the Application of H. J. Berger others for the Establishment of a Public Road beginning at Elbow of public Road on top of hill about half mile east of Rushville and thence with private road through the lands of Andrew Learascof others to the Public Road leading from Croakley town to Muddy Creek. The Court doth appoint J. G. Myers B. F. Rutledge Peter Roller and C. J. Callender Viewers any three of whom may act to view the said proposed route and make report to this Court at its next term as the law provides.

On the Application of Adams + Tombs H. R. Hise others for the Establishment of a

Public Road from a point on the Road near the Marsh School house on the South Side of North River up the Hill hollow to the Berqueta County line.

The Court doth appoint J. H. Myers, Henry J. Jones and D. B. Shumalter ^{W. F. Putney} Viewers to view said proposed route and make report to this Court at its next term as the law provides.

On the Application of Daniel Shickel others for the Establishment of a Public Road from the foot of Clinch Hill on the Ottobine & Rudgewater house through the lands of said Daniel Shickel others to the Public Road at Honey Run. The Court doth appoint J. H. Myers, G. H. Hume, Henry J. Jones, D. B. Shumalter Viewers, any three of whom may act, to view said proposed route and make report to this Court at its next term as the law provides.

et This day came John H. Strickler who alleges that he is aggrieved by an entry in the Tax Book made by John J. Brauner Commissioner of the Revenue for Plains District, in Rockingham County, for the year 1901. Page 47, line number 11, whereby he is charged with One dollar and seventy three Cents State taxes, and Three dollars and ten Cents County taxes for the year 1901 on a tract of Mountain Land containing 242 Acres. And thereupon the said John H. Strickler moves the Court to exonerate him from the payment of One dollar and seventy three Cents of the State taxes, and Three dollars and sixty one Cents of the County taxes so erroneously charged against him for said year; which motion was defended by Geo. N. Gannett the Attorney for the Commonwealth for said County, and the said John J. Brauner the Commissioner who made the assessment was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the twenty fourth day of September 1901, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that instead of 242 A. it should have been 242.2 A. and that the error was inadvertently made by the Assessor from whose book said assessment was copied. All which the Court believes as facts proved upon the application aforesaid. On Consideration whereof and from such facts as proved, the Court is satisfied that the said John H. Strickler is erroneously charged in said book with State taxes amounting to One dollar and seventy three Cents, and County taxes amounting to the sum of Three dollars and sixty one Cents. Whereupon it is ordered that the said John H. Strickler be exonerated from the payment of One dollar and seventy three State taxes and Three dollars and sixty one Cents of the County taxes so erroneously charged against him if not already paid, and if paid, that it be refunded to him together with the penalty thereon.

It is ordered that the order entered at the March Term last of this Court allowing an account against the County of Rockingham in favor of L. D. Callender be and the same is hereby set aside.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gannett

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday April 21st 1903.

Present Hon. George G. Gannett, presiding.

et This day came John T. Brown, Executor of the Estate of Elizabeth B. Brown, dead, who alleges that he is aggrieved by an entry in the Personal Property Book made by George N. Gannett, Commissioner of the Revenue for Central District, in Rockingham County for the year 1902 Page 29, line number 2, whereby he is charged with Thirteen dollars and twenty Cents State taxes and Twenty five dollars and forty Cents County taxes for the year 1902, on money in his hands as Fiduciary. And thereupon the said J. T. Brown, moves the Court to exonerate him from the payment of Thirteen dollars

and twenty Cents the State Taxes and Twenty six dollars and forty Cents the County taxes so erroneously charged against him for said year; which motion was defended by Geo. N. Conrad the Attorney for the Commonwealth for said County, and the said Geo. N. Conrad, and Mr. J. Johnston the Executives of Records, who furnished the said Commissioner with the assessment, ^{and were opposing as witnesses touching the application} and it appearing that the said book, in which said alleged erroneous assessment entry has been made was delivered to the Treasurer of the said County on the twenty seventh day of August 1902 and that application for redress was made on this day for the first time; and that the erroneous assessment was not caused by the failure or refusal of the applicant to furnish the Commissioner on oath, with the necessary information as required by law. And it appearing that the said Executor has been assessed with the said Taxes by the Commissioner as will appear by reference to said book Page 42 Line Number 72.24. and has paid the taxes thus assessed. All which the Court certifies as facts upon the application aforesaid. On Consideration whereof and from such facts so proven the Court is satisfied that the said John D. Brown Executor as aforesaid is erroneously charged in said book with State Taxes amounting to Thirteen dollars and twenty Cents and County Taxes amounting to Twenty six dollars and forty Cents. Whereupon it is ordered that the said John D. Brown Executor as aforesaid be exonerated from the payment of Thirteen dollars and twenty Cents State Taxes and Twenty six dollars and forty Cents County taxes so erroneously charged, if not already paid and if paid that it be refunded to him.

Upon the motion now pending in this Court to probate Certain paper writings purporting to be the last will and the Codicils thereto of George H. Rosenberg, deceased.

This 21st day of April, 1903. Came Amelia K. Rosenberg, the Executrix named in the paper writing dated the 8th day of March 1893, purporting to be the last will of George H. Rosenberg, deceased, by Counsel, and renewed her motion to admit the said paper writing to probate as and for the last will of said George H. Rosenberg, deceased, in which motion Charles H. Rosenberg united. Thereupon Came H. R. Rosenberg, Martha L. Myers, Lester J. Fray, Russell R. Fray and Florence Fray Lewis, and on their motion, they are admitted parties to this proceeding. Thereupon on motion H. H. Bestman was appointed Guardian ad litem for Nellie Myers, an infant, who also appears on motion was admitted a party hereto.

And the Court having considered the testimony as to the handwriting of the said paper writing dated the 8th day of March 1893, namely, the testimony of L. H. Bennett and the deposition of J. E. Keys, and it appearing to the Court that the said paper writing is wholly in the handwriting of the testator George H. Rosenberg and the parties to this proceeding hereby consenting, it is ordered that the said paper writing, dated the 8th day of March, 1893 be and the same is hereby duly admitted to probate as and for the true last will and testament of George H. Rosenberg, deceased. Thereupon the Court considering the testimony of J. E. Keys, & L. H. Bennett, the attesting witnesses to two paper writings both bearing date the 25th of July 1899 and purporting to be two Codicils to said will dated March 8, 1893, and also the testimony of John H. Ford, and it not appearing to the Court from said testimony that said George H. Rosenberg was at the time of executing the said paper writings, each dated July 25, 1899, of sound mind and disposing memory, and the parties both plaintiff and defendant to this proceeding consenting thereto, it is further ordered and adjudged that the said two paper writings each dated July 25, 1899, and purporting to be Codicils to the said will of George H. Rosenberg, deceased bearing date March 8th 1893 to both of which paper writings the names of J. E. Keys and L. H. Bennett appear as attesting witnesses, be and the same are refused admission to probate as true Codicils to the said will which two form a part thereof; and the Clerk of this Court is directed to record the said will of said George H. Rosenberg, bearing date March 8, 1893, but not to record the said two paper writings, dated July 25, 1899 purporting to be Codicils thereto. And thereupon the said Amelia K. Rosenberg the Executrix named in said will who made oath thereto according to law appears in Court and entered into and acknowledges a bond

in the sum of One thousand dollars. Conditioned according to law. A Certificate is granted the said Dunder H. Rosenberger for obtaining a probate of the said will of George H. Rosenberger dec'd. in due form, said will providing that no security be required of the said Executor. And it is ordered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$9000⁰⁰

Central Railway of Virginia

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Mary C. Merryman, Thomas P. Bethell, Bessie B. Bethell, Edward Nicholas Slopper, George E. Lipe, John D. Harris, John E. Roller, O. B. Roller, Trustee, John E. Price, H. H. Price, Walter R. Price, Hesterman Price, Andrew Price, and Andrew Price, nephew of Lucy M. Price; The Rawley Iron & Coal Company, The Guaranty Trust & Safe Deposit Company of Philadelphia, Trustee Isaac Horner, Susan Myers, Samuel H. Myers, D. J. Myers Jr, J. J. Neatwork, and Erasmus Cooper.

On motion of the Central Railway of Virginia for the appointment of Commissioners to assess land damages.

This day Came the parties by their Attorneys and it appearing to the Court from the evidence before it that due notice had been given by the plaintiff Company to the defendant as required by law. and that the said Company and the defendant have been unable to agree upon the terms of the purchase of the land proposed to be taken by the said Company for its purposes, it is considered and ordered by the Court on motion of the plaintiff Company that J. H. Long, D. B. Shumatter, L. B. Hannan, Henry Ferrell & Abraham Lineweaver, any three of whom may act, they being first duly sworn according to law, be and they are hereby appointed Commissioners whose duty it shall be to view the land, and hear such proper evidence as either party shall offer; to ascertain what will be just compensation for the said land and for the damage to the residue of the tract beyond the peculiar benefit to be derived in respect to such residue from the work to be constructed, and to make report thereof to this Court in manner and form as provided by law. And the Court doth designate the 23rd day of April, 1903 for the meeting of said Commissioners.

On motion of Mrs. E. L. Long, one of the children of Catharine Gaither dec'd. J. S. Long who made oath thereof according to law and appeared in Court and together with Charles J. Steele his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of One hundred dollars Conditioned according to law. A Certificate is granted the said J. S. Long for obtaining letters of Administration in due form upon the estate of the said Catharine B. Gaither dec'd. And the Court doth appoint Mr. M. L. Burtner, John R. Leckey, J. Newman, E. C. Barker, Spitzer & Beahy, Leckey to appraise the Estate of the said Catharine B. Gaither dec'd. any three of whom may act after first being duly sworn and it is ordered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$200⁰⁰

Kate M. Long this day filed her petition in Court setting forth that she is the mother of Elmer L. Long, the ward of S. H. Shaver Guardian, and that she has supported the said infant for the last twelve months and that she has no property of her own and has no means of support but her own labor, and the Court being of opinion that the pension allowed said infant by the U. S. Government is intended for the support of said infant it is ordered that S. H. Shaver Guardian do pay to Kate M. Long the sum of \$10⁰⁰ per month for the time she has supported his said ward since he has been receiving said pension, and that he continue to pay her the same amount per month so long as she continues to support his said ward less any Commission & Costs which he may be entitled to deduct.

To S. Callender Road Commissioner for Beahy District this day presented in Court an Account against the County of Rockingham amounting to the sum of \$64⁰⁰ for services

as Road Commissioner on New Roads in said District from October 16, 1902 to July 16, 1903 which being
sum to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this
County for payment after it shall have been allowed by the Board of Supervisors.

J. L. Fugua paid to the Clerk of this Court the sum of \$307.⁶² being the amount of judgment
for fine and costs rendered against him at the March Term last of this Court, as follows.
Indictment No. 1. Fine \$110.⁰⁰ Indictment No. 3. Fine \$75.⁰⁰ Indictment No. 5. Fine \$30.⁰⁰ and costs
as follows. Clerk \$15.⁰⁰ Atty for the Commonwealth \$25.⁰⁰ Sheriff \$7.²⁰ Jury \$17.⁶⁰ Witnesses \$26.⁸⁶

H. H. Miller paid to the Clerk of this Court the sum of \$22.⁹¹ being the amount of judgment
against him for fine and costs rendered at the March Term last of this Court for Misdemeanor. Fine
\$20.⁰⁰ Clerk \$2.⁴¹ Sheriff 50.

L. P. Sonder Justice of the Peace this day paid into Court the sum of \$30.⁰⁰ it being
the amount of a judgment for fine rendered by him on the 20 day of March 1903
in case of Commonwealth vs George Khetzel for disturbing a Literary Society.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.
Georgetown

Virginia Ist a County Court Continued and held in and for the County
of Rockingham at the Court House thereof on Wednesday April 2nd 1903

Present Hon. George G. Gattan, presiding.

A License is this day granted to Joseph V. Kavanaugh and James M. Kavanaugh,
partners doing business under the firm name and style of Kavanaugh Brothers
on their application to sell by Retail, in quantities not exceeding five gallons
at any time to any individual wine, ardent spirits, malt liquor, or any
mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in
ardent spirits, at their present place of business in the Virginia Hotel on North
Main Street in the town of Harrisonburg, in this County, which may be drunk within
the house or Cartilage where sold, or delivered to the purchaser in bottles, jugs,
demijohns or other vessels, to be removed therefrom, for the period beginning on
the first day of May 1903, and expiring on the thirtieth day of April 1904.

A License is this day granted to Joseph V. Kavanaugh and James M. Kavanaugh
partners doing business under the firm name and style of Kavanaugh Brothers, on
their application to sell by Retail, in quantities not exceeding five gallons, at any
time to any individual wine, ardent spirits, malt liquor, or any mixture thereof,
alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits, at
their present place of business in the Sprunkel Building, on the South side of West Water
Street in the town of Harrisonburg in this County, which may be drunk within the
house or Cartilage where sold, or delivered to the purchaser in bottles, jugs, demijohns
or other vessels, to be removed therefrom, for the period beginning on the first day
of May 1903, and expiring on the thirtieth day of April 1904.

A License is this day granted to Walter N. Deputy, on his application to sell by Retail in
quantities not exceeding five gallons at any time to any individual wine, ardent spirits

malt liquor, or any mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits, at his present place of business in the Revue Store, on the South side of East Water Street in the town of Harrisburg in this County, which may be drunk within the house or Cartilage where sold, or delivered to the purchaser in bottles, jugs, demijohns, or other vessels, to be removed therefrom, for the period beginning on the First day of May 1903 and expiring on the Thirtieth day of April 1904.

A License is this day granted to H. H. Hillis, on his application to sell by Retail, in quantities not exceeding five gallons at any time to any individual, wine, ardent spirits, malt liquor, or any mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits at his present place of business in the Tanek building on the North side of East Water Street in the town of Harrisburg in this County, which may be drunk within the house or Cartilage where sold, or delivered to the purchaser in bottles, jugs, demijohns or other vessels, to be removed therefrom, for the period beginning on the First day of May 1903 and expiring on the Thirtieth day of April 1904.

A License is this day granted Daniel O'Donnell, on his application to sell by Retail in quantities not exceeding five gallons at any time to any individual, wine, ardent spirits, malt liquor, or any mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits, at his present place of business in the Eshman building on the North side of West Water Street in the town of Harrisburg in this County, which may be drunk within the house or Cartilage where sold, or delivered to the purchaser in bottles, jugs, demijohns or other vessels, to be removed therefrom for the period beginning on the First day of May 1903 and expiring on the Thirtieth day of April 1904.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. G. Gatham

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday April 23rd 1903.

Present Hon George G. Gatham presiding.

A License is this day granted to Lele Conrad on his application to sell by Retail, in quantities not exceeding five gallons at any time to any individual, wine, ardent spirits, malt liquor, or any mixture thereof, alcoholic bitters, bitters containing alcohol, or fruits preserved in ardent spirits, at his present place of business in the Lock building on the North side of West Water Street in the town of Harrisburg in this County, which may be drunk within the house or Cartilage where sold, or delivered to the purchaser in bottles, jugs, demijohns or other vessels, to be removed therefrom for the period beginning on the first day of May 1903, and expiring on the Thirtieth day of April 1904.

On the application of J. H. Savage for Retail Liquor Dealers License at his present place of business on the North side of East Water Street in the town of Harrisburg in this County.

On the application of Mrs. A. Heron for Retail Liquor Dealers License at his present place of business in M. G. Gatham in this County.

On motion of the applicants for reasons appearing to the Court the foregoing applications

are admitted.

On the application of H. D. Foley others for the Establishment of a Public Road

For reasons appearing to the Court it is ordered that the process awarded in this Cause at the March Term last be made returnable to the May Term next of this Court.

State of Virginia

County of Rockingham Term.

I, E. J. Duter, do declare myself a Citizen of the Commonwealth of Virginia, and do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States and the Constitution and laws of the State of Virginia; that I recognize and accept the Civil and political equality of all men before the law; and that I will faithfully perform the duty of District School Trustee to the best of my ability. So help me God.

And, furthermore, I swear that I have not, while a Citizen of this State since the first day of May, eighteen hundred and eighty two, fought a duel with a deadly weapon or sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or knowingly answered such challenge, or aided or assisted in any manner in fighting such duel; and that I will not fight a duel with a deadly weapon or send or accept a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State or knowingly answer such challenge, or aid or assist in any manner in fighting such duel during my continuance in office. So help me God.

(Signed)

E. J. Duter.

Given to and subscribed before me this 28th day of Feb 1903

Edw. Hulvey, C. S. Deft.

Mrs. Ella Beck. This day filed her petition in Court setting forth that she is the mother of Naunie and Mattie Laura McGlaughlin, wards of J. H. McGlaughlin Guardian, that she has supported the said infants since the death of her husband, by her own labor and the small income received from a lot of about 8 or 10 acres of land belonging to herself and her two children, and that owing to ill health she is unable to continue the support of her two children aforesaid without assistance, and asking that the interest accrued and hereafter to accrue on the funds in the hands of their said guardian be paid to her. And the Court having maturely considered the said petition, doth adjudge and order that J. H. McGlaughlin Guardian for Naunie and Mattie Laura McGlaughlin aforesaid pay over to Mrs. Ella Beck the accrued interest upon the funds in his hands, and that he continue to pay her the ^{interest} ^{until they each arrive at the age of 16 years.} ~~interest~~ ^{thereon} as long as she continues to support his said wards, less any Commission and Costs he may be entitled to deduct.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. E. Nathan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday April 24, 1903

Present Hon. George G. Gatlif, presiding

A License is this day granted to George Gatewood and J. H. Savage partners doing business under the firm name and style of L. E. Savage & Sons, on their application to sell by Retail, in quantities not exceeding five gallons at any time to any individual, wine and malt liquor, or any

mixture thereof, alcoholic liquors, liquors containing alcohol, or fruit preserved in acid spirits, at the present place of business of J. H. Savage in the brick building on the North side of East Water Street in the town of Harrisonburg, Virginia in this County, which may be drunk within the house or Cantinage where sold, or delivered to the purchaser in bottles, jugs, demijohns or other vessels, to be removed therefrom, for the period beginning on the first day of May 1903, and expiring on the thirtieth day of April 1904.

This day Came Perry E. Shank, who alleges, that he is aggrieved by an entry in the Personal Property Book made by John J. Brauner, Commissioner of the Revenue for District of Plains in Rockingham County, for the year 1902, Page 33 line Number 10, whereby he is charged Five dollars and forty seven Cents State Taxes and Nine dollars and fifty Cents County taxes for the year 1902 on Personal Property Bonds etc. And thereupon the said Perry E. Shank moved the Court to exonerate him from the payment of Two dollars and seventy three Cents of the State taxes and Five dollars and Eighty one Cents of the County taxes so erroneously charged against him for said year, which motion was defended by Geo. N. Conrad the Attorney for the Commonwealth for said County, and the said John J. Brauner the Commissioner who made the assessment was examined as a witness touching the application. And it appearing that the said Book, in which said alleged erroneous entry has been made, was delivered to the Treasurer of the said County on the 6 day of September 1902 and that application for redress was made on this day for the first time: and that the erroneous assessment was not caused by the failure or refusal of the Applicant to furnish the Commissioner, on oath, with the necessary information as required by law, and it appearing that the said Perry E. Shank at the time of giving the account of bonds & other debts due him, for assessment to the Commissioner overlooked the fact that he was in debt for several thousand dollars on bond bought by him in December 1901 all which the Court certifies as facts proved upon the application aforesaid. In consideration whereof and from such facts so proved, the Court is satisfied that the said Perry E. Shank, is erroneously charged in said Book with State Taxes amounting to Two dollars and seventy three Cents and County taxes amounting to Five dollars and Eighty one Cents, whereupon it is ordered that the said Perry E. Shank be exonerated from the payment of Two ^{and} ~~and~~ seventy three Cents of the State Taxes and Five dollars and Eighty one Cents of the County taxes so erroneously charged against him, if not already paid and if paid that it be refunded to him together with the penalty thereon.

Ordered, That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. N. Conrad

Virginia, At a County Court continued and held in and for the County Court of Rockingham at the Court House thereof on Saturday April 25 1903.

Present Hon. George G. Gathman, presiding

Ordered, That the Treasurer of Rockingham County, pay unto Hon. Lyman Leachley, Judge of the County Court of Augusta County, ^{the sum of Fifty Seven ~~20~~ Dollars} for his services and mileage for holding the County Court of this County, four days at January Term and two days at February Term 1903.

Ordered, That the Treasurer of Rockingham County, pay unto Hon. M. Alkerson Judge of the County Court of Frederick County, Va. the sum of Fifty Seven ²⁰ Dollars, for his services and mileage for holding the County Court of this County, 1 day at February Term and five days at the March Term 1903.

Ordered, That the following named persons be allowed the sum opposite their names for their attendance mileage and toll as witnesses for the Commonwealth at the January, February, & March Terms 1903 and that the same be certified to the Auditor of Public Accounts.

See next page for names etc.

Style of Prosecution	Name of Witness	Days	Mile	Foll	Total	Style of Prosecution	Name of Witness	Days	Mile	Foll	Total
Jan. 1st	W. A. Smith	1	29		1 66	Commonwealth	R. J. Smith	1	20	1	1 20
July 1st	James Hyatt	1	30		1 70	Commonwealth	J. K. Eppard	1	30		1 70
	Mrs. S. Ritchie	1	20		50	J. C. Engua	Robert Moyer	1	20		1 30
Commonwealth	David Davis	1	20		1 30	Same	D. B. Eustice	1	18	1	68
	Jack Leach	1	20		1 30		Joseph W. May	1	18		68
J. C. Engua	Joseph Miller	1	20		1 30	John Howard Hare	Henry Huddle	1	1		50
	John McDaniel	1	30		1 70	John Howard	D. J. Halsey	1	18		68
	E. J. Brown	1	20		2 10	Blakey	E. H. Shuman	1	18		68
	Robert Hoffman	1	20		1 30		H. Mayschoffer	1	18		68
	Charles Gatty	1	20		1 30		Charles Mason	1	76		3 54
	W. B. Hurley	1	20		1 30		Adam Mason	1			50

The following claims of witnesses on behalf of the Commonwealth before Justice of the Peace of this County were presented examined by the Court and appearing to be correct and properly chargeable to the Commonwealth under the law it is ordered that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Acct. Vg.

Style of Prosecution	Name of Witness	Days	Mile	Foll	Total	Style of Prosecution	Name of Witness	Days	Mile	Foll	Total
Commonwealth	Floyd Charlton	1			50	Commonwealth	Charles Jordan	1	2	12	1 12
Samuel Sprinkle	Jack Huffman	1			50	White Estate	Wm. B. Bowman	1	1		50

Ordered That this Court be adjourned until Monday morning next at 10 O'clock.

Geo. G. Gattau

Virginia. At a County Court. Continued and held in and for the County of Rockingham at the Court House thereof on Monday April 27 1903.

Present: Hon George G. Gattau, presiding

J. J. Miller M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2.00 for services on Commission of Survey in case of Anne Crawford adjudge a lunatic, which being seen to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment.

Samuel L. Thomas, returned to the Court the Plat and Certificate of Survey made by Jasper Hauer Surveyor of Rockingham County of a certain tract and parcel of land containing 5 1/4 Acres situated about 8 miles N. West of Hanisburg Va. adjoining the lands Mrs. Ballie Bowman. Chas. Plaugher David L. Smith & Ad. Smith, and was returned delinquent in the name of James Washington for the non payment of the taxes thereon for the year 1890 and sold for said taxes by the Treasurer of Rockingham County on the 21st day of December 1891 and purchased by Chas. R. Horman who on July 18 1902 assigned the benefit of his said purchase to the said Samuel L. Thomas at whose instance the said Plat & Survey was made and the Court having examined the said report and Survey and finding it to have been made in conformity with the law and seeing no objections to the said report it is ordered that the same be recorded in the Clerk's Office of this Court as required by law.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. G. Gattau

Virginia At a County Court Continued and held in and for the County of Rockingham
at the Court House thereof on Tuesday April 28. 1903.
Present Hon George G. Gathen presiding
Central Railway of Virginia

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Mary E. Maryman re

The Commissioners appointed by an order entered in this cause on April 24. 1903 having made their report on April 24. 1903 and returned their report to Court on April 27. 1903 and thereupon on the 28th of April 1903 Mary E. Maryman, Thos. P. Bethell, Bessie E. Bethell, Edward Nicholas Clobber, John E. Roller and B. B. Roller, Trustees appeared by Counsel without prejudice to their rights to make any objections to the proceedings which they may be advised, and the plaintiff moves the Court to confirm the said report and order the same to be recorded, and thereupon the said defendants by Counsel moves the Court to continue said motion to the next term of this Court to which motion the plaintiff by Counsel objected. Upon consideration whereof it is ordered that the motion of the plaintiff to confirm said report be continued until the next term of this Court, and thereupon it appearing that the plaintiff has paid as permitted by law unto H. H. Bethman, General Receiver of this Court the amount ascertained by said Commissioners as just Compensation to wit the sum of Two Hundred and Six dollars, it is ordered that the said payment into Court be approved as such and it is further ordered that said General Receiver shall hold said fund until the further order of this Court.

On the Application of N. H. Moyer, B. F. Miller others for the Establishment of a Public Road.
The Court doth appoint J. B. Moyer, L. D. Ballenda, G. H. Huie, Viewers to view said proposed route and make report to this Court at its next term as the law provides.

Commonwealth

Jacob R. Hatzel & Thornton Hatzel } upon an Indictment for felony.

Commonwealth

Jacob R. Hatzel } upon an Indictment for Perjury

Commonwealth

Thornton Hatzel } upon an Indictment for Perjury

This day came the Attorney for the Commonwealth and it appearing to the Court that the defendants in the foregoing causes who escaped from the Custody of the Jailor of this County are still at large, It is ordered that the foregoing causes be continued until the next term of this Court.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.
Geo. Gathen

Virginia At a County Court Continued and held in and for the County of Rockingham
at the Court House thereof on Wednesday April 29. 1903

Present Hon George G. Gathen presiding.

Ordered that this Court be adjourned until the first day of the next term.
Geo. Gathen

Virginia In Vacation Before the Judge of the County Court of Rockingham County May 9. 1903
In pursuance of Section 1022 of the Code of Virginia, I Geo. G. Gathen Judge of the County Court aforesaid do hereby Affirm W. J. Hays, R. J. Miller of J. D. Houser Judges of Election for the town of Shandon in Rockingham County Va. Given under my hand this 9th day of May 1903.
Geo. Gathen

Virginia at a County Court held in and for the County of Rockingham at the Court House thereof on Monday May 18. 1903.

Present Hon George G. Galtman, presiding.

The clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court at and since the last April term which list being seen and inspected by the Court is ordered to be filed.

On the motion of Mrs Mary Rodeffer, daughter of Sarah L. Bomer deed H. C. Hale who made oath there to according to law and appeared in Court and together with D. S. Thomas his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Six hundred dollars Conditioned according to law. A Certificate is granted the said H. C. Hale for obtaining letters of Administration in due form upon the estate of the said Sarah L. Bomer deed, and the Court doth appoint ^{R. F. Duff} ~~High Minister~~ Howard Russell Newton Rinker to appraise the estate of the said Sarah L. Bomer deed any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$300⁰⁰.

A writing purporting to be the last will and testament of Thomas Beck deed was this day presented in Court and being sworn by the Oaths of Jacob M. Patrie and B. J. Long the subscribing witnesses thereto is admitted to probate and ordered to be recorded, and thereupon on the motion of Benjamin J. Long the Executor named in said will who made oath there to according to law and entered into and acknowledged a bond in the penalty of Four hundred dollars Conditioned according to law. A Certificate is granted the said Benjamin J. Long for obtaining a probate of the said will of Thomas Beck deed in due form said will providing that no security be required of the said Executor. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$400⁰⁰.

On the motion of J. B. Holmquist, Solomon Peery who made oath there to according to law appeared in Court and together with Anna E. Peery his surety (who justified as to her sufficiency) entered into and acknowledged a bond in the penalty of Six hundred dollars Conditioned according to law. A Certificate is granted the said Solomon Peery for obtaining letters of Administration in due form upon the estate of Susan M. Holmquist deed. And the Court doth appoint Noah Holmquist, J. P. Miller, J. E. Beard & G. S. Aldhiser to appraise the estate of the said Susan M. Holmquist deed any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$300⁰⁰.

On the motion of the Willard Brist. H. C. Brown who made oath there to according to law appeared in Court and together with David J. Brown his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One hundred dollars, Conditioned according to law. A Certificate is granted the said H. C. Brown for obtaining letters of Administration in due form upon the estate of Hajus Brist deed, and the Court doth appoint Joe Brist, E. E. Fahney, P. J. Archard ^{H. C. Brown} to appraise the Estate of the said Hajus Brist deed ^{any three of whom may act} after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$50⁰⁰.

On the motion of Rev. James M. Anderson. And it appearing to the Court that he is a regularly ordained Minister in the Methodist Episcopal Church South and authorized to celebrate the Rites of

Matrimony

he appeared in Court and together with Hugh L. Hanna his surety (who testified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars conditioned according to law, and therefore he qualified to celebrate said Rite by taking the Oath required by law.

A writing purporting to be the last will and testament of Elizabeth Schwaetter deed was this day presented in Court and being sworn by the Oaths of J. D. Chapman and Geo. S. Root. The subscribing witnesses thereto is admitted to probate and ordered to be recorded, and it is ordered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$2500⁰⁰.

On the motion of Ed. S. Conrad, David E. Anthony, of practicing Attorney of Washington D. C. this day appeared in Court and qualified to practice law in this Court by taking the Oath required by law.

On the motion of J. H. Churchill, Commissioner of the Revenue for Stenswall District in this County J. L. Marshall and E. L. Lambert appeared in Court and with the Consent of the Court qualified as his deputies by subscribing to and taking the Oaths prescribed by law.

Town of Dayton

Gen. P. Scott

This day came the parties by their Attorneys, and it appearing to the Court from the evidence before it, that due notice had been given by the town of Dayton to the defendant as required by law, and that the said town of Dayton and the defendant have been unable to agree upon the terms of purchase of the land proposed to be taken by the said town of Dayton for its purposes, it is considered and ordered by the Court on motion of the said town of Dayton, that this matter be docketed together with the motion of the plaintiff now submitted to appoint Commissioners as by law required, the hearing of which latter motion, the Court doth not now pass upon.

On the Application of Thomas Marshall others for the Establishment of a Public Road. Beginning at G. R. Eastman's Gate on the Mountain Valley Road, and thence running Northeast by his barn and tenant house to Levi Gettle's gate, thence east over the present private roadway passing Mrs. Sarah Ransom to the gateway leading to the residence belonging to Mary Downman Estate. The Court doth appoint John R. Faller, D. F. Rodeffer, James E. Reherd and Henry Jerome Newins (any three of whom may act) to view the said proposed route and make report to this Court at its next term as the law provides.

On the Application of S. B. Gancey others for the Establishment of a Public Road. This day came again the parties and the Viewers heretofore appointed having made and filed their report, recommending the Establishment of the said road. It is ordered that the land-owners along the line of the proposed road be summoned to appear here on the 1st day of the June term next to show Cause if any they why the road petitioned for in this Cause shall not be opened and established through their land agreeably to the report of the Viewers. G. R. Eastman, E. L. Redmont and G. S. Kaussinger, filed this day. J. E. L. Lambert, J. R. Dutton, J. W. Hensley, W. B. Gancey, Miss Layton Kinsey.

On the Application of H. D. Foley others for the Establishment of a Public Road. It is ordered that Mrs. J. S. Edwards be summoned to appear here on Friday next the 5th day of this present term to show Cause if any she can why the road prayed for in this Cause shall not be opened and constructed through her land in accordance with the report of the Viewers and the order of this Court.

On the Application of S. B. Gancey others for the Establishment of a Public Road. It appearing to the Court from the report of J. F. Neff Road Commissioner for Lincoln District, that the

road prayed for in this Cause has been opened and constructed by the Contractor L. L. Hancey and is now ready for travel and that there is due the said Contractor the sum of \$37.⁰⁰ that being the price agreed upon for the construction of said road. It is ordered that the same be received and putted as other public roads and that the Treasurer of this County pay unto the said L. Hancey said sum of \$37.⁰⁰ out of the funds appropriated for the purposes of said road.

On the Application of D. E. D. Davis other for the Establishment of a Public Road
It appearing to the Court from the report of Jacob J. Neff Road Commissioner for Lincoln District that the road prayed for in this Cause lying in Lincoln District has been opened and ordered in accordance with the reports of the Survey and the orders of this Court and is now ready for travel. It is ordered that the Treasurer of this County pay unto Joseph Layman the sum of \$31.⁰⁰ and unto J. E. Sumner the sum of 15.⁰⁰ being the Contract price for opening said road payable out of the funds appropriated for the purposes of said road.
and J. D. Fowler Road Commissioner for Plains District having also reported that the portion of said road lying in said District has been opened by D. E. D. Davis the Contractor at price of \$77.⁰⁰ and is also ready for travel. It is ordered that the Treasurer of this County pay unto the said D. E. D. Davis the said sum of \$77.⁰⁰ out of the funds appropriated for the purposes of said road.

D. S. Thomas.

James H. Landers.

On the motion of the Plaintiff It is ordered that Sarah LeHubbell be summoned to appear here on Friday next the 5 day of this present term being May 22, 1903 to try the right of property levied upon by J. L. Burger, Deputy Sheriff under an execution in favor of the said D. S. Thomas & James H. Landers &c.

On the application of L. R. Hancey other for the Establishment and Construction of a Iron or Steel Bridge across Bull Run near Le Domestmont. the Court doth appoint Jasper Hancey G. R. Eastham and S. R. Allebaugh. Viewers to view said proposed site or any other they may deem proper and make report to this Court at its next term as the law provides.

It appearing to the Court that E. D. Ott, a resident of the County of Rockingham Va who desires to apply to the Supreme Court of appeals of this State for a license to practice law, has heretofore filed his application for the Certificate with the clerk of this Court ten day before the date hereof and that the said application, strictly conforms to the rules prescribed by the Supreme Court of Appeals, and is accompanied by the written recommendation of J. S. Hainsberger Esquire and J. N. Haas Esquire, two members of the bar of this judicial Circuit, who are practicing attorneys in the Supreme Court of appeals, that the said applicant is of good moral Character and is a proper person to be licensed to practice law. A copy of which application and recommendation was forthwith delivered by the said clerk to the Judge of this Court and the Court being satisfied that the applicant is entitled to what follows doth Certify that the said E. D. Ott is a person of honest demeanour, is over twenty one years of age and has resided in this State the preceding six months.

A License is this day granted to H. G. Leaker as a junk-dealer at his present place of business on the North side of Elizabeth Street in the town of Harrisonburg Va. immediately West of the Valley Railroad. he having produced to the Court satisfactory evidence of his good Character to exercise or carry on the business of a junk-dealer. said license to be for the period beginning on the 18 day of May 1903 and expiring on the fourteenth day of April 1904.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Galtan

Virginia It a County Court Continued and held by for and for the County of Rockingham at the Court House thereof on Tuesday May 19. 1903.

Present Hon George G. Galtan, presiding.

Commonwealth.

o } Upon an Indictment for Felony.
Perry H. Shaver and Jane Bible

This day came the Attorney for the Commonwealth and the prisoner, Perry H. Shaver and Jane Bible, were led to the bar of the Court in Custody of the Jailor of this Court and thereupon the prisoner demurred to the said Indictment which demurrer upon consideration the Court overruled, and being thereof arraigned each pleaded not guilty to the said Indictment and each elected to be tried separately, whereupon the Attorney for the Commonwealth elected to try Perry H. Shaver first, and from persons summoned by the Sheriff under a writ of Habeas Facias from a list furnished him by the judge of persons residing remote from the place where the offence is charged to have been committed and duly qualified in all other respects to serve a Jurors, there was selected ten persons, who were immediately by the Court and found to be duly qualified and free from exceptions, whereupon the Court ordered the Clerk to issue a Habeas Facias to the Sheriff of Rockingham County directed Commanding him to summon sixteen persons from a list to be furnished by the Court returnable forthwith, which was accordingly done, they appeared were examined by the Court and found to be duly qualified and free from exceptions, the panel of sixteen being thus completed the prisoner was furnished a list thereof and struck therefrom four of the persons of said panel, the remaining twelve were selected to constitute the Jury to wit: Luther J. Strickler, J. B. L. Ratcliffe, J. H. Brill, J. M. McMontrout, Samuel Gaskin, B. J. Strickler, J. Smos, Elisha Benj. Moyer, J. N. Kennedy, Frederick Rodes, Samuel Ralston, H. H. Phillips who being thus elected and tried were sworn well and truly to try and true delinquency make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their Oath do say that the jury find the prisoner Perry H. Shaver guilty of Felony as charged in the Indictment and as certain his punishment at Confinement in the penitentiary for one year J. H. Brill Foreman. Whereupon the Jury was discharged, and the prisoner was remanded to jail.

Commonwealth.

o } Upon an Indictment for Felony.
Jane Bible

This day came the Attorney for the Commonwealth and the prisoner Jane Bible was led to the Bar of the Court in Custody of the Jailor of this Court and thereupon the Court ordered the Clerk to issue a Habeas Facias to the Sheriff of Rockingham County directed Commanding him to summon sixteen persons from a list to be furnished by the Court returnable forthwith to serve as Jurors upon the trial of the said Jane Bible which was done accordingly, they appeared were examined by the Court and found to be duly qualified and free from exceptions, and the prisoner was furnished a list thereof and struck therefrom four of the persons of said panel, the remaining twelve were selected to constitute the Jury to wit: Luther J. Strickler, J. H. Brill, J. M. McMontrout, Samuel Gaskin, B. J. Strickler, J. Smos, Elisha Benj. Moyer, J. N. Kennedy,

Frederick Rodes, Samuel Ritchie, H. H. Phillips, J. D. Hakeight, who being thus elected and tried were sworn well and truly to try and true delinquency make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court and having heard the evidence and argument of Counsel without returning from the bar upon their Oaths do say that the jury find the prisoner Jane Bible not guilty. I. M. Remondino, Foreman, whereupon the Jury was discharged. And it is Considered by the Court that the prisoner Jane Bible as to her said Indictment be discharged and go hence without day re. And thereupon the prisoner was remanded to jail.

Commonwealth.

① } Upon an Indictment for Felony.
Perry H. Shaver and Jane Bible.

This day Came the Attorney for the Commonwealth and the prisoners Perry H. Shaver and Jane Bible were led to the Bar of the Court in Custody of the Jailor of this Court, and for reasons appearing the trial of this Cause is Continued until tomorrow morning the 3rd day of this present term. And the Clerk of this Court is ordered to issue a Venue Facias to the Sheriff of Rockingham County directed Commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date to serve as Jurors upon the trial of the said Perry H. Shaver and Jane Bible for felony. And thereupon Charles McMullen, D. Coffman, John Faught, John L. Dangle, Homer Richman, John H. Hartman, witnesses in behalf of the Commonwealth appeared in Court and were each recognized in the sum of \$50⁰⁰ each for their appearance here at said date as witnesses aforesaid. And thereupon the prisoners were remanded to jail.

Commonwealth.

② } Upon an Indictment for Felony.
Charlie Joseph alias Cassin David.

This day Came the Attorney for the Commonwealth, and with the Consent of the Court entered a Nolle Prosequi in the foregoing Cause. It is Considered by the Court that the said Indictment be dismissed, the defendant discharged and go hence without day re.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.
Geo. G. Gattam

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday May 20th 1903
Present Hon George G. Gattam, presiding

Commonwealth.

③ } Upon an Indictment for Felony.
Perry H. Shaver and Jane Bible.

This day Came the Attorney for the Commonwealth and the prisoners Perry H. Shaver and Jane Bible were led to the Bar of the Court in Custody of the Jailor of this Court and being thereof arraigned each pleaded not guilty to the said Indictment and each elected to be tried separately whereupon the Attorney for the Commonwealth elected to try Jane Bible first. And from persons summoned by the Sheriff under a writ of Venue Facias from a list furnished him by the Court, of persons residing remote from the place where the offense is charged to have been committed and duly qualified in all other respects to serve as Jurors there was selected sixteen persons who were examined by the Court and found to be duly qualified and free exceptions and the prisoner was

furnished a list thereof and struck therefrom four of the persons of said panel and the remaining twelve were selected to constitute the jury to-wit: W. H. Shaver, J. H. Bull, J. M. Roman, H. H. Frank, B. J. Strickland, Messrs. Elip. Perry, Mayes, J. N. Kennedy, H. H. Phillips, Michael M. Taylor, J. T. Hakenight and Frederick Rodes who being thus elected & tried were sworn well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge from the Court and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their oath do say, we the jury find the prisoner Jane Bible not guilty whereupon the jury was discharged. And it is considered by the Court that the prisoner Jane Bible be discharged and go hence without day or

Commonwealth.

Upm an Indictment for felony.
Perry H. Shaver

This day came again the Attorney for the Commonwealth and the prisoner Perry H. Shaver who was on yesterday convicted of a felony by the jury impaneled and sworn for his trial, was again led to the bar of the Court in custody of the Jailor of this Court. And it being enquired of him if anything he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law. And nothing being offered or alleged in delay of judgment it is considered by the Court that the said Perry H. Shaver be imprisoned in the Public Jail and Penitentiary house of this Commonwealth for the term of One year (that being the period by the jurors in their verdict ascertained) to hard labor and the proper Officer is ordered as soon as possible after the adjournment of this Court to remove and convey the said Perry H. Shaver from the Jail of this County to the Public Jail and Penitentiary house of this Commonwealth where he be kept imprisoned and treated in the manner prescribed by law for the term aforesaid. And thereupon the prisoner Perry H. Shaver was remanded to Jail.

Commonwealth.

Upm an Indictment for Felony.
Perry H. Shaver

This day came the Attorney for the Commonwealth and the prisoner Perry H. Shaver was led to the bar of the Court in custody of the Jailor of this Court and on motion of the defendant for reasons appearing to the Court the trial of this Cause is continued until the June Term next of this Court. And thereupon the prisoner was remanded to Jail.

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum opposite their names for their attendance mileage and services at this term of the Court as Jurors for the Commonwealth upon the trial of Felony Cases and that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts. Viz:

Names of Jurors	Days	Mile	Foll.	Names of Jurors	Days	Mile	Foll.
✓ Luther J. Strickler	1	20	1 80	✓ L. J. Golden	✓ 1		1 00
✓ J. B. Ratchliffe	1	18	1 72	✓ H. H. Frank	✓ 2	32	3 28
✓ H. H. Shaver	2	36	3 44	✓ S. C. Frank	✓ 2	36	3 44
✓ J. H. Bull	2	50	4 00	✓ J. H. Shwatter	1		1 00
✓ J. M. Roman	2	44	3 76	✓ Benjamin Mayes	✓ 2	6	2 24
✓ Michael M. Taylor	2	50	4 00	✓ J. N. Kennedy	✓ 2	25	3 00
✓ Benj. F. Bunkle	2	50	4 00	✓ Frederick Rodes	✓ 2		2 00
✓ B. J. Strickland Jr	2	40	3 60	✓ Samuel Ritchie	✓ 2	8	2 32
✓ Messrs. Estep	2	50	4 00	✓ H. H. Phillips	✓ 2	10	2 40
✓ Samuel Galt	2	50	4 00	✓ John T. Hakenight	2		2 00

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

George Shaver

Virginia at a County Court continued and held in and for the County of Rockingham at the Court House thereof on Thursday May 21, 1903

Present Hon. George G. Grattan, presiding.

Elara Fields and Proctor Rice Appellants.

James N. Keckley Appellee. } Upon an appeal from the judgment of a Justice

This day came the parties in person and by Counsel and thereupon the appellants filed their plea of non assumpsit to which the appellee replied generally, whereupon by Consent of parties came the following jury of seven to-wit: Isaac D. David John L. Berry J. P. Kagan John H. Pance J. N. Bear L. E. Lupton & H. Shank who being elected and tried were sworn well and truly to try the issue joined and a true verdict render according to the evidence and having fully heard the evidence and argument of Counsel retired to the room to consider their verdict and after sometime returned into Court and upon their Oath do say that the jury upon the issue joined find for the plaintiff J. N. Keckley and ascertain his damages at \$21.25 with interest thereon from the 17 day of July 1902. G. H. Shank, Foreman, whereupon the jury was discharged. It is considered by the Court that the appellant James N. Keckley recover of the Appellees Elara Fields and Proctor Rice, the sum of Twenty one ^{and thirty two} ~~one~~ ^{and thirty two} dollars with legal interest thereon from the 17 day of July 1902 until paid and his Costs here and before the Justice expended.

J. R. Foley Plff

P. R. Pifer Deft

} Upon a Warrant removed from before a Justice

This day came the plaintiff in person and by Counsel and the defendant by Counsel and on motion of the defendant. It is ordered that this Cause lie continued at the Court of the said Defendant.

On the application of Daniel Shettel others for the Establishment of a Public Road

This day came the parties and the Viewers heretofore appointed having made and filed their report recommending the establishment of the said road. It is ordered that the following named land-owners along the line of said proposed road be summoned to appear here on the first day of the June Term next to show Cause if any they can why the road prayed for in this Cause shall not be opened and established through their land agreeable to the report of the Viewers G. H. Hume, D. B. Shwatter Henry Forrer of G. Myers Filed May 18, 1903 Viz: Charles P. Hume J. H. Shank J. F. Luman Mrs. Lillie M. Miller

On the Application of G. H. Humberger others for the Establishment of a Public Road.

This day came the parties by their Attorney and the Viewers heretofore appointed having made and filed their report recommending the Establishment of the road prayed for in this Cause. It is ordered that the following land-owners along the line of said proposed road be summoned to appear here on the first day of the June Term next to show Cause if any they can why the road prayed for in this Cause shall not be opened and established through their land agreeable to the Report of the Viewers G. R. Eastham H. P. Eiler J. R. Feller D. S. Harrison, filed May 18, 1903 Viz: G. H. Humberger Joseph Taylor and J. H. Samuel heirs

On the motion of J. N. Haas who made Oath thereto according to law and appeared in Court and together with Betty L. Haas and Minnie H. Christian by Geo. N. Hammond her attorney in fact under a power of Attorney duly Certified and which is ordered to be recorded his Sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Nine Thousand Dollars Conditioned according to law. A Certificate is granted

On the application of S. H. K. Effard for the establishment of a Public Road
 On motion of the petitioner for reasons appearing to the Court it is ordered that this cause be dismissed.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattau

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday May 22nd 1903.

Present Hon. George G. Gattau, presiding.

B. R. Berry Plff.

L. L. Jordan Dft.

Up on a Warrant removed from before a Justice.

This day came the parties in person and Counsel and by Consent of parties it is Considered by the Court that the Plaintiff B. R. Berry recover of the defendant L. L. Jordan the sum of Twenty Three dollars with legal interest thereon from the 1st day of December 1902 until paid (subject to a Credit of \$10.00 as of date May 22, 1903) and her Costs by him in this behalf expended here and before the Justice on an instrument of waiving the Homestead Exemption.

Commonwealth

Up on an Appeal from the Judgment of a Justice upon an Indictment for a Misdemeanor.

This day came the Attorney for the Commonwealth and the defendant by Counsel and by Consent of parties it is Considered by the Court that the Judgment of the Justice of this cause be affirmed and that the Commonwealth recover of the defendant John H. Flannery the sum of Twenty five dollars fine and her Costs before the Justice and in this Court expended.

Commonwealth

Up on an Indictment for Retailing Liquor.

John H. Flannery

This day came the Attorney for the Commonwealth and the defendant by Counsel and thereupon the defendant pleaded guilty to the said Indictment and waived trial by a jury and submitted all matters of law and fact for trial to the Court. And the Court having heard the evidence adduced doth Consider that the Commonwealth of Virginia recover of the defendant John H. Flannery the sum of Twenty dollars Fine and her Costs by her about her prosecution in this behalf expended.

Commonwealth

Up on an Indictment for Retailing Liquor.

John H. Flannery

This day came the Attorney for the Commonwealth and entered a Nolle Prosequi in the foregoing cause. It is Considered by the Court that the said Indictment be dismissed and the defendant discharged and go hence without day or

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattau

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday May 23 1903
Present Hon George G. Galtan presiding.

Dorham Rail Road Co. Appellant
Rockingham Exchange Co. Appellee } Upon an appeal from the judgment of a Justice.
This day came the parties by Counsel; and thereupon the Appellant filed its plea of non assumpsit to which the appellee replied generally, whereupon by Consent of parties came the following jury of seven to wit: Benj. F. Ginkle B. F. Strickler & Samuel Garber Wm. H. Frank S. L. Frank J. P. Rhodes and R. N. Rhodes, who being elected and tried were sworn well and truly to try the issue joined and a true verdict render according to the evidence and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their Oath do say we the jury upon the issue joined find for the appellee the Rockingham Exchange Co. and ascertain its damages at \$33⁰⁰ with legal interest thereon from the 26 day of February 1902 till paid J. P. Rhodes Foreman, whereupon the jury was discharged. And thereupon the Appellant moved the Court to set aside the Verdict of the jury and grant it a new trial, and the Court upon consideration and by Consent of parties doth Consider that the Appellee recover of the Appellant the sum of \$25⁰⁰ with legal interest thereon from the 26 day of February 1902 till paid and its Costs by it about its suit in this behalf expended.

The Rockingham Hosiery Horse Co. Plff
S. L. Rindabush & Co.
On motion the trial of this Cause is Continued until the next term of this Court to 2nd day.

The Board of Commissioners of Roads for Southern
Magisterial District in Rockingham County } Upon a Notice
S. H. McDorman
This day came the parties in person and by Counsel; and thereupon the defendant withdrew his plea. and allowed Judgment to be entered by the Court that the Plaintiff recover of the defendant S. H. McDorman the sum of One Hundred dollars with legal interest thereon from the 1st day of October 1902 until paid and its Costs by it about its suit in this behalf expended.

Ordered That the following names persons be allowed the sum opposite their names for their attendance mileage and services at this term of the Court as Petit Jurors, and that the same be Certified to the Treasurer of this County for payment.

Names of Jurors	Days	Miles	Total	Names of Jurors	Days	Miles	Total
Wm. H. Shaver	1	18	1 72	Isaac D. Davis	1		1 00
Dyre M. Cornsbrink	2	44	3 76	John L. Beery	✓ 1		1 00
Michael M. Saylor	1	25	2 00	J. S. Kasey	1		1 00
Benj. F. Ginkle	2	50	4 00	John H. Pence	1		1 00
B. F. Strickler &	2	40	3 60	D. N. Bear	1		1 00
Samuel Garber	2	50	4 00	W. E. Lupton	1		1 00
Wm. H. Frank	2	32	3 28	J. P. Rhodes	1		1 00
S. L. Frank	2	36	3 44	R. N. Rhodes	1		1 00
G. H. Shank	1		1 00	Luther J. Strickler	✓ 1	20	1 80
James Horner (omitted at a former term)	2	50	4 00				

On the motion of M. J. Martz, who made Oath that according to law and appears in Court and together with S. L. Lee Martz his surety (who justified as to his sufficiency) entered

into and acknowledges a bond in the penalty of One hundred dollars, conditioned according to law. A Certificate is granted the said M. J. Martz for obtaining letters of Administration ^{D.B.N.} in due form upon the estate of John H. Bouchant decd. And it is entered of record that there is no property to come into the hands of the said Administration. The object of the said qualification being for the purpose of releasing a bond in a Certain deed.

On the Application of N. H. Moyer others for the establishment of a Public Road. This day came again the parties and the Viewers heretofore appointed having made and filed their report recommending the Establishment of the said road also recommending a change in the Ottsbree and Davenport Road, and the land-owners along the line of said proposed road consenting in writing to the establishment of the same through their land. And the Court being of opinion that said road is a public necessity doth establish the same in accordance with the report of Viewers and doth allow to B. F. Mellen the sum of \$50⁰⁰ for his land damages, and appropriates the sum of \$100⁰⁰ for the Construction of said road all of which is ordered to be Certified to the Board of Supervisors for its approval or disapproval.

Ordered That H. F. Berry Peter Roller D. G. Leick & Geo. R. Fuller Viewers on the Road Petition for by H. Foley others, be summoned to appear here on the 1st day of the June Term next to testify in the matter of damage assessed upon the land of J. G. Edwards for the purposes of said road.

On the Application of J. I. Heatwole others for the Establishment and Construction of an Iron or Steel Bridge over Dry River. It is ordered that the report be recommitteed to the former Viewers, who are directed to go again upon the site proposed for a bridge, and make report to the next term of this Court as to the best site, the probable cost therefor and the amount of any private Contributions towards the same.

Ordered That this Court be adjourned until Monday morning next at 10 O'clock.

Geo. G. Gattan

Virginia. Set a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday May 25 1903.

Present Hon. George G. Gattan, presiding

A writing purporting to be the last will and testament of Mrs. J. Lineweaver, decd was this day presented in Court and being sworn by the Oaths of Geo. R. Baum and J. P. Loman, two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Mollie J. Lineweaver, the Executrix named in said will who made oath thereto according to law, and appeared in Court and entered into and acknowledges a bond in the penalty of Twelve hundred dollars, conditioned according to law. A Certificate is granted the said Mollie J. Lineweaver for obtaining a probate of the said will of Mrs. J. Lineweaver decd in due form said will providing that no security be required of the said Executrix. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed \$5,500⁰⁰.

On the Application of J. I. Heatwole others for the Establishment of a Public Road. This day Geo. D. Callender Road Commissioner for Albemarle District filed his report from which it appears that that portion of the road prayed for in this Cause from the Dry River at J. B. Coffman to the Honey Run Road at Mrs. Tansley has been constructed by J. I. Heatwole the Contractor in accordance with the specifications and is now

is J. Heatute
 ready for travel and that there is due the said J. J. Heatute the sum of \$41.⁸⁰ and to P. S. Thomas for seven pipe furnishes for the purposes of said road the sum of \$6.⁴⁰ It is ordered that the Treasurer of this County pay unto the said J. J. Heatute the said sum of \$41.⁸⁰ and unto Thomas the sum of \$6.⁴⁰ out of the funds appropriated for the purposes of said road.

On the Application of P. O. Ryely others for the Establishment of a Public Road
 This day be J. Kallender, Road Comm. for Ashby District, filed his report from which it appears that Hareu H. Washington has Completed the Construction of the road prayed for in this Cause in accordance with the Specifications, and that the same is now ready for travel, and that there is due to the said Hareu H. Washington the sum of \$250.⁰⁰ for lumber furnished by him for bridge on said road. It is ordered that the Treasurer of this County pay unto the said Hareu H. Washington the said sum of \$250.⁰⁰ and unto the said J. H. Deputy the sum of \$15.⁰⁰ out of the funds appropriated for the purposes of said road.

Cred.
 H. N. Hitecel & Son. This day presented in Court an account against the County of Rockingham amounting to the sum of \$2.⁰⁰ for adjusting & repairing the scales of the scales of Height Measures of this County, it appearing to the Court from the report of J. L. Williams, scales of Height Measures for this County that said work was necessary and proper to be done.

On the Application of Wm. J. Mayrhoeffers others for the Establishment of an Iron or Steel Bridge over South Creek in this County.

It appearing to the Court from the report of Messrs. G. R. Eastham & S. Schutger the Commissioners hereunto appointed to Contract for and Superintend the Construction of the Bridge prayed for in this Cause that owing to ^{in place of lumber and extra} ~~in place of lumber and extra~~ necessary excavation work that it will require the additional sum of \$217.³⁰ to pay in full the Costs of said bridge an itemized Statement of which will be found on page 43 of this book. It is ordered that said additional sum be and is hereby appropriated, and ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

In the matter of the Application for the Establishment and Construction of an Iron or Steel Bridge over Souths Creek at or near Jacob S. Sellers in this County.

It appearing to the Court from the report of Messrs. G. R. Eastham and J. S. Sellers the Commissioners hereunto appointed to Contract for and Superintend the Construction of the Bridge prayed for in this Cause that owing to the Construction of King walls on west side of the said bridge to protect the approach to said bridge on that side during a freshet and which was not provided for in the original estimate for said bridge, that it will require the additional sum of \$170.⁶⁸ to pay in full the Costs of said bridge an itemized Statement of which will be found on page 43 of this book, and it appearing to the Court that said Extra work was necessary & proper. It is ordered that said additional sum of \$170.⁶⁸ be and is hereby appropriated and ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

On the Application of J. Luther Finkle others for the Establishment and Construction of an Iron or Steel Bridge

It appearing to the Court from the report of G. R. Eastham and L. J. Drown the Commissioners hereunto appointed to Contract for and Superintend the Construction of the said Bridge that owing to the advance in materials after the estimate for said bridge had been made, that it will require the additional sum of \$55.⁰⁹ to pay in full the Cost of said bridge an itemized Statement of which will be found on pages 43 & 44 of this book. It is ordered that said sum of \$55.⁰⁹ be and the same is hereby appropriated, and ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

It is ordered to be Certified to the Auditor of Public Accounts that George N. Conrad, Attorney for the

copy

Commonwealth for this County is entitled to the sum of thirty dollars for prosecuting three felony cases at this term of the Court. viz: Commonwealth vs Perry H. Shaver for Housebreaking \$10⁰⁰ James O. Jones Bible for Housebreaking \$10⁰⁰ and James O. Jones for Housebreaking \$10⁰⁰

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock

Geo. E. Lawrence

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday May 26. 1903.

Present Hon. George G. Gattau, presiding.

On the application of John H. Hoover others for the Establishment and Construction of a Bridge over Smith's Creek at Graney Island Mills.

The Court doth appoint Jasper Hawse, G. R. Eastham & R. R. Killebaugh Viewers to examine the proposed site, and any other that may be suggested, and report in favor of the one they prefer with their reasons for said preference, and make report at the next term of this Court as the law provides.

On the application of John H. Helbert and J. B. Krogler others for the Establishment of a Public Road leading from the Long Meadows Road Commissioner for Ashby District, having filed his report with plat made by J. G. Myers of a new survey along Long bluff. It is ordered that the following named persons land owners who will be affected by the change to be made, be summoned to appear here on the first day of the June term next of this Court to show cause if any they can why the said road shall not be opened and established through their lands agreeably to the report aforesaid viz: J. B. Krogler, Lehat Jeter, Edmondson, John Keyton, Mrs. Mattie Helbert, J. P. Riddle and Emanuel Long.

On the Application of J. N. Kennedy others for the Establishment of a Public Road leading from the Long Meadows through the lands of Charles Spitzer others to the Valley Turnpike a distance of 1 1/2 miles.

The Court doth appoint J. G. Myers, S. R. Killebaugh, Henry Foran and Samuel M. Bowman Viewers (any three of whom may act) to view said proposed route, and make report to this Court at its next term as the law provides.

In pursuance of Section 1022 of the Code of Virginia, the Court doth appoint S. B. Thack John H. Rhodes and J. H. Garther Judges of Election and J. H. Keiter Registrar for the town of Dayton, in this County.

On the motion of W. F. Fultz, a Creditor, the Court doth appoint John R. Switzer, Curator of the Estate of V. H. Lam, dec'd, whereupon the said John R. Switzer appeared in Court and together with H. L. Switzer his Son, who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of Two Thousand Dollars conditioned according to law, and thereupon he qualified as such Curator by taking the Oath required by law. And the Court doth appoint Solomon J. Hensley, H. R. Gentry, M. M. Gannon, L. G. Hamsberger and A. J. Nicholas to appraise the Estate of the said V. H. Lam, dec'd any three of whom may act after first being duly summoned.

On the Application of P. A. Whitesell others for the Establishment of a Public Road. This day came again the petitioners by their Attorney, and the Court having maturely considered the two reports filed in this Cause, and being of opinion the road prayed for is a public necessity, and will be a great convenience to a number of the

Citizens living in the neighborhood, the land-owners along the line of said proposed having been duly summoned. It is ordered that the said road be established in accordance with reports of the Viewers aforesaid and that the following named persons be allowed the sum opposite their names for their land-damages favoring sc. viz: Isaac Miller \$16⁰⁰ H. E. Botton \$100⁰⁰ J. N. Falls \$50⁰⁰ Mrs R. E. Painter \$200⁰⁰ G. S. Keller \$15⁰⁰ and doth appropriate the sum of \$100⁰⁰ for the construction of the said road all of which is ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

Upon the application of T. A. Harrison for the establishment of a Public Road.

This day came the petitioner by his Attorney and those opposing the road to-wit: May Florence, W. C. Florence, Luella Hise, J. B. Hise, Cornelia Reed, Abraham Reed, Abraham Brumentmt and H. H. Brumentmt by their Attorney, and the matter came on to be heard upon the report of four of the Commrs to-wit: D. B. Shwaller, Henry Foster, D. J. Myers and John W. Siskey appointed at the August term 1902. of this Court said report filed on the 25th of Sept. 1902. the exceptions filed to said report on the 22nd of Sept 1902. by those opposing the said road as aforesaid. And argument of Counsel. And upon consideration whereof the Court without passing upon the said report or the exceptions thereto doth recommend this matter to the following Commissioners to-wit: George H. Reed, D. M. Reeder, John R. Filler, John Keller and John P. Brown, who are directed to go upon the lands of Mrs May Florence, and Mrs J. B. Hise, Mrs Abraham Reed, Abraham Brumentmt and Mrs Mary Brumentmt on the 10th day of June 1903 and after having been duly sworn, and after considering the exceptions filed as aforesaid on 22nd Sept 1902. then and there ascertain after viewing the premises and hearing any evidence that may be adduced, what will be a just Compensation to said Mrs May Florence and to said Mrs J. B. Hise, Mrs Abraham Reed, Abraham Brumentmt and Mrs Mary Brumentmt for the land proposed to be taken in the construction of the road asked for in these proceedings, and for the damage to the residue of their lands beyond the peculiar benefits to be derived in respect to said residue by reason of the establishment of said road the said land proposed to be taken in the construction of said road as shown by the report of Viewers filed July 26. 1902. and flat accompanying the same is as follows. 25 feet wide and beginning at the line between Mr T. A. Harrison and Mrs J. B. Hise Mrs Abraham Reed, Mrs Mary Brumentmt & Abraham Brumentmt lots, thence along the old Haynes run Mrs May Florence, line S 58 E 25 poles to a point 25 feet from Abraham Brumentmt's stable, thence passing diagonally across said line S 81 1/2 E 25 poles to a point on Mrs May Florence land 25 feet from the Brumentmt line just east of Abraham Brumentmt's garden corner near his stable, thence through Mrs May Florence's land N 39 1/2 E 26 poles to the middle of the Melrose Road. This last last line is the east side of the proposed road. The entire route is 55 poles long. Also ascertain what should be allowed said parties for fencing and also what Compensation should be allowed for moving the stable out of the proposed road back to the side of the said proposed road, and make report as the law provides to the next term of this Court. The Court having before directing order aforesaid, overruled the motion of Exceptants to appoint a new set of Viewers with directions to discharge the duties prescribed by law to which action the exceptants objected as well as objected to the order aforesaid as not proper to be entered in view of the pleadings in the case and the objections of May Florence & others.

This day came M. Cliford Myers, who alleges that he is aggrieved by an entry in the Land Book made by Geo. N. Eaman, Commissioner of the Revenue for Central District in Rockingham County for the year 1902 page 21 line number 1. whereby he is charged with Three dollars and forty seven Cents State taxes and Six dollars and Ninety four Cents County taxes for the year 1902 on a tract of land containing 22 A. 2 R. described as lying on Old Rawley Road. And thereupon the said M. Cliford Myers moves the Court to exonerate him from the payment of Two dollars and nine Cents of the State taxes and Four dollars and Eighteen Cents of the County taxes so erroneously charged against him for said year, which motion was defended by Geo. N. Eaman the Attorney for the Commonwealth for said County, and the said Geo. N. Eaman the Commissioner who made the assessment was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the 27th day of August 1902. and that application for redress against the

erroneous entry was made on this day for the first time; and it appearing that the Commissioner in copying inadvertently copied the assessment of a tract of land of 38d R. 26 P. of land assessed to J. H. Myers just preceding this assessment. All which the Court certifies as facts from the affidavits aforesaid. On consideration whereof and from such facts as aforesaid, the Court is satisfied that the said M. Clifford Myers is erroneously charged in said book with State taxes amounting to Two dollars and nine Cents and County taxes amounting to Four dollars and Eighteen Cents. Wherefore it is ordered that the said M. Clifford Myers be exonerated from the payment of Two dollars and nine Cents State taxes and Four dollars and Eighteen Cents of the County taxes so erroneously charged if not already paid, and if paid that it be refunded to him together with the penalty thereon.

E. H. Carpenter, County Treasurer of Rockingham County, having returned to the Court Lists of lands sold for the non payment of taxes thereon for the year 1902. The same are ordered to be filed for any exceptions thereto and for further consideration by the Court.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. H. Hatten

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday May 27, 1903.

Present Hon. George H. Hatten, presiding

In pursuance of Section 1022 of the Code of Virginia the Court doth appoint R. F. Ferry, McHenry Snickel, M. B. Childress Judges of Election and John H. Jacobs Registrar for the town of Bridgewater in this County.

On the Application of John Ruebush others for the Establishment of a Public Road, and
On the Application of Jacob Holsinger others for the Establishment of a Public Road.

The Jurors hereto appointed in each of the foregoing having reported adversely to the Construction of the roads prayed for in the above entitled Causes, it is ordered that the same be dismissed.

Commonwealth.

② Jacob R. Hetzel and Thornton Hetzel } Upon an Indictment for Felony.

Same } Upon an Indictment for Perjury. ② Commonwealth. } Upon an Indictment for Perjury.
② Jacob R. Hetzel. } Thornton Hetzel.

This day came the Attorney for the Commonwealth, and it appearing to the Court that the Defendants in the foregoing Causes who escaped from the Custody of the jailor of this County are still at large. It is ordered that the foregoing Causes be continued until the June Term next of this Court.

Ordered That this Court be adjourned until the first day of the next term.

Geo. H. Hatten

Virginia. At a County Court held in and for the County of Rockingham at the Court House thereof on Monday, June 15, 1903.

Present Hon. George G. Galtman, presiding.

The Clerk of this Court this day presented in Court a List of Orders received and admitted to record in the Clerk's Office of this Court at and since the last May Term, which being seen and inspected by the Court is ordered to be filed.

C. B. Lane, Justice of the Peace, this day paid into Court the sum of \$25⁰⁰ it being the amount of a judgment for fine rendered by him on the 23 day of May, 1903 in the Case of the Commonwealth v. Willie Jewell for Attempt to Commit Larceny.

R. F. Leese late Justice of the Peace, paid into Court the sum of \$5⁰⁰ it being on account of judgment for fine rendered by him.

Charles C. Hume, infant Son of H. H. Hume dead, over the age of 14 years, this day appeared in Court and made choice of D. M. Hume as his guardian the Court doth appoint him as such Guardian, whereupon the said D. M. Hume appeared in Court and together with B. F. Hume his surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of Two Hundred dollars conditioned according to law. And thereupon he qualified as such guardian by taking the Oaths required by law.

A. P. Mauncy, C. R. Hopper, C. F. Matthews & S. P. Hamman, this day appeared in Court in obedience to their recognizance entered into on the 23rd day of May, 1903, before C. B. Lane Justice of the Peace for their appearance here this day as witnesses before the Grand Jury in the Case of the Commonwealth v. George Gladwell, and there being no Grand Jury in attendance at this term of the Court, they were each recognized in the sum of \$50⁰⁰ each for their attendance at the July Term next, being July 20, 1903 as witnesses as aforesaid, and not to depart thence without leave of the Court.

McOmick Harwining Machine Company a Corporation Plff.

G. C. McCall.

Deft.

} upon a Notice.

This day came the plaintiff by its Counsel, and it appearing to the Court that the defendant has had due notice of this motion, and being solemnly called came not, and the Court having examined the papers and heard the evidence adduced doth consider that the plaintiff recover of the defendant G. C. McCall the sum of Sixty dollars, with legal interest thereon from the 1st day of October, 1901, until paid and its Costs by it in this behalf expended upon an Instrument of writing covering the Homestead Exemption.

On the Application of G. G. Hamberger others for the Establishment of a Public Road this day came again the petitioners by their Attorney, and the heirs of J. H. I. Samuels appeared by Counsel and objecting to the damages allowed them for their land taken for the purposes of said road, and moved the Court to appoint Commissioners to ascertain what will be a just Compensation for their lands to be taken for the purposes of said road. The Court doth appoint Geo. H. Rehder, Henry Forrer and G. S. Harrison, Commissioners to go upon the lands of J. H. I. Samuels and ascertain and report to this Court at its next term, as to what will be just Compensation for the land proposed to be taken in the construction of the road prayed for in these proceedings and for the damage to the residue of said land beyond the peculiar benefits to be derived in respect

to said residue by reason of the establishment of said road, and the Court doth designate the 15th day of July 1903, for the meeting of said Commissioners.

On the Application of J. P. Miller others for the Establishment of an Iron or State Bridge across Cedar Run on the Public Road leading from Broadway to Dakers Mill in this County. The Court doth appoint Jasper Maure G. R. Eastman G. H. Richard. Tison. to view said proposed site and make report to this Court at its next term as the law provides.

John J. Brauner Commissioner of the Revenue for Plains Magisterial District in Rockingham County, whose term of Office has been extended by law, from the first day of July 1903 to the first day of January 1904 having been required to give a new bond conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said office. This day appeared in Court and together with Mr. F. Powers, B. F. Hilbert and Charles B. Knapp his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Three Thousand dollars. Conditioned as above required which is ordered to be recorded.

E. R. Neff, Constable for Plains Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said office. This day appeared in Court and together with M. L. Lohr and Michael H. Lohr his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two Thousand dollars. Conditioned as above required which bond is ordered to be recorded.

John D. Farley, Commissioner of Roads for Plains Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said office. This day appeared in Court and together with Mr. F. Powers his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One Thousand dollars. Conditioned as above required which bond is ordered to be recorded.

Charles F. Evans, Overseer of the Poor for Plains Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of his said office. This day appeared in Court and together with Mr. F. Powers his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One Thousand dollars. Conditioned as above required, which bond is ordered to be recorded.

George R. Black Constable for Central Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by

law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with Geo. B. Kezell and J. F. Wright his sureties (who justified as to their sufficiency) entered into and acknowledges a bond in the penalty of Ten thousand dollars. Conditioned as above required, which bond is ordered to be recorded.

Charles L. Hunkel, Constable for Stonewall Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with Michael J. Hunkel his surety, who justified as to his sufficiency, entered into and acknowledges a bond in the penalty of Ten thousand dollars. Conditioned as above required, which bond is ordered to be recorded.

Jacob S. Lays, Constable for Linville Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond, Conditioned for the faithful discharge of the duties of his said office, for the time during which his term of office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with S. M. Mohler and Philip L. Reedy his sureties (who justified as to their sufficiency) entered into and acknowledges a bond in the penalty of Ten thousand dollars. Conditioned as above required, which bond is ordered to be recorded.

B. F. Rodaffer, Commissioner of Roads for Central Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said office, for the time during which his term has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of his office, this day appeared in Court and together with John H. Fete his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of One thousand dollars. Conditioned as above required, which bond is ordered to be recorded.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Grattan

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Tuesday June 16th 1903.

Present Hon. George E. Grattan, presiding.

Jacob Bare Affellant

James Campbell Affellee

} Upon an Appeal from the Judgment of a Justice

This day came the parties in person and by Counsel, the Defendant says that he does not detain the horse, as in the plaintiff's declaration is alleged, and of this he putteth himself upon the Country and the Plaintiff likewise, and since is joined, and thereupon by Consent of parties came the following Jury of seven to-wit: Frederick Rodas, J. M. Klingler, H. C. Shuratter, R. H. Bradford, D. J. Eaman, Samuel Ritchie & J. Bradburn, who being elected and tried were sworn well and truly to try the issue joined, and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their oath do say that the Jury find for the plaintiff the horse in Controversy, if to be had, and if not then the

sum of \$117.50 to be its value J. F. Bradburn, foreman, whereupon the jury was discharged.

Ordered that each of the following named persons be allowed the sum of One Dollar for their attendance and services at this term of the Court as Petit Jurors, and that the same be Certificate to the Treasurer of this County for payment To: Frederick Rode, J. M. Klingner, W. L. Shumatter, R. M. Bradford, D. F. Eammon, Samuel R. Ralston and J. F. Bradburn.

On the motion of Ada A. Sealey, widow of Eli T. Sealey, dead, who made oath thereof according to law, and appeared in Court and together with S. Henton Swank her surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three Hundred dollars, conditioned according to law. A Certificate is granted the said Ada A. Sealey, for obtaining letters of Administration in due form upon the estate of the said Eli T. Sealey, dead, and it is entered of record that the amount of property to come into the hands of the said Administration was estimated not to exceed the sum of \$300⁰⁰.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. H. Hutton

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday June 17. 1903.

Present Leon George G. Gattau presiding.

Charles L. Meyerhofer additional Constable for the 1st Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said Office, for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office, this day appeared in Court and together with Samuel L. Shusser, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two Thousand dollars, conditioned as above required which bond is ordered to be recorded.

A writing purporting to be the last will and testament of T. H. Lam, deceased, was this day presented in Court and being sworn by the Oath of T. H. Haas, and L. J. Dooten the subscribing witnesses thereto is admitted to probate and ordered to be recorded, and there being no Executor named in said will. On the motion of the heirs, Solomon J. Hensley who made oath thereof according to law, appeared in Court and together with Thomas B. Hensley his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three Thousand dollars, conditioned according to law. A Certificate is granted the said Solomon J. Hensley, for obtaining letters of Administration in due form upon the estate of the said T. H. Lam, dead, with his said will annexed. And the Court doth appoint H. B. Gentry, M. M. Jannan, L. G. Hensberger, J. B. Nicholas and to appraise the estate of the said T. H. Lam dead any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1500⁰⁰. And it is ordered that the powers of John H. Switzer, who was appointed and qualified at the May Term last of this Court Curator of the estate of T. H. Lam, dead, be and the same are hereby revoked.

Rockingham Hootney Horse Co. Appellant.

E. L. Rodabush & Co.

Appellee.

} Upon an appeal from the judgment of a Justice.

This day came the parties by Counsel, and on the motion of the appellant the trial of this case is continued until Monday next the 7th day of this present term.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Gorton

Virginia At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Thursday June 18. 1903.

Present Hon. George G. Gorton, presiding.

J. H. Cantrichoff, Additional Comptroller for Stemsall Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said office, for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office, this day appeared in Court and together with E. J. Cantrichoff and J. H. Hyatt his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two Thousand dollars conditioned as above required which bond is ordered to be recorded.

J. L. Ponsick, Commissioner of Roads for Stemsall Magisterial District in Rockingham County, whose term of Office has been extended by law, from July first 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office, this day appeared in Court and together with P. R. Michael his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One Thousand dollars conditioned as above required; which bond is ordered to be recorded.

E. C. Tutwiler, Commissioner of the Revenue for Shelby Magisterial District in Rockingham County, whose term of Office has been extended by law from July first 1903 to the first day of January 1904, having been required to give a new bond conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office, this day appeared in Court and together with P. C. Tutwiler his surety, who ~~surety~~ (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three Thousand dollars conditioned as above required which bond is ordered to be recorded.

J. H. Munnich, Overseer of the Poor, for Central Magisterial District in Rockingham County, whose term of Office has been extended by law from the first day of July 1903 to the first day of January 1904, having been required to give a new bond, conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with W. L. Bunnell his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One Thousand dollars conditioned as above required, which bond is ordered to be recorded.

Upon the motion to appoint a Committee for Dora V. Effinger, as a person of unsound mind
 It appearing to the Court that L. H. Effinger, Willie Henson and Emma R. Shue have given notice of a motion for the appointment of a Committee of Dora V. Effinger, this day came the said parties and it appearing to the Court that the said Dora V. Effinger has had due notice of this motion therefore came said Dora V. Effinger and M. H. Effinger ^{by Counsel} and it is considered and ordered by the Court that said motion be docketed.

Valley Turnpike Company Appellant.

B. F. Strickler

Appellee

Upon an appeal from the judgment of a Judge.

This day came the parties, and thereupon the Appellee moved the Court to dismiss this case on the grounds that this Court has no jurisdiction to enforce the collection of toll except in cases of agreement to pay, a remedy being given to the Company to enforce the payment of toll by closing the gate or by enforcing the penalty prescribed by law for passing a gate without the payment of the toll demandable, and the Court having heard the evidence but not having time to hear the argument of Counsel the case is continued until tomorrow.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. B. Harrison

Virginia At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday, June 19, 1903.

Present Hon. George B. Galt, presiding.

On the Application of L. B. Maucery others for the Establishment of a Public Road
 This day came the petitioners by their Counsel, and the Viewers heretofore appointed having made and filed their reports recommending the Establishment of the said roads and there being no objections on the part of the land-owners, and the Court having examined the report of the Viewers of and heard the evidence adduced being of opinion that said road is a public necessity doth establish the same in accordance with the report of the Viewers and doth ^{order} following named persons the sum of their names for their land damages or recovery of damages, viz. E. L. Lambert \$100⁰⁰ Mrs. Layton ^{Campbell} \$20⁰⁰ and doth appropriate the sum of \$150⁰⁰ for the construction of said road, all of which is ordered to be credited to the Board of Supervisors of this County for its approval or disapproval.

Jacob Bare Appellant.

James Campbell Appellee

Upon an appeal from the judgment of a Justice

This day came again the parties by Counsel, and by Consent of parties it is considered by the Court that the Appellant Jacob Bare do recover of the Appellee James Campbell the bay mare in the Warrant in this case mentioned and described of the mare can be had, and if the Mare cannot be had that the plaintiff recover of the defendant the sum of \$17⁰⁰ as of the 20 day of April 1903, subject to a credit of \$20⁰⁰ as of that date, and the Costs about this Suit in this behalf expended.

On the Application of the Assembly Park Association by L. P. Frankham its President
 The Court doth appoint J. L. Long H. H. Steele J. M. Vint S. H. Pearson J. N. Garber to act as

Conservators of the Peace to perform such duties as provided in section five of the Charter of said Company at any fair or meeting held upon said Company's grounds. They shall have the right and authority to arrest and eject from the grounds of the Company any person or persons who shall create any disturbance, or who shall commit any breach of the peace or violate in any way any of the rules or regulations of the Company, their Compensation to be paid by the Company.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Gattau

Virginia At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof on Saturday June 20. 1903.

Present Hon George G. Gattau, presiding

The Valley Turnpike Company Appellant

B. F. Strickler

Appellee

Upon an appeal from the judgment of a Justice

The Order entered in this Cause on the 22nd of August 1901, having been by the Circuit Court of Rockingham County reversed and set aside and this Cause remanded to this Court on the 20th day of June 1903. Came again the parties appellant and appellee. By Counsel for the appellee plead Non assumpsit and the Court having heard the evidence adduced the appellee B. F. Strickler by Counsel moves the Court to dismiss the warrant against him on the ground that the evidence failed to disclose any express agreement on his part to pay the tolls sued for, or any part thereof, and that in the absence of such agreement, the plaintiff in the Warrant cannot maintain an action or warrant for the recovery of tolls, and this Court is without jurisdiction to entertain any such action or warrant, and the Court having heard the argument of Counsel and having maturely considered the evidence it is thereupon considered by the Court that the judgment of the Justice be reversed and that the plaintiff, the Valley Turnpike Company do recover of the defendant B. F. Strickler, the sum of \$7.52 with interest thereon from June 1st 1901, together with the Costs recovered by it in the trial before the Justice and in this Court in this behalf expended, and the Clerk in taxing the Costs shall divide the Costs of the attendance of all the witnesses summoned in this Cause and in the Case of N. G. Moore & The Valley Turnpike Company at this term of the Court these witnesses having been summoned in both Cases for the same day and the Court being of Opinion that the Costs of the attendance of said witnesses should be divided and that B. F. Strickler recover of the Valley Turnpike Company his Costs incurred in this Court up to the time of removal of the Cause to the Circuit Court.

N. G. Moore Appellant

The Valley Turnpike Company Appellee

Upon an Appeal from the judgment of a Justice

The Order entered in this Cause on the 22nd day of August 1901 whereby the cause was Certified to the Circuit Court of Rockingham, having been by said Court by order therein entered set aside, and the Cause remanded to this Court on the 20th day of June 1903. Came the parties appellant and appellee and the appellant plead Non assumpsit. And the Court having heard the evidence adduced, the appellant N. G. Moore, by Counsel moves the Court to dismiss the Warrant against him, on the ground that the evidence failed to disclose any express agreement on his part to pay the tolls sued for, or any part thereof, and that in the absence of such agreement, the Plaintiff in the warrant cannot maintain an action or warrant for the recovery of tolls and this Court is without jurisdiction to entertain any such action or Warrant, but the Court having maturely considered the evidence and argument of Counsel doth overrule said motion, and it is considered by the Court that the judgment of the Justice be

reversed & let aside that the appellee the Valley Turnpike Company, do recover of appellant N.G. Moore the sum of \$14⁵⁰ with interest thereon from June 1st 1901 until paid and that the said N.G. Moore do recover his Costs against the Valley Turnpike Company by him in his behalf in this Court and before the Justice expended, and the Clerk in taxing the Costs shall divide the Costs of the attendance of all the witnesses summoned in this Cause sales in Case of the Valley Turnpike Company & B.F. Whittaker at this term of the Court there witnesses having been summoned in both Cases for the same day, and the Court being of opinion that the Costs of the attendance of said witnesses should be divided.

On the application of L.B. Gancey others for the Establishment of Iron or Steel Bridge over Bull Run near Whitfield Green Broomfield.

The Viewers heretofore appointed having made and filed their report, recommending the Establishment and Construction of an Iron or Steel Bridge at the above named place and the Court having examined said report and having heard the evidence adduced is of opinion said said bridge is a public necessity, doth establish the same and doth appropriate the sum of \$1,500⁰⁰ being \$1,200⁰⁰ for the Bridge proper and \$300⁰⁰ for the abutments the Citizens of the neighborhood to make the fills and approaches to the said bridge with out Cost to the County. All of which is ordered to be Certified to the Board of Supervisors for its approval or disapproval.

F.P. Rhodes, Supervisor for Lumle Magisterial District in Rockingham County whose term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a New Bond Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office, this day appeared in Court and together with James E. Reherd his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars, Conditioned as above required which bond is ordered to be recorded.

James E. Reherd, Supervisor for Central Magisterial District in Rockingham County whose term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a New Bond Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with F.P. Rhodes his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars, Conditioned as above required, which bond is ordered to be recorded.

H.M. Rogers, Supervisor for Ashby Magisterial District in Rockingham County whose term of Office has been extended from July first 1903 to January 1st 1904, having been required to give a New Bond ^{Conditioned for the faithful discharge of the duties of his said office} for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office, this day appeared in Court and together with E.H. Carpenter his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars Conditioned as above required which bond is ordered to be recorded.

Michael H. Hawine, Supervisor for Stonewall Magisterial District in Rockingham County whose term of Office has been extended ^{by law} from July first 1903 to January 1st 1904, having been

required to give a new bond. Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with R. H. Harrison, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars Conditioned as above required, which bond is ordered to be recorded.

E. M. Minnick, Supervisor for Plains Magisterial District in Rockingham County where term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a new bond. Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with H. M. Rogers, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars. Conditioned as above required which bond is ordered to be recorded.

Jacob C. Hanger, Commissioner of the Revenue for Linville Magisterial District in Rockingham County, where term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with Henry H. Hanger, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three thousand dollars Conditioned as above required which bond is ordered to be recorded.

C. D. Callender, Commissioner of Roads for Ashby Magisterial District in Rockingham County where term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with E. M. Carpenter, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One thousand dollars Conditioned as above required which bond is ordered to be recorded.

J. A. Davis, Overseer of the Poor for Linville Magisterial District in Rockingham County where term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with J. F. Neff, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One thousand dollars, Conditioned as above required, which bond is ordered to be recorded.

J. H. Sumner, Overseer of the Poor for Ashby Magisterial District in Rockingham County where term of Office has been extended by law from July first 1903 to January 1st 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge

of the duties of said office, this day appeared in Court and together with James H. Rousemb. his surety who justified as to his sufficiency entered into and acknowledges a bond in the penalty of One Thousand Conditioned as above required which bond is ordered to be recorded.

J. F. Life, Overseer of the Poor for Stone wall ^{Magistral} District in Rockingham County, whose term of Office has been extended by law from July 1st 1903 to January 1st 1904, having been required to give a new bond Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with Jennie F. Life his surety (who justified as to her sufficiency) entered into and acknowledges a bond in the penalty of One Thousand dollars Conditioned as above required, which bond is ordered to be recorded.

Gasper Hawre Surveyor of Rockingham County, whose term of Office has been extended by law from July first 1903 to January 1st 1904 having been required to give a new bond Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with J. J. Hawre his surety who justified as to his sufficiency entered into and acknowledges a bond in the penalty of Four Thousand dollars Conditioned as above required which bond is ordered to be recorded.

Jacob F. Neff, Commissioner of Roads for Linville Magistral District in Rockingham County whose term of Office has been extended by law from July first 1903 to January 1st 1904, this day appeared in Court and tendered his resignation to take effect this day. The Court doth accept the same.

The Court doth appoint J. N. D. Kratzer, Commissioner of Roads for Linville Magistral District in this County, to fill the vacancy occasioned by the resignation of J. F. Neff. This day, ^{for the unexpired term of two years ending June 30, 1903 and} for the time during which his term of said Office has been by law extended ^{from} July 1st 1903 to January 1st 1904 and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. Whereupon the said Joseph N. D. Kratzer, appears in Court and together with Jesse D. Davis & Jacob F. Neff, his sureties (who justified as to their sufficiency) entered into and acknowledges a bond in the penalty of One Thousand dollars Conditioned as above required which bond is ordered to be recorded. And thereupon he is qualified as such Commissioner of Roads by subscribing to and taking the Oaths required by law.

E. H. Carpenter, County Treasurer for Rockingham County whose term of Office has been extended by law from July 1st 1903 to January 1st 1904, having been required to give a new bond, Conditioned for the faithful discharge of the duties of his said office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared in Court and together with the American Bonding Company, ^{of Baltimore} his surety by H. L. Deshet its duly authorized Agent and Attorney in Fact, under a Power of Atty duly Certified and which is ordered to be recorded entered into and acknowledges a bond in the penalty of One hundred Thousand Dollars Conditioned as above required which bond is ordered to be recorded.

Abert N. Harrington, Superintendent of the Poor for Rockingham County, whose term

of Office has been extended by law from July first 1903. to January 1st 1904. having been required to give a new bond. Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with the American Bonding Company of Baltimore. his Surety by H. L. Diebert its duly authorized Agent and Attorney in Fact under a power of Atty. duly Certified and which is ordered to be recorded. entered into and acknowledged a bond in the penalty of Four Thousand dollars. Conditioned as above required which bond is ordered to be recorded.

John R. Dwyer, Sheriff of Rockingham County, whose term of Office has been extended by law from July first 1903. to January 1st 1904. having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended, and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with The United States Fidelity and Guaranty Company his Surety by J. R. Luffin its duly authorized Agent and Attorney in Fact. under a Power of Attorney duly Certified and which is ordered to be recorded. entered into and acknowledged a bond in the penalty of Fifteen Thousand dollars. Conditioned as above required. which bond is ordered to be recorded.

Ordered That this Court be adjourned until Monday morning next at 10 O'clock.
Geo. G. Gattau

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday June 22nd. 1903.

Present Hon George G. Gattau, presiding

George N. Earmann, Commissioner of the Revenue for Central Magisterial District in Rockingham County whose term of Office has been extended by law from July first 1903. to January 1st 1904. having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with Daniel S. Harrison his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three Thousand dollars Conditioned as above required which bond is ordered to be recorded.

J. H. Lehighwell, Commissioner of the Revenue for Stonewall Magisterial District in Rockingham County whose term of Office has been extended by law from July first 1903. to January 1st 1904. having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended and thereafter until his successor is qualified to enter upon the discharge of the duties of said Office. This day appeared in Court and together with John R. Peale his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three Thousand dollars Conditioned as above required which bond is ordered to be recorded.

Dorman L. Smith, Constable for Ashby Magisterial District in Rockingham County whose term of Office has been extended by law from July first 1903. to January 1st 1904. having been required to give a new bond Conditioned for the faithful discharge of the duties of his said Office for the time during which his term of Office has been by law extended and thereafter until his

his successor is qualified to enter upon the discharge of the duties of said office. This day appeared in Court and together with William H. Blakemore his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two Thousand dollars. Conditioned as above required, which bond is ordered to be recorded.

Rockingham Hectuary Stone Co. Appellant

J. L. Ponders, Jr. & Co. Appellee

Upon an appeal from the judgment of a Justice.

This day came again the parties in person and by Counsel, and the matter having been submitted to the Court and the Court having heard the evidence adduced and argument of Counsel doth conclude that the judgment of the Justice be affirmed and that the Cause be dismissed, and that the appellee recover of the appellant their costs about their defence in this behalf here and before the Justice expended.

On the motion of Mr. C. Shifflett, the Estate of Jacob Life, dead, is committed to John R. Switzer Sheriff of Rockingham County for administration D.B.N. with his will annexed.

On the motion of Mrs. Lora S. Fletcher, E. Courtney Paulson & E. P. Dennis heirs at law of R. Virginia Dennis dead. R. Paul Fletcher who made oath thereto according to law appears in Court and together with American Bonding Company of Baltimore, by E. C. Maity its Vice Pres. attested by E. C. Dechant its asst. Secy. acting under power of Attorney duly Certified and recorded, entered into and acknowledges a bond in the penalty of Fifteen hundred dollars Conditioned according to law. A Certificate is granted the said R. Paul Fletcher for obtaining letters of Administration in due form upon the estate of the said R. Virginia Dennis dead, with her will annexed. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1250⁰⁰.

Upon the application of F. R. Harrison for the establishment of a Public Road. This day came the petitioner by his attorney and those opposing the road to-wit: May Florence H. C. Florence, Luella C. Hise, J. B. Hise, Cornelia Reed, Abraham Reed, Abraham Brumentmt, W. H. Brumentmt, and M. C. Brumentmt by their Attorney. And the matter came on to be heard upon the papers heretofore heard & filed, the proposed line heretofore had & ordered, entered & then report of the Commr. to-wit: Geo. H. Rehder, D. W. Reidler, John P. Brown, John Hollar & John R. Feller made on the 10th day of June 1903, and duly filed, the exceptions filed to said report, on the 20th day of June 1903, by those opposing said road, and argument of Counsel upon Considerations whereof the Court doth establish said road as reported & set forth in the report & plat accompanying the same made by Dennis J. Hawse, G. R. Eastham & R. J. Brown, filed on the 26th day of June 1902, to-wit: Twenty five feet wide and beginning at the line between Mrs. F. R. Harrison, and Mrs. J. B. Hise, Mrs. Abraham Reed, Miss Meiss, Mary Brumentmt & Abraham Brumentmt & thence along the old Haynes Mrs. May Florence, line S 50° E 25 poles to a point 25 feet from Abraham Brumentmt's stable, thence passing diagonally across said line S 81° E 4 poles to a point on Mrs. May Florence's land 25 feet from the Brumentmt line, just east of Abraham Brumentmt's garden corner near his stable, thence through Mrs. May Florence's land N 39° E 26 poles to the middle of the Mehre road. This last line is the east side of the proposed road. The entire route is 55 poles long, and doth confirm said report & override all exceptions filed in this Cause inconsistent & in opposition to this finding of the Court. And the Court doth further confirm the report of Commr. Geo. H. Rehder, D. W. Reidler, John P. Brown, John Hollar and John R. Feller made on the 10th day of June 1903, and doth allow as therein provided to Mrs. May Florence for Compensation for land taken & for damages to residue of tract the sum of \$20⁰⁰ and for fencing the sum of \$27⁵⁰, and to Mrs. J. B. Hise, Mrs. Abraham Reed, Miss Mary Brumentmt & Abraham Brumentmt for Compensation for land taken & for damages to the residue of tract the sum of \$15⁰⁰ and for fencing the sum of \$13⁰⁰ and for moving

the State out of the proposed road bed to the side of the proposed road the sum of \$100⁰⁰ and doth overrule all exceptions filed in this Cause inconsistent with or in opposition to this finding of the Court. And the Court doth further order as recommended in said report of Viewers filed June 24, 1902 that the County of Rockingham pay all the land ^{owner's} damages and that J. A. Harrison lie at the expense of opening and constructing said road. All of which is ordered to be certified to the Board of Supervisors of Rockingham County for its approval or disapproval. And thereupon M. C. Brummett and others pray an appeal as of right from the judgment of the Court in this proceeding, whereupon the same is allowed with expenses. And the said M. C. Brummett appears in Court and together with Josiah B. Brummett his surety who justifies as to his sufficiency extend unto and acknowledge and bind in the penalty of One hundred and fifty dollars. And it is ordered according to law.

In the matter of the application of Wm. R. Broder and others for the establishment of a Public Road. It appearing to the Court that the Viewers heretofore appointed to view said proposed ^{road} have not been over the proposed route on account of the distance to be travelled. The Court doth appoint S. R. Fawley, J. M. Fawley, J. L. Hittig and Isaac Turner Viewers (any three of whom may act) to view said proposed route and make report to this Court at its next term as the law provides.

On the application of J. M. Kennedy and others for the Establishment of a Public Road. L. J. Gallender, Commissioner of Roads for Belby District this day reported to the Court that the remainder of the road prayed for in this Cause has been nearly completed and that there is by agreement due to D. C. Huffman \$25⁰⁰ and to P. J. Thomas for lites furnished 588⁰⁰ and that upon work already done said road by the Contractor Hermin G. Mellen there still is due him \$46⁰⁰. It is ordered that the Treasurer of this County pay unto the said D. C. Huffman \$25⁰⁰ to P. J. Thomas \$588⁰⁰ and to Hermin G. Mellen upon his Contract \$460⁰⁰ as recommended by said Commissioner.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Galtman

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday June 23rd 1903.

Present Hon. George G. Galtman, presiding.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Galtman

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday June 24th 1903.

Present Hon. George G. Galtman, presiding.

The Court this day filed lists of jurors for the ensuing twelve months.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Galtman

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday June 25th 1903.

Present Hon. George G. Galtman, presiding.

A duly Authenticated Copy of the last will and testament of S. V. Rolston, decd. and the

Certificate of Probate by the judge of the United States Court for the Central District, Indian Territory and duly Certified under act of Congress was this day produced before the Court and it appearing therefrom that the said will was proven before the judge ^{of the United States Court} for the Central District of the Indian Territory, to have been so executed as to be a valid will in this State by the law thereof. It is considered by the Court that the said Copy of the said will be as the same is hereby admitted to probate in this Court and ordered to be recorded. And Nelson J. Ralston the Executor named in said will having by a writing duly Certified declared to qualify as such Executor. On his motion the Estate of the said S. V. Ralston dead is committed to John H. Denton Sheriff of Rockingham County for administration with his said will annexed and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$500.⁰⁰

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

George G. Gattan

Virginia. At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday June 26. 1903.

Present Hon George G. Gattan, presiding.

J. J. Neff, Commo. of Roads for Lincoln District this day presented in Court an account against the County of Rockingham amounting to the sum of \$25.⁵⁰ for services as Commo. of Road on New Roads established which being sworn to was examined and allowed by the Court and ordered to be Certified to the Board of Supervisors for approval and allowance.

Copied.

D. F. Gert M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2.⁵⁰ for services on Commission of Lunacy in case of Laura Reedy which being sworn to was examined and allowed and ordered to be Certified to the Treasurer of Rockingham County for payment.

On the application of John H. Horner others for the Establishment of an Iron or Steel Bridge over Smith Creek at Bracey Island Mills.

This day came the petitioners, and thereupon came B. B. Ginkle others by petition asking for the Establishment of a bridge over Smith Creek near Dicklers Mill on the road leading from the Valley Turnpike at a point between N. L. Moore Les. to Harrison to the Mountain Valley Road. The Court doth appoint Jasper Hume, G. R. Eastman and S. R. Kellabaugh. Viewers to view the site proposed and any other that may be suggested and report in favor of the one they prefer with their reasons for such preference including the the first named Cause.

The Court having examined the reports of Sales of Delinquent Lands filed by E. H. Carpenter, County Treasurer of Rockingham County at the May Term of this Court and it appearing to the Court that said lists are correct and that no person affected by said reports has filed any exceptions thereto, the Court upon consideration doth confirm said reports in all respects and doth confirm each and all sales made as reported therein, and doth order that said reports be recorded and properly indexed as required by law and a Copy thereof Certified to the Auditor of Public Accounts.

Copied.

Wm. J. Bonito Justice of the Peace this day presented in Court an account against the County of Rockingham amounting to the sum of \$2.⁰⁰ for services on two commissions of Lunacy, which being sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of the County for payment.

copied
H. J. Potts, Justice of the Peace, this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of \$1.50 for Issuing warrant & examination of two Commonwealth Cases which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment the Court having examined the papers in the Cause therein named and finding the same correct.

R. K. and L. B. Bowman returned to the Court the plat and Certificate of Survey made by Jasper H. Moore, Surveyor of Rockingham County of a certain tract or parcel of land containing 275 Acres lying on the North Mountain about 10 Miles N. E. of Harrisonburg adjoining the lands of Myers Hopkins others and was returned delinquent in the name of Samuel Bowman's Estate for the non-payment of State Taxes and County Taxes for the year 1891 and sold for said taxes by the Taxassessors of Rockingham County on the 19 day of December 1892 and purchased by the said R. K. & L. B. Bowman at whose instance the said Plat and Survey was made, and the Court having examined the said report and Survey and finding it to have been made in conformity with the law and seeing no objection thereto said reports it is ordered that same be recorded together with plat and Survey in the Clerk's Office of this Court as required by law.

On the application of Ellen Ritchie others for a Right of way from some suitable point on the Public Road through the lands of J. J. H. Fitzgerald to said Ritchie's land on Landing Ridge.

1 Court Copy in
This day came the Jurors and the Viewers heretofore appointed having made and filed their report recommending the establishment of a right of way through the land of said J. J. H. Fitzgerald on the route as set forth in their report said road to be 25 feet wide. It is ordered that the said J. J. H. Fitzgerald be summoned to appear here on the first day of the July Term next to show Cause if any he can why the said road shall not be established through his land agreeably to the report of the Viewers aforesaid.

B. R. Hinfield Appellant.

@ Southern R. R. Co. Appellee. } Upon an Appeal from the judgment of a Justice.

On motion of the Appellant It is ordered that this Cause be dismissed.

W. B. Lamb, Justice of the Peace this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of \$2.50 for Issuing Warrant & Examination of Sunday Commonwealth Cases which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

On the Application of L. B. Hancey others for the Establishment of a Public Road.

It appearing to the Court that the order entered in this Cause at a former day of this Term establishing the Road prayed for in this Cause has been Certified to the Board of Supervisors of this County and that said board at its meeting held on the 20 day of June 1903 approved said order and appropriated the sum of \$270.00 to pay the land-damages and Construction of said road payable out of the County levy for the year 1903. It is ordered that the Commissioners for Stonevale District proceed to let to Contract the opening and Construction of said road at a cost not to exceed the sum of \$150.00.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Per Court Clerk

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday June 27, 1903.

Present Hon. George G. Gattan, presiding.

On the application of E. B. Keller others for the Establishment of a Public Road

This day E. B. Keller, Commr. of Roads for Bkly Magisterial District reported to the Court that the road prayed for has been opened and constructed by the Contractor and is now ready for travel and that there is due H. J. Dutcher the sum of \$150.⁰⁰ being the balance of the Contract price for opening said road. It is ordered that the Treasurer of this County pay unto the said H. J. Dutcher the said sum of \$150.⁰⁰ out of the funds appropriated for the purposes of said road.

On the application of W. L. Shewart others for the Establishment of a Public Road.

E. B. Keller, Commr. of Roads for Bkly Magisterial District, this day reported to the Court that the road prayed for ^{with the County} has been opened and constructed by the Contractor and is now ready for travel and that there is due H. J. Dutcher the sum of \$125.⁰⁰ being the balance of the Contract price for opening said road. It is ordered that the Treasurer of this County pay unto the said H. J. Dutcher the said sum of \$125.⁰⁰ out of the funds appropriated for the purposes of said road and it appearing to the Court from said report that it was necessary to expend for lumber over Culverts on said road the sum of \$25.⁰⁰ in addition to the amount appropriated the Court doth appropriate said sum of \$25.⁰⁰ It is ordered that a warrant for said Account be issued to W. L. Shewart who furnished the said lumber as soon as the same shall have been approved by the Board of Supervisors to whom this order is directed to be Certfied for its approval or disapproval.

This day came Geo. H. Hedrick, who alleges that he is aggrieved by an entry in the Law Book made by E. B. Dutcher Commissioner of the Revenue for Bkly District in Rockingham County for the year 1901, page 74 line number 17, whereby he is charged with Five dollars and twenty Cents State Taxes and Eight dollars and nineteen Cents County taxes for the year 1901, on tract of land described as being in West end addition to Dayton. And thereupon the said Geo. H. Hedrick moved the Court to exonerate him from the payment of Three dollars and twenty Cents of the State Taxes and Five dollars and four Cents of the County taxes so erroneously charged against him for said year; which motion was defended by Geo. N. Conrad the Attorney for the Commonwealth for said County, and the said E. B. Dutcher the Commissioner who made the assessment was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the thirtieth day of July 1901, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the said Hedrick has sold off three of the lots of said addition upon each of which had been erected houses and the Commissioner in making the transfer failed to deduct the value of the houses which are assessed to the parties at \$150.⁰⁰ \$250.⁰⁰ and \$100.⁰⁰ respectively leaving the balance which said Hedrick should be assessed ^{with} said Hedrick on account of buildings \$350.⁰⁰ All which the Court Certifies as facts proved upon the application aforesaid. On consideration whereof and from such facts so proved the Court is satisfied that the said Geo. H. Hedrick is erroneously charged in said book with State Taxes amounting to Three dollars and twenty Cents, and County taxes amounting to Five dollars and four Cents, whereupon it is ordered that the said Geo. H. Hedrick be exonerated from the payment of Three dollars and twenty Cents State Taxes and Five dollars and four Cents County taxes so erroneously charged if not already paid and if paid that it be refunded to him together with the legally thereon.

This day came Geo. H. Hedrick who alleges that he is aggrieved by an entry in the Law Book

made by E. C. Jeter, Commissioner of the Revenue for Shelby District in Rockingham County for the year 1902 page 131 line number 17 whereby he is charged with Five dollars and twenty State taxes and Eight dollars and forty four Cents County taxes for the year 1902 on a tract of land described as lying in front and addition to Dayton. And thereupon the said Geo. W. Hedrick moved the Court to exonerate him from the payment of Three dollars and twenty of the State taxes and Five dollars and twenty Cents of the County taxes so erroneously charged against him for said year. Which motion was defended by Geo. N. Lewis, the Attorney for the Commonwealth for said County and the said E. C. Jeter, the Commissioner who made the assessment was examined as a witness touching the application. And it appearing the said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the 26 day of July 1902 and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the said Hedrick has sold off three of the lots of said addition upon each of which had been erected houses and the Commissioner in making the transfer failed to deduct the value of the houses which are assessed to the parties at \$150⁰⁰, \$250⁰⁰ and \$400⁰⁰ respectively leaving the balance which said Hedrick should be assessed to said Hedrick on account of buildings \$350⁰⁰ all which the Court Certifies as facts proven upon the application aforesaid. On Consideration whereof and from such facts as proven the Court is satisfied that the said Geo. W. Hedrick is erroneously charged in said book with State taxes amounting to Three dollars and twenty Cents and County taxes amounting to Five dollars and twenty Cents, whereupon it is ordered that the said Geo. W. Hedrick be exonerated from the payment of Three dollars and twenty State taxes and Five dollars and four Cents of County taxes so erroneously charged if not already paid and if paid that it be refunded to him together with the penalty thereon.

Ordered That this Court be adjourned until the first day of the next term

Geo. B. Stanton

Virginia At a County Court held in and for the County of Rockingham at the Court House thereof on Monday July 20. 1903.

Present Hon. George G. Gattau, presiding

The Clerk of this Court this day presented in Court a List of Deeds, &c., received and admitted to Record in the Clerk's Office of this Court at twice the last June Term 1903. which list being seen and inspected by the Court is ordered to be filed.

It appearing to the Court that for the dispatch of business it is necessary to summon a Special Grand Jury to this first day of the present term of the Court, therefore a Special Grand Jury is ordered to be impaneled forthwith, whereupon the following persons qualified in all respects to serve as Grand Jurors. Summoned by the Sheriff under a writ of Habeas Facias issued by the Clerk under the order of the Court, from a list furnished by the Judge of the Court viz: L. L. Yancey P. P. Kuntz E. L. Bear B. M. Rice Geo. H. Gauthier George Baker. and with B. M. Rice as foreman, were examined, selected impaneled and sworn in accordance with law, a Grand Jury in and for the body of the County of Rockingham and having received their charge from the Court retired to their room to consider of their presentments and after sometime returned into Court and made the following presentments viz: An Indictment against Hulett Dixon for Felony a true bill. B. M. Rice, Foreman. An Indictment against George Gladwell for Felony a true bill. B. M. Rice, Foreman. An Indictment against William Spitzer alias E. P. Brown for Felony a true bill. B. M. Rice, Foreman. An Indictment against William Spitzer alias E. P. Brown for Misdemeanor, a true bill. B. M. Rice, Foreman. And having completed the business before them were discharged from further attendance upon this term of the Court.

Ordered That the following named persons be allowed the sum appertaining their names for their attendance. Mileage and services as Grand Jurors at this term of the Court and that the same be certified to the Treasurer of this County for payment viz: Geo. E. Kite \$2.⁰⁰ L. L. Yancey \$1.⁵⁰ P. P. Kuntz \$1.⁰⁰ E. L. Bear \$1.⁰⁰ B. M. Rice \$1.⁰⁰ Geo. W. Gauthier \$1.⁰⁰ George Baker \$1.⁰⁰

A writing purporting to be the last will and testament of J. H. Howe dead, was this day presented in Court and being proven by the Oaths of Geo. P. Holt and Jas. H. Rhodes two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of J. H. Kester, the Executor named in said will who made oath thereto according to law, and appeared in Court and entered into and acknowledges a bond in the penalty of Twenty five thousand dollars conditioned according to law. A Certificate is granted the said J. H. Kester, for obtaining a probate of the said will of said J. H. Howe dead, in due form, said will providing that no security be required of the said Executor, and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$16,000 and the Court doth appoint E. Ruebush and S. Hammond Jas. H. Rhodes & Geo. W. Hedrick, to appraise the Estate of the said J. H. Howe dead, any three of whom may act after first being duly sworn.

A writing purporting to be the last will and testament of Samuel Orebough dead, was this day presented in Court and being proven by the Oaths of D. J. Rhodes & Christian Holler two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Jacob F. Orebough the Executor named in said will, who made oath thereto according to law, and appeared in Court and together with D. J. Rhodes his

surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Nine hundred dollars. Conditioned according to law. A Certificate is granted the said Jacob J. Orelough, for obtaining a probat of the said will of Samuel Orelough deed in due form. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$3400.⁰⁰

✓ A writing purporting to be the last will and testament of Jacob Frunkhouser deed was this day presented in Court and being sworn by the Oaths of J. S. Mansley and D. H. Lee Martz, the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Joel Frunkhouser and Helende Frunkhouser, the Executors named in said will who made oath thereto according to law, and appeared in Court and entered into and acknowledged a bond in the penalty of Thirty thousand dollars, Conditioned according to law. A Certificate is granted the said Joel Frunkhouser and Helende Frunkhouser, for obtaining a probat of the said will of said Jacob Frunkhouser deed, in due form. Said will providing that no security be required of the said Executors. And the Court doth appoint David B. Shumatter, J. G. Myers, W. C. Sauter, David H. Heathcote and A. A. Hess, to appraise the Estate of the said Jacob Frunkhouser, deed, any three of whom may act after first being duly sworn. and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$32000.⁰⁰

✓ A writing purporting to be the last will and testament of Joseph H. Jordan, deed, was this day presented in Court and being sworn by the Oaths of S. Moffett Thet and Samuel Gacher, two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Leacher L. Archart the Executors named in said will who made oath thereto according to law, and appeared in Court and entered into and acknowledged a bond in the penalty of Six thousand dollars, Conditioned according to law. A Certificate is granted the said Leacher L. Archart for obtaining a probat of the said will of said Joseph H. Jordan, deed, in due form. Said will providing that no security be required of the said Executors. And the Court doth appoint Samuel Gacher, Daniel Gacher, S. Moffett Thet, John H. Hoover, and Henry McKeukel, to appraise the estate of the said Joseph H. Jordan, deed, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$4000.⁰⁰

On the motion of Andrew L. Miller, and it appearing to the Court that he is a regularly ordained Minister in the German Baptist Brethren Church, and Authorized to Celebrate the Rite of Matrimony, he appeared in Court and together with Selgerum G. Rudosen, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five hundred dollars Conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

✓ On the motion of J. M. Altaffer, M. F. Altaffer & P. H. Hartman, John H. Hartman who made oath thereto according to law, appeared in Court and together with Peter H. Hartman his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Eight thousand dollars, Conditioned according to law. A Certificate is granted the said John H. Hartman for obtaining letters of Administration in due form upon the estate of M. J. Altaffer deed. And the Court doth appoint S. H. Braun, Joseph H. Diehl, Th. R. Cuff, Samuel Layton & Andrew Miller, to appraise the estate of the said M. J. Altaffer deed, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator, was estimated not to exceed the sum of \$4000.⁰⁰

A writing purporting to be the last will and testament of Robert S. Garies, died was this day presented in Court and being sworn by the Oaths of D. H. Lee Matz and D. L. Robt. the subscribing witnesses thereto is admitted to probate and ordered to be recorded, and it is ordered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$2500.

J. H. Kester Justice of the Peace, this day paid into Court the sum of \$10.00 it being the amount of a judgment for fine rendered by him in Case of Commonwealth vs. Wm. McKee, charged with Misdemeanors.

Joseph N. B. Kratzer, Commissioner of Roads for Lincoln District, this day reported to the Court that the Road petitioned for by R. B. Schwanter & others has been opened and constructed by the Contractors and accepted by said Commissioner and that there is due the following named persons the sums opposite their names for the construction of said road. Viz: R. B. Schwanter \$102.50 J. F. Schwanter \$67.50 J. B. & R. H. Ratchiffe \$55.00 It is ordered that the Treasurer of this County pay unto the said parties the amounts due them respectively, out of the funds appropriated for the purposes of said road, and the Clerk of this Court will issue warrants therefor.

On the application of J. W. Burley & others for the Establishment of a Public Road. This day came the Petitioners by their Attorney, and the Viewers heretofore appointed having made and filed their report recommending the establishment of the road as set out in said report. It is ordered that the following named land owners along the route of said proposed road be summoned to appear here on the 1st day of the August term next of this Court being August 17th 1903 to show Cause if any they can why the road prayed for in this Cause shall not be established through their land agreeably to the report of the Viewers. Isaac Turner Joseph M. Burman & M. Burman filed this day. Viz: John D. Rolston Parker Goble heirs Isaac Horner & Jno. E. Roller.

On the Application of David Sonder & others for the Establishment of a Public Road. This day came the Petitioners, and the Viewers heretofore appointed to view the proposed road having made and filed their report recommending the establishment of the road. It is ordered that the following named persons be summoned to appear here on Saturday next being the 6th day of this present term to show Cause if any they can why the said road shall not be established through their land agreeably to the report of the Viewers aforesaid. Viz: David Sonder A. Moyses Hm. Stultz, L. P. Sonder Hade H. Sonder J. F. Sonder.

Commonwealth.

Up on an Indictment for Felony

Hulett Foxson.

This day came the Attorney for the Commonwealth, and the defendant Hulett Foxson in obedience to his recognizance, and the Court set Thursday next the 10th day of this present term for his trial, and the Clerk of this Court is ordered to issue a Return Facias to the Sheriff of this County directed, Commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date to serve as Jurors upon the trial of the said Hulett Foxson for felony. And on the motion of the said Hulett Foxson the Court doth permit him to renew his recognizance in the sum of \$300.00 for himself and the same amount for his surety whereupon the said Hulett Foxson together with Frank Kane his surety (who just filed as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of three hundred dollars each to be levied of their respective goods &

chattel lands and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of their Homestead Exemption as to this obligation also waiving any claim or right to discharge any liability arising to the Commonwealth under this recognizance with Constables detached from the bonds of this State. Yet upon this Condition that the said Hulett Juxon does make his personal appearance before the Judge of this Court on the said 16th day of this present term being Thursday July 23, 1903 to answer the said Indictment against him and not depart thence without leave of the Court and thereupon John Franklin Foster Lizzie Ruffin Sallie Franklin Maggie McDowell and Quinton Lloyd witnesses in behalf of the Commonwealth were likewise recognized in the sum of \$50⁰⁰ each for their appearance at said date and not to depart thence without leave of the Court.

Commonwealth.

George Gladwell } Upon an Indictment for Felony

This day came the Attorney for the Commonwealth and the defendant George Gladwell in obedience to his recognizance. And thereupon the Court set Thursday next the 16th day of this present term for his trial. And the Clerk of this Court is ordered to issue a *Veneri Facias* to the Sheriff of this County directed Commanding him to his ten persons from a list to be furnished him by the Court returnable to said date to serve as *Veneri* men upon the trial of the said George Gladwell for felony. And on the motion of the said Geo. Gladwell the Court doth permit him to renew his bail in the sum of \$500⁰⁰ for himself and the same amount for his Sureties for his appearance at said date, whereupon the said George Gladwell together with Amanda B. May Ruthen B. Dorman his Sureties (who justified as to their sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of Five Hundred dollars each that is to say the said George Gladwell in the sum of \$500⁰⁰ and his said Sureties jointly in the like sum of \$500⁰⁰ to be levied of their respective goods and Chattels lands and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of their Homestead Exemption as to this obligation. And also waiving any claim or right to discharge any liability arising to the Commonwealth under this recognizance with Constables detached from the bonds of this State. Yet upon this Condition that the said George Gladwell does make his personal appearance before the Judge of this Court on the said 16th day of this present term being July 23, 1903 to answer the said Indictment against him and not depart thence without leave of the Court.

Commonwealth.

William Spitzer alias L.P. Brown } Upon an Indictment for Felony

This day came the Attorney for the Commonwealth and the defendant William Spitzer alias L.P. Brown was led to the bar of the Court in Custody of the Jailor of this Court. And thereupon the Court set Friday next the 5th day of this present term for his trial. And the Clerk of this Court is ordered to issue a *Veneri Facias* to the Sheriff of Rockingham County directed Commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date, to serve as *Veneri* men upon the trial of the said William Spitzer alias L.P. Brown for felony. And thereupon the prisoner was remanded to Jail.

On the Application of L.B. Mancey others for the Establishment and Construction of an Iron or Steel Bridge across Cubb Run near A.G. Brownmont.

This day came again the petitioner and it appearing to the Court that the Board of Supervisors of this County at its meeting held on the 18th Inst. approved the

order entered in this Cause at the June Term last. and appropriated the sum of \$1500.⁰⁰ set out in said order. payable out of the County levy for the year 1903. one half payable December 1st 1903. and the remainder July 1st. 1904. The Court doth appoint Geo R. Eastham and Dyer M. Armentrout commissioners who are hereby authorized to Contract for the Construction of an Iron or steel bridge at the site set out in the previous report and for the necessary work upon the abutments to prepare them for the superstructure. ^{whole} the cost to the County for the same, not to exceed the said sum of \$1500.⁰⁰ but any Contract they make for the Construction of the said bridge and abutments, therefor shall be reported to and be subject to the approval of the Court. the approaches and fills to said bridge to be made as provided by agreements of the Citizens of the neighborhood in writing filed in the papers of this Cause.

Ordered. That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattau

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof. on Tuesday July 21st 1903.

Present Hon. George G. Gattau. presiding.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattau

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof. on Wednesday July 22nd 1903.

Present Hon. George G. Gattau. presiding.

George H. Richards. Appellant.

Benton Morris & Samantha Morris. Appellees.

} before an Appeal from the Judgment of a Justice.

This day came the Appellant in person and by Counsel and the Appellees he solemnly called came next. and the Court having heard the evidence adduced and Argument of Counsel doth Consider that the Appellant recover of the Appellees Benton Morris and Samantha Morris the sum of Seventeen ⁴⁰/₁₀₀ Dollars with legal interest thereon from the 12th day of August 1892 and his Costs by him about his suit in this behalf here and before the justice expended. before an instrument waiving the Homestead exemption.

On the motion of Le J. Roletta the Estate of Frances C. Leher dead is Committed to John A. Switzer Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since her death without application for administration upon her estate.

On the motion of Lena Turner widow of French Turner dead the estate of the said French Turner is Committed to John A. Switzer Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since his death without application for Administration upon his estate and the Court doth appoint Reuben Smith Reuben Brown & Geo. R. Neuman to appraise the

1/2 of 1/2

estate of the said French Turner dead after first being duly sworn the foregoing order which should have been entered at the June Term last is entered *hinc pro tunc*.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday July 23. 1903

Present Hon. George G. Gattan, presiding.

Commonwealth.

George Gladwell } Upon an Indictment for Felony.

This day came again the Attorney for the Commonwealth and the defendant George Gladwell in obedience to his recognizance entered into at a former day of this term of the Court and thereupon the defendant demurred to the said Indictment, ^{and upon proof thereof} which on consideration the Court overruled. And the defendant being thereof arraigned pleaded not guilty to the said Indictment and from persons summoned by the Sheriff under a writ of *Veneris Facias* from a list furnished him by the Court of persons residing remote from the place where the offense is charged to have been committed and duly qualified in all other respects to serve as Jurors, there was selected a panel of sixteen persons, who were examined by the Court and found to be free from exceptions. And thereupon from this panel the prisoner struck four and the remaining twelve were selected to constitute the jury to wit: H. J. Senger, Abram D. Heatwole, D. F. Earman, Henry R. Sprunkel, Emanuel R. Deavers, L. G. Haunsberger, Geo. R. Darnett, Geo. W. Hedrick, George Robson, A. W. Shank, John J. Lamb and Frederick Rodes, who being thus elected and tried, were sworn well and truly to try and true deliviance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence, and having received their charge from the Court and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned in to Court and upon their oath do say that the jury find the prisoner George Gladwell guilty in manner and form as charged in the Indictment and ascertain his punishment at Confinement in the County Jail for six months. L. G. Haunsberger, Foreman. Whereupon the jury was discharged, and thereupon the prisoner was remanded to Jail.

Commonwealth.

Shulett Foxen } Upon an Indictment for Felony.

This day came again the Attorney for the Commonwealth and the defendant Shulett Foxen in obedience to his recognizance entered into at a former day of this term of the Court and being thereof arraigned pleaded not guilty to the said Indictment, and from persons summoned by the Sheriff under a writ of *Veneris Facias* from a list furnished him by the Court of persons residing remote from the place where the offense is charged to have been committed and duly qualified in all other respects to serve as Jurors, there was selected a panel of sixteen persons, who were examined by the Court and found to be free from exceptions. And thereupon from this panel the prisoner struck four, and the remaining twelve were selected to constitute the jury to wit: Abram D. Heatwole, D. F. Earman, Henry R. Sprunkel, L. G. Haunsberger, Emanuel R. Deavers, L. G. Haunsberger, Geo. R. Darnett, George W. Hedrick, George Robson, J. L. Hillman, John J. Lamb and Frederick Rodes, who being thus elected and tried, were sworn well and truly to try and true deliviance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence and having received their charge

from the Court and having fully heard the evidence and argument of Counsel returned to their room to consider their verdict and after sometime returned into Court and upon their Oath do say even the jury find the prisoner Hulett Juree not guilty of the felonies charged in the indictment but guilty of assault & battery in manner and form as charged in the indictment and for his punishment at Fine of Twelve $\frac{5}{10}$ Dollars. J. L. McElhannon, Foreman, whereupon the jury was discharged. It is Considered by the Court that the Commonwealth of Virginia, recover of the said Hulett Juree the said sum of Twelve $\frac{5}{10}$ Dollars the Fine by the jury, and their verdict ascertained and her Costs about her prosecution in this behalf expended, and thereupon the said Hulett Juree paid into Court the sum of \$59.³⁴ being the amount of said Fine and Costs, whereupon it is ordered that he be discharged and go hence without day or.

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum opposite their name for their attendance, services and mileage as Jurors for the Commonwealth at this Term of the Court upon the trial of Felony Cases, and that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts.

Name of Juror.	Days	Miles	Total	Name of Juror.	Days	Miles	Total
✓ H. J. Singer	1	10	1.40	✓ G. Hausberger	✓ 1	2.5	2.00
✓ Abraham D. Dealwick	1	10	1.40	George R. Duncett	1	2.5	2.00
D. F. Eaman	1	14	1.56	Geo. W. Haduck	✓ 1	8	1.32
✓ Henry L. Sprunkel	1		1.00	George Robson	✓ 1	1.6	1.64
✓ Le. S. Hamilton	1	16	1.64	D. H. Shank	✓ 1	6	1.24
✓ Emanuel R. Deaver	1	4	1.16	J. L. McElhannon	✓ 1		1.00
✓ Hawley Baughen	1	2.5	2.00	John J. Lamb	1		1.00
✓ J. W. Reynolds	1	2.5	2.00	Frederick Roles	✓ 1		1.00

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. Shattam

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday July 24th 1903.

Present Hon. George G. Shattam, presiding.

Commonwealth.

§ Upon an Indictment for felony.

William Spitzer alias L. P. Brown.

This day came again the Attorney for the Commonwealth, and the prisoner William Spitzer alias L. P. Brown, was again led to the bar of the Court in Custody of the Jailor of this Court, and being thereof arraigned pleaded guilty to the said Indictment, and thereupon the said William Spitzer alias L. P. Brown consenting thereto in person and Geo. R. Conrad the Attorney for the Commonwealth also consenting the Court proceeded to hear and determine the Cause & the evidence being heard and the argument of Counsel it is Considered and adjudged by the Court that the punishment of the prisoner be fixed at Confinement in the penitentiary for the term of two years, and it being enquired of the prisoner if anything further he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law and nothing further being offered or alleged in Delay of Judgment it is Considered by the Court that the said William Spitzer alias L. P. Brown be imprisoned in the Public Jail and Penitentiary house of this Commonwealth for the term of two years to hard labor.

and the proper officer is ordered to remove and convey the said William Pfetzer dies &c. from the Jail of this County to the Public Jail and Penitentiary House of this Commonwealth therein to be kept imprisoned and treated in the manner prescribed by law for the term aforesaid, and thereupon the prisoner was removed to Jail.

On the motion of John H. Ritchie a Auditor the Court doth appoint J. R. Frank Committee for Sarah Margaret Frank a person of unsound mind whereupon the said Joseph R. Frank appeared in Court and together with Timothy Frank his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One Thousand dollars conditioned according to law. And thereupon he qualified as such Committee by taking the Oath required by law.

On the motion of J. P. Hancey the Estate of J. N. Pickering dead is committed to John R. Dwyer ^{Sherriff of Rockingham County} for administration. It appearing to the Court that more than two months have elapsed since his death without application for administration upon his estate. And the Court doth appoint J. N. Maugy, J. H. Lauer, George W. East, George Hopkins & James W. Payne to appraise the Estate of the said J. N. Pickering dead, any three of whom may act after first being duly sworn.

Upon the Application of Wm. H. Blakemore and others for the Establishment and Construction of an Iron or Steel Bridge over North River in this County.

This day came again the petitioners. And it appearing to the Court that the various heretofore appointed to view the ground and to make ^{report} upon this application having failed to agree in their report as to the establishment of said bridge the Court is of opinion that it is proper to appoint other viewers. It is therefore ordered that Geo. H. Hammon, C. G. Hamberger, Jacob S. Sellers, John G. Morris & S. R. Debaugh be and they are hereby appointed Viewers to view the proposed site and any other that may be designated and report in favor of the same the proper with their reasons for such preference to the next term of this Court as the law provides.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. H. Hammon

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday July 25th 1903.

Present Hon. George G. Gathen, presiding.

Muir Byrnes.

Appellant.

Upon an Appeal from the Judgment of a the Maryland Casualty Company of Baltimore Md. Appellee Justice.

This day came the parties in person and by Counsel and thereupon the Appellant filed his plea of Non-assumpsit to which the Appellee replied generally. And thereupon by Consent of parties came the following jury of seven to-wit: J. M. Brown, J. P. Brown, H. H. Lamer, Samuel Ritchie, Ernest S. Pleasants, M. C. Kinsley and Frederick Rodas who being elected and tried were sworn well and truly to try the issue joined and a true verdict render according to the evidence, and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their Oath do say that the jury find a verdict for the defendant J. M. Brown, Foreman whereupon the jury was discharged. And it is considered by the Court that the Appellee the Maryland Casualty Company of Baltimore Md. take nothing

by its bill but for its false blame he in mercy re. and that the appellant Merrin Boyce go thereof without day and recover of the appellee his costs about his defence in this Court and before the justice expended.

The Central Railway of Virginia Plff

may be Merriam re Defts.

The plaintiff having at a former day of this Court renewed its motion to Confirm the report of the Commissioners in this Cause and certain defendants through John E. Roller their Attorney having objected to said motion, and tendered certain objections in writing as appears from the papers filed in this Cause on the 21st of July 1903, and the plaintiff thereupon objected to the same on the ground that no good Cause was shown therein against the Confirmation of said report; and now upon this the 25 day of July 1903 came the parties plaintiff and defendants by Counsel, and the Court being of opinion that the defendants are entitled to show good Cause against the Confirmation of said report if any they have and can show doth adjourn the consideration of the plaintiff's motion to Confirm said report until the next term of this Court because of the absence of said John E. Roller defendant and Attorney, the said J. B. Stephenson atty for defendants objecting to any Confirmation of said motion at this term.

On the Application of J. I. Maiden others for the Establishment of a Public Road from near the residence of Price Monger to the Rockingham Turnpike at some point north of the bridge over Elk Run.

The Court doth appoint J. G. Myers, S. R. Allebaugh, G. H. Reherd & J. S. Sellers names any three of whom may act to view said proposed route and make report to this Court at its next term as the law provides.

Upon the petition of F. L. Harrison others for a Change in the public road at the North end of the New Bridge over Smiths Creek near the residence of Jacob S. Sellers.

This day came the parties petitioners and Jacob S. Sellers the land owner upon whose land the proposed change is to be made, and the Court having heard the evidence and being satisfied that the proposed change of road is a public necessity and will be of great convenience to the travelling public; and the said Jacob S. Sellers the land owner consenting thereto and the road Commissioners for Plains District approving of the change, the Court doth order that the road be changed as follows to-wit: Beginning at a point in the middle of the public road sixty six feet from the Northeast Corner of the new steel bridge over Smiths Creek near the residence of J. S. Sellers, thence 63 1/2 to twenty seven and a half poles to the Keeghtorn road east of the little branch, the said new road to be thirty feet wide and when completed for travel the old road between the ends of the new road is to be discontinued as a public road and the Court doth allow to Jacob S. Sellers the sum of \$95⁰⁰ which amount he has agreed to accept as damages & Compensation for land taken and doth appropriate the sum of One hundred and sixteen dollars & 75 Cents for the purpose of opening the new road including the necessary felling, grading and Culverts and this order is Certified to the Board of Supervisors for approval or disapproval.

Ordered That this Court be adjourned until Monday morning next at 10 o'clock

Geo. S. Graham

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday July 27th 1903

Present Hon. George G. Galtan, presiding

On the motion of Elizabeth Getts the Estate of Leannah Getts dec'd is committed to John B. Sontger, Sheriff of Rockingham County for administration, it appearing to the Court that more than two months have elapsed since her death without application for administration upon her estate.

In the matter of the Petition of the American Hardwood Manufacturing Company others for the Establishment of a Public Road.

Upon the motion of J. L. Barcock, Commissioner of Roads for Stonewall District, leave is given him to file his petition in this matter which is accordingly done this day. And thereupon it appearing to the Court that the sum of \$120.⁰⁰ heretofore appropriated for the Construction of the road mentioned in said application of said American Hardwood Manufacturing Company, is insufficient for the Construction of said road. And it further appearing to the Court that the lowest bid received by the Commissioner of Roads, is considerably in excess of the aforesaid appropriation of \$120.⁰⁰, namely the sum of \$261.⁰⁰ which bid was made by R. B. Scott, and filed with the petition of J. L. Barcock in this matter, it is therefore ordered by the Court that an additional allowance of \$141.⁰⁰ be made for the Construction of said road, and the Clerk of this Court is directed to certify this order to the Board of Supervisors as required by law for its approval or disapproval.

Upon the Petition of F. L. Harrison others for a change in the Public Road at the North end of the New Bridge over Smiths Creek near the residence of Jacob S. Sellers. This day came again the petitioners, and it appearing to the Court that the order entered in this cause on Saturday last establishing the road prayer for has been certified to the Board of Supervisors and that said Board at its meeting held on the same day approved said order and appropriated the sum of \$211.⁷⁵ to pay land damages and Construction of said road payable out of the County levy for the year 1903. It is ordered that the Commissioner of Roads for Plains District proceed to let to Contract the opening and Construction of said road at a cost not to exceed the sum of \$115.⁰⁰ and make report to this Court.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Galtan.

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Tuesday July 28th 1903

Present Hon. George G. Galtan presiding

It appearing to the Court from a writing duly certified and filed that L. L. Dingledine, Maggie E. Dingledine, Turner B. Dingledine, Willie S. Dingledine, Infant children of S. F. Dingledine and Emily L. Dingledine dec'd, over the age of 14 years have made choice of the said S. F. Dingledine as their Guardian the Court doth appoint him as such Guardian, and on the motion of the said S. F. Dingledine doth also appoint him as Guardian for Anna Lee Dingledine, Infant daughter of the said S. F. Dingledine and Emily L. Dingledine dec'd under the age of 14 years. Whereupon the said S. F. Dingledine appears in Court and together with American Surety Company of New York by E. S. Stray, its Resident Vice President, attested by Geo. G. Galtan, Pres. and Secy.

under power of Atty duly Certified and filed his surety entered into and acknowledges a bond in the penalty of Eight hundred dollars conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

On the motion of B. J. Bowman who made oath thereto according to law and appeared in Court and together with D. F. Dingledine his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of One Thousand dollars conditioned according to law. A Certificate is granted for said B. J. Bowman for obtaining letters of Administration in due form upon the estate of Lewis B. Bowman dead. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$600⁰⁰.

Commonwealth.

George Gladwell. } Upon an Indictment for Felony

This day came again the Attorney for the Commonwealth and the prisoner George Gladwell who was at a former day of this term of the Court convicted of a Felony, was again led to the bar of the Court in custody of the jailor of this Court. And thereupon this prisoner moves the Court to set aside the verdict of the jury and grant him a new trial upon the grounds that it is contrary to the law and the evidence, and also moves in arrest of Judgment, which motions upon consideration the Court overruled to which action of the Court the prisoner excepted. And it being required of the prisoner if anything further he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law and nothing further being offered or alleged in delay of Judgment it is considered by the Court that the prisoner George Gladwell be imprisoned in the jail of this County for the term of six months that being the period by the jurors in their verdict ascertained, and thereafter until the costs of this prosecution be paid or he be discharged therefrom according to law. Memo: Be it remembered that the prisoner upon the trial of this Cause excepted to certain rulings of the Court and tendered his bill of exceptions which he prays may be signed sealed and enrolled and made part of the record in this Cause which is done accordingly and is in the words and figures following to-wit: and thereupon the prisoner was committed to jail for the term aforesaid.

Geo. H. Richards. } Appellant.

Benton Morris & Samantha Morris. } Upon an Appeal from the judgment of a Justice

This day came the parties in person and by Counsel, and thereupon the Appellees moves the Court to set aside the judgment entered in this Cause at a former day of this term of the Court which motion on consideration the Court doth sustain. It is therefore considered by the Court that said judgment be and the same is hereby set aside. And thereupon the Appellees filed their plea of Non Est Factum to which the appellant replied generally, whereupon by Consent of parties came the following jury of seven, who being selected and read were sworn well and truly to try the issue joined and a true verdict render according to the evidence and having fully heard the evidence and argument of Counsel retired to their room to consider their verdict and after sometime returned into Court and upon their Oath do say that the jury upon the issue joined find for the plaintiff the sum of Twenty One $\frac{52}{100}$ Dollars. It is considered by the Court that the Appellant Geo. H. Richards recover of the Appellees the said sum of Twenty One $\frac{52}{100}$ Dollars (\$21.⁵²) with legal interest thereon from the 28th day of July 1903, until paid, and his Costs about his suit in this behalf for this Court and before the Justice in an instrument bearing the Homestead exemption as to $\frac{1}{3}$ of said sum.

Ordered That the following named persons be allowed the sum of offouts their names for their attendance mileage and services as Petit Jurors at this term of the Court and that the same be Certified to the Treasurer of this County for payment.

of this county for payment.				Names of Jurors				Days	Miles	Total			
Names of Jurors				Days	Miles	Total	Names of Jurors				Days	Miles	Total
✓	H. J. Sawyer	2	20	2 80	George Robson	✓	1	16	1 64				
✓	Abraham D. Heatwole	1	10	1 40	H. H. Shank	✓	1	6	1 24				
✓	Henry Sprinkel	2		2 00	John J. Lamb	✓	1		1 00				
✓	Le. H. Henton	2	32	3 28	Frederick Roder	✓	1		1 00				
✓	Emanuel R. Dennis	2	8	2 32	J. M. Brown	✓	1		1 00				
✓	Hawey Bougher	1	25	2 00	J. P. Brown		1		1 00				
✓	J. W. Reynolds	1	25	2 00	H. H. Kani		1		1 00				
	G. G. Humberger	1	25	2 00	Samuel Ritchie	✓	1		1 00				
✓	Geo. R. Darnett	2	50	4 00	Ernest S. Pleasant		1		1 00				
✓	Geo. W. Hedrick	1	8	1 32	R. K. Kuciley	✓	1		1 00				
					A. J. Eaman	✓	2	28	3 12				

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gattau

Virginia. Ist. a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday July 29th 1903.

Present Hon. George G. Gattau, presiding.

A writing purporting to be the last will and testament of W. H. Minger deed was this day presented in Court and being sworn by the Oaths of R. H. Brown and J. H. Kester the Subscribing witnesses thereof is admitted to probate and ordered to be recorded. And thereupon on the motion of R. H. Minger the Executor named in said will who made oath thereof according to law and appeared in Court and together with The United States Fidelity and Guaranty Company of Baltimore Md. his Surety by Jas. R. Lupton its Atty in fact & Geo. Edgely its attorney under Power of Atty. duly Certified and recorded entered into and acknowledges a bond in the penalty of Thirty Thousand dollars conditioned according to law. A Certificate is granted the said R. H. Minger for obtaining a probate of the said will of W. H. Minger deed in due form and the Court doth appoint R. H. Brown John Swartz A. J. Rindabush J. H. Kester N. P. Miller to appraise the estate of the said W. H. Minger deed any three of whom may act after first being duly sworn and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$18,000.⁰⁰

It is ordered to be Certified to the Auditor of Public Accounts that George N. Conrad Attorney for the Commonwealth for this County is entitled to the sum of \$20.⁰⁰ for prosecuting two Felony Cases at this term of the Court viz Commonwealth v. George Gladwell for throwing missiles at a passenger train & same v. William Spitzer alias L. P. Brown for Forgery \$10.⁰⁰

John R. Switzer Sheriff of this County this day presented in Court an Account against the Commonwealth of Virginia amounting to the sum of \$257.⁹⁵ for keeping & supporting sundry prisoners confined in jail from February 16 to June 2, 1903 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gattau

Virginia at a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday July 30th 1903.

Present Hon. George G. Galtan presiding

B. H. Effinger vs.

Dora T. Effinger vs.

} Upon a motion to appoint a Committee for the said Dora T. Effinger vs.

It is ordered that it be entered of record that the Judge of this Court is so situated as to render it improper in his opinion for him to decide this case or to preside at the trial thereof Cause Continued until August term next.

Upon motion of O. B. Roller and others, Creditors of Payton S. Goodloe dead the estate of the said Payton S. Goodloe dead is committed to John R. Smitzer Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since his death without application for Administration upon his estate.

On the application of J. N. Kennedy others for the Establishment of a Public Road this day came again the petitioners and the Viewers heretofore appointed having made and filed their report recommending the establishment of the road as set out in said report. It is ordered that the following named persons land owners along the line of said proposed road be summoned to appear here on the first day of the August term next of this Court to show Cause if any they can why the road prayed for in this Cause shall not be established through their land agreeably to the report of Viewers J. S. Myers Henry Brown S. M. Bauman & B. R. Alldrich filed in this Cause by Mrs. Julia F. Smitzer & J. S. Smitzer and M. R. Bauman H. J. Keelin Jacob S. Sellers.

E. M. Carpenter County Treasurer of Rockingham County this day presented to the Court Lists of Real Estate in the Districts of J. M. Churchill, E. C. Zulerster Geo. N. Eamon Jacob C. Kruger and John J. Bauman Commissioners of the Revenue of said County which is delinquent for the non-payment of taxes thereon for the year 1902 with the Oath of the said Treasurer at the foot thereof thereto subscribed, accompanied by the written opinion of the Commissioners aforesaid (as to their respective Districts) and the Oaths of Supervisors touching the propriety of such lists and each Case therein contained verified by their Oaths thereto annexed which said lists after being examined by the Court and the Court being satisfied of the correctness of the same doth order that a Copy thereof be Certified to the Auditor of Public Account by the Clerk of this Court.

E. M. Carpenter County Treasurer of Rockingham County this day presented to the Court list of insolvents in the Capital and property taxes for the year 1902 in the Districts of J. M. Churchill, E. C. Zulerster Geo. N. Eamon Jacob C. Kruger and John J. Bauman Commissioners of the Revenue in said County with the Oath of the said Treasurer at the foot thereof thereto subscribed and accompanied by the written opinion of the Commissioners of the Revenue aforesaid (as to their respective Districts) touching the propriety of such lists and each Case therein contained verified by his Oath thereto annexed and the Certificate of the Board of Supervisors which said lists after being examined and corrected by the Court the Court doth order that a Copy thereof be Certified to the Auditor of Public Account by the Clerk of this Court.

E. M. Carpenter County Treasurer of Rockingham County this day presented to the Court a list of property on the Commissioners Land book improperly placed thereon or not ascertainable for the year 1902 in the Districts of J. M. Churchill and George N. Eamon Commissioners of the Revenue of said County with the Oath of the said

Traverse at the foot thereof shall be submitted, and accompanied by the written opinions of the Commissioners of Finance as to their respective deserts touching the propriety of such lists, and each case therein contained verified by their oaths shall be annexed. which said lists after being examined and corrected by the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

The Court doth order that the following named persons be allowed the sum opposite their names for their services as Viewers Surveyors or Chain Carriers on Public Roads acting under orders of this Court and that the same be

Adjudged to the Board of Supervisors of this County viz:				Names of Persons.				No of	Kind of	Petition of	Amount
Names of Persons.	Days	Kind of	Petition of	Amount	Names of Persons.	Days	Kind of	Petition of	Amount		
Henry Forrer	1	Commons.	J. H. Harrison	2 00	Geo. R. Eastham	1 1/2	Viewer	L. B. Yancy &c.	3 00		
John H. Liskey	1	"	Same.	2 00	Leah G. Hunsberger	1 1/2	Same	Same.	3 00		
Daniel J. Myers.	1	"	Same.	2 00	Ed. Hedrick	1 1/2	Same	Same.	3 00		
D. B. Shewalter.	1	"	Same.	2 00	John R. Filler	2	Surveyor	Same	6 00		
Geo. W. Rahnd	1	"	Same	2 00	G. R. Eastham	2	Viewer	John W. Taylor &c.	4 00		
D. W. Bidler	1	"	Same	2 00	Henry Forrer	2	"	Same.	4 00		
John R. Filler	1	"	Same	2 00	D. J. Harrison	2	"	Same.	4 00		
John Hollar	1	"	Same	2 00	J. G. Myers.	2	Surveyor	Same.	5 00		
John P. Brown	1	"	Same.	2 00	J. G. Myers.	2	"	John Rindick &c.	4 00		
J. G. Myers.		Surveyor.	W. L. Blakeman	8 00	S. F. Miller	1 1/2	Viewer	Same	3 00		
G. R. Eastham.	2 1/2	Viewer	Same	5 00	G. H. Hine	1 1/2	"	Same	3 00		
Jacob. Funkhouser	1	"	Same	2 00	D. B. Shewalter	1	C. C.	Same	1 00		
D. B. Shewalter	3	"	Same	6 40	L. P. Euler.	1	Viewer	Leah G. Hunsberger.	2 00		
J. G. Myers.	3	Surveyor.	J. M. Hampl.	4 50	D. J. Harrison	1	"	Same.	2 00		
B. F. Ritchie	1 1/2	Viewer	Same.	3 00	Geo. R. Eastham	1	"	Same	2 00		
L. P. Euler	1 1/2	"	Same.	3 00	John R. Filler	1	"	Same	2 00		
Leah G. Hunsberger	1 1/2	"	Same	3 00	J. G. Myers.	2 1/2	Surveyor.	Edams & Fuchs.	6 00		
John W. Turkey	1	Commons.	B. F. Shufly &c.	2 00	Henry Forrer	1 1/2	Viewer	Same	3 00		
Peter Roller	1	"	Same	2 00	D. B. Shewalter	1 1/2	"	Same.	3 00		
James E. Roller	1	"	Same	2 00	B. F. Ritchie	1 1/2	"	Same	3 00		
J. G. Myers.	1	Surveyor.	R. D. Bygones	8 00	J. G. Myers	2	Surveyor.	Daniel Throckmole	6 00		
Henry Forrer	1	Viewer	Same	3 00	G. H. Hine	1 1/2	Viewer	Same	3 00		
G. H. Hine	1	"	Same	2 00	Henry Forrer	1 1/2	"	Same.	3 00		
Saml. F. Miller	1	"	Same	3 00	D. B. Shewalter	1 1/2	"	Same	3 00		
Leah G. Hunsberger	2	C. C.	Same	2 00	John R. Filler	1 1/2	Surveyor.	Thos. Marshall &c.	3 00		
Geo. R. Eastham	1	"	Ed. K. Appa	2 00	B. F. Rodiffer	1	Viewer	Same.	2 00		
D. S. Harrison	1	"	Same	2 75	Henry Forrer	1	"	Same	2 00		
Leah G. Hunsberger	1	"	Same	3 75	J. W. Tate	1	C. C.	Same	1 00		
John R. Filler	2	Surveyor.	Same	5 00	Keena Eastham	1	C. C.	Same	1 00		
Daniel J. Miller	1	Commons.	Wm. L. Throckmole	2 00	Jasper House	2	Surveyor.	L. B. Yancy &c.	6 35		
J. M. Kennedy	1	"	Same	2 00	G. R. Eastham	1	Viewer	Same	2 00		
G. E. Miller	1	"	Same	2 00	L. R. Allebaugh	2	"	Same	4 00		
G. H. Swell	1	"	Same	2 00	Samuel M. Bowman	2 1/2	"	J. H. Conley &c.	5 00		
John R. Filler	2	Viewer	L. L. Yancy &c.	4 00	Joe M. Bowman.	2 1/2	"	Same	5 00		
B. F. Rodiffer	2	"	Same	4 00	Isaac Turner	2 1/2	Surveyor.	Same	9 00		
J. G. Myers	2	Surveyor.	Same	5 00	Holmes Throckmole	4	Lab	Same	4 00		
J. G. Myers	2	"	Wm. L. Throckmole	5 00	Abraham Reedy	4	Lab	Same	4 00		
S. F. Miller	2	Viewer.	Same	4 00	G. H. Hine	1 1/2	Viewer	R. H. Meyer	3 00		
L. R. Holler	2	"	Same	4 00	Leah G. Hunsberger	1 1/2	"	Same	3 00		
Emanuel Long	2	"	Same	4 00	J. G. Myers	1 1/2	Surveyor.	Same	4 00		
J. G. Myers.	2	Surveyor.	Jacob H. Shufly	4 00	Jasper House		Surveyor.	John H. Homan	3 40		
Geo. H. Harrison	1 1/2	Viewer	Same	3 00	G. R. Eastham	2	Viewer	Same	4 25		
Joseph M. Bowman	1 1/2	"	Same	3 00	L. R. Allebaugh	1	"	Same	2 00		
D. B. Dites	1 1/2	"	Same	2 00	J. G. Myers	1	Surveyor.	J. W. Hedrick	3 00		

Name of Person	No of Days	Kind of Service	Petition of	Amount	Name of Person	No of Days	Kind of Service	Petition of	Amount
J. G. Myers	2	Surveyor	J. N. Kennedy	6 00	A. P. Eiler	3	Deputy	P. A. Mitchell	6 00
S. R. Allebaugh	2	Deputy	Same	4 00	B. F. Ritchie	3	"	Same	6 00
Henry Foster	2	"	Same	4 00	Le T. Callender	3	"	Same	6 00
Samuel M. Bowman	2	"	Same	4 00	J. G. Myers	3 1/2	Surveyor	Same	7 00
Jos. W. Taylor	1	Surveyor	F. L. Houson	1 75	A. P. Eiler	1 1/2	Deputy	R. B. Miller	3 00
B. F. Ritchie	1 1/2	Deputy	H. J. Burger	3 00	B. F. Ritchie	1 1/2	"	Same	3 00
Le T. Callender	1 1/2	"		3 00	Le T. Callender	1 1/2	"	Same	3 00
J. G. Myers	1 1/2	Surveyor		4 00	J. G. Myers	1 1/2	Surveyor	Same	4 50
Charles R. Farley	1	Deputy	David Under	2 00	Jasper Howe	"	"	B. F. Brown	4 00
S. R. Farley	1	"	Same	2 00					
Colld. Le T. Under	5	Surveyor	Same	12 00					

J. R. Foley. Pltff
P. R. Piffer. Defd
Upon a Homestead return before a Justice

This day came again the plaintiff and the defendant being solemnly called came not and the court having heard the evidence adduced and argument of Counsel doth consider that the plaintiff recover of the defendant P. R. Piffer the sum of Thirty 69 dollars with legal interest thereon from the 1st day of October 1902 until paid and his Costs about his suit in this Court and before the Justice in this behalf expended. On a claim against which the Homestead cannot be claimed.

Le P. Harshbarger M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2 25 for services as Commissioner of Lunacy in case of J. L. Pittman which being sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment.

Le J. H. Neff M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2 25 for services as Commissioner of Lunacy in case of Miss Ella McLeary which being sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment.

Ordered that the following named persons be allowed the sum opposite their names for their attendance mileage and tolls as witnesses for the Commonwealth at the May June July Term 1903 and that the same be Certified to the Auditor of Public Accts Viz:-

Style of Prosecution	Name of Witness	Sept	Oct	Nov	Dec	Total	Style of Prosecution	Name of Witness	Sept	Oct	Nov	Dec	Total
Commonwealth	Isaac Barton	1	4			66	Commonwealth	Elizabeth Ford	2	4			1 16
	Charles Ford	1	4			66		Geo. W. Reedy	2	4			1 16
Perry H. Shaver	Henry Horner	1	12			98	Perry H. Shaver	Mrs. Geo. W. Reedy	1	4			66
Public	Ed. Boste	1	12			98		Noah Horner	1	12			98
	Harvey Ford	1	4			66	June 1st	J. J. Lane	1	06			74
	John Houson	1	12			98	Commonwealth	A. P. Gancey	1	20			30
	Alpheus Horner	1				50		Le R. Koffler	1	20			1 30
	J. P. Horner	1				50	Same	Le J. Matthews	1	20			1 30
Same	Charles M. Muller	2				1 00	Same	S. P. Schaner	1	20			1 30
	Ben. Rusbuch	2				1 00	Same	A. P. Gancey	1	20			1 30
Perry H. Shaver	John Fought	2				1 00	Same	Le R. Koffler	1	20			1 30
	D. Hoffman	2				1 00	Same	Le J. Matthews	1	20			1 30
	Thos. Rusbuch	2				1 00	Same	Mrs. Maggie	21	28			1 62
	John H. Hartman	2	6			1 24	Same	Lizzie Ruffin	1	28			1 62
							Same	Amelia Lloyd	1	24			1 46

Commonwealth	Name of Debtor	Days	Miles	Fills	Total	Style of Prosecution	Name of Debtor	Days	Miles	Fills	Total
Commonwealth	John Franklin Foster July 1st	1	28		1 62	Commonwealth	Ornton Lloyd	1	24		1 46
Hallett Insur	Sally Franklin	1	28		1 62	Commonwealth	John Franklin Foster	1	28		1 62
same	Isaac Hollander	1			50	Hallett Insur	Sally Franklin	1	28		1 62
Commonwealth	E. S. Thayer	1			50	Commonwealth	A. P. Yancy	1	20		1 30
Commonwealth	Roy Lee	1			50	Commonwealth	Chas. Hopper	1	20		1 30
Commonwealth	Wm. Brown	1			50	Commonwealth	Chas. Matthews	1	20		1 30
Commonwealth	Mrs. Maggie McDonald	1	28		1 62	Commonwealth	William Brown	1			50
Commonwealth	Lizzie Ruffin	1	28		1 62	Commonwealth	Isaac Hollander	1			50
Hallett Insur	David Stanley	1	24		1 46	Commonwealth	Roy Lee	1			50

The following claims of witnesses on behalf of the Commonwealth before Justices of the Peace of this County were presented, examined by the Court and appearing to be correct and properly chargeable to the Commonwealth under the law it is ordered that the same be paid by the Treasurer of this County and certified to the Auditor of Public Accounts.

Style of Prosecution	Name of Debtor	Days	Miles	Fills	Total
Commonwealth	William Brown May 16, 1903	1			50
Commonwealth	Isaac Hollander	1			50

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock
Geo. G. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday July 3rd 1903.

Present Hon. George G. Gattan presiding.

In the Application of J. D. Heatwole others for the Establishment of an Iron or Steel Bridge over Dry River in this County.

It appearing to the Court that Jacob Frankhmer, one of the Parties to whom this Cause was recommended at the May Term last of this Court has departed this life. The Court doth appoint Daniel S. Harrison as viewer in the place of the said Jacob Frankhmer deceased.

Ordered That this Court be adjourned until the first day of the next term.

Geo. G. Gattan

In Vacation

Before the Judge of the County Court of Rockingham County August 3rd 1903.

It appearing that Joseph A. Hammen, one of the Members of the Board of Registrars for Stonewall Magisterial District in said County has departed this life. I Geo. G. Gattan, Judge of the County Court aforesaid, hereby appoint Charles F. Brown a Member of said Board of Registrars to fill the vacancy occasioned by the death of the said Joseph A. Hammen, dead.

Attest J. S. Messerley, Clerk

County Judge

In Vacation Before the Judge of the County Court of Rockingham County August 6 1903

A. M. Newman, one of the Members of the Board of Registrars for Central Magisterial District having tendered to me his resignation as such Registrar the same is hereby accepted. And I George G. Gattan, Judge of the County Court aforesaid, hereby appoint A. H. Lewis a Member of said Board of Registrars for Central Magisterial District to fill the vacancy occasioned by the resigning aforesaid. Given under my hand this 6th day of August 1903. Attest J. S. Messerley, Clerk

Geo. G. Gattan, County Judge

Virginia. At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday August 17th 1903

Present. Hon. George G. Gatliff, presiding.

The Clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court at and since the last July term, which list being seen and inspected by the Court is ordered to be filed.

The Grand Jurors, Summoned under a Venue Facias to this day were called and the following eight qualified to act as Grand Jurors appeared Viz: H. B. Heaton, D. A. Harrison, R. H. Long, H. C. Hoover, H. S. Coffman, R. A. D. Leuschen, Charles H. Allbaugh and R. H. Howard, whereupon one was summoned from the bystanders by order of the Court viz: B. M. Rice. (A sufficient number of the Grand Jurors, Summoned not having appeared) the above named Grand Jurors with R. A. D. Leuschen as Foreman were sworn, impaneled and sworn in accordance with law a Grand Jury in and for the County of Rockingham, and after having received their Charge from the Court retired to their room to consider of their presentments (the Clerkables and Commissioners of the Revenue of the County having been summoned they appeared were sworn and sent before the Grand Jury) and after sometime the Grand Jurors returned into Court and made the following presentments viz: An Indictment against Bernard Sheplett for a Felony a true bill R. A. D. Leuschen, Foreman. An Indictment against Frank Connor for Felony not a true bill R. A. D. Leuschen, Foreman. An Indictment against Melford Woodward for Misdemeanor not a true bill R. A. D. Leuschen, Foreman. An Indictment against Melford Woodward for Misdemeanor not a true bill R. A. D. Leuschen, Foreman. And having completed the business before them were discharged from further attendance upon this term of the Court.

Ordered that the following named persons be allowed the sum opposite their name for their attendance mileage and services as Grand Jurors at this term of the Court and that the same be Certified to the Treasurer of this County for payment Viz: H. B. Heaton \$1.52 D. A. Harrison \$1.36 R. H. Long \$1.56 H. C. Hoover \$2.00 H. S. Coffman \$2.00 R. A. D. Leuschen \$2.00 Charles H. Allbaugh \$1.60 R. H. Howard \$1.32 B. M. Rice \$1.32

On the motion of Benjamin H. Hay, and it appearing to the Court that he is a regularly ordained Minister in the Reformed Church of the United States and Authorized to Celebrate the Rites of Matrimony, he appeared in Court and together with E. H. Carpenter and R. H. Hulse his Sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

It appearing to the Court from an exhibiting, duly Certified and filed that Etta Margie May Infant daughter of James F. May and Anna May dead, over the age of 14 years has made choice of the said James F. May as her guardian the Court doth appoint him as such Guardian, and on the motion of the said James F. May the Court doth also appoint guardian for Mary E. May Infant daughter of the said James F. May and Anna May dead, under the age of 14 years, whereupon the said James F. May appears in Court and together with the American Surety Company of New York, his Surety by R. M. Newman its Resident Vice President attested by Geo. G. Gatliff Jr. its Resident Asst. Secy. under power of Atty. duly Certified and filed, entered into and acknowledged a bond in the penalty of Fifteen hundred dollars conditioned

according to law. and thereupon he qualified as such guardian by taking the oath required by law

A writing purporting to be the last will and testament of William H. Hedrick dead, was this day presented in Court and being sworn by the Oaths of Geo. R. Dummett and H. J. Sours, two of the subscribing witnesses thereto, is admitted to probate and ordered to be recorded. And on the motion of Arthur S. Baden the Executor named in said will who made oath thereto according to law, and appeared in Court and entered into and acknowledged a bond in the penalty of Four thousand dollars conditioned according to law. A Certificate is granted the said Arthur S. Baden for obtaining a probate of the said will of William H. Hedrick dead, in due form, said will providing that no security be required of the said Executor. And the Court doth appoint Charles F. Bennett, J. B. Burman and H. J. Sours to appraise the estate of the said William H. Hedrick dead, after first being duly sworn, and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$12,000.

On the motion of Benjamin F. Burman, who made oath thereto according to law, and appeared in Court and together with R. J. Miller and J. M. Burman his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Six thousand dollars conditioned according to law. A Certificate is granted the said Benjamin F. Burman, for obtaining letters of Administration in due form upon the Estate of Daniel Burman dead. And the Court doth appoint D. J. Glick and R. H. Hollen, R. M. Miller and John Glick to appraise the estate of the said Daniel Burman dead, any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$3,000.

On the motion of Mrs. Amanda Miller, F. M. Stinespring who made oath thereto according to law, appeared in Court and together with George I. Klein, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One thousand dollars. Conditioned according to law. A Certificate is granted the said F. M. Stinespring for obtaining letters of Administration in due form upon the estate of Nancy Ellinger dead, and the Court doth appoint Baxter Cunningham and Wm. Breiden, Joseph Cayman and Wm. Harpene to appraise the Estate of the said Nancy Ellinger dead, any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$500.

On the motion of M. M. Shuckey who made oath thereto according to law, and appeared in Court and together with J. S. Shuckey his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three hundred dollars. Conditioned according to law. A Certificate is granted the said M. M. Shuckey for obtaining letters of Administration in due form, upon the estate of Crawford Zerkle dead, and the Court doth appoint Sydney Burman, Perry Thrie and Joseph Glick to appraise the estate of the said Crawford Zerkle dead, after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$150.

A writing purporting to be the last will and testament of George Klein dead was this day presented in Court and being sworn by the Oaths of F. M. Stinespring, J. H. Haure, the subscribing witnesses thereto, is admitted to probate, and ordered to be recorded. And there being no Executor named in said will On the motion of Geo. I. Klein and Jacob M. Klein

who made oath thereunto according to law appeared in Court, and the said George J. Kline with F. M. Stinespring his surety, and the said Jacob M. Kline with John Le Holminger & D. F. Albright his sureties (who justly freed as to their sufficiency) entered into and acknowledged separate bonds in the penalty of Four thousand dollars each, conditioned according to law. A Certificate is granted the said Geo. J. Kline and Jacob M. Kline for obtaining letters of Administration in due form upon the estate of the said George Kline dead with his said will annexed. And the Court doth appoint W. Le Harrison, E. R. Neff and Reuben Layman to appraise the estate of the said George Kline dead, after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$8000.

On the motion of George O. Kenney, who made oath thereunto according to law and appeared in Court and together with J. H. Kenney his surety (who justly freed as to his sufficiency) entered into and acknowledges a bond in the penalty of Four thousand dollars, conditioned according to law. A Certificate is granted the said George O. Kenney for obtaining letters of Administration in due form upon the estate of J. William Kenney dead, and the Court doth appoint John Hill, Thomas Fancher, Wm. Orelough, George March, to appraise the estate of the said J. William Kenney dead, any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2000.

A writing purporting to be the last will and testament of John W. Grist dead was this day presented in Court and being sworn by the Oaths of D. S. Whipple, H. H. Zirkle the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$2500.

A writing purporting to be the last will and testament of Charles B. Baldwin dead was this day presented in Court and being sworn by the Oaths of Jacob Le Hunger & D. B. Myers is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under said will was estimated not to exceed the sum of \$1000.

W. E. D. Davis

Plff.

} Upon a Notice

William Kline & Frances Kline Defts.

This day came the plaintiff by his Counsel and it appearing to the Court that defendants have had due notice of this motion and being solemnly called came not, and the Court having examined the papers and having heard the evidence adduced doth consider that the plaintiff recover of the defendants William Kline & Fannie Kline the sum of \$342.25 with legal interest thereon from the 2nd day of January 1900 until paid and his Costs by him about his suit in this behalf expended Upon an Instrument waiving the Homestead exemption.

On the Application of J. N. Kennedy & others for the Establishment of a Public Road

This day came the petitioners by their Attorney, and on motion of S. H. Beam one of the land-owners along the route of said proposed road this Cause is continued until the September Term next of this Court.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Graham

Virginia: At a County Court Continued and held in and for the County Court of Rockingham County at the Court House thereof on Tuesday August 18. 1903

Present: Hon. Lyman Chalkley, Judge of the County Court of Augusta County presiding.

Le. H. Effinger vs. Eff

Dora V. Effinger vs. Defts Effinger

Upon a motion to appoint a Committee for the said Dora V. Effinger }
This cause having been set down for hearing on this 18 day of August 1903. Thereupon the parties plaintiff and defendant by Counsel, and the Court having maturely considered the evidence adduced and being of Opinion that a Committee should be appointed for Dora V. Effinger as a person of unsound mind, doth accordingly order that John R. Switzer be and he is hereby appointed Committee of the person and property of the said Dora V. Effinger, upon executing bond in the penalty of Three Thousand dollars Conditioned according to law. And the defendants in said motion having offered M. H. Effinger as the proper person to be appointed Committee in this motion and the Court having declined to appoint him, and appointed the said John R. Switzer, and M. H. Effinger declared the purpose of taking an appeal and supersedeas under the decision of the Court, the Court doth now fix the bond to be given upon such an appeal with security approved by the Court in the penalty of One thousand dollars.

Lyman Chalkley.

Court Continued Hon. George G. Grattan presiding.

Ordered that Hon. Lyman Chalkley, Judge of the County Court of Augusta County be allowed the sum of \$10.00 for his services in holding Court one day at this term and 52 miles travel and that the same be Certified to the Treasurer of this County for payment.

In the matter of the Application of American Hardwood Manufacturing Company for the Establishment of a Public Road

It appearing to the Court that the appropriation ordered by it at the last term of the additional sum of \$141.00 for the Construction of the road asked for in the Petition in this cause and heretofore ordered to be built has been made by the Board of Supervisors; and it further appearing ~~and it further appearing~~ from the petition of J. H. Purcell Commissioner of Roads for Stonewall District and the exhibit filed therewith, that Rich Scott is willing to Construct said road for the sum of \$261.00 which is the lowest bid obtainable it is ordered that said Commissioner of Roads do forthwith Contract with said Scott for the Construction of said road, in accordance with the Specifications set out in the bid of said Scott filed with said Purcell's Petition at the price of \$261.00

On the Application of Le. G. Hawsberger & others for the Establishment of a Public Road This day came against the parties by their Attorneys, and the Court having maturely considered the report of the Viewers, and that of the Commissioners appointed to ascertain the land damages of the Samuel Harris, and being of Opinion that the said Road is a public necessity, and there being no further objections upon the part of the ~~Commissioners~~ ~~Commissioners~~ doth establish the same in accordance with the report of the Viewers, as follows, leaving the Swift run Gap cross east of Marshall's barn and with H. H. Marshall & Le. G. Hawsberger's line N 14° E 132 Poles with a fill of 6 1/2 ft for 9 rods

to Joseph Taylor's timber, and thence through his timber N. 45 1/2° E. 26 poles. Cutting off about 1 Acre + 36 Poles of land, thence along the line of said Marshall and Hainsberger N. 72 3/4° E. 30 poles. thence through said Hainsberger's land N. 18 1/4° E. 77 1/2 poles to Daniels and Taylor's line, and with their line N. 10 3/4° E. 86.5 poles with a five ft. fill for ten rods. thence with Marshall's and Daniels line N. 68° E. 105 poles to Geo. E. Rogers' Corner and with his line S. 88 3/4° E. 39 poles to the Rockingham Pike a distance of 1696 rods or 100 1/20 of a mile. the said road to be 30 ft. wide. and the Court doth allow the following sums of money the sum opposite their names for their land damages. Viz: to Hainsberger \$110.⁰⁰ Joseph Taylor \$50.⁰⁰ Mrs. Turner nee Daniels \$200.⁰⁰ and doth allow the sum of \$125.⁰⁰ for the Construction of the said road and purchase of ten sets of sewer pipe no part of said sums of money for damages or Construction ^{to be paid by} ~~shall~~ some responsible party enter into Contract to Construct the same at a Cost not to exceed said sum of \$125.⁰⁰ to the County All of which is ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

This day Came Jacob H. Hudes, Executor of Noah Hudes deed, who alleges that he is aggrieved by an entry in the Personal Property Book made by John J. Brauner, Commissioner of the Revenue for District of Plains in Rockingham County, for the year 1902 page 57 line Number 2, whereby he is charged with Four dollars and eighty Cents State Taxes and Four dollars and twenty Cents County taxes for the year 1902 on money + other personal property. And thereupon the said Jacob H. Hudes Exor. moves the Court to exonerate him from the payment of Four dollars and eighty Cents the State Taxes and Four dollars and twenty Cents the County taxes so erroneously charged against him for said year; which motion was defended by Geo. N. Conrad the Attorney for the Commonwealth for said County and the said John J. Brauner the Commissioner who made the assessment was examined as a witness touching the application. And it appearing that the said book, in which alleged erroneous entry has been made, was delivered to the Treasurer of the said County on the 6th day of September 1902, and that application for redress was made on this day for the first time; and that the erroneous assessment was not caused by the failure or refusal of the applicant to furnish the Commissioner, on oath with the necessary information as required by law, and it appearing that the money was included in an assessment on Page 1 line 27 of said book and that said Commissioner when furnished the list by the Examiner of Records inadvertently entered it the second time. All which the Court Certifies as facts proved upon the application aforesaid. On Consideration whereof, and from such facts so proved, the Court is satisfied that the said Jacob H. Hudes Exor. as aforesaid is erroneously charged in said book with State Taxes amounting to Four dollars and eighty, and County taxes amounting to Four Dollars and twenty Cents. Whereupon it is ordered that the said Jacob H. Hudes Exor. as aforesaid be exonerated from the payment of Four dollars and eighty Cents State Taxes and Four dollars and twenty Cents County taxes so erroneously charged of not already paid and if paid that it be refunded to him together with the penalty thereon.

Jasper Moore, this day presented in Court an account against the County of Rockingham amounting to sum of \$18.⁴⁵ for services as Viewer and Surveyor on Public Roads under orders of this Court which being sworn to was examined and allowed by the Court and ordered to be Certified to the Board of Supervisors of this County for Allowance.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. Stratton

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday August 19. 1903.

Present Hon. George G. Galtan. presiding.

copd. J. P. Homer this day presented in Court an account against the County of Rockingham amounting to the sum of \$1⁰⁰ for services on Commission of Lunacy in Case Elgie Donovan which being shown to was examined and allowed by the Court and ordered to be Certified to the Treasurer of the County for payment.

copd. S. W. Brewen M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2⁵⁰ for services on Commission of Lunacy in Case of Rebecca J. Holtan which being shown to was examined and allowed by the Court and ordered to be Certified to the Treasurer of the County for payment.

Howard Armstrong M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2⁵⁰ for services on Commission of Lunacy in Case Elgie Donovan which being shown to was examined and allowed by the Court and ordered to be Certified to the Treasurer of the County for payment.

copd. L. B. Hauncey M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$2⁵⁰ for services on Commission of Lunacy in Case of Margaret Wright which being shown to was examined by the Court and allowed and ordered to be Certified to the Treasurer of the County for payment.

This day came L. S. Ruenberger who alleges that she aggrieved by an entry in the Land Book made by John J. Brauner Commissioner of the Revenue for Plains District in Rockingham County for the year 1902 page 41 line Number 17 whereby she is charged with Two dollars and sixty three Cents State Taxes and Four dollars and fifty seven Cents County taxes for the year 1902 on a tract of land containing 105 Acres described as lying on Mt Valley. And thereupon the said L. S. Ruenberger moves the Court to exonerate her from the payment of Two dollars and ten Cents of the State Taxes and Four dollars and forty six Cents of the County taxes, so erroneously charged against her for said year, which motion was defended by Geo. W. Conrad the attorney for the Commonwealth for said County, and the said John J. Brauner the Commissioner who made the assessment, was examined as a witness touching the application, And it appearing that said book in which said alleged erroneous entry has been made was delivered to the Treasurer of the said County on the 6 day of September 1902 and that application for redress against the erroneous entry was made on this day for the first time and it appearing that said tract of land is Mountain land and that the assessment had been corrected on October 23 1901 but that Commissioner of the Revenue inadvertently places it upon the books at the same assessment previous to said correction. All which the Court Certifies as facts proven upon the application aforesaid. On Consideration whereof and from such facts so proven the Court is satisfied that the said L. S. Ruenberger is erroneously charged in said book with State Taxes amounting to Two dollars and ten Cents and County taxes amounting to Four dollars and forty six Cents. Whereupon it is ordered that the said L. S. Ruenberger be exonerated from the payment of Two dollars and twelve Cents State Taxes and Four dollars and forty six Cents County taxes so erroneously charged, if not already paid and if paid that it be refunded to her together with the penalty thereon.

Geographical

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday, August 20. 1903.

Present. Hon. George G. Galtan, presiding.

Settlement of the Accounts of John H. Switzer Administrator of George Diederich dead
 Benj. Bradford. Executor of Thomas Cook dead.
 H. P. M. H. Buntner Admin. of H. M. Buntner dead.
 John H. Rolston Admin. of Samuel H. Rolston dec.
 H. M. Rogers Committee for E. F. Roller
 H. H. Logan Admin. of Sarah H. Logan dead.
 H. H. Lohr Guardian for Paul J. Lohr.
 J. P. Ziegler Executor of Samuel Ziegler dead.
 P. J. Lamb Executor of James H. Lamb dead.
 J. A. McIlwain Executor of David Tusing dead.
 J. F. Holmgren Guardian for D. E. & Ethel R. Holmgren
 Chas. D. Harrison Admin. of Anna R. Lusk dead.
 F. R. Rhodes & H. E. Long Admin. of Samuel Long dec.
 Emanuel Suter Committee for Lydia J. Neivander
 Eleanor A. Theris Executor of Christian Theris dead.
 John H. Switzer Admin. of Melvina Petersen dead.
 D. R. Schwallier Executor of Frederick Hess dead.
 J. A. Hauserberger Guardian for Geo. H. Bear.
 J. B. & A. L. Bunker Executors of Margaret A. Bunker dec.
 Chas. J. Brock Admin. of Lucretia Deneale dead.
 J. P. Ziegler Admin. of Mary Rudes dead.
 W. J. Parset Guardian for Mary F. Parset.
 J. H. Tompkins Guardian for Mary H. Jarman.
 P. E. Shank Guardian for Benj. J. & Elsie M. Shank.
 G. A. Gay Admin. of B. F. Brown dead.
 Saml. J. Miller Admin. of W. D. Johns dead.
 J. H. Haunfler Executor of Frederick Haunfler dead.
 Annie E. Brunsborn Guardian for W. K. Brunsborn & others.
 Henry J. Mottig Guardian for Mary Lewis Henry Lamb & others.
 S. H. Swank Admin. of Barbara Swank dead.

The foregoing settlements were this day presented in Court and having been filed in the Clerk's Office of this Court the time prescribed by law and there being no exceptions taken thereto they were examined by the Court and appearing to be correct are ordered to be recorded.

John R. Sautzer who was at a former day of this term of the Court appointed Committee for Dora T. Effinger, a person of unsound mind. This day appeared in Court and together with the American Surety Company of New York his Surety by A.M. Newman its Pres Vice President attested by Geo. G. Galtan Jr its resident Asst Secy. under Power of Atty duly Certified and filed entered into and acknowledged a bond in the penalty of Three Thousand dollars conditioned according to law. And thereupon he qualified as Incl Committee of Dora T. Effinger by taking the Oath

required by law.

M. H. Effinger this day appeared in Court and together with the American Surety Company of New York City and M. Neuman its Res. Vice Pres. attested by Geo. G. Grafton Jr. its Res. Secy. entered into and acknowledged a bond in the penalty of One Thousand dollars. Conditions according to law, as provided in the order entered at a former day of this term of the Court in the matter of M. H. Effinger vs. Edward Effinger from which the said M. H. Effinger desires an appeal and superseas to the Supreme Court of Rockingham County.

Resolving purporting to be the last will and testament of John Cooper dead, was this day presented in Court and being sworn by ^{the father of} James H. Cochran Jr. the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Sidney Jane Cooper the Executrix named in said will who made oath thereto according to law, and appeared in Court and entered into and acknowledged a bond in the penalty of One Thousand dollars. Conditions according to law. A Certificate is granted the said Sidney Jane Cooper for obtaining a probate of the said will of John Cooper dead in due form said will providing that no security be required of the said Executrix and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$500⁰⁰.

On the Application of J. T. Marden others for the Establishment of a Public Road. This day came the petitioners by their Attorney, and the Viewers here tofore appointed having made and filed their report recommending the Establishment of the said road. It is ordered that J. B. Frankhouser, land-owner be summoned to appear here on the first day of the September term next being September 21st. 1903 to show Cause if any he can why the road prayed for in this Cause shall not be established through his land agreeably to the report of the Viewers S. R. Allebaugh G. H. Roberts & J. G. Myers filed in this Cause August 17, 1903.

Ordered That this Court be adjourned until the first day of next term.

Geo. Grafton

Virginia. In Vacation

Before the Judge of the County Court of Rockingham County September 5, 1903.

Be it remembered that Geo. G. Grafton Jr. who was on the 21st day of July 1903 duly appointed and commissioned by the Governor of Virginia a Notary Public for the County of Rockingham from the term of four years from said date, this day personally appeared before me Judge of the County Court aforesaid in Vacation and together with J. Harvey Sheets his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars. Conditions for the faithful discharge of the duties of his said office, each of the said obligors waiving the benefit of their Beneficence as to the said obligation which has is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Copy of the order to the Secretary of the Commonwealth and thereupon the said Geo. G. Grafton Jr. qualified as such Notary Public by subscribing to and taking the Oath prescribed by law.

Given under my hand this 5th day of September 1903.

Geo. Grafton

Virginia At a County Court held in and for the County of Rockingham, at the Court House thereof on Monday September 21, 1903.

Present Hon George G. Grattan, presiding.

The clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court at and since the last August Term, which list being seen and inspected by the Court is ordered to be filed.

On the motion of Ella N. Newman, widow of Joseph P. Newman, dead, who made Oath thereunto according to law, and appeared in Court and together with Jos H. Faliafero her surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One hundred dollars Conditioned according to law. A Certificate is granted the said Ella N. Newman for obtaining letters of Administration in due form upon the estate of the said Joseph P. Newman dead. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$50⁰⁰.

On the motion of Lucy M. Swanwick, widow of Charles H. Swanwick, dead, who made Oath thereunto according to law, and appeared in Court and together with John Shaffer her surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Fifty dollars Conditioned according to law. A Certificate is granted the said Lucy M. Swanwick for obtaining letters of Administration in due form upon the estate of the said Charles H. Swanwick dead. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$25⁰⁰.

On the motion of Joseph B. R. Cornell, the Executor named in the will of Henrietta Brook, dead, he B. R. Cornell who made Oath thereunto according to law. Appeared in Court and together with the said Joseph B. R. Cornell, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Four thousand dollars Conditioned according to law. A Certificate is granted the said B. R. Cornell for obtaining letters of Administration in due form upon the Estate of the said Henrietta Brook dead, with her will annexed, And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2000⁰⁰.

A writing purporting to be the last will and testament of Henry F. May, dead, was this day presented in Court and being sworn by the Oaths of B. F. Ralston G. H. Shaffer and J. H. Miller the Subscribing witnesses thereof is admitted to probate and ordered to be recorded, And there being no Executor named in said will. On the motion of Mrs. May widow of the said Henry F. May dead (who appeared in Court and renounced her right to qualify as Administrator of the Estate of her deceased husband) John H. May who made oath thereunto according to law appeared in Court and together with B. F. Ralston his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of One thousand dollars Conditioned according to law. A Certificate is granted the said John H. May for obtaining letters of Administration in due form upon the estate of the said Henry F. May dead with his said will annexed. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$4500⁰⁰.

Renunciation of John H. May
Administrator of H. F. May a complete
+ minute of same see City and
- Court 22 Page 581
after May's
Court

A writing purporting to be the last will and testament of David C. Keller, dead together with a Codicil thereto and made part thereof were this day presented in Court, and the said will proven by the Oath of John T. Harris Jr. one of the subscribing witnesses thereto. John T. Harris the other subscribing witness thereto having departed this life. Geo. E. Lipe of John T. Harris were sworn and solemnly deposed that they are well acquainted with the handwriting of the said John T. Harris and verily believe his signature as an attesting witness to said will to be in the handwriting of the said John T. Harris. And the said Codicil being proven by the Oaths of J. M. Kagey & J. F. Perry the subscribing witnesses thereto the same are admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$2000.⁰⁰

A writing purporting to be the last will and testament of John Smith dead was this day presented in Court and being proven by the Oaths of James B. Morre and J. H. Colbert two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$220.⁰⁰

On the motion of John H. Halverson for the Estate of Joseph A. Haumen dead is committed to John A. Switzer Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since his death without application for administration upon his estate.

On the Application of A. K. Boman for Distiller License.

On the Application of James D. Payne for Distiller License 3 Miles West of Mt. Clinton.

On the Application of James Crawford for Distiller License near Hamberger Siding near Edinboro.

Ordered That the foregoing applications be docketed and be continued until Saturday next for hearing.

On the Application of Isaac O. Davis others for the Establishment of a Public Road.

This day Joseph N. B. Kratzer, Supervisor of Roads for Lincoln District reported to the Court that the Road prayed for in this Cause has been opened and constructed by H. J. Sughrue the Contractor in accordance with the orders of this Court and is now ready for travel. And that there is due the said Contractor H. J. Sughrue \$175.⁰⁰ It is ordered that the Treasurer of this County pay unto the said H. J. Sughrue the said sum of \$175.⁰⁰ out of the funds appropriated for the said road.

James Whitmore & Howard Whitmore Partners trading as Whitmore Bros. Plffs.

David Coby

Deft.

Upon a Petition

This day came the Petitioners by their Attorney and the Defendant being solemnly called came not.

On Consideration of said Petition and on Motion of their Attorney It is adjudged and ordered that the Bay Stallion mentioned in the Petition as the property of the Defendant, now located at the Stable of the Petitioners in Harrisonburg, Virginia, be sold by the Sheriff of Rockingham County at Public Auction for Cash, after advertising the time, terms and place of sale as required by law. After making such sale he shall apply the proceeds to the satisfaction of the debt of Petitioners and expenses of sale and the surplus if any he shall pay to the owner of the Property.

On the Application of J. N. Kennedy others for the Establishment of a Public Road.

This day came the Petitioners by their Attorneys and thereupon came David H. Beam by his Attorney and filed his exceptions to report of Viewers in this Cause of date June 27, 1903.

G. W. Lamm Justice of the Peace this day paid into Court the sum of \$11.⁰⁰ it being the amount of ten judgments for fine rendered by him as follows Aug 29, 1903 Court & Rbe Doty for Misdeemeanor \$10.⁰⁰ Sept 5, 1903 same to David Betty for profane language \$1.⁰⁰

J. W. Pickering Justice of the Peace this day paid into Court the sum of \$2.⁰⁰ it being the amount of a Judgment

for fine rendered by him Sept 19, 1903 in Case of Commonwealth v Paul Cook for assault.

Ordered That this Court be adjourned until tomorrow morning at 10. O'clock.

Geo. G. Gathman

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday September 22nd 1903.

Present Hon Geo. G. Gathman, presiding.

R. S. Best Plff }
J. H. Showalter Deft } upon a Notice.

This Cause came on this 22nd day of Sept. 1903 to be heard on the Notice given by R. S. Best returnable to this date, that he would ask for judgment against the defendant J. H. Showalter for \$98.⁷⁰ with interest from Aug 15, 1903 on a certain promissory note the said Notice being duly docketed and the defendant J. H. Showalter appeared and filed his defense in writing. And thereupon the plaintiff by Counsel moved for a Continuance until the next term of the Court, upon the grounds of the absence of the plaintiff from the Commonwealth to which Continuance the defendant objected. Whereupon the Court put the plaintiff upon terms and by Consent of parties it is ordered that the hearing of the Cause be Continued until the next term of this Court upon the condition and agreement that if before the next term of this Court the said J. H. Showalter shall die or become otherwise incapacitated to testify, the Suit is to be dismissed at the plaintiffs Costs.

Harrisonburg Milling Company Plff }
L. S. Hooker Deft } In Assumpsit upon an Attachment

This day came the parties by their Attorneys, and it appearing to the Court that the petitioner Margaret DeLauder, has failed to execute the interpleader bond required of her, On motion of the plaintiff, by Counsel it is adjudged and ordered that the Harrisonburg Milling Company do recover of the defendant, L. S. Hooker, the sum of Forty one dollars with interest thereon from the 1st day of September 1902, and their Costs in this behalf expended. And it is further ordered that J. S. Miller, Sergeant of the Town of Harrisonburg Virginia, do make sale of the property held in his possession under this attachment and out of the proceeds he shall pay the Costs and debt in this Cause.

J. M. Snell & Company Plff }
L. S. Hooker Deft } In Assumpsit upon an Attachment.

This day came the parties by their Attorneys, and it appearing to the Court that the petitioner Margaret DeLauder, has failed to execute the interpleader bond required of her. On motion of the plaintiff, by Counsel, it is adjudged and ordered that J. M. Snell & Company do recover of the defendant L. S. Hooker, the sum of forty dollars and five Cents and their Costs in this behalf expended. And it is further ordered that J. S. Miller, Sergeant of the Town of Harrisonburg Virginia, do pay over to the plaintiff or their attorney, the residue of any of the proceeds of sale of the property of the defendant attached, after paying the recovery and Costs in the Case of Harrisonburg Milling Company v L. S. Hooker, as directed by an order entered in said Cause at the present term of this Court.

On the Application of H. Fauschlenburger for the Establishment of a Public Road from

Joseph Harris house at the Edom Road to run in a northerly ^{direction} between the lines of the said Joseph Harris and Jennie Shay, and thence over and through the lands of R. F. Tenbarger to his farm house and from said Edom Road in a southerly direction, through the lands of R. F. Tenbarger to the most accessible point on the new Edom Road. The Court doth appoint to J. Kallander, J. G. Myers, Henry Forner and D. B. Shewalter Viewers (any three of whom may act) to View said proposed route and make report to this Court at its next term as the law provides.

On the motion of Fannie M. Smith the Executors named in the will of John Smith decd. admitted to probate on yesterday, who made Oath thereunto according to law and appeared in Court and entered into and acknowledged a bond in the penalty of Fifty dollars. Conditioned according to law. A Certificate is granted the said Fannie M. Smith for obtaining a probate of the said will of John Smith decd. in due form said will providing that no security be required of the said Executors.

On the motion of J. L. Argusbright, who is a regularly licensed Minister in the United Brethren in Christ Church, and Authorized by said Church to Celebrate the Rites of Matrimony, and it appearing to the Court from evidence introduced that he is a proper person the Court doth appoint him to celebrate said Rites. Whereupon he appeared in Court and together with S. P. Tenbarger his surety, entered into and acknowledged a bond in the penalty of Five Hundred dollars. Conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

On the motion of E. M. Hoershel, and it appearing to the Court that is a regularly ordained Minister in the United Brethren in Christ Church, and Authorized to Celebrate the Rites of Matrimony he appeared in Court and together with H. B. Keeley, his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars. Conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

copied This day came Perry E. Shank, Special Comr. in David E. Shank, vs. Benjamin J. Shank, vs., alleges that he is aggrieved by an entry in the Personal Property Book made by John J. Brauner, Commissioner of the Revenue for District of Plains in Rockingham County, for the year 1902, page 52 hereunder to whereby he is charged with Twenty dollars State Taxes and Forty two dollars and fifty Cents County taxes for the 1902 on money etc. And thereupon the said Perry E. Shank, Comr. as aforesaid moves the Court to exonerate him from the payment of Nine dollars and four Cents of the State Taxes, and Nineteen dollars and twenty one Cents of the County taxes so erroneously charged against him for said year, which motion was defended by Geo. N. Conrad the Attorney for the Commonwealth for said County, and the said John J. Brauner who made the assessment was examined as a witness touching the application. And it appearing that the said book, in which said alleged erroneous entry has been made, was delivered to the Treasurer of the said County on the 6 day of September 1902, and that application for redress was made on this day for the first time; and that the erroneous assessment was not caused by the failure or refusal of the Applicant to furnish the Commissioners, on Oath with the necessary information as required by law, and it appearing that after deducting the interest of the heirs from the funds in the hands of the said Commissioners which were not subject to taxation their indebtedness being in excess of the amount coming to them, the fund amounted to only \$2739.57, all which the Court certifies as facts proved upon the application aforesaid. On Consideration whereof, and from such facts so found, the Court is satisfied that the said Perry E. Shank, Comr. as aforesaid is erroneously charged in said book with State Taxes amounting to Nine dollars and four Cents and County Taxes amounting to Nineteen dollars and twenty one Cents whereupon it is ordered that the said Perry E. Shank be exonerated from the payment of Nine dollars and four Cents State Taxes and Nineteen dollars and twenty one Cents County taxes so erroneously charged, if not already paid and if paid that it be refunded to him together with the penalty thereon.

It appearing to the Court from a writing duly Certified and filed that Mary Elizabeth Head and

Samuel J. Head, Infant children of Thomas M. Head Magdalen Head, have made choice of the said Thomas M. Head as their Guardian the Court doth appoint him as such guardian whereupon he appeared in Court and together with E. L. Rolden his surety (who testified as to his sufficiency) entered into and acknowledged a bond in the penalty of sixteen hundred dollars. Conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Wednesday, September 23rd, 1903.

Present Hon. George E. Gattan, presiding.

J. H. Keeter Justice of the Peace, this day paid into Court the sum of \$2.00 it being the amount of a judgment for fine rendered by him August 18, 1903, in case of Commonwealth v. E. L. Doughty for Misdemeanor.

On the motion of Mrs M. E. Yeackle daughter and Creditrix of the Estate of Catharine Taylor dec^d the Estate of the said Catharine Taylor dec^d is committed to John A. Dwyer Sheriff of Rockingham County for Administration. It appearing to the Court that more than sixty days have elapsed since her death without application for Administration upon her estate and the Court doth appoint Peter S. Heaster, David B. Shumatter, Alden Heaster, Charles Shumatter & Daniel Good, to appraise the estate of the said Catharine Taylor dec^d, any three, of whom may act after first being duly sworn.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Thursday, September 24th, 1903.

Present Hon. George E. Gattan, presiding.

Commonwealth.

Upon an Indictment for Felony

Bernard Shiflett.

This day came the Attorney for the Commonwealth, and the prisoner Bernard Shiflett was led to the bar of the Court in Custody of the Jailor of this Court, and the Court set Tuesday next the 9 day of this present term of the Court for his trial. And the Clerk of this Court is ordered to issue a Venue Facias to the Sheriff of Rockingham County directed Commanding him to summon sixteen persons from a list to be furnished by the Court returnable to said date to serve as Jurymen upon the trial of the said Bernard Shiflett for felony. And thereupon the prisoner was remanded to Jail.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday September 25th. 1903

Present Hon. George G. Gathran, presiding

Thomas H. Buick Plff.
L. L. Long Deft. } Upon a Notice.

This day came the plaintiff by Counsel and the defendant being solemnly called came not and it appearing to the Court that the said defendant has had due notice of this motion, and the Court having examined the papers and having heard the evidence adduced, doth consider that the plaintiff recover of the defendant L. L. Long the sum of \$15.⁰⁰ with legal interest thereon from the 24th day of April 1903 until paid and his Costs about his suit in this behalf expended on an Instrument waiving the Homestead exemption.

Charles M. Hinesgardner Plff.
Joseph Oubangh Deft. } Upon a Mandant removed from before a Justice.

This day came the parties in person and by Counsel and neither party demanding a jury but agreeing to submit all matters to the Court, and the Court having heard the evidence adduced and argument of Counsel doth consider that the plaintiff take nothing by his bill, but for his false clamour he pay money or that the defendant Joseph Oubangh go thereof without day and recover of the plaintiff his Costs about his defence in this Court and before the Justice in this behalf expended.

On the motion of Miss M. C. Baggle, who made oath sheeth according to law, and appeared in Court and together with J. L. Long her surety ^(who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Eight hundred dollars. Antidated according to law. A Certificate is granted the said M. C. Baggle for obtaining letters of Administration in due form upon the estate of Lon J. Baggle dead in due form. And the Court doth appoint J. W. Taylor, L. J. Long, R. L. Yancy, and Nicholas L. C. Photo to appraise the estate of the said Lon J. Baggle, dead, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$400.⁰⁰

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. Gathran

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday September 26. 1903

Present Hon. George G. Gathran, presiding.

On the motion of George H. Dovel, who made oath sheeth according to law, and appeared in Court and together with Rosa V. Dovel his surety (who justified as to her sufficiency) entered into and acknowledges a bond in the penalty of Thirty dollars. Antidated according to law. A Certificate is granted the said George H. Dovel for obtaining letters of Administration, in due form upon the estate of Jeremiah Dovel dead. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$15.⁰⁰

A writing purporting to be the last will and testament of Frances Dodson, dead, was

this day presented in Court and being sworn by the Oath of Hon. J. Fultz of Chambersburg, the Subscribing parties thereto is admitted to probate and ordered to be recorded, and there being no executor named in said will. On the motion of William Dodson, who renounced his right to qualify as Administrator of the Estate, Joseph Dorey, who made oath thereto according to law, and appears in Court and together with the American Bonding Company of Baltimore, his Surety, by Ed. S. Kinnard, its Vice President attested by Ed. Dechert and Secretary, under Power of Atty duly Certified and recorded, entered into and acknowledged a bond in the penalty of Five Hundred dollars Conditioned according to law. A Certificate is granted the said Joseph Dorey for obtaining a probate of the last will of Francis Dodson, died, in due form and the Court doth appoint Hon. J. Fultz, Peter Guyer & J. L. Romenum to appraise the estate of the said Francis Dodson, died, after first being duly sworn, and it is entered of record that the amount of property to pass under said will was estimated not to exceed the sum of \$250⁰⁰

On the Application of T. S. Maddox & others for the Establishment of a Public Road Beginning at the Mountain Valley Road at the main Encumberment point and running eastward towards the foot of the Massanutten Mountain at the end of the Aug. Road, the Court doth appoint A. G. Myers, G. H. Richard, D. S. Harrison, J. R. Lilebaugh, & R. P. Ekin, Treasurers, any three of whom may act to view said proposed road, and make report thereon as the law requires.

Ordered That this Court be adjourned until Monday morning next at 10 O'clock.

Geo. E. Harrison

Virginia - It a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday September 28. 1903.

Present Hon. George G. Gathman presiding.

On the Application of B. B. Miller & others for the Establishment of a Public Road. This day E. T. Callender, Commr. of Roads for Ashby District reported to the Court that the Road prayed for in this Cause has been Completed by the Contractors in accordance with the report of Treasurers and orders of Court except as to a few changes made by Court for the purpose of reducing the grade, and that the same is now ready for travel. It is ordered that the Treasurer of this County pay unto the said Contractors the sum of \$75⁰⁰ out of the funds appropriated for the purpose of said road, and that John R. Filler, who is hereby appointed for that purpose do make a survey & plat of the New Road as now established over the New route & the Change made over the Peery land with a view to a final order.

A License is this day granted to Addison K. Bowman on his application to Distil Brandy from pomace or Cider or Fruits, the quantity exceeding forty gallons, and the distilling run from October 1st to December 29th 1903, at the James Ray distillery at the South end of Croppers Mountain in this County, and the said Manufacturer shall have the privilege of selling the liquors actually manufactured by him in quantities of not less than two gallons at the house where manufactured, for the period beginning October 1st 1903 and Expiring on the 29th day of December 1903. The Court being fully satisfied upon hearing the evidence that the applicant is a fit person, and that the specific tax required by law has been paid to the proper officer, and the applicant having executed a bond as required by law with good security payable to the Commonwealth of Virginia in the penalty of Two Hundred and fifty dollars, Conditioned as the law provides.

Wm. & J. H. Dorey & W. A. Shurtliffe
Oct. 6/1903

Ordered, That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Heath

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday September 29, 1903

Present Hon. George G. Heath, presiding.

A license is this day granted to James L. Baughen, on his application to Distill Brandy from Potatoes or Cider or Fruits the quantity exceeding forty gallons and the distilling run for less than three months at Michael S. Baughen distillery near Swift Run in this County and the said Manufacturer shall have the privilege of selling the liquor actually manufactured by him in quantities of not less than two gallons at the house where manufactured for the period beginning October 15, 1903 and expiring January 13, 1904 the Court being fully satisfied upon hearing the evidence that the applicant is a fit person and that the specific tax required by law has been paid to the proper officer and the applicant having executed a bond as required by law with good security, payable to the Commonwealth of Virginia in the penalty of two hundred and fifty dollars. Conditioned as the law provides.

Joseph H. Shwatter Infant son of Lewis S. Shwatter dead, over the age of 14 years this day appeared in Court and made choice of Jacob S. Heatwole as his guardian. The Court doth appoint him as such guardian. And on the motion of Jacob S. Heatwole doth also appoint him guardian for Myrta S. Shwatter Infant daughter of the said Lewis S. Shwatter dead under the age of 14 years. Whereupon the said Jacob S. Heatwole appeared in Court and together with John E. Heatwole his surety (who satisfied the Court of his sufficiency) entered into and acknowledged a bond in the penalty of Four hundred and fifty dollars Conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

Roba S. Shwatter Infant son of Lewis S. Shwatter dead, ^{over the age of 14 years} this day appeared in Court and made choice of Samuel S. Summers as his guardian. The Court doth appoint him as such guardian. Whereupon the said Samuel S. Summers appeared in Court and together with Peter S. Heatwole his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of two hundred dollars Conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

A writing purporting to be the last will and testament of John G. Lineweaver, dead, was this day presented in Court, and being sworn by the Oaths of R. N. Lineweaver and Lehar Griffin Henning the subscribing witnesses thereto, is admitted to probate, and ordered to be recorded. And on the motion of Wade S. Lineweaver, the Executor named in said will, who made oath thereto according to law, and appeared in Court and together with Lehar Lineweaver, his surety, by R. N. Lineweaver, her atty in fact, made a power of Attorney duly Certified and which is ordered to be recorded (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Sixteen thousand dollars. Conditioned according to law. A Certificate is granted the said Wade S. Lineweaver for obtaining a probate of the said will of John G. Lineweaver, dead, in due form. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$15,700⁰⁰.

John L. Burke Plff

W. O. McEntle Dft

} Upon a Warrant returned from before a Justice

This day came the defendant, and the plaintiff having failed to execute the bond required of him in this cause it is considered by the Court that this cause be dismissed and that the defendant recover of the plaintiff his costs about his defence in this behalf expended.

Noah Blasen

Abraham Blasen's Administrators

} Upon a motion to release a Vendor's Lien

This day came the plaintiff by his attorneys, and it appearing to the Court that notice of this motion as required by law was duly given by the plaintiff, the person entitled to have the encumbrance released or discharged and it further appearing to the Court that the Vendor's Lien retained in the deed from Abraham Blasen to Noah Blasen dated August 23rd 1873, and duly of record in Deed Book No 10, page 147 of the County Clerk's Office of Rockingham County in which deed a Vendor's Lien was retained to secure the sum of \$1321.75 evidenced by six bonds payable as follows to wit \$57.95 on the 1st day of June, 1873, and then four successive payments of \$264.25 each to be paid on the 1st day of June 1874, 1875, 1876, and 1877, respectively and the sixth and last payment of \$106.⁰⁰ on the 1st day of June 1878, was paid to Abraham Blasen in his life time as shown by a receipt signed by Henry Blasen as Administrator of Abraham Blasen, deceased, attached to said notice and that said Administrator has no objection to having the Lien aforesaid marked satisfied, And it further appearing to the Court from an inspection of the deed book in which said deed is recorded, that more than twenty years have elapsed since the maturity of the Lien or encumbrance raising a presumption of payment which has not been rebutted. It is therefore ordered that the Clerk of this Court do and he is hereby directed to mark released and discharge the aforesaid Lien on the Margin of the page in the Book wherein said deed is recorded, which entry when so made shall operate as a release of said Vendor's Lien.

Commonwealth

Bernard Shiflett

} Upon an Indictment for Felony

This day came Attorney for the Commonwealth and the prisoner Bernard Shiflett, was led to the bar of the Court in Custody of the Jailor of this Court and being thereof arraigned pleaded Not Guilty to the said Indictment, and waived trial by jury, and submitted all matters of law and fact for trial to the Court the Attorney for the Commonwealth being present and consenting thereto, and the Court having heard the evidence adduced and Argument of Counsel doth adjudge the said Bernard Shiflett, guilty in manner and form as charged in the Indictment, and it appearing to the Court that the said prisoner Bernard Shiflett is sixteen years of age, and a first Subject for Commitment to the Custody of the Prison Association of Virginia, and the said Prison Association of Virginia having consented to this Commitment It is ordered that the said Bernard Shiflett be forthwith conveyed and delivered into the Custody of the Superintendent of the Prison Association of Virginia there to be detained according to law. And thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock

Geo. B. Brattle

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday September 30 1903

Present Hon. George G. Galtman, presiding

A License is this day granted to James Crawford on his application to Distill Brandy from Potatoes or Apples or Fruits the quantity exceeding forty gallons and the distillery run for less than three months at the distillery of Charles Mosby 3 Miles South of Edenton and the said Manufacturer shall have the privilege of selling the liquor actually manufactured by him in quantities of not less than two gallons at the house where manufactured for the period beginning on the 1st day of October and expiring on the 28th day of December 1903 the Court being fully satisfied upon hearing the evidence that the applicant is a fit person and that the specific tax required by law has been paid to the proper officer and the applicant having executed a bond as required by law with good security payable to the Commonwealth in the penalty of two hundred and fifty dollars conditioned as the law provides.

A License is this day granted to James S. Payne on his application to Distill Brandy from Potatoes or Apples or Fruits the quantity exceeding forty gallons and the distillery run for less than three months at the distillery of John H. Ponce on Hare Branch about 2 1/2 Miles N.W. of Edenton and the said Manufacturer shall have the privilege of selling the liquor actually manufactured by him in quantities of not less than ten gallons at the house where manufactured for the period beginning on the 1st day of October 1903 and expiring on the 28th day of December 1903 the Court being fully satisfied upon hearing the evidence that the applicant is a fit person and that the specific tax required by law has been paid to the proper officer and the applicant having executed a bond as required by law with good security payable to the Commonwealth of Virginia in the penalty of two hundred and fifty dollars conditioned as the law requires.

Upon the motion of W. H. Newman leave is given him to file his petition asking to resign as one of the Trustees named in the deed of trust executed by J. M. Lehart and wife to O. B. Roller and himself. Trustees, to secure G. L. Spitzer a certain sum of money set out in said deed of trust. which deed of trust is duly of record in the County Clerk's Office of Rockingham County in Deed Book #67 Page 164 and the Court doth order that the resignation of the said W. H. Newman as such Co-trustee be accepted and he discharged from any connection thereunto.

On the application of J. H. Horner & B. B. Finkle others for the Establishment and Construction of an Iron or Steel Bridge over Smith Creek.

This day came the petitioners and the Viewers heretofore appointed having made and filed their report recommending the Establishment of an Iron or Steel Bridge over Smith Creek at Strickland's Mill in this County and the Court having examined the said report and having heard the evidence adduced and being of opinion that said Bridge is a Public necessity doth establish the same in accordance with the report of the Viewers and doth appropriate the sum of \$1400 to pay for said bridge with the understanding that the Citizens of the neighborhood make the fills furnish the rock for the abutments on the ground and make the road out over the Moore land to the Public Road and that some one or more enter into bond conditioned accordingly and that George R. Eastman & Newlin G. Moore who are hereby appointed commissioners be authorized to contract for the Construction of a Iron or Steel Bridge at the site set forth in the Report of Viewers and for the necessary work upon the abutments to prepare them for the bridge the cost to the County not to exceed the said sum of \$1400 but any contract they may make for the Construction of said Bridge abutments shall be reported to and subject to the approval of the Court all of which is ordered to be Certified to the Board of Supervisors for its approval or disapproval.

On the application of D. B. Blount others for a change of road at the several fords on the South Fork of
Johnny Branch on the old Belover Hill Mt John Road along the lands of L. C. Kinley of H. Keiser for a distance
of about one fourth mile The court doth appoint D. B. Blount J. G. Myers G. H. Hine L. E. Miller, Viewers (any
three of whom may act) to view said proposed changes and make report to this court at its next term
as the law provides.

On the Application of B. F. Buder sotherus for a change in the North Mountain road around Ashcroft Hill.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. Mathews

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday October 1st 1903.

Present Hon George G. Gattan presiding

On the Application of John S. Maiden & others for the Establishment of a Public Road.

This day came again the petitioners by their Attorney, and thereupon came Jacob L. Frunkhmer the only land-owner affected by the opening of said road and objected to the damages allowed. On his motion the Court doth appoint Samuel J. Miller B. J. Ritchie D. B. Shwetter James E. Keller Commissioners to go upon the lands of the said Jacob L. Frunkhmer on Thursday October 15 1903 and ascertain what will be a just Compensation to the said J. L. Frunkhmer for the land to be taken for the purposes of said road and the damages to the residue of the tract beyond the peculiar benefit to be derived from the Construction of said road and make report to this Court at its next term as the law provides.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday October 2nd 1903.

Present Hon George G. Gattan presiding.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday October 3rd 1903.

Present Hon George G. Gattan, presiding.

Southern Railway Company

Plaintiff

} upon a Notice.

H. J. Prescott & J. M. Bahler partners doing business

under the name & style of the Hauling & Evaporating Company Deft.

This day came the plaintiff by its Attorney, and it appearing to the Court that the defendants have had due notice of this motion and being solemnly called came not and the Court having examined the papers, and having heard the evidence adduced doth consider and adjudge that the plaintiff recover of the defendant the sum of \$27⁶⁸ with legal interest thereon from the 1st day of April 1903 until paid and its costs about its suit in this behalf expended.

On the motion of James S. Payne, to whom a Distillers License was granted at a former day of this term of the Court, It is ordered that the order granting said license be set aside and the said License revoked & annulled.

On motion of William M. Shifflett, the Estate of Okey Shifflett is committed to John H. Surter Sheriff of Rockingham County for administration it appearing

to the Court that more than two months have elapsed since his death without administration upon his estate.

On the application of H. R. Brider others for the Establishment of a Public Road
This day came again the petitioners, and the Viewers heretofore appointed having made and filed their report recommending the Establishment of the said road and the land owners except Benjamin Dove who claims \$15⁰⁰ for rails for making fence, having waived all claim for damages &c. And the Court having examined said report and being of opinion that said road is a public necessity doth establish the same in accordance with the report of Viewers, and doth allow to the said Benjamin Dove said sum of \$15⁰⁰ for fencing, and doth appropriate the sum of \$400⁰⁰ for the Construction of said road all of which is ordered to be Certified to the Board of Supervisors for its approval or disapproval.

Ordered, that this Court be adjourned until Monday morning next at 10 o'clock.

Geo. H. H. H.

Virginia At a County Court held in and for the County of Rockingham at the Court House thereof on Monday October 5, 1903.

Present Hon. George G. Galtan, presiding

On the motion of F. J. Miller M.D. the estate of Hannah Taylor deed is committed to John D. Sontz Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since her death without administration upon her estate.

On the application of H. H. Layman others for the Establishment of a Public Road
G. R. Eastman of R. Filler two of Viewers heretofore appointed to View and report upon the establishment of the road prayed for in this Cause having under direction of the Court examined that part of the road through the land of Samuel Heast, where a change was made from the original survey of said road, having made and filed their report recommending an appropriation of \$80⁰⁰ to pay for a fill made necessary by said change, and the further sum of \$35⁰⁰ to replace a small bridge that spans the brook below Mr. Heast's house, and the Court having examined said report and being of opinion that the work is a necessity and that the said amounts are reasonable doth allow the same. All of which is ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

J. H. Flannery Paid into Court the sum of \$73⁰⁰ being amount of two judgments for fine and costs rendered against him at the May Term last of this Court Fine \$45⁰⁰ atty for summons \$15⁰⁰ Sheriff \$2⁰⁰ clerk \$6⁰⁰ witnesses \$3⁰⁰ justice \$1⁰⁰

On the application Eugene J. J. J. others for the Establishment of a Public Road
This day came again the petitioners, and it appearing to the Court that the order entered in this Cause at a former day of this term, making an additional appropriation of \$125⁰⁰ to complete the road prayed for in this Cause, has been Certified to the Board and that said Board of Supervisors at his meeting held on this day approves the said order and appropriated said sum of \$125⁰⁰. It is ordered that the Commissioner of Roads for Stonewall Dickel proceed to let to contract the opening of said road and make report to this Court.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Grafton

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Tuesday, October 6, 1903.

Present Hon. George G. Grafton, presiding.

On the application of Mrs. H. Layman others for the Establishment of a Public Road. It appearing to the Court that the Board of Supervisors of this County at its meeting held on yesterday approved the order entered in this Cause appropriating the sum of \$450⁰⁰ to build Culvert and small Bridge on said road. It is ordered that the Comm. of Roads for Stinson District proceed at once to have said work completed and make report to this Court.

On the application of L. G. Hausberger others for the establishment of a Public Road. This day Cause again the petitioners by their Attorney, and it appearing to the Court that the Board of Supervisors of this County at its meeting held on yesterday approved the order entered in this Cause at a former term of this Court and appropriated the sum of \$485⁰⁰ to pay land damages and Construction of said road payable out of the County levy for the year 1903. It is ordered that the Treasurer of this County pay unto the following names persons the sum opposite their names for their land damages viz: L. G. Hausberger \$110⁰⁰ Joseph Taylor 50⁰⁰ Mrs. ^{Esther M.} Turner \$200⁰⁰ and that the Comm. of Roads proceed at once to let to Contract the opening and Construction of the said road at a Cost not to exceed the sum of \$125⁰⁰ and make report to this Court as the law provides.

On the Application of John H. Horner, D. R. Zerkle others for the Establishment and Construction of an Iron or Steel Bridge over Smiths Creek in this County. This day Cause again the parties, and it appearing to the Court that the Board of Supervisors of this County at its meeting held on yesterday approved the order entered in this Cause at a former day of this term of the Court and appropriated the sum of \$1400⁰⁰ to pay land damages and Construction of said bridge abutments payable out of the County levy for the year 1903. It is ordered that the Treasurer of this County pay unto N. G. Moore Master for Otis F. Moore the sum of \$100⁰⁰ and that Messrs. Eastham Moore heirs &c. appointed proceed to let to Contract the building of the abutments and said bridge at a Cost not to exceed the sum of \$1290⁰⁰ to the County, and the Comm. of Roads for said District is ordered to have opened the road set out in the Moore's report at a Cost not to exceed \$10⁰⁰.

Ordered That it be Certified to the Auditor of Public accounts that George N. Conrad, Commonwealth's Attorney for this County is entitled to the sum of \$10⁰⁰ for presenting one Felony Case at this term of the Court viz Commonwealth v. Bernard Shufflett for Felonious Assault.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Grafton

Infant daughter of Mary J. Rhinehart, dead, has made choice of Tall Morris as her guardian. The Court doth appoint him as such guardian, whereupon he appeared in Court and together with P. E. Rhinehart and L. E. Rhinehart his son-in-laws, who satisfied the Court of their sufficiency, entered into and acknowledged a bond in the penalty of Two hundred and thirty dollars conditioned according to law, and thereupon he qualified as such guardian by taking the oath required by law.

Central Railway of Virginia

may be Messyman etc.

This day came the parties plaintiff by Counsel, and no good cause being shown against the Confirmation of the report returned to Court on the 27 day of April, 1903 and then filed, and it further appearing that the sum of money ascertained by said report has been paid to H. H. Betram, General Receiver of the County Court of Rockingham, and the defendants who filed objections herein consenting to this order. It is accordingly this 21st day of October 1903, in this Cause ordered and adjudged that the motion heretofore made by the Central Railway of Virginia that the said report be confirmed and approved and ordered to be recorded, be, and the same is hereby allowed and it is accordingly ordered and adjudged that the said report be, and the same is hereby in all respects confirmed and approved and it is ordered to be recorded together with the plat of the lands accompanying the same. And in order to enable the Court to properly dispose of the said money so paid into Court by the said Central Railway of Virginia, it is further ordered that this Cause be referred to G. Herring, Commissioner of the County Court of Rockingham with directions to ascertain what persons are entitled thereto, and in what proportions but he shall first give notice by publication of the time and place of taking such accounts, by publication thereof once a week for four successive weeks in some newspaper published in the town of Harrisonburg, Virginia requiring all persons interested to appear before him that their respective claims may be passed upon.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gattan

Virginia - At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday October 22nd, 1903.

Present Hon. George G. Gattan presiding.

Upon the Application of Wm. H. Blakemore and others for the establishment and construction of a bridge over North River near Spring Creek Rockingham County Virginia.

This day came again the parties and the Court having considered the report of the Viewers S. R. Pellebaugh, J. S. Heller, John G. Moore, L. G. Houshagen and G. H. Harrison, filed on the 21st day of September 1903, and the evidence adduced the Court is of opinion that the report of the Viewers is not full enough to enable the Court to act upon it at this time, and it is therefore adjudged and ordered that the report be recommittees to the same Viewers, who are directed to again go upon the premises, and after further examination and consideration of all matters which may be brought to their attention, they shall make a further report in accordance with law, and they are further directed to examine and report upon the expediency of establishing any new road or bridge on any other road leading to any bridge which they may report it is expedient for the Court to establish or widen and report thereon in accordance with law and shall particularly report all the facts and circumstances in their opinion useful in enabling the Court to determine the expediency of building the proposed bridge and of establishing any new road or bridge they may report it expedient to establish to make the proposed bridge convenient to the public.

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday October 7th 1903

Present Hon George G. Gattan, presiding.

A writing purporting to be the last will and testament of Frank King dead, which was at a former term of this Court proven by one of the subscribing witnesses thereto, and Continued for further proof, was this day again presented in Court and it appearing to the Court that E. H. Bass the other subscribing witness to said will is a non Resident of the State of Virginia and that due diligence has been made to ascertain his whereabouts, and not being found, the said will is admitted to probate and ordered to be recorded, etc. the signature of E. H. Bass is an attesting witness to the said will having been proven by the other attesting witnesses thereto.

Ordered That this Court be adjourned until the first day of the next term.

Geo. Gattan

Virginia. At a County Court held in and for the County of Rockingham at the Court House thereof on Monday October 19th 1903

Present Hon George G. Gattan, presiding.

The clerk of this Court this day presented in Court a List of Deeds, received and admitted to record, in the clerk's office of this Court at and since the last September Term, which list being ^{seen} and inspected by the Court is ordered to be filed.

On the motion of A. J. Bear, the Executor named in the will of Robert S. Gamis, dead, admitted to probate at a former term of this Court, who made oath thereto according to law and appeared in Court and together with E. D. Bear his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three Thousand dollars, conditioned according to law. A Certificate is granted the said A. J. Bear, for obtaining a probate of the said will of Robert S. Gamis, dead, in due form.

A writing purporting to be the last will and testament of Nora Sullivan, dead, was this day presented in Court and being proven by the Oaths of Maguire Sullivan and D. R. Good, two of the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And thereupon E. H. Sullivan, one of the Executors named in said will appeared in Court and renounced his right to qualify as such Executor and Terence E. Sullivan the other Executor named in said will having by a writing duly Certified and filed renounced his right to qualify as such Executor. On the motion of Mrs. Hannah Mahoney the sole devisee named in said will, Charles D. Harrison, who made oath thereto according to law and appeared in Court and together with Daniel D. Harrison his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Fifteen Hundred dollars, conditioned according to law. A Certificate is granted the said Charles D. Harrison, for obtaining letters of Administration in due form upon the estate of the said Nora Sullivan, dead with her said will annexed. And the Court doth appoint E. D. Sullivan Patrick Riley D. Le Rhind Wm. M. Bellman to appraise the estate

of the said Nora Sullivan dead. any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$800⁰⁰.

On the motion of R. Theodore Wright. and it appearing to the Court from evidence introduced that he is a regularly ordained Minister in the Reformed Church in the United States and authorized to celebrate the Rites of Matrimony. he appeared in Court and together with John E. Roller his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Thousand dollars. Conditioned according to law. And therefore he qualified to celebrate said Rites by taking the oath required by law.

A writing purporting to be the last will and testament of John H. Kealhorn, dead, was this day presented in Court and being sworn by the Oaths of S. T. Shank, T. H. Suter and J. J. Hoffman the Subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Mary M. Kealhorn the Executrix named in said will who made oath thereto according to law. And appeared in Court and entered into and acknowledged a bond in the penalty of Three Thousand dollars. Conditioned according to law. A Certificate is granted the said Mary M. Kealhorn for obtaining a probate of the said will of John H. Kealhorn, dead in due form. said will providing that no security be required of the said Executrix. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1500⁰⁰.

On the motion Betsey J. Argenbright, widow of Paul M. Argenbright, dead, who appeared in Court and renounced her right to qualify as Administratrix of the Estate of her deceased husband. William Le Haupler who made oath thereto according to law. And appeared in Court and together with John G. Miller and H. H. Putnam his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Five Thousand dollars. Conditioned according to law. A Certificate is granted the said William Le Haupler for obtaining letters of administration in due form upon the estate of the said Paul M. Argenbright, dead. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2500⁰⁰ and the Court doth appoint Samuel W. Somner, Peter S. Suter and H. D. Ponce to appraise the Estate of the said Paul M. Argenbright, dead, after first being duly sworn.

On motion of Dora Gentry the Estate of Mary Cook, dead, is committed to John D. Smith, Sheriff of Rockingham County, for Administration. It appearing to the Court that more than two months have elapsed since her death without application for Administration upon her estate.

Upon the motion of Mary J. Schwallier, Executrix and Joseph Shank, Executor of Daniel Shoultz, dead the Court doth appoint Joseph H. Galt, Abraham J. Neff, John H. Kline and J. M. Thompson to appraise the unadministered assets of the estate of the said decedent. any three of whom may act after first being duly sworn.

A License is this day granted to Edward Henning on his application to Distill Brandy from Potatoes or Cider or Fruits the quantity exceeding forty gallons and the distillery run for less than six months at his house near McLeayville and the said Manufacturer shall have the privilege of selling the liquors actually manufactured by him in quantities of not less than two gallons at the house where manufactured for the period beginning on the 1st day of November 1903 and expiring on the 30th day of April 1904. The Court being fully satisfied upon hearing the evidence that the applicant is a fit person and that the Specie Tax required by law has been paid to the proper officer and the applicant having executed a bond as required by law with good security payable to the Commonwealth in the penalty of \$2000.

hundred and fifty dollars. Conditions as the law provides.

Charles H. Davis this day paid into Court the sum of \$5⁰⁰ it being the amount of the fine in a judgment rendered by C. B. Lane Justice of the Peace against him on the 10th day of October 1903 for assault & battery and the Justice having granted the Complainant in this case an appeal from his judgment and required the said Chas. H. Davis to enter into recognizance for his appearance here this day, and the Court being of opinion that the Justice erred in granting said appeal and requiring ^{said} recognizance doth dismiss the same, and doth further Order that the defendant be discharged.

A writing purporting to be the last will and testament of John Rhodes dead was this day presented in Court and being sworn by the Oaths of Geo. H. Gosh and F. A. Heaton, two of the Subscribing witnesses thereto, is admitted to probate and ordered to be recorded and it is entered of record that the amount of property to pass under said will was estimated not to exceed the sum of \$1000⁰⁰.

R. H. Bunke and M. N. Bradley partners in trade

under the style and Name of Bunke & Bradley

Plffs.

vs.

John E. Kelley.

Def't.

Upon a bill taken to

This day came the plaintiffs by their Attorneys and the defendant having been duly summoned and not appearing. On the motion of the plaintiffs by their Attorney It is Ordered by the Court that the plaintiffs may have execution against the defendant for One hundred and twenty one dollars for debt as also interest thereon from the 20th day of February 1882 till payment and \$8⁰³ cents (Subject to Credit of \$11⁰⁰ and \$10⁰⁰ of date March 4, 1882, having the debt and Costs in the writ above and specified, and also that the plaintiff recover of the said defendant his Costs by him expended in suing forth and presenting the writ and the said defendant in mercy &c.

Geo. B. Bratton

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. B. Bratton

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday October 20, 1903.

Present Hon. George G. Gathan, presiding

On the motion of Elizabeth Fawcett, the Estate of Emma Allen, dec'd, is committed to John R. Sauter Sheriff of Rockingham County for Administration. It appearing to the Court that more than two months have elapsed since her death without application for Administration upon her estate.

On the Application of Thomas Davis for Distillers License 3 1/2 Miles East of Elkton. Ordered This Cause be docketed & continued until Saturday next the 6th day of this month.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. B. Bratton

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday October 21st 1903. Present Hon. George G. Gathan, presiding.

It appearing to the Court from a writing duly certified and filed that Virgie S. Morris

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Galtan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday October 23, 1903.

Present Hon. George G. Galtan, presiding.

Benjamin Atkins, who was committed to the Jail of this County, to await the action of the Grand Jury for a felony whereof he stands charged was this day left to the Court in custody of the Jailor of this County. And there being no Grand Jury in attendance at this term of the Court, the said Benjamin Atkins moves the Court to admit him to bail, which motion the Court doth sustain, and doth fix his bail at \$300.00 for himself and the same amount for his surety, whereupon the said Benjamin Atkins together with Michael S. Baughman his surety (who testified as to his sufficiency) acknowledges themselves to be indebted to the Commonwealth of Virginia in the sum of Three Hundred dollars each to be levied of their respective goods and chattels lands and tenements for the use of the said Commonwealth of Virginia each waiving the benefit of their Homestead Exemption as to this obligation. Also waiving any claim or right to discharge any liability arising to the Commonwealth under this recognition with Coupons detached from the bonds of this State. Yet upon this condition that the said Benjamin Atkins does make his personal appearance before the Judge of this County on the said 1st day of the November Term next of this Court to await the action of the Grand Jury and not depart thence without leave of the Court.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Galtan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday October 24, 1903.

Present Hon. George G. Galtan, presiding.

On the motion of Emanuel Horner, who made oath thereof according to law, and appeared in Court and together with Isaac Horner his surety (who testified as to his sufficiency) entered into and acknowledges a bond in the penalty of Two Thousand dollars conditioned according to law. A Certificate is granted the said Emanuel Horner for obtaining letters of Administration in due form upon the estate of Benjamin L. Horner dead. And the Court doth appoint N. J. Blum John M. Rhodes and Noah Hueri to appraise the Estate of the said Benj. L. Horner dead after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1000.00.

A License is this day granted to G. Thomas Davis on his application to Distill Brandy from Pomace or Cider or Fruit the quantity exceeding forty gallons and the distilling run for less than three months at his distilling 3 Miles East of Edinboro and the said Manufacturer shall have the privilege of selling the liquors actually manufactured.

by him in quantities of not less than two gallons at the house where manufactured for the period beginning on the 1st day of November 1903 and ending on the 28th day of January 1904 the Court being fully satisfied upon hearing the evidence that the applicant is a fit person and that the specific tax required by law has been paid to the proper officer and the applicant having executed a bond as required by law with good security payable to the Commonwealth in the penalty of Two Hundred and fifty dollars Conditions as the law provides.

Ordered That this Court be adjourned until Monday morning next at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday October 26. 1903.

Present Hon. George G. Gattan, presiding.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday October 27. 1903.

Present Hon. George G. Gattan, presiding.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday October 28. 1903.

Present Hon. George G. Gattan, presiding.

J. Under Justice of the Peace this day paid into Court the sum of \$2.50 it being the amount of a judgment for fine rendered by him Oct. 26. 1903 in the case of Commonwealth vs. Burr Sheffield for Assault.

On the Application of L. B. Yancey & others for the Establishment of a Public Road this day came the Petitioners by their Attorney, and J. L. Duvosok. Road Commissioners for Stenwall District having reported to the Court that the Road prayed for in this cause has been opened in accordance with the report of Tiewie and order of this Court by Samuel M. Hensley the Contractor and that there is due him upon his Contract the sum of One hundred and fifty dollars. It is ordered that the Treasurers of this County pay unto the said Samuel M. Hensley the said sum of One hundred and fifty dollars out of the funds appropriated for the purposes of said Road.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Amount received.

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday October 29th 1903.

Present Hon George G. Gathen, presiding.

On the Application of N. Fuschleberger others for the Establishment of a Public Road.

This day came the parties by their attorney, and the viewis herefor appeared having made and filed their report recommending the establishment of the road set out in said report. It is ordered that Miss Jennie Shea, be summoned to appear here on the 1st day of the November Term next being November 16, 1903 to show cause if any she can why the road prayed for in this Cause shall not be established through her land agreeably to the report of the Viewis aforesaid.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. Gathen

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Friday October 30, 1903.

Present Hon George G. Gathen, presiding.

Chief D. E. Hyant, who was on the 23rd day of October 1903 duly appointed and Commissioned by the Governor of Virginia, a Notary Public for the County of Rockingham for the term of four years from said date, this day appeared in Court and together with Joseph W. Baughen his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five hundred dollars conditioned for the faithful discharge of the duties of his said office, each of the said obligors waiving the benefit of their exemption as to said obligation. Which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and Copy of this order to the Secretary of the Commonwealth and through the said D. E. Hyant qualified as such Notary Public by subscribing to and taking the Oaths required by law.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. Gathen

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday October 31st 1903.

Present Hon George G. Gathen, presiding.

Ordered That this Court be adjourned until Monday morning next at 10 O'clock.

Geo. Gathen

Virginia At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Monday November 2nd 1903

Present Hon. George G. Gathen, presiding.

It is ordered that the order entered at a former day of this term of the Court October 26th 1903 appointing Toll Morris guardian for Dorris S. Morris his infant son and the same is hereby set aside and annulled and the power of the said Toll Morris as guardian aforesaid is hereby revoked.

Ordered That this Court be adjourned until the first day of the next term.

Geo. G. Gathen

Virginia At a County Court held in and for the County of Rockingham, at the Court House thereof on Monday November 16th 1903.

Present Hon. George G. Gathen, presiding.

The clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court at and since the last October term which list being seen and inspected by the Court is ordered to be filed.

On the motion of the heirs of H. Henry Bowman, deed. Jesse L. Powers who made oath thereof according to law. Appeared in Court and together Laura R. Powers his sister (who justified as to her sufficiency) entered into and acknowledged a bond in the penalty of Five hundred dollars conditioned according to law. A Certificate is granted the said Jesse L. Powers for obtaining letters of Administration in due form upon the estate of the said H. Henry Bowman deed. And the Court doth appoint H. F. Fultz, H. A. Slater, H. J. Potts, to appraise the estate of the said H. Henry Bowman, deed after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2500.

On the motion of D. J. Dingledine, who made oath thereof according to law. And appeared in Court and together with Jacob H. Budes his sister (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars conditioned according to law. A Certificate is granted the said D. J. Dingledine, for obtaining letters of Administration in due form upon the estate of Emily C. Dingledine, deed. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1500.

A writing purporting to be the last will and testament of Lafayette Lee deed was this day presented in Court and J. R. Jones and B. G. Patterson the subscribing witnesses to said will having departed this life. John A. Dwyer and Chas. C. Herwig were sworn and severally deposed that they are well acquainted with the handwriting of the said J. R. Jones and B. G. Patterson and verily believe that their signatures as attesting witnesses to said will are in their respective handwriting whereupon the same is admitted to probate and ordered to be recorded. And On the motion of Harry L. Lee the Executor named in said will who made oath thereof according to

law and appeared in Court and entered into and acknowledged a bond in the penalty of Fifty thousand dollars Conditioned according to law. A Certificate is granted the said Harry L Lee for obtaining a probate of the said will of Lafayette Lee, died, in due form, said will providing that no security be required of the said Executor. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$8000 and the Court doth appoint D. N. Frenchman, J. N. Caldwell, O. N. Blue, Samuel S. Kyger, & P. B. Ford to appraise the estate of the said Lafayette Lee, died, any three of whom may act after first being duly sworn.

Resolving purporting to be the last will and testament of R. D. Lamm, died, was this day presented in Court and being given by the Oaths of D. N. Frenchman, J. N. Caldwell and S. S. Kyger, the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of J. S. Lamm, J. C. Armstrong and Robert A. Brown, the Executors named in said will who made oath thereto according to law, and appeared in Court and together with the American Bonding Company of Baltimore by Ed. C. Martz, its Vice President attested by E. C. Dechert its atty. in law, under a Power of Attorney duly Certified and recorded, their Surety entered into and acknowledged a bond in the penalty of Fourteen thousand dollars Conditioned according to law. A Certificate is granted the said J. S. Lamm, J. C. Armstrong and Robert A. Brown for obtaining a probate of the said will of R. D. Lamm, died, in due form. And the Court doth appoint D. N. Frenchman, J. N. Caldwell, O. N. Blue, Samuel S. Kyger, & P. B. Ford to appraise the estate of the said R. D. Lamm, died, any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$21,000.

Resolving purporting to be the last will and testament of Virginia B. Fahrney, died, was this day presented in Court and being given by the Oaths of S. F. Dingledine and S. S. Hauler, the subscribing witnesses thereto is admitted to probate and ordered to be recorded. And on the motion of Hatty B. Fahrney, the Executor named in said will who made oath thereto according to law and appeared in Court and entered into and acknowledged a bond in the penalty of Six hundred dollars. Conditioned according to law. A Certificate is granted the said Hatty B. Fahrney for obtaining a probate of the said will of Virginia B. Fahrney, died, in due form, said will providing that no security be required of the said Executor, and it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$1800.

It appearing to the Court that for the dispatch of business, it is necessary to Summon a Special Grand Jury to this first day of the present term of Court, therefore a Special Grand Jury is ordered to be impaneled forthwith, whereupon the following persons qualified in all respects to serve as Grand Jurors Summoned by the Sheriff, under a writ of venire facias issued by the Clerk under the order of the Court from a list furnished by the Judge of the Court viz: Martin B. Linnweaver, Peter Roller, L. H. Allebaugh, Frank R. Rhodes, R. R. Rhodes, Newton G. Morris, D. B. Shwaller, John H. Harrison appeared and with D. B. Shwaller as foreman were examined, selected impaneled and sworn in accordance with law a Grand Jury in and for the body of the County of Rockingham and having received their charge from the Court, retired to their room to consider of their presentments and after sometime returned into Court and made the following presentments viz: An Indictment against Benjamin Redkins for Felony a true bill. D. B. Shwaller, Foreman. An Indictment against Eusebius Curry for Felony a true bill. D. B. Shwaller, Foreman. An Indictment against Walter N. DeFenty for Felony Not a true bill. D. B. Shwaller, Foreman. And having completed the business before them were discharged from further attendance upon this term of the Court.

Ordered that the following named persons be allowed the sum of forty cents for their attendance, mileage and services as Grand Jurors at this term of the Court and that the same be Certified to the Treasurer of this County for payment viz: Martin B. Linnweaver \$15-

On the petition of John E. Dowd the beneficiary in a certain Deed of Trust executed by M. E. Pennybaker, recorded in Deed Book No. 49 Page 16, in which H. B. Knapp is trustee, and the said H. B. Knapp having departed this life, and the said M. E. Pennybaker by a writing consenting thereto, the Court doth appoint J. N. Swanwick Trustee in the said Deed of Trust in the place and stead of the said H. B. Knapp, deceased.

Upon the Petition of Tiffin Knutz & others qualified voters of Stonewall Magisterial District in Rockingham County to alter the voting Districts in said Stonewall Magisterial District so as to do away with the voting District now known as Furnace No 2. Election District and to put the whole of said Election District into and to be made a part of the Election District now known as the Elkton Election District with one voting place for said election district at the town of Elkton. The Court doth decide that upon Monday December 21st 1903 it will proceed to consider said petition and enter such order as in its discretion it may deem best in accordance with Section 113 of the Code of Virginia. And the Court doth order that a copy of this order be posted for thirty days at the front door of the Court House of said County and at Elkton & Furnace No 2 Precincts.

On the application of Drueh Thickett & others for the establishment of a Public Road. This day came the petitioners and the land-owners along the route of said proposed road having by a writing agreed to accept the sum of money as hereinafter set forth in full of their land damages and fencing and the Court having maturely considered the report of the Viewers filed in this Cause on the 18th day of May 1903 doth establish said road in accordance with said report as follows: Beginning at the Ottobine and Rutgerwater road at the foot of 'Clemens Hill' thence through L. P. Clemens land along the edge of the woods N 36 1/4 E 28 poles, N 44 1/2 E 8 poles, N 32 1/2 E 28 poles to Clemens and John Shanks line thence through said Shanks land N 42 3/4 E 73 poles to a point 15 ft from Linnans Cor. S 71 E 24 1/4 poles 78 1/2 E 3 1/2 poles to middle fence post between gate & garden. Thence following the after lane, N 35 E 22 poles to J. Linnans Corner, thence N 2 1/2 W 13 poles, N 40 W 20 poles, N 13 W 6 3/4 poles, N 33 1/2 W 5 1/4 poles to within 15 ft of a dead apple tree, thence through Mrs. Kellers field N 14 3/4 E 12 poles N-E Corner of garden thence through her lane between the house and barn N 23 E 24 poles crossing Honey Run to the Public Road. And the Court doth allow to the following named persons the sum opposite their names for their land damages viz: to J. H. Shanks \$50.00 to L. P. Clemens \$65.00 to J. Linnans \$15.00 and to Sallie M. Keller \$60.00 and doth also appropriate the sum of \$100.00 ^{for the continuation of said road} all of which is ordered to be certified to the Board of Supervisors of this County for its approval or disapproval.

R. H. Kite returned to the Court a Plat Certificate of Survey made by Jasper Scaure Surveyor of Rockingham County of a certain tract of land containing 8 A. 3 R. 16 P. situated about 1 1/2 Miles east of Elkton adjoining the lands of L. P. Miller & R. Baughen & others and was returned delinquent in the name of Henry M. Bogabright relate for the non payment of the taxes thereon for the year 1899 and sold for said taxes by the Treasurer of Rockingham County on the 17th day of December 1900 and purchased by the said R. H. Kite at whose instance the said plat and survey was made and the Court having examined said Report and Survey and finding it to have been made in conformity with the law and seeing no objection to the said report it is ordered that the same be recorded in the Clerk's Office of this Court as required by law.

R. H. Kite returned to the Court a Plat Certificate of Survey made by Jasper Scaure Surveyor of Rockingham County of a certain tract of land containing 2 Acres of land situated about 1 1/2 Miles East of Elkton adj. Elkton Improvement Co. John Butterre, and was returned delinquent in the name of Lewis Banks for the non payment of taxes thereon for the year 1899 and sold for said taxes by the Treasurer of Rockingham County on the 17th day of December 1900 and purchased by the said R. H. Kite at whose instance the said Plat and Survey was made, and the Court having examined said Report and Survey and finding it to have been made in conformity with the law and seeing no objection to the said report it is ordered that the same be recorded in the Clerk's Office of this Court as required by law.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. S. Shattuck

Virginia At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, November 17, 1903.

Present Hon. George G. Gathen, presiding.

John I. Surtzen Plaintiff
vs.
M. C. Rye Defendant } Upon a Notice

This day came the parties in person and by Counsel, and thereupon the defendant filed her plea of Non assumpsit and set off, to which the plaintiff replied generally. Thereupon by Consent of parties came the following jury of seven to wit: C. H. Johnson, H. D. Nicholas, Jacob I. Neff, Jesse Jones, B. J. Runkel, L. L. Scott and D. H. Lewis, who being selected and tried were sworn well and truly to try the same joined and a true verdict render according to the evidence, and having heard the evidence and the argument of Counsel retired to their room to consider their verdict and after sometime returned into and upon their oath do say we the jury upon the issue joined find for the plaintiff and assess his damages at \$50.00 with interest thereon from the 25th day of November 1902. W. S. Nicholas Foreman. Whereupon the jury was discharged and it is considered by the Court that the plaintiff John I. Surtzen recover of the defendant M. C. Rye the sum of Fifty dollars with legal interest thereon from the 25th day of November 1902 until paid and his cost about his suit in this behalf expended.

Upon the Application of John I. Marden others for the Establishment of a Public Road.

This day came the Parties, the petitioners J. C. Frankhouser in person and by Counsel and the said J. C. Frankhouser the land-owner over whose land the proposed road runs having objected to the opening of the road upon the route as reported by the viewers in their report filed Oct. 19, 1903, filed a written proposition consenting to the establishment of the new road upon the North Fork of Elk Run upon terms stated in said written proposition and this being the route which was originally petitioned for and the Court being of opinion that a good road can be made upon said route at a much less cost to the County doth accept said written proposition and doth establish the proposed road as follows: Beginning at a point immediately north of the bridge over Elk Run on the Indian Road leading from Elkton and about one half mile South of Roadside, thence up on the North side of Elk Run and up said Run about 100 yards to the Public Road leading from Price Manges to the said Elk Run and the Court doth appropriate the sum of \$162.00 for the construction of said road, of which amount \$132.00 is the amount agreed to be accepted by J. C. Frankhouser in full compensation to him for land-fencing & all damages to the residue of his land and is allowed by the Court & \$25.00 is the amount allowed by the Court for the construction of said road, and for which amount the said J. C. Frankhouser binds himself to construct said road. The said sum of \$162.00 to be paid to said J. C. Frankhouser whenever he shall have opened and constructed said road in accordance with his written proposition as above set forth and this order is referred to the Board of Supervisors for approval or disapproval.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. S. Shattuck

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Wednesday November 18. 1903

Present Hon. George G. Galtan, presiding

On the Application of J. N. Kennedy, Petitioner for the Establishment of a Public Road. This day again came the petitioner by Counsel and the defendant Samuel Beam by his Counsel and filed exceptions to the report of the Viewers heretofore appointed by the Court. On Consideration whereof On motion of the petitioner by Counsel it is ordered that the said Viewers do again go upon and view the premises and also consider the said exceptions and make report according to law whether the route recommended by them should be adopted or whether there is any better or more feasible route if there appears a road should be opened, to which motion the said Samuel Beam objected and to the entering of the above order.

On the Application of H. H. Kite, Petitioner for the Establishment and Construction of a Bridge over Elk Run. This day G. R. Eastham, the Commissioner appointed to have an abutment constructed on the East side of said Run, which was ordered by this Court on the 20 day of October 1902 Reported that the work had been completed at a cost of \$189.⁵² and that there is due to Conrad Shiflett the Contractor \$130.⁰⁹ to J. D. Heard per order of said Shiflett for Cement & Supplies \$44.⁴³ and to Geo. R. Eastham for his services in Contracting and Superintending said work \$15.⁰⁰. It is ordered that the Treasurer pay unto the said Conrad Shiflett the said sum of \$130.⁰⁹ to J. D. Heard the sum of \$44.⁴³ and to G. R. Eastham the sum of \$15.⁰⁰ out of the funds appropriated for the purposes of said abutment.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Galtan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Thursday November 19. 1903.

Present Hon. George G. Galtan, presiding

Commonwealth

Benjamin Adkins } Upon an Indictment for Felony.

This day came again the Attorney for the Commonwealth and the prisoner Benjamin Adkins was led to the bar of the Court in Custody of the Jailor of this Court. And on motion of the Attorney for the Commonwealth, and it appearing to the Court that a material witness for the Commonwealth is unable to present to day the trial of this Cause is continued until Monday morning next, and the Viewers summoned for the trial of this Cause are also adjourned until said date. And on the motion of the said Benjamin Adkins the Court doth admit to bail in the sum of \$500.⁰⁰ for himself and the same amount for his surety for his appearance at said date, whereupon the said Benjamin Adkins, together with Matilda Shiflett, his surety who justified as to her sufficiency acknowledged themselves to be indebted to the Commonwealth for the sum of \$500.⁰⁰ each to be levied of their respective goods and chattels, lands and tenements for the use of the said Commonwealth of Virginia, each waiving the benefit of their Exemptions as to this obligation, also waiving any claim or right to discharge any liability arising to the Commonwealth under this recognizance with Confess detached from the bonds of this State. Yet upon this Condition that the said Benjamin Adkins does make his personal appearance.

before the judge of this Court on Monday next the 7th day of this present term being November 22 1903 to answer the said Indictment against him and not depart thence without leave of the Court And thereupon Charles Davis Sampson Davis Samuel Davis Mattie Shifflett & E. Hyatt and C. R. Lane witnesses in behalf of the Commonwealth and M. D. Baughen Chas. E. Shifflett & Albert Lawson Matilda Shifflett interposed in the behalf of the prisoner were each likewise recognized in the sum of \$50⁰⁰ each for their appearance at said date as witnesses as aforesaid not to depart thence without leave of the Court And on the motion of the prisoner by Counsel the Court doth award Rules against Thomas Hensley David Lawson Geo Lawson Geo Sam. J. E. Baughen Geo L. Bricker Asa Baughen Henry Wilhelm Jared S. Shifflett Maurin Shifflett Reuben Hensley Geo Shifflett Samuel Hall Albert Shifflett David Dock Maudea Elvira Monger witnesses in behalf of the prisoner returnable to said date to show Cause of any they can why they should not be fined for their Contempt in not appearing here this day as witnesses as aforesaid when duly summoned

On the Application of David Sander others for the Establishment of a Public Road This day came the Petitioners, And the land owners agreeing to accept the land damages allowed them by the viewers except David Sander who has been duly summoned and John T. Hawley the Road Commissioner for Plains District having filed a writing recommending the said road and the Court having maturely considered the said report and having heard the evidence adduced is of opinion that the same is a public necessity doth establish the same in accordance with the report of Viewers, And doth allow to the following named persons the sum appropiate their names for their fencing and land-damages Viz: David Sander \$50⁰⁰ B. Meyer \$10⁰⁰ Wm. Stultz \$15⁰⁰ B. B. B. B. Sander \$60⁰⁰ J. F. Sander \$20⁰⁰ and doth appropriate the sum of \$356⁰⁰ for the Construction of said road all of which is ordered to be Certified to the Board of Supervisors of this County for its approval and disapproval

On the Application of the American Hardware Manufacturing Co. for the Establishment of a Public Road This day came H. B. Haunsberger, and by a writing agreeing to accept the sum of \$30⁰⁰ appropriated for the Construction of a culvert on the road petitioned for in this Cause thereby releasing the County from erecting the Cattle Culverts provided for in the order opening the road petitioned for in this Cause And also agreeing to accept the sum of \$50⁰⁰ for such of his land as may taken for the purpose of a Public Road along the line between him and Hugh Kennell & H. H. Scott It is ordered that the said Haunsberger be allowed said amounts, and that this order be Certified to the Board of Supervisors of this County for its approval or disapproval, and it further appearing to the Court that the road prayed for in this Cause from South River Bridge to Henry B. Haunsberger's Place as been completed by R. H. Scott the Contractor as shown by the report of J. L. Durock Road Commissioner for Stinson District at the price of \$261⁰⁰ It is ordered that the said R. H. Scott be allowed the said sum of \$261⁰⁰ and that the Clerk issue a warrant upon the Treasurer of this County for the payment of the same out of the funds appropriated for the purpose of said road And the Court doth appoint J. R. Fuller H. R. Vauck & C. Grey John S. Huffman Viewers (any three of whom act) to view a proposed route for a Public Road from the New Public Road recently opened through the lands of H. B. Haunsberger Hugh Kennell & H. H. Scott to Port Republic and make report thereon as the law requires

On the motion of P. H. Magruder leave is given him to file his petition asking to resign as one of the Trustees in the Deed of trust executed by J. R. Pennington to O. B. Roller himself Trustees to receive G. K. Spitzer a certain sum of money set out in said deed of trust, said deed of record in the Clerk's Office of this County in Deed Book No. 67, Page 418. and the Court doth order that the resignation of the said P. H. Magruder as such Co-trustee be accepted, and he be discharged from any connection herewith

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock

Geo. S. H. H. H.

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday November 20. 1903.

Present. Hon. George G. Gattau, presiding.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. Gattau

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday November 21st 1903.

Present Hon. George G. Gattau, presiding.

Commonwealth.

③ } ^{upon an} Indictment for Felony
Emanuel Curry

This day came again the Attorney for the Commonwealth and the prisoner Emanuel Curry was again led to the bar of the Court in Custody of the Jailor of this Court, and being thereof arraigned pleaded guilty to the said Indictment, and waived trial by jury and submitted all matters of law and fact for trial to the Court, the Attorney for the Commonwealth being present and consenting thereto, and the Court having heard the evidence and argument of Counsel doth adjudge the said Emanuel Curry guilty in manner and form as charged in the Indictment. And it appearing to the Court that the said prisoner Emanuel Curry is under the age of fifteen years of age and a fit subject for Commitment to the Custody of the Negro Reformatory Association of Virginia in Hanover County Virginia and the Superintendent of said Association having consented to this Commitment. It is ordered that the said Emanuel Curry be forthwith conveyed and delivered into the Custody of the Superintendent of the Negro Reformatory Association of Virginia in Hanover County Va. where he be kept and treated in the manner prescribed by law for the term of three years, and thereupon the prisoner was remanded to Jail.

On the Application of B. F. Comer & others for the establishment of a Public Road go. N. B. Kratzer Comr. of Road for Lincoln District and B. F. Rodaffer Comr. of Road for Beaufort District this day reported to the Court that the road prayer in this Cause has been completed by Thomas L. Deavers and Peter Blaser the Contractors in accordance with the orders of this Court, and that there is due Thomas L. Deavers the sum of \$100.00 under his Contract. It is ordered that the Treasurer of this County pay unto the said Thomas L. Deavers the said sum of \$100.00 out of the funds appropriated for the purposes of said road, Mr. Blaser having agreed to construct said road from his gate to the Edmon road without Cost to the County.

On the Application of Allen Ritchie for the Establishment of a Public Road this day came the petitioner by his Counsel, and thereupon came J. J. H. Fitzgerald the only land-owner affected by the opening and establishment of the said road and moved the Court for the appointment of Commissioners to ascertain his damages for the lands to be taken for the purposes of said road, the Court doth appoint John M. Rhodes George H. Naff B. F. Helbert R. J. Trumbo Noah F. Linn Comrs. any three of whom may act to go upon the lands of the said J. J. H. Fitzgerald on Friday Dec 11. 1903. and ascertain what will be a just Compensation to the said J. J. H. Fitzgerald for his land to be taken for the purposes of said

road, ^{damages} to the residue of the road beyond the portion bought to be derived from the construction of said road not make report to this Court at its next term, as the law provides.

Ordered That this Court be adjourned until Monday morning at 10 O'clock

Geo. E. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday November 23, 1903.

Present Hon. George E. Gattan, presiding.

Commonwealth.

Benjamin Adkins. } Upon an Indictment for felony.

This day came again the Attorney for the Commonwealth, and the defendant in obedience to his recognizance entered into at a former day of this term of the Court. And on the motion of the defendant for reasons appearing to the Court the trial of this cause is continued until tomorrow morning at 10 O'clock. And therefore Charles Davis Sampson Davis Samuel Davis Mattie Shiflett Nora B. Powell John H. Davis D. W. A. Gordon R. E. Hyatt David Baughen H. E. Deal. L. B. Lane Wm. C. Shiflett Henry Williams G. L. Lumsden Conrad Long. Sam. Baughen J. M. Baughen August G. Baughen David M. Baughen witnesses in behalf of the Commonwealth and M. L. Baughen Thomas Stanley David Lawson George Lawson George Lane Wm. C. Baughen W. J. Shiflett Marvin Shiflett Chas. E. Shiflett J. Albert Lumsden David O. Maiden Matilda Shiflett Elvira Morgan witnesses in behalf of the Defendant appeared in Court and were each recognized in the sum of \$50.00 each for their appearance here on tomorrow morning at 10 O'clock as witnesses as aforesaid and not to depart therefrom without leave of the Court. And the Jurors summoned for the trial of this cause were adjourned until tomorrow morning at 10 O'clock. And the Court doth award attachments against Lem. Shiflett Henry Stanley returnable to said date as witnesses in behalf of the Defendant.

On the motion of Nettie Pearl Sprinkle, the Court doth appoint her guardian for John R. Sprinkle Infant under the age of 14 years, whereupon she appeared in Court and together with L. J. Lumsden her surety who satisfied the Court of his sufficiency entered into and acknowledged a bond in the penalty of One hundred dollars. Conditioned according to law. And thereupon she qualified as such guardian by taking the oath required by law.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. E. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday November 27th 1903

Present Hon. George E. Gattan presiding.

On the motion of Mrs. John D. Doms the Estate of Elizabeth D. Doms dec'd is committed to John H. Sutter, Sheriff of Rockingham County for Administration. It appearing to the Court that more than ten months have elapsed since her death without administration upon her estate.

Upon the Application of Martin A. Lagman orther for the Establishment of a Public Road.

This day came the parties and the Court having examined the route of the proposed road as shown by the plat and survey made by Jasper House, County Surveyor and filed with the petition. Finding

heard the evidence adduced, is of opinion that the proposed road is a public necessity, unto the Consent of all the land owners along the line of the proposed road, doth establish the same as a public road, as follows: Commencing at the road leading from Pleasant Valley to Hamsburg, in the present private road and running thence with the present road N 81 W. 9 poles. S 76 1/2 W. 8 poles. thence N 3 1/2 W. poles. thence N 53 1/2 W. 26 poles. to the middle of the Railroad track, thence S. 66 W. 18 poles. thence W. 2 poles. thence N 48 W. 50 poles. to the Valley Turnpike as shown by the plat and survey shown by the petition the said private road along said route to be ordered where necessary on the land of M. A. Layman to the Rail Road, and from the Rail Road to the Turnpike to be ordered where necessary on the land of Mary J. Thompson the land-owner along said proposed road, Elias R. Good, M. A. Layman, L. J. Perry, Samuel Hattman, Mary J. Thompson her husband A. J. Thompson having by a writing signed by them agreed to the opening of the said private road as a public road, and the said Martin A. Layman appearing in court and agreeing that the said private road may be ordered on his land to the Railroad without Cut, and the said Mary J. Thompson and A. J. Thompson agreeing that it may be ordered west of the Railroad to the turnpike on their land for the sum of \$250 in full of damages and compensation for land taken and the moving of the fence, and the Court doth allow the said sum of \$250 to be paid to Mrs. Mary J. Thompson as soon as the fence is moved and the road is ordered to be as required, and this order is ordered to be Certified to the Board of Supervisors for approval or disapproval.

On the application of David Dressel & others for the Establishment of a Public Road
This day B. J. Rediffin Commissioner of Roads for Central District, reported to the Court that the road prayed for in this cause, has been opened and constructed by Messrs. H. J. & G. Senger in accordance with their Contract at the price of \$37. It is ordered that the Treasurer of this County pay unto the said H. J. & G. Senger the said sum of \$37 out of the funds appropriated for the purposes of said road.

Commonwealth

Benjamin Adkins } Upon an Indictment for a Felony.

This day came again the Attorney for the Commonwealth and the defendant Benjamin Adkins in obedience to his recognizance and by Counsel and having thereof arraigned pleaded not guilty to the said Indictment, and from persons summoned by the Sheriff under a writ of Habeas Corpus, from a list furnished him by the Court of persons residing remote from the place where the offense is charged to have been committed, and duly qualified in all other respects to serve as jurors there was selected as panel of sixteen persons, who were examined by the Court and found to be free from exceptions and thereupon from this panel the prisoner struck four and the remaining twelve were selected to constitute the jury to wit: B. H. Johnson Jacob H. Neff Jesse Jones R. M. Harrison, S. H. Kelise, O. B. Weaver, Daniel Gasker, Chas. R. Layman Ed. Whitmore J. P. Brown H. H. Nealson & J. H. Faulkner, who having thus elected and tried were sworn well and truly to try and true deliviance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence, and not having time fully to hear the evidence were adjourned until tomorrow morning at 10 o'clock and were placed in charge of John R. Buntger Sheriff of Rockingham County N. H. Buntger E. J. Carverhoff and Samuel S. Harmon his deputies, to whom was administered an oath that "you shall keep this jury together and have no communication with them yourselves nor permit any other person to converse or have any communication with them touching this trial during the trial of this cause and have them appear in court at such hour as the Court may from time to time indicate So help you God."

On the motion of R. H. Minger Executor of H. S. Minger dec'd the Court doth appoint Robert H. Brown, J. H. Keiter, John Buntger, J. M. Kagey & Prout Miller to appraise the estate of the said H. S. Minger dec'd any three of whom may act after first being duly sworn.

John Pitkey & Jacob Pitkey partners trading as Pitkey Bros. Plffs.

@

John H. Mace and Julia H. Mace (his wife)

Defts.

} Upon a Notice.

This day came the plaintiffs by their Attorney and the defendants being solemnly called came and appearing to the Court that said defendants have had due notice of this motion, and the Court having examined the papers in the Cause and heard the evidence adduced doth Consider that the plaintiffs Pitkey Bros. recover of the defendants John H. Mace and Julia H. Mace the sum of \$45.00 with legal interest thereon from the 15 day of January 1902 until paid - subject to a Credit of Six 100 Dollars as of November 1/01 and their Cost about their Court in this behalf expended; Upon an instrument in writing waiving the Homestead Exemption.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. Shattuck

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday November 25. 1903

Present Hon George G. Gallan presiding

Commonwealth

@ Benjamin Adkins } Upon an Indictment for a felony

This day came again the Attorney for the Commonwealth and the defendant in obedience to his recognizance and thereupon came the jury impaneled and sworn on yesterday for his trial pursuant to their adjournment and not having time fully to hear the evidence were adjourned until tomorrow morning at 10 O'clock and were again placed in Charge of John H. Surter, Sheriff of Rockingham County and W. L. Surter, Ed. Cantrichoff & D. D. Lammam his deputies

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. Shattuck

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday November 26th 1903

Present Hon George G. Gallan presiding

Commonwealth

@ Benjamin Adkins } Upon an Indictment for a Felony

This day came again the Attorney for the Commonwealth and the defendant in obedience to his recognizance, and thereupon came the jury impaneled and sworn on Tuesday last for his trial pursuant to their adjournment, and having fully heard the evidence and argument of Counsel retired to their room to Consider of their verdict and after sometime returned into Court and upon their Oaths do say that the jury find the prisoner Benjamin Adkins guilty of maliciously shooting Charles Davis in manner and form as charged in the Indictment, and ascertain his punishment at Confinement in the penitentiary for three years & 30 Days Foreman. And thereupon the jury was discharged, and the defendant committed to the Jail of this County.

Ordered That the following named persons be allowed the sum opposite their names for their

attendance mileage and services as Petal Jurors at this term of the Court and that the same be certified to the Treasurer of this County for payment Viz: ^{1st} Ed Johnson / 1⁰⁰ Jacob J. Neff / 3²⁰ Jesse Jones / 3¹² R. M. Hanson / 1⁰⁰ A. H. Helmi / 3⁰⁰ O. B. Heaven / 2⁵⁰ Daniel Garber / 2³² Chas. R. Layman / 1⁸⁸ & P. Myers / 2⁰⁰ T. H. Fauler / 2⁰⁰ H. S. Nicholas / 2⁰⁰ B. J. Ruck / 2⁰⁰ G. L. Smith / 1²²

Ordered That the Commonwealth of Virginia pay unto the following named persons the sum of their names for their attendance mileage and services as Jurors for the Commonwealth at this term of the Court upon the trial of a felony case and that the same be paid by the Treasurer of this County and certified to the Auditor of Public accounts Viz:

Name of Jurors	Days	Miles	Total	Name of Jurors	Days	Miles	Total
✓ Ed Johnson	5	75	8 00	✓ E. P. Myers	✓ 3	75	6 00
✓ Jacob J. Neff	5	40	6 80	✓ Perry A. Heavens	✓ 3	24	3 96
✓ Jesse Jones	5	42	6 68	✓ G. A. Whitmore	✓ 5	54	7 16
✓ R. M. Hanson	5	30	6 20	✓ J. P. Brown	✓ 5	24	5 96
✓ A. H. Helmi	5	67	7 64	✓ F. A. Heavens	✓ 3	24	3 96
✓ O. B. Heaven	5	21	5 84	✓ H. H. Nealan	✓ 5		5 00
✓ Daniel Garber	5	12	5 48	✓ T. H. Fauler	✓ 5	75	8 00
✓ Chas. R. Layman	5	66	7 64	✓ A. N. Bear	✓ 3		3 00

In the matter of the application of Andrew Fuchlenberger for the Construction of a Public Road. This day again came the petitioner Andrew Fuchlenberger by Counsel and also Jennie Shea, the land owner through whose land the said proposed road passes, against whom a rule was awarded at the last term of the Court returnable to this term of the Court to show Cause why the report of the Viewers D. B. Shumaker to J. Ballender and J. G. Myers, should not be approved and the road established in accordance with said report.

And thereupon the Court after hearing the evidence and considering said report, by and with the Consent of the said Andrew Fuchlenberger and Jennie Shea through their Counsel, doth adjudge and order that said road be established as a public road upon the route hereinafter set forth and said report of Viewers be ratified and confirmed except as hereinafter modified that is to say

- 1) That the said Jennie Shea, be allowed the sum of \$225⁰⁰ for all damages sustained by her by reason of the Construction of said road, and that the Construction of said road shall constitute an extinguishment of the right of way of said Andrew Fuchlenberger through the land of said Jennie Shea now owned and held by him.
- 2) That said road be established, beginning at a point east of the bar yard, some 10 poles beyond the wagon shed owned by Andrew Fuchlenberger, the terminus of the road as set forth in the plat and report of the said Viewers, and thence running S. 33³/₄ N. 36 poles through the orchard to a stake ^{thence} up the hill on a grade not exceeding 1¹/₂ degrees S. 63¹/₂ N. 9¹/₂ poles to a stake, N. 83¹/₂ N. 4 poles to a stake, N. 73¹/₄ N. 3 poles to a stake, S. 40¹/₂ N. 3 Poles crossing a hollow where a culvert will be necessary to a stake S. 19³/₄ N. 4 poles crossing another hollow where a culvert is necessary to a stake, thence S. 19³/₄ E. 4 poles to a stake, S. 29¹/₂ E. 4 poles, thence S. 25¹/₂ E. 2¹/₂ Poles; thence S. 12¹/₂ N. 4 poles, thence S. 38¹/₂ N. 6 poles to top of hill, S. 65¹/₂ N. 7 poles to a stake thence S. 46¹/₂ N. 9³/₄ poles to Shea's or Fuchlenberger's line, and thence Curve continued on her land 12 poles to a stake in the old right of way at the gate by the pond, and thence S. 40³/₄ N. 32 poles to a stake, thence S. 41¹/₂ N. 22 poles with the Liskey line to the old Edum road at or just below the old right of way; and that the sum of \$75⁰⁰ \$10⁰⁰ being added for the additional 10 poles in the length of the road made by this order, be and lawfully appropriated and allowed for the Construction of said road by Andrew Fuchlenberger in accordance with his Contract in writing filed in the papers, said road to be thirty feet wide and no grade to exceed four and a half degrees. It is further ordered, in accordance with a deed filed

by said Ruden Fenchelberger with the records of this Cause, marked "R.F." and duly acknowledged and directed to be admitted to record in the Clerk's Office of this Court, that whenever there shall be an extension of this road by any Court having jurisdiction of the matter north of the present terminus at said Fenchelberger's barn, that the damages sustained by him or his grantees, shall be \$50.00 per acre for the land taken and one dollar per rod for the fencing on one side of the road for the distance said road passes through his said Fenchelberger's land, from the present terminus to the adjoining land-owner. All of which is directed to be Certified to the Board of Supervisors for further action.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Galtman

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday November 27, 1903.

Present Hon. George G. Galtman presiding.

On motion of J. J. Miller the estate of Julia Sandleton, dec'd. is committed to John L. Switzer Sheriff of Rockingham County for administration, it appearing to the Court that more than two months have elapsed since her death without application for administration upon her estate.

On the motion of Mrs. Emma J. Bartle widow of Wm. H. Bartle, dec'd. who made oath thereunto according to law and appeared in Court and together with Priscilla Robinson, her surety (who justified as to her sufficiency) entered into and acknowledges a bond in the penalty of Five Hundred dollars conditioned according to law. A Certificate is granted the said Emma J. Bartle for obtaining letters of administration in due form upon the Estate of the said Wm. H. Bartle dec'd. and the Court doth appoint Luther Justice, Thos. Williams, John M. Stone & Henry Eldridge to appraise the estate of the said Wm. H. Bartle dec'd. any three of whom may act after first being duly sworn. And it is ordered of record that the account of profits to come into the hands of the said Wm. H. Bartle dec'd. was estimated not to exceed the sum of \$300.⁰⁰

Sandleton Paym Paid into Court the sum of \$15.⁰⁰ at being the amount of a judgment rendered by him ^{November 25, 1903} in Case of Commonwealth v. Moffatt Allen for Petit Larceny \$10.⁰⁰ & Costs \$5.⁰⁰.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Galtman

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday November 28, 1903.

Present Hon. George G. Galtman presiding.

Commonwealth.

Benjamin Adkins } upon an Indictment for a Felony

This day came again the Attorney for the Commonwealth and the prisoner Benjamin Adkins, who was at a former day of this Court, brought by the Jury impaneled and sworn for his trial. Charged of a felony was this day again led to the bar of the Court in custody of the Jailor of this Court.

and thereupon the said Benjamin Adkins moved the Court to set aside the verdict of the jury and grant him a new trial on the grounds that it was contrary to the law and the evidence was in arrest of judgment which motion on consideration the Court overruled, and it being urged of the prisoner if anything further he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law, and nothing further being offered or alleged in delay of judgment. It is considered by the Court that the prisoner Benjamin Adkins be imprisoned in the Public Jail and Penitentiary house of this Commonwealth for the term of three years (that being the period by the jurors in their verdict ascertained) to hard labor, and the proper officer is ordered to remove and convey the said Benjamin Adkins from the Jail of this County to the Public Jail and Penitentiary house of this Commonwealth therein to be kept imprisoned and treated in the manner prescribed by law for the term aforesaid. And thereupon the prisoner was remanded to Jail.

Ordered that the following named persons be allowed the sum opposite their names for their attendance mileage and tolls at the August November Term 1903, and that the same be certified to the Auditor of Public Accounts by

Style of Prosecution	Names of Witnesses	Days	Miles	Tolls	Total	Style of Prosecution	Names of Witnesses	Days	Miles	Total
Commonwealth	R. B. Erqbright	1	10		90	Commonwealth	E. R. Neff	1	10	90
Commonwealth	R. B. Davis	1	30		170	Commonwealth	Charles H. Davis	1	24	146
Commonwealth	Gideon Raughter	1	32		178	Commonwealth	Samuel Davis	1	24	146
Commonwealth	W. E. Lucas	1	22		138	Commonwealth	Samuel E. Davis	1	24	146
Commonwealth	W. S. M. Hanes	1	22		138	Commonwealth	Mattie J. Shiflett	1	22	146
Commonwealth	Mrs. Maggie Perry	1	60		290	Commonwealth	John M. O'Creary	1		50
Commonwealth	Mildred Shiflett	1	32		178	Commonwealth	Charles Davis	5	48	442
Commonwealth	Charles Roach	1	32		178	Commonwealth	Samuel Davis	5	48	442
Commonwealth	William Shiflett	1	32		178	Commonwealth	Samuel Davis	5	48	442
Commonwealth	Jacob Isaac	1	32		178	Commonwealth	Mattie J. Shiflett	5	48	442
Commonwealth	Jane Struth	1	60		290	Commonwealth	Bernard P. Russell	4	30	320
Commonwealth	George Lamb	1	60		290	Commonwealth	John H. Davis	5	48	442
Commonwealth	D. L. Thompson	1	12		98	Commonwealth	S. M. A. Gordon	4	40	360
Commonwealth	J. J. Fry	1	4		66	Commonwealth	A. E. Bryant	4	56	424
Commonwealth	S. W. A. Gordon	1	20		130	Commonwealth	C. B. Cain	5	60	490
Commonwealth	William Dickerson	1	20		130	Commonwealth	Wm. C. Shiflett	4	30	320
Commonwealth	James J. Fry	1	4		66	Commonwealth	Henry Williams	4	30	320
Commonwealth	Layton Hendley	1	12		98	Commonwealth	G. H. Lantry	4	22	288
Commonwealth	S. M. A. Gordon	1	20		130	Commonwealth	Conrad Long	4	20	280
Commonwealth	J. H. Barckhoff	1	12		98	Commonwealth	Wm. E. Deal	3	20	230
Commonwealth	David L. Thompson	1	12		98	Commonwealth	Idam Raughter	4	26	304
Commonwealth	W. C. Schwallier	1			50	Commonwealth	J. H. Raughter	4	28	312
Commonwealth	R. C. Myers	1	2		58	Commonwealth	Hughes G. Raughter	3	30	270
Commonwealth	Edy de Helbert	1			50	Commonwealth	David H. Raughter	4	24	296
Commonwealth	Willie Schaffer	1	6		74	Commonwealth	W. J. Myers	1	7	78
Commonwealth	Edy de Helbert	1			50	Commonwealth	J. S. Lander	1	58	258
Commonwealth	Willie Schaffer	1	6		74	Commonwealth	R. C. Myers	1	2	58

The following claim of witnesses on behalf of the Commonwealth before Justice of the Peace of this County were presented examined by the Court and appearing to be correct and properly chargeable to the Commonwealth under the law, it is ordered that the same be paid by the Treasurer of this County and certified to the Auditor of Public for

Style of Prosecution	Name of Witness	Days	Miles	Total	Style of Prosecution	Name of Witness	Days	Miles	Total
Commonwealth	Samuel Davis	1		50	Commonwealth	John W. Davis	1		50
Commonwealth	Samuel E. Davis	1		50	Commonwealth	Charles H. Davis	1		50
Commonwealth	John W. Davis	1		50	Commonwealth	Mattie J. Shiflett	1		50
Commonwealth	Charles H. Davis	1		50	Commonwealth				
Commonwealth	Mattie J. Shiflett	1		50	Commonwealth				

It is ordered to be Certified to the Auditor of Public Accounts that Geo. N. Conrad Attorney for the Commonwealth for this County is entitled to the sum of \$20.⁰⁰ for prosecuting two Felony Cases viz Benjamin Adkins for felonious assault \$10.⁰⁰ and same to Emanuel Henry for Husbands \$10.⁰⁰

Settlement of the Account of Wm. R. Brimontont Executor of Anne E. Bogabright. de'd.
 J. M. Baumhart Guardian for S. E. & P. Cha. R. Baumhart
 G. R. Eastham Executor of J. N. Conner de'd.
 Sarah J. Brown Guardian for Roy L. Brown
 Geo. Schirmer Executor of Margaret D. Henning de'd.
 E. D. Davis Guardian of Dora M. Hidesher
 G. M. Keegle Trustee Merchants Light & Power Co. Trust Fund
 Jas. H. Remond. Adm'r of Hannah Minnick de'd.
 Jacob J. Neff Executor of Jacob Neff de'd.
 Mary Rhode Guardian for Flora N. Rhode
 E. H. Select Trustee E. H. Rosenberg Trust Fund
 J. D. Shuyalter Adm'r of Sallie Shuyalter de'd.
 Sallie G. Stephens Executor of Martha J. Stephens de'd.
 J. R. Liskey Guardian for Luntz James & Charles Liskey de'd.
 J. R. Black Executor of Isaac Select de'd.

The foregoing Settlements were this day presented in Court and having been filed in the Clerk's Office of this Court the same presented by law and there being no exceptions taken thereto they were examined by the Court and appearing to be correct are ordered to be recorded.

Ordered that this Court be adjourned until Monday morning next at 10 O'clock.
 Geo. Shuttles

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Monday November 30. 1903.

Present Hon. George G. Gattan presiding.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.
 Geo. Shuttles

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday December 1st 1903.

Present Hon. George G. Gattan, presiding.

On the application of Eugene Irvine & others for the Establishment of a Public Road It appearing to the Court that the order entered in this case on the 30 day of September 1903 appropriating the additional sum of \$125.⁰⁰ to complete the Road prayed for in this case has been Certified to the Board of Supervisors of this County and that said Board at its meeting held on the 5 day of October 1903 approved said order and appropriated said sum of \$125.⁰⁰ payable out of the County levy for the year 1902. It is ordered that the Road Commissioners for Stewards District proceed at once to let to Contract the Completion of said road at a cost not to exceed said sum of \$125.⁰⁰ and make report to this Court.

On the application of B. F. Ruder & others for the Establishment of a Public Road

It appearing to the Court that the order entered in this Cause on September 30, 1903, establishing the road prayed for in this Cause, has been Certified to the Board of Supervisors of this County, and that the said Board at its meeting held on November 5, 1903, approved said order and appropriated the sum of \$362.⁰⁰ to pay the land-damages and Construction of the said road payable out of the County levy for the year 1903. It is ordered that the Board of Road of Plains District proceed at once to let to Contract the opening and Construction of said road at a Cost not to exceed \$120.⁰⁰ and make report to this Court as the law requires.

On the application of W. P. Dyer & others for the Establishment of a Public Road

It appearing to the Court that the Board of Supervisors of this County at its meeting held on the 5 day of November 1903 approved the order entered in this Cause on the 20 day August 1902, and appropriated the sum set out in said order viz: \$1825.⁰⁰ to pay land-damages and Construction of the said road. It is ordered that the Road Commission of Shelby District proceed at once to let to Contract the opening and Construction of the section of said road for which said sum was appropriated. Subject to approval by the Court and report to the Court as the law provides.

On the application of Daniel Shickel & others for the Establishment of a Public Road.

It appearing to the Court that the order entered in this Cause on November 16, 1903, establishing the road prayed for in this Cause has been Certified to the Board of Supervisors of this County and that said Board at its meeting held on the 21st day of November 1903, approved the said order and appropriated the sum of \$390.⁰⁰ the sum named in said order to pay land-damages and the opening and Construction of the said road. It is ordered that the Road Commission for Shelby District proceed at once to let to Contract the opening and Construction of the said road at a Cost not to exceed the sum of \$100.⁰⁰ and make report to Court.

On the application of John D. Maiden and others for the Establishment of a Public Road.

It appearing to the Court that the order entered in this Cause on the 17 day of November 1903, establishing the road prayed for in this Cause, and appropriating the sum of \$162.⁰⁰ to pay land-damages and Construction of the said road payable out of the County levy for the year 1903. It is ordered that the Board of Roads for Stonewall District proceed at once to have said road opened and Constructed in accordance with the orders of this Court and report to the Court.

On the application of David Darden & others for the Establishment of a Public Road.

It appearing to the Court that the order entered in this Cause on the 19 day of November 1903 establishing the road prayed for in this Cause, and appropriating the sum of \$571.⁰⁰ to pay for Land damage and Construction of the said road, has been Certified to the Board of Supervisors of this County and that said Board at its meeting held on the 21st day of November 1903 approved said order and appropriated said sum of \$571.⁰⁰ payable out of the Road levy for the year 1903. It is ordered that Road Commission for Plains District proceed at once to let to Contract the opening and Construction of the said road in accordance with the report of Viewers and order of this Court and make report thereon as the law requires. The opening and Construction of the said road not to exceed the sum of \$356.⁰⁰

On the Application of D. H. Ritchie John Baker & others for the Establishment of a Public Road

This day Cause again argued, and the Court having examined the report of the Commission filed on the 18th of January 1898, and having heard the evidence is of opinion that

^{the road} recommended by the Commissioners running from Brunsmans Church to the end of Beckers Lane on the Swank Lane, will be a great convenience to persons attending said Church, and to the public generally, and the land-owners John Becker and H. S. Holmger, the present land owners along the proposed road having consented to the opening of the same, and to accept the damages allowed by the Commissioners, the Court doth order that the said road recommended by the owners be opened and established as a public road as follows: Beginning at the intersection of Beckers Lane with the old public road thence with John Becker Lane S 28° N. 61 poles, thence S 76 1/2° N. 10 1/2 poles, in front of Beckers House, thence S 109° N. 6 poles, S 18 1/2° N. 11 poles, thence S 75° N. 59 1/2 poles to the Shavers Mill road, and the Court doth allow for damages \$200⁰⁰ to John Becker and \$20⁰⁰ to H. S. Holmger, and doth appropriate \$100⁰⁰ for the construction of said road, all of which is Certified to the Board of Supervisors for approval or disapproval.

cert

G. F. Wright M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$25⁰⁰ for services on Commission of Lunacy in case of Ellen M^cCarthy, which being sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment.

copy

B. J. Meyer, M.D. this day presented in Court an account against the County of Rockingham amounting to the sum of \$250 for services on Commission of Lunacy in case of Jacob Santz, which being sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment.

Copy of Commission
Commonwealth
2 July
Hallett Joyce

The following claims of witnesses on behalf of the Commonwealth before Justices of the Peace of this County were presented, examined by the Court and appearing to be correct and properly chargeable to the Commonwealth under the law, it is ordered that the same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts viz:

Name of Witness	Days	Mts	2 Cts	Style of Prosecution	Name of Witnesses	Days	Mts	2 Cts
Mrs. Lillie Franklin	1		50	Commonwealth	Clairde M ^c Fall	1		50
Mrs. Maggie McDaniel	1		50	"	William Strick	1		50
John Franklin	1		50	Halter N. Deputy	R. D. Memie	1		50
Lizzie Ruffner	1		50		H. H. Crakley	1		50

L. P. Soder J.P. Paid into Court the sum of \$2⁵⁰ it being the amount of a judgment for fine rendered by him in the case of the Commonwealth v. Maury Halterman for Assault & Battery.

copy

L. P. Soder J.P. presented in Court an account against the Commonwealth of Virginia amounting to the sum of \$18⁶² for Medicines furnished prisoners confined in Jail, which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

Ordered that this Court be adjourned until Wednesday morning at ten o'clock.

Geo. S. Brattle

Virginia At a court court continued and held in and for the County of Rockingham at the Court House thereof on Wednesday the 2nd day of December 1903.

Present Hon. George S. Brattle presiding.

Ordered that this Court be adjourned until the first day of the next term.

Geo. S. Brattle

See page

Virginia In Vacation before the Judge of the County Court of Rockingham County on the 16th day of December 1903. M. J. Maury who was on the 1st day of December 1902 duly appointed and sworn in by the Governor of Virginia a Notary Public for this County of Rockingham for the term of four years from said date, this day appeared before me Judge of the County Court in question and together with J. H. Lee Maury his surety who testified as to his sufficiency entered into and acknowledged a bond in the penalty of five hundred dollars conditioned for the faithful discharge of the duties of his said office and that each of the said obligors, praying the benefit of their exemption as to this obligation, which bond is ordered to be recorded by the Clerk of this Court, who is directed to transmit a copy of said bond and a copy of this order to the Governor of the Commonwealth. And thereupon the said M. J. Maury qualifying as such Notary Public by subscribing his name and taking the oath required by law. Given under my hand this 16th day of December 1903.

Geo. S. Brattle

Virginia. At a County Court held in and for the County of Rockingham at the Court House thereof on Monday December 21st 1903

Present Hon George G. Gathan presiding

The clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court at and since the last November Term which list being seen and inspected by the Court is ordered to be filed.

M. L. Paggie Administratrix of the Estate of Lula J. Paggie dead having tendered her resignation as such Administratrix and it appearing to the Court that the said Administratrix has settled her accounts before the Honor of a Justice of the Peace of this Court from which it appears that she has disbursed all the funds that came into her hands as such Administratrix the Court doth accept said resignation and doth order that the powers of the said M. L. Paggie as Administratrix of the Estate of the said Lula J. Paggie dead be and the same are hereby revoked. And on

On the motion of M. L. Paggie T. L. Willis who made oath that according to law appeared in Court and together with J. Hilburn Long his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Six Hundred dollars. Conditioned according to law. A Certificate is granted the said T. L. Willis for obtaining letters of Administration Bona fide non, in due form upon the Estate of Lula J. Paggie dead and the Court doth appoint J. W. Taylor, C. J. Langston, R. L. Hancery, C. H. Nicholas and C. L. White to appraise the Estate of the said Lula J. Paggie dead any three of whom may act after first being duly sworn. And it is ordered of record that the amount of property to come into the hands of the said Administratrix unadministered was estimated not to exceed the sum of \$300⁰⁰

On the motion of father in interest the Court doth appoint James H. Revercomb Curator of the Estate of Amanda L. Miller dead, whereupon the said James H. Revercomb appears in Court and together with Geo. M. Revercomb his surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Four Hundred dollars Conditioned according to law. And thereupon he is qualified as such curator by taking the oath required by law.

A writing purporting to be the last will and testament of John F. Baricoff dead was this day presented in Court and being proven by the Oaths of H. L. Whitmore and Perry L. Linnweaver, two of the subscribing witnesses thereof is admitted to probate and ordered to be recorded. And it is ordered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$5500⁰⁰

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock

Geo. G. Gathan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday December 22 1903

Present Hon George G. Gathan presiding

On the motion of Emily Jones the estate of Sarah Elliott dead is committed to John L.

Suzer Sheriff of Rockingham County for administration to appearing to the Court that more than two months have elapsed since her death without application for administration, and that she has no estate, but the object of this motion is for the purpose of making her administrator a party to a Certain Chancery Suit.

On the application of W. E. Davis rothors for the establishment of a Public Road

This day came W. E. Davis the Contractor for the Construction of that portion of the road prayed for in this Cause lying in Plains District, and submitted an itemized Statement of the Cost of the opening and Construction of the said road, as paid for by him, ^{upon testimony of the Road Commissioners} from which it appears that the amount received by him was inadequate to Construct his part of the road, and that the amount required to pay in full for the work done is \$231.⁷² and the Road Comm^r for Plains District having Certified to the Correctness of said Claim, and that there is not funds in the hands of the Road Board of said District to meet said claim. And it appearing to the Court that the claim of W. E. Davis is just and should be paid. It is ordered that the same be allowed, and Certified to the Board of Supervisors of this County for approval or disapproval.

C. T. Callender, Road Commissioner for Ashby District, ^{this day submitted} an itemized Statement of Costs incurred in building a new bridge across ^{Spring Brook above P. D. Zimmerman's} in place of the one washed away last June, amounting to the sum \$89.⁰⁵ the Commissioner and Supervisor. Certifying to said account and stating that the Road Board of said District have no available funds to pay for said work, and it appearing to the Court that said work was a public necessity, doth allow said sum of \$89.⁰⁵ And the same is ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

C. T. Callender, Road Commissioner for Ashby District this day reported to the Court that he had repaired the floor of the Iron Bridge across Dry River at a Cost of \$35.⁷⁵ and that Ashby District Road Board had no available funds with which to pay said account, and the said Comm^r and H. M. Rogers the Supervisor for said District having Certified to the necessity for said work. It is considered and ordered by the Court that said amount be allowed, and that the same be Certified to the Board of Supervisors of this County for its approval or disapproval.

P. L. Yates Son Plff

Chesapeake Western Railroad Co

} Upon a Warrant removed from before a Justice
One motion of the Plffs for reasons appearing to the Court this Cause is continued until the January Term next of the Court.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. G. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday December 23rd 1903

Present Hon. George G. Gattan, presiding.

On the Motion of Newton Michael Cariope the Executor named in the will of John F. Cariope died, admitted to probate at a former day of this term of the Court, who made oath thereof according to law, and appeared in Court and together with J. H. Berman his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the

penalty of seven hundred dollars conditioned according to law. A Certificate is granted the said Thos Michael Hancock for obtaining a probate of the said will of John J. Hancock dead in due form.

On the motion of Albert Gentry the Court doth appoint him guardian for Gilbert Gentry Leroy Gentry and Talbot Dixon Infants under the age of 14 years. Whereupon the said Albert Gentry appeared in Court and together with H. G. Howard his surety (who satisfied ^{to Court} as to his sufficiency) entered into and acknowledged a bond in the penalty of One hundred dollars conditioned according to law. And thereupon he qualified as such Guardian by taking the Oath required by law.

On the motion of John H. Glick, and it appearing to the Court from evidence introduced that he is a regularly ordained minister in the German Reformed Brethren Church and authorized to celebrate the Rites of Matrimony. He appeared in Court and together with J. M. Albright his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars conditioned according to law. And thereupon he qualified to celebrate said Rites by taking the Oath required by law.

P. L. Yates & Son & Plff }
Baltimore & Ohio R.R. Co. Dft } Upon a Warrant removed from before a Justice
On motion of the plaintiffs, this Cause is dismissed settled.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.
Geo. E. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday, December 24, 1903.

Present Hon George E. Gattan presiding.

Thos Todd, Wm P. Robinson, Edward H. Patterson, Robert M. Sutton pro R. Sutton
Philip M. Tabb, J. and Wallace P. Whitcomb, parties doing business as R. M. Sutton the Plffs }
Jr. E. Templeman } Upon a
Dft } Notice

This day came the plaintiffs by Counsel, and the defendants being solemnly called came not, and it appearing to the Court that the defendant has had due notice of this motion, and the Court having examined the papers, and having heard the evidence adduced, doth consider and adjudge that the plaintiffs recover of the defendant J. E. Templeton the sum of \$94.41 with interest on \$147.20 a part thereof, from October 9, 1903, and on \$47.21 the thereof, from the 8 day of November 1903 until paid, and their Costs about their suit in this behalf expended upon instrument in writing awarding the Homestead exemption &c

Ordered that this Court be adjourned until tomorrow at 12:30 o'clock.
Geo. E. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Friday December 25. 1903.

Present Hon. George G. Galtan, presiding.

Ordered that this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. Galtan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday December 26. 1903.

Present Hon. George G. Galtan, presiding.

A License is this day granted Addison R. Bowman on his application to Distill Brandy from Potatoes or Apples or Fruits, the quantity exceeding forty gallons, and the distilling run for less than six months at his distillery near Rawley Springs, in this County, and the said Manufacturer shall have the privilege of selling the liquors actually manufactured by him in quantities of not less than two gallons, at the house where manufactured for the period beginning December 27. 1903 and expiring June 24. 1904, the Court being fully satisfied upon hearing the evidence that the applicant is a fit person and that the specific tax required by law has been paid to the proper officer, and the applicant having executed a bond with good security payable to the Commonwealth in the penalty of Two Hundred and fifty dollars Conditioned as the law provides.

Ordered That this Court be adjourned until Monday morning next at 10 o'clock.

Geo. Galtan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof, on Monday December 28. 1903.

Present Hon. George G. Galtan, presiding.

The Board of Supervisors of this County having recommended Joseph G. Myers, for appointment to the Office of County Surveyor for Rockingham County, and having also recommended the appointment of Delbert N. Washington as Superintendent of the Poor for said County, the Court doth appoint the said Joseph G. Myers, Surveyor for Rockingham County for the term of four years, commencing January 1. 1904, and doth appoint the said Delbert N. Washington Superintendent of the Poor for Rockingham County for the term of four years, commencing January 1st 1904.

Sarah B. Brabbs returned to the Court a Plat and Certificate of Survey made by Josiah House, Surveyor of Rockingham County of a Certain tract of land containing 500 R 18 P. Situated about 2 miles ~~about 2 miles~~ above ~~bordering~~ ^{adjoining} the lands of N. L. Rimmer. Winifred Walker ~~also~~ was returned delinquent in the name of Isaac House Estate for the non-payment ^{of taxes} thereon for the year 1900 and sold for said taxes by the Treasurer of Rockingham County December 16. 1901 and purchased by the said Sarah B. Brabbs at whose instance said plat & survey was made and the Court having examined said report and survey and finding it have been made in conformity with the law and being in objection to the said report it is ordered that the same be recorded in the

in the clerk's office of this Court as required by law.

- 4 Edward Hensley returned to the Court a Plat & Certificate of Survey made by Jasper Hawse, Surveyor of Rockingham County of a certain tract of land containing 24.8.22 P. Situated in Blue Ridge Mt. 6 Mils. East of Elkton ^{Rockingham County Va.} and adjoining the lands of J. Hensley, Benj. Smith &c. and was returned delinquent in the name of Eljourney Morris for the non-payment of ^{State & County} taxes thereon for the year 1899. and sold for said taxes by the Treasurer of Rockingham County on the 17th day of December 1900. and purchased by the said Edward Hensley at whose request the said plat and survey was made. and the Court having examined the said report and survey and finding it to have been made in conformity with law. and seeing no objections to the said report it is ordered that the same be recorded in the clerk's office of this Court as required by law.

- 4 E. R. Neff returned to the Court a Plat & Certificate of Survey made by Jasper Hawse Surveyor of Rockingham County of a certain tract of land containing 74.8.0 R. 31^P Situated in ^{Rockingham County Va.} adjoining the lands of Lehel A. Hunter, S. Kottlinger, J. Kellin and Turner Smith near Kottlinger Run about 6 Mils. North of Crooks Store, and was returned delinquent in the name of Jonathan Kottlinger for the non payment of State and County taxes for the year 1892. and sold for said taxes by the Treasurer of said County on the month of December 1893 and purchased by the said E. R. Neff at whose instance the said plat and survey was made. And the Court having examined the said report and survey and finding it to have been made in conformity with law. and seeing no objections to the said report it is ordered that the same be recorded in the clerk's office of this Court as required by law.

- 5 G. D. Hopkins returned to the Court a Plat and Certificate of Survey made by Jasper Hawse Surveyor of Rockingham County of a certain tract of land containing 74.8.0 R. 14 P. of land lying in Rockingham County Va. about 1 1/2 Mils. S. E. of the Rockingham Mineral Springs about 4 Mils. North of M. Cahoy's place adj. the said G. D. Hopkins Mr. Haynes, W. A. Shook and was returned delinquent for the non payment of ^{State &} County taxes thereon for the year 1899. and sold for said taxes by the Treasurer of said County on Dec. 17. 1900. and bought by P. C. Hawkins and by him assigned to G. D. Hopkins for value on Dec. 12. 1903 for whom this Plat & Report is made, and the Court having examined the said report and survey and finding it to have been made in conformity with law. and seeing no objection to the said report it is ordered that the same be recorded in the clerk's office of this Court as required by law.

- On the Application of Geo. H. Lusk, H. H. Steele others for the establishment of a public road beginning at a point on the Edom road, South of Assembly Park, thence extending in an easterly direction through the lands of E. L. Deaver, and H. R. Whitwell &c. to the Kratzen road crossing the Kratzen road thence through the lands of L. D. Beard and Mrs. A. D. Shleni to a point on the Valley Turnpike North of the residence of the late A. D. Shleni and South of the point, where the right of way leading from the farm of General John E. Rolle intersects the Valley Turnpike, the Court doth appoint J. G. Myers, Henry Ferron, David H. Moore, Benjamin Weaver and A. D. Shwaller Viewers any three of whom may act to view said proposed road and make report to this Court at its next term as the law provides.

This day came John P. Burke, who alleges that he is aggrieved by an entry in the Land Book made by Geo. N. Eames Commissioner of the Revenue for Central District in Rockingham County for the year 1903 page 86 Line Number 35. whereby he is charged

with One dollar and fifty Cents State Taxes and One dollar and thirty two Cents County taxes for the year 1903 on two lots of land described as Lot No 8, Block 35, Lot No 15, Block 7 in Ward No. 10, Haverhill, N.H. and thereupon the said John P. Burke moves the Court to exonerate him from the payment of One dollar and forty one Cents of the State Taxes, and One dollar and twenty four Cents County taxes so erroneously charged against him for said ^{year which custom was pleaded by said John P. Burke} the Attorney for the Commonwealth for said County, and the said Geo. E. Gardner the Commissioner who made the assessment, was examined as a witness touching the application. And it appearing that said book in which said alleged erroneous entry was made was delivered to the Treasurer of the said County on the 29 day of August 1903 and that application for redress against the entry was made on this day for the first time; and it appearing that the buildings on said lots were removed therefrom before the first day of February 1903. All which the Court Certifies as facts proved upon the application aforesaid. On Consideration whereof and from such fact so proved the Court is satisfied that the said John P. Burke is erroneously charged in said book with State Taxes amounting to One Dollar and forty one Cents and County Taxes amounting to One dollar and twenty four Cents, whereupon it is ordered that the said John P. Burke be exonerated from the payment of One Dollar and forty one Cents State Taxes and One dollar and twenty four Cents County Taxes so erroneously charged, if not already paid, and if paid that it be refunded to him together with the penalty thereon.

expd S. W. A. Vaughan, this day presented in Court ~~his~~ accounts against the County of Rockingham County amounting to the sum of \$5.00 for his services as Commissioner of Lunacy in the case of ^{Charles} Reedy \$2.00 and in the case of Samuel Minnick \$2.00 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment.

O. D. Ballender, Road Commissioner for Ashby District reported to the Court that the work of reducing the grade on the 'Kovale Hill' has been completed, and that to carry off the water in heavy rains to prevent washing, that it was necessary to use 400 feet of 24 inch sewer pipe which he purchased of Messrs. Thomas & Co. at a cost of \$36.00 and that Ashby District Road Board has no available funds to pay for the same as Certified to by said Commissioner and H. M. Rogers the Supervisor of said District and it appearing to the Court that said outlay was a public necessity, doth allow said amount payable out of the County Road fund all of which is ordered to be Certified to the Board of Supervisors of this County for its approval or disapproval.

On the Application of P. D. Ripley others for the Establishment of a Public Road. This day O. D. Ballender, Road Commissioner of Road for Ashby District, this day submitted to the Court his report, showing that the Road prayed for in this Cause has been completed in accordance with the orders of this Court embracing the several changes, and filed with his said report the Course and distances and plat made by J. G. Myers as follows. Beginning at a point in the Layman Mill Road near S. N. Washington's new house thence through his land N 67 1/8° E 142 1/2 feet to his and B. J. Brock's line; thence through Brock's land N 63 3/4° E 65 1/4 feet to D. 71 1/2° E 114 1/2 feet to S 26 3/4° E 78 1/2 feet crossing a side drain at 45 feet - a block Culvert at 73 feet to the line between Brock's land and that of the County along Idmear farm; and thence through said farm, S 66 3/4° E 19.88 feet crossing a Culvert at 13.81 feet; S 89 1/2° E 9.72 feet to a point within 15 feet of the R. R. line; thence along same, S 18 3/4° E 48.81 feet and N 60 1/4° E 24.8 feet crossing the R. R. to the public road running to the Valley Pike by the County along ^{the} line from Pleasant Valley, all of which is ordered to be filed with the papers in this Cause, and the Court doth allow unto J. G. Myers the sum of \$2.00 for his services in making said report and plat with Courses and distances.

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W. T. Callesden Road Commissioner for Hilly District this day presented in Court an account against the County of Rockingham amounting to the sum of \$82.⁰⁰ for services rendered on Public Roads in his District from March 10, 1903 to December 23, 1903 which being sworn to was examined and allowed by the Court and ordered to be Certified to the Board of Supervisors of this County.

On the motion of Rev. Thomas F. Hauck, and it appearing to the Court from evidence introduced that he is a regularly ordained Minister in the Baptist Church and Authorized to Celebrate the Rites of Matrimony, he appeared in Court and together with James L. Davman, his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars, Conditioned according to law. And thereupon he qualified to Celebrate said Rites by taking the Oath required by law.

W. L. Rector Special Constable, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of \$1.⁷⁶ for Arrest of Jacob Faulkner charged with Felony Misdemeanor for self and prisoner and toll Road which being sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Account for payment.

On the Application of D. H. Ritchie John Becker others for the Establishment of a Public Road this day came the petitioners and it appearing to the Court that the Board of Supervisors of this County at its meeting held on the 19 day of December 1903 approved the order entered in this Cause at the November Term last of this Court and made the appropriation of \$320.⁰⁰ set out in said order to pay land damages and Construction of said road it is ordered that the Road Commissioner for Linville District proceed at once to open said road at a cost not exceed the sum of \$100.⁰⁰ payable out of the County levy for the Year 1903.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. G. Gattan

Virginia At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday December 29, 1903.

Present Hon George G. Gattan, presiding

H. E. Ponce, who was on the 3rd day of December 1903 duly appointed and Commissioned by the Governor of Virginia a Notary Public for the County of Rockingham for the term of four years from said date this day appeared in Court and together with Geo. E. Life and John T. Harris his Sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars Conditioned for the faithful discharge of the duties of his said office each of the said obligors waiving the benefit of their exemptions as to this obligation which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a copy of said bond and a copy of this order to the Secretary of the Commonwealth and thereupon the said H. E. Ponce qualified as such Notary Public by subscribing to and taking the Oaths required by law.

In the matter of the Extension of the Corporate Limits of the Town of Bridgewater Virginia this day J. H. Thymant, one of the Judges of the Special Election ordered by the Council of the Town of Bridgewater to vote upon the Extension of the Corporate Limits of said

town under an act of the General Assembly of Virginia approved February 16th 1901. as provided in said act presented to this Court the following Certificate of the result thereof. We hereby Certify that 31 votes were cast for amendment and that 14 votes were cast against amendment by the voters residing within the present limits of the town of Bridgewater, at the special election held at Bridgewater on the 23rd day of December, 1903. We further Certify that 47 votes were cast for amendment and 35 votes were cast against amendment by voters residing without the present corporate limits of the town of Bridgewater, but within the limits named for said town in the proposed amendment and re-enactment of Section One of the Charter of said town at the said special election.

H. A. Richcreek. Clerk.

S. D. Hume. Clerk.

M. B. Childress. Judge.

J. H. Hyman. Judge.

J. G. Hite. Judge.

and said Certificate is entered upon the records of this Court.

And it appearing to the Court that a majority of the votes cast in both the ballot boxes at the special election provided for in said act approved July 16, 1901 are for amendment, The Court doth therefore enter this order declaring such result and that Section one of the Charter of the town of Bridgewater is and shall be from the date of the entry of this order amended and re-enacted as provided and provided for in said act.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. E. Hutton

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday December 30, 1903.

Present Hon George G. Gattan presiding

On the Application of Josephus Doms for the Establishment of a Public Road
The Viewers heretofore appointed having made and filed their report recommending the establishment of the road prayed for in this cause. It is ordered that J. L. Dorecott, the only land owner who has not assented to the opening said road be summoned to appear here on the 1st day of the January Term next to show cause if any he can why the said road shall not be established through his land agreeably to the report of the Viewers aforesaid.

Ordered That this Court be Adjourned until the first day of the next term.

Geo. E. Hutton

Virginia:

In Vacation before the Judge of the County of Rockingham County January 6, 1904
Be it remembered that R. J. Riddle who was on the 3rd day of November 1903 elected Justice of the Peace for Stone wall Magisterial District in Rockingham County by the qualified voters thereof having failed to qualify as such Justice of the Peace. I George G. Gattan, Judge of the County Court aforesaid, do hereby appoint J. H. Schiff Justice of the Peace for said Stone wall Magisterial District, to fill the vacancy occasioned by the failure of the said R. J. Riddle to qualify as aforesaid, to serve as such for the unexpired term of four years commencing January 1st 1904, and thereafter until his successor is qualified to enter upon the discharge of the duties of said office. Whereupon the said J. H. Schiff appeared before me and qualified as such Justice of the Peace by subscribing to and taking the Oath required by law.
Given under my hand this 6th day of January 1904.

Geo. E. Hutton

Virginia.

In Vacation before the Judge of the County Court of Rockingham County January 8, 1904.
Be it remembered that Mr J. Shiflett, who was on the 3rd day of November 1903, elected Justice of the Peace for Stonehill Magisterial District in Rockingham County, by the qualified voters thereof, having failed to qualify as such Justice of the Peace, I, George G. Galtan, Judge of the County Court aforesaid, do hereby appoint Isaacas. Conder, Justice of the Peace for said Stonehill Magisterial District to fill the vacancy occasioned by the failure of the said Mr. J. Shiflett to qualify as aforesaid to serve as such for the unexpired term of four years, commencing January 1st 1904 and thereafter until his successor is qualified to enter upon the discharge of the duties of said office. Whereupon the said Isaacas. Conder, appeared before me and qualified as such Justice of the Peace by subscribing to and taking the Oaths required by law.
Given under my hand this 8th day of January 1904. Geo. G. Galtan

Virginia. At a County Court held in and for the County of Rockingham, at the Court House thereof on Monday January 18, 1904.

Present Hon. George G. Galtan, presiding.

The Clerk of this Court this day presented in Court a List of Deeds, &c. received and admitted to record in the Clerk's Office of this Court at and since the last December Term, which list being seen and inspected by the Court is ordered to be filed.

On the motion of Edward P. Brown, who made Oath Thut. according to law and appeared in Court and together with the American Surety Company of New York, his Surety by H. M. Newman, its Vice President, attested by Geo. G. Galtan, Jr. Res. Ast. Secy. entered into and acknowledges a bond in the penalty of Thirty-five hundred dollars conditioned according to law. A Certificate is granted the said Edward P. Brown for obtaining letters of Administration in due form upon the estate of Elizabeth E. Brown, decd., and the Court doth appoint W. A. Richerick, J. F. Linnan, S. M. Woodward, E. B. Dinkle & E. L. Berlin, to appraise the estate of the said Elizabeth E. Brown, decd., any three of whom may act after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$2000⁰⁰.

On the motion of K. S. Passford, who made Oath Thut. according to law and appeared in Court and together with G. H. Passford, his Surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of One hundred dollars conditioned according to law. A Certificate is granted the said K. S. Passford for obtaining letters of Administration in due form upon the estate of Robert K. Passford, decd., and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$500⁰⁰.

A writing purporting to be the last will and testament of Jacob Levine, decd., was this day presented in Court and being proven by the Oaths of J. F. Dover, J. F. Frost and Samuel Gaskin, the subscribing witnesses thereof is admitted to probate and ordered to be recorded. And on the motion of John M. Levine and Rufus J. Levine, the Executors named in said will who made Oath Thut. according to law, and appeared in Court and together with the American Surety Company of New York

their surety by A. M. Newman its Pres. Vice President attested by Geo. E. Galtton Jr. its Res. and Secy entered into and acknowledged a bond in the penalty of Fifteen hundred dollars. Conditioned according to law. A Certificate is granted the said John M. Kline and Rufus J. Kline for obtaining a probat of the said will of Jacob Kline dec'd in due form and the Court doth appoint Joseph Dwyer William C. Horner Franklin H. Hanger Joseph Flory and Lewis Dwyer to appraise the estate of the said Jacob Kline dec'd. any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$7,700⁰⁰

On the motion of Mrs. E. L. Dull, who made oath thereof according to law and appeared in Court and together with George H. Dull her surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two Hundred dollars. A Certificate is granted the said Mrs. E. L. Dull for obtaining letters of Administration in due form upon the estate of Charles Dull dec'd and the Court doth appoint H. K. Hale M. F. Floyd and Jas. D. Fry to appraise the estate of the said Charles Dull dec'd. after first being duly sworn, and it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$100⁰⁰

W. L. Andrews Guardian for Mary Lilly Turner, having this day tendered to the Court his resignation as such Guardian, and it appearing to the Court that no funds have been received by said Guardian, doth accept his said resignation. It is therefore considered by the Court that the powers of the said W. L. Andrews as such Guardian be and the same are hereby revoked.

On the motion of W. L. Andrews, the Court doth appoint James H. Ruff Guardian for Mary Lilly Turner, Infant daughter of David Turner, dec'd, under the age of 14 years. Whereupon the said James H. Ruff, appeared in Court and together with the American Surety Company of New York his surety by A. M. Newman its Pres. Vice Pres. attested by Geo. E. Galtton Jr. its Res. and Secy. entered into and acknowledged a bond in the penalty of Fifteen hundred dollars. Conditioned according to law. And thereupon he qualified as such guardian by taking the Oath required by law.

On the motion of the Widow & heirs of Isaac D. Kline, deceased, John Baker, who made oath thereof according to law and appeared in Court and together with John D. Kline George S. Kline & Joseph D. Kline, his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars. Conditioned according to law. A Certificate is granted the said John Baker for obtaining letters of Administration in due form upon the estate of the said Isaac D. Kline dec'd. And the Court doth appoint Jacob J. Meff, D. F. Senger B. D. Shumatter J. H. Hanger & N. Swank to appraise the estate of the said Isaac D. Kline dec'd. any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$1000⁰⁰

On the motion of James H. Remond, who made oath thereof according to law and appeared in Court and together with John H. Remond his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Four hundred dollars. Conditioned according to law. A Certificate is granted the said James H. Remond for obtaining letters of Administration in due form upon the estate of Amanda L. Miller dec'd. and the Court doth appoint Jacob J. Sumner Gabriel Luzz Geo. W. Remond Solomon Miller Samuel Perry to appraise the estate of the said Amanda L. Miller dec'd. any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$200⁰⁰

P. H. Pugh, who was on the 11 day of January 1904 duly appointed and Commissioned by the Governor of Virginia a Notary Public for the County of Rockingham for the term of four years from said date. This day appeared in Court and together with David P. Bates, his Surety who justified as to his sufficiency entered into and acknowledged a bond in the penalty of Five Hundred dollars conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors waiving the benefit of their Exemption as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Copy of this order to the Secretary of the Commonwealth and thereupon the said P. H. Pugh qualified as such Notary Public by subscribing to and taking the Oaths required by law.

L. L. Long who was on the 8 day of January 1904 duly appointed and Commissioned by the Governor of Virginia, a Notary Public for the County of Rockingham, for the term of four years from said date. This day appeared in Court and together with Abram Paul, his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Five Hundred dollars conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors waiving the benefit of their exemptions as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Copy of this order to the Secretary of the Commonwealth; and thereupon the said L. L. Long qualified as such Notary Public by subscribing to and taking the Oaths required by law.

In the Matter of the of Caroline P. Gale for the Establishment of a Public Road.

It appearing to the Court that the road prayed for in this Cause has opened in pursuance of the order of this Court, and that all matters therein have been settled. It is ordered that the said petition be dismissed.

In the matter of the Road Petition of Ellen Ritchie others.

On motion of the Petitioner by Counsel, all matter in Controversy in this Cause having been settled the petition is hereby dismissed.

Commonwealth

James Keister } Upon a Writ Facias on a Forfeited Recognizance

This day came the Commonwealth Attorney and the defendant by Counsel, and the Court having maturely considered the same doth adjudge and order that the Commonwealth recover of the said James Keister the sum of \$100.⁰⁰ and her Costs in this behalf expended, whereupon the said James Keister paid into Court the sum of \$50.⁰⁰ and by Current of the Attorney for the Commonwealth he is allowed thirty days in which to pay the balance of this judgment.

J. H. Banickhoff Constable of Rockingham County
who sues for the benefit of Mrs. L. Shifflett

Plff

Def.

} upon a 30 day notice

W. H. Burgess & S. H. Hensley

This day came the plaintiff by his Attorney, and upon his motion the Notice in ^{the} Cause is ordered to be docketed, whereupon came the defendants by their Attorney, and objected to the hearing of the said motion upon the grounds set out in writing filed by them.

D. D. Lewis Jr. Charles B. Hammer M. M. Jannan S. L. Davis
John F. Lewis, Ed. Dacht and Chas. H. Fletcher

Upon a Motion to quash an Execution

The Commonwealth.

This day came the plaintiff by counsel pursuant to Notice served upon the Attorney for the Commonwealth and ask leave to docket the said motion, the Attorney for the Commonwealth appearing Amicus Curia and suggesting the insufficiency of the Notice the Court without passing upon the sufficiency of said notice grants leave to the said plaintiff to docket said motion and this Cause is continued generally to the next term.

Commonwealth.

D. D. Lewis Jr. Charles B. Hammer M. M. Jannan S. L. Davis
John F. Lewis Ed. Dacht and Charles H. Fletcher

This day came the Attorney for the Commonwealth and moves the Court for the issuance of a Capias against the defendants which motion on Consideration the Court overruled.

Ordered that this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. E. H. H. H.

Virginia. At a County Court continued and held in and for the County of Rockingham at the Court House thereof, on Tuesday January 19, 1904.

Present Hon. George H. Gattman, presiding.

Sallie E. Harris. Plff.

Kirby B. Basford Adm'r of Robert B. Basford dec'd Deft. Trustee.

Upon a Notice for the appointment of a

Upon the motion of Mrs. Sallie E. Harris, and it appearing to the Court that Kirby B. Basford Administrator of Robert B. Basford deceased, has been served with a Copy of Notice of the application for the appointment of Geo. W. Basford as trustee in the place of Robert B. Basford dec'd, in the deeds executed to Robert B. Basford, trustee for Sallie E. Harris, the one executed by J. W. Basford and wife and dated April 17, 1885, and of record in Deed Book #27, page 458 &c and the other executed by Mrs. Mary Long and dated the 17th day of April 1885; and of record in the County Clerk's Office of Rockingham County in Deed Book #27, Page 206 &c; it is this 19th day of January 1904, ordered that Geo. W. Basford be and he is hereby appointed trustee, in the room and stead of Robert B. Basford, deceased, in the deeds aforesaid, to execute the trusts therein mentioned.

Chas. E. Floyd J.P. Paid into Court the sum of \$1.00 it being the amount of a Judgment for fine rendered by him on the Dec. 28, 1903 in Case of Lemuth & Rowley vs. Dorman for disturbing the peace.

John L. Ford J.P. Paid into Court the sum of \$5.00 it being the amount of a Judgment for fine rendered by him on Nov. 27, 1903 in Case of Commonwealth & John H. Myers for Assault.

G. B. Law Justice of the Peace Paid into Court the sum of \$1.00 it being the amount of a Judgment for fine rendered by him in Case of Lemuth & Neal Hitts for Drunkenness & Profane Language.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. S. Nathan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Wednesday January 20, 1904.

Present Hon. George G. Galtan presiding.

Rebecca Reid vs. Plaintiff }
D. B. Bronckhorst. Deft. } upon a Notice

This day came again the parties by their attorneys and the Court having heard the evidence adduced and argument of Counsel. It is considered that the report of the Free Holders filed in this case September 30, 1902, except the following changes made therein to wit: 1st That the fence to be sufficient to turn horses cattle sheep and large hogs. 2nd That the water gap required at point B near the head of the Creek, to be built by Mrs. Reid, shall be removed Eastward two Poles (2) up the Creek, so as to prevent the draft from accumulating below the water gap in the head of the Creek. Bronckhorst to first fence up to water gap. be confirmed and affirmed, and that the parties to this Controversy do make and maintain the fences and water gap, as fixed in said report; and by this order in accordance with the law and that each party pay one half of the Costs of the Survey and of the Commissioners of recording the report of Commissioners or so much as is necessary & that the Plaintiff recover of D. B. Bronckhorst this Court Costs other than the Costs above mentioned.

Ordered That this Court be adjourned until tomorrow morning at 10 O'clock.

Geo. S. Nathan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday January 21st 1904.

Present Hon. George G. Galtan presiding.

On the application of J. O. N. Kennedy & others for the Establishment of a Public Road. This Cause came on to be finally heard on this 21st day of January 1904 upon the reports of C. D. Kallender Road Commissioner and by which it appears that the road has been fully opened and accepted by said Commissioner in accordance with the several former orders of the Court upon the line as shown by the Survey of J. G. Myers as follows Beginning at the east edge of the ford near Mrs. Irwin's house; thence through her land S. 20 1/2° E. 36.5 poles; S. 60 1/4° E. 9.32 poles to a point in front of her house; S. 11 3/4° E. 22.72 poles Crossing Mrs. Irwin's and H. G. Miller's line at 14.16 poles H. G. Miller's Stock land at 18 3/4 poles; thence through said Miller's land S. 42° E. 24.16 poles; S. 2° E. 27.10 poles; S. 15° E. 21.68 poles Crossing H. G. Miller's line and then running on or near the line of E. X. Miller to a point on the hill; thence S. 35° E. 30.90 poles Crossing said Miller's and Dey Stuffman's line diagonally; thence through the Stuffman land S. 50° E. 9 3/4 poles; S. 46 1/2° E. 24 poles and S. 19 3/4° E. 36 1/4 poles to the west edge of the Ridge road a total distance of one mile less about a half pole. These lines were run in the middle of the road, the changes from the original report of Irwin having all been made with consent of the land owners and adopted by the Court, the road has been established.

as now opened, as shown by the Survey of G. Myers and this Cause is ordered to be stricken from the docket.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday January 22, 1904.

Present Hon. George G. Gattan, presiding.

Ernest S. Strayer, who was on the 20 day of January 1904, duly appointed and Commissioned by the Governor of Virginia, a Notary Public for the County of Rockingham for the term of four years from said date this day appeared in Court and together with Herbert Coffman his surety who justified as to his sufficiency entered into and acknowledges a bond in the penalty of Ten Hundred dollars conditioned for the faithful discharge of the duties of his said Office or trust each of the said Obligor swearing the benefit of their exemption as to this obligation which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a Copy of said bond and a Copy of this Order to the Secretary of the Commonwealth and thereupon the said E. S. Strayer qualified as such Notary ^{Public} by subscribing to and taking the Oaths required by law.

On the motion of Sallie R. Davis, who made oath thereto according to law, and appeared in Court and together with J. H. Shirkay her surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty Three Thousand dollars conditioned according to law. A Certificate is granted the said Sallie R. Davis for obtaining letters of Administration in due form upon the estate of H. H. Davis decd. and the Court doth appoint Leander Steele, Bert Lacey, R. Davis N. G. Miller & Ole May, to appraise the estate of the said H. H. Davis decd. any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrators was estimated not to exceed the sum of \$1500⁰⁰.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Gattan

Virginia. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Saturday January 23, 1904.

Present Hon. George G. Gattan, presiding.

M. L. Huston Plff.

Upon a Notice to release a Vendor's lien retained
O. R. Roller Exor of R. H. Nelson decd. Dist. In Decd. from R. H. Nelson to Maggie L. Huston
It appearing to the Court that Notice of this motion has been duly served on O. R. Roller Exor of R. H. Nelson decd. and no claim being made that any part of the purchase money for which a lien was retained in the deed from R. H. Nelson to Maggie L. Huston of date the 1st day of April 1878, of record in Deed Book No 16 Page 525 is unpaid, and that the claim if any is long since barred by the Statute of Limitations it is ordered that J. I. Meserby Clerk of this Court do enter on the Margin of Deed Book No 16 page 525, a release of the Vendor's lien retained in said deed of R. H. Nelson to M. L. Huston of date April 1st 1898.

Present Hon. George G. Catton, presiding.

Samuel M. Burman & others
 R. D. Rhodes & others
 David H. Rhodes & others
 Ashby District Road
 Martin Dwa & others
 Joseph M. Burman & others
 Abraham Scuder & others
 A. M. Sauter & others
 R. S. Heatside & others
 A. R. Hess & others
 E. L. Berlin & others
 H. J. Miller & others
 Jacob Thomas & others
 J. M. Burman & others
 J. Luther Zucke & others
 G. H. Blackburn & others
 L. B. Byrd & others
 T. J. Johnson & others
 R. D. Murey & others
 Henry L. Peery & others
 J. R. Lindberg & others
 P. B. Keen & others
 Amos Messick & others
 John M. Glass & others
 D. C. Ormshaut & others
 Elijah Diehl & others
 G. K. White & others
 J. W. Ritchie & others
 J. M. Kagay & others
 G. B. Gentry & others
 S. R. Lehar & others
 H. D. Blake & others
 N. C. Healthy & others
 J. B. Duvoran & others
 H. F. Perry & others
 Lehar Beck & others
 D. W. Lambert & others
 D. H. Haug & others
 John E. Singer & others
 R. B. Eiler & others
 J. F. Funt & others

On the application of R. D. Thomas others for the Establishment of a Public Road

" " H. J. Miller others
 " " R. D. Miller others
 " " J. R. Rhodes others
 " " Lewis N. Lebeck others
 " " J. N. Thounacker others
 " " B. J. Ritchie others
 " " P. D. Zimmerman others
 " " J. C. Hunkle others
 " " Am. J. Perry others
 " " Wm. J. Eaton others
 " " Samuel C. Kunceloy others
 " " C. J. Meyerschoffer others
 " " John F. Hittig others
 " " Am. J. Phillips others
 " " C. E. Hower others
 " " Am. H. Jannings others
 " " Am. J. Perry others
 " " John G. Miller others
 " " Am. H. Shaver others
 " " Edward Henning others
 " " S. W. Brewer others
 " " Am. B. Yancey others
 " " Mary E. Truitt others
 " " Wm. J. Meyerschoffer others
 " " J. R. Pimmman others
 " " S. D. Hampler others
 " " A. H. Fulk others
 " " Am. May others
 " " J. B. Tinsley others
 " " Jacob A. Garber others
 " " Am. J. Perry others
 " " David H. Ritchie others
 " " Albert Lauen others
 " " Peter D. Bigely others
 " " Thos. A. Davis others
 " " J. R. Belatterbuck others
 " " Am. P. W. Leall others
 " " J. H. Lauen others
 " " Am. C. Mearney others
 " " J. C. Hunkle others
 " " Am. R. Brumantraub others
 " " John W. Lister others
 " " Plains District Road Board
 " " Central District Road Board
 " " John W. Lister others
 " " Red Harrison others
 " " J. H. Meyerschoffer others
 " " John F. Rhodes others
 " " B. L. Cayton others
 " " C. A. Keller others
 " " Peter H. Gilman others

On the Affiliation of David Torrey & others
for the Establishment of a Public Road.

Do	Dr.	E. D. Davis others
Dr	Dr.	A. D. Mitchell others
Dr	Dr.	R. L. Gault others
Do	Dr.	Whitmer & Healds
Do	Dr.	Madison & Co. others
Dr	Dr.	D. W. Hampler others
Dr	Dr.	E. B. Bear others
Dr	Dr.	L. G. Powell others
Dr	Dr.	S. R. Beard others
Dr	Dr.	W. S. Coffman others
Dr.	Dr.	H. M. May others
Dr	Dr.	N. W. Peery others
Dr	Dr.	J. P. Swank others
Dr	Dr.	J. D. Drunk others
Dr	Dr.	Benj. Dummer others
Dr	Dr.	H. Campbell others
Dr	Dr.	W. H. Layman others
Dr	Dr.	H. L. H. Umatter others
Dr	Dr.	W. C. Piller others
Dr	Dr.	E. D. Davis others
Dr	Dr.	R. L. Whitman others
Do	Dr.	Halam & Co. others
Dr	Dr.	H. H. Beaver others
Dr	Dr.	E. J. Mungen others
Dr	Dr.	J. D. Healds others
Dr	Dr.	J. H. Mungen others
Dr	Dr.	B. F. Ormer others
Dr.	Dr.	H. H. A. Chant others

Dr	Dr	John T. Miller others
Dr	Dr	James Capron others
Dr	Dr	H. J. Mayers others
Dr	Dr	W. J. Martz others
Dr	Dr	H. J. Hughes others
Dr	Dr	R. R. Miller others
Dr	Dr	J. B. Campbell others
Dr	Dr	G. H. Hie others
Dr	Dr	J. D. Davis others
Dr	Dr	E. L. Brown others
Dr	Dr	A. J. Laffer others
Dr	Dr	J. P. Rhodes others
Dr	Dr	B. D. Shwaller others
Dr	Dr	C. J. Callender others
Dr	Dr	L. L. Hancey others
Dr	Dr	Simon Hanger others
Dr	Dr	H. Kils others
Dr	Dr	Stephen Hensley others
Dr	Dr	J. P. Hovven others
Dr	Dr	P. D. Byrdy others
Dr	Dr	D. H. M. Effard others
Dr	Dr	Jack Hokenger others
Dr	Dr	L. B. Hancey others
Dr	Dr	Jos. W. Taylor others
Dr	Dr	Wm. J. Burger others
Dr	Dr	Thomas Marshall others
Dr	Dr	J. L. Harrison others

Do Do Ymca Archat v others. It is ordered that each of the foregoing applications be
and the same are hereby stricken from the Docket of this Court with the freight of duly proven in
interest for good Cause shown to resistate the same.

On the motion of Peter H Myers the Estate of Michael M Miller, decd is Committed to John H Switzer, Sheriff of Rockingham County for Administration. It appearing to the Court that more than ten months have elapsed since his death without administration upon his estate.

A writing purporting to be the last will and testament of William Allen, deceased was this day presented in Court and being sworn by the Oath of George D. Eames one of the subscribing witnesses thereto is Continued for further proof.

On the motion of Mrs. Berta F. Argenbright the Court doth appoint her guardian for
Ewell J. Argenbright Infant son of Paul M. Argenbright, decd. under the age of 14
Years. Whereupon she appeared in Court and together with American Bonding Company of
Baltimore her Surety by Edw. E. Martz, its Vice President attested by E. L. Deobert its
Asst Secy. entered into and acknowledged a bond in the penalty Five Thousand dollars
Conditioned according to law. And thereupon she qualified as such Guardian by taking
the Oath required by law

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock
Geo. E. Graham

Virginia: At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Tuesday January 26. 1904.

Present Hon. George L. Gattan, presiding

A writing purporting to be the last will and testament of William Allen, which was on yesterday sworn by one of the subscribing witnesses thereto, and continued for further proof was this day again presented in Court and being sworn by the Oath of L. P. Ester, another subscribing witness thereto, is admitted to probate and ordered to be recorded. And it is entered of record that the amount of property to pass under the said will was estimated not to exceed the sum of \$2500⁰⁰.

The Lowry Drug Co. Plff.

J. D. Eppard

Def't

} upon a notice

This day came the plaintiff by its attorney, and it appearing to the Court that the defendant has had due notice of this motion, and being solemnly called to answer and the Court having examined the papers, the papers in the cause, and having heard the evidence adduced doth consider that the plaintiff recover of the defendant J. D. Eppard the sum of Forty ⁴⁰/₁₀₀ Dollars with legal interest thereon from the 3rd day of September 1903 until paid and the Costs by them in this behalf expended.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Rutledge

Virginia: At a County Court Continued and held in for the County of Rockingham at the Court House thereof on Wednesday January 27. 1904.

Present Hon. George L. Gattan, presiding

J. L. Flynn, who was on the 8th day of January 1904, duly appointed and Commissioned by the Governor of Virginia, a Notary Public for the County of Rockingham, for the term of four years from said date this day appeared in Court and together with J. N. Garber his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two Hundred dollars, conditioned for the faithful discharge of the duties of his said office or trust, each of the said obligors waiving the benefit of their exemption as to this obligation, which bond is ordered to be recorded by the Clerk of this Court who is directed to transmit a copy of said bond and a copy of this order to the Secretary of the Commonwealth, and thereupon the said J. L. Flynn qualified as such Notary ^{Public} by subscribing to and taking the Oaths prescribed by law.

Upon the Application of Josephus Bowers for the Establishment of a Public Road this day came again the parties, and the Viewers heretofore appointed having returned their report made in accordance with law recommending the opening of a Public road on the route set forth in their report said road to be opened and kept up at the expense of the Petitioners and J. F. Pughen & Jesse L. Bowers the solely land owners affected, having by a writing consented to the opening of the road as reported by the Viewers, having each agreed to accept the sum of five dollars damages the amounts allowed them respectively by the Viewers the Court doth confirm said report.

and doth establish the road prayed for as follows. Commencing at the Corner of Jones land thence Crossing the Creek near said Corner and Keeping above Creek on side of ridge where there has been an old road. Coming out on the Hopkins Spring road near two large brushy top Oaks. The intention being to put said right of way above the bluff along said Creek to make a good easy grade and the same to be 20 ft wide the said road to be opened and kept in repair by the petitioner Josephus Jones and the Court doth further direct the Treasurer of this County to pay unto A. J. Baigher \$5⁰⁰ and to J. L. Burcock \$5⁰⁰ the amount allowed by the Deacons and agreed to be received by them in full of damages and all matters being finally determined in this Cause. the same is stricken from the Docket.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Gattan

Virginia. Its a County Court continued and held in and for the County of Rockingham at the Court House thereof on Thursday January 28. 1904.

Present Hon. George S. Gattan presiding

On the motion of Christian Good, who made Oath thereof according to law and appeared in Court and together with Solomon E. Rhodes his Surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Four Hundred dollars conditioned according to law. A Certificate is granted the said Christian Good for obtaining letters of Administration in due form upon the Estate of Anna Good decd and the Court doth appoint Peter S. Heatwole John H. Barnhart Solomon D. Heatwole and John R. Surpe to appraise the Estate of the said Anna Good decd any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$216⁰⁰.

On the motion of Solomon E. Rhodes, who made Oath thereof according to law and appeared in Court and together with Christian Good his Surety (who justified as to his sufficiency) entered into and acknowledges a bond in the penalty of Eight Hundred dollars conditioned according to law. A Certificate is granted the said Solomon E. Rhodes for obtaining letters of Administration in due form upon the Estate of Susannah Rhodes decd and the Court doth appoint Peter S. Heatwole John H. Barnhart Solomon D. Heatwole and John R. Surpe to appraise the Estate of the said Susannah Rhodes decd any three of whom may act after first being duly sworn. And it is entered of record that the amount of property to come into the hands of the said Administrator was estimated not to exceed the sum of \$400⁰⁰.

On the Application of Isaac D. Davis sother for the Establishment of a Public Road. It appearing to the Court that in the Matter of Damages allowed in N. H. Perry for his land taken for the purposes and Fencing required. that the amount should have been \$45 instead of \$35⁰⁰ allowed him. It is therefore ordered that the said Noah H. Perry be allowed the additional sum of \$10⁰⁰ and that the same be Certified to the Board of Supervisors for its approval or disapproval & this case is stricken from the docket.

Ordered That this Court be adjourned until tomorrow morning at 10 o'clock.

Geo. S. Gattan

Virginia. At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday January 29th 1902.

Present Hon. George G. Callahan presiding

Commonwealth	} upon an Indictment for Felony	Commonwealth	} upon an Indictment for Felony
Dominy Hawes		Mr. J. Johnson	
Same	} upon an Indictment for Felony	Same	} upon an Indictment for Felony
Thomas Baughen		Arthur Emerson alias Page	
Same	} upon an Indictment for Felony	Commonwealth	} upon an appeal from Justice
George L. Jameson		James Crawford	
Same	} upon an Indictment for Felony		
George Faddley			

For reasons appearing to the Court. It is ordered ^{with the consent of the attorney for the Commonwealth} that the foregoing Causes be dismissed from the Docket of this Court, with right reserved ^{with} to the Commonwealth's Attorney for good Cause shown to re-instate the same.

J. R. Kyger Plff	} unlawful Detainer	John Kennedy Plff	} unlawful Detainer
Francis Bouts Deft		Roger Kennedy Deft	
Chas. A. Dorman Plff	} unlawful Detainer	R. E. Gubbage Plff	} unlawful Detainer
J. M. Schraun Deft		J. M. Stroop Deft	

It appearing to the Court that each of the foregoing Causes have been on the Docket of this Court for five years, without an order being entered therein. It is ordered that the same be stricken from the Docket with the right reserved to re-instate the same for good Cause shown.

J. P. Effinger Exor	} upon suggestion	Derrick Pennybaker Exor. pro Plff	} upon a warrant removed
J. P. M. Pomeroy Ex. re		Wm. H. Shoemaker Deft	
Ellison & Addison Plff	} upon a Notice	J. R. Shoemaker	} upon a warrant removed
J. M. Lam. re Deft		Frank & Holmes, Relator	
James Payne Plff	} upon attachment	R. E. Sullivan Plff	} upon a Notice
Samuel Anderson Deft		Ms. M. E. Kennedy Deft	
R. F. Myers Plff	} upon attachment	John F. Lewis	} upon a warrant removed
Ratto & Co. R.R. Co Deft		Oscar D. Sellers	
The Dover Milling Co. Plff	} upon att.	R. Sharn Bros Plff	} upon a warrant
John H. Hooper Deft		Y. H. Lam re Deft	
E. J. Shands Plff	} upon a warrant	Norfolk Western R.R. Co Plff	} upon an appeal
J. P. Hockett Deft		H. Ruder Deft	

John F. Lewis

②

J. R. Powell.

W. J. Brown.

Apn on Appeal.

2

Life & Lilly.

Upon an Appeal

1

John H. Shonwalter

It appearing to the Court that the foregoing Cause have been on the Docket of this Court for more than four years, without an order being entered in any of them other than Continuance. It is ordered that the same be stricken from the Docket, with right to any person in interest to re-instate the same for good Cause shown.

Emma T. May by re. Plff

4th May

Dalt.

Notici

Ordered That this Cause be Dismissed from the Courts Docket.

L. P. Sonder, J. P. paid into Court the sum of \$500 to secure the amount of a judgment for fine rendered by him on the 25 day of December 1903 in case of Commonwealth v. Frank Van for Assault & Battery.

J. H. Wolfe M. D. this day presented an account against the County of Rockingham amounting to the sum of \$5⁰⁰ for examination ^{of Mrs. Ella} ~~of~~ ^{Theresa} ~~Theresa~~ ^{Theresa} charged with lunacy which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

Jasper Hawse Surveyor this day presented in Court an account against the County of Rockingham amounting to the sum of \$6⁰⁰ Taking Grades surveying Road to Flat - Report of same. which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

Ordered that this Court be adjourned until tomorrow at 10 O'clock

Geoblastus

Virginia At a county court continued and held in and for the county of Rockingham at the court-house thereof on Saturday January 30. 1904.

Present-Hon. George G. Grattan Presiding

J. A. Switzer Sheriff & Jailor This day presented in Court an account
 against the Commonwealth of Virginia amounting to the sum of \$236.⁰⁰
 keeping & supporting sundry prisoners in the County Jail from 14 1903
 to January 1, 1904. which being sworn to was examined and allowed
 by the Court and ordered to be paid ^{to the} Auditor of Public accounts for payment.

Settlement of the account of	Kristina Hildebrand	Extr. of	Simon Hildebrand	decd.
"	"	"	E. R. Bowman	Admr. of David Looker decd.
"	"	"	Homer J. Dove	" R. J. Dove decd.
"	"	"	J. D. Harnsberger	" L. J. Harnsberger decd.
"	"	"	M. L. Baggle	" Lilla J. Baggle decd.

The foregoing settlements were this day presented in court and having been filed in this court the time prescribed by law and there being no exceptions taken thereto they were examined by the court and appearing to be correct are ordered to be recorded.

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On the motion Geo. B. Keziff who having been appointed executor under the will of William Allen dec'd. admitted to probate at a former day of this Term who made oath thereto according to law and appeared in court and together with the American Surety Company of New York his surety by E. D. Strayer its resident Vice President attested by Geo. G. Grattan its resident assistant secretary, entered into and acknowledged a bond in the penalty of Three Thousand dollars conditioned according to law a certificate of grant to the said Geo. B. Keziff for obtaining a probate of the will of William Allen dec'd. in due form and the court doth appoint John D. Peale, E. H. Carpenter and L. Williamson to appraise the estate of the said William Allen dec'd. after first being duly sworn.

//

J. P. Lam constable this day presented in court an account against the County of Rockingham amounting to the sum of \$3.04 for Arresting Elzie Donovan a lunatic and carrying same to jail &c which being sworn to was examined and allowed by the court and ordered to be certified to the Treasurer of this County for payment.

L. P. Lam J.P. This day presented in court an account against the Commonwealth of Virginia amounting to the sum of \$1.⁰⁰ for sitting in case of Commonwealth against Benj. H. Atkins for Felony which being sworn to was examined and allowed by the court and ordered to be certified to the Auditor of Public Accounts for payment.

It appearing to the court that in entering up the allowances of the witnesses for the July term 1903 that the name of Samuel P. Hammer a witness for the Commonwealth, in the case of the Commonwealth vs. George Gladwell was omitted and that he is entitled to two days attendance and forty-two miles travel. It is ordered that the Samuel P. Hammer be allowed the sum of Two ⁵⁰/₁₀₀ Dollars for his attendance & mileage aforesaid and that the same be certified to the Auditor of Public Accounts for payment.

L. D. Hallender Road Commissioner by Magisterial District this day Reported to the court that the road along the Widow Koogle's land on the road leading from Montezuma to Ottobene had been entirely washed away during last summer rendering it impossible for a loaded wagon to pass along the same and was again put in traveling condition by E. E. Bromer at an expense of Seventy-three ⁰⁰/₁₀₀ dollars and there being no District funds available to pay the same and the said Report being duly signed by H. M. Rogers Supervisor of said district, it is ordered by the court that the said sum of \$73.⁰⁰ be paid the E. E. Bromer out of the County levy for the year 1903.

C. P. Harshbarger M.D. this day presented in court an account against the County of Rockingham amounting to the sum of \$2.⁵⁰ for examination of

See Page 55
minutes of 1903

Copd.

Margaret Wright as to sanity which being sworn to was examined and allowed by the court and ordered to be certified to the Treasurer of this county for payment.

J. O. Jones M.D. This day presented in court an account against the Commonwealth of Virginia amounting to the sum of \$39⁰⁰ for medicine treatment of Sundry Prisoner Confined in the county jail of Rockingham county which being sworn to was examined and allowed by the court and ordered to be certified to the Auditor of Public Accounts for payment.

Ordered that this Court be adjourned Sine die.

Geo. Gratton

Resolutions of the Bar of Rockingham County as to Public Service of Hon. Geo. G. Gratton. A meeting of the members of the Harrisonburg bar was held in the county court room yesterday afternoon for the purpose of expressing the bar's appreciation of the public services rendered by Judge Geo. G. Gratton as Judge of Rockingham County during the past 18 years.

On motion of Capt. W. D. Lundy, Hon. J. N. Liggett was made chairman and Capt. J. B. Harnsberger, secretary of the meeting. On motion a committee of three, consisting of Capt. W. D. Lundy, J. D. Stephenson, and Gen. John E. Roller, was appointed to draft resolutions with reference to Judge Gratton's judicial administration which expires with the expiration of the present term.

After retiring a short time the committee reported its resolution, which were unanimously adopted.

In seconding the motion to adopt the resolution Gen. Roller made a short, but carefully prepared, speech reviewing the history of the county court from its beginning in 1778 up to the present time, and in closing made a few remarks about Judge Gratton as a man and as a judge, which remarks were commendatory in every regard.

We wish we had the time and space to report his speech in full.

Other members of the bar made short speeches, all uniting in praising the fairness, impartiality, ability and incorruptibility of Judge Gratton and regretting that they would no longer be able to practice in his court.

Following are the resolutions:

Resolved, That the members of the Bar of Harrisonburg desire to place upon record their high appreciation of the public service of the Hon. Geo. G. Gratton, by reason of his long and honorable service as the judge of the county court of Rockingham, and their sincere regrets at the severance of their relation with him in that honorable position which he has held since December, 1885, until the present time, when it must terminate by reason of the abolition of the county court system under the new constitution of Virginia.

Resolved, That fairness and impartiality, distinguished ability and incorruptible integrity have marked his long career of more than eighteen years on the bench and not only reflect an enduring fame

on him, but is a source of high honor to the bench and to the legal profession.

Resolved, That a copy of these resolutions be certified to the clerk of the County of Rockingham, to be spread upon the records of the said court, and that a copy be sent by the secretary to the Hon. George G. Grattan.

J. N. Liggett, Chairman

J. A. Harnsberger, Sec'y.

A. Copy Text.

J. B. Menuley, Clerk