ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

MINUTE BOOK 5 1876-1878

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Monday, November 20, 1876.

At a County Court held in and for the County of Rockingham at the Court-House thereof, on Monday, November 20, 1876.

Present:- Hon. Chas. T. O'Ferrall, 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 October Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Bargain & Sale.	John P. Brock & wife & others,	to Michael W. Bowman,
" "	Richard C. Chandler & wife,	" Joseph Minnick,
" "	Joseph M. Fauver & wife,	" Silas Sandy,
" "	J. L. Heiskell,	" Ro. B. Ragan, trustee,
Mechanic's Lien.	E. J. Johnson,	(vs) The Dayton School House Buildg. Comm.
Bargain & Sale.	Samuel Kline & wife,	to Christena Crist,
" "	same,	" Jacob Garber,
" "	Martin W. Brunk & wife,	" John H. & J. F. Simmers,
" "	James C. Heltzel & wife,	" John H. Simmers & Jacob C. Simmers, jr.,
Deed of Trust.	Strother May,	" John E. Roller, trustee,
Bargain & Sale.	William Snow & wife,	" Isaac D. Edwards,
" "	Isaac D. Edwards,	" Michael W. Bowman,
Deed of Trust.	James H. Peters,	" John E. Roller, trustee for C. Clatterbuck,
Bargain & Sale.	Peachy R. Coakley & wife,	" James J. Miller, trustee for Mary E. Coakley,
" "	D. Landes & wife & David H. Landes & wife &c.	" A. M. Newman, jr.,
" "	John D. Miller & wife,	" Joseph Clem,
" "	Christian Wine & wife & Thos. Lampkins & wife	" J. N. Cowen &c. School Trustees Plains Dist.
Deed of Trust.	John Henry Hemler & wife,	" G. F. Compton, Trustee
Bargain & Sale.	James H. Carickhoff & wife & her Trustee	" Martha Kyger,
" "	Wm. B. Compton, Comm.,	" Samuel Eaton,
" "	John Paul, Assignee of John Scanlon,	" Samuel Shacklett,
Lis Pendens.	James L. Avis,	" J. W. Gordon & Wm. Williams,
" "	same,	" J. W. Gordon, Wm. Williams & Rives Tatum,
" "	same,	" J. W. Gordon,
" "	William C. Harrison,	" J. W. Gordon, Mrs. Fannie Ward & Wm. Williams,
" "	William Williams,	" J. W. Gordon & others,
Marriage Contract.	William Williams & M. A. Buckley,	" George Chrisman, Trustee,
Bargain & Sale.	George G. Grattan, Trustee,	" Granville Eastham,
Chattel Mortgage	B. F. Richards & Wm. E. Bell,	" J. M. Brunswick & Balke Co.
Assignment.	M. G. Harman,	" First Nat. Bank of Harrisonburg,
Mechanic's Lien	Peter Guyer,	(vs) John H. Bell,
Deed of Trust.	John Bishop & wife	to A. C. Walker, trustee for Jno. G. Delaney,
" " "	M. Pinkus & wife	" J. T. Logan, Trustee for Peter Guyer,
Bargain & Sale.	Harvey Kyle & wife,	" Harriet Johnston,
" "	M. Harvey Effinger & wife,	" D. H. Lee Martz, trustee, for Mary C. Martz,
" "	J. J. Littell & wife,	" Mariah Warble, wife of Albert Warble,
" "	John Paul, Comm.,	" M. G. Harman,
" "	Michael G. Harman & wife	" Samuel B. Good,

Bargain & Sale.	George Linaweaver & wife,	to William Linaweaver,
" "	Ephraim Wenger & Daniel Good,	" James C. Heltzel,
" "	William Byrd & wife (old deed)	" Louis S. Byrd,
" "	George G. Grattan, Commr,	" Catherine R. Gambill,
Land Division.	John H. Detamore, (decd.)	Division of Land among the Heirs,
Bargain & Sale.	Jacob W. Zirkle & wife,	" Nathan Harris,
" "	Joseph T. Logan, Clerk of the County Court	" Dr. J. G. Minor,
" "	Same,	" Wm. H. Buntner,
" "	Same,	" Dr. A. M. Newman,
" "	Same,	" Henry Smith,
" "	Ella A. Riley & J. G. Riley,	" Caroline T. Crawford, wife of Jas. W. Crawford,
" "	William Lowry & wife,	" Isaac Fink,
" "	David C. Secrist & wife,	" David W. Brenneman,
" "	Calvin Miller & wife,	" Thomas Brannum, Trustee for his sons,
Marriage Contract.	James Baker	& Rebecca J. Humbert,
Neg. Lien Note,	John O. Casler,	to L. H. Lee & Bro, (Balto. Md.)
Bargain & Sale,	Mathew W. Williamson,	" G. M. Williamson, trustee for Mary L. Williamson
" "	Michael J. Martz & wife,	" Lydia A. Martz,
" "	John Zigler & wife,	" David Holsinger,
" "	Elizabeth Yager,	" William Yager,
Lis Pendens	J. A. Loewenbach,	" Washington, Cincinnati & St Louis Railroad Co.
Deed of Homestead,	Patrick Tobin,	
Bargain & Sale,	Jacob Yankee & wife,	" Socrates Dove,
" "	B. G. Patterson, Special Commr,	" E. P. Myers,
" "	Adam Rader,	" Peter H. Snyder,
Deed of Trust	William Minnick & wife,	" J. T. Logan, trustee for M. Sohr, &c.
Bargain & Sale.	Catharine R. Gambill & others,	" Henry V. Strayer, Trustee for Juliet L. Strayer,
" "	D. H. Rolston, Commr,	" Francis M. Perry,
" "	A. B. Irick & wife,	" Mary D. Pool, wife of R. W. Pool,
Deed of Trust,	Mary D. Pool, wife of R. W. Pool,	" Charles E. Haas, Trustee,
Bargain & Sale,	B. G. Patterson, Commr,	" Julia A. Sprinkel
" "	Wm. B. Compton, Commr,	" George W. Yancey,
Lease & Trust Deed	The Valley Railroad Company and The Shenandoah Valley Railroad Company	with The Shenandoah Valley Railroad Company, to James Brumgardner jr, Trustee,
Deed of Trust.	James H. Dofflemoyer,	" George G. Grattan, Trustee for Gaar, Scott & Co.

The following settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed, and ordered to be recorded, viz:—

Settlement of the Account of Abm. Hinegardner, Admr. of Nancy Hinegardner,
" " " " " T. K. Harnsberger, " " R. L. Yancey,
" " " " " Benjamin Bowman, " " Ay Niswander,
" " " " " Henry Carpenter, " " John Pence,
" " " " " John H. May, " " Margaret Evers,
" " " " " P. A. Bertram, Exor. " Andrew Bertram,
" " " " " Henry Pulse, " " Elizabeth Pulse,
" " " " " Abram Shank, " " Abner Canada,
" " " " " B. F. & H. B. Armentrout, Exors. " David Armentrout,
" " " " " William Saufley, guard. " C. A. Buntner,
" " " " " same, " " Markwood Buntner,
" " " " " same " " Louisa Buntner,
and settlement of R. A. Scott, present guardian of same;

The Sale Bill of the Real Estate of David Kyle, dec'd, by his Executor, Harvey Kyle, was this day presented in Court, and no exceptions being taken thereto, the same is ordered to be recorded.

For reasons appearing to the Court, the Rules awarded against Abraham Andes, Isaac Wenger, Samuel Bailey and P. D. Byerly for failure to attend as Venirmen for the trial of felony cases at the October Term last of this Court, when duly summoned, are discharged.

Commonwealth vs Geo. W. Adams, } upon a Rule — Ashby Dist. School Trustees vs J. W. Fries, } W E & D.

Same, vs John F. Rouhof. } upon a Rule, — John M. Miller & others, } Road Petition,

Ordered, That the foregoing causes be placed upon the Courts Docket.

Application of B. F. Bond for Ordinary License at his residence in the town of McGaheysville

Ordered that this motion be placed upon the Courts Docket, and continued until Monday next.

On the motion of Winfield Liggett, a regularly licensed Attorney at Law, he is permitted to practice in this Court, and thereupon he appeared in Court and qualified by taking the oaths prescribed by law.

For reasons appearing to the Court, the Rule awarded against J. D. Craig, at a former term of the Court, for failure to attend as a witness in behalf of the Commonwealth against Henry Raines, is discharged.

The following Accounts against the County of Rockingham were this day presented in Court, and being sworn to, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876, viz:

John T. Rimel, for blasting & Powder furnished Mt. Valley Road $1.00
Geo. W. Tabb, for Coal for Court House to Nov. 17, 1876, per bill, 8.80
S. C. Whitescarver, for 4 days' services as Road viewer, (Plecker & Huff.) 4.00

Upon the application of Thomas K. Harnsberger, Admr. of Robert L. Yancey, dec'd, for directions as to the disposition of the fund now appearing to be in his hands from the report of A. M. Newman, Commissioner of Accounts, confirmed at this Term of the Court, It is ordered that said Newman, as such Commissioner, ascertain and report to the Court how this fund should be disposed of,

who are the heirs of Robt. L. Yancey, dec'd, and such other matter as he may deem pertinent or may be necessary to enable the Court to give the said Administrator such directions as the law directs relative to said fund; and the said Newman, as such Commissioner, is ordered, in future settlements of said Administration Accounts, to report such matter as above required, as far as may be necessary to enable the Court to direct proper disposition or distribution of the same.

The writing purporting to be the last will and testament of Joshua Pence, together with a codicil thereto attached, was this day presented in Court, and the will being proven by the oaths of G. W. Mauzy, Jeremiah Pence and Jo. W. Mauzy, three of the subscribing witnesses thereto, and the codicil thereto attached by the oaths of Cyrus Pence and Jeremiah Pence, the two subscribing witnesses thereto, the said will and codicil is admitted to probate and ordered to be recorded.

N. H. Nair, Pltff., (23) John Robinson, jr & others Defts-Upon a Sug'n.
Same, Pltff., (24) same Defts. same.

1+4 cap's. issd. On motion of the Plaintiff, these causes are consolidated, and a Rule is awarded against Richard Robinson, jr, John H. Robinson, J. J. Deatrick and Lucy Snyder, returnable to the next term of this Court, requiring them to shew cause why they shall not be attached for their failure to answer the Plaintiff's suggestions aforesaid.

Certified to Auditor, Dec. 6, 1876. J.L.cc. D. H. Lee Maltz, who was, on the 27th day of October 1876, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years, this day appeared in Court, and together with Michael F. Maltz, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, waiving the benefit of the Homestead exemption. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof, and a copy of this order to the Auditor of Public Accounts. And thereupon the said D. H. Lee Maltz took the several oaths prescribed by law.

On the motion of John A. Thomas, and for reasons appearing to the Court, the powers of the said John A. Thomas, as Curator of the Estate of Levi Hellert dec'd are hereby revoked, and it appearing to the Court that Mrs. Sallie Hellert, the widow of said Levi Hellert, has renounced her right to qualify as the Admx. of said Estate, on her motion, John A. Thomas is permitted to qualify as Admr. of the same, and thereupon he appeared in Court, and made oath to the papers as according to law, and together with M. M. Hellert, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of the said Levi Hellert, dec'd.

c/w. i.d. And on the motion of John A. Thomas, the Admr. aforesaid, the Court

doth appoint Joshua Mauldin, Frederick Hillyard, Sr. and John P. Zigler to appraise the Estate of said Levi Hellett, after first being duly sworn.

On the motion of Robert Skinner, the Court doth appoint him as the Guardian of his two infant children and grand-children of Gabriel Heaton, dec'd, under the age of 14 years, and thereupon the said Robert Skinner appeared in Court, and together with Joseph Bowman & John Bloxer, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $200. & conditioned according to law, waiving the benefit of the Homestead exemption, and qualified as said guardian.

On the motion of Henry Smith, the Court doth order that he be relieved from the judgment of Capitation Tax and County and Parish Levies, for the year 1876, on account of bodily infirmity, rendering him unable to pay the same.

Commonwealth
vs
Harvey Lotterberry } Upon an Indictment for Felony.

The prisoner, Harvey Lotterberry, was this day again led to the bar of the Court in custody of the Jailor of the County, and by counsel, moved the Court for a further suspension of the execution of its judgment for the period of ten days, which motion, on consideration, the Court doth sustain, and thereupon the prisoner was remanded to Jail.

Upon the application of James Payne, and from evidence introduced that the said applicant is a person of sobriety and good character, not addicted to drunkenness, and that the place is suitable and convenient, It is ordered that Merchants Retail Liquor License be granted him at his place of business near Rawley Springs, in this County, from Nov. 20, 1876 to April 30, 1877, the receipt of the Treasurer of this County for the amount of the License Tax being presented by him in Court.

Jacob W. Cowen, Michael Lohr and Daniel Flory viewers appointed to view a change in the Road from Spartanburg to Bowman's Mill, upon the application of Abm. Pickering &c, this day returned their report into Court, which is ordered to be filed.

George J. Kisling, George W. Effinger & J. Butler, viewers appointed to view the ground of a proposed road from Pleasant Hill School-House to the Valley Pike, upon the application of D. A. Landers & others, this day returned their report into Court, which is ordered to be filed.

W. Lindsay, Foreman, S. J. Jones, David Cline, Jos. L. Ritchie, Henry Shackett, George W. Effinger, P. H. Pugh, Daniel L. Rosenberger, Geo. W. Funk,

J. W. Blair, F. G. Way, P. D. Byerly, Patterson Burgess, Joseph Dinkel, Martin Brunk and Benjamin Kerlin were sworn and impaneled 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 some time returned into Court and made the following presentments, viz:— An Indictment against Henry Ford and Charles Ford, for breaking and entering an outhouse in the night-time, a true bill, M. Lindon foreman;— An Indictment against John Smith and John Smith alias John Bealer, for breaking and entering a storehouse in the night-time, a true bill, M. Lindon, foreman;— An Indictment against William Minnick for assault & battery, a true bill, M. Lindon, foreman; An Indictment against William Minnick, for carrying a concealed weapon, a true bill, M. Lindon, foreman; and An Indictment against John Kelly, jr., for cruelty to an animal, a true bill, M. Lindon, foreman, and having completed the business before them, were discharged from further attendance upon this Court.

Ordered, That M. Lindon, S. J. Jones, David Cline, Jos. C. Ritchie, Henry Shacklett, George W. Effinger, P. W. Pugh, Dl. L. Rosenberger, G. W. Fulk, J. W. Blair, F. G. Way, P. D. Byerly, Patterson Burgess, Joseph Dinkel, Martin Brunk and Benjamin Kerlin be each allowed the sum of One Dollar for their services at this term of the Court as Grand Jurors, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

Commonwealth, vs George Clark. } Upon an Indictment for Petit Larceny.

The Defendant, George Clark, having been convicted of Petit Larceny at the November Term 1874, and the Jury having ascertained the term of his confinement in the County Jail at five months, and he not being in Court to hear judgment, the Court awarded a Capias ad audiendum judicium to issue, directed to the Sheriff of this County, and the Sheriff this day returned the said writ executed, and thereupon the said George Clark was led to the bar of the Court in custody of the Jailor of this County, 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 Defendant be confined in the Jail of this County for the period of five months from this day, the period by the Jurors in their verdict ascertained, and it is further considered by the Court that the Commonwealth recover against the Defendant her costs by her in this behalf expended, and thereupon the prisoner was ~~remanded~~ committed to Jail.

Commonwealth vs Lewis Randol. } Upon an Indictment for attempt to commit a Rape.

The prisoner, Lewis Randol, late of the County of Rockingham,

who stands indicted for a felony by him committed, was this day led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty," and upon his arraignment, by counsel, demurred to the Indictment, which demurrer was overruled by the Court, and thereupon Wednesday the 29th day of this month was fixed for his trial, and he remanded to Jail.

Commonwealth,

Henry (23) Ford & Charles Ford. } Upon an Indictment for breaking and entering an Outhouse in the night time.

The prisoners, Henry Ford and Charles Ford, late of the County of Rockingham, who stand jointly indicted for a felony by them committed, were this day led to the bar of the Court, in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty," and thereupon they elected to be tried separately, and Monday next, November 27th was fixed as the day for their trial, and they remanded to Jail.

Commonwealth,

John (12) Smith & John Smith alias John Bealer, } Upon an Indictment for breaking & entering a storehouse in the night time.

The prisoner, John Smith, late of the County of Rockingham, who stands jointly indicted with John Smith alias John Bealer for a felony by them committed, was this day led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty", and thereupon Tuesday next, Nov. 28th was fixed as the day for his trial, and he remanded to Jail. And it appearing to the Court that the other defendant, John Smith alias John Bealer was not in custody, the Court thereupon issued a Bench warrant for his arrest, directed to the Sheriff or any Constable of this County.

This day, came John G. Cootes, who alleges that he is aggrieved by an assessment made against him of a License Tax as Merchant at Cootes' Store in this county, by John W. Thomas, late Assessor of the Revenue for Plains District for the year ending April 30, 1876, whereby he is charged with $17.20 License Tax as said Merchant on $3800.00 of estimated purchases for said year, and moved the Court to exonerate him from the payment of $8.68 part of the said License Tax erroneously charged against him for said year; which motion was defended by John Paul, Attorney for the Commonwealth for said County, and John W. Thomas, the Assessor who made the Assessment, was examined as a witness touching the application, and the affidavit of Emanuel Wilkins, the present Commr. of the Revenue, was produced in Court.

And it appearing to the Court that the said License Tax was paid to the Treasurer of this County on the 3d day of July 1875 and that application for redress against the erroneous assessment was made on this day for the first time; and it appearing to the Court that the said

corrected.

John G. Cootes discontinued business as said Merchant and that his purchases for said year amounted only to the sum of $1950.00 and did not reach the amount of $2800.00 on which he was taxed by the said Assessor, John R. Thomas; all which the Court certifies as facts proven upon the application aforesaid. On consideration whereof, and from such facts so proved, the Court is satisfied that John G. Cootes is erroneously charged with $8.68 part of said License Tax, It is ordered by the Court that the said John G. Cootes be exonerated from the payment of $8.68 the License Tax so erroneously charged if not paid, and if already paid, that it be refunded to him.

Ordered, That this Court be adjourned until Thursday morning next at 9 o'clock.

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday November 23, 1876.

Present:- Hon. Charles J. O'Ferrall, presiding.

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:-

Appraisement & Sale Bill of the Personal Property of Raphael Myers, dec'd.
" " " " " " " " Isaac M. Garber, dec'd,
" " " " " " " " Catharine Myers, dec'd.
- - - - Sale " " " " " " John R. Thomas, dec'd

Ordered, That Court be adjourned until Monday morning next.

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, November 27, 1876.

Present:— Hon. Charles T. O'Ferrall, presiding.

Upon the calling of the Venirement summoned to this day of the Court, for the trial of Felony cases, it appeared to the Court that the following were absent, viz:— Geo. W. Snell, B. F. Armentrout, Wm. McIntruff, Harrison Bateman, R. W. Bear, John J. Showalter, Wm. Beard & G. B. Reed, and thereupon the Court doth award Rules against the said absent Venirement for their failure aforesaid, returnable to the first day of the next term of this Court.

Commonwealth, } Upon an Indictment for Felony.
Henry Ford.

The prisoner, Henry Ford late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court, in custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until the next term.

Commonwealth } Upon an Indictment for Felony.
Charles Ford.

The prisoner, Charles Ford, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court, in custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until the next term.

The Court doth award a Rule against Franklin Rucker, a witness summoned in behalf of the Commonwealth against Henry Ford & Charles Ford, for his failure to appear on this day, returnable to the first day of the next term of this Court.

W. J. Kite and Andrew Stanley this day appeared in Court and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition, that they each do make their personal appearance before the Judge of this Court, on the first day of the next term thereof, as witnesses in behalf of the Commonwealth against Henry Ford & Charles Ford, indicted jointly for Felony, but who have elected to be tried separately, and not to depart thence without leave of the Court.

George W. Manzy, the Executor nominated in the will of Joshua Pence, probated on the first day of this term of the Court,

this day appeared in Court, and declined to qualify as such Executor; and Elizabeth Pence, the widow of said Joshua Pence also this day appeared in Court, and renounced her right to administer upon the same; and upon her motion and the motion of E. W. Killian & other devisees & legatees of his said Estate, the Court doth appoint J. S. Harnsberger as Administrator thereof, and thereupon the said J. S. Harnsberger, who made oath thereto according to law, appeared in Court, and together with E. W. Killian, his Surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $8.000 Cy, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration, in due form, with the Will annexed upon the Estate of said Joshua Pence.

And the Court doth appoint G. W. Mauzy, John Begoone, Jonathan Miller, Reuben Risling & Peter R. Pence, to appraise the Estate of the said Joshua Pence, any three of whom may act, after first being duly sworn.

On motion of Jonas Lowman, (he having) produced in Court the certificate of the Common Council of the Town of Harrisonburg, and from evidence introduced that the said applicant is a person of sobriety and good character, and that the place is a suitable and convenient one, It is considered by the Court that Merchants Retail Liquor License be granted him at his place of business, the room in the Building recently erected by A. J. Nicholas, on East Market Street in the town of Harrisonburg, in this County, from the 27th day of November 1876, to April 30, 1877, the receipt of the Treasurer of this County for the amount of the License Tax being presented by him in Court.

c/s/d. r.d. fee p.d.

For reasons appearing to the Court, the following named Veniremen, summoned for the trial of Felony cases at this term, are excused from further attendance upon this Court, viz:- Michael Thomas, Wm. McDick, Harvey J. Rosenberger, Thos. L. Williamson, Samuel Driver, H. J. Dearing, Jacob N. Armentrout, Daniel Brunnemain, A. S. Rosenberger, S. C. Taylor and Saml. J. Yates.

This day, C. E. Haas & J. T. Logan, who allege that they are aggrieved by an entry in the Land Book, made by John R. Jones, Commissioner of the Revenue for Central District in said County for the year 1876, whereby they are charged with $13.50 Taxes for the year 1876, on a lot of land described as lying on Main Street in the Town of Harrisonburg, (Bank Lot) and thereupon the said C. E. Haas & J. T. Logan moved the Court to exonerate them from the payment of $13.50, the taxes so erroneously charged against them for said year, which motion was defended by John Paul, Attorney for the Commonwealth for this county, and the said John R. Jones, the Commissioner who made the assessment, was examined as a witness touching the application.

c/s/d. o.d.

And it appearing that said book, in which said alleged erroneous entry has been made, was certified by the Clerk of this County Court of this County, on the day of 1876, and that

application for redress against the erroneous entry was made on this day for the first time; and it appearing that the said lot (as described,) was twice charged by the said Commissioner to the said C. E. Haas & J. T. Logan, when they ought only to have been charged once, and that they have paid the taxes on said lot for the year 1876. 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 C. E. Haas & J. T. Logan are erroneously charged on said book with taxes amounting to $13.50; whereupon it is ordered that the said C. E. Haas & J. T. Logan be exonerated from the payment of $13.50 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to them; $9.00 of which is State Tax & $4.50 County Tax. And the said Commissioner of the Revenue is ordered to correct his Land Book, by erasing therefrom this erroneous entry.

George H. Dinges, Jos. B. Webb & Jos. Byrd, District School Trustees of Ashby District, Pltffs.,
J. W. (as) Fries, Deft. } Unlawful Entry & Detainer.

This day came again the parties by their attorneys, and the Defendant filed his plea of not guilty, to which the Plaintiffs replied generally and thereupon came the following Jury to-wit:—John F. Driver, C. G. Jennings, J. L. Bocock, John S. Funk, Edwin Mason, John G. Moore, S. S. Andes, C. H. Sowers, Daniel Brenneman, G. H. Harrison, M. A. Scott & C. J. Longacre, who being elected, tried and sworn, well and truly to try and a true verdict render according to the evidence, whether or not, on the 6th day of November 1876, the Defendant unlawfully withheld from the possession of the Plaintiffs, a certain School Building & Lot, situated in the town of Dayton, in this County, described in the writ, and not having time fully to hear the evidence, was adjourned until to-morrow morning at 10 o'clock.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, Nov. 28, 1876.

Present:- Hon. Charles T. O'Ferrall, Presiding.

c a/p'd & d.

L. S. Byrd, late Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $94.95 for receiving and dieting sundry prisoners from July 15, 1876 to Octs. 18, 1876, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

c a/p'd & d.

L. S. Byrd, late Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.90 for receiving dieting and releasing Eliza J. Dixon, a Lunatic, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c a/p'd & d.

L. S. Byrd, late Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $74.75 for receiving, dieting and nursing William Spitzer, a Lunatic, from July 1, 1876 to Octs. 18, 1876 - 110 days @ 60¢ per day and clothing for same 7/24ths of a year @ $30 per year, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c a/p'd & d.

Franklin Rucker, Special Constable of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $7.65 for executing search warrant against D. Ford & Isaac Crawford, for arresting Henry Ford & Charles Ford, charged with felony, conveying same to Jail, &c, &c, which being sworn to before and certified by J. B. Walker a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c a/p'd & d.

Thompson Steele, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.20 for arresting John Lawson, charged with felony, conveying same to Jail & summoning 3 witnesses, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c a/p'd & d.

George Hutcheson, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $1.50 for assisting Thompson Steele, Constable of this County, in arresting &c John Lawson, charged with felony - 2 days @ 75¢, which being sworn to in

open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Thomas N. Weaver, Constable of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $8.60 for arresting Henry Williams & Harvey Lotterberry, charged with felony, conveying same to Jail, summoning 7 witnesses & meals furnished prisoners, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cap'd.

Upon the application of Bettie E. Mauck & Wm. N. Mauck, It appearing to the Court that the Report of Survey and Plat of A. G. Bear, Surveyor of Rockingham County, of a Lot of Land situated in the town of Harrisonburg, in said County, on Main Street & Federal Alley, adjoining Spindly, and assessed upon the Land books of this County to Mahala Warren, and sold by the Treasurer of Rockingham County, as delinquent Land on the 15th day of December 1873, to said Bettie E. Mauck and Wm. N. Mauck, for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. R. Allebaugh, Treasurer of Rockingham County, are made according to law, It is ordered that said certificate and Survey and Plat be recorded in the Clerk's Office of the County Court of this County.

Staples & Kent, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $11.00 for hire of Horses & furnished J. N. Kelly, Chief of Police of the town of Harrisonburg, for the arrest of Lewis Randol, charged with rape, and for the arrest of Henry Raines & W. Rhineheart, who escaped from the Jail of this County, which being sworn to in open Court was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cap'd & d.

J. N. Kelly, Chief of Police of the Town of Harrisonburg, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $42.66 for arresting sundry persons, charged from Sept. 3, 1872 to October 7, 1876 with felony, and summoning witnesses, &c, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment. cap'd. &c.

Wm. P. Switzer & Gassman, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $3.26 for Wire, Nails, &c, furnished for the Court House, as of date Dec. 8, 1875, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876. cap'd.

On the motion of J. J. Miller & others, Joseph S. Loose, who made oath thereto according to law, this day appeared in Court, and together with S. W. Callender, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1.000.00, conditioned according to law, (waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of John Crousehorn, dec'd. it appearing to the Court that he has been dead more than 30 days & no administration on his Estate.

And the Court doth appoint T. S. Jackson, Peter Paul, Franklin Dice and F. M. Ervine to appraise the Estate of the said John Crousehorn, any three of whom may act, after first being duly sworn.

George W. Roller nominated as co executor with John A. Switzer in the will of Peter Roller, dec'd, which was probated in this Court at the October Term last, having appeared in Court on the first day of this Term, and declined to qualify as one of the Executors under said will, on the motion of John A. Switzer he has leave to qualify as sole Executor of said will, and thereupon he, the said John A. Switzer this day appeared in Court, and together with D. M. Switzer, Samuel C. Switzer and John J. Roller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $14.000.00/100, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as the Executor of said Peter Roller, under the will, according to law.

And the Court doth appoint C. Miller, J. F. Crawn, Henry W. Roller & William Archeart to appraise the Estate of the said Peter Roller, dec'd, any three of whom may act, after first being duly sworn.

Joseph Cromer's Exors. Pltffs.
(vs)
John Riley &c. Defts. } Ejectment.

By consent of parties, It is ordered that this cause be dismissed agreed.

John L. Lewis, Pltff.
(vs)
Israel Mongold, Deft. } Unlawful Entry & Detainer.

Ordered, That this cause be continued until the next term.

Commonwealth
(vs)
John Smith } Upon an Indictment for Felony.

The prisoner John Smith, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court in custody of the Jailor of this county, and thereupon came the Attorney for the Commonwealth, who entered a Nolle Prosequi, and nothing further being alleged against him, It is ordered by the Court that the said John Smith be discharged, and go hence without day, &c.

G. H. Dinges, Jos. B. Webb & Jos. Byrd District School Trustees of Ashby District, Pltffs.,
vs. J. N. Fries, Defts. } Unlawful Entry & Detainer.

This day came again the parties by their Attorneys, and thereupon again came the Jury sworn and impaneled on yesterday for the trial of this cause, and not having time fully to hear the evidence, was adjourned until to-morrow morning until 10 o'clock.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, November 29, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

On the motion of B. F. Bond, and from evidence introduced that the said applicant is a person of sobriety and good character, and that the place is suitable and convenient, It is considered by the Court that Ordinary License, together with Retail Liquor Merchants License, be granted him at his place of business in the town of McGaheysville from the 29th day of November 1876, to April 30, 1877, the Court being satisfied that he is provided with the necessary accommodations for man or horse, &c, and he having also produced in Court, the receipts of the Treasurer of this County for the Taxon said Licenses.

issued od.

Commonwealth
vs. Lewis Randol. } Upon an Indictment for attempted Rape.

The prisoner, Lewis Randol, late of the County of Rockingham, was this day again led to the bar of the Court, in custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until the next term of the Court, and thereupon the Defendant moved the Court to be admitted to bail, the consideration of which was continued until to-morrow, and the following witnesses in behalf of the Commonwealth, viz. Wm. D. Maiden, Wm. F. Riger & Jas. A. Shefflett, were recognized each in the sum of $50.00 to be levied of their respective goods & chattels, &c, for the use of the Commonwealth, for their appearance before this Court, on to-morrow morning at 10 o'clock, in behalf of the Commlth. upon said motion for bail.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in
cap'd & d. Court an Account against the Commonwealth of Virginia, amounting to the sum of $104.95 for dieting, &c, sundry prisoners from October 19, 1876, to Nov. 18, 1876, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $14.90 for dieting &c William Spitzer,
cap'd & d. a Lunatic, 31 days from Octo. 19th to Nov. 18, 1876 @ 40¢ per day, and for Clothing for same 1 month @ $30 per year, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

The following Accounts against the County of Rockingham were this day presented in Court, and being sworn to in open Court, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment, out of the Levy for the year 1876, viz:—

cap'd. Hockman & Bucher, for hire of hand 2 days in assisting to put up Wires in the Court-House $3.50
cap'd. E. H. Cromer for 2 days, viewing Spader Church Road @ $1. per day, 2.00
cap'd & d. Hiram Coffman, 2 " " same, @ $1. per day, 2.00

The Court doth order that the following-named persons be allowed the sums opposite their names for their services and attendance upon this term of the Court, as Veniremen, summoned for the trial of Felony cases, @ $1 per day, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:—

certified to the Aud. of Pub. Acct.

John H. Bell,	$3.00	Caleb Dean,	$3.00 cap'd	A. L. Lindsay,	$3.00 cap'd
S. M. Ott,	$3.00 cap'd	W. H. Stinespring,	3.00 cap'd	Michael Thomas,	@ 1.00
Wm. Hedrick,	@ 1.00	Harvey J. Rosenberger,	@ 1.00	T. L. Williamson,	@ 1.00
Saml. Driver,	@ 1.00	W. J. Dearing,	1.00	Jacob A. Armentrout,	@ 1.00
A. S. Rosenberger,	@ 1.00	S. C. Naylor,	1.00	Saml. J. Yates,	@ 1.00

On the application of Madison Wise & others, for the establishment of a Public Road, commencing at the Mountain Valley Road, near Armentrout's Church, and running thence by Madison Wise's Mill, and in-
1 & 3 cap'd ind. tersecting with the Mountain Valley Road, at a point called Paradise.

The Court doth appoint Charles J. Brock, A. H. Brewer & S. R. Allebaugh, viewers, to view the ground, and report to the Court at its next term; First.—The conveniences and inconveniences that will result, as well to individuals as to the public if such road shall be established as proposed, and especially, whether any yard, garden, orchard, or any part thereof will have to be taken. Second:—They shall report further the facts and circumstances, in their opinion, useful in

enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on such route, and state which of them require compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing their order, shall be appended to the Report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same. Any defect in the action or Report of the viewers, will debar them from receiving pay for their services.

G. W. Dinges, Jr. B. Webb & Jr. Byrd, District School Trustees for Ashby District, Pltffs.,

J. A. Fries, Deft. } Unlawful Entry & Detainer.

This day came again the parties by their Attorneys and thereupon again came the Jury sworn and impaneled on Monday last for the trial of this cause, and not having time fully to hear the cause, was adjourned until to-morrow morning at 10 o'clock.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, November 30, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

This day, came Hon. John T. Harris, who alleges that he is aggrieved by an Assessment made against him of a License Tax as Attorney at Law, in this County, by John R. Jones, Commrn. of the Revenue for Central District, for the year commencing May 1, 1876 and ending April 30, 1877, amounting to the sum of $25.00, and moved the Court to exonerate him from the payment of said License Tax erroneously charged against him for said year, which motion was defended by John Paul, Attorney for the Commonwealth for said County, and John R. Jones, the Assessor who made the assessment, was examined as a witness touching the application. And it appearing to the Court that the said

capias

John T. Harris did not apply to the said Commr. for License as an Attorney, but that he assessed him in his absence from the Commonwealth, and without the knowledge or assent of said Harris, and it further appears to the Court that the said applicant has not applied for relief from the erroneous assessment upon made this day for the first time, and that he does not intend to practice Law during this present year. On consideration whereof, and from such facts so proved, the Court is satisfied that John T. Harris is erroneously charged with $25 00 License Tax as an Attorney at Law, It is ordered by the Court that the said John T. Harris be exonerated from the payment of $25 00 the License Tax so erroneously charged if not paid, and if already paid, that it be refunded to him.

It appearing to the Court on the testimony of Cyrus Wise, Overseer of the Poor, for Linville District, that Addocia Brooks, colored, aged 5 years, is likely to become chargeable to the County, on motion of said Cyrus Wise, and for reasons appearing to the Court, It is ordered that said Overseer of the Poor, bind as an Apprentice to Maria Hayne and Catharine Hayne, the said Addocia Brooks, colored, now about five years of age, until the said Addocia Brooks arrives at the age of eighteen years. The business this Apprentice is to be taught is that of House keeping & House work. The said Maria Hayne & Catharine Hayne shall maintain said apprentice, furnish her good and suitable clothing, and teach her reading and writing and Arithmetic, including the Rule of Three and shall also pay said apprentice at the end of her 18th. year the sum of Twenty Dollars, and furnish her a suit of comfortable clothing, for which payment, &c, bond shall be taken from said Maria Hayne & Catharine Hayne by the said Overseer of the Poor.

Upon the application of Wm. W. Roller, H. J. Monger & others, for a change in the location of the Roller's Mill Road, from a point near the West corner of Wm. D. Huffman's garden, thence through the lands of Daniel Slusp, and intersecting the present location 200 yards from said garden, John A. Moore, Road Commr. for Ashby District having endorsed his approval of the same on the foregoing named Petition for a change in said road, the Court doth appoint C. Miller, John T. Craven & Reuben Huffman as viewers to report upon said proposed change in said Road,

The said viewers shall give at least 5 days notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of said road. The viewers before proceeding to discharge their duties, shall be severally sworn by the Commissioners of Roads, or some other person authorized to administer oaths, to perform their duties impartially, and to the best of their judgment. If they decide there is a public necessity for the change, they shall lay out the same, having respect for the shortest distance and the least ground, so as to do the least injury to private property, and also as fair as practicable to be agreeable to the petitioners. They shall view the

damage done to land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of the County Court, giving the names of the land-owners entitled to damages; but in no case shall any yard, garden, orchard or any part thereof, be taken, without the consent of the owner or owners thereof.

On the application of Simeon Miller, it appearing to the Court that the Report of Survey and Plat of A.C. Bear, Surveyor of Rockingham County of a Tract of Land containing 11434½ Sq. ft. or 43 Perches situated in the town of Mt. Crawford, and assessed on the Land Books of this County to John Smith, and sold by the Treasurer of Rockingham County as delinquent land on the 15th day of December 1873 to said Simeon Miller, for the non-payment of Taxes for the year 1869, as appears to the Court by the certificate of S.R. Allebaugh, Treasurer of Rockingham County, are made according to law. It is ordered that said certificate and Survey & Plat be recorded in the Clerk's Office of the County Court of this County.

Commonwealth }
Lewis Randol. } Upon an Indictment for attempted Rape.

Lewis Randol, the prisoner, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court in custody of the Jailor of this County, and thereupon, by counsel, withdrew his motion for bail, made on yesterday, and the prisoner was remanded to Jail.

Jack. Williams, Plff,
John L. Stroup, gar. of J.L. Heiskell, Deft. } Upon a Sug.

This day came the Plaintiff by his counsel, and thereupon appeared in Court, John L. Stroup, who has been summoned as a garnishee of J.L. Heiskell, who answered upon oath that he is indebted to the said J.L. Heiskell, in the sum of $46.00, and the Court is of the opinion that the Fi fa of the Plaintiff in the hands of the Sheriff of this County issued out against the Defendant J.L. Heiskell, is a lien upon the said sum of $46.00 in the hands of the Defendant, John L. Stroup. It is therefore considered by the Court that the Plaintiff recover of said John L. Stroup, the sum of $33.25 with interest thereon from the 14th day of October 1875, till paid, and $1.00 costs accrued before this action, and his costs by him in this behalf expended.

Geo. H. Diuges, Jo. B. Webb & Jo. Byrd, District School Trustees of Ashby District Plff
J. N. Fries. Defd. } M. E. & D.

This day came again the parties by their Attorneys, and

thereupon again came the Jury sworn and impaneled on Monday last for the trial of this cause, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find for the Defendant, C. G. Jennings, foreman; and thereupon the Plaintiffs by counsel, moved the Court to set aside the verdict and grant them a new trial, which motion, on consideration, the Court doth overrule, and therefore It is considered by the Court that the Defendant go hence without day, and recover against the Plaintiffs his costs, by him in this behalf expended,

Ordered That the following-named Jurors (Petit) be each allowed the sum of Four Dollars for their services at this Term of the Court, 4 days, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1876, viz:—

cap'd & d. John F. Driver, C. G. Jennings, J. L. Bowcock, John S. Funk, Edwin Mason, John G. Moore, S. S. Andes, C. H. Sowers, Dl. Brenneman, G. H. Harrison, M. A. Scott & C. J. Longacre.

G. H. Dinges, Jos. B. Webb & Jos. Byrd, District Pltffs.
School Trustees of Ashby District
} W. E. & D.
J. W. Fries, Defts

Be it remembered, that upon the trial of this cause the Plaintiffs by counsel, excepted to the opinions of the Court, in giving certain Instructions to the Jury, and in overruling their motion for a new trial, and filed their bills of Exceptions, which they pray may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and are in the words & figures following to-wit:— Geo H Dinges, Jos. B. Webb & Jos. Byrd, Dist. School Trustees of Ashby District vs J. W. Fries, &c,

The Court doth allow James L. Avis, the sum of $18.00 for 11 Bracket Lamps c $1.60 each & 1 gal. of Oil 40 cents for the use
cap'd & d. of the Court-House of this County, and the same is ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

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

Chas. T. O'Ferrall.

2nd Vacation. Dec 6

Before the Judge of the County Court of Rockingham County State of Virginia, this 6th day of December 1876.

Lewis Randol, who stands charged of a felony by him committed, was this day brought before me, Judge of the said Court, in custody of the Sheriff of said County, on a motion made by him to be admitted to bail, of which motion the Commonwealth's Attorney had due notice, and was present.

Therefore, the witnesses for the prisoner, not being present, the prisoner by counsel, withdrew his motion for bail, and thereupon the prisoner was remanded to jail.

All of which is hereby certified to the Clerk of said Court, who is directed to spread the same on the Order Book of this Court, as proceedings had in Vacation, as a Vacation order.

Chas. L. O'Ferrall,
Judge Ro. Co. Ct.

Teste. J. T. Logan, Clerk.

3rd Vacation. December 13, 1876.

The Clerk of the County Court of Rockingham County, is hereby directed to issue a Venire Facias, directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury for the December Term next, of said County Court, to appear at the Court-House thereof on the 4th. day of said term, being the 21st. day of December 1876. at 10 o'clock, A. M. Given under my hand this 13th day of December 1876.

Chas. L. O'Ferrall,
Judge Co. Ct. Ro. Co.

Teste. J. T. Logan, Clerk.

Monday December 18, 1876.

At a County Court held in and for the County of Rockingham at the Court-House thereof, on Monday, December 18, 1876.

Present:- Hon. Charles T. O'Ferrall, 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 November Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	John E. Bryan & wife,	to Jacob Dinkel, trustee for Nannie W. Dinkel,
Trust Deed,	Robert Skinner,	" James Kenney, trustee for &c.
Bargain & Sale,	W. S. Lurty, Commr,	" L. H. Ott,
" "	same,	" Chas. A. Yancey,
Deed of Gift,	Christena Miller,	" Joseph B. Moyers,
Art. of Agreement,	Rawley Springs Company,	" Jonas A. Loewenbach,
" " "	Chas. A. Yancey, A. B. Irick, &c,	" Same,
Bargain & Sale,	John E. Roller, Commr, & others,	" John J. Branner,
" "	Cath. R. Gambill & J. W. Taliaferro & wife,	" Wright Gatewood, trustee for &c,
" "	John Paul, Commr,	" John W. Leedy,
" "	Dewitt W. Washington & wife,	" Erasmus Fletcher,
" "	Wm. H. Barley,	" Mary C. Trayer & Martha F. Strickler,
" "	John W. Trayer & wife & M. F. Strickler,	" Wm. H. Barley,
Lis Pendens,	Arthur W. Hawks, under control of Atty,	" Chas. G. Skinner & Chas. G. Skinner, trustee for (Lucie M. Skinner)
Bargain & Sale,	John Paul, assignee of Wm. Minnick & others,	" John Zigler,
" "	Mary Shoemaker,	" George Corban,
" "	Joseph Heatwole & wife & others,	" Solomon D. Heatwole,
" "	John H. Dovel & wife,	" Mary Ann Dovel,
" "	Thomas Dovel & wife,	" same,
" "	David J. Garber & wife,	" same,
" "	J. P. Effinger & wife,	" Alexander J. Yancey,
" "	George W. Berlin, Commr.	" John Brannaman,
" "	Mary J. Minnick,	" John W. Minnick,
" "	Tineeta P. Minnick,	" same,
" "	Joseph Heatwole & wife,	" same,
" "	Newton B. Saufley & wife,	" George H. Saufley,
" "	James M. Saufley & wife,	" same,
" "	Samuel Sager,	" Abraham Sager,
" "	Benjamin Hoover & wife,	" Joseph H. Jordan,
" "	H. D. Earmon,	" Peter Bazel,
" "	Mary E. Bare,	" Chas. T. Acker,
" "	Harvey Kyle, Exor. of D. Kyle, Sr. dec'd,	" James R. Eiler,
Deed of Trust,	Jas. A. Alexander & wife & S. S. Alexander,	" John E. Roller, Trustee for &c,
" " "	David A. Plecker,	" George W. Berlin, Trustee for &c,
Bargain & Sale,	John Swartz & wife,	" Jacob Burns,
" "	Isaac Hardesty & wife (old deed)	" John Kenney & others Trustees of Woodbine Cemetery
" "	Abraham Andes & wife,	" D. A. Heatwole, Prest. H. & R. S. T. Company,
" "	Adam Growl & wife,	" Sarah Hinegardner, wife of J. W. Hinegardner,
" "	Abram D. S. Gilmer & wife,	" Joseph Silber,
" "	E. J. Sullivan & wife,	" Warren S. Lurty,

Bargain & Sale,	John Paul, assignee of Wm. Minnick, &c,	to	D. Holsinger,
" "	J. P. Logan, Clerk Co. Ct. Rc. Co.,	"	Simon Miller,
Deed of Lease,	Wm B. Yancey,	"	The Royal Land Company,
" " "	Wm. E. Marshall,	"	same,
" " "	James P. Heusley,	"	same,
" " "	Nicholas A. Dean,	"	same,
" " "	Ezekiel Lam,	"	same,
" " "	David M. Jowell,	"	same,
" " "	Sarah Smith,	"	same,
" " "	John Glover,	"	same,
" " "	Wilson Carrier,	"	same,
" " "	Sebastian Cooper,	"	same,
" " "	Wm. P. Dean,	"	same,
" " "	William Mercer,	"	same,
" " "	James D. Efpard,	"	same,
" " "	James B. Eastham,	"	same,
" " "	Charles W. Shepp,	"	same,
" " "	John H. Leap,	"	same,
" " "	Robert Heusley,	"	same,
" " "	William Meaddows,	"	same,
" " "	Westley A. Heusley	"	same,
" " "	Stephen Heusley,	"	same,
Bargain & Sale,	Addison Rogers & wife,	"	Joshua Price,
" "	N. C. Fishback & wife,	"	Joseph Heatwole,
" "	Elizabeth Coakley (old dec'd)	"	Joseph Heatwole & others Trustees, &c.
" "	David N. Landes & wife,	"	Annie, Mary & Elizabeth Landes,
" "	Lloyd Logan,	"	William Rebard,
" "	Peter A. Heatwole & wife,	"	Franklin P. Jones,
" "	Susan Depoy & others,	"	David Depoy,
" "	J. P. Logan, Clerk Rockingham Co.	"	John T. Green,
" "	same,	"	same,
" "	Elizabeth Salyards & Jr. Salyards	"	John Haugh,
" "	Daniel Flory & wife & others,	"	Hannah Haugh & Peter Haugh,
" "	Noah Flory & wife & others,	"	William Rodekeffer & wife,

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—

Appraisement & Sale Bill of the Personal Property of Wm. Diehl, dec'd;

" " " " " " " Real Estate " Philip Keller, dec'd;

" " " " " " " Personal Estate " Catharine Harrison, dec'd;

Sale Bill of Real & Personal Property of Wm. L. Vaughan, dec'd;

The following settlement was this day presented in Court, and having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto, the same is confirmed, and ordered to be recorded, viz:—

Settlement of the Account of John B. Summon, Surv. Admr. of Jacob Summon, dec'd.

Edward Rogers, Pltff.,
Samuel Hill, Deft. } Upon an Attachment.

Ordered, That this cause be placed upon the Court's Docket.

C. Miller, John A. Craven and Reuben Huffman, viewers appointed at the last term of the Court to view and report upon a change in the Keller's Mill Road, this day returned their report into Court, which is ordered to be filed.

The writing purporting to be the last will and testament of Margaret Miller, dec'd, was this day presented in Court, and was partly proven by the oath of A. Argabright, one of the subscribing witnesses thereto, and was continued for further proof.

The writing purporting to be the last will and testament of James A. Campbell, dec'd, was this day presented in Court, and being proven by the oaths of James Kavanaugh and Joseph Kavanaugh, the two subscribing witnesses thereto, was admitted to probate and ordered to be recorded.

C. W. Vandeford, Prop'r. of "Old Commonwealth" presented in Court an Account against the County of Rockingham for printing 115 Registration Notices, amounting to $2.50 which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876. cap'd.

Daniel A. Kline, Committee for Elizabeth Simmons, a lunatic, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $225.00 for the care & board of Elizabeth Simmons, a lunatic, 15 months @ $12.50 per month ($187.50) and clothing for same 15 months at 50¢ per annum ($37.50) as per contract of County Court at June Term, 1875, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cap'd. & ent'd.

It appearing to the Court that the Rev. Jacob S. Hopkins is a regularly ordained Minister in the Methodist Episcopal Church, South, from evidence introduced, and authorized to celebrate the Rites of Matrimony, on his motion, he appeared in Court, and together with Gerard S. Hopkins, his surety, (who justified as to his sufficiency,) entered into & acknowledged a bond in the penalty of $1500.00 conditioned according to law, (waiving the benefit of the Homestead exemption) and thereupon he accordingly qualified.

The writing purporting to be the last will and testament of George Seitz, dec'd, was this day presented in Court, and being proven by the oaths of Samuel Slusser and Samuel Wanter, the two subscribing witnesses thereto, was admitted to probate and ordered to be recorded, and thereupon Peter Miller the Executor therein-named, who made oath thereto according to law, on his motion, appeared in Court and together with Abraham Shank and Emanuel Roller, jr., his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in

the penalty of $8.000.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted the said Peter Miller for obtaining a probat of the will of said George Sutz, in due form. And upon his motion, the Court doth appoint Samuel Slusser, Abraham Flory, Joseph Wilhite and William Ruebush, to appraise the Estate of said George Sutz, any three of whom may act, after first being duly sworn.

On the motion of William Ruebush, who made oath thereto according to law, he appeared in Court, and together with Jacob P. Slusser, Henry W. Roller and Reuben A. Scott, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $8.000.00 conditioned according to law, (waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Samuel Ruebush, dec'd. And upon his motion, the Court doth appoint George Whitmore, Robert Showalter, Elias Crawn & Wm. Carpenter to appraise the Estate of said Samuel Ruebush, dec'd, any three of whom may act, after first being duly sworn.

Wright Gatewood, Agt. for Emily Gatewood, Pltff.,
vs
W. S. Kennedy, Deft. } Upon an Attachment.

Ordered, That this cause be placed upon the Court's Docket.

This day, Geo. W. Airey, & A. A. Hess, the purchasers, at the sale made by S. R. Allebaugh, Treasurer of Rockingham County, of Delinquent Land, of a certain tract of land, lying in Rockingham County, containing 96 Acres, 2 R. & 10 P., sold as the land of Braxton Davis' Estate, produced in Court, the Report of Survey of said land, made by A. C. Bear, the Surveyor of this County, and moved the Court to order the recordation of the same, whereupon objection being raised, the Court takes time to consider.

The same purchasers of 18 Acres of Land, the property of James Newman's Estate.

Same motion & same order.

The same purchasers of 27 A. 3 R & 20 P. of Land, the property of Elizabeth Cooper.

Same motion & same order.

Commonwealth
vs
Henry Ford. } Upon an Indictment for Felony.

This day, the prisoner, Henry Ford, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court, in custody of the Jailor

of this County, and thereupon the Veniremen summoned for the trial of felony cases at this term of the Court, were called, twenty-nine of whom appeared, viz:- P. W. Strayer, John Hagedon, G. G. Strayer, Christopher Miller, John W. Carpenter, John T. Rimel, S. T. Fishback, B. E. Long, George J. Kisling, W. W. Hooke, A. B. Lincoln, George Logan, R. D. Cushen, Reuben L. Kerlin, A. D. Pennybacker, Wm. A. Maupin, Wm. H. Bricker, David B. Sites, J. L. Kerlin, Cyrus S. Wise, Geo. W. Hedrick, S. H. Carrier, Naason W. Turner, Wm. C. Grandel, Wm. B. Yancey, B. F. Shaver, John H. Hawkins, C. W. Harnsberger and J. A. Hammen; eight of whom, were for reasons appearing to the Court, were excused from service, viz:- G. G. Strayer, Christopher Miller, Geo. J. Kisling, W. W. Hooke, Wm. A. Maupin, David B. Sites, Wm. B. Yancey & B. F. Shaver; whereupon the Sheriff summoned, from a List furnished by the Court, the following fifteen additional Veniremen, who appeared, viz:- Bolivar Ward, W. A. Leap, M. E. Carrier, W. E. Lemley, H. K. Devier, Benj. F. Rickard, Joseph C. Ritchie, A. A. Hess, F. C. Hopkins, J. R. Price, Henry Miller, Jacob Funkhouser, A. L. Lindsey, Jacob Simmers and James P. McLeod. From the List of Veniremen thus completed, the following panel of sixteen were sworn and examined by the Court, and found to be duly qualified and free from exceptions, viz:- John Hagedon, John W. Carpenter, John T. Rimel, R. L. Kerlin, A. D. Pennybacker, Wm. H. Bricker, John L. Kerlin, C. S. Wise, George W. Hedrick, S. H. Carrier, Naason W. Turner ~~and~~ S. T. Fishback, P. W. Strayer, A. B. Lincoln, R. D. Cushen and Wm. C. Grandel, whereupon the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz: P. W. Strayer, A. B. Lincoln, R. D. Cushen & Wm. C. Grandel, the remaining twelve of said panel, viz:- John Hagedon, John W. Carpenter, John T. Rimel, R. L. Kerlin, A. D. Pennybacker, Wm. H. Bricker, John L. Kerlin, C. S. Wise, Geo. W. Hedrick, S. H. Carrier, Naason W. Turner & S. T. Fishback thereby constituting the Jury, who being thus elected, tried and 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 fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and not having agreed upon a verdict, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County & L. S. Byrd, his Deputy, to whom was administered an oath, "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock.

And thereupon the prisoner was remanded to Jail.

The Commonwealth,
vs
Charles Ford, } Upon an Indictment for Felony.

This day, the prisoner, Charles Ford, late of the County of Rockingham, who stands indicted for a felony by him committed,

was ~~this day~~ again led to the bar of the Court, in custody of the Jailor of this County, and from the List of Veniremen for the trial of felony cases, the following panel of Sixteen were sworn and examined by the Court, and found to be duly qualified and free from exceptions, viz:- John H. Hawkins, Bolivar Ward, W. E. Carrier, W. E. Lemley, B. F. Rickard, G. C. Hopkins, J. R. Price, Jacob Funkhouser, A. L. Lindsey, Jacob Zimmer, P. H. Strayer, Wm. C. Crandell, James P. McLeod, H. K. Devier, R. D. Cushen & A. B. Lincoln, whereupon the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- A. L. Lindsey, Wm. C. Crandell, R. D. Cushen and A. B. Lincoln, the remaining twelve of said panel, viz:- John H. Hawkins, Bolivar Ward, W. E. Carrier, W. E. Lemley, B. F. Rickard, G. C. Hopkins, J. R. Price, Jacob Funkhouser, Jacob Zimmer, P. H. Strayer, James P. McLeod, H. K. Devier, thereby constituting the Jury, who being then elected, tried and 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 not having time to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were place in charge of D. W. Polston, Sheriff of this County and D. F. Lear & S. H. Bowman, his Deputies, to whom was administered an oath, "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock.

And thereupon the prisoner was remanded to Jail.

Jonas A. Loewenbach,
John C. Eagle & A. T. Wright. } On a D. Bond,

Ordered, That this cause be placed upon the Court's Docket.

Henry Fleming, who was recognized by Jos. Byrd, a J. P. of this County to appear this day to answer an Indictment for a felony by him alleged to have been committed in feloniously stabbing Samuel Edwards, appeared in Court in discharge of said recognizance, and there being no Grand Jury impaneled on this day, by leave of the Court he is permitted to renew his recognizance to Thursday next Dec. 21, 1876, and thereupon the said Henry Fleming together with John W. Fleming, his surety, appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $200.00 each, to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition that the said Henry Fleming do make his personal appearance before the Judge of this Court on Thursday next, Dec. 21, 1876, to await the action of the Grand Jury, and not depart thence without leave of the Court.

Ordered, That this Court be adjourned until to-morrow morning, at 9 o'clock.

Chas. T. O'Ferrall.

Dec. 19, 1876. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, December 19, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

Thomas N. Weaver, late Constable of Stonewall District in this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $5.80 for arresting Allen Gentry & Wm. Brown, for felony, summoning 8 witnesses, and conveying Allen Gentry to Jail, 11 miles going and returning, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c. & d.

The following Accounts against the County of Rockingham, were this day presented in Court, and being sworn to, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year, 1876, viz:-

To Isaac Showalter, for 4 days viewing Road from J. P. Sluyer's to Naked Creek, c/1 $4.00 c. & d.

To J. J. Bowman, for survey & diagram (2 days) on change of Road from Spartapolis to Bowman's Mill c/3rd $5.00 c. & d.

This day, P. M. Whitlock, Committee for Eliza J. Dickson, a Lunatic, presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $28.50 for board, &c of Eliza J. Dickson for 3 months @ $8 per month ($24.00) and 3 months' clothing @ $1.50 per month ($4.50), as per contract at the Sept. Term 1876 of the Court, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c. & d.

For reasons appearing to the Court, the Rules awarded against William McClenturff, John J. Showalter, D. B. Reed, Geo. W. Snell, Joseph Rhodes, Wm. Beard, R. H. Bear & B. F. Armentrout, for their failure to appear at former terms of the Court as Jurors, were discharged. 1 of 1 copy ind.

The Court doth award Rules against John D. Ford & Henry A. Rife, for the failure to appear at this term of the Court as Venirmen, when duly summoned, returnable to the next term of this Court. 1 of 1 copy ind.

S. S. Beverley this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.25 for assisting in guarding &c, Henry Ford & C. Ford, (charged with felony,) which being sworn to before and certified by J. C. Walker J. P. and sworn to by S. Rucker, Special Constable, in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c. & d.

A. C. Walker this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $1.75 for assisting in search of the houses of Henry Ford & Isaac Crawford, and assisting in guarding H. Ford & C. Ford, charged with felony, 1 night, which being sworn to before and certified by J. C. Walker, J. P. and sworn to by c. & d.

F. Rucker, Special Constable, in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

F. W. Kirtley & S. D. Kirtley this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $2.00 for assisting in search warrant against M. Ford & Isaac Crawford by S. D. Kirtley ($0.50) and to F. W. Kirtley ($1.50) for assisting in binding Hy. Ford & Charles Ford to Jail, under commitment for felony which being sworn to before J. C. Walker, J. P. by S. D. Kirtley, and certified by said Justice, and sworn to in open Court by F. W. Kirtley and also by F. Rucker, Special Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap.

On motion of D. N. Roleton, Adm. c. t. a. of Anthony Rhodes, Sr. the name of Anthony Showalter is added to the list of appraisers heretofore appointed to act with the appraisers heretofore appointed, according to the terms of the order entered in this behalf at the Sept. Term 1876, of this Court.

The Commonwealth
vs. } Upon an Indictment for Felony.
Henry Ford,

This day, the prisoner, Henry Ford, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on yesterday for his trial pursuant to their adjournment, and upon their oaths do say, "we, the Jury find the Defendant, Henry Ford, guilty in manner and form as charged in the Indictment, and ascertain the term of his confinement in the Penitentiary at four years. S. H. Lanier foreman.

And thereupon the Jury was discharged, and the prisoner was remanded to Jail.

The Commonwealth,
vs. } Upon an Indictment for Felony.
Charles Ford.

This day, the prisoner, Charles Ford, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on yesterday for his trial, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after sometime returned into Court, and upon their oaths do say, "we the Jury find the Defendant, Charles Ford, guilty in manner & form as charged in the Indictment and ascertain the term of his confinement in the County Jail at three (3) months. P. H. Strayer, foreman. And, thereupon the Jury was discharged, and the prisoner was remanded to Jail.

For reasons appearing to the Court, the following named persons summoned for the trial of Felony cases at this term of the Court, are excused from further attendance upon this term of the Court, viz:- John Hagedon, John W. Carpenter, John T. Rimel, R. L. Kerlin, A. D. Pennybacker, Wm. H. Bricker, John L. Kerlin, C. S. Wise, Geo. W. Hedrick, S. H. Carrier, Naason W. Turner, & S. T. Fishback.

Ordered, that this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Dec. 20, 1876. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday December 20, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

cap'd & d. The Court doth allow W. A. Braithwaite, the sum of 75 cents for repairing one Bench and hanging 11 Lamps in the Court-House, which is ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

The writing purporting to be the will of Margaret Miller, which was partly proven on the first day of this term of the Court, was this day fully proven by the oath of Wm. M. Dorrough, the other subscribing witness thereto, admitted to probate and ordered to be recorded.

cap'd & d. The Court doth allow Geo. W. Effinger the sum of $2.00 for two days' services in viewing Road from Valley Pike to Spader Church, which is ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

Wright Gatewood, Agent for Emily Gatewood, Pltff
vs
W. S. Kennedy, Deft. } Upon an Attachment.

Ordered, that this cause be dismissed, at the Plaintiff's cost, the Deft. appearing by counsel, and not objecting thereto.

Commonwealth,
vs
Lewis Randol. } Upon an Indictment for attempted Rape.

This day, the prisoner, Lewis Randol, was again led to the bar of the Court, in custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until Tuesday next December 26, 1876; and thereupon the following witnesses in behalf of the Commonwealth, viz:- Wm. F. Kyger & Jos. A. Shifflett; and the following

witnesses in behalf of the prisoner, viz:- Samuel Price, Elias Hudlowe, W. S. Downs, Noah Rains, John Trobaugh, jr., John B. Keeton & James Huffman, appeared in Court and each of them were recognized in the sum of $100.00 to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition that they do make their personal appearance before the Judge of this Court on Tuesday next Dec. 26, 1876 as witnesses aforesaid. And the Court doth award a Rule against Wm. D. Maiden, a witness summoned in behalf of the Commonwealth upon said Indictment, returnable to said 26th of Dec. 1876, for his failure to appear on this day of this term of the Court.

And thereupon, the prisoner was remanded to Jail.

Commonwealth
vs
John Kelly, jr., } Upon an Indictment for a misdemeanor.

This day came as well the Attorney for the Commonwealth as the Defendant, by counsel, whereupon the Defendant by counsel, moved the Court to quash the Indictment, and also demurred to the same; on consideration of which, the Court overruled both the motion to quash and the demurrer to said Indictment. The Defendant then filed his plea of "not guilty," and thereupon came the following Jury, to-wit:- John H. Hawkins, Bolivar Ward, M. E. Carrier, W. E. Lemley, B. F. Rickard, F. C. Hopkins, J. B. Price, Jacob Funkhouser, Jacob Simmers, P. W. Strayer, James P. McLeod & H. K. Devier, who being elected, tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant not guilty," P. W. Strayer, foreman. Thereupon, the Jury was discharged, and It is considered by the Court that the defendant go hence without day, &c.

Commonwealth,
vs
William Minnick, } Upon an Indictment for S. A. B.

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, who filed his plea of "not guilty," and thereupon came the following Jury to-wit:- J. A. Hammen, Joseph C. Ritchie, W. A. Leap, C. W. Harnsberger, Benj. E. Long, Wm. C. Grandel, A. L. Lindsey, R. D. Cushen, A. B. Lincoln, George Logan, S. H. Carrier & Joseph Andrew, who being elected, tried and sworn the truth in and upon the premises to speak, and not having time to hear the evidence were adjourned until to-morrow morning at 9 o'clock.

The Court doth order that the following named persons be allowed the sums opposite their names for their services and attendance upon this term of the Court, as Veniremen summoned for the trial of felony cases @ $1 per day, and that the same be paid by the Treasurer of this

County, and certified to the Auditor of Public Accounts, viz:

John Hagedon,	$2.00	A. D. Pennybacker,	$2.00	Geo. W. Hedrick,	$2.00
John W. Carpenter,	2.00	Wm. H. Bricker,	2.00	S. H. Carrier,	2.00
John T. Rimel,	2.00	John L. Kerlin,	2.00	Naason W. Turner,	2.00
R. L. Kerlin,	2.00	C. S. Wise,	2.00	S. T. Fishback,	2.00
John H. Hawkins,	2.00	B. F. Rickard	2.00	Jacob Simmers,	2.00
Bolivar Ward,	2.00	F. C. Hopkins,	2.00	P. W. Strayer,	2.00
M. E. Carrier,	2.00	J. R. Price,	2.00	James P. McLeod,	2.00
W. E. Lemley,	2.00	Jacob Funkhouser,	2.00	H. K. Devier,	2.00
A. L. Lindsey,	1.00	Wm. C. Grandel,	1.00	R. D. Cushen,	1.00
A. B. Lincoln,	1.00	Jos. C. Ritchie,	1.00	W. A. Leap,	2.00
J. A. Hammen,	2.00	C. W. Harnsberger,	1.00	Benj. E. Long,	1.00
George Logan,	1.00	A. A. Hess,	1.00		

cap. & d.

certified to Aud. of Pub. Accts.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Dec. 21, 1876. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, Dec. 21, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

It appearing to the Court that Hiram Kite and J. G. H. Miller, the Executors named in the will of Margaret Miller, probated at this term of the Court, decline to qualify, on motion of S. M. Hammen, one of the creditors of said Margaret Miller, her Estate is committed to D. H. Rolston, Sheriff of this County for administration, with the will annexed, and the Court doth appoint R. E. Hopkins Asher Argabright, A. J. O'Bader, J. L. Bowcock, & J. S. Runcle to appraise the Estate of said Margaret Miller, any three of whom may act, after first being duly sworn, it appearing to the Court that she has been dead more than three months without administration.

cap.

Upon the motion of Joseph A. Mitchell, Jacob A. Mitchell & others, parties in interest, it being suggested to the Court that Jacob Mitchell, Sr., who recently departed this life in this County, had made a will, which was in existence, unrevoked at the time of his death, and that the same went into the hands of Emily C. Mitchell, his widow, and Philip Hollar, or in the hands of one or the other of them, a summons is awarded against the said Emily C. Mitchell and Philip Hollar, returnable to Saturday the 23d. of December 1876, requiring them, or either of them, to produce said will to the Court, if the same be in existence.

1 & 2 cap.

It appearing to the Court that the following-named Jurors were, on yesterday, excused from any further attendance upon the Court viz:- John H. Hawkins, Bolivar Ward, M. E. Carrier, W. E. Lemley, B. F. Rickard, F. C. Hopkins, J. R. Price, Jacob Funkhouser, Jacob Simmers, P. H. Strayer, James P. McLeod & H. K. Devier, and that no order was then so entered, It is considered by the Court that the said Jurors, now for then, be excused from further attendance upon this term of Court.

Commonwealth,
vs
William Minnick. } Upon an Indictment for T. A. B.

This day came again the Jury sworn and impanneled on yesterday for the trial of this cause pursuant to their adjournment, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant, William Minnick guilty in manner and form as charged in the Indictment, and assess his amercement at Fifty Dollars. B. E. Long, foreman.

Capias issd

And thereupon the Court doth award a Capias ad. audiendum Judicium to be directed to the Sheriff of this County, returnable to Wednesday next, December 27th. commanding him to take the said Defendant William Minnick, and him safely Keep, so as to have him before this Court, on said December 27th 1876, to shew if anything he has to say or Know why the Court should not then proceed to pronounce judgment against him according to law.

Commonwealth
vs
William Minnick. } Upon an Indictment for carrying a concealed weapon.

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, who filed his plea of "not guilty" and thereupon came the following Jury to-wit:- M. W. Holmes, George Caracofe, H. G. Miller, J. B. Miller, J. J. Miller, John M. Miller, S. F. Miller, Jacob Wynant, Henry W. Roller, H. C. Hedrick, J. H. Taylor, & Alfred Hammer, who being elected tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the Jury find the Defendant, William Minnick, guilty in manner & form as charged in the Indictment, Henry W. Roller, foreman.

Capias issd.

And thereupon the Court doth award a Capias ad. audiendum Judicium to be directed to the Sheriff of this County, returnable to Wednesday next, December 27th. commanding him to take the said Defendant William Minnick, and him safely Keep, so as to have him before this Court, on said December 27th. 1876, to shew if anything he has to say or Know why the

Court should not then proceed to pronounce judgment against him according to law.

George W. Mauzy, Foreman, John R. Bowman, Preston Rhodes, M. Harney Cannon, James P. McLeod, Strother Sheets, Wright Gatewood, J. G. H. Miller, R. F. Weaver, & G. W. Skelton were sworn and impannelled a Special 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 their presentments, and after sometime returned into Court, and made the following presentments, viz:- An Indictment against Alfred Soliver for assault and battery, a true bill, G. W. Mauzy, foreman, and An Indictment against Henry Fleming, for malicious stabbing, with intent to maim, disfigure, disable & kill, "not a true bill, G. W. Mauzy, foreman" and having completed the business before them were discharged from further attendance upon this term of the Court.

The Court doth allow the following-named persons $1 each, for their services at this term of the Court as Grand Jurors, which is ordered to be certified to the Treasurer of this County, for payment, out of the Jury fund for the year 1876, viz:- Geo. W. Mauzy, John R. Bowman, Preston Rhodes, M. Harney Cannon, James P. McLeod, Strother Sheets, Wright Gatewood, J. G. H. Miller, R. F. Weaver & G. W. Skelton,

capitadd.

Henry Fleming, who was, on the first day of this term of the Court, recognized to appear to-day to await the action of the Grand Jury upon the charge of a felony alleged to have been committed by him, in feloniously stabbing Samuel Edwards, this day personally appeared in Court in discharge of his recognizance, and the Grand Jury having found "not a true Bill" upon said charge, it is therefore considered by the Court that he be discharged and go hence without day.

Alfred Soliver, who was, by a warrant of a Justice of the Peace committed to the Jail of this County, to await the action of the Grand Jury, upon the charge of an alleged felony by him committed, is discharged from custody by order of the Court, the Jury having found a true Bill against him for assault & battery.

Commonwealth,

Dewitt (W) Taylor. } Upon an Appeal from a judgment of a Justice on a charge of Petit Larceny.

The Defendant being confined in Jail, was this day led to the bar of the Court in custody of the Jailor of this County, and by counsel, pleaded "not guilty", and thereupon came the following Jury, to-wit:- J. A. Hammer, Jos. C. Ritchie, W. A. Leap, C. W. Ramsberger, Benj. E. Long, Wm. C. Grandel, A. L. Lindsey, R. D. Cochran, A. B.

Lincoln, M. W. Holmes, S. H. Carrier and Joseph Andrew, who being elected tried and sworn the truth in and upon the premises to speak, and not having time fully to hear the evidence were adjourned until to-morrow morning at 10 o'clock. And thereupon the Defendant was remanded to Jail.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Dec. 22d 1876. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, December 22, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

Commonwealth, vs Dewitt Taylor. } Upon an Appeal from a judgment of a Justice, on a charge of Petit Larceny.

This day, the Defendant, Dewitt Taylor, was again led to the bar of the Court, in custody of the Jailor of this County and thereupon came again the Jury sworn and impanneled on yesterday for the trial of this cause pursuant to their adjournment, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the defendant not guilty, B. E. Long, foreman, It is therefore considered by the Court that the Defendant be discharged, and go hence without day, &c.

The Court doth allow John Paul, Attorney for the Commonwealth the sum of Five Hundred Dollar for public services, as Attorney for the Commonwealth for this County, from January 1, 1876 to December 31, 1876, which is ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1876.

c. p. d. & d.

The Court doth allow J. T. Logan, Clerk of this Court, the sum of Two hundred and fifty dollars, for public services for the half year ending Dec. 31, 1876, and It is ordered that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

c. p. d. & d.

It is ordered, that it be certified to the Auditor of Public Accounts that John Paul, Commonwealth's Attorney for Rockingham County, is entitled to the sum of $30.00 for prosecuting in two cases of felony, at this term, to-wit:- Commonwealth

c. p. d. & d.

vs Henry Ford, same vs Charles Ford, and for prosecuting to conviction in two cases of misdemeanor, to-wit:- Commonwealth vs William Minnick, and same vs. same,

Ordered, That the following-named Jurors, to-wit:- Wm. C. Grandel and A. B. Lincoln be excused, for reasons appearing to the Court, from further attendance upon this term of the Court.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Dec. 23, 1876. At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Saturday, Dec. 23, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

Ordered, That the following-named Jurors be allowed the sums opposite their names for their attendance and services upon this term of the Court, in the trial of misdemeanor cases, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

	John H. Hawkins,	$1.00	B. F. Rickard,	$1.00	Jacob Simmers,	$1.00
	Bolivar Ward,	1.00	F. C. Hopkins,	1.00	P. W. Strayer,	1.00
cap'd.	M. E. Carrier,	1.00	J. R. Price,	1.00	James P. McLeod,	1.00
	W. E. Lemley,	1.00	Jacob Funkhouser,	1.00	H. K. Devier,	1.00
	M. W. Holmes, cap'd	2.00	J. J. Miller, cap'd & d.	1.00	Hy. W. Roller, cap'd & d.	1.00
	Geo. Caracofe, cap'd & d.	1.00	Jno. M. Miller, cap'd & d.	1.00	H. C. Hedrick, cap'd & d.	1.00
	H. G. Miller, cap'd & d.	1.00	S. F. Miller, cap'd & d.	1.00	J. H. Taylor, cap'd & d.	1.00
	J. B. Miller, cap'd & d.	1.00	Jacob Wynant, cap'd & d.	1.00	Alfred Hammer, cap'd & d.	1.00
	J. A. Hammen, cap'd	3.00	Joseph C. Ritchie	3.00	W. A. Leap,	3.00
cap'd.	C. W. Harnsberger,	3.00	Benj. E. Long	3.00	Wm. C. Grandel, cap'd & d.	3.00
certified to Aud. of Pub. Accts.	A. L. Lindsay,	3.00	R. D. Cushen,	3.00	A. B. Lincoln, cap'd & d.	3.00
	S. H. Carrier	3.00	Joseph Andrew,	3.00	George Logan,	3.00

Jos. A. Mitchell, &c., Pltffs,
vs
Emily C. Mitchell & Philip Hollar, Deft. } Upon a Sum'ns to produce in Court the will of Jacob Mitchell, dec'd.

The summons awarded against the Defendants, on the 4th day of this term of the Court, being returned executed, It is ordered that this cause be placed upon the Court's Docket,

Ordered, That this Court be adjourned until Tuesday morning next Dec. 26th.

Chas. T. O'Ferrall.

Dec. 26, 1876. At a County Court continued and held in and for the County ~~Court~~ of Rockingham County, at the Court House thereof, on Tuesday, December 26, 1876.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth,
vs
Jonas A. Loewenbach, } Indictment for Public Nuisance.

This day came the Commonwealth by her Attorney John Paul, and the Defendant in person, and by counsel, and thereupon the Defendant demurred to the Indictment, and the Commonwealth joined in the demurrer. On consideration whereof, the Court doth sustain the demurrer, and thereupon, It is considered by the Court that the Indictment be dismissed, and the Defendant go hence without day, &c.

Commonwealth,
vs
George W. Showalter. } Upon an Indictment for violation of Revenue Law.

This day came the Commonwealth by her Attorney, John Paul, and the Defendant in person and by Attorney, and thereupon the facts being agreed, the question of law and fact were, by consent, submitted to the Court, and on consideration whereof the Court is of opinion that the defendant is not guilty under the law, and It is considered that he go hence without day, &c.

The Court doth order that the following-named persons be allowed the sums opposite their names for their services and attendance on this day of this Term of the Court (Dec. 26th) as Veniremen for the trial of felony cases in addition to an allowance made them at a former day of this term, they having been adjourned to this day, viz:- J. A. Hammen $1.00 Jos. C. Ritchie, $1.00 W. A. Leap, $1.00
C. W. Harnsberger, 1.00 Benj. E. Long, 1.00 A. L. Lindsay, 1.00
R. D. Cushen, 1.00 S. H. Carrier, 1.00 George Logan, 1.00
and also to the following-named persons, the sums opposite their names for their services & attendance as Veniremen for the trial of felony cases, being summoned as additional Veniremen to this day of the term, viz:- M. W. Holmes $1.00 and Joseph Andrew, $1.00 and the same are ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

cap'd &d.

certified to Aud. of Pub. Accts.

The writing purporting to be the last will and testament of Jacob T. Bowers, dec'd, was this day presented in Court, and being proven by the oaths of John Funk and Solomon Funk, two of the subscribing witnesses thereto, was admitted to probate and ordered to be recorded.

A writing purporting to be the last will and Testament of Samuel Liggett, late of this County, was this day presented in Court, and being proven by the oath of Samuel W. Ott, one of the subscribing

witnesses thereto, to have been wholly written by the testator and signed by him, was admitted to probat and ordered to be recorded.

Whereas, the County School Board of this County has made an additional allowance of Three hundred and fifty dollars to the allowance prescribed by Sect. 13 ch. 78 Code of 1873 to Jasper Hawse, Superintendent of Public Schools for this County, subject to the ratification and approval of this Court as required by Section 74 of said Act; and whereas it appearing to the Court that within the year 1876, the said Superintendent has, in the discharge of his duties, examined 227 Teachers, in doing which he has examined critically over 1600 pages of manuscript, besides doing much oral work; that he has held 2 County Teacher's Institutes, consuming 3 days each, attended 4 meetings of the County School Board and the same number of District Boards; that he has visited 192 Schools and delivered addresses to a great number of them; traveled on School business 2100 miles; written 350 letters and filled up and forwarded 187 Teacher's certificates and 750 receipts for monthly and term reports of Teachers; that he has expended about $85.00 in necessary incidental expenses and been actually occupied 280 days, besides almost constant night labor; and whereas, it appearing to the Court that the statute allows the School Board to employ a Clerk and fix his compensation at as much as $2.00 per day; and whereas, it being, in the opinion of the Court, necessary that the position of County Superintendent of Schools in order to make the Public School System efficient, and that the community may derive the benefits contemplated by the system adopted of taxing the people for School purposes should be filled by one competent and efficient; and whereas it being the opinion of the Court that the services of the present Superintendent who has shown himself to be competent and efficient, are worth to the patrons of the Schools, and to the tax payers of the County the additional compensation allowed by the School Board.

It is therefore ordered that the said allowance of the said County School Board be and the same is hereby ratified and approved by this Court, and that a copy of this Order be certified to the said County School Board, and another copy be certified to the Board of Supervisors of this County.

Samuel Shacklett, A. Hockman & Dr. J. H. Neff, Committee to examine the Jail of this County, this day made their report, from which it appears that the Jail is in good condition and that the Jailor has discharged his duties according to law, and said Report is ordered to be filed.

D. H. Rolston, Sheriff of this County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $12.00 for dieting &c, the Venire in the case of Commonwealth vs Henry Ford charged & convicted of felony, 1 day at $1 each, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff and Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $14.50 for Keeping & supporting William Spitzer, a Lunatic, 30 days
cop'd. & d. from Nov. 19, to Dec. 18, 1876 @ 40¢ and clothing for one month @ $30 per annum, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff and Jailor of this County, this day presented in Court, an Account against The Commonwealth of Virginia, amounting to the
cop'd. & d. sum of $131.50/100 for dieting, &c, various prisoners to Dec. 18, 1876, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

On motion, and for reasons appearing to the Court from evidence
c. a/p'd. introduced before the Court, It is considered by the Court that Byrd Clatterbuck aged about 17 years, be exempted from working roads in Central District, on account of physical disability.

On the motion of George W. Airey, the Assignee of A. A. Hess and George W. Airey, purchasers at the sale of Delinquent Lands by S. R.
cap'd. Allebaugh, Treasurer of Rockingham County, Va. on the 15th day of December 1873, of a tract of 18 Acres of Land, assessed to James Newman's Estate, It is ordered that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th Section, Chapter 38, Code of Va. 1873, be recorded in the Clerk's Office of this Court as required by law.

On the motion of James F. Lowman, purchaser at the sale of Delinquent Lands by S. R. Allebaugh, Treasurer of Rockingham County, Va., on the 15th day of December 1873, of a tract of Land of 1/4 Acre of Land, assessed to Noel B. Blakemore, It is ordered
cap'd. that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th Section, Chapter 38, Code of Va. 1873, which the Court, on examination finds to be in conformity to law, be recorded in the Clerk's Office of this Court as required by law.

The Commonwealth
vs
Lewis Randol. } Upon an Indictment for an attempted Rape.

The prisoner, Lewis Randol, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court, in custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth and for reasons appearing to the Court, the trial of the cause is continued until the next term, and Wm. D.

Maiden, Jo: A. Shifflett, John Terbaugh & Wm. F. Rigor, witnesses in behalf of the Commonwealth and Wm. S. Downs, Samuel Price, James Heffernan and John Randol, witnesses in behalf of Lewis Randol thereupon appeared in Court, and each of them acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition that they do each make their personal appearance before the Judge of this Court, on the first day of the next term of this Court, as witnesses aforesaid, and not depart thence without leave of the Court.

And thereupon, the defendant moved the Court to grant him bail, which motion on consideration, the Court doth sustain, and fixed his bail in the sum of $300.00 for himself and $300.00 for his surety. And thereupon, the prisoner was remanded to Jail.

Commonwealth } Upon an Appeal from a judgment of a Justice
vs. } of the Peace, upon a charge of Petit Larceny.
Wm. Bear. }

This day came the Attorney for the Commonwealth, and entered a Nolle prosequi in this cause; It is therefore considered by the Court that the Defendant be discharged from his recognizance, entered into at a former term of this Court, with J. W. Taliaferro as his surety, and that he go hence without day &c.

The "Revere House", Mrs. M. C. Lupton, Proprietress, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $12.10 For board of Guard 1 day in case of Commonwealth vs. Charles Ford, charged with 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.

c m/d. ord.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock

Chas. J. O'Ferrall.

Dec. 27, 1876. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday December 27, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

Application of V. Bolton & others, for the establishment of a Voting Place at Pleasant Valley.

Ordered, that this cause be placed upon the Court's Docket.

Upon the Petition of John D. Pennybacker, A. L. Maupin & others to establish a public road from Edom to Cowen's Station Road &c, on the B. O. R. R.

This day came again the parties by their Attorneys, and thereupon the Defts. Wm. S. Perry, Isaac Wenger, H. J. Showalter, D. C. Brenneman & Wm Chapman, moved the Court to quash the last report of Henry Pulse, E. Lipe & J. F. Neff, the viewers whose report was filed at the May Term 1876 & thereupon the Petitioners moved to abandon route No. 2 mentioned in said report to which the Defendants objected, but the Court overruled the objection and permitted the Petitioners to abandon said route known as route No. 2, to which opinion & action of the Court the Defendants excepted.

And thereupon the Defts. Isaac Wenger, H. J. Showalter & others, moved the Court to quash the original & supplemental reports of said viewers on the ground that their reports do not show that no yard, garden or orchard will be taken if the proposed road is established, but the Court overruled said motion on the ground that the same sufficiently appears & the Defendants again excepted. Thereupon, the said Defendants moved the Court to quash the reports of said viewers on the ground that no map or diagram accompanies any of said reports, except the first report, but the Court overruled the motion on the ground that such map & diagram were returned with the original report and they were not required to return any map or diagram with the amended or supplemental report & the Defendants again excepted.

Thereupon the said Isaac Wenger & H. J. Showalter moved the Court to appoint five disinterested freeholders to view the land of theirs proposed to be taken on route No. 1 & ascertain what will be a just compensation to them for the land taken & for the damages to the residue, as required by the 7th Section of the Act of March 20, 1875, but the Court overruled the motion on the ground that an order was made appointing Commissioners at the January Term 1876 of this Court, to which the process summoning the land-owners was returned - at the instance of all parties who then asked for their appointment & the said Wenger & Showalter did not then ask for their appointment or object to the report, nor assign any good reason why they did not appear and object at that time, and the said Defts. again excepted.

Thereupon the said Isaac Wenger & H. J. Showalter moved the

Court to fix a just compensation to them for said land proposed to be taken & for the damages to the residue under the 6th Section of said Act, but the Court refused to fix any other compensation than that named by the viewers in their report & refused to hear any evidence in regard to the same and fixed the amount named by the viewers in their report which the said Wenger & Showalter signified their unwillingness to accept & refused to accept, and the said Defts. again excepted.

And thereupon the Defendants again moved the Court to appoint five disinterested freeholders to assess the value of their lands taken & for the damages to the residue of the tract under the 7th Section of said Act - but the Court again refused to appoint said freeholders on the ground that the said Defendants did not ask for such appointment, or make any objection to the report of the viewers at the term to which they were summoned for the purpose, or assign any good reason why they did not then appear and object, and the said Defts. again excepted.

And thereupon the Defts. Isaac Wenger & H. J. Showalter offered evidence to prove that the value of their land proposed to be taken on route No. 1 and the damages to the residue beyond the peculiar benefits to be derived from the road is greater than the amount reported by said viewers, but the Court refused to hear the evidence on the ground that no exceptions was made to the amount reported by the viewers at the term to which the said Defendants were summoned to shew cause against the same, nor any good & sufficient reason assigned why they did not appear & object at that time, and the Defendants again excepted.

And thereupon the Defendants H. J. Showalter & Isaac Wenger proposed to submit a motion to quash the report of said viewers on other grounds, but Petitioners having placed a witness on the stand, the Court refused to hear any other motion to quash said report on the ground that it was too late to submit such motion after the witness had been sworn & placed on the stand and upon the further ground that the last four objections were substantially the same, and were passed upon substantially at the April Term 1876, and for the further reason that the Court was of opinion that the object of the said Wenger & Showalter was to consume time by presenting the same questions in different forms and calling for the ruling of the Court, and was of the further opinion that the record was being unnecessarily added to and increased thereby, and the Defendants again excepted.

Jonas A. Loewenbach,
vs
John C. Eakel & A. P. Wright. } On motion on a forfeited forthcoming Bond

Upon the trial of the motion for a judgment upon the forfeited forthcoming bond in this cause mentioned, it appearing from an examination

of said bond that there is a variance between the amount of said bond as set forth and recited in the notice thereupon, and the true amount of said bond as shown by an inspection & examination thereof, leave is given to the Plaintiff to amend said Notice as to the recital of the amount of said forfeited forthcoming bond by reference to the bond itself, which is accordingly done, and the true amount of said bond, to-wit: $358.40 as shown by the bond itself, is inserted in said Notice in lieu of the amount therein mentioned.

And thereupon, on motion of the Plaintiff, by counsel, the Defendants being solemnly called, came not, the Notices were proved, and It is considered by the Court that the Plaintiff recover of the Defendants the sum of $716.80 the Penalty of the bond, to be discharged by the payment of $358.40 with legal interest thereon from the 17th day of October 1876, till paid, and the costs of this motion.

Dr. J. H. Niff this day presented, in Court an Account against
copd. The Commonwealth of Virginia, amounting to the sum of $10.00 for visit to and examination of Mrs. Peter Crawn, a witness summoned in behalf of the Commonwealth vs. Lewis Randol on an Indictment for alleged Rape, under an order of the Court, 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 Commonwealth, vs. Lewis Randol. } Upon an Indictment for an attempted Rape.

This day, the prisoner, Lewis Randol, who stands indicted for a felony by him committed, was again led to the bar of the Court ~~of the Court~~, in custody of the Jailor of the County and thereupon he, together with Reuben A. Scott, his surety, who appeared in Court, acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $300.00, to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition that the said Lewis Randol, do make his personal appearance before the Judge of this Court on the 1st day of the next term of this Court to answer the aforesaid Indictment, and not depart thence, without leave of the Court, and thereupon the prisoner went hence under his said recognizance.

The Commonwealth, vs. William Minnick, } Upon an Indictment for Assault & Battery.

The Capias ad. audiendum Judicium awarded against the Defendant, William Minnick, on the 5th day of this term of the Court, being returned executed, by the Defendant was led to the bar of the Court in custody of the Sheriff of this county, 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, he moved the Court by counsel, to set aside the verdict of the Jury and grant him a new trial, which motion, on consideration, the Court overruled, It is therefore considered by the Court that the Commonwealth of Virginia do recover of the Defendant William Minnick, the sum of Fifty Dollars, the amount of the Fine, by the Jurors in their verdict ascertained, and her costs by her in this behalf expended; and it is further considered by the Court that the said Defendant, William Minnick be imprisoned in the Jail of this County for the period of 60 days, and thereafter until the Fine & costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was committed to the Jail of this County.

The Commonwealth,
vs
William Minnick, } Upon an Indictment for carrying a concealed weapon.

The Capias ad. audiendum judicium awarded against the Defendant William Minnick, on the 5th day of this term of the Court, being returned executed, the Defendant was led to the bar of the Court in custody of the Sheriff of this County, 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, he moved the Court, by counsel, to set aside the verdict of the Jury and grant him a new trial, which motion, on consideration, the Court overruled, It is therefore considered by the Court that the Commonwealth of Virginia do recover of the Defendant, William Minnick, the sum of Fifty Dollars, the Fine fixed by law, and her costs by her in this behalf expended; and it is further considered by the Court that the said Defendant William Minnick, be imprisoned in the Jail of this County for the period of 30 days, and thereafter until the Fine & costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was committed to the Jail of this County, the term of his imprisonment in this case to commence after the expiration of the term fixed and for which he was sentenced in former case of Commth against him Assault, &c;

Commonwealth,
vs
Henry Ford, } Upon an Indictment for Felony.

This day, Henry Ford, late of the County of Rockingham, who was, at a former day of this term, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and it being enquired of the prisoner if anything for himself, 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 Henry Ford be imprisoned in the public Jail and Penitentiary House of this Commonwealth for the term of four years, (the period by the Jurors in their verdict ascertained,) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Henry Ford from the Jail of this Court to the public Jail and Penitentiary House of this Commonwealth, therein

to be kept imprisoned, and treated in the manner directed by law for the term aforesaid. And the prisoner is remanded to Jail.

Commonwealth,
Charles (C) Ford, } Upon an Indictment for Felony.

This day, Charles Ford, late of the County of Rockingham, who was, at a former day of this term of the Court, convicted of a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and it being enquired of him if anything for himself, 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 Charles Ford be imprisoned in the Jail of this County for the term of Nine months, (the period by the Jurors in their verdict ascertained) And thereupon the prisoner is remanded, and committed to the Jail of this County.

Dr. Wm. A. Keil, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $5.75 for prescriptions and one Rx. furnished Prisoners confined in the Jail of this County to Dec. 1, 1876, which being sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

cap.

J. H. Kite, who was at a former term of this Court appointed a Committee to examine the condition, and report the probable cost of repairing the Port Republic Bridge, and to contract for the repair of the same and return said contract to the Court for its approval, this day returned his report of estimated cost &c of the repairs but did not return the contract for making said Repairs to said Bridge as directed by said order of the Court, a Rule is awarded against him returnable to the first day of the next term for his failure to return the said Contract for Repairs of said Port Republic Bridge,

10 cap/grad.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock,

Chas. J. O'Donnall.

Dec. 28, 1876. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, Dec. 28, 1876.

Present: Hon. Charles T. O'Ferrall, presiding.

V. H. Lam, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $8.75 (for arresting Alfred Tolliver, charged with felony, summoning witnesses, board, and conveying prisoner to jail, which being certified by J. C. Walker, J. P. and sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c. & d.

N. C. Walker, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.00 for guarding Alfred Tolliver, charged with felony, one night & one day, which being certified by and sworn to before J. C. Walker, J. P. and sworn to by V. H. Lam, the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c. & d.

Samuel M. Peel and Edward Conrad, who were summoned by V. H. Lam, Constable to aid in the arrest of Alfred Tolliver, charged with felony, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $1.50 (75¢ each,) for aiding in said arrest, which being certified by said Constable and sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c. & d.

Edward Coffman, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.75 for guarding Alfred Tolliver, charged with felony, one night & one day, and one day as guard to the Jail of the County, which being certified by J. C. Walker, J. P. and sworn to by V. H. Lam, the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c. & d.

This day, came Josiah Sowders who alleges that he is charged on the Land Books of Plains District, in this County, with more land than he owns, and with tracts that do not belong to him, and moved the Court to revise and correct the same; and whereupon, in the presence of John Paul, Attorney, representing the interests of the Commonwealth, and upon the examination of Emanuel Wilkins, Assessor of said District and the introduction of other testimony, it appears to the Court that the following corrections and revisions in the lands of said Sowders should be made as follows:— The Court finds that he is not the owner of the 345 Acre tract, but instead thereof it is 150 Acres - that he is not the owner of the 306 Acre tract, but instead thereof 98 A. 2 R. & 27 poles - that he is not the owner of the 95 Acre tract, but instead thereof 25 Acres; - that he is not

c. & d. mailed to Auditor Jany 3, 1877 P. P. L. cc.

the owner of the 47 Acre tract, but instead thereof 33 Acres, and that he is the owner of the 12½ Acre tract, and orders that the number of Acres in the said tracts of lands be so corrected, and from evidence introduced the Court fixes the following valuation thereto, viz:—

150 Acres, at $4 per acre = value of Buildings $400 =			$1.000.00
98 A. 2 R. & 27 P. at 50¢ per acre,			49.38
25 Acres,	" $1.50 " "		37.50
33 Acres,	" $1.50 " "		49.50
12½ Acres,	" $1.50 " "	($1155.13)	18.75

and it is ordered that the same be certified to the Auditor of Public Accounts, and that the Assessor of the District correct his Land Books in conformity to this order.

In the matter of A. A. Kefs & George W. Airey, the purchasers at a Sale of Delinquent Lands, made by Samuel R. Allebaugh, Treasurer of Rockingham County, on the 15th. day of December 1873, of about 100 Acres of Land charged to, and assessed as the property of Braxton Davis' Estate,

It appearing to the Court that A. A. Kefs & Geo. W. Airey did, on Monday the 18th. day of December 1876, the same being the first day of this December Term 1876, of the County Court of Rockingham County, present in open Court to the Judge thereof, the receipt of S. R. Allebaugh, Treasurer of Rockingham County, bearing date the 15th day of December 1873, and which receipt acknowledges that he, the said Treasurer received from said A. A. Kefs & Geo. W. Airey the sum of $11.61 cts. paid as the amount of the purchase money for One Hundred Acres of land, located on Dry River, in Rockingham County, and charged to Braxton Davis' Estate, that the amount of delinquent taxes on said land was $9.37, that for said Delinquent Tax the said land was sold on the said 15th. day of December 1873 & that said A. A. Kefs & Geo. W. Airey became the purchasers. And, at the same time the said A. A. Kefs & G. W. Airey produced in Court the report of Survey and a plat of said tract of land, in the 2nd Receipt of S. R. Allebaugh, Treasurer, &c, mentioned, made by A. G. Bear, Surveyor of Rockingham County, in pursuance of Section 18, Chapter 38 Code of Va. Edition of 1873, which report of Survey & plat was in conformity to law; And thereupon, the said A. A. Kefs & George W. Airey moved said Court to order said Report of Survey & Plat, to be recorded. And thereupon, John Paul, Esquire, Attorney in behalf of Braxton Davis' infant heirs, the infant heirs of James Richards, dec'd. (the said James Richards having died since the said sale, and before the expiration of two years,) David Kingree, a creditor of Braxton Davis, dec'd., who claims the right to charge said land, and Peter Paul who claims to be the joint purchaser of said land under a Decree of the Circuit Court of Rockingham County, appeared and objected, and moved said Court to refuse to enter such order, on the grounds that the time prescribed by Law for the entering of such an order had expired, which last named motion to refuse to enter

the order asked for by A. A. Kepp & G. W. Airey, the Court after mature consideration, on a subsequent day, refused. And thereupon the said John Paul, Esq, Atty. &c, as aforesaid, after the overruling of his said former motion, tendered in Court the amount necessary to redeem said land, not claiming to have ever tendered the same to said A. A. Kepp & Geo. W. Airey, or either of them, they being all the time residents of the County of Rockingham, to which tender the said A. A. Kepp & Geo. W. Airey, by their counsel objected, on the ground that the tender had never been properly made, at any time since said sale of said delinquent lands. But the Court being of opinion that said parties have the right now, under all the circumstances, to redeem by paying the same into Court, no order having been made, refuses to make a record of said Report of Survey & Plat as asked for by A. A. Kepp & Geo. W. Airey.

And the Court orders the Clerk of this Court to pay to said A. A. Kepp & Geo. W. Airey, or their Attorneys, out of the money deposited with him, by John Paul, Attorney, &c, as aforesaid, the taxes paid by said A. A. Kepp & Geo. W. Airey, on the purchase of said land, any taxes paid by them on said land since said purchase, the expenses incurred by said A. A. Kepp & Geo. W. Airey, in having said Survey & Plat made, and interest on said several sums of money from the time the same were paid, at the rate of ten per centum per annum to this date.

Noah W. Shuler, Admr. &c
vs
Jamison Dowel, &c, } Upon a Notice.

This day came the parties by their Attorneys and the Court having heard the evidence and argument of counsel, doth order that the motion to set aside the orders made at the February May and August terms of this Court, revoking the powers of Noah W. Shuler as Admr. d. b. n. with the will annexed of Daniel D. Dowel, dec'd be and the same is hereby overruled, and that the Defendants recover of the Plaintiff their costs in this behalf expended.

Memorandum:- Upon the trial of this motion, the Plaintiff by his attorney, excepted to an opinion of the Court given upon the trial, and tendered his bill of exceptions, which he prayed may be signed, sealed and enrolled, and ordered to be made a part of the record in this cause, and the same is done accordingly, which is in the words & figures following) "Noah W. Shuler, Admr. &c vs. Jamison Dowel, &c,

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On the Petition of John M. Miller & others, to discontinue a Road running from G. W. Berlin's Mill to the Centreville Road, &c,

This day came the petitioners in person and by counsel, and G. W. Berlin in person, who entered himself as defendant. On consideration whereof, the Court is of opinion that the road mentioned in the petition is not a public road, and that this Court has no jurisdiction over the same. The Court is further of opinion

that the order entered at the April Term 1873, establishing "Berlin Mill Road" as a public road, was inadvertently made, it appearing from an examination of the record that none of the requirements of the Statute were complied with, in reference to the establishment of Public Roads. It is therefore ordered that the petition be dismissed, but without costs to either party.

G. W. Gabb this day presented in Court an Account against the County of Rockingham, amounting to the sum of $7.50 for Barrel of Cement for Jail and 3/4 of a Ton of Coal for Court-House, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

cap'd. & d.

On the application for the establishment of a Public Road leading from Pleasant Hill School-House on the Warm Springs Turnpike to the Valley Pike,

Geo. J. Kisling, Thos. J. Butler and Geo. W. Effinger, Commissioners appointed at the October term 1876 of this Court, to view and report on said proposed road, having returned their report into Court, it is ordered that the following land-owners along the route of said proposed road, be summoned to appear at the next term of this Court, to shew cause, if any they can, why said road should not be established according to said report, to-wit: Joseph Bowman, A. S. Gray, Samuel Hartman, Abraham Hinegardner, and the School Trustees of Pleasant Hill School House.

✓ 1 & 5 cap'd. ind.

Application of Wm. Avey & others, for the establishment of a Public Road from Rushville to Wm. Avey's.

✓

Ordered, That this cause be placed upon the Court's Docket.

On the motion of A. A. Hess & Geo. W. Airey, purchasers at the sale of Delinquent lands by S. R. Allebaugh, Treasurer of Rockingham County, Va. on the 15th day of December 1873, of a tract of 27 Acres, 3 Roods & 20 poles of Land assessed as the lands of Elizabeth Cooper, It is ordered that the Report of Survey & Plat, made by A. C. Bear, Surveyor of Rockingham County, in pursuance of the 18th Section Chapter 38, Code of Va. 1873, be recorded in the Clerk's office of this Court as required by law.

cap'd.

It being suggested to the Court that Jacob A. Mitchell has departed this life since the adoption of the present Constitution of Virginia, leaving a widow and two infant children, to-wit: Emily C. Mitchell widow, and Sallie and Saml. Mitchell infant children of said Jacob A. Mitchell, and that he did not in his lifetime set apart & have assigned a homestead under Chap. 183 Code of 1873, on the motion of said Emily C. Mitchell for herself and as next friend of said infant children, It is

cap'd. &

ordered that Henry A. Berry, David Reedy, Solomon Funk & F. D. Kildow, (any three of whom may act,) who are hereby appointed Commissioners for the purpose, do assign to said widow and infant children of Jacob A. Mitchell, a homestead out of the Real & Personal estate of said Jacob A. Mitchell, deceased, including money & debts due him to the value of not exceeding $2.000.00 as provided by the 8th. 10th. 11th. & 12th. Sections of Chapter 183 of the Code of 1873 and report to this Court

Whereas, it is represented to the Court by S. W. Berlin John E. Roller & J. S. Harnsberger that the records of the Clerk's office of this Court have been destroyed in part, and partly mutilated by fire and otherwise, that it is a matter of public interest that certain portions of said records should be re-established, such for example, as the deed books, will books, etc. It is ordered by the Court that the lawyers constituting the Harrisonburg Bar, and Samuel Shacklett, J. W. F. Allemong, Jacob N. Conrad, Erasmus Coffman and Geo. W. Mauzy are appointed a Committee to examine the said records, and report to this Court as soon as practicable, the condition of the same, and what action by the Court is deemed advisable, and all necessary and proper suggestions that said Committee may deem proper, for the information and guidance of the Court.

On the motion of John H. Mitchell, one of the heirs of Jacob A. Mitchell, dec'd, the Court doth appoint Jasper Kauze, Executor of the said Estate, and thereupon the said Jasper Kauze appeared in Court, and together with Joseph A. Mitchell & Ephraim S. Mitchell, his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $6.000.00, conditioned according to law, (waiving the benefit of the Homestead exemption) and thereupon the said Jasper Kauze qualified as the Executor of the Estate of the Estate of the said Jacob Mitchell, dec'd.

And the Court doth appoint Jacob Spitzer, George W. Grady and E. M. Wright to appraise the Estate of said Jacob Mitchell, dec'd, after first being duly sworn.

The Court doth permit D. H. Roleton, Sheriff of this County to employ one guard in conveying Henry Ford, convicted of felony at this term of the Court, from the Jail of this County to the Penitentiary House of this Commonwealth.

H. H. Nair, Pltff.,
vs.
Richard Robinson, Deft. } Upon a suggestion.

In answer to a garnishee summons and a Rule awarded against him, the Defendant, John J. Detrick appeared before this Court, at this term, (Dec. 1876.) and made oath that he purchased a tract of 18 or 20 Acres of land from said Richard Robinson, on the ____ day of ____ 1866, and bound himself to pay to said Robinson

twenty dollars a year in money, during his Robinson's lifetime, and that said Robinson made a Deed to him for said land upon these terms, and that said Deed is recorded in the Clerk's office of this Court, and that the said land is worth about $250 or $300. He further stated that he had been boarding the said Robinson, and that the said Robinson was at the time of the service of the suggestion and since indebted to him for board, in an amount exceeding the amount due by him on his said payments, and Judgment of the Court on this answer is deferred until the next term.

On the application of J. D. Pennybacker & others for the establishment of a public road from Edom down Linville's Creek to the Road leading from Isaac Acker's to Cowan's Station.

This matter which has been continued from day to day since the 5th day of this term, came on this day to be finally heard on the said application, the report and amended report of Henry Pulse, E. Sipe and Jacob F. Hoff, viewers appointed by this Court at the August term 1875 thereof and the report and amended report of D. A. Heatwole, Silum Sellers, J. H. Roleton, of D. James Baker and J. H. Roleton, Commissioners appointed at the January term 1876 of this Court, to ascertain a just compensation to D. C. Brenneman, Wm. S. Perry, M. A. Effinger and Wm. Chapman for the lands to be taken for the purposes of said road. And after hearing evidence the Court considers that said road should be established, and orders that the same be established and opened according to the plat and survey returned with the report of said viewers, Henry Pulse, E. Sipe and Jacob F. Hoff, as follows, to-wit:- Commencing at Edom, and running thence on the line between J. P. Swank and J. C. Beery N. 40½ E. 60 poles to Henry Keil's line; thence N. 40½ E. 42 poles, thence N. 27 E 34 poles, N. 9 W. 14 poles, N. 60½ E. 13 poles, N. 75 E. 39 poles, N. 58½ E. 6 poles, through Henry Keil's land to D. C. Brenneman's land; thence N. 58½ E. 50½ poles, N. 49 E. 47½ poles to and on the land of Isaac Wenger, thence through said Wenger's land, N. 13 E. 36 poles, N. 3 E. 39 poles, N. 34½ E. 15 poles, N. 66¾ E. 14 poles, N. 35½ E. 40 poles, N. 7½ E. 23 poles, N. 19½ E. 94 poles, N. 46 E. 73 poles, across the Linville and Brocks Gap Road, to and on the lands of Mrs. Mary E. Pennybacker, thence N. 32 E. 12 poles, N. 20 E. 24 poles, N. 52 E. 38 poles, to and on John D. Miller's land; thence N. 28 E. 40 poles, N. 24 E. 47 poles, to and on Mrs. Elizabeth Baxter's land, thence N. 5½ E. 29 poles; N. 18¾ E. 155 poles to and through the lands of Wm. M. Bowman, Mrs. Mary E. Pennybacker and Wm. Chapman, thence N. 29 E. 86 poles to and through the lands of Wm. S. Perry, to Isaac Wenger, and N. L. Manspin's lands; thence N. 17¼ E. 66 poles along the line of said Wenger and Manspin; thence N. 8 W. 38 poles, along the lines of Wenger and Manspin, and Wenger and Effinger; thence N. 19 W. 23 poles, along the line of Wenger and

Effinger to and on the land of M. A. Effinger, thence N. 43¾ W. 34 poles, N. 28½ E. 56 poles, N. 45 E. 13 poles, to and on the land of Henry J. Showalter; thence N. 36 E. 33 poles; N. 27½ E. 28 poles; N. 1¾ E. 51 poles, through the lands of Henry J. Showalter, to the road leading from Isaac Ackels to Livan's Station. And it is further ordered that the following sums be allowed the proprietors through whose lands said road will be located, to-wit:- Wm. S. Perry, $90.00- Wm. Chapman, $50.00, these being the amounts allowed by the Court, which they are willing to accept and do not require the appointment of other Commissioners: Henry J. Showalter, $75.00; Isaac Wenger on his lower tract $75.00; Mrs. Mary E. Pennybacker $20.00; Michael M. Bowman, $2.50; Elizabeth Baxter, $40.00; Isaac Wenger on his Home tract $310.00; Henry Geil $130.00; J. P. Swank, $15.00; these being the amounts allowed by the viewers Henry Burlee, E. Sipe, and Jacob Hoff; M. A. Effinger, $20.00, and D. C. Brenneman $122.00, these being the amounts allowed them by the said Commissioners, D. A. Beatsole, John W. Roleton, of D. James Baker, Silum Sellers and J. W. Roleton.

Pd $50 to M. M. Bowman and balance to Wm S Perry $70.00

It is further ordered that the said sums be paid out of the County Levy for the year 1877, and it is further ordered that Jacob Troyer, Commissioner of Roads for Linville District & Henry Hoff, Commissioner of Roads for Plains District proceed forthwith to open and establish said road, following strictly the courses laid down in this order, each within the boundary of his own District, the cost of the same to be paid out of the County Levy for the year 1877. It is further ordered that said Commissioners report to this Court at or before the June Term next, their proceeding in opening and establishing said road as directed in this order.

It is further ordered that this cause be continued on the docket, to await the report of said Commissioners, but that for all other purposes, it stand as stricken from the docket, without costs to either petitioners or defendants, in the controversy growing out of this matter.

J Upon the Petition of John D. Pennybacker & others } For the establishment of a Road.

In this cause, the Defendants, Isaac Wenger, D. C. Brenneman and Henry J. Showalter, thinking themselves aggrieved by the order of the Court made in the controversy concerning the establishment of the road asked for by the petitioners, appeal therefrom of right, and thereupon, the said defendants, Isaac Wenger and D. C. Brenneman for themselves and the said H. J. Showalter having given bond before the Court with C. E. Haas as security, conditioned according to law, and in a penalty of $300.00 as fixed by the Court, an appeal of right is allowed them from the order of this Court in said cause, and the Clerk is directed to deliver a copy of the record in this cause to the Clerk of the Circuit Court, as soon as practicable, and upon the further motion

of said defendants, execution of the order of the Court in this cause is suspended for sixty days from this date.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Dec. 30 1876. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof on Saturday December 30, 1876.

Present:- Hon. Charles T. O'Ferrall, presiding.

On the motion of John E. Roller, the Estate of Richard Oakes, decd, is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months, without an administration.

Joseph A. Mitchell, Pltff
vs
Emily C. Mitchell, &c. Defts } Upon a Summons to produce will of Jacob A. Mitchell, if in existence.

The defendants appearing in Court in person, and by counsel, and answering that they have not, and that neither of them has in his or her possession or control, any will of the said decedent, Jacob A. Mitchell, and that to the best of their knowledge and belief no such will is in existence, It is ordered that this summons be stricken from the Docket.

J. T. Logan, Clerk of this Court, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $27.50 for fees allowed under Sec. 31, Chapter 180, of Code of Va, 1873, for the trial of eleven cases of Felony, from September Court to December Court 1876, inclusive, which being sworn to, in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd &d.

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

Chas. T. O'Ferrall.

Jany. 15, 1877.

At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, January 15, 1877.

Present: Hon. Charles T. O'Ferrall, 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 thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Trust Deed,	R. E. Hopkins & wife	to Tucker, Smith & Co,
Bargain & Sale,	W. A. Spitzer & wife,	" S. S. Robey & Louisa Knight,
" "	John Paul, Commr.	" A. J. Whitmore & others,
Trust Deed,	Nicholas Miller & wife,	" J. S. Harnsberger, Trustee,
Bargain & Sale,	Sarah V. Bowman, widow &c,	" Joseph S. Bowman,
Trust Deed,	William F. Dinkel & wife,	" John E. Roller, trustee,
Deed of Release,	Daniel Wenger & Jno. M. Miller,	" Wm. H. Arehart, Admr. of Raphael Myers,
Bargain & Sale,	Dewitt W. Washington & wife,	" Jacob A. Simmers,
" "	Charles A. Yancey, Commr.,	" Joseph Sowers,
" "	John E. Roller, Commr.,	" Joseph Bauserman,
" "	James F. Bowman & wife,	" Benjamin Sherfey,
Art. of Agreement,	John W. Orebaugh & wife,	& Sallie C. Shifflett, wife of Saml. McD. Shifflett,
Bargain & Sale,	Franklin Liskey & wife,	to William Rehard,
" "	Henry B. Michie, Commr.	" Mrs. Evaline A. Baugher, wife of W. S. Baugher, decd.
" "	Harvey Kyle & wife,	" Samuel F. Sanger,
Divn. of Lands,	Philip Miller & others, Commrs.	" Albert P. Eiler,
" " "	same,	" Mrs. Mary Keezle,
" " "	same,	" James R. Eiler,
" " "	same,	" Josephine Nicholas,
" " "	same,	" Fannie Nicholas,
Bargain & Sale,	Peter Swank & wife,	" Hannah J. Funk,
" "	Gideon Layman & wife,	" John Lee,
" "	James G. Field, Commr,	" Mary F. Dunn, &c, Heirs of Dl. Miller,
Mechanic's Lien	Hockman & Bucher,	" R. N. Poole
Bargain & Sale,	David Bowman & wife,	" Isaac Lohr,
Negotiable Note,	J. F. Fitzsimons,	" Basore & Shearer,
Bargain & Sale,	George W. Berlin,	" Henry Frazier,
Homestead Deed,	Jackson A. Shoemaker,	
Bargain & Sale,	James Kenney, Exor. of Jno. Kenney, decd,	" Nevil Logan,
Trust Deed,	Nevil Logan,	" B. G. Patterson, Trustee,
" "	Benjamin F. Flick & wife,	" Jasper Hawse, Trustee,
Bargain & Sale,	Jacob Dinkel, jr. & wife,	" Joel B. Miller,
" "	William R. McKeever & wife	" Harrison Empswhiler,
" "	A. J. Nicholas, trustee & wife	" Wm. H. Clatterbuck,
Trust Deed,	Wm. H. Clatterbuck,	" John E. Roller, Trustee,
Bargain & Sale,	Daniel J. Myers & wife & others,	" Peter H. Myers,
" "	Isaac Wenger & Jacob Geil, Exors. of Jno. Wenger,	" Isaac D. Davis,
" "	William Cook & wife,	" Samuel Stepp,
" "	Mrs. Maggie L. Huston,	" M. Harvey Effinger,
Art. of Agreement,	Adam W. Wise & others,	" Joseph McKennedy,

Bargain & Sale,	James Kenney, Exor. of John Kenney, dec'd	to John H. Bell,
Deed of Trust,	John H. Bell,	" B. G. Patterson, Trustee,
Bargain & Sale,	James Kenney, Exor. of John Kenney, dec'd	" Wm. H. Garland,
Deed of Trust,	Wm. H. Garland & wife,	" B. G. Patterson, Trustee,
Bargain & Sale,	Henry McDorman & wife,	" David F. Ritchie,
Trust Deed,	Royal Land Company of Va. & others,	" Fidelity Insurance, Trust & Safe Deposit Co. of Phila.
Bargain & Sale,	Wm. S. Miller & wife,	" Louisa & John McDaniel,
" "	J. W. Ritchie & wife,	" Philip Weller,
" "	Emanuel Royer & wife,	" Wm. Ferneyhough,
" "	St. Clair Kyle,	" James Kenney, trustee for Barbara Ann Kyle,
Trust Deed,	Daniel S. Harrison & others,	" Geo. P. Buntner, Trustee,
Bargain & Sale,	Chas. G. Skinner, Trustee for & Lucie M. Skinner,	" Thomas J. Keeran,
" "	Same,	" Aaron H. Wilson,
" "	John W. Melhorn & wife & others,	" Hettie J. Armentrout, wife of Stephen,
Homestead Deed,	James A. Young,	"
Bargain & Sale,	Hiram Coffman & wife,	" Israel P. Dellinger,
" "	Martha A. Kyger,	" Estaline Sowers, wife of Chas. H. Sowers,
" "	B. G. Patterson, Commr.	" Jefferson Freeze,
" "	Noah Wine & wife,	" John Wine,
" "	John Wine,	" Noah Wine,
" "	Noah Hoover,	" Laura A. Hoover, &c.
" "	George W. Manzy & wife,	" Wm. A. R. Gentry & others,
" "	John S. Rinehart & wife,	" John Q. Winfield,

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 thereof, which List being seen and in

The following settlements were this day presented in Court, and having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed and ordered to be recorded, viz:—

Settlement of the Account of P. F. Layman, Exor. of Malinda Layman,
" " " " " Jacob Geil, " " Daniel P. Good,
" " " " " John H. Thomas, Admr. of Thornton Thomas,
" " " " " Jacob Byrd Admr. C. T. A. of Isaac Burner,
" " " " " Levi S. Byrd, " " " " same,
" " " " " J. P. Rolston, Shff & admr. of John H. Long,
" " " " " Henry W. Roller guard. of John R. Pence,
" " " " " Henry Burkholder, " " John B. Shank, &c,
" " " " " Robt. M. Ruffner, " " Mary C. & Martha F. Strickler,
" " " " " Silas Henton, Committee for Henry Andes,
" " " " " Daniel A. Wine, " " Elizabeth Simmons,
An Additional settlement " " " T. K. Harnsberger, Admr. of R. L. Yancey, and endorsed on the settlement of said Admr. admitted & confirmed at Nov. Term, 1876.

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—
Appraisement & Sale Bill of the Estate of Joshua Pence, dec'd
Appraisement Bill of the Real & Personal Est. of A. Brenneman, dec'd

On the motion of E. H. Bull, who made oath thereto, according to law, he appeared in Court, and together with Peter Hinkins, his
cc'd'd. surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Sarah Bull, dec'd.

Chas. R. Rush, Admr. of David Scott, dec'd Pltff.
vs
Wm. F. Kyger, Admr. of A. Kyger, dec'd, gar. of G. K. Gilmer, Deft. } Upon a Sugn.
&
same, Pltff
vs
The First National Bank of Harrisonburg, gar. of G. K. Gilmer, Deft. } upon a Sugn.

Ordered, That the two foregoing causes be placed upon the Courts Docket.

For reasons appearing to the Court, the Rules awarded at the last term of the Court against John J. Wood, for his failure to appear as a Juror at said term, and against Jos. H. Kite for his failure to return into Court with his report, the contract for repairs to the Port-Republic Bridge, are discharged, (the said Kite having this day filed said contract in conformity to the order of the Court, made at a former term.)

Commonwealth,
vs
Alfred Toliver } Upon an Indictment for Assault & Battery.

This day came as well the Attorney for the Commonwealth, as the Defendant in person and by counsel, and the Defendant filed his plea of "not guilty," and thereupon came the following Jury, to-wit:- M. W. Holmes, E. S. Mitchell, F. C. Hopkins, E. H. Lowman, Isaac Devers, Perry Long, Solomon P. Reamer, Wm. M. Bilhimer, J. F. Ritchie Samuel Showalter, W. E. Lemley, & James S. Vanpelt, who being elected, tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant guilty in manner & form as charged in the Indictment, and assess his amercement at Forty-five Dollars, S. P. Reamer, foreman. And it being enquired of the Defendant, if anything he had to say or allege 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 Commonwealth of Virginia recover of the Defendant, Alfred Toliver, the sum of Forty-five dollars, the amount of the Fine by the Jurors in their verdict ascertained, and her

costs by her in this behalf expended. And the Court doth further consider that the said Defendant, Alfred Toliver be imprisoned in the Jail of this County, for the period of ninety days, and thereafter until the Fine & costs of this prosecution be paid, or he be discharged therefrom according to law; and thereupon the Defendant was committed to Jail.

The Court doth order that the following named Jurors be each allowed the sum of One Dollar, for their services at this term of the Court, in the trial of Alfred Toliver, for assault & battery, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:- M. W. Holmes, E. S. Mitchell, F. C. Hopkins, E. H. Sowman, Isaac Devers, Perry Long, Solomon P. Reamer, Wm. M. Bilhimer, I. F. Ritchie, Samuel Showalter, W. E. Lemley and James S. Van Pelt.

c. pd & d.

certified to Aud. of Pub. Accts.

Commonwealth,
vs
Lewis Randol.
} Upon an Indictment for an attempted Rape.

This day, the Defendant, Lewis Randol, appeared in Court, in discharge of his recognizance, entered into at the last term of the Court, and on motion of the Attorney for the Commonwealth and for reasons appearing to the Court, his trial is continued until the next term of the Court; and on his motion, the Court doth permit him to renew his bail, and the said Lewis Randol, together with George G. Strayer, his surety (who justified as to his sufficiency) appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $300.00, to be levied of their respective goods & chattels, lands and tenements, for the use of the Commonwealth; yet upon this condition, that the Defendant, Lewis Randol doth make his personal appearance before the Judge of this Court, on the first day of the next term of this Court, to answer the said Indictment, and not depart thence, without leave of the Court.

And thereupon Wm. D. Maiden, Wm. F. Kiger & John Trobaugh, jr, witnesses in behalf of the Commonwealth and Wm. S. Downs, John Randol, Samuel Price and James Huffman, witnesses for the Defendant, appeared in Court in discharge of their recognizance entered into at the last term of the Court, and they each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods & chattels, lands & tenements, yet upon this condition, that they do make their personal appearance before the Judge of this Court, as witnesses aforesaid, on the first day of the next term of this Court, and not depart thence without leave of the Court.

Samuel H. Eavey, Committee for Susannah C. Eavey, a person of unsound mind, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the

c. pd. d. & fee pd.

sum of $127.60 for boarding Susannah C. Carey, a person of unsound mind, washing and mending for same for 2 7/4 days, from April 15th 1876 to Janu. 15th 1877, at 40 cents per day, ($109.60) and clothing for same, 9 months at $2 per month ($18.00) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Commonwealth of Virginia, Pltff,
vs.
A. N. Rhineheart & Susan Rhineheart, Defts } Upon a Notice upon a Forthcoming Bond

This day came the Plaintiff by her attorney, and moved the Court for judgment & execution according to bond, and for costs; and thereupon the Defendants being solemnly called, came not, the Notice was proved, and it is considered by the Court that the Commonwealth of Virginia, do recover of the Defendants, A. N. Rhineheart and Susan Rhineheart, $537.20/100 the Penalty of the Bond, to be discharged by the payment of $268.25/100, with legal interest thereon from the 7th day of October 1876, till paid, and her costs, by her, in this behalf expended.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock

Chas. J. O'Ferrall

Janry. 16, 1877.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday January 16, 1877.

Present:- Hon. Charles P. O'Ferrall, presiding.

It appearing to the Court from the Reports of A. M. Keesman, Commissioner of Accounts, the one bearing date September 29th. 1876, & the other, a Special Report, bearing date the 7th. December 1876, the first filed on the 12th. Octo. 1876 & the latter on the 8th. Dec. 1876, to which reports no exceptions are filed, that there is in the hands of Thomas K. Hamaberger, Adm'r. of Robert L. Yancey, dec'd, the sum of Five Hundred and eight-two dollars and forty-one cents as of Sept. 15, 1876; two-thirds of which said sum of $582.41, to-wit, the sum of $388.27 is the interest therein of the infant children of the said Robert L. Yancey, dec'd, as named in said Special report of date Dec. 7, 1876 & also in the Special report of date January 11, 1875, Thereupon the Court doth order that Thomas K. Hamaberger as Adm'r. of the Estate of Robert L. Yancey, dec'd, do pay over to Andrew B. Strick, the General Receiver of this Court, the said sum of Three Hundred and eighty-eight dollars and twenty-seven cents aforesaid.

cap'd & d. ✓

And the said Strick, as General Receiver, is ordered to loan the same out upon good & sufficient real Estate security, compounding the interest thereon annually, and thus hold the said fund subject to the future order of this Court.

And the said Strick, as General Recv'r. is ordered to report forthwith to this Court, what real Estate security he has for the funds heretofore ordered to be loaned out of the Estate of R. L. Yancey, dec'd.

On the motion of John H. Barney, and it appearing to the Court that he is a regularly ordained Minister in the Christian Church, and authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with Abraham Sisky, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned according to law, (waiving the benefit of the Homestead exemption) and qualified accordingly.

cap'd.

J. G. Sprinkel & Son this day presented in Court an Account against the County of Rockingham, amounting to the sum of $15.00 for painting six chimneys, three coats each, at the Court-House, and upon the introduction of testimony, the Court doth consider that they be allowed the sum of $12.00, and doth order that the Treasurer pay to them the said amount of $12.00 out of the Levy for the year 1876, if any surplus, if not, out of the Levy for the year 1877.

cap'd.

On motion of Barbara Yount, the Court doth commit the Estate of Maria Yount, dec'd, otherwise Known as Mary, to D. H. Roleton,

✓

Sheriff of Rockingham County, for administration, it appearing from the oath of Giles Devier, a witness duly sworn in Court, that this is the name of one and the same person, and it appearing to the Court, that she has been dead more than three months, without an administration.

Charles R. Rush, Admr. of David Scott, Pltff.
vs
D. H. Rolston, S. R. C. & as such Admr. of Henry Gilmer, gar. of Geo. K. Gilmer, Deft. } Upon a Sugn.

Ordered, That this cause be placed upon the Court's Docket.

Franklin Liskey } Upon a motion.
vs
James Steele, }

1 & 1 copy

Reed, survg. &c. Pltff } Sugn.
vs
M. J. Carrier, Deft. }

The Court doth award Rules in the above causes against the Plaintiffs, returnable to the next term of this Court, to shew cause why they should not be dismissed for their failure to prosecute the same.

Henry Forrer, Pltff. } Upon a Notice.
vs
Philip Koontz, Deft. }

Byrd, Sibert & Neff, Pltffs. } Sugn.
vs
Jacob Miller, gar. &c, Deft. }

John Woods, Pltff } Sugn.
vs
Wm. B. Yancey &c gar. &c, Defts. }

Commonwealth Pltff. } Rule.
vs
John F. Rouhof, Deft. }

Ordered, That the foregoing-named causes be dismissed.

Commonwealth, Pltff } Upon a Rule.
vs
George W. Adams, Deft. }

Ordered, That an Attachment be awarded against the Defendant, returnable to the next term, for his failure to answer the Rule awarded against him at a former term of this Court.

Geo. W. Landis, for &c. Pltff, } Upon a Sugn.
vs
Wm. P. Bloce, Deft. }

On motion of Plaintiff, the Court doth award Rules against Robert Painter and C. Miller, requiring them to appear at the next term of this Court, and answer the suggestions in this cause, returned executed upon them.

1 & 2 cap.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. S. O'Ferrall.

Janry. 17, 1877.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, January 17, 1877.-

Present:- Hon. Charles P. O'Ferrall, presiding.

On motion of John D. Scott, Deputy Sheriff of Rockingham County, who represents that he has in his hands a fieri facias in favor of John S. Delaney, against John Bishop, and that the said John Bishop has filed an inventory with him, under oath, of the whole of the real and personal property owned by him the said Bishop, which he claims to hold under the Homestead provisions of the Constitution, &c, the Court doth appoint the following freeholders, to-wit:- William S. Miller, J. G. W. Miller and William H. Marshall, to appraise said property, (after first being duly sworn,) so claimed as aforesaid.

cap'd. & d. to J. D. S.

On the Petition of James C. Keltzel, Samuel Frank and others, for a change in the Public Road, leading from Harrisonburg to the top of the Shenandoah mountain, by the way of Rawley Springs and thence up Dry River, beginning at a point just below or opposite Rawley Springs, continuing on the east side of the said River, avoiding the two crossings of said river, and then following the present location of said road to a point above the Saw-mill of Jas. C. Keltzel, thence continuing on the east side of said river, avoiding two additional crossings of said river to a point opposite Jacob Seuger.

cap'd. & d.

The Commissioners of Roads for Central District of this County having returned to this Court the said petition with his endorsement of approval thereon, and the same having been presented in open Court as required by statute, the Court doth hereby appoint the following-named freeholders, to view the said proposed change, to-wit:- George Chrisman, Michael Whitmore & Thomas A. Jackson.

The said viewers before they proceed to discharge their duties shall be severally sworn by the Comm'rs of Roads for said district, or some other person authorized to administer oaths, to perform their duties impartially and to the best of their judgment. Notice of the time and place, when and where they shall meet, shall be given in some public manner in the vicinages of the proposed change at least five days before the time of meeting.

If they decide there is public necessity for the change, they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property, and also as far as practicable to be agreeable to the petitioners. They shall assess the damage done to land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, reporting the names of the land owners,

which of them claim damages, and the amount assessed to each; but in no case shall any yard, garden or orchard, or any part thereof, be taken without the consent of the owner. They may view and make report of and estimate for any modification of the change. They shall estimate and make report of the amount, which in their opinion, will be required to make the proposed change. The County or other competent Surveyor shall accompany them, and survey and map the proposed change, giving courses and distances, which shall be returned with their report.

They shall make report to this Court at its next term, accompanying their report with a statement under oath of the number of days necessarily employed by each of them and the Surveyor in executing this order.

Any defect in their report requiring a re committal will preclude them from receiving their per diem for the additional time.

In the matter of the Port Republic Bridge over the South River.

Whereas, J. W. Kite, who was appointed at the Sept. Term, 1876, of this Court, a Commissioner to ascertain and report the repairs and improvements necessary to preserve and protect said bridge from the weather, returned his report into Court at the last term, from which it appears that it will require the sum of One hundred and fifty dollars to make said repairs &c; and whereas, the said Commissioner, who was further directed to contract in writing with some party for said repairs, and report said contract to this Court for its ratification, has returned at this term a contract in writing with one Thomas J. Weaver, for said repairs, &c, for the sum of One Hundred and fifty dollars, which contract, on examination, the Court doth ratify and approve.

On consideration whereof, it is ordered that as soon as the said "Port Republic Bridge Company" shall convey by instrument of writing duly executed by said Company, and approved by this Court, the entire structure of said Bridge, including the abutments and each and every part of said bridge, and each and every right of the said Company, so far as the control of the same for the free and uninterrupted use of the same by the public, is concerned, then that the said sum of One hundred and fifty dollars necessary for the repairs, &c, as aforesaid, and also, the sum of One Hundred dollars, the indebtedness of said Company referred to in a former order, be and the same are hereby appropriated to meet the cost of said repairs and indebtedness, payable out of the County Levy for the year 1877.

But the said sum of One hundred and fifty dollars, nor any part thereof, shall not be paid to the said Contractor, until the said Commissioner Kite shall have reported to this Court, that the said work has been properly done, and the entire contract

fulfilled by the said contractor.

It is further ordered that John Paul be, and he is hereby directed to prepare a writing to be executed by the said Bridge Company in accordance with this order, and to report the same when executed, to this Court.

It is further ordered, that unless the said Bridge Company shall execute said instrument within the next sixty days, then that the said appropriations be, and the same are hereby rescinded.

It is further ordered that the said Commissioner Kite be allowed the sum of $15.00 for his past services and any future services he may have to render as required by this order.

Cap'd. for Roads Commr. /

On the application of D. H. Landis & others, for the establishment of a Public Road from Pleasant Hill School House on the Warm Springs Turnpike to the Valley Turnpike.

This cause came on to be finally heard this 17th day of January 1877, upon the proceedings heretofore had, and upon the report of George J. Kisling, Thomas J. Butler and Geo. W. Effinger, viewers appointed to view and locate a route, &c, for said proposed road, returned to the November Term 1876 of this Court, and upon the summons awarded against Joseph Bowman, Abraham Hinegardner, A. S. Gray and the School Trustees of Pleasant Hill School House, land-owners along said route, returned executed as to all of said parties, which report, (there being no exception thereto) is hereby confirmed.

And it appearing to the Court from the report of said viewers and from evidence introduced that public necessity and convenience require the establishment of said road, the Court doth hereby establish said road as located by said viewers, as follows:—

Beginning at the Warm Springs Turnpike, and running through the S. W. corner of Pleasant Hill School House Lot S. 43¼ E. 82 poles to a hickory, thence S. 53 E. 99½ poles, thence S. 48 E. 13½ poles, thence S. 35 E. 8½ poles, thence S. 54½ E. 56 poles to the Valley Turnpike the entire length of said new road being 259½ poles according to the report of said viewers and diagram returned therewith width not less than 25 feet. The Court doth allow to Abraham Hinegardner, the sum of Fifteen dollars; to A. S. Gray, the sum of Forty Dollars; and to Samuel Hartman, the sum of Ninety Dollars, these being the amounts allowed by said viewers as damages to the respective parties, payable out of the Levy for the year 1877.

And the Court doth hereby direct that Geo. J. Kisling, Commissioner of Roads for Central District, proceed forthwith to open said road in accordance with this order, and report his proceedings to this Court at or before the May Term next, and that this cause be retained on the docket to await the report of said Commissioner, but

for all other purposes, the same be stricken therefrom.

Chas. R. Rush, Admr. of David Scott, Pltff.

vs.

Wm. H. Kyger, Admr. of Alex. Kyger, gar. of G. K. Gilmer, Deft. } Upon a rule.

It appearing to the Court that the fund in the hands of Wm. H. Kyger, Admr. of Alex. Kyger, dec'd. due the judgment debtor Geo. K. Gilmer had been deposited in the 1st Nat. Bank of Harrisonburg to the credit of said Gilmer, previous to the service of this suggestion, It is considered by the Court that this cause be dismissed, and that the Plaintiff recover of the judgment debtor, Geo. K. Gilmer, his costs by him in this behalf expended.

Same, Pltff.

vs.

The First National Bank of Harrisonburg, gar. of G. K. Gilmer, Deft. } Upon a rule.

This day came the Plaintiff by his Attorney, and it appearing from the evidence of C. C. Strayer, Cashier of the First National Bank of Harrisonburg, that the said Bank is indebted to Geo. K. Gilmer in the sum of Sixty-five Dollars and 94 cents on said Gilmer's deposit account in said Bank, the Court is of opinion that the Fieri Facias of the Plaintiff against the judgment debtor George K. Gilmer is a lien upon said fund to his credit in said Bank, and it is therefore considered by the Court that the Plaintiff recover of the Defendant, the said The First National Bank of Harrisonburg, the sum of $65.94 with interest thereon from this the 17th. day of January 1877. until paid.

This day came Silas R. Good, who alleges that he is aggrieved by an entry in the Land Book made by J. R. Jones, Commr. of the Revenue for Central District in said County, in the year 1876, wherein he is charged with $2.08 taxes for the year 1876, on a tract of Land, containing 20 Acres, described as lying on the Port Republic road, and thereupon the said Silas R. Good moved the Court to exonerate him from the payment of $2.08 all of the taxes so erroneously charged against him for said year, which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said J. R. Jones, Assessor, 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 certified by the Clerk of the County Court of this County on the day of 1876, and that application for relief against the erroneous entry was made on this day for the first time, and it appearing that Silas R. Good has been assessed with two tracts of Land of 20 Acres each lying on the Port Republic Road, when he is really the owner of but one tract of 20 Acres of Land lying on said Road, All which the Court certifies as facts proved upon the application aforesaid. And consideration whereof, and from such facts so proved, the Court

is satisfied that the said Silas R. Good is erroneously charged on said book with taxes amounting to $2.08 on the 20 Acre tract of Land improperly charged to him; whereupon It is ordered that the said Silas R. Good be exonerated from the payment of $2.08 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

And the Court doth direct the said Commr. of the Revenue for Central District to strike the said improper assessment of 20 Acres of Land from his said Land Book.

Mary Magdalene Ritchie, an infant over the age of 14 years, this day appeared in Court, and made choice of George A. Ritchie as her guardian; whereupon the said George A. Ritchie appeared in Court, and together with John Paul, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Fifty Dollars, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

Geo. W. Adams appeared in Court and answered the Rule awarded against him at the Octo. term last for his failure to appear as a Witness when duly summoned, and for reasons appearing to the Court the Rule is discharged, and the order made at a former day of this term of the Court, is set aside, (awarding an Attachment against him.)

Diemer & Smith — Pltff
Trieber & Gassman, gar. of D. E. Jones Bro's — Deft. } Upon a suggn.

W. Trieber of the firm of Trieber & Gassman, the garnishee Defendants, this day appeared in Court and answered that they were not, at the time of the service of this suggestion, nor since, indebted to the said Jones Bro's; and on motion of the Plaintiff, It is considered by the Court that this motion be dismissed at the costs of the Judgment debtors.

Ordered That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. L. O'Farrell.

Jany. 18, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, January 18, 1877.

Present:- Hon. Charles T. O'Ferrall, presiding.

Ordered, That it be certified to the Auditor of Public Accounts
cap'd. & d. that John Paul, Attorney for the Commonwealth is entitled to receive the sum of Five Dollars, for prosecuting to conviction Alfred Toliver, at this term of the Court, in case of misdemeanor,

Henry Forrer, &c, Pltff } upon Notice to be relieved from suretyship.
(vs)
Philip Koontz, surv'g. Exor. of D. D. Dovel, dec'd. Deft. }

It appearing to the Court that the powers of the defendant have long since been revoked, and that this Notice was given on the 10th day of May 1871, and no steps taken in the matter, further than to docket the notice, the Court is of opinion that the object of said notice having been long since accomplished, there is no reason why the same should be retained on the docket, It is, therefore, ordered that the same be stricken from the docket, with the right to the Pltffs. to re-instate, under the provisions of the Statute,

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia,
cap'd. & d amounting to the sum of $80.95 for dieting, &c, sundry prisoners, from Dec. 19, 1876, to Jany. 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court, an Account against The Commonwealth of Virginia amounting
cap'd. & d. to the sum of $13.53 1/3 for Keeping & supporting William Spitzer, a Lunatic, for 28 days from Dec. 19, 1876 to Jany. 15, 1877, and for clothing for 28 days, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

A. C. Long, Surveyor of former Road Precinct No. 14, Linville District, this day presented in Court, an Account against the
cap'd & d. County of Rockingham, amounting to the sum of $13.00 for work on said Road to June 3, 1876, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment, out of the Levy for the year 1877.

The Court doth award a summons against Geo. W. Shaver, Constable
1 & 1 copy. of Linville District, requiring him to appear before the Court at its

next term, to show what collections he has made on account of Road Fines, placed in his hands, by Surveyors of Road Precincts.

E. Royer, Pltff
vs
Harriet Longley, Defft. } Upon a motion to enforce a Mechanic's lien

This motion came on to be heard this day, and the evidence offered by the plaintiff and defendant being fully heard, the Court is of opinion that the plaintiff, E. Royer has a valid existing Mechanic's lien resting on the interest of the defendant, Harriet Longley, in a certain House and Lot, containing One Acre more or less, and adjoining the lands of Lewis Watson's Heirs, near Harrisonburg, in Rockingham County, it is therefore considered that the Plaintiff recover from the defendant the sum of Fifteen 41/100 dollars with interest thereon from the 3d day of November 1875, until paid, and the costs about his motion in this behalf expended, and unless the said Harriet Longley, shall, within twenty days from the rising of this Court, pay to the plaintiff, the said sum of $15.41, with interest aforesaid, and the costs of this proceeding, the Sheriff of this County, is ordered and directed to sell the interest of the said Harriet Longley in said House & Lot, at public vendue, to the highest bidder, after giving twenty days notice of such sale, by posting notice on said House (including the Court House) & at three or more public places near the same, for cash, and report his action to this Court.

c of O forwarded to Clerk of Page County Court.

This Court having been notified by the Honorable County Court of Page County, by a certified copy of an order of said Court entered at its December Term 1876, that it is alleged that a bridge is necessary over Naked Creek, at Price's Mill, & it is ordered that Joseph H. Kite, Robert Gibbons and James M. Weaver be and they are hereby appointed Commissioners to meet at Price's Mill in Page County, or Waverlie, in Rockingham County, on Saturday the 3d day of February 1877, and to confer with the Commissioners to be appointed on behalf of Page County, as to the public necessity of erecting said bridge at the point designated, and if they and the said Commissioners appointed as aforesaid on behalf of Page County, should concur in the opinion that the public necessity demands the construction of said bridge, they are hereby directed to agree with said other Commissioners as to the manner and conditions of doing the work.

The said Commissioners appointed on behalf of this County, shall report their proceedings to this Court at its next term,

It is further ordered, that a certified copy of this order be forthwith forwarded by the Clerk of this Court, to the said Honorable County Court of Page County.

c. upd. for Road Commr. Hy. Neff.

On an application of C. M. Martz & others, to establish a public road, running from or near Martz's Store on the Mountain Valley Road to the Keezletown Road;

This cause came on to be finally heard on the Petition for said road, the report and Survey of the viewers, J. W. Cowan, Thomas Moore and S. R. Allebaugh, the land-owners along the proposed route being duly summoned, and making no objection to said report, and witnesses being examined; on consideration whereof, the Court orders said road to be established from its beginning at Martz's Store on the Mountain Valley Road to where it intersects the Barley's Mill Road; the same to be established according to the report of the viewers, J. W. Cowen, Thomas Moore & S. R. Allebaugh, and the Survey and diagram returned therewith, as follows: Beginning on the Mountain Valley Road, and running thence N. 70 W. 20 poles, N. 76¾ W. 6 poles, N. 75¾ W. 20 poles, N. 57 W. 18 5/10 poles, S. 60 W. 6.9 poles, N. 36¾ W. 8 poles, N. 2½ W. 9 poles, N. 37½ W. 4 poles, N. 45 W. 9.4 poles, N. 17 W. 6 poles, S. 65 W. 3.5 poles N. 69 W. 7.2 S. 72½ W. 7 poles, N. 12½ E. 7.2 poles, N. 12 W. 5.6 poles, N. 23 W. 3 poles, S. 61½ W. 11 poles, S. 74 W. 9.1 poles, N. 6½ E. 12.8 poles, N. 2¼ W. 15.1 poles, N. 25 W. 4.2 poles, N. 34½ W. 7 poles, N. 35½ W. 5.2 poles, N. 1 W. 8 poles, N. 7 W. 8 poles, N. 21 W. 7.4 poles, S. 88¾ W. 12.4 poles, N. 38 W. 5.1 poles, N. 7 W. 8 poles, N. 65½ W. 8.4 poles, N. 58 W. 27 poles, N. 3¾ W. 19.5 poles, N. 34 W. 14 poles, N. 31 W. 13.4 poles, N. 38 W. 15 poles, N. 63 W. 5.4 poles, S. 78 W. 36 poles, S. 83½ W. 21.4 poles, S. 87½ W. 16 poles N. 73½ W. 7.4 poles, where it terminates, intersecting with the Barley's Mill Road. It is further considered by the Court that the following sums be allowed to the various land-owners along said new road, so far as established, payable out of the County Levy for the year 1877, as follows, to-wit: To Noah Martz, Twenty-eight 75/100 dollars; to B. F. Armentrout, Twenty dollars; to Conrad Long, fifteen dollars, and to W. H. Barley, eighty-five dollars, these being the amounts assessed as damages to said parties by the said viewers, all other land-owners claiming no damages. It is further considered by the Court that Henry Neff, Commr. of Roads for Plains District, be, and he is hereby directed to proceed forthwith to open said road, and to report to this Court, at or before the May Term next, his proceedings under this order, and that this cause be retained on the docket to await the report of said Comr., but for all other purposes, that the same be stricken therefrom.

Julia Ann Derror, Appellant,
vs
Geo. G. Dudley & wife, Appellees. } Upon an appeal.

This day came the Appellant, by her Attorney, and the Appellees likewise; whereupon this cause being submitted to the Court, and the Appellees, being the Plaintiffs below, failing to adduce any evidence in support of their said claim, It is ordered that said judgment so appealed from as aforesaid be reversed, and said cause be

dismissed, without costs to either party, each party to pay their own costs.

Joel Wright, Appellant
vs
William Peterson, Defts. } Upon an Appeal.

It appearing to the Court that this cause has been on the Docket for more than seven years, without proceedings, and being this day called, and the Appellant failing to appear and prosecute his appeal, It is considered by the Court that the appeal be dismissed and the judgment of the Justice of the Peace be affirmed and that the Appellee, William Peterson, recover of the Appellant, Joel Wright and James Wright, his surety, the sum of $15.00 with legal interest thereon from Nov. 28, 1868, till Dec. 5, 1868 and $1.00 costs before the Justice of the Peace, together with ten per cent. damages per annum from said 5th. day of Dec. 1868, on the aggregate amount, until paid, and his costs by him in this behalf expended.

S. W. Bowman, Appellant
vs
Isaac Paul & Sons, Appellees. } Upon an Appeal.

It appearing to the Court that this cause has been on the Docket for more than seven years, without proceedings, and being this day called, and the Appellant failing to appear and prosecute his appeal, It is considered by the Court that the appeal be dismissed and the judgment of the Justice of the Peace be affirmed, and that the Appellees, Isaac Paul & Son recover of the Appellant, S. W. Bowman and Charles A. Sprinkel, his surety, the sum of $16.75, with legal interest thereon from April 26, 1867 till May 4, 1867 and 90 cents costs before the Justice of the Peace, together with 10 per cent. damages per annum on the aggregate amount, from said 4th. day of May 1867 until paid, and their costs by them in this behalf expended.

This order is set aside- see next page.

H. W. Beery, David Reedy & Solomon Funk, Commissioners appointed at the last term of the Court, to assign to Emily C. Mitchell, widow of Jacob A. Mitchell and her infant children Sallie & Saul Mitchell, a Homestead out of the Real & Personal Estate of said Jacob A. Mitchell, dec'd, returned their Report of Assignment into Court, which is ordered to be filed, but not recorded until the further order of this Court.

On motion of the Heirs of Martin Heill, dec'd. the Estate of said decedent is committed to D. W. Rolston, Sheriff of this County for administration, it appearing to the Court that the said Martin Heill has been dead more than three months without an administration, and Jacob W. Lindsay, P. McD. Hatfield and David Danner are appointed to appraise the Estate of said Heill, after first being duly sworn.

On the motion of Benj. F. Flick, and from evidence introduced, that the said applicant is a person of sobriety and good character, not addicted to drunkenness, and that the place is suitable and convenient, It is ordered that Merchant's Retail Liquor License be granted him at his residence in the village Etna, in this County, to April 30, 1877, the receipt of the Treasurer of this County for the amount of the License Tax being presented by him in Court.

cap. fee pd.

On motion of Samuel H. Eavey, Committee for Susannah C. Eavey and from evidence introduced, the Court is satisfied that the amount (40¢) per day, heretofore allowed the said Committee for the care and maintenance of said Susannah C. Eavey, a person of unsound mind, is insufficient, and doth order and direct that from and after the 15th day of January 1877, he be allowed the sum of 45 cents per day, for the care and maintenance of said Susannah C. Eavey, and the Court continues the allowance for her clothing at $2.00 per month.

Ordered, That this Court be adjourned until to-morrow morning, at 10 o'clock,

Chas. T. O'Ferrall.

Jany. 19, 1877.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, January 19, 1877.

Present:- Hon. Charles T. O'Ferrall, presiding.

S. M. Bowman, Appellant,
vs
Isaac Paul & Sons, Appellees, } Upon an Appeal from a judgment of a Justice of the Peace.

The Court doth order and direct that the order entered in this cause on yesterday lie and the same is hereby set aside. And it thereupon appearing to the Court that this cause has been on the Docket for more than seven years, without proceedings, and being called, and the Appellant failing to appear and prosecute his appeal, It is considered by the Court that the appeal be dismissed, and that the judgment of the Justice of the Peace be affirmed, and that the Appellant, S. M. Bowman recover of the Appellees, Isaac Paul & Sons, the sum of $16.75, with legal interest thereon from April 26, 1867 till paid, and 90 cents costs before the said Justice. And the Court doth further consider the Appellees Isaac Paul & Son recover of the Appellant, S. M. Bowman & Charles A. Spinkel, his surety, their costs, by them in this behalf expended.

Henry Shacklett, surg. &c, Pltff,
vs
A. H. Brewer, late C. R. C. &c, Defts. } Upon a Notice.

This day came again the parties, by their counsel, and

the cause was submitted to the Court, and the Court having fully heard the evidence and argument of counsel, on consideration, is of opinion that the Plaintiff should not recover against the Defendants, and It is therefore considered by the Court that this cause be dismissed, and that the Defendants, recover of the Plaintiff their costs, by them in this behalf expended.

Henry B. Harnsberger, survg. &c., Pltff.,
(vs)
S. R. Allebaugh, &c., gar. of Geo. W. Hogan, Defts. } Upon a sugn.

This day came again the parties by counsel, and the decision of the cause was submitted to the Court, and having fully heard the evidence and argument of counsel, the Court takes time until the next term, to consider thereof.

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

Chas. P. O'Ferrall.

In Vacation:- January 27, 1877:-

The Clerk of the County Court of Rockingham County is hereby directed to issue a Venire Facias, directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury for the February Term 1877 of said County Court, to appear at the Court-House thereof, on the 1st day of said Term, being the 19th day of February 1877, at 10 o'clock, A.M. Given under my hand this 27th day of January 1877.

Chas. P. O'Ferrall, Judge of Co. Ct. of Ro. Co.

Teste,
J. P. Logan, Clerk

Feby. 19. 1877. At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday Feby. 19, 1877.

Present:— Hon. George R. Calvert Judge of the County Court of Shenandoah County, 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 January Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Homestead Deed.	Elizabeth A. Maiden,	Claim of Homestead,
Bargain & Sale.	George W. Snell & wife,	to Solomon G. Snell,
" "	Geo. W. Berlin & Saml. S. Miller & wife,	" Isaac Hoover,
" "	Tandy Dovel & wife,	" Thomas Dovel,
" "	James Pain & wife,	" James W. Clattebaugh,
Trust Deed.	The Washington, Cincinnati & St Louis R.R. Co.	" J. W. F. Allemong & T. Ed. Hambleton, Trust.
" "	R. A. Gibbons & Wm. B. Yancey	" Ed. S. Conrad, Trustee for A. B. Irick, G.R.
Bargain & Sale.	David Bear,	" Samuel Long,
Art. of Agt. & Lease.	A. S. Gray & others,	" James Meily,
Trust Deed.	I. C. Hill,	" Ro. B. Ragan, Trustee, for &c,
Bargain & Sale.	Geo. E. Deneale & as Trustee & wife,	" David Landes,
" "	John H. Bell & wife,	" Charles E. Haas,
" "	William Beard & wife,	" James Y. McCutchen,
" "	same,	" same,
" "	William Beard,	" Signora M. Beard & Maggie V. Beard,
Assmt. in Bankruptcy.	C. Douglass Gray, Reg. in Bankrtcy.	" Ro. B. Ragan, Assignee of Jas. Roadcap,
Trust Deed.	Edward M. Shaver,	" Chas. E. Haas, Trustee for &c,
Bargain & Sale.	Chas. P. O'Ferrall, Commr.	" Joseph Funkhouser,
" "	H. J. Gray & wife & Wm. B. Compton, Commr.	" Samuel W. Glenn,
" "	Michael M. Miller & wife,	" John G. Miller,
" "	J. T. Logan, Clerk of Co. Ct. of Ro. Co.	" Geo. W. Airey, assignee of A. A. Hess & G. W. Airey,
" "	same,	" A. A. Hess & George W. Airey,
" "	James R. Eiler & wife,	" Jane Cox, wife of Robert Cox,
" "	John E. Roller & P. S. Roller & wife,	" John Steele,
Sale Bill.	C. A. Yancey, Trustee of	M. Pinkus,
Bargain & Sale.	Mary M. Martz,	" Jackson Martz,
Trust Deed.	M. M. Helbert,	" Ed. S. Conrad, Trustee,
Bargain & Sale.	Solon Bowman & wife,	" Elizabeth Brenner,
" "	Hugh Swope & wife,	" Samuel F. Showalter,
" "	David B. Showalter & wife,	" Samuel Senger,
" "	Herring Chrisman,	" Geo. Chrisman, Wm. J. Chrisman, &c,
" "	Frederick Hess, (old deed)	" Isaac Hess, (old deed)
Trust Deed.	M. M. Helbert	" M. L. Walton, Trustee, &c,
Assgmt. in Bankruptcy.	C. Douglass Gray, Reg. in Bankruptcy,	" John E. Roller, assignee of Dl. Baugher,
Bargain & Sale.	David Miller & wife, &c,	" Peter Moyers & his children,
" "	Elias Crawn, & wife,	" Henry Carpenter,
" "	Wm. B. Compton, Commr,	" Abraham Layman,
" "	William Williams & wife,	" Dr. J. G. Minor,

Bargain & Sale,	H. Clay Miller,	to	Emanuel Rhoades,
" "	Peter Zettie,	"	Jacob S. Sellers,
" "	B. G. Patterson, Commr,	"	Garret Rising,
" "	same,	"	John Pittington,
" "	John E. Roller, Commr,	"	Henry Andrew,

The following settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed and ordered to be recorded, viz:-

Settlement of the Account of A. B. Strickler Guil Receiver of County Court,
" " " " " Thos. B. & Hy. Vanmeter, Admrs of John Vanmeter,

The following Appraisement and Sale Bills, were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:-

Appraisement & Sale Bill of Personal Property of Andrew Efland, dec'd,
" " " " " " " " Peter Roller, dec'd,
" " " " " " " " Jacob Bowman, dec'd,
" " " " " " " " Branson Breeden, dec'd,
" " " " " " " " Sarah Fishback, dec'd,
" " " " " " " " Elizabeth Berry, dec'd,
" " " " " " " " John W. Ruddle, dec'd,
" Bill — — " " " " Mary E. Bonty, dec'd,
" " " " " " Martin Miller, Sr, dec'd,
" " " " " " Abraham Campbell, dec'd,
" " " " " " Mary Ronhof, dec'd
Inventory " " " " " Thomas Logan, dec'd,
Sale Bill " " " " Martin L. Shank, dec'd
Appraisement & Sale Bill of Real Estate of Moses Forman, dec'd,
" of Real & Personal Estate " Peter Harper, dec'd,
Inventory of Estate of Maggie M. Spinkel,
" " " " Mary L. Spinkel,
Appraisement & Sale Bill of Personal Est. of Anthony Rhoades, Jr, dec'd,
Sale Bill of the Personal Property of Joseph Bare, dec'd,

On the motion of Samuel R. Sterling, Treasurer of this County, Levi S. Byrd is permitted to qualify as his deputy for Central District, the said Levi S. Byrd, thereupon appeared in Court and qualified as such by taking the several oaths prescribed by law.

The writing purporting to be the last will and testament of Adam Pifer, Jr. dec'd, was this day presented in Court, and was proven by the oaths of Aaron Shutters and S. H. Wise, the two subscribing witnesses thereto, and ordered to be recorded, and thereupon Adam Pifer, jr, the Executor therein named appeared in Court (who made oath thereto according to law,) and together with B. F. Gray and Wm R. Wise, his sureties, (who justi-

-fied as to their sufficiency) entered into and acknowledged a bond in the penalty of $5000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted the said Adam Pifer, jr, for obtaining a probat of said will in due form; And the Court doth appoint James Huffman, C. Miller, William Tutwiler & John Miller, to appraise the Estate of said Adam Pifer, Sr, dec'd, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of John Higgins, dec'd, was this day presented in Court, and being proven by the oaths of William Liskey & Thornton Deavers, two of the subscribing witnesses thereto, was ordered to be recorded.

P. Herring, who was, on the 31st day of January 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with J. T. Logan, 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 execution of the duties of his office, (waiving the benefit of the Homestead exemption,) 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 Auditor of Public Accounts. And thereupon, the said P. Herring took the several oaths prescribed by law.

certified to Aud. of Pub. Accts. Feby. 22, 1877. C.S.C.C.

Wm. W. Hedrick vs G. W. Maury,	Notice,	Commonwealth, vs Geo. W. Shaver, C. S. D.	Rule,
same, vs W. T. McGahey,	Notice.	Geo. W. Landis, for &c, vs Robert Painter, &c.	Rule.
Cyrus Pence, for &c, vs Z. D. Gilmore, &c.	Notice.	Supt. of Poor of Rockingham Co, vs Reuben May, &c,	Notice,
David Scott's Admr. vs Saml. C. Campbell & others gar. of Geo. K. Gilmer.	Sugn.	David Scott's Admr. vs John Brunk & others, gar. of George K. Gilmer,	Sug.

Ordered, that the foregoing named causes be placed upon the Court's Docket.

On the motion of Wm J. Miller, who made oath thereto according to law, he appeared in Court, and together with Joseph A. Mitchell, his surety, (who justified as to his sufficiency,) entered into and

acknowledged a bond in the penalty of $400.00 conditioned according to law, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining letters of administration, in due form, upon the Estate of Jacob Miller, dec'd and on his motion, the Court doth appoint Geo. W. Grady, Thomas G. Hopkins, Joseph McMullen and Abm. Landes, to appraise the Estate of said Jacob Miller, dec'd, any three of whom may act, after first being duly sworn.

On the motion of Wm. T. Jennings, the Estate of Charles Depoy is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court, that he has been dead more than three months, without an administration, and the Court doth appoint Benjamin Bowman, Reuben Moore, Abram C. Long and Samuel Smith to appraise the Estate of said Charles Depoy, any three of whom may act, after first being duly sworn.

It appearing to the Court that G. W. Manzy, trustee in a Deed of Trust, from W. T. McGahey to said Manzy, to secure the payment of a debt to W. W. Hedrick, and by the papers filed in the Court, that said G. W. Manzy has resigned his trusteeship, in said trust, It is therefore, on motion of Wm. W. Hedrick, in pursuance of notice, ordered that B. G. Patterson be appointed Trustee in said Deed of Trust, instead of said G. W. Manzy resigned, under the provisions of the Code, in such cases made and provided.

Catharine Sipe,
vs
James M. Weaver & Robert F. Weaver. } Upon a motion on a 12 months Bond.

This day came the Plaintiff, by her counsel, and moved the Court for judgment & execution against the Defendants according to bond and for costs, and the Defendants being solemnly called, came not, It is therefore considered by the Court that the Plaintiff recover of the Defendants, James M. Weaver and Robert F. Weaver, the sum of $162.74 with legal interest thereon from the 19th day of October 1874, till paid, and her costs, by her in this behalf expended, and subject to the following credit; viz:- Jany. 6, 1876, $100.00

Isaac Wenger, Madison Moore & Simon P. Summers, three of the Commissioners appointed by this Court, at the September Term, 1876, to assign to Mary Bowman, widow of Jacob Bowman, dec'd her dower in the Lands of which said Jacob Bowman died seized, this day returned into Court their report made in obedience to said order, which report being seen and inspected by the Court, and there being no exceptions thereto, It is ordered that said report be confirmed, and approved, and that the Clerk of this Court do enter the same, together with the plat accompanying it, in the Deed Book of this Court.

c of Dow report,

It appearing to the Court from an inspection of the Report of A. M. Newman Commissioner of Accounts, of the settlement of the Account of Thomas K. Hamsbergen & Henry Hamsbergen, Admrs. of John Hamsbergen, decd., bearing date January 1, 1877 & filed Jany. 13, 1877, that there is in the hands of said Administrators as such, due to the unknown Heirs of Jacob Hamsbergen & Catharine his wife, the sum of Thirty-six 23/100 dollars, & that a like amount is due from said administrators to the unknown heirs of Jacob Single & Mary his wife, the Court doth hereby order said Thomas K. Hamsbergen & Henry Hamsbergen as such Admrs. of John Hamsbergen, decd., to pay over to Andrew B. Irick, as General Receiver of this Court, the said several amounts due the said unknown heirs of the said Jacob Hamsbergen & wife, and the said Jacob Single & wife, and that said General Receiver hold the same subject to the further order of this Court.

exp[d]. for admrs.

Commonwealth
vs
M. M. Herbert. } Notice to revoke his License to Keep an Ordinary.

same,
vs
same. } Notice to revoke his License as a Retail Liquor Merchant.

Superintendent of the Poor of Rockingham Co.,
vs
Eli Armentrout, & his sureties } Notice on Bastardy Bond.

Ordered, that the foregoing-named causes be placed upon the Court's Docket.

The writing, purporting to be the last will and testament of Samuel Wise, decd, together with a codicil thereto attached, was this day presented in Court, and the will was proven by the oaths of S. N. Callender and Emanuel Wise, two of the subscribing witnesses thereto, and the Codicil thereto attached was proven by the oaths of L. C. Whitescarver & M. A. Whitescarver, the two subscribing witnesses thereto, and said Will and Codicil are ordered to be recorded.

Wm. C. McAlister, George W. Skelton, Moses Mason, John J. Moore, R. W. Moore, John Huddleson, John M. Glaes, Jacob F. Funkhouser, S. J. Jones & Martin Bunk, were sworn and impanelled a Special 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 some time returned into Court, and made the following presentments, viz:- An Indictment against Erasmus Coffman, for attempt to commit rape, a true bill, W. C. McAlister, foreman; An Indictment against Daniel Hanley, for burglary, a true bill, W. C. McAlister, foreman; An Indictment against

Reuben Long, for trespass, a true bill, W. C. McAlister foreman; An Indictment against Reuben Eaton, for disturbing a religious congregation, a true bill, W. C. McAlister, foreman; An Indictment against Aaron Cubbage, for assault & battery, a true bill, W. C. McAlister, foreman; and An Indictment against Aaron Cubbage, for disturbing a religious congregation, a true bill, W. C. McAlister, foreman; and having completed the business before them, were discharged from further attendance upon this Court.

sum^s. on Indict^t. for misd^r. issd. except to Reuben Long, by order of Commonwlth Atty.

Ordered, That Wm. C. McAlister, Geo. W. Skelton, Moses Mason, John G. Moore, R. W. Moore, John Huddleson, John M. Glass, Jacob F. Funkhouser, S. J. Jones and Martin Brunk, be each allowed the sum of One Dollar, for their services at this term of the Court, as Grand Jurors, and that the same be certified to the Treasurer of this County for payment out of Levy for year 1877.

cap^d. & d.

Commonwealth, vs Lewis Randol } Upon an Indictment for attempted Rape.

This day, the Defendant, Lewis Randol, appeared in Court in discharge of his recognizance entered into at the last term of the Court, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until the next term; and on his motion the Court doth permit him to renew his bail; and the said Lewis Randol together with George G. Strayer, his surety, (who justified as to his sufficiency) appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of 300^{00} to be levied of their respective goods & chattels, lands & tenements for the use of the Commonwealth, yet, upon this condition that the Defendant, Lewis Randol, do make his personal appearance before the Judge of this Court, on the first day of the March Term next, to answer the said Indictment, and not depart thence without leave of the Court.

And thereupon, Wm. D. Maiden, Wm. F. Kiger, Jo^s. A. Shifflett, & John Probaugh jr witnesses in behalf of the Commonwealth against said Defendant, appeared in Court in discharge of their recognizance entered into at the last term; and they each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of 100^{00} to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition, that do make their personal appearance before the Judge of this Court, as witnesses as aforesaid, on the first day of the March Term next of this Court, and not depart thence without leave of the Court.

George Chrisman, T. A. Jackson & Michael Whitmore appointed at

a former term of this Court to view and report upon the establishment of a public road, leading by way of Rawley Springs to the top of the Shenandoah Mountain, this day returned into Court their Report, which is ordered to be filed.

Daniel Kenley, this day appeared in Court in discharge of his recognizance entered into before the Judge of the Circuit Court of this County, for his appearance on this day of this term of the County Court to await the action of the Grand Jury; and the Grand Jury of this County having this day returned into Court an Indictment against said Daniel Kenley for Burglary, on his motion, the Court doth grant him bail; and thereupon he appeared in Court, and together with Thomas Clooney and Mary Kenley, his securities, (who justified as to their sufficiency,) each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $300.00 to be levied of their respective goods & chattels, lands & tenements, yet upon this condition, that the said Daniel Kenley do make his personal appearance before the Judge of this Court, on the first day of the March Term next of this Court, to answer said Indictment this day found against him, and not to depart thence, without leave of the Court.

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

Geo. R. Calvert

In Vacation, March 6. 1877.—

The Clerk of the County Court of Rockingham County is hereby directed to issue a Venire Facias, directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury for the March Term of said Court, to appear at the Court House thereof, on the 1st. day of said Term, being the 19th. day of March 1877, at 10 o'clock, A. M. Given under my hand this 6th. day of March 1877.

Chas. D. O'Ferrall, Judge of the Co. Ct. of Rockingham Co.

Teste,
J. T. Logan, Clerk.

March 19, 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, March 19, 1877.

Present:— Hon. Chas. T. O'Ferrall, 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 February Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Bargain & Sale.	Henry Maphis & wife,	to Rebecca, Catharine & Hannah Jocksman
" "	Willis B. Moffett,	" Robert Starks,
" "	B. F. Garber & wife,	" John M. Garber
" "	Wm. B. Compton, Commr. & Ky. Shackleth & wife,	" Isaac Fulk,
" "	Peter H. Myers & wife & others,	" John J. Myers,
" "	Philip Barnhard & wife	" Joseph Bowman, John Flory & others,
" "	Elizabeth A. Long,	" Peter McD. Hatfield,
" "	John E. Bryan & wife & Jno. T. Keyton & wife,	" Joseph Milstead,
" "	Abraham D. Weaver & wife	" Benjamin Kerlin,
" "	Wm. B. Compton, Commr.,	" Jacob W. Cowen,
" "	George G. Grattan, Commr.,	" H. C. Wyeth & Wm. W. Wyeth in lieu of old deed
" "	Frederick Rodes & wife & others,	" David E. Rodes
Division of Land.	Peter Paul, T. A. Jackson & Robt. Black, Commrs.	" Lydia, Catharine & Mgt. Crouseshorn (Miller, wife of Jackson Miller)
" " "	same,	" David B. & John Crouseshorn & Sarah.
Bargain & Sale.	Solomon Garber, Exor. of David Stemphley	" Isabella Gladwell,
" "	Solomon Garber,	" Abraham Sager,
" "	John A. Fultz & wife,	" Jacob Shank, jr.,
" "	John E. Roller, Commr.,	" George Kiser,
" "	Sarah R. Garland & Wm. H. Garland	" Estie C. Sterling, wife of S. R. Sterling,
" "	George A. Ritchie & wife,	" William Clatterbuck,
Receipt.	J. P. Swank,	" Heirs of George Saufley
Bargain & Sale.	J. T. Logan, Clerk of Ro. Co. Ct.	" James F. Lowman,
" "	Edward S. Conrad, Commr.,	" James A. Fry,
" "	Mary E. Jordan,	" Henry Philips
Homestead Deed.	John G. Cootes,	Claim of Homestead,
Bargain & Sale.	John E. Roller, Commr.	" James E. Ott & William Ott,
" "	Mary Bushong,	" Jackson Knopp,
" "	Wm. T. Carpenter & wife,	" John H. Dovel, Trustee for Matilda Dovel
" "	Henry Carpenter,	" Peter Showalter
" "	Frances C. & Sarah M. Devier,	" David Graham,
" "	M. D. Jennings,	" Lucinda A. & Josephine T. Jennings,
" "	A. M. Newman, Commr. & Isaac Paul & wife,	" Joseph Paul,
" "	Erasmus Coffman, jr.,	" Fannie M. Coffman, wife of S. A. Coffman,
Deed of Homestead.	C. M. Clatterbuck,	Claim of Homestead,
Bargain & Sale.	James R. Caynor, of Washington, D.C.,	" George B. Caynor, of Washington, D.C.,
" "	B. F. Cootes & wife,	" Henry Rife,
" "	J. A. Loewenbach & wife,	" James M. Wellman,
" "	Philip F. Layman & wife,	" Martha J. Layman,
" "	Lucinda A. & Josephine T. Jennings,	" C. G. Jennings,
" "	John Harper & wife,	" John B. Hoover,

Agt. & Mech.s Lien.	James W. Stinespring to	Ludwig Hirsch,
Bargain & Sale.	George G. Grattan, Comm.	" S. M. & A. C. Jones,
" "	Israel Caplinger & wife	" Joseph A. Dove,
" "	Ahab Dove & wife,	" Wm. C. Dove,
Deed of Trust.	Mattie Dovel & Jno. H. Dovel,	" A. M. Newman, trustee for Wm. T. Carpenter.
Bargain & Sale.	Jacob A. Helmes & Co.	" The Virginia Paint Company.

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—

Appraisement & Sale Bill of Personal Property of John R. Keagy, dec.d,

The following Settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed, and ordered to be recorded, viz:—

Settlement of the Account of Simeon & Abm. D. Heatwole, Exor.s of Gabriel Heatwole,
" " " " " C. D. Harrison, Exor. of Catharine Harrison,
" " " " " David Holler, " " David Holler,
" " " " " Jo.s A. Earmon, " " Daniel Huffman,
" " " " " W. J. Myers, " " Hy. S. Showalter,
" " " " " L. W. Kaylor, " " W. S. Baugher,
" " " " " F. M. Ervine & D. R. Hopkins " " John H. Campbell,
" " " " " John F. Andes, " " Eli Andes,
" " " " " Wm. T. Carpenter, " " Daniel Huffman,
" " " " " J. D. Swank, " " Peter Swank,
" " " " " John Spader, " " Jacob Spader,
" " " " " Geo. W. Showalter, " " Joseph Beery,
" " " " " Joseph Bowman, " " John Bowman,
" " " " " Solomon E. Rhodes, Admr. " Peter Rhodes,
" " " " " Mary C. Garber, " " John J. Garber,
" " " " " D. H. Rolston, Shff. " " D. N. Huston,
" " " " " Noah Minnick " " David Keagy,
" " " " " Abm. & Jno. M. Garber, " " Martin Garber,
" " " " " Joseph Shickle, Committee for Mary Stokes,
" " " " " Samuel W. Uline, guardian " Mary C. & Martha Stokes,
" " " " " Joseph Layman " " Jacob E. Summers, &c.,
" " " " " George W. Reherd, " " Mary R. Cooley, &c.,
" " " " " Benjamin Funk, " " Boyle H. Funk,

The writing purporting to be the last will and testament of Barbara Layman, dec.d, was this day presented in Court, and being proven by the oaths of John T. Rimel and P. K. Argabright, two of the subscribing witnesses thereto, was admitted to probate and ordered to be recorded; and thereupon David Layman, the Executor therein-named, who made oath thereto according to law, appeared in Court, and together with John T. Rimel and P. K. Argabright, his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $600.00, conditioned according to law, (waiving the benefit

of the Homestead exemption,) a certificate is granted the said David Layman for obtaining a probat of said will in due form. And the Court doth appoint Preston Rhodes, Lynn Rhodes, R. M. Grubb & Abram Harrison to appraise the Estate of said Barbara Layman, any three of whom act, after first being duly sworn.

On the motion of Samuel R. Sterling, Treasurer of this County, John W. Reynolds, this day appeared in Court, and qualified as Deputy Treasurer for Stonewall District, by taking the several oaths prescribed by law.

On the motion of Wm. W. Herring, who made oath thereto according to law, he appeared in Court and together with Bland Herring and George M. Herring, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Jacob Herring, dec'd. And the Court doth appoint Edward Herring, Jesse Wyant, John Wyant, Edward Shifflett & Samuel Hall to appraise the Estate of said Jacob Herring, dec'd, any three of whom may act, after first being duly sworn.

On the motion of David Sowder and from evidence introduced, the Court doth appoint him a Committee for his father, Jacob Sowder, and thereupon said David Sowder appeared in Court, and together with W. Wittig, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2,000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as the Committee of said Jacob Sowder, according to law.

Wm. G. Thompson, who was, on the 12th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with David Zigler, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption.) 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 Wm. G. Thompson took the several oaths prescribed by law.

ctf'd.

Samuel C. Williams, who was, on the 14th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with William F. Bowers & Jacob Yankey, his sureties, (who justified as to their sufficiency,) entered into

ctf'd.

and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption.) 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 Samuel C. Williams took the several oaths prescribed by law.

John H. Moore, who was, on the 31st day of January 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham for the term of four years from said date, this day appeared in Court, and together with Harvey Kyle, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption.) 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 H. Moore took the several oaths prescribed by law.

ctfd.

Fred K. Speck, who was, on the 15th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Geo. W. Berlin, his surety (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption) 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 Fred K. Speck took the several oaths prescribed by law.

ctfd.

Jno. A. Mitchell, who was, on the 12th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with C. S. Mitchell, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption) 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 Jno. A. Mitchell took the several oaths prescribed by law.

ctfd.

A. C. Heneberger, who was, on the 10th day of March 1877, duly commissioned by the Governor of Virginia a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with George G. Grattan, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond

in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption,) 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 A. E. Heneberger, took the several oaths prescribed by law.

M. Lindon, who was, on the 5th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day 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 $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption,) 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 M. Lindon took the several oaths prescribed by law.

Ad.

John G. Cootes, who was, on the 12th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Adam H. Fulk, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption,) 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 G. Cootes took the several oaths prescribed by law.

Ad.

Henry Gilmer's Admr. (use of John Koontz,) Pltff.
vs
Isaac Click, Deft. } Scifa.

Augustine Armentrout - Petition to close the "Shepp Spring Road, as a public thoroughfare.

Ordered, That the foregoing causes be placed upon the Court's docket.

Jacob Barley, for use of Adam Layman's Admr. Pltff.
vs
Adam H. Brewer, Deft. } Scifa.

This day came the parties by counsel, and the Defendant moved the Court to quash the motion; whereupon It is ordered that this cause be placed upon the Court's docket, and the motion to quash continued.

The writing purporting to be the last will and testament of George Miller, decd, together with a codicil thereto attached, was this day

presented in Court, and the will being proven by the oaths of J. T. Logan and Ed. S. Conrad, two of the subscribing witnesses thereto, and the codicil thereto attached by the oaths of F. A. Daingerfield and J. T. Logan, the two subscribing witnesses thereto, was admitted to probate and said will and codicil ordered to be recorded.

The Commonwealth, vs. Reuben Long, } Indictment for Trespass.

This day came as well the Attorney for the Commonwealth as the Defendant in person; whereupon the Defendant, Reuben Long, with the consent of the Attorney for the Commonwealth, confessed a judgment for One Dollar fine costs; It is therefore considered by the Court that the Commonwealth recover of the Defendant, Reuben Long, One Dollar Fine, and her costs by her, in this behalf, expended.

The Commonwealth, vs. Erasmus Coffman, } Indictment for attempt to commit Rape.

This day, the prisoner, Erasmus Coffman, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day led to the bar of the Court, in custody of the Sheriff of this County, and being thereof arraigned, pleaded "not guilty," and thereupon the Veniremen summoned for the trial of Felony cases at this term of the Court were called, twenty-seven of whom appeared, viz:- John F. Soule, R. M. Mooney, A. W. Black, John F. Long, Hiram H. Taylor, Jackson Wynant, J. B. Kratzer, Moses F. Powell, J. W. Payne, C. B. Stevens, J. C. Staples, W. C. Whitmer, E. S. Sheets, A. D. Woodson, G. W. Effinger, James M. Wellman, Thomas W. Willis, John W. Stern, John Lincoln, John Pence, Dewitt C. Martz, John W. Baldwin, Benjamin Trumbo, Henry Wittig, Jacob B. Garber, James V. McGahey & A. D. Brunk; the three last of whom were, for reasons appearing to the Court, excused from service, viz:- Jacob B. Garber, James V. McGahey & A. D. Brunk. The Sheriff was then directed to summon from a List furnished by the Court, twelve additional Veniremen, to appear forthwith; and the Veniremen so summoned, viz:- James P. McLeod, R. D. Cushen, Robert Liskey, B. F. Wheeler, Summerfield Davis, Samuel Showalter, James Layman, M. W. Holmes, F. G. Way, John Rhodes, John H. Bare & John W. Glovier, appearing, the panel of thirty-six required by law was completed, and from said Veniremen, the following panel of sixteen, (having been examined by the Court, and found to be duly qualified and free from exceptions,) viz:- John F. Soule, A. W. Black, H. H. Taylor, Jackson Wynant, J. B. Kratzer, Moses F. Powell, J. W. Payne, C. B. Stephens, Wm. C. Whitmer, E. S. Sheets, A. D. Woodson, Geo. W. Effinger, James M. Wellman, Thomas W. Willis, John Lincoln & John Pence, were selected, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- John F. Soule, Jackson Wynant,

E. S. Sheets and John Pence; the remaining twelve of said panel, viz:- A. W. Black, H. H. Taylor, J. B. Kratzer, Moses F. Powell, J. W. Payne, C. B. Stephens, Wm. C. Whitmer, A. D. Woodson, Geo. W. Effinger, James M. Wellman, Thomas W. Willis & John Lincoln thereby constituting the Jury, who being thus elected, tried and 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 fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "We, the Jury find the Defendant, Erasmus Coffman, guilty in manner and form as charged in the Indictment, and ascertain the term of his imprisonment in the Penitentiary at ten years, G. W. Effinger, foreman, And thereupon the Jury was discharged, and the prisoner remanded to Jail.

George W. Manzy, foreman, Wm. H. Ritenour, Joshua Wilton, R. F. Weaver, Jacob Yeil, Wm. F. Gaines, Harrison Bateman, John J. Cootes, W. S. Sluser, & David Zigler, were sworn and impaneled a Special Grand Jury in and for the body of the County of Rockingham, and having received their charge from the Court, retired from the bar to their room to consider of their presentments, and after some time returned into Court, and made the following presentments, viz:- An Indictment against Robert Smith, for Burglary, a true bill, G. W. Manzy, foreman; An Indictment against Marshall Brock, for Grand Larceny, a true bill, G. W. Manzy, foreman, and An Indictment against Anderson Shifflett, Louisa Lawson, Silas Morris and Burris Williams, for Murder, a true bill, G. W. Manzy, foreman, and not having completed the business before them, were adjourned until to-morrow morning at 10 o'clock.

Jacob W. Rowan, J. F. Koontz, D. A. Koontz & John Kisling appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00, to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition that they do make their personal appearance before the Court on to-morrow at 10 o'clock, as witnesses before the Grand Jury, and not depart thence without leave of the Court.

The Commonwealth, vs Daniel Hurley, } Upon an Indictment for Burglary.

This day came again the Defendant, Daniel Hurley, (in obedience to his recognizance entered into at the last term of this Court,) who stands indicted for a felony by him committed, and being thereof arraigned, pleaded "not guilty," and from the remainder of the panel of thirty-six Veniremen, the following panel of sixteen, were

called, examined by the Court, found to be duly qualified and free from exceptions, viz:- Dewitt C. Maytz, John W. Baldwin, Benj. Trumbo, Henry Wittig, B. F. Wheeler, Samuel Showalter, James Layman, John Rhodes, John A. Bare, John W. Glovier, John W. Sterne, John F. Soule, R. M. Mooney, Jas. P. McLeod, Jackson Wynant & E. S. Sheets and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- B. F. Wheeler, R. M. Mooney, Jackson Wynant & E. S. Sheets, the remaining twelve, viz:- Dewitt C. Maytz, John W. Baldwin, Benj. Trumbo, Henry Wittig, Samuel Showalter, James Layman, John Rhodes, John A. Bare, John W. Glovier, John W. Sterne, John F. Soule & Jas. P. McLeod, thereby constituting the Jury, who being thus elected, tried and sworn, well & 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 not having time to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and placed in charge of D. H. Roleton, Sheriff of this County, and his deputies, D. N. Bear & J. A. Switzer, to whom was administered an oath, that "you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, to-morrow morning at 9 o'clock, So help you God." And thereupon the prisoner was remanded to Jail. And Anderson McDowell a witness in behalf of the Commonwealth, appeared in Court, and was recognized in the sum of $50.00 to be levied of his goods & chattels, lands & tenements, for the use of the Commonwealth, conditioned for his appearance in Court, as such witness on to-morrow morning at 9 o'clock.

The Commonwealth, }
vs } Upon an Indictment for Burglary.
Robert Smith, }

This day, the prisoner, Robert Smith, late of the County of Rockingham, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this County, and by counsel, demurred generally to the Indictment, and the Court not having time to hear & consider the same, his trial was continued until Wednesday next, March 21, 1877, and thereupon the prisoner was remanded to Jail.

The Commonwealth, }
vs } Indictment for Grand Larceny.
Marshall Brock. }

This day, the prisoner, Marshall Brock, late of the County of Rockingham, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this County, and by counsel, demurred generally to the Indictment, and the Court not having time to hear and consider the same, his trial was con-

tinued until Thursday next, and John Lincoln, a witness in behalf of the Commonwealth, was recognized in the sum of $50.00, to be levied of his respective goods & chattels, lands & tenements for the use of the Commonwealth, conditioned for his appearance as such witness on Thursday morning next, and not depart thence without leave of the Court; and thereupon, the prisoner was remanded to Jail.

The Commonwealth,

Anderson (as) Shifflett, Louisa Lawson, Silas Morris & Burris Williams. } Upon an Indictment for murder

This day, three of the prisoners, to-wit:- Anderson Shifflett, Louisa Lawson & Burris Williams, late of the County of Rockingham, who stand indicted for a felony by them committed, were led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned, each pleaded "not guilty" and upon their arraignment, each elected to be tried separately, and thereupon these causes are continued until to-morrow, and the prisoners remanded to Jail.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall

March 20, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, March 20, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

At a Circuit Court continued and held in and for the County of Rockingham at the Court-House thereof, on Wednesday, Feby. 28, 1877.

John F. Crawn, Appellant
vs
D. A. Plecker, Appellee

"Upon a Supersedeas awarded by Judge "John T. Harris, to an order of the County Court "of Rockingham, made and entered on the "22d. day of September, 1868.

This cause having been taken to the Supreme Court of Appeals of Virginia, and that Court having reversed the order of this entered May 23d. 1870, dismissing the said Supersedeas, and the said Court of Appeals having remanded said cause to this Court for further proceedings to be had therein in conformity to the principles declared by said Court of Appeals, came on this 28th day of February 1877, to be heard upon the transcript of the record accompanying the Petition of said John F. Crawn, and the said transcript of the record being seen and inspected by the Court & the argument of counsel being heard, the Court, after mature consideration of the same is of opinion that there is error in the said order of the County Court of Rockingham made and entered in said cause on the 22d. day of September 1868, in this, that said County Court refused to allow said Crawn to introduce evidence for the purpose of showing that he would be damaged by reason of the destruction of a water power on his land on the stream below the place at which said Plecker proposed to build a Machinery Shop & to erect a dam across said stream, if said dam should be erected. It is therefore considered by the Court, that the said order of the 22d. of September 1868, be, and the same is reversed, and annulled, & said cause is remanded to said County Court for further proceedings to be had therein, and with instructions that if said Crawn shall be permitted if he desires to do so, to introduce said evidence & any other evidence proper and pertinent in the cause; and it is further considered by the Court that said John F. Crawn recover against the said David A. Plecker his costs, by him expended, in prosecuting his Supersedeas here, which is directed to be certified. A copy, Teste, J. H. Shue, C. C. C. R. C.

It is ordered that this cause be placed upon the Court's docket, for further proceedings to be had therein.

On the motion of Philip F. Layman, who made oath thereto according to law, he appeared in Court, and together with James Steele and Wm. C. Simmers, his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of admin-

istration in due form upon the Estate of Margaret Garner, dec'd. And the Court doth appoint John W. Huffman, Jos. S. Effinger, Henry Pulse & Wm. Steele to appraise the Estate of said Margaret Garner, any three of whom may act, after first being duly sworn.

Commonwealth,
vs
Daniel Hunley, } Upon an Indictment for Burglary.

This day the prisoner, Daniel Hunley, who stands indicted for a felony by him committed, was led to the bar of the Court in custody of the Jailor of this County and thereupon came again the Jury sworn and impanelled on yesterday for his trial, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after sometime returned into Court, and upon their oaths do say, "we, the Jury find the Defendant not guilty," J. W. Bear, foreman. And nothing further being alleged against the Defendant, It is considered by the Court that ~~he~~ he be discharged, and go hence without day. And thereupon the Jury was discharged.

Commonwealth,
vs
Anderson Shifflett, Louisa Lawson, Silas Morris & Bunis Williams, } Upon an Indictment for murder.

This day, three of the prisoners, to-wit:- Anderson Shifflett, Louisa Lawson & Bunis Williams, who stand indicted for a felony by them committed, were again led to the bar of the Court, in custody of the Jailor of this County, and for reasons appearing to the Court, their trials are continued until the 2nd day of the next term of this Court. The Defendants, by their counsel, then moved the Court to admit them to bail, and the Court fixed upon Wednesday next, March 28, 1877, for the hearing of said motion; and thereupon, the following witnesses in behalf of the Commonwealth, viz:- Wm. D. Maiden, C. B. Lamb, Geo. B. Batchelor, Samuel Hall, Rebecca Hall, Jefe Wyant, Theophilus Shifflett, Robert Crawford, Nathaniel Davis, & James Crawford, each appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100.00 to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that they do each make their personal appearance before the Judge of this Court in behalf of the Commwlth. against said Defendants, on their motion for bail on the said 28th day of March 1877, and not depart thence without leave of the Court, and thereupon the said witnesses were recognized in the same sum, upon the same conditions for their appearance before this Court, on the 2nd day of the next term of this Court, as witnesses in behalf of the Commwlth. against said Defendants, upon their trial; and thereupon, the prisoners were remanded to jail.

Commonwealth
vs
Robert Smith. } Upon an Indictment for Burglary.

This day, the prisoner, Robert Smith, who stands indicted for a felony by him committed, was again led to the bar of the Court, in the custody of the Jailor of this County, and on motion of the prisoner's counsel, and for reasons appearing to the Court, the order made on yesterday continuing this trial until Wednesday next was set aside, and the counsel of the prisoner withdrew his demurrer to the Indictment, and being thereof arraigned, pleaded "not guilty," thereupon from the panel of 36 Veniremen, the following panel of sixteen were called, examined by the Court, found to be duly qualified & free from exceptions, viz:- R. M. Mooney, A. M. Black, John W. Long, D. N. Taylor, Jackson Wyant, J. B. Kratzer, Moses H. Powell, J. W. Payne, C. B. Stephens, H. C. Whitmer, E. S. Sheets, Thos. M. Willis, John Lincoln, John Pence, B. F. Wheeler and John M. Steme, and thereupon the prisoner was furnished a copy thereof, and having struckem therefrom the names of four of the persons of said panel, viz:- Jackson Wyant, Moses H. Powell, C. B. Stephens and John Lincoln, the remaining twelve, viz:- R. M. Mooney, A. M. Black, John W. Long, D. N. Taylor, J. B. Kratzer, J. W. Payne, H. C. Whitmer, E. S. Sheets, Thos. M. Willis, John Pence, B. F. Wheeler & John M. Steme thereby constituting the Jury, who being thus elected, tried and sworn well & 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 fully heard the evidence and argument of counsel, without retiring to their room, upon their oaths do say, "we, the Jury find the Defendant not guilty" A. M. Black, foreman. And thereupon the Jury was discharged until Monday next at 10 o'clock.

The Attorney for the Commonwealth alleging other matters against the defendant, he was remanded to Jail, to await the action of the Grand Jury in to-morrow.

Commonwealth,
vs
Lewis Randol. } Upon an Indictment for an attempted Rape.

This day, the Defendant, Lewis Randol, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into at the last term, and on his motion and for reasons appearing to the Court, his trial is continued until Monday next, March 26th, and the Court doth permit him to renew his bail; and thereupon the said Lewis Randol, together with George J. Strayer, his surety, who justified as to his sufficiency, each acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $300.00 to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this

condition, that the said Lewis Randol does make his personal appearance before this Court, on Monday next, March 28th to answer said Indictment, and not depart thence without leave of the Court.

The following witnesses in behalf of the Commonwealth, viz:- Jos. A. Shifflett, Wm. F. Kiger, John Probaugh, jr, Wm. D. Maiden, Wm. S. Downs, H. B. Lilly, Isaac Long, B. F. Wheeler, Elizabeth Crawn & Peter Crawn, and the following witnesses in behalf of the Defendant, viz:- John H. Miller, Samuel Price, James Huffman, James Chandler and John Atkins, each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition, that they each do make their personal appearance before the Judge of this Court on Monday next, March 28th as witnesses as aforesaid, and not depart thence without leave of the Court.

And, on motion of the Defendant, the Court doth award an alias Attachment, returnable forthwith, against Noah Raines, one of the Defendant's witnesses for his failure to appear at this term.

The Grand Jury, sworn and impaneled on yesterday, in and for the body of Rockingham County, this day appeared in Court, pursuant to their adjournment, and again retired to their room to consider their presentments, and after some time returned into Court, and not having completed the business before them were adjourned until to-morrow morning at 10 o'clock.

B. F. Bonds presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $13.25 for meals & lodging for Anderson
cap'd & d. C. a. y. Shifflett, under arrest for felony & for meals & lodging for 4 guards & livery for horses for prisoner & guards, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

B. F. Bonds presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $8.00 for meals & lodging for Burris
cap'd & d. C. a. y. Williams, under arrest for felony & for meals & lodging for 3 guards for prisoner, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

B. F. Bonds presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.00 for meals & lodgings for Louisa Lawson
cap'd & d. C. a. y. under arrest for felony, and for meals & lodgings for 2 guards for same, 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 Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

March 21. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, March 21st. 1877.

Present:- Hon. Charles P. O'Ferrall, presiding.

It being suggested that Samuel D. Painter, Admr. of George Miller, dec'd, has departed this life, on the motion of N. F. Rivercomb, the Estate of the said George Miller, dec'd, is committed to D. M. Roleton, S. R. C. for administration, d. b. n. And the Court doth appoint G. A. Daingerfield, D. M. Switzer & Theophilus Ott to appraise the said Estate after first being duly sworn.

On the motion of N. F. Rivercomb, the Estate of Samuel D. Painter is committed to D. M. Roleton, S. R. C., for administration, it appearing to the Court that he has been dead more than three months without an administration. And the Court doth appoint G. A. Daingerfield, D. M. Switzer & Theophilus Ott to appraise the said Estate, after first being duly sworn.

William R. Warren, who was on the 19th day of March 1877, duly commissioned by the Governor of Virginia a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Granville Eastham, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption) 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 Wm. R. Warren took the several oaths prescribed by law.

The Grand Jury sworn and impaneled on Monday last in and for the body of the County of Rockingham, this day appeared in Court, pursuant to their adjournment, and again retired to their room to consider their presentments, and after sometime again returned into Court, and made the following presentments, viz:- An Indictment against Robert Smith, for breaking and entering a Store-House in the night-time, a true bill, G. W. Mauzy, foreman; An Indictment against Gerard McLaughlin, for receiving stolen goods, a true bill, G. W. Mauzy, foreman; (No. 1.) An Indictment against Gerard McLaughlin, for receiving stolen goods, a true bill, G. W. Mauzy, foreman, (No. 2.) An Indictment against Gerard McLaughlin, for receiving stolen goods, a true bill, G. W. Mauzy, foreman, (No. 3.) An Indictment against Samuel Coffman, for assault & battery, a true bill, G. W. Mauzy, foreman, and an Indictment against Francis Eugene White & Isaac W. Bonds, for disturbing a religious congregation, and having completed the business before them, were discharged from further attendance upon this Court. And the Court thereupon issued Bench warrants for the arrest of Silas Morris (indicted 1st. day of this term) and Gerard McLaughlin, (on Indictment No. 1.) they not being in custody.

Pro. iss'd.

It is ordered that G. W. Mauzy, Wm. H. Ritenour, Joshua Wilton, R. F. Weaver, Jacob Geil, Wm. F. Gaines, Harrison Bateman, John G. Cootes, W. S. Sluser and David Zigler be each allowed the sum of Three Dollars, for their services at this term of the Court, as Grand Jurors, and that the same be certified to the Treasurer of this County for payment.

copied & d.

The Court doth order that J. P. Logan, Clerk of this Court do subscribe for, on behalf of the County of Rockingham, for one copy of the National Atlas, proposed to be published by O. W. Gray & Son, No. 10, North 5th St. Philada., upon condition that said Atlas, when delivered is to contain also a map of the Town of Harrisonburg, and to cost not more than $18.00 on delivery.

Subscribed for. order copd. for Treasr.

The Court doth allow M. Pinkus, the sum of $22.50 for binding 15 vols. of Land & Property Books, for County Clerk's office ($1.50 each) and orders that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1877.

capd. & d.

The Court doth allow M. Pinkus, the sum of $15.00 for binding 10 vols. of Land & Property Books, for the County Treasurer's office, ($1.50 each) and orders that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1877.

capd. & d.

V. H. Lam, Constable of this County this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $4.40 for arresting Maria Barton, alias Dovel, for felony, and conveying same to Jail 17 miles in going & 17 miles in returning, @ 10¢ per mile, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment,

capd. & d.

V. H. Lam, Constable of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $5.75 for conveying Wm. Baley, convicted of misdemeanor, to Jail, 35 miles going & returning @ 10¢ per mile and hire of 3 Horses, one day @ 75¢ per day, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

capd. & d.

L. F. Gaither, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.25 as guard for Wm. Baley, 2 days & 1 night, arrested for misdemeanor (under summons of Constable Lam, 16 meals furnished prisoner & guards @ 25¢ per meal, and bed for prisoner, which being sworn to by Constable V. H. Lam & said L. F. Gaither, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

capd. & d.

The Court doth allow J. W. Cowen, the sum of Ten dollars for his

capd.

services as viewer 3 days on the Road on the petition of C. M. Maitz & others, and 2 days on the John Zigler road, c $2 per day, which is ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1877.

c.p.d.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock

Chas. T. O'Ferrall.

March 22, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, March 22d. 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Charles A. Yancey, who was, on the 19th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with William Shands, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption,) 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 Charles A. Yancey took the several oaths prescribed by law.

ctfd.

M. V. Jaggers, a Special Constable of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.50 for arresting, conveying to Jail, &c., Erasmus Coffman, charged with 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.

cap.d. &d.

W. P. McGahey, who was, on the 20th day of March 1877, duly commissioned a Notary Public in and for the County of Rockingham, by the Governor of Virginia, for the term of four years from said date, this day appeared in Court, and together with Charles A. Yancey, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption,) 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 W. P. McGahey took the several oaths prescribed by law.

ctfd.

The Commonwealth
vs
Marshall Brock. } Upon an Indictment for Grand Larceny.

This day, the prisoner, Marshall Brock, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and by counsel withdrew his demurrer to the Indictment, and being thereof arraigned, pleaded "not guilty," and thereupon the following Veniremen were called, examined by the Court, found to be duly qualified and free from exceptions, viz:- John F. Soule, James P. McLeod, Jackson Wyant, C. B. Stephens, Dewitt C. Maitz, Henry Wittig, Samuel Showalter, James Layman, John Rhodes, John H. Bear & John M. Glovier, and the Court then directed the Sheriff to summon five additional Veniremen, from a List furnished by the Court, and the following-named Veniremen having been summoned, appeared, and were examined by the Court, and found to be duly qualified and free from exceptions, viz:- W. W. Bowman, Thomas G. Logan, Adam Gowl, A. N. Spitzer & Jacob Miller; the panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having struck therefrom the names of four of the persons of said panel, viz:- Dewitt C. Maitz, John M. Glovier, W. W. Bowman and Adam Gowl, the remaining twelve of said panel, viz:- John F. Soule, James P. McLeod, Jackson Wyant, C. B. Stephens, Henry Wittig, Samuel Showalter, James Layman, John Rhodes, John H. Bare, Thomas G. Logan, A. N. Spitzer and Jacob Miller, thereby constituting the jury, who being thus elected, tried and 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 fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after sometime returned into Court, and not having agreed upon a verdict, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Roleton, Sheriff of this County & D. N. Bear, his Deputy, to whom was administered an oath, "that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to Jail.

Gerard McLaughlin, who is under arrest, by virtue of a Bench warrant issued by the Judge of this Court, directing him to be taken before a Justice of the Peace of this County, to answer an Indictment for a felony, found at this term of the Court against him, and confined in Jail, awaiting such examination before said Justice, was, on his motion brought into Court in custody of the Jailor of this County, and thereupon moved the Court to grant him bail for his appearance before said Justice on

Saturday next, March 24th. And the Court having heard and considered the said motion, both upon the evidence introduced by the prisoner as well as by the Commonwealth, doth sustain the said motion, and admits the prisoner to bail in the sum of $200.00 for himself and $200.00 for his surety, and thereupon the said Gerard McLaughlin, together with Charles Eshman, his surety, in open Court, acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $200.00 each, for the use of the Commonwealth, to be levied of their respective goods & chattels, lands & tenements, yet, upon this condition that the said Gerard McLaughlin does make his personal appearance before J. W. Bowers or some other Justice of the Peace of this County, on Saturday next, at the Court-House, to answer said Indictment and not depart thence without leave of said Justice.

And thereupon A. B. Lincoln, Jacob Lincoln, Preston Lincoln, Robert Liskey & J. W. Showalter, were each recognized upon like conditions, in the sum of $100 for their appearance before the said Justice on said 24th day of March, at said Court-House as witnesses on behalf of the Commonwealth against the said Gerard McLaughlin, and not depart thence without leave of the Court,

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

March 23 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, March 23d 1877.

Present:- Hon. Chas. E. O'Ferrall, presiding.

On the motion of Benj. F. Garber, and for reasons appearing to the Court, he is appointed Curator of the Estate of Harrison Brenner, dec'd, and thereupon said Benj. F. Garber appeared in Court, and together with Daniel Zigler, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and thereupon the said Benj. F. Garber qualified as the Curator of Harrison Brenner, dec'd, according to law.

On the motion of Mary C. Young, who made oath thereto according to law, she appeared in Court, and together with Samuel F. Seuger and Samuel G. Glick, her sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1800.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted her for obtaining letters of administration in due form upon the estate of her husband, Isaiah R. Young, dec'd.

Wm. H. Young & Lelia A. Young, infants of Mary C. Young over the age of 14 years, appeared in Court and made choice of their mother, Mary C. Young, as their guardian, and the Court doth appoint her as the guardian of Ida R. Young & Mary R. Young, her infant children, under the age of 14 years, and thereupon Mary C. Young appeared in Court, and together with Samuel F. Seuger & Samuel G. Glick, her sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2.000 00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and thereupon she qualified according to law, as guardian for her four aforesaid infant children.

The writing purporting to be the last will and testament of Reuben Petefish, was this day presented in Court, and was proven by the oaths of Samuel W. Good & Shepherd McCoy, the two subscribing witnesses thereto, and thereupon the same is admitted to probate and ordered to be recorded.

The Commonwealth, } Indictment for Grand Larceny.
vs
Marshall Brock.

This day, the prisoner, Marshall Brock, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon came the jury sworn and impannelled on yesterday for his trial, and not having agreed upon a verdict, again retired to their

room to consider their verdict, and after some time again returned into Court, and upon their oaths do say, "We, the Jury find the Defendant guilty in manner & form as charged in the Indictment in the second count thereof, and ascertain the term of his confinement in the Penitentiary at three (3) years, and we find him not guilty on the first count of the Indictment. J. P. McLeod, foreman.

And thereupon, the prisoner, by counsel, moved the Court, to set aside the verdict of the Jury and grant him a new trial, which motion, on consideration, the Court overruled. And thereupon the prisoner was remanded to Jail.

The Commonwealth, vs M. M. Helbert. } Upon an Indictment for Keeping a disorderly House.—(No. 1.)

This day came again as well the Attorney for the Commonwealth, as the Defendant in person and by counsel, and the Defendant filed his plea of "not guilty," and thereupon came the following Jury, to-wit:— A. D. Woodson, Dewitt C. Martz, Benj. Trumbo, M. W. Holmes, Summerfield Davis, John Lincoln, F. G. Way, Geo. W. Effinger, Robert Liskey, J. M. Wellman, J. C. Staples & J. W. Baldwin, who being elected, tried and sworn, to well and truly to try the issued joined, and the truth in and upon the premises to speak, 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 oaths do say, "We, the Jury find the Defendant, M. M. Helbert, guilty in manner & form as charged in the Indictment, and assess his amercement at One Hundred and Seventy-five Dollars, J. C. Staples, foreman. It is therefore considered by the Court that the Commonwealth of Virginia do recover of the Defendant M. M. Helbert the sum of One Hundred and Seventy-five Dollars, the amount of the Fine, by the Jurors in their verdict ascertained, and her costs by her in this behalf expended; and it is further considered by the Court that the said Defendant M. M. Helbert be imprisoned in the Jail of this County for the period of 30 days, and thereafter until the fine & costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was committed to the Jail of this County.

A. Berlin, Appellant vs Joseph Hess, Appellee } Upon an Appeal

Upon the calling of this cause, on the motion of the Appellants counsel, Rules are awarded against G. W. Myers and Joseph Hess, returnable to next term of the Court, for their failure to appear on this day as witnesses in behalf of the Appellant, when duly summoned, and thereupon the trial of the Appeal is continued until next term.

2 & 2 " pies ind.

Commonwealth vs M. M. Helbert—Indictment for selling Liquor to a Minor. = No. 2.
same, vs same, " for same, No. 3.

This day came again as well the Attorney for the Commonwealth,

as the Defendant in person, and by counsel, and the Defendant filed his plea of "not guilty," and thereupon the Attorney for the Commonwealth entered a "nolle prosequi" in each of said Indictments. It is therefore considered by the Court, that they each be dismissed, and that the Defendant go hence, without day, as to same.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

March 24, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, March 24, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth,
vs
Robert Smith, } Indictment for breaking & entering a store-house in the night time.

This day, the prisoner, Robert Smith, late of this County, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this county, and by counsel filed a plea of autrefois acquit, to which plea the Attorney for the Commonwealth filed a demurrer, and the Court having considered the same, doth sustain said demurrer, and the prisoner was thereof arraigned and pleaded "not guilty" to the said Indictment, and thereupon Tuesday next, March 27th was fixed as the day of his trial, and the prisoner remanded to Jail.

Same,
vs
J. W. Clutter, } Indictment for carrying a concealed weapon.

This day came again as well the Attorney for the Commonwealth as the Defendant, by counsel, and the Defendant filed his plea of "not guilty" and thereupon came the following Jury, to-wit:- John Rhodes, C. B. Stephens, Thos. G. Logan, Jas. P. McLeod, John M. Glovier, John H. Bear, Jackson Wyant, Samuel Showalter, John F. Soule, Henry Wittig, James Layman & A. H. Spitzer, who being elected, tried and sworn well and truly to try the issue joined, and the truth in and upon the premises to speak, 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 oaths do say, "we, the Jury find the Defendant, J. W. Clutter, "not guilty," John Rhodes, foreman, It is therefore considered by the Court that the Defendant go hence without day, &c.

On the application of C. S. Hanford for the establishment of a public road from

In this cause, the bond ordered against J. W. Cook, John Rowlett, C. D. Brady & Reuben Griffith, to appear at the next term of this Court, to show cause why the said application shall not be dismissed for their failure to prosecute the same.

D. H. Holston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $8.75 for expenses &c, incurred in the return of Clarence Harris, (an escaped prisoner) from the Jail of Augusta County to that of this 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.

cert'd. ord.

D. H. Holston, Sheriff and Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $19.20 for receiving, diet'g, &c., twenty prisoners from 16th day of January 1877 to March 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cert'd. ord.

C. R. Holston, Sheriff and Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $28.13½ for keeping & subsisting William Spitzer, a Lunatic, 59 days from Jany. 16, 1877, to March 15, 1877, @ 40¢ per day, ($23.60), and clothing for same, one month & 28 days @ $30 per year, ($4.83) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cert'd. ord.

J. A. Loeweubach, for use of Annie D. Gray, &c, vs. William Williams & J. W. Gordon. } Upon a Notice upon a Delinquent Sale Bond under Act of Assembly of Virginia.

This day, the parties Plaintiff and Defendant in this cause, appeared in Court, by their counsel, and consented and agreed that the amount yet due from the Defendants to the Plaintiff, on the debt mentioned in said Sale Bond was $74.57 on 8th March, 1877, and that the Plaintiff should have judgment and Execution for same, with interest until paid, and costs. It is therefore considered by the Court that the Plaintiff recover of the Defendants the sum of $74.57 with interest thereon from the 8th day of March 1877, till paid & his costs in this behalf expended.

Ordered, That A. D. Woodson, Dewitt C. Manty, Benj. Saunders, M. W. Holmes, Summerfield Davis, John Lincoln, F. G. Ray, Geo. W. Effinger, Robert Lickey, J. W. Wellman, J. C. Staples & J. W. Baldwin, be each allowed the sum of One Dollar for their services, at this term of the Court, for one day, upon the trial of M. M. Holbert, for misdemeanor, and that the same be certified to the Auditor of Public Accounts for payment.

cert'd. & certified to Aud. of Pub. Accts.

Ordered, That John Rhodes, C. B. Stephens, Thos. G. Logan, Jas. P. McLeod, John W. Glovier, John H. Bear, Jackson Wyant, Samuel Showalter, John F. Soule, Henry Wittig, James Layman & A. H. Spitzer, be each allowed the sum of One dollar, for their services, at this term of the Court, for one day, upon the trial of J. W. Clutter, for misdemeanor, and that the same be certified to the Auditor of Public Accounts for payment.

cap'd & d.

certified to Aud. of Pub. Accts.

Commonwealth vs Aaron Cubbage, } Indictment for misdemeanor.

Commonwealth vs Reuben Eaton, } Indictment for misdemeanor.

& same, vs same, } same.

The process in these causes having been returned "not found," It is ordered that alias summons be awarded against the Defendants, returnable to the next term of this Court, first day.

iss'd.

John L. Lewis Pltff vs Israel Mongold, Deft. } W. E. & D.

G. B. Reed, &c, surg. &c, vs W. J. Carrier, &c, } Sugn.

O. P. Heilphensteine & Co. vs T. Z. Offutt. } Att.

Saml. Cootes, assignee &c, vs Moses F. Turner & wife, &c, } Sugn.

& Henry Gilmer's Admr. for &c, vs Isaac Wick, } Scifa.

Ordered, That these causes be continued until the next term.

Edward Rogers, vs Samuel Hill, } upon an Attachment.

Ordered, That this cause be dismissed at the costs of the Defendant.

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

Chas. T. O'Ferrall.

March 26, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, March 26, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of Rev. Peter Fitzsimmons, and it appearing to the Court that he is a regularly ordained Priest in the Roman Catholic Church, and authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with James Kavanaugh, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned according to law, (waiving the benefit of the Homestead exemption) and qualified accordingly,

cap'd.

P. M. Whitlock, Committee for Eliza J. Dickson, a person of unsound mind, presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $28.50 for the board & care of Eliza J. Dickson, a Lunatic, from Dec. 25, 1876 to March 25, 1877 (3 mos. @ $8 per mo. $24.00) and 3 months clothing @ $1.50 per mo. ($4.50) which being sworn to in open Court by said Committee, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd. & d to Hy. Shacklett (order.)

This day came Josiah Sowders, who alleges that he is aggrieved by an entry in the Land Book made by Emanuel Wilkins, Commissioner of the Revenue for Plains District in this County, in the year 1876, whereby he is charged with $44.57 taxes for the year 1876 on five tracts of Land containing 1/345 A. 2/306 A. 3/95 A. 4/47 A. 5/12½ A. described as lying in Brock's Gap, in this County; and thereupon the said Josiah Sowders moved the Court to exonerate him from the payment of $23.31 part of the taxes so erroneously charged against him for said year, which motion was defended by John Paul, Attorney for the Commonwealth for said County, and the said Emanuel Wilkins, the Commissioner who made the assessment was examined as a witness touching the application.

cap'd. & d.

And it appearing that said book, in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County on day of 1876, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that he is not the owner of the four first-named tracts, but instead thereof is the owner of the following tracts of Land, 1/150 A. 2/98 A. 2 R. & 27 p. 3/25 A. 4/33 A. & 5/12½ A.

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 Josiah Sowder is erroneously charged on said book with taxes amounting to $23.31; whereupon It is ordered that the said Josiah Sowder be exonerated from the payment of $23.31 taxes so erroneously charged, if not already paid, and if paid that it be refunded to him = $12.27 of which is State and $11.04 County Tax.

This day, G. F. Mauck presented in Court an Account against the County of Rockingham, amounting to the sum of $11.00 for making & fitting door in the Roof of Old Clerk's office, and for repairs, &c to Furniture in County Clerk's office, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1877.

cap'd. od.

Commonwealth, vs Lewis Randol, } Upon an Indictment for an attempted Rape.

This day, Lewis Randol, who stands indicted for a felony by him committed, appeared in Court, in discharge of his recognizance entered into on the Second day of this term of the Court, and thereupon, the following Veniremen were called, examined by the Court, found to be duly qualified and free from exceptions, viz:- R. M. Mooney, A. W. Black, John F. Long, Hiram H. Taylor, J. B. Kratzer, J. W. Payne, E. S. Sheets, Thomas W. Willis, John Pence, John W. Sterne, & Ran. D. Cushen; and the Court then directed the Sheriff to summon five additional Veniremen, from a List furnished by the Court, and the following-named Veniremen having been summoned, appeared, and were examined by the Court, found to be duly qualified and free from exceptions, viz:- M. W. Holmes, W. E. Lemley, J. D. Price, Wm. C. McAlister & Solomon E. Rhodes; the panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- A. W. Black, J. W. Payne, Ran. D. Cushen & Solomon D. Rhodes, the remaining twelve of said panel, viz:- R. M. Mooney, John F. Long, Hiram H. Taylor, J. B. Kratzer, E. S. Sheets, Thomas W. Willis, John Pence, John W. Sterne, M. W. Holmes, W. E. Lemley, J. D. Price & Wm. C. McAlister, thereby constituting the Jury who being thus elected, tried and 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 not having time to fully hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Ralston, Sheriff of this County & D. W. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God." And thereupon, the prisoner was remanded to Jail.

Commonwealth vs Noah Raines, } Upon an Attachment for failure to attend as a witness.

The Defendant, who was, on Wednesday last, committed

to the Jail of this County, under an Attachment for his failure to appear at this term as a witness in behalf of Lewis Randol vs The Commonwealth, was brought into Court, in custody of the Jailor of this County, and moved the Court to dismiss the Attachment and discharge him from custody, and the Court having fully heard and considered the motion, doth sustain the same, It is therefore considered by the Court that the said Attachment be dismissed and the said defendant discharged from custody, upon the payment of the costs of the Attachment, including his jail fees.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

March 27, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, March 27, 1877.

Present:- Hon. Chas. P. O'Ferrall, Presiding.

Commonwealth, vs M. M. Hulbert. } On an Indictment for Keeping a Disorderly House.

The Jury sworn and impannelled in this cause having, at a former day of this term, found the defendant guilty of Keeping a Disorderly House, in the town of Dunkenville in this County, and it appearing to the Court that said House has been Kept under the License of an Ordinary or House of Public Entertainment, and also, under the License of a Retail Liquor Merchant, It is hereby considered by the Court, that the said License to Keep said Ordinary or House of Public Entertainment, and also the said License as a Retail Liquor Merchant be, and the same are hereby revoked, and the Sheriff of this County is hereby directed to abate said House both as an Ordinary or House of Public Entertainment, and also, as a Retail Liquor Merchants Store-House.

Costs.

The Commonwealth, vs Lewis Randol. } Upon an Indictment for attempted Rape.

This day, the Prisoner, Lewis Randol, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this County and

thereupon came the Jury sworn and impanneled on yesterday, for his trial, pursuant to their adjournment, 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 oaths do say, "we the Jury, find the Defendant, Lewis Randol, guilty in manner and form as charged in the within Indictment, and ascertain the term of his confinement in the Penitentiary, at two years and six months," J. D. Price, foreman. And thereupon the Jury was discharged, and the prisoner was remanded to Jail.

The Commonwealth,
vs
Robert Smith, } Indictment for breaking and entering a Store-House in the night-time.

This day, the prisoner, Robert Smith, late of this County, who stands indicted for a felony by him committed was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon, the prisoner withdrew his plea of "not guilty," and submitted his cause to the Court, and the Court having heard and fully considered the same, is of opinion, and doth consider that he is guilty in manner and form as charged in the Indictment, and fixes the term of his imprisonment in the Penitentiary at one year. And thereupon, the prisoner was remanded to Jail.

The Commonwealth,
vs
Gerard McLaughlin, } Indictment for receiving Stolen goods.- (No. 1.)

The Defendant, Gerard McLaughlin, who was on Saturday last, recognized by the examining Justice, John W. Bowers, to appear before this Court this day, to answer an Indictment for felony by him committed, appeared in Court in discharge of his said recognizance, and being thereof arraigned, pleaded "not guilty" to the Indictment, and to-morrow was fixed upon as the day for his trial. Upon the motion of the Defendant, by counsel the Court granted him bail until to-morrow morning at 10 o'clock, for his appearance before this Court to answer the aforesaid Indictment; whereupon, the said Gerard McLaughlin, together with Charles Eshman, his surety, (who justified as to his sufficiency,) each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of Two hundred Dollars, to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that the said Gerard McLaughlin do make his personal appearance before this Court on to-morrow morning at 10 o'clock, to answer said Indictment, and not depart thence without leave of the Court (and the said McLaughlin & Eshman, each waiving the benefit of the Homestead exemption,) and thereupon

P. Bradley, Emil Royer, D. H. Vanpelt, J. H. Vanpelt, J. C. Staples, O. P. Helphenstine, E. J. Sullivan, Franklin Liskey, Abm. Paul, Frank G. Woodson, A. J. Nicholas, A. M. Effinger, F. J. Butler, Jos. Bowman & Henry Magalis, witnesses summoned in behalf of the Defendant, and J. W. Shepherd, Robert Liskey, D. W. Harrison, J. W. Showalter, Jacob Lincoln, T. L. Williamson & Harvey Liskey, witnesses summoned in behalf of the Commonwealth, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth; yet, upon this condition, that they each do make their personal appearance before the Judge of this Court on to-morrow morning at 10 o'clock, as witnesses as aforesaid, and not depart thence without leave of the Court, (each of them waiving the benefit of the Homestead exemption.)

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

March 28, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, March 28, 1877.

Present:- Hon. Charles T. O'Ferrall, presiding.

On the motion of Mary C. Harnsberger, by her next friend Hy. Harnsberger, and it appearing to the Court that Mrs. Lucinda Yancey is a person of unsound mind, from evidence introduced, the Court doth appoint B. G. Patterson as a Committee for the said Lucinda Yancey, and that said Committee be required to execute a bond in the penalty of $5.000.00 with sufficient surety.

J. C. Walker, who was, on the 20th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with D. H. Rolston, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption.) 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. C. Walker took the several oaths prescribed by law.

Aff.

Commonwealth,

Gerard Mc Laughlin. } Upon an Indictment for receiving Stolen goods, — No. 1.

This day, Gerard McLaughlin, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance, entered into on yesterday, and thereupon the following Veniremen were called, examined by the Court, and found to be duly qualified and free from exceptions, viz:— R. M. Mooney, A. N. Black, Hiram B. Taylor, J. B. Kratzer, J. W. Payne, E. S. Sheets & B. F. Wheeler, and the Court then directed the Sheriff to summon nine additional Veniremen, from a List furnished by the Court, and the following-named Veniremen having been summoned, appeared and were examined by the Court, found to be duly qualified and free from exceptions, viz:— M. E. Carrier, Cyrus Pence, Adam Koontz, Jacob Echard, A. M. Bowman, A. D. Roleton, Noah Hoover, B. F. Dove & D. C. Brenneman; the panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:— Hiram B. Taylor, E. S. Sheets, B. F. Wheeler & W. M. Bowman, the remaining twelve of said panel, viz:— R. M. Mooney, A. N. Black, J. B. Kratzer, J. W. Payne, M. E. Carrier, Cyrus Pence, Adam Koontz, Jacob Echard, A. D. Roleton, Noah Hoover, B. F. Dove & D. C. Brenneman, thereby constituting the Jury, who being thus elected, tried and 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 ~~not~~ having ~~been~~ fully ~~to~~ 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 oaths do say, "we, the Jury find the Defendant, Gerard Mc Laughlin not guilty," R. M. Mooney, foreman. And thereupon the Jury was discharged, and it is considered by the Court that the Defendant, Gerard Mc Laughlin go hence without day, &c.

Commonwealth,

Anderson Shifflett, Louisa Lawson, Silas Morris & Burris Williams. } Indictment for murder.

This day, three of the prisoners, who stand indicted for a felony by them committed, viz:- Anderson Shifflett, Louisa Lawson & Burris Williams, were led again to the bar of the Court, on their motion for bail. Thereupon, Burris Williams, by counsel, moved the Court to admit him to bail for his appearance to answer said Indictment on the 2nd day of the next term of this Court, the day fixed for his trial, and having fully heard and considered the same, the Court doth sustain his motion, and fixes the amount of bail at $500. — for himself and each of his sureties, and thereupon the said Burris Williams, together with Moses A. Powell, Archd. Mc Daniel, Nicholas Williams & Saml. Hall, his sureties (waiving the benefit of the Homestead exemption) each acknowl-

-edged themselves to be indebted to the Commonwealth of Virginia, in the sum of $500.00, for the use of the Commonwealth, to be levied of their respective goods & chattels, lands & tenements, yet upon this condition, that the said Burris Williams doth make his personal appearance before this Court, on the 2nd day of the next term, to answer said Indictment, and not depart thence without leave of the Court, and thereupon said Burris Williams was discharged from custody.

Anderson Shifflett & Louisa Lawson withdrew their motion for bail, and were, thereupon remanded to Jail.

Wm Thomas McDaniel was recognized as witness in behalf of the Commonwealth in the sum of $100 for his appearance on the 2d day of the next term of the Court, and not depart thence without leave of the Court.

The Court doth order that the following-named persons be allowed the sums opposite their names for their attendance and services, at this term of the Court, as Veniremen, summoned for the trial of Felony cases, @ $1 per day, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:—

M. E. Carrier,	$1.00	C. B. Stevens,	$4.00	Ran. D. Cushen,	$7.00
Cyrus Pence,	3.00	J. C. Staples,	3.00	Robert Liskey,	3.00
Adam Koontz,	1.00	W. C. Whitmer,	3.00	B. F. Wheeler,	5.00
Jacob Echard,	1.00	E. S. Sheets,	5.00	Summerfield Davis,	4.00
A. D. Rolston,	1.00	A. D. Woodson,	3.00	Samuel Showalter,	5.00
Noah Hoover,	1.00	Geo. W. Effinger,	3.00	James Layman,	5.00
B. F. Dove,	1.00	James M. Wellman,	3.00	M. W. Holmes,	5.00
D. C. Brenneman,	1.00	Thomas W. Willis	5.00	F. G. Way,	3.00
John F. Soule,	5.00	John Lincoln,	3.00	John Rhodes,	5.00
R. M. Mooney,	5.00	Wm C. McAlister,	2.00	John H. Bear,	5.00
A. W. Black,	5.00	J. D. Price,	2.00	John W. Glovier,	4.00
James P. McLeod	4.00	W. E. Lemley,	2.00	John W. Sterne,	4.00
John F. Long,	5.00	John Pence,	5.00	N. W. Bowman,	2.00
Hiram H. Taylor,	5.00	Dewitt C. Martz,	3.00	Thos G. Logan,	2.00
Jackson Wynant,	4.00	John W. Baldwin,	4.00	Adam Gowl,	1.00
J. B. Kratzer,	5.00	Benj. Trumbo,	4.00	A. H. Spitzer,	2.00
Moses F. Powell,	2.00	Henry Wittig,	5.00	Jacob Miller,	2.00
J. W. Payne,	5.00				

copied.

certified to Aud. of Pub. Accts.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

March 29, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, March 29, 1877.

Present:—Hon. Charles T. O'Ferrall, presiding.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $54.00 for dieting Venires at this term of the Court, in cases of The Commonwealth against Erasmus Coffman, Daniel Hurley, Marshall Brock, Lewis Randol and Gerard McLaughlin, each tried 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.

Commonwealth, vs Gerard McLaughlin, } on Indictment for receiving stolen Goods—No. 2. & Commonwealth, vs Gerard McLaughlin, } On Indictment for receiving stolen Goods. No. 3.

This day, the Defendant, by counsel, appeared in Court, and waived the service of process in these two causes, No. 2 & No. 3 and thereupon the Attorney for the Commonwealth entered a Nolle Prosequi in each of said Indictments. It is therefore considered by the Court that they each be dismissed, and that the Defendant go hence without day, &c.

The Commonwealth, vs Erasmus Coffman, } Indictment for an attempt to commit Rape.

This day, Erasmus Coffman, late of the County of Rockingham, who was, at a former day of this term, convicted of a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and it being enquired of the prisoner if anything for himself, 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 Erasmus Coffman be imprisoned in the public Jail and Penitentiary House of this Commonwealth for the term of ten years, (the period by the Jurors in their verdict ascertained) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Erasmus Coffman 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 directed by law, for the term aforesaid. And thereupon, the prisoner was remanded to Jail.

The Commonwealth, vs Robert Smith, } Indictment for breaking and entering a Store-House in the night time.

This day, Robert Smith, late of the County of Rock-

ingham, who was, at a former day of this term, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and it being enquired of the prisoner, if anything for himself 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 Smith be imprisoned in the public Jail and Penitentiary House of this Commonwealth for the term of one year, (the period fixed by the judgment of this Court,) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Robert Smith, 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 directed by law, for the term aforesaid. And the prisoner was remanded to Jail.

The Commonwealth,
vs
Marshall Brock. } Upon an Indictment for Grand Larceny.

This day Marshall Brock, late of the County of Rockingham, who was, at a former day of this term convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and it being enquired of the prisoner, if anything for himself 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 Marshall Brock be imprisoned in the public Jail and Penitentiary House of this Commonwealth, for the term of three years, (the period by the Jurors in their verdict ascertained,) to hard labor. And the Sheriff of this County is ordered, as soon as possible after the adjournment of this Court to remove and convey the said Marshall Brock 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 directed by law, for the term aforesaid. And the prisoner was remanded to Jail.

The Commonwealth,
vs
Lewis Randol. } Upon an Indictment for an attempt to commit Rape.

This day Lewis Randol, late of the County of Rockingham, who was, at a former day of this term, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and it being enquired of the prisoner, if anything for himself 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 Lewis Randol be imprisoned

in the public Jail and Penitentiary House of this Commonwealth for the term of two years and six months, (the period by the Jurors in their verdict ascertained,) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Lewis Randol, 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 directed by law, for the term aforesaid.

Memo:- Upon the trial of this cause the Defendant by counsel, excepted to opinions of the Court, in overruling ~~first~~ 2nd his motion for a new trial, and 3rd his motion in arrest of judgment, and tendered his Bills of Exceptions, which he prays may be signed, sealed and enrolled, and made a part of the record, which is accordingly done, and are in the words and figures, following, to-wit:- Commonwealth vs Lewis Randol, &c.

And the Court, on the motion of the Defendant, by counsel, doth suspend the execution of the sentence of the Court, for the period of thirty days.

And thereupon, the prisoner was remanded to Jail.

* first in excluding certain testimony offered by Commonwealth (trial)

It is ordered by the Court that D. H. Rolston, Sheriff of this County, be permitted to employ one guard, to assist him in conveying to the Penitentiary of this State, the prisoners convicted at this term of the Court.

James W. Tharp, for &c, Appellant
vs
John Holsinger, Appellee. } Upon an Appeal.

In this case, it is agreed between the Attorneys for the Appellant & Appellee, that the decision of the same be submitted to the Judge of this Court in vacation, the witnesses to be examined, and the decision to be entered up as a judgment of the Court, to have the same effect, as if rendered in term.

H. H. Nair,
vs
Richard Robinson, Sr. &c. } Upon a suggestion

This day came the Plaintiff, by his Attorney, and the process in this cause having been duly executed upon John J. Detrick, Lucy A. Snyder and Richard Robinson, jr, on the 14th day of August 1871, and again on the 9th day of Jan. 1872, and Rules having been awarded against them on the day of 1876, requiring them to appear and answer, which Rules were duly executed upon them on the day of 1876. And it appearing from the answer of said Dietrick and from the Deed executed by Richard Robinson, Sr. to him on the day of 1866, and recorded in Deed Book No. 1, page 404 of this Court, and from the deeds executed by said Richard Robinson Sr. to said Richard Robinson, jr. and Lucy A. Snyder, (who have failed to appear and answer,) in the same year, and recorded in the same Deed Book on pages 400 & 420, that the said Richard Robinson, Sr. conveyed to each of them certain of his lands, reserving in each Deed

an annual payment to himself of Twenty Dollars a year during his lifetime; and it also appearing that said judgment in favor of S. H. Stain & Richard Robinson, Jr. for $300.00 with interest thereon from the 16th. day of September 1864 & $7.27 cents, constituted a lien on said land, and that the execution issued upon said judgment constituted a lien upon the said three payments or annuities of $20. each, per annum,- But it also appearing that the said debt of $300. was due upon a contract entered into, a horse sold to Robinson, Jr, with reference to Confederate States Treasury Notes as a standard of value, the said debt is scaled down to Thirty Dollars, in specie, with interest thereon from the said 16th. day of Sept. 1864.

Therefore, it is adjudged that the said H. H. Stain recover against the said John J. Detrick, Lucy A. Snyder and Richard Robinson, jr., the said sum of Thirty dollars, with interest thereon as aforesaid, and the said $7.27 cents of the said suit at law, and that he also recover against them his costs by him herein expended.

On the motion of Wm. G. Thompson, Executor of George B. Shaver, dec'd, and it appearing to the Court that Clarissa Shaver, daughter of Baltzer Shaver, dec'd, and one of the heirs of George B. Shaver, dec'd, has departed this life intestate in the State of Kansas, and that no administration has been had upon her Estate in this Commonwealth, It is ordered, that Wm. G. Thompson, Executor of George B. Shaver, dec'd, do pay over to the General Receiver of this Court any moneys in his hands belonging to said Clarissa Shaver, dec'd, as her distributive share in the Estate of said George B. Shaver, dec'd; and the said Receiver is hereby directed to invest the same upon good real estate security, which real estate shall be clear of liens, and to make a special report to this Court at its next term, showing the amount received from the said Wm. G. Thompson, Executor as aforesaid, and the actual and rental value of the said real Estate.

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c/p. c/d. It is ordered to be certified to the Auditor of Public Accounts that John Paul, Commonwealth's Attorney for Rockingham County, is entitled to the sum of $70.00, for prosecuting in seven cases of Felony at this term, to-wit:- Commonwealth vs. Lewis Randol; same vs Erasmus Coffman; same vs Daniel Hurley; same vs Marshall Brock; same vs Grant McLaughlin; same vs Robert Smith, and same vs same; and for prosecuting to conviction, in two cases of misdemeanor, $10.00, to-wit:- Commonwealth vs Wm. M. Kellett and same vs Reuben Long.- total $80.00

David Scott's Adm'r. Plff

vs } Upon a Suggestion.

John Bryant & others, gar. of G. K. Gilmer, Defts.

Joseph Neil, Samuel Moultray, B. F. Wampler, David C. Rhodes, David E. Rhodes & others, heirs of John Rhodes, Christian Showalter, Ezekiel Good, Henry L. Rhodes, Susannah Kneel, John A. Rice & others, heirs of John Rhodes, Christian Mayhard & D. Rhodes, Exs.

This day came again the parties by their Attorneys,

and it appearing to the Court, that the defendants have just and valid claims for various amounts, due them from the general government of the United States, and that the execution debtor, George K. Gilmer is entitled to seven and one-half per centum of each and every of said claims, which interest or per centum the plaintiff has a right to subject to the payment of his execution against said debtor, the Court doth adjudge and order that the said defendants, out of their said claims do retain the seven and one-half per centum thereof belonging to George K. Gilmer, and that they pay the same to the plaintiff to be applied first to the costs of this suggestion, which it is ordered that the plaintiff recover, and then to the execution aforesaid, and this cause is retired from the Docket, with leave to apply to the Court for award of execution against said defendants, or either or any portion of them, upon this order.

Same, Pltff.
vs. } Upon a Suggestion.
Samuel C. Campbell, Isaac Lambert, Geo. E. Miller's widow & Ellen C. Thompson, gar. of Geo. K. Gilmer, Defts.

This day came again the parties by their Attorneys, and it appearing to the Court that the defendants have just and valid claims for various amounts, due them from the general government of the United States, and that the execution debtor, George K. Gilmer is entitled to seven and one half per centum of each and every of said claims, which interest or per centum the plaintiff has a right to subject to the payment of his execution against said debtor, the Court doth adjudge and order that the said defendants, out of their said claims do retain the seven and one-half per centum thereof belonging to George K. Gilmer, and that they pay the same to the plaintiff to be applied first to the costs of this suggestion, which it is ordered that the plaintiff recover, and then to the execution aforesaid, and this cause is retired from the Docket, with leave to apply to the Court for award of execution against said defendants or either or any portion of them, upon this order, except as to the widow of Geo. E. Miller, to whom this order does not apply, and as to her, this cause is dismissed, and scire facias is awarded against Michael Helinedinst, Admr. of George E. Miller, dec'd returnable to the next term of this Court.

Jacob Bailey, for &c Pltff;
vs. } Upon a Scifa, to revive a
Adam H. Brewer, Deft. } Judgment

This day came again the parties by their Attorneys, and the Court having fully heard and considered the motion of the Defendant to quash this motion to revive, doth overrule the same; upon the motion of the Plaintiff, it is considered that this judgment be revived in the name of

Jacob Barley, for the use of S. R. Allebaugh, Admr. of Adam Layman, decd, against Adam H. Brewer, and that the Plaintiff have execution against the Defendant for the sum of $78.33 Debt, with interest thereon from the 24th day of August 1867, till paid, and also $29.91 costs of original judgment, and also recover his costs by him in this behalf expended.

Edith Herring, Pltff
vs
Philander Herring, Deft. } Upon a Scifa to revive a judgment.

The Defendant in this motion having acknowledged legal service of the process to this day of the Court, and appearing in person, and consenting thereto, in Court, It is considered by the Court that this judgment be revived in the name of Edith Herring against Philander Herring, and that the said Plaintiff have execution against the said Defendant for the sum of $4.199.98 Debt, with legal interest thereon from the 20th day of May 1861, till paid, and costs of original judgment, subject to the following credits, viz:- $50.00 as of Feby. 23, 1864 and by $5.00 cts as of May 16, 1864, and also recover her costs by her in this behalf expended.

Thomas G. Logan, Pltff
vs
Mary Eutzler, Deft. } Upon a warrant removed from a Justice.

This day came the parties by their counsel, and the cause submitted to the decision of the Court, and the Court having fully heard the same, doth consider that the Plaintiff recover of the Defendant, the sum of $50.00 with interest thereon from the 1st day of January 1877, until paid and his costs before the Justice of the Peace, and also his costs, by him in this behalf expended.

On the motion of M. T. Jenkins, purchaser at the sale of Delinquent Lands by S. R. Allebaugh, Treasurer of Rockingham County, Va., on the 15th day of December 1873, of one Lot of Land, lying in Bridgewater, assessed to Wm. Schmuker, It is ordered that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th Section of Chapter 38 of the Code of Va. 1873, which, the Court, on examination, finds to be in conformity to law, to be recorded in the Clerk's office of this Court, as required by law.

Commonwealth,
vs
M. M. Helbert. } Upon a Notice to revoke License,

& Commonwealth,
vs
Geo. W. Shaver, C. L. D. } Upon a Rule.

Same,
vs
Same, } Upon a Notice to revoke License

Ordered, that the foregoing causes be dismissed.

William Minnick, who was, at the December Term last of this Court, sentenced to 60 days confinement in the Jail of this County, and thereafter, until a certain Fine of $50 & imposed upon him in a certain prosecution then pending in said Court in the name of the Commonwealth of Virginia against him, and the costs of said prosecution be paid, &c, was this day, on his motion, brought into Court in custody of the Jailor of this County, and moved the Court to be relieved from imprisonment, without the payment of said fine & costs, and the Atty. for the Commonwealth being present and waiving the notice required by the Statute in such cases, and it appearing that a Fieri Facias in the name of the Commwlth. against said Minnick has been duly issued from the Clerk's office of said Court, for the said fine and costs; and it appearing from evidence introduced that there is probably sufficient property of the said Minnick out of which the same can be made. On consideration whereof, and after argument on behalf of said Minnick, as well on behalf of the Commonwealth, the Court is of opinion that the law has been fully vindicated in this case, and no public good can result by the longer detention and imprisonment of the said Minnick in the Jail of said County. It is therefore considered by the Court that the said Minnick be released from imprisonment, and that he go hence without day, (which is accordingly done,) so far as the fine & imprisonment referred to above is concerned.

William Minnick, who was, at the December Term last of this Court sentenced to 30 days confinement in the Jail of this County, (to commence after the expiration of a former sentence of 60 days imprisonment at same term,) and thereafter, until a certain Fine of $50 & imposed upon him in a certain prosecution then pending in said Court, in the name of the Commonwealth of Virginia against him, and the costs of said prosecution be paid, &c, was this day, on his motion, brought into Court, in custody of the Jailor of this County, and moved the Court to be relieved from imprisonment, without the payment of said fine & costs, and the Atty. for the Commonwealth being present and waiving the notice required by the Statute in such cases, and it appearing that a Fieri Facias in the name of the Commonwealth against said Minnick has been duly issued from the Clerk's office of said Court, for the said fine and costs, and it appearing from evidence introduced that there is probably sufficient property of the said Minnick out of which the same can be made. On consideration whereof, and after argument on behalf of said Minnick, as well on behalf of the Commonwealth, the Court is of opinion that the law has been fully vindicated in this case, and no public good can result by the longer detention and imprisonment of the said Minnick in the Jail of said County. It is therefore considered by the Court that the said Minnick be released from imprisonment, which is accordingly done, and that he go hence without day, &c.

Supt. of the Poor of Rockingham Co., Pltff
vs
Eli Armentrout, &c., Defts. } Upon a Notice.

This day came the parties, by their Attorneys, and the Court, without hearing any evidence for the Defendants, is of opinion, that by reason of the Act of the General Assembly approved 23d day of February 1875, that the Plaintiff is not entitled to recover upon the bond, described and set forth in his said Notice, and doth therefore sustain the motion of the said defendants to quash the said Notice.

Memo:- Upon the trial of this cause, the Plaintiff by counsel, excepted to the opinion of the Court, and tendered his bill of Exceptions thereto, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words & figures following, to-wit:- "Superintendent of the Poor vs Eli Armentrout & others."

Same, Pltff
vs
Reuben May &c., Defts. } Upon a Notice.

This day came the parties, by their Attorneys, and the Court, without hearing any evidence for the Defendants, is of opinion, that by reason of the Act of the General Assembly approved 23d day of February 1875, that the Plaintiff is not entitled to recover upon the bond, described and set forth in his said Notice, and doth therefore sustain the motion of the said defendants to quash the said Notice.

Memo:- Upon the trial of this cause, the Plaintiff by counsel, excepted to the opinion of the Court, and tendered his bill of Exceptions thereto, which he prays may be signed, sealed & enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words & figures following, to-wit:- Superintendent of the Poor, vs Reuben May, &c."

The Committee heretofore appointed to inspect the Jail of this County, this day made their quarterly report in accordance with law, from which it appears that the said Jailor has, in every respect performed his duties, and that the said Jail is in every respect secure and in good condition.

J. T. Logan, Clerk of this Court this day presented in Court, an Account against The Commonwealth of Virginia, amounting to the sum of $17.50 for fees allowed under Sec. 31, Chapter 180, of the Code of Va 1873, for the trial of Seven cases of Felony at this (March) Term of the Court, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

copd. &d.

Thompson Steele, Constable of this County, this day presented in Court

an Account against the Commonwealth of Virginia, amounting to the sum of $4.80 for arresting Jacob Rhodes and James M. Rhodes charged with felony c $1. each, and for summoning 14 witnesses for the Commonwealth, c 20¢ each, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.p.d.

Wm. E. Roller, Appellant
vs
Geo. W. Skelton, Appellee } Upon an Appeal.

This day, came again the parties, by their Attorneys, and the Court having fully heard and considered the evidence adduced and the arguments of counsel, doth affirm the judgment of the Justice of the Peace; It is therefore considered by the Court that the Appellee Geo. W. Skelton recover of the Appellant, Wm. E. Roller and his surety, Christopher Bolton, the sum of $51.89 with interest thereon from the 17th day of November 1869 to the 3d day of August 1876, and $2.10 Costs before the Justice, subject to the following credits, viz:- March 1, 1870, $1.25 - Dec. 30, 1871 - $20.00 - Sept. 18, 1871, $10.00 & July 5, 1875, $6.00, and damages on the aggregate of principal, interest & costs at the rate of 10 per centum per annum, from the 3d day of August 1876, (the date of said judgment by said Justice,) until paid, and his costs, by him, in this behalf expended.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

March 30, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday March 30, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

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

Chas. T. O'Ferrall.

In Vacation:- April 6, 1877.

The Clerk of the County Court of Rockingham County, is hereby directed to issue a Venire Facias, directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury for the April Term of said Court, to appear at the Court-House thereof, on the 1st day of said Term, being the 16th day of April 1877, at 10 o'clock, A. M. Given under my hand this 6th day of April 1877.

Chas. T. O'Ferrall, Judge of the Co. Ct. of Rockingham Co.

Teste, J. T. Logan, Clerk.

In Vacation.

Before the Judge of the County Court of Rockingham, this 7th day of April 1877.

Osborne Crist, who was, on the 4th day of April 1877, committed to the Jail of this County, under a commitment of Jacob May, a Justice of the Peace thereof, for a misdemeanor, was this day brought before me in the custody of D. H. Rolston, Sheriff and Jailor of this County, by virtue of a writ of Habeas Corpus this day awarded by me, upon the petition of said Osborne Crist, and after hearing the evidence and argument of counsel, on behalf of the said Osborne Crist, as well as on behalf of the Commonwealth, I was of the opinion that the said party ought to be admitted to bail for his appearance on the 1st. day of the April Term 1877 of the County Court of this County, and not to depart thence without leave of the Court, and fixed the amount of his bail at $250 for himself and the same amount for his surety: And thereupon, the said Osborne Crist, with David B. Kline his surety, (who justified as to his sufficiency) each acknowledged himself to be indebted to the Commonwealth of Virginia in the sum of $250 to be levied of their respective goods and chattels, lands and tenements, conditioned for the appearance of the said Osborne Crist on the said 1st. day of the April Term, 1877 as aforesaid, and not to depart thence, without leave of the Court, each waiving the benefit of the Homestead exemption as to this obligation. And thereupon the said Osborne Crist was discharged from custody.

All of which is hereby certified to the Clerk of the said County Court, who is directed to spread the same on the Order Book of this said Court, as a Vacation order.

Chas. T. O'Ferrall,
Judge Rockingham County Court.

Teste: J. V. Logan,
Clerk.

April 16, 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, April 16, 1877.

Present: Hon. Chas. T. O'Ferrall, 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 March Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

D. of Trust	Lemuel Allen & wife,	to Moses Walton, Trustee, for Tiffen W. Allen,
B & S.	David B. Kline & wife,	" Henry Mason,
" "	Emanuel Royer & wife,	" Mary Manning,
" "	Jesse Rolston, jr, Admr. of Jesse Rolston, Sr. &c	" Henry A. Showalter,
Asst in Bkty	C. Douglass Gray, Reg. in Bkty,	" John Paul, assignee of Wm. A. Maupin,
B & S.	John Paul, assignee of Wm. A. Maupin,	" John E. Roller,
" "	John E. Roller,	" James A. Maupin,
" "	John E. Roller, Commr,	" Henry W. Roller,
" "	same,	" Henry Carpenter,
" "	Henry Carpenter & wife,	" John S. Huffman & wife,
" "	Peter Miller, Exor. of Geo. Lutz, Sr. dec'd	" James H. Hahn,
" "	Eve Cherryholmes,	" Mary High,
" "	James Kenney, Exor. of Jno. Kenney,	" Ransom Sellers,
D. of Trust	Ransom Sellers,	" B. G. Patterson, Trustee
" "	Benj. S. Cubbage & wife,	" P. W. Pugh, trustee for John J. Branner, &c,
" "	Solomon Beery,	" O. B. Roller, trustee,
B & S.	Conrad H. Long & wife,	" Catharine Swank,
Lis Pendens	Mary V. Devier, by &c,	(a) Hannah Daugherty, &c,
B & S.	A. M. Bowman, wife & heirs of Geo. M. Bowman,	to David Bowman,
D. of Trust	John Bare,	" Charles E. Fahrney, trustee for W. A. Pence,
" "	Samuel T. Wells & wife	" P. W. Pugh, trustee, for Henry Wilhide,
B & S.	Abm. Garber & wife,	" Mrs. Mary Landes,
D. of Trust	P. W. Pugh & wife,	" A. M. Newman, trustee,
Lis Pendens	The Shenandoah Land & Anthracite Coal Co. & Nicholas	(a) Wm. H. Ruffner & Harriet his wife & C. Lennig, &c,
D. of Trust	B. F. Dofflemoyer & G. F. Dofflemoyer,	to Geo. G. Grattan, Trustee,
B & S.	William H. Coffman,	" Hiram Coffman,
Agt.	Catharine Koontz	& Isaac N. K. Brown,
B & S.	S. C. Reamer,	" Estie C. Sterling, wife of S. R. Sterling,
D. of Trust	Benjamin Crawford,	" David S. Young, trustee,
" "	Lawrence Crawford,	" David S. Young, trustee,
" "	Benjamin Crawford,	" James C. Cochran, trustee,
Homestead	P. Worth Strayer,	" Claim of Homestead,
B & S.	Francis M. Hawkins & wife,	" Henry Frank,
Partition	George W. Kemper & wife & others,	" Heirs of Geo. W. Kemper, dec'd,
B & S.	B. G. Patterson, Trustee & John Kenney's Exor.	" Saml. R. Sterling,
" "	George Null,	" Margaret E. Wagner,
Agt. & Bond.	Rebecca, Catharine & Hannah Socksman,	" George R. Calvert,
D. of Trust	George D. Jenkins,	" Elijah Huffman, trustee for Cleaveland & Co,
B & S.	Peter Wilhite & wife,	" Peter S. Roller,

B & S.	Peter S. Roller & wife,	" George Calhoun,
" "	E. J. Armstrong & wife,	" Thomas M. Hite,
" "	Thomas M. Hite,	" Evaline A. Hite,
" "	R. N. Pool & wife,	" Moses Strickler,
" "	A. D. Weaver & wife	" Kate S. Passmore, wife of Levis Passmore,
" "	Maria Long & James Long,	" Elizabeth Logan,
" "	James Kenney, Exor. of John Kenney, dec'd	" Luscius S. Kelly,
D. of Trust	Luscius S. Kelly,	" B. G. Patterson, Trustee for Jno. Kenney's Exor.
B. & S.	James Kenney, Exor. of Jno. Kenney,	" L. Hirsch,
D. of Trust	Ludwig Hirsch,	" B. G. Patterson, Trustee for Jno. Kenney's Exor.
B & S.	Alfred Morriss & wife	" John Acker,
B & S.	Peter Acker,	" same,
" "	John W. Trayer & wife & M. F. Strickler,	" Wm. H. Barley,
" "	Levis Passmore & Kate S. his wife,	" Benjamin Kerlin,
Asst. in Bkrupty	C. Douglass Gray, Reg. in Bankruptcy,	" John E. Roller, Assignee of Peter N. H. Pickering,
" " "	same, same,	" John E. Roller, Assignee of Jno. N. C. Pickering,
B & S.	Harvey Liskey & wife	" Charles D. Gray (Deed from "Burnt Records")
" "	Charles Douglass Gray,	" Samuel Shacklett, (same,)
" "	Daniel Epard & wife,	" Elizabeth M. Breeden, wife of Wesley Breeden,
" "	Jas. W. Fitzwater & wife & Elizth. S. Fitzwater	" William Lantz,
" "	Peter Shaver & wife,	" John W. Niswander,

The following settlements were this day presented in Court, and having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed, and ordered to be recorded, viz:—

Settlement of Acct. of Granville Eastham, Admr. of John C. Woodson, dec'd,
" " " " N. W. Shuler, Admr. d.b.n. c.t.a. of Dl. D. Dovel, dec'd,
" " " " J. B. Eastham, Admr. of P. N. H. Pickering, dec'd,
" " " " John H. Tate, " " Daniel Carnes, dec'd,
" " " " A. C. Long, " " Jesse Carrier, dec'd,
" " " " Jesse Rolston, " " Jesse Rolston, dec'd,
" " " " Alexander Kerr, " c.t.a. " John R. Homan, dec'd,
" " " " Chas. A. Vaulear Admr. " H. A. Vaulear, dec'd,
" " " " Reuben Kisling " " Mary E. Bontz, dec'd,
" " " " Samuel F. Bontz " " Harvey Bonts, dec'd,
" " " " David F. Huddle " " John W. Huddle, dec'd,
" " " " M. G. Jones, " " Francis W. Shipman, dec'd,
" " " " D. H. Rolston, S.R.C. " " Branson Breeden, dec'd,
" " " " Wm. O. Hill, " " Maria Londerberry, dec'd,
" " " " R. D. Hensley, " " Conrad Long, dec'd,
" " " " J. A. Loewenbach, " " Elizabeth Huffman, dec'd,
" " " " J. P. Rolston, S.R.C. " " Adam Shank, dec'd,
" " " " James A. Patterson " " Ann Ocheltree, dec'd,
" " " " Sidney N. Campbell Admr. of Abraham Campbell, dec'd,
" " " " T. W. Sellers, Exor. " Mahala A. Shifflett, dec'd,
" " " " Samuel Ruebush, " " Mathias Ruebush, dec'd,
" " " " Samuel Bowman, " " Benjamin Bowman, dec'd,
" " " " Robert E. Painter, " " Mary Lora, dec'd,
" " " " Martin Miller, " " Martin Miller, Sr., dec'd,

Settlement of the Acct. of Daniel Shickel, Exor. of John Stokes, dec'd;
" " " " " E. H. Cromer, " " Joseph Cromer, dec'd;
" " " " " Lewis Hill, " " Henry Kilheimer, dec'd;
" " " " " Jacob Baxter, guard. of David, Josephine & Emma Baxter,
" " " " " Reuben Kisling, " " Margaret C. Boutz,
" " " " " John P. Rimel " " Joseph L. Rimel,
" " " " " Samuel Miller, " " Susan & Joel Miller,
" " " " " Joseph Beery, " " Emma V. Van Lear,
" " " " " Barbara F. Brenneman, " " Elizabeth Frances Brenneman,
" " " " " James O'Roark, " " John Rhodes,
" " " " " Edward Graves, " " Henry Madison Graves,
" " " " " D. H. Roleton " " Lillie Ann Reed,
" " " " " J. A. Loewenbach, Trustee for John Hedrick,
" " " " " Andrew Bazzell " " Mary E. Bazzell,
" " " " " Crawford Zinkel, Committee for Delilah Zinkel,
" " " " " Daniel Flook, " " Daniel Armentrout,

The following Appraisement and Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:-
Appraisement & Sale Bill of Per. Property of Samuel Ruebush, dec'd;
" " " " " " " " George Lutz, dec'd;
" " " " " " " " Jacob Miller, dec'd;
" " " " " " " " Wm. C. Hensley, dec'd;
" " " " " " " " David Stemphley, dec'd;
" " " " " " " " Moses Bowman, dec'd;
" " of Per. Property of Margaret Garner, dec'd;
Sale Bill of Per. Property of Mathias Ruebush, dec'd;

It appearing to the Court, that Sallie Brenner, the widow of Harrison Brenner, dec'd, has in writing, relinquished her right to administer upon the Estate of her said husband, and requested the appointment of B. F. Garber, the Court doth appoint him as such Administrator; and thereupon, the said B. F. Garber, who made oath thereto according to law, appeared in Court, and together with John W. Garber, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $300, conditioned according to law, waiving the benefit of the Homestead exemption; a certificate is granted him for obtaining letters of administration in due form, upon the Estate of said Harrison Brenner, dec'd;

The writing, purporting to be the last will and testament of Scipio Peyton, was this day presented in Court, and being proven by the oaths of Newton G. Moore and Oscar A. Moore, the two subscribing witnesses thereto, was admitted to probate and ordered to be recorded; and thereupon, Newton G. Moore, one of the Executors named in the will, who made oath thereto according to law, the other Executor, Oscar A. Moore therein named, appearing in Court and declining to qualify,) appeared in Court, and together with Thomas

Moore, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500 & conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining a probat of said will in due form.

And the Court doth appoint Jack. Yates, Lewis Yates & Godfrey Thomas to appraise the Estate of said Scipio Peyton, after first being duly sworn.

George O. Buntner, who was, on the 24th day of March 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Strother Sheets, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned ~~as according to law~~ for the faithful execution of the duties of his office, waiving the benefit of the Homestead exemption. 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 George O. Buntner took the several oaths prescribed by law.

certified to Sec. of Commwlth.

John Yancey, who was, on the 4th day of April 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Joseph Wilhite, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500 & conditioned for the faithful execution of the duties of his office, waiving the benefit of the Homestead exemption. 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 Yancey took the several oaths prescribed by law.

certified to Sec. of Commwlth.

John E. Roller, &c, Pltffs,
Jacob Keagy, Exr. of J. R. Keagy, Deft. } Upon a motion to execute new bond.

&

Gordon & Williams, Pltffs,
D. H. Rolston, S. R. C. & as such Admr. of Henry Argenbright, dec'd, garnishee of Alfred A. Argenbright, Deft. } Upon a Sug.

Ordered That these causes be placed upon the Court's docket.

On motion of D. H. Rolston, S. R. C. & as such Committee, Admr. of Sarah Conrad's Estate, It is ordered that Asher Argabright, J. S. Kuncle A. J. O. Bader, R. E. Hopkins & C. B. Rush, do appraise the Estate of said Sarah Conrad, dec'd; any three of whom may act, after first being duly sworn.

W. J. Chrisman & D. R. Hopkins,
Petition for change of Road leading from Hopkins Mill Road to Keetzel's Mill
Ordered, That this cause be placed upon this Courts Docket.

John F. Craven,
vs
D. A. Plecker. } Ad quod dammum.

This day came again the parties by their attorneys & for reasons appearing to the Court, this cause is continued generally until the next term.

Alfred Poliver, who was, at the January Term last of this Court, sentenced to 90 days confinement in the Jail of this County, and thereafter, until a certain Fine of $45.00 imposed upon him in a certain prosecution then pending in said Court, in the name of The Commonwealth of Virginia against him, and the costs of said prosecution be paid, &c, was this day, on his motion, brought into Court, in custody of the Jailor of this County and moved the Court to be relieved from imprisonment, without the payment of said fine & costs, and the Atty. for the Commonwealth being present and waiving the notice required by the Statute in such cases, and it appearing to the Court that the Defendant has no property out of which said Fine & costs can be made. On consideration hereof, and after argument on behalf of said Poliver, as well on behalf of the Commonwealth, the Court is of opinion that the law has been fully vindicated in this case, and no public good can result by the longer detention and imprisonment of the said Alfred Poliver in the Jail of said County, It is therefore considered by the Court that the said Poliver be released from imprisonment, which is accordingly done, and that he go hence without day.

J. N. Woods, Appellant } Upon an Appeal from a
vs Judgment of a J. P. for Petit
The Commonwealth, Appellee } Larceny.

This day came the Appellant, in discharge of his recognizance entered into before the Justice, as well as the Attorney for the Commonwealth, and the cause submitted to the decision of the Court, and thereupon the Court fully heard the evidence and argument of counsel, and reserved his decision until to-morrow morning, and thereupon the Defendant was committed to the Jail of this County.

Commonwealth
vs } Upon an Indictment for Assault
Samuel Coffman. & Battery.

This day came &c as well the Attorney for the Commonwealth as the Defendant by counsel, and thereupon the Defendant filed his Plea of autrefois acquit & "not guilty" and

his trial was fixed for Thursday next.

Anthony Hockman, foreman, A. L. Lindsay, Wm. H. Peterson, Isaac B. McKeever, M. E. Carrier, George F. Mauck, Peter W. Long, Hy. B. Harnsberger, Harrison Bateman & Strother Sheets were sworn and impanneled a Special Grand Jury, in and for the body of Rockingham County, and having received their charge from the Court, retired to their room to consider of their presentments, and after some time returned into Court, and not having completed the business before them, were adjourned until to-morrow morning at 10 o'clock.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

April 17, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, April 17, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

It appearing to the Court on yesterday that David Campbell a witness summoned before the Grand Jury, appeared before said Jury in a state of intoxication, and the Court thereupon ordered said Campbell be committed to the Jail of this County, until released by the Court, and the Clerk having failed to make said entry on yesterday. It is considered by the Court that said order be now made nunc pro tunc, which is accordingly done.

David Campbell, who was committed to Jail on yesterday for contempt in appearing before the Grand Jury in a state of intoxication, was this day brought into Court, and upon consideration, the Court doth discharge him from custody, upon the payment of his Jail & Clerk's fees, which was accordingly done.

John J. Bowman, Henry Neff and George Archeart, three of the Commissioners appointed by an order of this Court, entered at the September Term, 1876, to assign Dower to Sarah Bowman in the lands of her late husband, Moses Bowman, dec'd, this day presented their report, to which there being no exceptions, the same is confirmed, and ordered to be recorded.

Commonwealth,
James M. Woods. } Upon an appeal from the judgment of a J.P. for Petit Larceny.

The Defendant was this day again led to the bar of the Court, in custody of the Jailor of this County, and the Court having fully considered the cause, overrules the motion to quash the warrant, and adjudges the prisoner, James M. Woods guilty, and the Court thereupon sentenced him to 10 days confinement in the Jail of this County, and to receive twenty stripes. And thereupon he was committed to Jail.

S. F. Keyton, a Special Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.15 for arresting Willis Hall, charged with felony conveying same to Jail, &c, which being sworn to before, and certified by Wm. D. Maiden, a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cap'd & d.

The Court doth allow the following named persons, the sums opposite their names for their services as Viewers of Roads, under orders of the Court, and that the same be certified to the Treasurer of this County for payment, out of the Levy for the year 1877, viz:

To Michael John,	2 days on Zigler Road, @ $2 per day,	$4.00
" Henry Pulse,	3 days on Linville Creek Road @ $3 per day	6.00
" Geo. M. Effinger	1 day on Road from W.S.R. to Valley Pike,	2.00
" T.J. Butler	1 " " same,	2.00
" J.J. Kisling,	1 " " same,	2.00
" same,	as Surveyor 1 day on same,	2.50
" Wm. Beard	as Survey 2 days Dry River Church Road, @ $3.50	5.00

James M. Sharp, use of J. H. Rimel, Appellant
John Holsinger & Peter Holsinger, Appellees } Upon an appeal from a judgment of a Justice,

In this cause, at the last Term of the Court, a consent order was entered referring the decision of this cause to the Judge of this Court in vacation, to have the same effect as if rendered in term time, and the Court having fully heard the same, doth reverse the judgment of the Justice of the Peace, and to enter up such judgment as should have been rendered below, It is therefore considered by the Court that the appellant, James M. Sharp, use of J. H. Rimel, recover of the Defendants John Holsinger and Peter Holsinger, the sum of $20.00 with interest thereon from the 29th day of June 1868, until paid and his Costs in this Court.

The Grand Jury sworn and impannelled on yesterday, in and for the body of this County, this day again appeared in Court, pursuant to their adjournment, and again retired to their

room to consider their presentments, and after some time again returned into Court, and made the following presentments, viz:— An Indictment against Frank Reeves for carnally Knowing a female child under the age of twelve years, A true Bill, A. Hockman, foreman; An Indictment against Jacob W. Rhodes, for breaking and entering an out-house in the night-time, A true Bill, A. Hockman, foreman; An Indictment against Osborn Crist, for assault & battery, a true bill, A. Hockman, foreman; An Indictment against Robert Raules & Susan Stover, for lewd and lascivious cohabitation, a true bill, A. Hockman, foreman; An Indictment against Albert Long, for a trespass, a true bill, A. Hockman, foreman; An Indictment against Willis Hall, for Forgery, (No. 1.) - Not a true bill, A. Hockman, foreman, and an Indictment against Willis Hall, for forgery, (No. 2.) Not a true bill, A. Hockman foreman; and having completed the business before them, were adjourned from further attendance upon this Court.

And thereupon the Court issued a Bench warrant for the arrest of Jacob W. Rhodes, he not being in custody.

Willis Hall, who has been confined in the Jail of this County, to await the action of the Grand Jury at this term, upon a charge of forgery, was this day led to the bar of the Court in custody of the Jailor of this County, and the Grand Jury having found the Indictments against him (Nos. 1 & 2.) not true bills, It is considered by the Court that the said Willis Hall be discharged, and go hence without day, &c.

Ordered, That Anthony Hockman, A. L. Lindsay, Wm. H. Peterson, Isaac B. McKeever, M. E. Carrier, George F. Mauck, Peter W. Long, Henry B. Harnsberger, Harrison Bateman and Strother Sheets, be each allowed
cupd & d. the sum of Two Dollars, for their services at this term of the Court, two days, as Grand Jurors, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1877.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court,
cupd. & d. an account against The Commonwealth of Virginia, amounting to the sum of $158.90. for dieting &c. sundry prisoners from 16th day of March 1877 to April 15, 1877, which being sworn to, was examined by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in
cupd. & d. Court, an account against The Commonwealth of Virginia, amounting to the sum of $14.90. for Keeping & supporting Wm. Spitzer, a Lunatic, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Commonwealth
vs
Anderson Shifflett, } Upon an Indictment for Murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a Felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon the Veniremen summoned for the trial of Felony cases at this Term of the Court were called, thirty of whom appeared, viz:- B. D. Bowman, E. S. Mitchell, M. H. Earmon, D. W. Pollard, Wm. H. Drewry, Joel B. Miller, Lewis Strickler, Matthew Ireland, John W. Spitzer, Jacob W. Hinegardner, P. H. Lincoln, F. K. Speck, S. H. Armentrout, Moses Turner, John Harman, C. F. Shank, Emanuel Rhodes, Hugh Morrison, B. F. Rickard, John A. Armentrout, Charles R. Bunk, A. D. Rolston, Madison Wise, Harrison Empswhiler, A. A. Wise, Samuel Dundore, Silas J. Holsinger, Daniel Garber, P. A. Bertram & H. M. Rowdabush, three of whom, viz:- B. D. Bowman, S. H. Armentrout & Moses Turner, were, for reasons appearing to the Court, excused from service; The Sheriff was then directed to summon from a List furnished by the Court, nine additional Veniremen to appear forthwith, and the Veniremen so summoned, viz:- J. M. Huffman, Isaac Stone, W. P. Byrd, Jacob Echard, M. W. Holmes, Wm. Armentrout, B. F. Miller, D. F. Ritenour & E. H. B. Huffman, appearing, the panel of thirty six required by law, was completed; and from the panel thus completed, a panel of sixteen, were called, examined by the Court, found to be duly qualified and free from exceptions, viz:- E. S. Mitchell, M. H. Earmon, D. W. Pollard, Wm. H. Drewry, Lewis Strickler, Matthew Ireland, John W. Spitzer, Jacob W. Hinegardner, P. H. Lincoln, F. K. Speck, John Harman, C. F. Shank, Emanuel Rhodes, B. F. Rickard, John A. Armentrout & A. D. Rolston, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- D. W. Pollard, Jacob W. Hinegardner, P. H. Lincoln & B. F. Rickard, the remaining twelve of said panel, viz:- E. S. Mitchell, M. H. Earmon, Wm. H. Drewry, Lewis Strickler, Matthew Ireland, John W. Spitzer, F. K. Speck, John Harman, C. F. Shank, Emanuel Rhodes, John A. Armentrout & A. D. Rolston, thereby constituting the Jury, who being thus elected, tried and 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 not having fully heard the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon, they were placed in charge of D. H. Rolston, Sheriff of this County and D. N. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

And thereupon the prisoner was re-

manded to Jail.

Ordered, that Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

April 18, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, April 18, 1877.

Present: Hon. Chas. T. O'Ferrall, presiding.

Commonwealth,
vs
Frank. Reeves. } Upon an Indictment for carnally knowing a female child under the age of twelve years.

This day, the prisoner, Frank. Reeves, late of the County of Rockingham, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty," and Wednesday next April 26th. was fixed as the day for his trial, and thereupon the prisoner was remanded to Jail.

Benjamin Crawford, Plff
vs
R. P. Robinson, deft. } Upon a Rule to make award a Judgment of this Court.

This day came the parties by their Attorneys, and the Arbitrators to whom the determination of the matters in difference between the parties were submitted by a Rule of this Court, the day of last past this day returned their award in these words, "we, the undersigned, Jacob Funkhouser and Peter Paul, by an order issued to us by the County Court of Rockingham County, to settle a case in detinue between Benjamin Crawford & R. P. Robinson, for a cow; the said Arbitrators met on the 24th. day of March 1877, and chose A. A. Andes as umpire, and they together rendered the following verdict: The cow to be returned to the said Crawford, and judgment for nine dollars for the use of said cow, and all costs attending the suit in Court and arbitration; and in the event that said Crawford should not get the cow, judgment for thirty dollars, as her value, in addition to the above nine dollars. The costs not all being before us, we are not able to ascertain the correct amount, (costs of Arbitration:- Constables costs, $7.50- Jacob Funkhouser 3 days, 66 2/3¢ per day, $2.00- A. A. Andes, 3 days $1 per day, $3.00- Peter Paul, 3 days $1.50 per day $4.50- total, $17.00-

Peter Paul,
Jacob Funkhouser,
Abraham Andes,

Whereupon on motion,

of the said Benjamin Crawford, by counsel, It is ordered that
1 & 1 copy. the said R. T. Robinson be summoned to the next term of this Court, to show cause, if any he has, or can show, why judgment should not be given on said award.

On the application of Mr. Lohr, John H. Thomas & others, for the establishment of a Public Road in Plains District, commencing at the intersection of Michael Lohr's lane, with the Public Road, running from Tenth Legion on the Valley Pike, to Benjamin Hoover's Mill, on the Shenandoah
103 cops. River, thence westward, crossing the Wampler Road, and intersecting the Spartapolis and Brock's Gap Road, some 3/4th of a mile East of the Linville's Creek Tunker Church;

The Court doth appoint Wm. M. Sibert, John J. Bowman and Thomas Moore viewers, to view the ground, and report to this Court, at its next term, First:- the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, or chard, or any part thereof will have to be taken.

2nd.- They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation, the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended, to the report, and sworn before a Justice of the Peace, or other officer, who shall append his certificate to the same.

Any defect in the action or Report of the viewers, will prevent them from receiving pay for their services.

Charles J. Brock, A. H. Brewer and S. R. Allebaugh, viewers appointed at the November Term last of this Court, to view and report upon the establishment of a public road, commencing at the Mountain Valley Road near Armentrout's Church, and running by Madison Wise's Mill, this day returned their report into Court, which is ordered to be filed.

cop. 3. & d. Upon the application of Benjamin Hoover & others for a change in the public Road, from the South side of the Shenandoah River,

leading to Timberville, commencing at a point in the New Market road, known as Driver's lane, running North about 40 poles to the river, then up the river through E. M. Hoover's & B. F. Strickler's land to the Middle road, near Timberville about 1¼ miles distant, and Henry Neff, Commr. of Roads for Plains District, having endorsed his approval of the same on the foregoing Petition for a change in said road, the Court doth appoint Thomas Moore, Jacob W. Cowen & I. F. Brammer, as viewers to report upon said proposed change in said road.

The said viewers shall give at least 5 days' notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of said road. The viewers before proceeding to discharge their duties, shall be severally sworn by the Commissioner of Roads, or some other person authorized to administer oaths, to perform their duties impartially, and to the best of their judgment. If they decide there is a public necessity for the change, they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property and also as far as practicable to be agreeable to the petitioners, and also report the grade of said proposed change. They shall assess the damage done to the land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of this Court, giving the names of the land-owners entitled to damages; but in no case shall any yard, garden, or orchard, or any part thereof be taken, without the consent of the owner or owners thereof.

Commonwealth,
vs
Anderson Shifflett, } Upon an Indictment for Murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impanneled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County, and D. W. Bear & S. H. Bowman, his deputies, to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

April 19, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, April 19, 1877.

Present:- Hon. Chas. J. O'Connell, presiding.

On motion of George M. Airey, one of the heirs and distributees of the Estate of Rebecca Guyer, dec'd, who made oath according to law, he appeared in Court, and together with Peter Guyer, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $4000.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Rebecca Guyer, dec'd.

And the Court doth appoint Abm. Rudes, Simon Harman, John Robinson & John Airey to appraise the Estate of said Rebecca Guyer, any three of whom may act, after first being duly sworn.

Commonwealth,
vs.
Anderson Shifflett. } Upon an Indictment for Murder.

This day the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Tuesday last for his trial, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County, and D. M. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So keep you God."

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock

Chas. J. O'Connell.

April 20, 1877. At a County Court continued and held in and for the County of Rockingham County, at the Court House thereof, on Friday, April 20, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth
vs
Anderson Shifflett } Upon an Indictment for murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Tuesday last, for his trial, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and D. M. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse with them or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

April 21, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, April 21, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Certified to Dep. of the Commwlth.

John W. Minnich, who was, on the 16th day of April 1877, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with John Brunk his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, waiving the benefit of the Homestead exemption. 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 W. Minnich took the several oaths prescribed by law.

Sarah F., Benj. F. and Charles S., infant children of Elizabeth Garber over the age of 14 years, this day appeared in Court, and made choice of their mother Elizabeth Garber, as their guardian, and the Court doth appoint her guardian for David T., Joseph S., Virginia & Abraham her infant children under the age of 14 years, and thereupon the said Elizabeth Garber, on her motion, appeared in Court, and together with Joel Garber, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as the guardian of her said infant children.

Commonwealth,
vs
Anderson Shifflett, } Upon an Indictment for Murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon came again the Jury sworn and impanneled on Tuesday last, for his trial, and having fully heard the evidence and argument of counsel, retired to their room to consider of their verdict, and after some time returned into Court, and not having agreed upon a verdict, were adjourned until Monday morning next, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and D. A. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them, touching this trial, and cause them to appear in Court on Monday morning next at 9 o'clock. So help you God."

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until Monday morning next, at 9 o'clock,

Chas. T. O'Ferrall.

April 23, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, April 23d. 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of Geo. M. Bontz, one of the distributees of the Estate of Elizabeth Miltenberger, dec'd., J. R. Bowman (who made oath thereto according to law) appeared in Court, and together with George M. Bontz, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1.000. conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Elizabeth Miltenberger, dec'd. And the Court doth appoint A. Pirkey, R. T. Harrison, S. Flory, George Pence and S. Kline to appraise the Estate of said Elizabeth Miltenberger, any three of whom may act, after first being duly sworn.

cap. On the application of Wm. J. Chrisman & D. R. Hopkins to have the location of the Road from the Hopkins' Mill Road to Keltzel's Mill, lately established by an order of this Court, altered or changed according to their Petition filed on a former day of this term, and George J. Kisling, Comm'r. of Roads for Central District, having endorsed his approval of the same on said Petition for the change in said Road, the Court doth appoint Michael Whitmer, Hiram Coffman & D. A. Keatooke as viewers to report upon said proposed change in said road. The said viewers shall give at least 5 days notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of the said road. The viewers before proceeding to discharge their duties, shall be severally sworn by the Commissioner of Roads, or some other person authorized to administer oaths, to perform their duties impartially, and to the best of their judgment, if they decide there is a public necesity for the change, they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property, and also as far as practicable, to be agreeable to the petitioners, and also report the grade of said proposed change.
They shall assess the damage done to the land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of the Court, giving the names of the landowners entitled to damages; but in no case shall any yard, garden or orchard, or any part thereof be taken, without the consent of the owner or owners thereof. And the Court doth direct that all the costs in this proceeding, including the Commissioners & Surveyors fees, shall be paid by the petitioners.

Commonwealth,

v Isaac N. (N) Bonds & Francis Eugene White. } Indictment for disturbing a religious congregation.

This day came as well the Attorney for the Commonwealth

as the Defendants by counsel, and on their motion, the Court in the exercise of his discretion, permitted them to elect to be tried separately and they having so elected, thereupon Isaac W. Bonds, one of the said defendants, filed his plea of "not guilty," and thereupon came the following Jury, to-wit:- D. W. Pollard, J. W. Hinegardner, P. H. Lincoln, B. F. Rickard, Joel B. Miller, H. M. Roudabush, Chas. R. Bunk, Madison Wise, Harrison Empswhiler, S. J. Holsinger, Daniel Garber and P. A. Bertram, who being elected, tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant Isaac W. Bonds guilty in manner and form, as charged in the Indictment and assess his amercement at Fifteen Dollars, P. A. Bertram, foreman. It is therefore considered by the Court that the Commonwealth recover of the Defendant, Isaac W. Bonds, the sum of $15.00 Dollars, the amount of the fine, and her costs by her in this behalf expended, and that he be confined in the Jail of this County, for one hour, and thereafter until the fine and costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was committed to the custody of the Jailor of this County. The period of his confinement having expired, and having executed to the Sheriff of this County a delivery bond in a sum sufficient for the payment of said fine & costs, It is considered by the Court that the said defendant, Isaac W. Bonds ~~go hence~~ be discharged from custody, which is accordingly done, and go hence without day, &c.

Commonwealth,

(vs)

Isaac W. Bonds & Francis Eugene White. } Upon an Indictment for disturbing a religious congregation.

This day came as well the Attorney for the Commonwealth, as the Defendant, Francis Eugene White by counsel, and the Court, on his motion having permitted him to elect to be tried separately, he filed his plea of "not guilty," and thereupon came the following Jury, to-wit:- J. M. Huffman, Isaac Stone, Jacob Echard, M. W. Holmes, Wm. Armentrout, D. F. Ritenour, E. H. B. Huffman, Thos. J. Weaver, J. H. Huddleson, J. T. Wakenight, Charles O. Black & G. D. Black, who being elected tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the Jury find the Defendant, Francis Eugene White, guilty in manner and form, as charged in the Indictment, and assess his amercement at Ten Dollars, John M. Huffman, foreman. It is therefore considered by the Court that the Commonwealth recover of the Defendant, Francis Eugene White, the sum of $10.00 the amount of the fine, and her costs, by her in this behalf expended, and that he be confined in the Jail of this County, for one hour, and thereafter until the

fine and costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was committed to the custody of the Jailor of this County. The period of his confinement having expired, and he having paid to the Clerk of this Court, the amount of said Fine and costs, It is considered by the Court that the said defendant Francis Eugene White be discharged from custody, which is accordingly done, and go hence without day, &c.

Commonwealth,
vs
Silas Mornis. } Upon an Indictment for Murder

with Anderson Shifflett, as principal, & Louisa Lawson & Burris Williams & himself

The Prisoner, Silas Mornis, indicted at a former term of this Court, as Accessories to the murder of David G. Lawson, and having been arrested under a Bench Warrant, issued by the Judge of this Court, was this day led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned pleaded "not guilty" to the Indictment, and thereupon his trial was continued until Wednesday next, April 25, 1877, he also having elected to be tried separately.

V. C. Lam, Wm. Thomas McDaniel, Robert Crawford, Jefferson Rodgers, Nathaniel Davis, Rebecca Jane Hall, Theophilus Shifflett, John Mowbray, Alfred Mowbray, Rebecca Davis, Mary F. Crawford, Lydia Baugher, Wm. D. Maiden, James Crawford and Samuel Hall, witnesses in behalf of the Commonwealth against Louisa Lawson, Burris Williams & Silas Mornis, upon an Indictment for murder, and Sampson Davis, Linena Mornis, Aaron P. Davis, Jefferson Mornis, John L. Eaton, Fanny Shifflett, George Lawson & John Silas Mornis, witnesses in behalf of the Defendants, this day appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100. in each of the foregoing named causes, to be levied of their respective goods & chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition that each of them do make their personal appearance before the Judge of this Court, as witnesses as aforesaid, on Wednesday morning next, at 9 o'clock, and not depart thence without leave of the Court. The Prisoners, being in Court, two of them, Louisa Lawson & Silas Mornis were thereupon remanded to Jail, and Burris Williams being under recognizance for his appearance.

Commonwealth
vs
Anderson Shifflett. } Upon an Indictment for murder.

The Prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of this Court in custody of the Jailor of this County and thereupon again came the Jury sworn and impan-

-neled on Tuesday last for his trial, and not having agreed upon a verdict, again retired to their room to consider their verdict, and after some time returned into Court, and upon their oaths do say, "We, the Jury find the prisoner, Anderson Shiflett, guilty of murder in the first degree, in manner and form as charged in the Indictment," E. S. Mitchell, foreman," and thereupon, on motion of the prisoner by counsel, the Jury was polled, each responding to the question, "Is this your verdict?" in the affirmative. And thereupon, the Jury was discharged.

Thereupon, the prisoner, by counsel, moved the Court, first, to set aside the verdict of the Jury and grant him a new trial - Second, for arrest of Judgment, and the Court not having time fully to hear the argument of counsel on said motions, continued the same until to-morrow morning, and thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

April 24, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, April 24, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

On the motion of Wm. Shands, Receiver in case of Wm. Williams & J. W. Gordon, &c, the Estate of Thomas W. Gordon is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months, without an administration upon his said Estate.

Commonwealth,
&
Anderson Shiflett. } Upon an Indictment for murder.

The prisoner, Anderson Shiflett, late of the County of Rockingham, who stands convicted of - a felony by him committed, was this day again led to the bar of the Court, in custody of the Jailor of this County and the Court having fully heard the argument of counsel, upon the motions of the prisoner made on yesterday, to set aside the verdict of the Jury and grant him a new trial, and in arrest of judgment, reserves his decision until to-morrow morning.

And thereupon the prisoner was remanded to Jail.

Ordered That Court be adjourned until to-morrow morning at 9 o'clock

Chas. J. O'Ferrall.

April 25, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, April 25, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of Solomon Buntner, the Court doth appoint him as guardian of Markwood Buntner, it appearing from evidence introduced that said infant is a non-resident, over the age of 14 years and has estate in this County, and thereupon the said Solomon Buntner appeared in Court, and together with George P. Buntner, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified according to law, as said guardian.

Commonwealth, vs Anderson Shiflett. } Upon an Indictment for murder.

This day, the prisoner, Anderson Shiflett, late of the County of Rockingham, who was, at a former day of this term of the Court, convicted of murder in the first degree, by the Jury impanneled and sworn for his trial, was again led to the bar of the Court in custody of the Jailor of this County, and the Court, having fully considered the motions made on yesterday, by counsel for the prisoner- first, to set aside the verdict of the Jury and grant him a new trial; second In arrest of Judgment, doth overrule the said motions; and it being demanded of him if anything for himself he had or knew to say, why the Court here, to judgment and execution against him, of, and upon the premises, should not now proceed, said he had nothing but what he had before said. Therefore, it is considered by the Court, that he be hanged by the neck until he be dead, and that execution of this judgment upon him, the said Anderson Shiflett, be made and done by the Sheriff of this County, on Friday, the 29th day of June next, (1877,) between the hours of sunrise and sunset of the same day; and thereupon the said Anderson Shiflett is remanded to Jail.

Commonwealth, vs Silas Morris. } Upon an Indictment for murder.

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon, from the Veniremen summoned for the trial of felony cases at this term of the Court, the following panel of sixteen were called, examined by the Court, and found to be duly qualified and free from exceptions, viz:- D. W. Pollard, Jacob W. Hinegardner, Preston H. Lincoln, B. F. Rickard, Joel B. Miller, Madison Wise, Harrison Empswhiler, Silas J. Holsinger, Daniel Garber, P. A. Bertram,

J. M. Huffman, Isaac Stone, Wm. P. Byrd, Jacob Echard, M. W. Holmes and Wm. Armentrout, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- B. F. Rickard, Isaac Stone, Jacob Echard and M. W. Holmes; the remaining twelve of said panel, viz:- D. W. Pollard, Jacob W. Hinegardner, Preston H. Lincoln, Joel B. Miller, Madison Wise, Harrison Empsewhiler, Silas J. Holsinger, Daniel Garber, P. A. Bertram, J. M. Huffman, Wm. P. Byrd and Wm. Armentrout thereby constituting the Jury, who being thus elected, tried and 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 not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock; and thereupon, they were placed in charge of D. H. Holston, Sheriff of this County and D. A. Bear, & S. H. Bowman, his deputies, to whom was administered an oath "that you shall Keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Commonwealth, vs Osborne Crist. } Upon an Indictment for Assault & battery.

The Defendant Osborne Crist, this day appeared in Court, and with the consent of the Attorney for The Commonwealth confessed a judgment for One Dollar fine and the costs in this prosecution. It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant One Dollar Fine, and her costs by her in this behalf expended.

Ordered, That this Court be adjourned until to-morrow morning at 8 o'clock.

Chas. T. O'Ferrall.

April 26, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, April 26, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Catharine Flick, Committee for Anna Flick, a person of unsound mind, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $85.20, for the support and maintenance of said Anna Flick, (in accordance with the provisions of the order of this Court of the 18th day of April 1876,) 183 days from October 14th 1876 to April 15, 1877, @ 40¢ per day ($73.20,) and for clothing for same 6 months @ $2 per month ($12.00,) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.a.p.d. & d. to Ls. F. C.

Daniel B. Wright, this day presented in Court, an Account against The Commonwealth of Virginia, amounting to the sum of $1.50 for 2 days' service in assisting M. V. Jaggers, Constable in the arrest of Erasmus Coffman, charged with felony, which being sworn to in open Court by said Wright and said Jaggers, the Special Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.a.p.d.

Commonwealth, vs. Silas Morriss. } Upon an Indictment for murder.

The prisoner, Silas Morriss, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on yesterday for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock; and thereupon, they were placed in charge of D. H. Rolston, Sheriff of this County, and D. W. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication, or converse with them, touching this trial, and cause them to appear in Court to-morrow morning, at 9 o'clock, So help you God." And thereupon the prisoner was remanded to jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

April 27, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, April 27, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

cap'd & d. G. W. Tabb this day presented in Court two Accounts against the County of Rockingham ~~one for~~ $25.75 for Coal for Court House from Dec. 21, 1876 to March 20, 1877, the other for $45.37 for Coal for County & Circuit Court Clerk's offices, from Octo. 27, 1876 to April 17, 1877 - total, $71.12, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1876, if a surplus, if not, out of the Levy for the year 1877.

Jonas Lowman moved the Court to grant him License as a Retail Liquor Merchant, from May 1, 1877 to April 30, 1878, the said business to be conducted in the Nicholas' Building in the town of Harrisonburg, and produced the recommendation of the Town Council therefor, and upon the introduction of evidence, it appears to the Court that the applicant is a ~~sober~~ person of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant the said applicant a certificate to obtain said License, upon his execution of a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the provisions of the Act of the Legislature, known as the "Moffett Liquor Law," and thereupon, the said Jonas Lowman appeared in Court, and together with George W. Hollar his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00, conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act," passed by the General Assembly of Virginia, approved March 30, 1877, as amended by the Act approved April 2, 1877, waiving the benefit of the Homestead exemption. It is considered by the Court that said certificate be granted the said Jonas Lowman, he having produced in Court the receipt of the Treasurer of this County for $50.00 one-half of said License Tax.

ind.

Commonwealth, } Upon an Indictment for murder.
vs.
Silas Morriss. }

This day, the prisoner, Silas Morriss, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Wednesday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon, they were placed in charge of D. H. Rolston, Sheriff of this County, & D. W. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them, touching

this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So "help you God."

And thereupon, the prisoner was remanded to Jail.

Mary L. Pollock moved the Court to grant her Bar-room license and Retail Liquor Merchants' License, from May 1. 1877 to April 30, 1878, the said business to be conducted at the "Pollock" House, in the town of Harrisonburg, and produced the recommendation of the Town Council therefor, and upon the introduction of evidence, it appears to the Court that the applicant is a person of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicant a certificate to obtain said Licenses, upon her execution of a bond in the penalty of $600.00, conditioned for the faithful performance of the requirements of the Act of the Legislature, known as the "Moffett Liquor Law Act", and thereupon the said Mary L. Pollock appeared in Court, and together with W. S. Suter, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00, conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act" passed by the General Assembly of Virginia, approved March 30, 1877, as amended by the Act approved April 2, 1877, waiving the benefit of the Homestead exemption. It is considered by the Court that said certificate be granted the said Mary L. Pollock, she having produced in Court, the receipts of the Treasurer of this County for one-half ($50.00) of the tax on each of said Licenses.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

April 28, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, April 28, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Charles A. Yancey & J. A. Loewenbach, partners doing business under the firm, name & style of Yancey & Loewenbach, moved the Court to grant them Bar Room License from May 1, 1877 to April 30, 1878, the said business to be conducted at the "Spotswood" Hotel, in the town of Harrisonburg, and produced the recommendation of the Town Council therefor; and upon the introduction of evidence, it appears to the Court that the applicants are persons of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicants a certificate to obtain said License, upon their execution of a bond in the penalty of $600.00, conditioned for the faithful performance of the requirements of the Act of the Legislature, known as the "Moffett Liquor Law Act," and thereupon the said Charles A. Yancey, for Yancey & Loewenbach, appeared in Court, and together with John G. Yancey, their surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act," passed by the General Assembly of Virginia, approved March 30, 1877, as amended by the Act approved April 2, 1877, waiving the benefit of the Homestead exemption, It is considered by the Court that said certificate be granted the said Yancey & Loewenbach, they having produced in Court, the receipt of the Treasurer of this County, for one-half ($70.00) of the tax on said License.

Commonwealth, } Upon an Indictment for murder.
Silas Morriss.

This day, the prisoner, Silas Morriss, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Wednesday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until ~~to~~ Monday ~~morrow~~ morning next at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and D. W. Bear, his Deputy, to whom was administered an oath, that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication ~~with~~ or converse with them touching this trial, and cause them to appear in Court, on Monday morning next, at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

W. M. Helbert, who was, at the March Term last of this Court, sentenced to 30 days confinement in the Jail of this County, and

thereafter, until a certain Fine of $175.00 imposed upon him in a certain prosecution then pending in said Court in the name of the Commonwealth of Virginia against him, and the costs of the said prosecution be paid, &c, was this day, on his motion, brought into Court, in custody of the Jailor of this County, and moved the Court to be released from imprisonment without the payment of said fine & Costs, and the Atty. for the Commonwealth being present, and waiving the Notice required by the Statute in such cases, and the Court having fully heard and considered his said motion, doth overrule the same. And thereupon the Defendant was remanded to Jail.

Ordered, That this Court be adjourned until Monday morning next, at 9 o'clock.

Chas. T. O'Ferrall.

April 30, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, April 30, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

John J. McMahon moved the Court to grant him Bar room license and Retail Liquor Merchants License from May 1, 1877 to April 30, 1878, the said business to be conducted at the "Magnolia" House, in the town of Harrisonburg, Va, and produced the recommendation of the Town Council therefor, and upon the introduction of evidence, it appears to the Court that the applicant is a person of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicant a certificate to obtain said License upon his execution of a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the Act of the Legislature, known as the "Moffett Liquor Law Act," and thereupon the said John J. McMahon appeared in Court, ~~who~~ together with Edward McMahon, his surety, by E. J. Sullivan, his Atty. in fact (the said Edward McMahon having executed and acknowledged a Power of Atty. to said Sullivan, in which he protified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act," passed by the General Assembly of Virginia, approved March 30, 1877, as amended by the Act approved April 2, 1877, by the Legislature waiving the benefit of the Homestead exemption. It is considered that said Certificate be granted the said John J. McMahon, he having produced in Court the receipts of the Treasurer of this County, for $62.00 and $50.00 - one half of the tax on each of said Licenses.

issd.

On the motion of James Kavanaugh, moved the Court to grant him Bar Room license and Retail Liquor Merchants License from May 1, 1877 to April 30, 1878, the said business to be conducted at the "Virginia" House in the

issd.

town of Harrisonburg, Va., and produced the recommendation of the Town Council therefor, and upon the introduction of evidence, it appears to the Court that the applicant is a person of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicant a certificate to obtain said Licenses, upon his execution of a bond in the penalty of $600.00, conditioned for the faithful performance of the requirements of the Act of the Legislature, known as the "Moffett Liquor Law Act," and thereupon the said James Kavanaugh appeared in Court, who, together with Emanuel Royer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600 00, conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act," passed by the General Assembly of Virginia, approved March 30, 1877, as amended by the Act approved April 2, 1877, waiving the benefit of the Homestead exemption, It is considered by the Court that said certificates be granted the said James Kavanaugh, he having produced in Court the receipts of the Treasurer of this County, for $62.00 and for $50.00, one half of the state tax each of said Licenses.

Joseph Kavanaugh and A. J. Wall, partners doing business under the firm, name and style of Kavanaugh & Wall, moved the Court to grant them Bar-room Licenses and Retail Liquor Merchants Licenses from May 1, 1877 to April 30, 1878, the said business to be conducted at the "Harris" Building, Harrisonburg, Va., and produced the recommendation of the Town Council therefor, and upon the introduction of evidence, it appears to the Court that the applicants are persons of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicants a certificate to obtain said Licenses, upon their execution of a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the Act of the Legislature, known as the "Moffett Liquor Law Act," and thereupon the said A. J. Wall, for said Kavanaugh & Wall, appeared in Court, who, together with James Steele, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600 00, conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act," passed by the General Assembly of Virginia, approved March 30, 1877, as amended by the Act approved April 2, 1877, waiving the benefit of the Homestead exemption, It is considered by the Court that said certificates be granted said Kavanaugh & Wall, he having produced in Court the receipts of the Treasurer of this County for $54.00 and $50.00, one-half of the state tax each of said Licenses.

On the motion of Rev. George B. Howard, 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 appeared in Court, and together with Warrick Rhue and Carey Miles, his sureties, who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of $500 00, conditioned according to law, (waiving the benefit of the

Homestead exemption, and qualified accordingly.

Commonwealth,
Silas Morris. } Upon an Indictment for murder.

This day Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Wednesday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Roleton, Sheriff of this County and D. N. Bear, his deputy, to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them, touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God. And thereupon, the prisoner was demanded to Jail.

Ex-parte:-
Jefferson D. Campbell. } Upon a Writ of Habeas Corpus.

The Petitioner Jefferson D. Campbell was this day brought before this Court upon a writ of habeas corpus, this day issued from this Court, upon the petition of the ~~Defendant~~ Petitioner Campbell, claiming that he is improperly held in custody of the Jailor of this County. And it appearing to the Court that the ~~Defendant~~ Petitioner is charged with committing a felony in the County of Pendleton in the State of West Virginia, and was arested in this County, on or about the 1st day of February 1877, and lodged in the Jail of this County on the 2d day of February 1877, to await a requisition from the Governor of West Virginia, in due form of law, in such cases made and provided and there being no evidence before this Court of the ~~Defendant~~ Petitioner's guilt, nor that any effort has been made by the proper authorities of West Virginia to make or obtain such requisition from the Governor of West Virginia upon the Governor of Virginia, to obtain an order for the delivery of the ~~Defendant~~ Petitioner to the proper authorities of West Virginia, to be there tried for the said alleged offence, and the Defendant having now been confined in said Jail nearly three months, which, in the opinion of the Court, has been reasonable time to obtain such requisition by an adjoining State and County, if it is intended to do so. It is therefore ordered that D.H. Roleton, the Sheriff & Jailor of this County discharge the ~~Defendant~~ Petitioner from custody, which is accordingly done.

Ordered, That Court be adjourned until to-morrow morning, at 9 o'clock.

Chas. J. O'Ferrall.

May 1. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, May 1. 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth,
vs
Silas Morris, } Upon an Indictment for murder,

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the jury sworn and impannaled on Wednesday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Roleston, Sheriff of this County, and D.H. Bowman, his deputy, to whom was administered an oath, that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them, touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So keep you God.

And thereupon the prisoner was remanded to Jail.

Commonwealth,
vs
Louisa Lawson, } Indictment for murder,

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court, in custody of the Jailor of this County, and for reasons appearing to the Court, her trial is continued until the 1st day of the next term of this Court; and thereupon, John Mowbery, Samuel Hall, Abel Eaton, Rebecca Hall, James Crawford, Frances Crawford, & B.P. Dee witnesses in behalf of the Commonwealth and Dr. Kinko Catterton, Fanny Shifflett and Dl. Le. Powell, witnesses for the defence, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition, that they each do make their personal appearance before the Judge of this Court, on the 1st day of the next term (May) of this Court, and not to depart thence without leave of the Court.

And, thereupon, the prisoner was remanded to Jail.

Commonwealth,
vs
Burris Williams, } Upon an Indictment for murder,

Burris Williams, who stands indicted for a felony by him committed, this day appeared in Court in discharge of his recognizance entered into at the last term for his appearance at this term to answer said Indictment; and on his motion, the Court doth permit him to renew his bail to the 1st day of the next term of this Court, and thereupon said Burris Williams, together with Wm. D. Maiden and Nicholas Williams, his sureties, (who justified as to their sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $500. to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, (waiving the benefit of the Homestead exemption,) yet upon this condition that the said Burris Williams does make his personal appearance before the Judge of this Court, on the first day of the next term thereof, to answer said Indictment, and not depart thence without leave of the Court; this cause, for reasons appearing to the Court, having been continued until the first day of the next term.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

May 2, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, May 2, 1877.

Present:— Hon. Chas. T. O'Ferrall, presiding.

On the Petition of John Q. Winfield, S. H. Bowman and others, for the establishment of a Voting place at Broadway, in Plains District, in Rockingham County.

Copy mailed to Enos, W. H. V.

This day came the petitioners by counsel, and it appearing to the Court that the petitioners numbering more than fifty in number, are qualified voters of Plains District in this county; that the petition has been duly posted at the Court-House of this County, and at the voting places of said district as required by law, and it further appearing upon the evidence introduced that the public interest and public convenience will be subserved by the establishment of said Voting place as prayed for in said petition. It is therefore, considered by the Court that a Voting place be, and the same is hereby established at Broadway in said district, and the Court doth hereby establish the election district of said Voting place, as follows; Beginning at or near C. C. Shoemaker's on Linville District line,

thence with the lane by E. S. Pennington's and Noah Spitzer's, striking the River east of George Brunk's thence with said River to Philip Strickler's Mill, thence with the lane from the mill by John Minnick's and Lewis Driver's to the Mauzy Road, thence with said road to the Linville District line, and thence along the same to the Beginning.

And the Clerk of this Court is hereby directed to record the establishment and boundary of said election District, as required by law.

The Court doth appoint W. H. H. Enos as Registrar and Geo. W. Rebard, Jacob Garber & Jno. A. Baker as Judges of Election at Broadway Voting Precinct in Plains District, in this County.

The Court doth appoint the following-named persons to act as Judges of Election, at the respective Voting Places in the County of Rockingham, to serve as such for the term of one year, viz:-

Stonewall District.

Conrad's Store.- John C. Walker, W. H. Carpenter, & James G. Maiden.
McGaheysville.- Charles B. Rush, A. J. O. Bader & Robert A. Gilbourn.
Port Republic.- Geo. M. Kemper, jr., J. B. Nicholas & Saml. H. Lewis.
Furnace No. 2.- Jackson Garrison, Sebastian Propst & Stephen Hensley.

Ashby District.-

Cross Keys.- E. S. Kemper, W. H. Cooke, & Solomon Beery.
Mt. Crawford.- Saml. C. Switzer, Aaron Shutters & Lemuel Hawkins.
Dayton.- Hiram Coffman, Samuel Shrum & Daniel Bowman.
Bridgewater.- John McWilliamson, St. C. Kyle & A. L. Lindsay.
Ottobine.- F. M. Erwine, Wm. Berry & Wm. L. Anderson.
Troyerhoffer's Store.- Henry Carpenter, Harvey Wine & C. N. VanLear.

Central District.-

Keezletown.- Shorter Sheets, John W. Huffman & Aug. Armentrout.
Harrisonburg.- Philo Bradley, A. Hockman & Wm. P. Grove.
Mt. Clinton.- Michael Whitmer, Simon S. Harman & Martin Beery.

Linville District.-

Melrose.- Peter Neff, Madison Moore & Silum Sellers.
Edom.- D. H. Coffman, John Lincoln & Henry Beery.
Hoover's Shop.- Daniel Brenneman, Stephen Saufley & Abm. Hoover.
Singer's Glen.- A. S. Kieffer, Solomon Funk & Ephraim Reubush.

Plains District.-

South Legion.- J. W. Bowen, Curtis Yates & John Harrison.
Pinnacleville.- Henry Neff, Uriel Vaughn & Lewis Hill.
Coote's Store.- John S. Cootes, Jackson Horn & Geo. W. Funk.
Wittig's Store.- Henry ~~Hess~~ Wittig, Isaac Funk & Josiah Bowers.
Broadway.- Geo. W. Rebard, Jacob Garber & John A. Baker.

And Philo Bradley, Wm. P. Grove, Hiram Coffman, John W. Huffman, & A. Hockman are appointed Commissioners of Elections.

And also for the following Corporations, viz:-

Harrisonburg.- Wm. Ott, John S. Effinger & A. Hockman.
Bridgewater.- John Wampler, St. C. Kyle & A. L. Lindsay.

Commonwealth,
Silas Morrip. } Upon an Indictment for Murder.

The prisoner, Silas Morrip, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Wednesday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County & D. A. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So keep you God."

And thereupon, the prisoner was remanded to Jail.

The Court doth allow Jesse L. Bowcock the sum of two Dollars for his services in going for witnesses in the case of The Commonwealth vs. Silas Morrip, upon trial at this term for felony, and it is ordered that the same be certified to the Auditor of Public Accounts for payment, said witness being for the defence, and non-resident of this County, and it appearing to the Court that the defendant is very poor and unable to procure the attendance of said witnesses.

cap[d] od.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. A. O'Neall.

May 3. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, May 3, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Thomas Eaton, overseer of Powell Gap Road, in Stonewall District presented in Court an Account against the County of Rockingham amounting to $1.00 for warning in hands on said Road in May 1876, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

cap'd. & d.

W. H. Lam, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $62.55 for the arrest of Anderson Shifflett, Louisa Lawson & Rufus Williams, upon the charge of Felony, board & lodging of prisoners and guards, mileage in executing order of committment, &c, livery Bill & Horse hire, &c, which being sworn to by said Constable and certified by John C. Walker, Justice of the Peace as to correctness and the necessity of employment of guards, &c, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

This order is set aside - see order of 4th of May.

Commonwealth, }
vs. } Upon an Indictment for murder.
Silas Morris. }

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the jury sworn and impannelled on Wednesday, the 2nd day of this term of the Court, and for his trial 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 not having agreed upon a verdict, were adjourned until to-morrow morning at 9 o'clock, and thereupon, they were placed in charge of D. H. Rolston, Sheriff of this County and D. W. Bear, his deputy, to whom was administered an oath "that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them touching this trial, and cause them to appear in Court to-morrow morning at 10 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered, that Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

May 4, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, May 4, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

James N. Carrickhoff & others on Petition for Road from River Bank Bridge to Simmons Gap Road.

This cause came on to be heard upon the report of the viewers appointed at the July term last upon the summons cont'd. against the land-owners along the route, issued at the August term last, returned executed, and upon the exceptions to said report made by John A. Wood and Wm. A. P. Maggart. Upon consideration whereof, It is ordered that said report be re-committed to Geo. G. Strayer, James M. Weaver and Geo. W. Mauzy, with instruction to review said route or any other that they may deem necessary; and report specifically whether or not any orchard yard or garden will be taken by said route and make report thereof to the next term of this Court.

For reasons appearing to the Court, the order made on yesterday, allowing P. H. Law, Constable of this County $62.55 for fees & costs in arrest &c of Anderson Shifflett & others, charged with felony is set aside.

P. H. Law, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the cont'd. & d. sum of $41.85 for the arrest of Anderson Shifflett, Louisa Lawson & Burris Williams, upon the charge of Felony, board of prisoners, mileage, Livery & Horse hire, summoning witnesses, &c. which being sworn to by said Constable, and certified by John C. Walker, Justice of the Peace, as to correctness and the necessity of ~~exemplification of~~ the expenses incurred, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

On the motion of M. E. Carrier, and it appearing to the Court that Mrs. Mary Nicholas is a person of unsound mind the Court doth appoint P. H. Armentrout as her Committee, and thereupon said P. H. Armentrout appeared in Court, who, together with James Steele, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as the said Committee, according to law.

Commonwealth,
vs. } Upon an Indictment for carnally knowing a
Frank Reeves. } female child under the age of twelve years.

This day, the prisoner, Frank Reeves, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this

County, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until the 1st. day of the next term of the Court; and thereupon, Isaac Murry, Matilda Gordon & W. K. Law, witnesses in behalf of the Commonwealth and Jas. H. Blair, Emily Jones, Adeline Branch and Squire Jones, witnesses in behalf of the defendant, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods and chattels, lands and tenements, yet, upon this condition, that they each do make their personal appearance before the Judge of this Court, on the first day of the next term as witnesses as aforesaid, and not depart thence without leave of the Court.

Commonwealth, }
vs } Upon an Indictment for murder.
Silas Morris. }

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the jury sworn and impanneled on Wednesday, the 9th. day of this term of the Court, for his trial, and not having agreed upon a verdict, again retired to their room to consider their verdict, and after some time returned into Court, and not having agreed upon a verdict, were adjourned until to-morrow morning at 10 o'clock, and thereupon they were placed in charge of D. D. Bolton, Sheriff of this County and D. W. Bear, his deputy, to whom was administered an oath "that you shall keep this jury together and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them touching this trial, and cause them to appear in Court to-morrow morning at 10 o'clock. So help you God."

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

May 5, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, May 5, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Henry Shacklett, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $2.73 for provisions for witnesses at this term of the Court, for defendant in case of The Commonwealth against Silas Morriss, charged with felony, by order of the Court, it appearing to the Court that the defendant is poor as well as the witnesses, and neither able to provide provisions for said witnesses, which was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment; and it further appearing said witnesses were important to the defence,

cap'd. od.

A. Berlin, Appellant, } Upon an Appeal.
vs.
Joseph Hess, Appellee,

2 & 2 caps.

Upon the calling of this cause, on the motion of the Appellant's counsel, Rules are awarded against G. W. Myers and Joseph Hess, returnable to the next term of the Court (2d day) for their failure to appear at this term as witnesses in behalf of the Appellant, when duly summoned, and thereupon the trial is continued until next term of the Court.

Commonwealth, } Upon an Indictment for murder.
vs.
Silas Morriss.

This day, the prisoner, Silas Morriss, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impaneled on Wednesday the 9th day of this term of the Court, for his trial, and not having agreed upon a verdict, retired to their room to consider their verdict, and after some time again returned into Court, and not being able to agree upon a verdict, one of the Jurors, J. W. Huffman, was withdrawn, and the rest from rendering a verdict, was discharged. And thereupon the prisoner was remanded to Jail.

cap'd. od.

The Court doth allow Richard Dunlap the sum of $12.00 for attention to the Hall of the Court-House from May 1876 to May 1877, which is ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

cap'd. od.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court, an Account against The Commonwealth of Virginia, amounting to the sum of $192.00 for dieting &c, the Venire in the case of Commonwealth vs. Anderson Shifflett charged & convicted of felony. 6 days from April 17, 1877 to April 23, 1877 at $1.00 per day ($72.00) and for dieting Venire in case of Commonwealth vs. Silas Morriss, charged with felony, 10 days from April 25, 1877 to May 5, 1877 @ $1.00

per day, ($120.00) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

D. H. Rolston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $14.00 for one two horse Buggy to bring witnesses to Court in the trial of Silas Morris, charged with 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 and witnesses were important to the defence

cap'd. ord.

W. O. Crabill this day presented in Court an Account against the Commonwealth of Virginia amounting to $8.00 for hire of horses in going for witnesses for the defence in the case of the Commonwealth vs Silas Morris, charged with felony, by order of the Court, it appearing to the Court that the prisoner is very poor, and the witnesses unable to attend the trial, having no conveyance 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 that said witnesses were important to the defence.

cap'd ord to D.H.R. on Crabill

The Court doth order that the following named persons be allowed the sums opposite their names for their attendance and services at this term of the Court, as Veniremen, summoned for the trial of Felony cases, @ $1 per day, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

E. S. Mitchell,	$7.00	D. H. Pollard,	$13.00	B. F. Rickard,	$5.00
M. A. Earmon,	7.00	Jacob W. Hinegardner	13.00	Hugh Morrison,	6.00
Wm. H. Drewry,	7.00	Preston H. Lincoln,	13.00	N. A. Wise,	2.00
Lewis Stickler,	7.00	Joel B. Miller,	13.00	Chas. R. Bunk,	6.00
Mathew Ireland,	7.00	Madison Wise	13.00	Samuel Dundore,	2.00
John W. Spitzer,	7.00	Harrison Empenhiler,	13.00	W. M. Roundabush,	6.00
F. K. Speck,	7.00	Silas J. Koleinger,	13.00	Isaac Stone,	4.00
John Harman,	7.00	Daniel Garber,	13.00	Jacob Echard,	6.00
C. F. Shank,	7.00	P. A. Bertram	13.00	W. W. Holmes,	6.00
Emanuel Rhodes,	7.00	J. M. Huffman,	13.00	B. F. Miller,	6.00
John A. Armentrout,	7.00	Wm. P. Byrd,	13.00	D. F. Ritenour,	6.00
A. D. Rolston,	7.00	Wm. Armentrout,	13.00	E. W. B. Huffman,	6.00

cap'd. certified to Aud. of Pub. Accts.

The Court doth order that the following-named persons be allowed the sum of $1.00 each for their services one day, at this term of the Court, upon the trial of Isaac W. Bonds for misdemeanor, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

D. H. Pollard, Jacob W. Hinegardner, P. H. Lincoln, B. F. Rickard, Joel B. Miller, Chas. R. Bunk, Madison Wise, Harrison Empenhiler, S. J. Koleinger, Daniel Garber, P. A. Bertram, W. M. Roundabush.

cap'd certified to the Aud. of Pub. Accts.

The Court doth order that the following-named persons be allowed the sum of $1.00 each, for their services one day, at this term of the Court, upon the trial of Francis Eugene White for misdemeanor, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts for payment, viz:—

cop'd.

J. M. Huffman, Isaac Stone, Jacob Echard, M. W. Holmes, Wm. Armentrout, D. F. Ritenour, E. H. B. Huffman, Thos. J. Weaver, J. H. Huddleson, J. T. Wakenight, Chas. O. Black & G. D. Black,

certified to Aud. of Pub. Accts.

It is ordered to be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for this County, is entitled to the sum of $25.00 for prosecuting in one case of Felony at this term, to-wit:- Commonwealth vs Anderson Shifflett, and for prosecuting to conviction in three cases of misdemeanor, to-wit:- Commonwealth vs Osborn Crist, same vs Isaac N. Bonds & same vs Francis Eugene White,

cop'd & d.

Upon the Petition of John W. Spitzer & others for the establishment of a Road,

Upon the petition of John W. Spitzer and others, for the establishment of a public road, leading from the road which crosses Flint Ridge, near Peter P. Holsinger's along the lines of Michael Lohr and John Holsinger, passing said Lohr's and passing Frederick Cline's to the Wampler road, near Levi Hilbert's, thence to the road leading to Broadway, near A. J. Dougherty's.

cop'd.

It appearing to the Court, that at a previous day of this term, upon the petition of Michael Lohr and others, Wm. M. Sibert, John J. Bowman and Thomas Moore were appointed viewers to view and report in accordance with law, upon the route proposed in the said petition of Michael Lohr and others, and upon any other routes that might be proposed in connection with said proposed road, and it appearing to the Court that the route proposed in the petition of John W. Spitzer and others, is a rival route for the establishment of said road or of a road running in the same direction, the Court doth appoint the same viewers in this cause, and doth direct them to make the same enquiries and make report in regard to the same matters, as to which they are requested to report, under the order made upon the petition of Michael Lohr and others, and the Court further directs that hereafter these two causes shall be heard together.

On the application of Henry Frank & others for change of the public road leading from the ~~Lurleytown~~ North Mountain road at Henry Frank's house to the Lurleytown road, coming out on the line between Jacob W. Zirkel's and Sophia Frank's land, shall be changed so that said road, instead of running through the lands of the said Henry Frank, shall run along the line between the lands of Henry Frank and Solomon Frank and James Webb, and Jacob Moyers, Com-

cop'd.

missioners of Roads for Linville District, having endorsed his approval of the same on said Petition, for the change in said Road, the Court doth appoint George Heishman, Jasper Hawse & W. M. Berry as viewers to report upon said proposed change in said road.

The said viewers shall give at least 5 days notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of said road. The viewers before proceeding to discharge their duties, shall be severally sworn by the Commissioners of Roads, or some other person authorized to administer oaths to perform their duties impartially, and to the best of their judgment. If they decide there is a public necessity for the change, they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property, and also, as far as practicable, to be agreeable to the petitioners, and also report the grade of said proposed change.

exp.

They shall assess the damages to the land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of the Court, giving the names of the land-owners entitled to damages, but in no case shall any yard, garden or orchard, or any part thereof be taken, without the consent of the owner or owners thereof. And the Court doth direct that all the costs in this proceeding, including the Commissioners and Surveyors fees, and cost of change, shall be paid by the petitioners.

On the application of James M. Saufley & others for the establishment of a Public Road to intersect the Port Republic Road at a point near John M. Bowman's thence to pass through the lands of the different owners as shown upon the map accompanying the petition, to the Valley Pike.

The Court doth appoint E. S. Kemper, C. N. Vanlear and William Carpenter, viewers to view the ground, and report to the Court at its next term, First: the conveniences and inconveniences that will result as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard or any part thereof will have to be taken.

1 & 3 exp.

2nd They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on each route or routes, and state which of them require compensation, the probable amount, in their opinion, to which each party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or

diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

Any defect in the action or Report of the viewers will prevent them from receiving pay for their services.

On the motion of J. M. Irvine, purchaser at the sale of Delinquent Lands by S. R. Allebaugh, Treasurer of Rockingham County, Va. on the 15th day of December 1873, of a tract of Land of 12 A. 0 R & 09 poles near Harrisonburg, assessed to J. B. Stevens, It is ordered that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th Section, Chapter 38, Code of Va. 1873, which the Court, on examination, finds to be in conformity to law, be recorded in the Clerk's office of this Court, as required by law.

c'pd on Survey.

Upon the petition of W. J. Chrisman & D. R. Hopkins for change in the location of the road leading from Hopkins' Mill Road to Heltzel's Mill,

The Report of D. A. Heatwole, Michael Whitmer & Hiram Coffman, viewers appointed at the April Term of the Court 1877, to view & report upon said change, was this day returned to Court in proper form & was inspected by the Court, and the said W. J. Chrisman & D. R. Hopkins, the only landholders effected by the proposed change, having, by a writing filed in the cause, waived the issuance of a Rule to show cause against said report & assented to the location of the road as proposed in the said report, and the Court being of opinion that said proposed change will be a public convenience, doth order the route & location of said road be changed from the route heretofore established, & that said road be established upon the lands of W. J. Chrisman & D. R. Hopkins, upon the route recommended in the report of the said viewers as set forth in the plat & survey of George J. Kisling, Surveyor, accompanying their report, to-wit: — Beginning at a stake on the Hopkins' Mill Road on W. J. Chrisman's land, thence through his land S 35¾ W. 81 poles, S. 32½ W. 6 poles, thence through D. R. Hopkins' land S. 23 W. 10 poles, S. 45 W. 8 poles, S. 46½ W. 10 poles, S. 37 W. 36 poles, S. 43¼ W. 72 poles to the old line, through Kibler's land.

It is further ordered that George J. Kisling, Commissioner of Roads for Central District, proceed without delay to carry out this order, and to make the change & make his report to this Court. It is further ordered that the costs of the commissioners and Surveyor & Clerk's fees be paid by the petitioners, and all other costs attending the change to be paid by the County

It is further ordered that this cause be retained on the docket, to await the report of the Road Commissioner.

Commonwealth
&
Anderson Shifflett } Upon an Indictment for murder.

Memo:- Be it remembered upon the trial of this cause, the Defendant by counsel, excepted to various rulings of the Court, and tendered his several bills of Exceptions, which are in the following words & figures, to-wit:- Commwlth & Anderson Shifflett, &c, which he prays may be signed, sealed & enrolled and made a part of the record in this cause, which is accordingly done.

Same,
&
Same. } Upon same.

Memo: Be it remembered that after the rendition of the verdict in this cause, the defendant by counsel moved the Court to set aside the verdict of the Jury and grant him a new trial, which motion, the Court overruled; and thereupon the prisoner by counsel excepted, and filed his Bill of Exceptions, which is in the words & figures following to-wit:- Commwlth & Anderson Shifflett, &c, which he prays may be signed, sealed & enrolled and made a part of the record in this cause, which is accordingly done.

Same,
&
Same. } Upon same.

Memo:- Be it remembered that after the rendition of the verdict in this cause, and the overruling of the defendant's motion to set aside the verdict of the Jury and grant him a new trial, the defendant moved in arrest of Judgment, which motion the Court overruled, and thereupon the defendant by counsel excepted, and filed his Bill of Exceptions, which is in the words & figures following to-wit:- Commwlth & Anderson Shifflett, &c, which he prays may be signed, sealed & enrolled and made a part of the record in this cause, which is accordingly done.

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

Chas. T. O'Ferrall.

In Vacation:- May 9. 1877.

The Clerk of the County Court of Rockingham County is hereby directed to issue a Venire Facias directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury for the May Term of said Court, to appear at the Court-House thereof, on the 1st. day of said Term, being the 21st. day of May 1877, at 10 o'clock, A. M. Given under my hand this 9th. day of May 1877.

Chas. T. O'Ferrall, Judge of Co. Ct. of Rockingham County.

Teste,
J. D. Logan, Clerk.

May 21/77. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday May 21, 1877.

Present: Hon. Chas. T. O'Ferrall, 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 April Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

B. & S.	John Swartz, & wife,	to Abraham Miller.
" "	Abraham Miller,	" Adam R. Koller.
" "	Benj. Bowman & wife & J. W. S. Miller & wife,	" Same.
" "	James Ritchie & wife & others	" Elizabeth Frances Brenneman.
" "	Daniel Brenneman & wife.	" Michael Wine &c. Trustees.
" "	James T. Marshall & wife.	" Robert M. Burke.
" "	William S. Shewalter & wife	" Christian Hartman
" "	Solomon P. Reamer & wife.	" The Valley Railroad Company
" "	Isaac Burner's Admr.	" John H. Rolston of D. G. Eastham &c
" "	Philo Bradley & wife, &c.,	" Leo. J. Wise.
" "	John L. Whitfield & wife.	" Samuel Pence
" "	John E. Koller Commr.	" Peter S. Koller.
" "	Peter S. Koller & wife	" Daniel M. Rhodes
" "	Fountain Eddins & wife.	" Thomas K. Miller.
" "	John H. Dovel Trustee & wife	" Lana M. Dovel.
" "	Robert Cummins & wife.	" Sallie J. Long wife of James Long.
Homestead	Robert Kyger,	" claim of Homestead
	B. F. Kyger.	"
B & S.	Jacob B. Miller & wife.	" Abraham Selick.
Trust Deed	A. J. Wall & wife	" A. D. Armentrout Trustee for J. H. Armentrout
" "	Noah A. Royer & wife	" Oliver P. Koller Trustee for Jno. E. Koller
B & S.	B. F. Kemper & wife.	" Sarah Johnson, wife of John Johnson,
" "	Isaac Billheimer & wife & others.	" Diana Long, wife of R. Long & her heirs.
" "	Chas. A. Yancey & wife, & c	" Samuel B. Good.
Trust Deed	Samuel B. Good & wife.	" Ed. F. Conrad Trustee.
Agmt &c.	Charles B. Miller,	" E. T. Legg.
Release Deed	M. H. Effinger,	" Luther W. Ott.
B & S.	A. M. Spitzer, Commr.	" John C. Hidecker.
" "	Samuel Kline & wife.	" Sophia & Anna M. Rodes.
" "	Sophia C. Rondabush & Anna M. Munger	Jacob C. Rodes & Catharine his wife
" "	Abraham Yager.	" Joseph M. Keagy.
" "	Rebecca Guyer.	" Lewis Driver.
" "	Joseph N. Driver & wife.	" A. B. Driver.
" "	Jos. A. Armentrout & wife.	" Solomon Buttner.
" "	Solomon Buttner & wife	" Frances Armentrout wife of Jo. Armentrout
" "	David W Brenneman & wife	" John Acker
" "	James Kenney Exor. of Jno. Kenney Dec'd.	" George G. Grattan.
" "	George G. Grattan & wife	" Benj. F. Pallerson
" "	J. M. Zirkle & wife	" John P. Swank.
" "	John M. Long & wife.	" Same.

B. & S.	Robert H. Brown, & wife,	to	John P. Swank.
" "	Thomas Moore,	"	John Mills,
" "	Mary A. Dovel & Tandy Dovel,	"	Laura M. Dovel,
" "	James M. Dovel, & wife	"	Same,
" "	Laura M. Dovel,	"	Thomas J. Dovel,
" "	David J. Garber & wife,	"	Same,
Trust Deed	Edmon Carter &c. Church Trustees	"	Abram C. Long Trustee
B & S.	M. Harvey Effinger & wife & others	"	Charles A. Sperinkel
" "	Catharine R. Gambill & others	"	William M. Billhimer.
" "	Abraham Giel, & wife,	"	John Wampler,
" "	Josiah Masters & wife	"	John Etchinson,
" "	John Atkinson & wife, & others	"	William H. Harrison.
" "	Wm. H. Harrison, & wife,	"	Henry F. Green & Saml. C. Fleming
" "	Edgar L. Lambert & wife,	"	B. Ney.
" "	Philander Herring & Edith D. Herring	"	The Bridgewater Manufacturing Company
" "	Henry Stroup & wife,	"	Lovis Simmers,
" "	Joseph & Abraham Garber	"	Abraham Fleming,
" "	Noah Burkholder, & wife, &c.,	"	James M. Lineweaver,
" "	J. Wesley Taliaferro, & wife,	"	Alfred A. Eskridge Jr.
Trust Deed	Chas. G. Skinner. Trustee for his wife. & Lucie M. Skinner	"	William C. Graham Trustee
B & S.	William M. Billhimer, & wife,	"	Richard Dimlap.
" "	Geo. W. Berlin,	"	Peter Messerole,
" "	Moses Lee,	"	Martha Ann Lee & her children.
" "	Ro. B. Ragan Assignee of James Roadcap	"	Samuel Shacklett.
D. of Homestead	A. J. Wall.		Claim of Homestead.

The following Settlements were this day presented in Court and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the Same are Confirmed and ordered to be recorded. Viz:-

Settlement of Acct of Jacob F. Neff, Admr. D.B.N. of Peter Acker, decd.
" " " " Milton Taylor, Admr. of Moses Bowman, decd.
" " " " Abraham Bloser, " " Anna & Abraham Bloser, decd.
" " " " Benjamin Hensley, " " Job. Breeden, decd.
" " " " Abel D. Stone, " " Sarah Byerly, decd.
" " " " Rudolph Moyers, Exor of Joseph Cromer, decd.
" " " " Joseph Coffman, Guard. of John J. Coffman,
" " " " Samuel Garber, Admr. of Isaac M. Garber, decd.
" " " " James F. Clarke, Exor of Susan Hiseys, Est. decd.
" " " " James F. Clarke, " " George Hisey, decd.
" " " " George F. Sherman, Admr. of H. P. & Sally Hahn, decd.
" " " " C. G. Jennings, " " Joshua Jennings, decd.
" " " " Louisa Lawson, Admr. " D. G. Lawson, decd.
" " " " Philip F. Layman, Exor of Malinda Layman, decd.
" " " " R. D. Hensley Admr. of Conrad Long, decd.
" " " " Jos. P. Hyde Admr. of Fielding S. Ragan, decd.
" " " " Solomon Garber Exor of David Stemphly decd.
" " " " R. A. Scott, Admr. of Wm. Saufley, decd.
" " " " Albert Withite Guard. of William J. Shank
" " " " R. J. Sellers Committee for Dorilas Sellers.

Settlement of Acct of J. N. Liggett Guard of Louisa Wingfield.
" " " " Hiram Huffman " " Bettie E. Wise.
" " " " Hiram Huffman " " Wm. H. Wise.
" " " " Hiram Huffman " " Laura C. Wise.

M. J. Moyerhoeffer, who was on the 11th day of May 1877, duly 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 John W. Moyerhoeffer, his Surety, (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 Conditioned for the faithful execution of the duties of his said office, waiving the benefit of their Homestead exemption, 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 M. J. Moyerhoeffer took the several oaths prescribed by law.

certified.

L. C. Myers, who was on the 18th day of May 1877, duly commissioned by the Governor of Virginia, a Notary Public in & for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with W. S. Lusty, his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 Conditioned for the faithful execution of the duties of his said office waiving the benefit of their Homestead exemption, 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. C. Myers took the several oaths prescribed by law.

certified.

On motion of Thomas Roberts who made oath thereto according to law, he appeared in Court who together with James M. Weaver his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $250.00 conditioned according to law, waiving the benefit of their Homestead exemption, a certificate is granted him for obtaining letters of Administration in due form upon the Estate of Lucy C. Roberts, decd. And the Court doth appoint Thos. H. Weaver, J. H. Hammen, Asher Argabright to appraise the Estate of said Lucy C. Roberts, after first being duly sworn,

On the Motion of William M. Shafer and Madison H. Thomas who made oath thereto according to law, they appeared in Court, who together with Preston Rhodes & Jacob Sellers their Sureties who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $2000.00 conditioned according to law waiving the benefit of their Homestead exemption, a certificate is granted them for obtaining letters of Administration in due form upon the Estate of Richard A. Thomas Decd. And the Court doth appoint Reuben Sellers, James H. White and Gideon Rosenberger to appraise the Estate of said Richard A. Thomas Decd. after first being duly sworn,

copd.

The writing purporting to be the Last Will and testament of John Weaver Dec.d was this day presented in Cour.t and proven by the oaths of James R. Dice and George W. Brady two of the Subscribing witnesses thereto, and the Same is admitted to probate and ordered to be recorded.
And thereupon On the Motion of John H. Moore the Executor therein named who made oath thereto according to law he appeared in Court who together with Isaac Welch and T. A Jackson his Sureties (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $1400.00 Conditioned according to law waiving the benefit of their Homestead exemption, a Certificate is granted him for obtaining a probat of the will of Said John Weaver, Dec.d And the Court doth appoint Jacob Thomas, Abram Welch, Martin Heatwole and Martin Miller to appraise the Estate of Said John Weaver Dec.d any three of whom may act after first being duly Sworn.

John B. Roller,

On Motion of John Spader who made oath thereto according to law he appeared in Court who together with Henry M. Roller and Elijah Huffman, his Sureties (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $1500.00 Conditioned according to law waiving the benefit of their Homestead exemption, Certificate is granted him for obtaining Letters of Administration in due form upon the Estate of Elizabeth Roller Dec.d And the Court doth appoint L. C. Whitescarver, Michael Linton, Wm. Airhart, and Emanuel Roller to appraise the Estate of Said Elizabeth Roller Dec.d any three of whom may act after being duly Sworn.

On the Motion of Joseph A. Whitmore, the Guardian of Lucy D. Hahn, it appearing to the Court, that he has made a Settlement of his Guardian account with the Comm.r of Accounts of this County A. M. Newman the Court doth permit him to resign his office as Said Guardian.
And it further appearing to the Court, that Said Lucy D. Hahn from the Certificate of M. A. Hudson a Notary Public for Augusta County hath nominated and made Choice of J. I. Miller, as her Guardian the Court doth appoint him as Such Guardian And thereupon the Said J. I. Miller appeared in Court who together with M. P. Funkhouser his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $1500.00 Conditioned according to law waiving the benefit of their Homestead exemption and qualified accordingly.

It appearing to the Court that Louisa Lawson Administratrix of the Estate of David G. Lawson, dec.d has acknowledged legal Service of a Notice from A. Shaver the Surety of the Said Louisa Lawson on her official bond as Said Admx to execute a new bond, or have her powers revoked, and she declining to execute a new bond It is considered by the Court that her powers as Said Admx be and the Same are hereby revoked. And thereupon David Gilmer who made oath thereto according to law appeared in Court, who together with A. Shaver his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 Conditioned according to law waiving the benefit of their Homestead exemption, a Certificate is granted him for obtaining Letters of Administration de bonis

non upon the Estate of David G. Lawson, dec^d. in due form and the Court doth appoint Granville Eastham, S. H. Moffett & J. L. Sibert to appraise the Estate of Said David G. Lawson Dec^d.

William R. Miller a witness before the Grand Jury at this term of the Court, appeared in Court who together with Wm. C. Harrison his Surety who justified as to his Sufficiency, and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $500.^{00} for the use of the Commonwealth to be levied of their respective goods and chattels, lands and tenements, yet upon this Condition that the Said Wm. R. Miller, doth make his appearance before Said Grand Jury and not depart thence during this term of the Court, unless Sooner discharged.

Commonwealth vs Silas Morriss } Upon an Indictment for Murder.

This day the prisoner Silas Morriss late of the County of Rockingham who stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County. And on motion of the prisoner by his Counsel and for reasons appearing to the Court his trial is continued until the first day of the next term and thereupon James Crawford, Samuel Hall, John Monberry, Frances Crawford, Jennie Williams, Lydia Baugher, Jos. W. Baugher, Wm. G. Davis, Wm. J. Rogers, J. C. Walker, Wm. N. Crawford, Archie McDaniel, Alfred Monberry, Abel Eaton, Robert Crawford, Conrad Eaton, Rebecca Hall, V. H. Lam, James Hall, Joseph Stover, Larkin Clarke, David Gilmer, B. P. Teel and Wm. T. McDaniel witnesses in behalf of the Commonwealth, and Dr. Fink Catterton, David Gilmer, Daniel Powell, Winnie F. Lam and Fannie Bruce, witnesses for the defendant appeared in Court and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.^{00} each for the use of the Commonwealth to be levied of their respective goods and Chattels, lands and tenements, yet upon this Condition that each do make their personal appearance before the Judge of this Court on the first day of the next term as witnesses as aforesaid, waiving the benefit of their Homestead exemptions, and not depart thence without leave of the Court. And thereupon the prisoner was remanded to Jail.

Commonwealth vs Louisa Lawson } Upon an Indictment for Murder.

This day the prisoner Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her Committed, was again led to the bar of the Court in Custody of the Jailor of this County. And on motion of the prisoner by Counsel and for reasons appearing to the Court her trial is continued generally until the first day of the next term and thereupon, the Same witnesses as in the Case of the Commonwealth vs Silas Morriss were recognized in behalf of the Commonwealth and in behalf of the defendant Louisa Lawson in the Same Sum and upon the Same Conditions to make their personal appearance before the Judge of this Court on the first day of the next term and not depart thence without leave of the Court and thereupon the prisoner was remanded to Jail.

Burrel Williams, who Stands indicted for a felony by him committed this day appeared in Court in discharge of his recognizance entered into at the last term, and the Court doth permit him on his motion to renew his bail to the first day of the next term and thereupon the said Burrel Williams together with W.H. Lam, and Wm. D. Marden, his Sureties (who justified as to their sufficiency) each acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $500.00 for the use of said Commonwealth to be levied of their respective Goods and Chattels, Lands and tenements, yet upon this Condition that the said Burrel Williams do make his personal appearance before the Judge of this Court on the first day of the next term, and not depart thence without leave of the Court. and waiving the benefit of their Homestead exemptions. And thereupon the Witnesses in behalf of the Commonwealth mentioned in the two last foregoing Causes, were recognized in behalf of the Commonwealth in the Same Sum and upon the Same Conditions for their appearance before the Judge of this Court on the first day of the next term, and not depart thence without leave of the Court.

Jacob N. Rhodes, who Stands indicted for a felony by him committed this day appeared in Court in discharge of his recognizance entered into on the 18th day of May 1877. before R. M. Rice, a Justice of the Peace of this County for his appearance before this Court on this day, and his trial being fixed for Friday next May 25. 1877. the Court doth permit him on his motion by Counsel to renew his recognizance, And thereupon the said Jacob N. Rhodes together with Cyrus Rhodes his Surety, (who justified as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $5000.00 each for the use of the Commonwealth to be levied of their respective goods and Chattels lands and tenements yet upon this Condition that the said Jacob N. Rhodes do make his personal appearance before the Judge of this Court on the said 25th day of May 1877. to answer said indictment. and not depart thence without leave of the Court. waiving the benefit of their Homestead exemptions. And thereupon Edgar Rhodes, George Fawcett, Samantha Grandle, Jacob Lincoln, Richard Miller, Wm. C. Harrison, George Harrison, Robert Bowman, George Smallwood, Henry Burkholder, Peter Sites Vanbuskirk Kelly, Charles Kelly, Jacob Kelly, John Grandle, Abram Armentrout, Henry Bennett & Elijah Bennett, witnesses in behalf of the Commonwealth and C. G. Jennings, in behalf of the defendant, each appeared in Court and acknowledged themselves indebted to the Commonwealth of Virginia in the Sum of $500.00 each for the use of the Said Commonwealth, to be levied of their respective goods and Chattels, Lands and tenements, yet upon this Condition that they each do make their personal appearance before the Judge of this Court on Friday the 25th day of May 1877 as witnesses as aforesaid and not depart thence without leave of the Court, and waiving the benefit of their Homestead exemption,

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E. F. Kemper, Foreman, Isaac Smith, F. M. Kittley, Jno. C. Taylor, Saml. H. Long, John M. Rhodes, B. F. Miller, Emanuel Sipe, A. J. Kite, and M. L. Sluyter were empannelled and Sworn a Special Grand Jury in and for the body of County of Rockingham, and having received their charge from the Court retired to their room, to Consider of their presentments and after Some time returned

Court and made the following presentments viz: An Indictment vs John Pittington and Daniel Madden, for breaking and entering an out-house in the nighttime, a true bill Edward S. Kemper, foreman, and An Indictment vs James M. Rhodes and John Pittington for breaking and entering an out-house in the night time, a true bill Edward S. Kemper foreman, and not having fully completed the business before them they were adjourned until to-morrow morning at 10 O'clock.

Commonwealth,
vs
John Pittington & Daniel Madden } Upon an Indictment for breaking & Entering an out house in the nighttime.

The prisoners John Pittington & Daniel Madden, who stand jointly indicted for a felony by them committed were this day led to the bar of the Court in custody of the Jailor of this County and being thereof arraigned they each pleaded not guilty and elected to be tried seperately, and thereupon their trials were fixed for to-morrow the 2d day of this term of the Court, and Charles J. Brock, John Hottinger, Isaac Martz, D. R. Martz, and Eliza Bennett witnesses in behalf of the Commonwealth appeared in Court and each acknowledged themselves indebted to the Commonwealth of Virginia in the Sum of $100.00 each for the use of said Commonwealth, to be levied of their respective goods and chattels lands and tenements, yet upon this condition that they each do make their personal appearance before the Judge of this Court on to-morrow as witness as aforesaid, and not depart thence without leave of the Court, and waiving the benefit of their Homestead exemption, And thereupon the prisoners were remanded to Jail.

Commonwealth
vs
Albert Long } Upon an Indictment for Trespass.

This day came as well the Attorney for the Commonwealth as the defendant in person and by Counsel, and the defendant demurred to the indictment which demurrer the Court overruled and the defendant then filed his plea of not guilty, and thereupon came the following Jury to-wit:- Emanuel Driver, Jacob A. Simmers, A. T. Kerlin, E. P. Myers, J. B. D. Rhodes, Abram Brenneman, B. F. Garber, John C. William Samuel S. Hudes, James E. Templeman, A. H. Long, and George W. Keller who being elected tried and sworn the truth in and upon the premises to speak, and a true verdict render according to the evidence and not having time fully to hear the evidence and argument of Counsel were adjourned until to-morrow morning at 10 O'clock.

Franklin Liskey use of
vs
J. Saml. Harrisberger Comm. for J. A. B. Hell, as garnishee of J. P. Effinger. } Upon a Sug.

N. Sprinkel
vs
C. A. Yancey } Upon a Notice

Flick & Huffman use of
vs H. H. Washington, } Upon a Warrant.

Ordered that the foregoing causes be placed upon the Court's Docket.

On the motion of Samuel R. Sterling, Treasurer of this County, J. S. Maupin appeared in Court, and qualified as Deputy Treasurer for said Treasurer, in and for Stonewall District in this county, by taking the several oaths prescribed by law.

On the motion of David Michael, and on account of physical disability and indigent circumstances, the Court doth exempt him from the payment of his Capitation tax and County and Parish Levies, for the years 1876 & 1877, and also from working the public roads.

cap'd.

On motion of Wm. T. Rupp, Admr. of C. Spitzer, the Estate of William Wentz is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court, that he has been dead more than three months, without an administration on his Estate.

The Court doth appoint John Harrison, jr, as Judge of Election at 10th Legion Voting place, in this County, in the place of John Harrison, Sr, excused on account of physical disability.

On the motion of the Petitioners George J. Kisling is appointed one of the viewers in the place of C. A. Paulear, who was appointed at the last term of the Court, together with E. S. Kenpers & William Carpenter, to view and report upon the establishment of a public road to intersect the Port Republic Road at a point near John W. Bowman's, to the Valley Pike.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. D. O'Ferrall.

May 22, 1871. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday May 22, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

This day came Michael J. Martz, who alleges that he is aggrieved by an entry in the Land Book made by Emanuel Wilkins, Commr. of the Revenue for Plains District in said County, in the year 1876, whereby he is charged with $25.54 taxes for the year 1876, on a tract of land containing 105 A. & 2 R. described as lying in said ~~township~~ District; and thereupon the said Michael J. Martz moved the Court to exonerate him from the payment of $4.33 part of the taxes so erroneously charged against him for said year, which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said Emanuel Wilkins, the Commissioner who made the assessment, was examined as a witness touching the application.

c. op. & bec. p.

And it appearing that said book in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County, on the day of 1876, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said Martz is charged with 17 Acres of Land more than he owns, being charged with 17 Acres & 105 A. & 2 R which is incorrect in this, that the 105 A. 2. R. should be 88 A. & 2 R. - the said 17 Acres being separately assessed and taxed properly for that year. 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 Michael J. Martz is erroneously charged on said book with taxes amounting to $4.33; whereupon it is ordered that the said M. J. Martz be exonerated from the payment of $4.33 the taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him, $2.28 of which being State tax & $2.05 County tax.

Whereas, James M. Rhodes & John Pittington, were, on yesterday indicted by the Grand Jury of this County, for breaking and entering an out-house in the night time, and not being in custody, on the charge alleged in said Indictment, and thereupon the Court issued a Bench warrant for the arrest of said James M. Rhodes & John Pittington.

Commonwealth,

(vs)

James M. Rhodes & John Pittington, } Upon an ~~Bench warrant~~ Indictment for Felony

James M. Rhodes & John Pittington, who were, on yesterday, indicted by the Grand Jury of this County, for breaking and entering an out-house in the night-time, and in custody under a Bench warrant, were this day appeared in Court, in custody by virtue of a Bench warrant this day issued by the Court, and

each, by counsel, waived an Examination before a Justice of the Peace, and being thereof arraigned, each pleaded not guilty to said Indictment, and elected to be tried separately, and their trials fixed for Friday next, May 26, 1877, and thereupon Wm. C. Hook, Isaac Petty and Richard Miller appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition that they each do make their personal appearance before the Judge of this Court, on Friday next May 26, 1877, as witness in behalf of the Commonwealth, and not depart thence without leave of the Court

And on motion of the prisoner by counsel, the Court doth admit the said James M. Rhodes to bail, and thereupon James M. Rhodes & Leynes Rhodes, his surety, (who is justified as to his sufficiency,) each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $5.000.00 each, to be levied of their respective goods chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition, that the said James M. Rhodes do make his personal appearance before the Judge of this Court, on Friday next, May 26, 1877, to answer the said Indictment, and not depart thence without leave of the Court, and waiving the benefit of their Homestead exemptions. Thereupon James M. Rhodes was discharged from custody and John Pittington was remanded to Jail. The said sum of $5.000 being fixed by the Court as the amount of bail.

The Grand Jury sworn and impaneled on yesterday, in and for the body of this County, this day appeared in Court pursuant to their adjournment, and again retired to their room to consider further of their presentments, and after some time returned into Court, and made the following presentment, viz:- An Indictment against John Pittington & Daniel Madden, for breaking and entering an out house in the night-time, a true bill, Edward S. Kemper, foreman. And not having completed the business before them, were adjourned until to-morrow morning at 9 o'clock. And the said John Pittington & Daniel Madden not being in custody on the charge as set forth in the said Indictment the Court issued a Bench warrant in accordance with law.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock,

Chas. T. O'Ferrall.

May 23. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, May 23, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

The Grand Jury impannelled & sworn on Monday last, in and for the body of this County, this day appeared in Court, pursuant to their adjournment, and were, for reasons appearing to the Court, adjourned until Friday next, May 25, 1877.

Commonwealth, } Indictment for a trespass.
vs
Albert Long.

It appearing to the Court that in yesterday's proceeding, the Clerk failed to make an order in this cause, it is ordered by the Court that the order be now entered nunc pro tunc, as follows:-

"This day again came the Jury sworn and impannelled on ~~yesterday~~ Monday last, for the trial of this cause, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until Wednesday morning at 10 o'clock.

Same, } Indictment for a trespass.
vs
Same.

This day again came the Jury sworn and impannelled on Monday last, 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 some time returned into Court, and upon their oaths do say "we, the Jury find the Defendant, Albert Long, guilty in manner & form as charged in the Indictment and assess his amercement at Ten Dollars. E. P. Myers, Foreman. It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant, the sum of Ten Dollars, fine and her costs by her in this behalf expended.

It appearing to the Court that Ellen Davis a witness duly summoned before the Grand Jury at this term, has failed to appear, and been possibly tampered with, in order to prevent her presence under said summons, It is ordered by the Court that two attachments be awarded against her, - one directed to the Sheriff of this County, and one to the Sheriff of Page County, returnable to May 25, 1877.

Emanuel Sipe, } Order for Rule.
vs
Mary Johnston.

Whereas, Emanuel Sipe has sued out an

execution against the goods and chattels of Edward Johnston, which execution was issued from the Clerk's office of this Court, and was levied upon Sorrel mare as the property of said Johnston and whereas the said Sorrel mare is now claimed by Mary Johnston as her property, and indemnifying and suspending bonds having been given by said Sipe & said Mary Johnston as required by law, to test the right of property in said mare and her liability to sale to satisfy said Execution. Therefore, on motion of the said Emanuel Sipe, It is ordered that the said Mary Johnston be summoned to appear before this Court, on the 1st day of the next July term thereof, to try the said issue.

1 & 1 cs/sy.

This day came Mary E. Moore, who alleges that she is aggrieved by an entry in the Personal Property Book made by Emanuel Wilkins, Assessor of Plains district in the County of Rockingham in the State of Virginia in the year 1876, whereby she is charged with $20.00 taxes "omitted State Taxes for the year 1875" and omitted County levies for the same period amounting to $18.00 upon $1000.00 of Solvent bonds, and thereupon the said Mary E. Moore moved the Court to exonerate her from the whole of the said State tax and the whole of the said County levy so erroneously charged against her for the said year of 1875, which motion was defended by the Attorney for the Commonwealth for said County, and the said Assessor 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 certified by the Clerk of the County Court on the ____ day of ____ 1876, and that application for relief was made this day for the first time, and it appearing that the applicant reported $1000 of solvent bonds for taxation for the year 1876, and thereupon the Assessor thought himself authorized to accept the same for omitted taxes, &c, for the year 1875, without the consent of the applicant, when in truth the said bonds were not solvent in the year 1875, 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 Mary E. Moore is erroneously charged upon said book with State taxes amounting to $20- and County levies amounting to $18.00, whereupon, It is ordered that the said Mary E. Moore be exonerated from the payment of $20.00 State taxes and $18.00 County levies so erroneously charged, if not already paid, and if paid, that it be refunded to her.

Wm E. Harrison this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum 75 cents for services as guard to Thompson Steele, Constable of this County, in the arrest of Jacob W. & James M. Rhodes for felony, which being sworn to by said Constable & guard, was examined and allowed by the

Court, and ordered to be certified to the Auditor of Public Accounts for payment.

The Court doth make the following allowances to viewers of Roads for their services, viz:—

To J. H. Rolston of D. on Road from Edom to Cowen's Station,	2 days @ $2.00		$4.00
" A. L. Maupin " " " Heltzel's Mill to Hopkins Mill Road	2 "	" 2 $	4.00
" Simon S. Harman, " " " same,	2 "	2 $	4.00
" Wm. Eiler, " " " same,	2 "	2 $	4.00
" J. S. Loose one day on each of following Roads viz:—on Petition of J. S. Shickels & others, E. H. Cromer, &c, P. H. Dice &c, & Dl. Kiser, &c @ $2—			8.00
" Silum Sellers on Road from Edom to Cowen's Station,	2 days @ $2		4.00
" J. Hop. Rolston " same Road,	2 days @ $2		4.00

which are ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1877.

The writing purporting to be the last will and testament of Robert B. Gaines, dec'd, was this day presented in Court and proven by the oaths of J. H. Shue and G. A. Gay, the two subscribing witnesses thereto, and was ordered to be recorded.

And on motion of Harvey Liskey, the Executor therein named, who appeared in Court, and together with John Liskey 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, waiving the benefit of their Homestead exemptions, a certificate is granted said Harvey Liskey, for obtaining a probat of the will of said Robert B. Gaines, in due form.

Ex parte—
Jefferson D. Campbell

Upon the application of Jefferson D. Campbell claiming that he is improperly held in Custody of the Jailor of this County under a ~~mitimus~~ warrant issued by A. H. Fulk a Justice of the peace of this County charging the said petitioner Jefferson D. Campbell with having committed a felony in Pendleton County W. Va the Court doth order that a writ of Habeas Corpus do issue to the Jailor of this County commanding him that he bring the body of the said Jefferson D. Campbell detained by him and under his Custody together with the day and cause of his detention by whatsoever name he may be called you have before this Court this Evening at 5 O'clock to do and to submit to and receive those things that shall then & there be considered of him in this behalf

Ex-parte,
Jefferson D. Campbell. } Upon a writ of Habeas Corpus.

The petitioner was this day brought before this Court upon a writ of Habeas Corpus issued upon the petition of the Defendant alleging that he is improperly held

in custody by the Sheriff of this County. And it appearing to the Court that the petitioner is charged with committing a felony in the County of Pendleton West Virginia, and was arrested in this County upon said charge about the first of February 1877, and lodged in the Jail of this County to await a requisition from the Governor of West Virginia upon the Governor of Virginia and an order to deliver the petitioner to the proper authorities of said State of West Virginia in due form of law, and the same having been improperly delayed the petitioner was discharged from custody on the 30th. day of April 1877, and re-arrested and lodged in said Jail on the 2d. day of May 1877 upon the said requisition which arrived here on the evening of the said 30th. day of April and of which the Sheriff of said County of Pendleton, who was the Agent of West Virginia, had due notice and arrived here on the 8th. day of May 1877: for the petitioner, but returned without him upon the plea that he did not have the means to pay the Jail fees or other charges for the care, Keeping and custody of the Defendant, and has wholly failed to remove the petitioner up to this day or pay the said Jail fees & charges. And the Court being of opinion that the State of West Virginia has had ample time to remove the petitioner from said Jail & pay said fees and charges, and having failed to do so, and the Court having no evidence of the guilt of the petitioner, It is ordered that the said Sheriff & Jailor of this County do discharge the said petitioner, Jefferson D. Campbell from custody, which is accordingly done.

Commonwealth,
Frank Reeves, } Upon an Indictment for carnally Knowing a female child under the age of twelve years.

This day, the prisoner, Frank Reeves, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon from the Veniremen summoned for the trial of felony cases, at this term of the Court, the following panel of sixteen were called, examined by the Court, and found to be duly qualified and free from exceptions, viz:- Wilson Harper, Benj. Trumbo, John D. Swank, Peter Byerly, Josiah Hudnell, Peter H. Roller, Jackson Krupp, John D. Holsinger, Timothy Quinlan, Wm. J. Carpenter, Jacob A. Simmons, A. J. Kerlin, Geo. W. Keller, E. P. Myers, J. B. D. Rhodes & B. F. Garber, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Benj. Trumbo, Peter Byerly, Josiah Hudnell & John D. Holsinger, the remaining twelve of said panel, viz:- Wilson Harper, John D. Swank, Peter H. Roller, Jackson Krupp, Timothy Quinlan, Wm. J. Carpenter, Jacob A. Simmons, A. J. Kerlin, Geo. W. Keller, E. P. Myers, J. B. D. Rhodes & B. F. Garber, thereby constituting the Jury, who being thus elected, tried

and 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 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, "we the Jury find the prisoner, Frank, Reeves, not guilty of the offence of having carnal Knowledge of the person of Matilda Gordon, but we find him guilty of the attempt to have carnal Knowledge of the person of said Matilda Gordon, and that she is under the age of 12 years, in manner & form as charged in the Indictment, and ascertain the term of his confinement in the Penitentiary at two years." B. F. Garber, foreman,

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until Friday morning next till 10 o'clock, to-morrow being a regular Election Day.

Chas. T. O'Ferrall.

May 25, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, May 25, 1877.

Present:- Hon. Charles T. O'Ferrall, presiding.

The Grand Jury sworn and impanneled on Monday last, this day again appeared in Court, pursuant to their adjournment, and retired to their room to consider their presentments, and after some time returned into Court, and made the following presentment, viz:- An Indictment against John Shea, for unlawfully shooting at another in a street in a town; A true bill, Edward S. Kemper, foreman, and having completed the business before them, they were discharged from further attendance upon this Court.

Ordered, That the following-named Grand Jurors be allowed the sum of Four Dollars each, for four days' services at this term of the Court, and that the same be certified to the Treasurer of this County for payment, viz:- E. S. Kemper, Isaac Fink, F. W. Kirtley, Jos. F. Taylor, Saml. A. Long, John M. Rhodes, B. F. Miller, Emanuel Lipe, H. A. Kite & W. S. Sluser.

cap'd. &d.

Benjamin Crawford, } upon a Rule
R. T. Robinson, }

The said R. T. Robinson having been summoned to show cause why judgment should not be given upon

the award of Peter Paul, Abram Andes and Jacob Funkhouser, this day came the said Benjamin Crawford by his Attorney, and the said R. T. Robinson being solemnly called and not appearing, it is pursuant to said award, considered by the Court that the plaintiff recover against the defendant the cow mentioned in said award, of the value of $30.00, if she may be found, but if not then the value aforesaid, together with the damages of the said plaintiff of $9- assessed in said award, and his costs by him about the arbitration and his suit in this behalf expended.

Commonwealth,
vs
Jacob W. Rhodes. } Upon an Indictment for Felony.

Jacob W. Rhodes who stands indicted for a felony by him committed, this day appeared in Court in discharge of his recognizance entered into on the first day of this term of the Court, and on his motion and for reasons appearing to the Court his trial is continued generally, until the first day of the next term, and the following witnesses in behalf of the Commonwealth, viz:- Edgar Rhodes, Geo. Fawcett, Samantha Grandle, Jacob Lincoln, Richard Miller, Wm. C. Harrison, George Harrison, Robert Bowman, George Smallwood, Henry Burkholder, Peter Sites, Carolyses Zetty, Charles Zetty, Jacob Zetty, John Grandle, George Zetty, Abm. Armentrout, Henry Bennett, Eliza Bennett, Jacob Sellers and David Loker, and the following witnesses in behalf of the Defendant, viz:- C. G. Jennings, Saml. Bailey, Dl. B. Reid, Preston Rhodes, Henry Bennett, Jackson Pittington, Peter P. Reid, John W. Pittington, A. H. Brewer, Calvin Thompson, John Baker, Andrew S. Henton, John Devers, Matt. Snyder, James Sites, Richard Fortune, Henry Madden, Abm. Madden, Mrs. James Thompson, Mrs. Delila Harrison, Dewitt Koontz, John Bailey, John W. Rudy, Mrs. James M. Rhodes, Saml. A. Coffman, Robert Liskey, Franklin Liskey, Ettie McDonaldson, Aug. Armentrout, D. W. Sherman, Simon Spitzer, Robert Eastham, Geo. M. Armentrout & Pierce Rhodes, appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100. each, to be levied of their respective goods & chattels, lands and tenements, for the use of The Commonwealth, yet upon this condition, that they each do make their personal appearance before the Judge of this Court, on the 1st day of the next June term of this Court, as witnesses as aforesaid, and not depart thence without leave of the Court, and waiving the benefit of their Homestead exemptions as to this obligation.

And on the motion of the defendant, Jacob W. Rhodes, the Court doth permit him to renew his recognizance in the sum of $5000.00 and thereupon the said Jacob W. Rhodes together with Cyrus Rhodes, his surety, (who justified as to his sufficiency,) acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $5000.00 each, to be levied of their respective

goods and chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition, that the said Jacob W. Rhodes does make his personal appearance before the Judge of this Court on the first day of the next June Term of this Court, to answer the said Indictment and not depart thence without leave of the Court, and each waiving the benefit of their Homestead exemptions as to this obligation.

Commonwealth,
vs
John W. Pittington. } Upon an Indictment for Felony.

This day, the prisoner, John Pittington, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and on his motion, and for reasons appearing to the Court, his trial is continued until the 3d. day of the next June Term; and the following witnesses in behalf of the Commonwealth, viz:- Charles J. Brock, George Rinel, John Pottinger, Isaac Martz, D.R. Martz, James White Wm. C. Harrison & Eliza Bennett, and the following witnesses in behalf of the defence, viz: John Rudy, Wm. Madden, Daniel Madden, Matt. Snyder, John Pittington, John Baker, Mary Baker, & Mrs. James M. Rhodes appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. each, to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition, that they each make their personal appearance before the Judge of this Court, on the 3d. day of the next June Term, as witnesses as aforesaid, and not depart thence without leave of the Court, and waiving the benefit of the Homestead exemption as to this obligation. And thereupon, the prisoner was remanded to Jail.

Commonwealth,
vs
Daniel Madden. } Upon an Indictment for Felony.

This day, the prisoner, Daniel Madden, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and on his motion, and for reasons appearing to the Court, his trial is continued until the 3d. day of the next June Term, and the same witnesses in behalf of the Commonwealth and the Defendant, as in the case of John W. Pittington above recited, (except Mrs. James M. Rhodes,) were recognized in the same sum and upon the same conditions, for their appearance on the said 3d. day of June Term next, as witnesses in behalf of the Commwlth. and in behalf of said Madden. And thereupon, the prisoner was remanded to Jail.

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The Court doth award a Rule against Elizabeth Reed, late Elizabeth Pittington, returnable to the 3d. day of the next Term, for her failure to appear this day as a witness in behalf of John Pittington ads. the Commwlth.

Commonwealth,
vs
James M. Rhodes. } Upon an Indictment for Felony.

James M. Rhodes, who stands indicted for a felony by him committed, this day appeared in Court, in discharge of his recognizance entered into on the Second day of this term of the Court, and on his motion by counsel, and for reasons appearing to the Court his trial is continued generally until the 5th day of the June Term next, and the following witnesses in behalf the Commonwealth, viz:- Cambyses Zetty, Wm. C. Flook, Charles Zetty and Richard Miller and the following witnesses in behalf of the defence, viz:- Robert Liskey, Franklin Liskey, Ettie McDonaldson, Simon Spitzer, Geo. M. Armentrout & Joseph Funkhouser appeared in Court and acknowledged themselves to be indebted to The Commonwealth of Virginia in the sum of $100. each, to be levied of their respective goods and chattels, lands and tenements, for the use of The Commonwealth, yet upon this condition, that they each do make their personal appearance before the Judge of this Court on the said 5th day of the June Term next, of this Court, as witnesses as aforesaid, and not depart thence without leave of the Court, and waiving the benefit of their Homestead exemptions as to this obligation.

And on motion of the said James M. Rhodes, by counsel, the Court doth permit him to renew his recognizance in the sum of $5.000. and thereupon the said James M. Rhodes together with Lyms Rhodes, his surety, (who justified as to his sufficiency,) acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $5.000 each, to be levied of their respective goods & chattels, lands & tenements for the use of the Commonwealth, yet, upon this condition, that the said James M. Rhodes does make his personal appearance before the Judge of this Court, on the 5th day of the next June Term of this Court, to answer the said Indictment, and not depart thence without leave of the Court, and each waiving the benefit of their Homestead exemptions as to this obligation.

Commonwealth
vs
John Pittington, } Upon an Indictment for Felony.

The prisoner, John Pittington, who stands indicted for a felony by him committed, was this day again led to the bar of the Court in custody of the Jailor of this County, and on his motion and for reasons appearing to the Court, his trial is continued generally until the ~~next term~~ 5th day of the June term of this Court, and the same witnesses in behalf of The Commonwealth as in the case of The Commlth. vs James M. Rhodes, were recognized in the same sum and upon the same conditions, for their appearance on the said 5th day of the June Term next, as witnesses in behalf

Wm C. Flook case next order page 248.

of the Commonwealth. And thereupon, the prisoner was remanded to Jail.

The Court doth order that the following-named persons be allowed the sum of Two Dollars each for their services as Jurors two days, at this term of the Court, upon the trial of Albert Long for a misdemeanor, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:— Emanuel Driver, Jacob A. Simmers, A. T. Kerlin, Geo. W. Keller, E. P. Myers, J. B. D. Rhodes, Abm. Brenneman, B. F. Garber, John C. Williams, Saml. S. Andes, James E. Templeman & A. H. Long.

cap^d. certified to the Aud. of Pub. Accts.

The Court doth order that the following-named persons be allowed the sums opposite their names, for their attendance and services at this term of the Court, as Veniremen summoned for the trial of Felony cases, @ $1 per day, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:—

Emanuel Driver,	$2.00	A. H. Long,	$2.00
Jacob A. Simmers,	2.00	Wilson Harper,	3.00
A. T. Kerlin,	1.00	Benj. Trumbo,	3.00
Geo. W. Keller,	2.00	John D. Swank,	3.00
E. P. Myers,	2.00	Peter Byerly,	3.00
J. B. D. Rhodes,	2.00	Josiah Hulvey	3.00
Abm. Brenneman,	2.00	Peter W. Roller,	3.00
B. F. Garber,	2.00	Jackson Krupp,	3.00
John C. Williams,	2.00	John D. Holsinger,	3.00
Saml. S. Andes,	2.00	Timothy Quinlan,	3.00
James E. Templeman,	2.00	Wm. T. Carpenter,	3.00

cap^d. certified to the Aud. of Pub. Accts.

Richard Miller, this day appeared in Court in discharge of his recognizance entered into on the 1st day of this term of the Court, for his appearance as a witness before the Grand Jury, and the Court remanded him to the custody of the Jailor of this County, to await, a reasonable time, the arrival of a Constable from Page County, who it appears to the Court has a warrant for the arrest of the said Miller, for the commission of an alleged offence in that County.

It is ordered to be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for this County, is entitled to the sum of $15.00 for prosecuting in one case of Felony at this term, to-wit:- Commonwealth @ Frank Reeves, and for prosecuting to conviction in one case of misdemeanor, to-wit: Commonwealth @ Albert Long.

cap^d. & d.

This day came Rev. Isaac Long, who alleges that he has been erroneously assessed with 25 Acres of Land at the rate of $90.00 per acre, whereas the said assessment should be 25 Acres of Land at the rate of $20.00 per acre, which said erroneous assessment was made by J. W. Ross, the Commissioner of the Revenue for Stonewall District in Rockingham County, in the Assessment Book for 1876, and the Levy, State & County, for the year 1876 was made upon the said erroneous assessment, and that the said Long has been compelled to pay Taxes to the State of Virginia, $11.25 and to the County of Rockingham $9.90, whereas he should properly have paid to the State of Virginia $2.50 and to the County of Rockingham $2.20, and thereupon the said Rev. Isaac Long moved the Court, the Attorney for the Commonwealth John Paul being present and representing the same and John C. Walker, Assessor of Lands for Stonewall District & J. W. Ross, Commissioner of Revenue for the said District, who made the assessment being examined as witnesses touching the application to correct the said erroneous assessment, and order the excessive taxes paid by him to be refunded, and it appearing to the Court from the evidence adduced, that there is a clerical error upon the Assessment books for Stonewall District, Rockingham County for the year 1876, in the assessment of 25 Acres of Land, at the rate of $90.00 per acre, and that the same should be at the rate of $20.00 per acre, It is ordered that said assessment be corrected so as to conform to this order, and that it be certified to the Auditor of Public Accounts of this Commonwealth, who is directed to refund to said Rev. Isaac Long the sum of $8.75 which is the excessive State Tax or Revenue, which he has been compelled to pay upon the erroneous assessment as aforesaid, and that the same be certified to the Treasurer of this County, who is directed to refund to the said Rev. Isaac Long the sum of $7.70 which is the excessive County Tax, which he has been compelled to pay upon the erroneous assessment made as aforesaid,

cap'd. & d.

certified to Comm.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $150.30, for Keeping and supporting various prisoners, covering a period from April 16, 1877 to May 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd. & d.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $8.00 for dieting Venire in case of the Commonwealth vs Frank. Reeves, convicted of felony 2/3 of a day at $1.00 per day, which being sworn to, was examined & allowed

cap'd. & d.

by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

May 26, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday May 26, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia amounting to the sum of $14.50 for Keeping & supporting Wm. Spitzer, a Lunatic, confined in Jail, 30 days from April 16, 1877 to May 15, 1877, at 40 cts. per day ($12.00) and clothing for one month ($2.50) which having been sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

cap. & a.

On the application of John W. Melhorn, A. Shaver & others for the establishment of a Public Road, leading from the Shenandoah River at a point near Ammon's Mill to the Port-Republic road, distance about half-mile,

The Court doth appoint James M. Weaver, Jos. A. Hammen & T. W. Sellers, viewers, to view the ground, and report to this Court, at its next term, first, the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard or any part thereof will have to be taken.

1 & 3 caps.

2nd.- They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed (not exceeding two) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation; the probable amount in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route

which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same. Any defect in the action or Report of the viewers will prevent them from receiving pay for their services.

Ordered, That Court be adjourned until Monday morning next at 9 o'clock.

Chas. T. O'Ferrall.

May 28, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday May 28, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

John H. Long's Admr. } upon a notice.
(vs)
I. Hardesty, Son, }

Ordered, That this cause be placed upon the Court's Docket.

The New Rawley Springs Company moved the Court to grant it Bar room License, from June 1, 1877 to 30th Sept, 1877, the said business to be conducted at Rawley Springs, in this County, and upon the introduction of evidence, it appears to the Court that the applicants are persons of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicants a certificate to obtain said License upon the execution of a bond in the penalty of $600.00, conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia, entitled "An Act imposing a tax, and prescribing the mode of collecting the same, on the privilege of selling wine, Ardent Spirits or Malt Liquors, within the limits of the Commonwealth, for the support of the Government, and to pay the interest on the Public Debt," approved March 30, 1877, as amended by the Act approved April 2, 1877, and thereupon Wm. D. Hopkins, Prest. of said Company, together with Wm. D. Hopkins and Chas. A. Yancey, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned for the faithful performance of the said Act of Assembly imposing a tax &c for the privilege of selling wine, Ardent Spirits, &c as above recited, waiving the benefit of the Homestead exemption, It is considered by the Court that said certificate be granted the said New Rawley Springs Company, the receipt of the Treasurer of this County for

$28.33 the amount of the said License Tax being produced in Court.

On the motion of R. P. Fletcher, and on account of physical disability and indigent circumstances, the Court doth exempt him from the payment of his Capitation tax and County and Parish Levies for the year 1876.

cap'd.

The Court doth allow to George Hutcheson, who was directed so to do by the Court, the sum of $5.00 for Horse-hire and Services rendered in the execution of An Attachment awarded against Ellen Davis to compel her attendance before the Grand Jury at this term of the Court, which is ordered to be certified to the Auditor of Public Accounts for payment.

cap'd & d to D.H. Rolston, Sh'ff.

Commonwealth,
(vs)
Frank. Reeves,
} Upon an Indictment for carnally Knowing a female child, under the age of 12 years.

This day, the prisoner, Frank. Reeves, late of the County of Rockingham, who was, at a former day of this term of the Court, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and it being enquired of the prisoner if anything for himself he had, or knew to say, why this 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 Frank. Reeves be imprisoned in the public Jail and Penitentiary house of this Commonwealth for the term of two years, the period by the Jurors in their verdict ascertained, to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Frank. Reeves from the Jail of this Court to the public Jail and Penitentiary house of this Commonwealth, therein to be kept imprisoned, and treated in the manner directed by law, for the term aforesaid. And thereupon the prisoner is remanded to Jail.

The Court doth make the following allowances to viewers of Roads for their services, viz:-

To John H. Moore on Road through lands of Silling & Paul, &c 1 day — 2.00
" Hiram Coffman on same road 2.00

which are ordered to be certified to the ~~Auditor of Public Accounts~~ Treasurer of this County for payment out of the Levy for the year 1877.

Ordered, That the Board of Supervisors do include in their estimate of their Levy for the year 1877, the amounts as heretofore allowed by them, for public services for Commonwealth's Attorney, Clerk of County Court, Sheriff & Jailor, Commn. of Public Buildings, &c, and a sufficient amount to cover the Incidental expenses of

the County for the year 1877.

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

Chas. D. O'Ferrall.

In Vacation June 8th 1877

The Clerk of the County Court of Rockingham County, is hereby directed to issue a Venire Facias directed to the Sheriff of Rockingham County, Commanding him to Summon a Special Grand Jury for the June Term of Said Court, to appear at the Court House thereof on the first day of Said Term, being the 18th day of June 1877. at 10 o'clock A. M. Given under my Hand this 8th day of June 1877.

Chas. D. O'Ferrall Judge of the Co. Ct. of Rockingham County.

Attest: J. D. Logan, Clerk.

June 18, 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, June 18, 1877.

Present:— Hon. Chas. T. O'Ferrall, 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 May Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

B & S.	Samuel Garber & wife,	to David Driver,
" "	same,	" Cath. Martha & Hy. Garber, infant children of Isaac Garber, dec'd.
" "	Benjamin Bowman & wife	" Silas Sandy,
" "	Jacob Turner, Senr.,	" John Fink,
Homestead.	Ambrose Moyers,	Claim of Homestead,
B & S.	John D. Wisner & wife,	" Hy. C. Wyeth & Annie C. Wyeth,
" "	Geo. W. Salyards & wife,	" David C. Holsinger,
" "	Peter S. Roller & wife,	" John J. Roller,
" "	John Paul, Commr.,	" Daniel Good,
" "	Julia Winsborough,	" Jos. A. Hammen,
Trust Deed	J. A. Hammen & wife & S. M. Hammen & Co.,	" Chas. A. Yancey, trustee,
B & S.	William M. Sibert,	" Julius C. Sibert,
" "	A. E. Heneberger & wife,	" Louisa J. & Susan L. Campbell,
" "	Emanuel Lipe & wife,	" Lydia A. Martz,
" "	Warren S. Lunty, Spl. Commr.,	" Harrison Bateman,
" "	Isaac Paul & wife,	" John Samuel Harnsberger,
Trust Deed.	Mrs. Barbara Bowman,	" F. A. Daingerfield, Trustee,
" "	D. A. Plecker	" M. Lindon, Trustee,
Quit claim.	Green B. Ramm, Commr. of W. S.	" Jacob Hinegardner,
B & S.	John Paul, Assignee of J. A. Campbell, Bkt.	" Geo. F. Compton,
" "	Mary High & her husband, Jos. High,	" Ezra Armentrout,
" "	Algernon S. Gray & wife	" Nathan Huston, (old deed)
" "	Geo. G. Grattan, Commr.,	" Jacob Spitzer,
Release Deed,	Geo. G. Grattan, Trustee,	" Adam Pifer's Exor. (A. Pifer, jr.)
Trust Deed.	D. A. Plecker	" M. Lindon, Trustee,
B & S.	A. B. Early & wife & Sol. G. Snell & wife	" Noah F. Early & Daniel Early,
Homestead.	F. M. Flick,	Claim of Homestead
B & S.	George G. Grattan, Commr.,	" S. H. Moffett, G. Eastham & J. H. Rolston of D.,
" "	James Kavanaugh, & wife,	" James Shea,
" "	William C. Simmers & wife	" Joseph Lamon,
Power of Atty.	John H. Lewis	" Henry W. Pope,
B & S.	Charles T. O'Ferrall, Commr.,	" Lucius C. Haney,
" "	John M. Martz & wife,	" Isaac Wenger,
" "	John Hoelzel	" Philip Barnhart,
Trust Deed.	Philip Barnhart & wife,	" Chas. T. O'Ferrall, trustee,
B & S.	John E. Roller, Commr.,	" Emanuel Pence,
" "	Abram D. S. Gilmer,	" Solomon Gladwell,
" "	John C. Joseph & wife,	" William Hoover,
" "	Charles Grattan & wife & others,	" George G. Grattan,

B. & S.	Wm. B. Compton, Commr.	to	Nancy B. Ewing,
" "	Cath. A. M. Reamer & S. P. Reamer,	"	Jacob P. Effinger,
" "	James H. White & wife,	"	George W. Snell,
Trust Deed,	Jacob Hinegardner,	"	George Airhart, Trustee,
B. & S.	Charles Fridley,	"	John S. Fridley,
" "	Charles Grattan & wife & others,	"	Peter Roller,
" "	Benjamin Kerlin & wife,	"	Jackson Showalter & Susan Miller,
" "	Robert E. Painter & wife,	"	Simon Whitzel,
" "	S. H. Moffett, G. Eastham & J. H. Rolston, of B. & wife,	"	Hester Ann Lind, (wife of Wm. H. H. Lind,)
Trust Deed,	John S. Lewis & wife,	"	Geo. G. Grattan, trustee,
Deed or M. Cont.	St. Clair Poindexter,	"	Robert Poindexter, trustee
B. & S.	Susan Rhinehart,	"	Erasmus Fletcher,
" "	Geo. W. Berlin, Commr.	"	P. McD. Hatfield,
" "	P. McD. Hatfield & wife, &c,	"	David Danner,
" "	Jos. B. McIntuff & wife,	"	Willis B. Moffett,
" "	Willis B. Moffett,	"	Samuel Moffett,
" "	Sarah Kemp, widow of Hy. Kemp.	"	Isaac W. Brown,
" "	Mary P. Williams,	"	A. H. Wilson,
Release Deed.	Geo. W. Gassman, Trustee, &c.	"	Wm. Minnick,
B. & S.	J. S. Harnsberger, Commr.	"	Warren S. Lurty,
" "	Wm. B. Compton, Commr.	"	Jackson Martz,
" "	Chas. A. Yancey, Commr.	"	Robert B. Gaines,
" "	Chas. Grattan & others,	"	A. B. Lago,

The following settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed and ordered to be recorded, viz:—

Settlement of the Account of Samuel Shank, Trustee of Catharine Brenneman,
" " " " " Henry C. Beery, admr. of Elizabeth Beery,
" " " " " J. P. Rolston, late S. R. C. Admr. of Mathias Snyder,
" " " " " B. A. Myers, Admr. of Catharine Myers,
" " " " " Wm. H. Archeart " " Raphael Myers,
" " " " " P. Herring, Exor. " Catharine Smals,
" " " " " John Zigler, " " John Kline,
" " " " " Reuben M. Grubb " " Moses Toomer,
" " " " " Dr. H. Kyle, " " David Kyle
" " " " " Josephine Sites, guard. for Mary Sites,
" " " " " same " " John Sites,
" " " " " John Zigler, " " Samuel Hoover,
" " " " " T. M. Rohr, " " Maggie M. Sprinkel,

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—

Appraisement & Sale Bill of John H. Cromer's Estate,
Appraisement Bill of Scipio Peyton's Estate,

Appraisement Bill of Jacob A. Mitchell's Estate,
" " " Jacob Herzing's Estate,
" " " Barbara Saymans Estate,

This day John W. Landes who was appointed guardian of William Martin & John Samuel Renbush at the Term October 1876 of this Court and Jacob A. Whitmore who was at the same time appointed guardian for Archie M. & Lizzie M. Renbush, appeared in Court and upon their motion and it being shown to the Court that all of the said wards were residents of the County of Augusta at the time of their appointment & ~~that~~ it is ordered that the powers of said Guardians be and the same are hereby revoked & annulled.

Upon motion of A. S. Rosenberger the Estate of Martin Fogle decd is committed to D. H. Rotston Sheriff of this County for administration, it appearing he having been dead for more than three months and no administration on his said estate. And the Court doth appoint William Sellers, S. M. Rosenberger & Michael O'Lohr to appraise the said estate.

B. G. Patterson who was at a former term of this Court appointed as Committee of Lucinda Yancey a person of unsound mind and he declining to qualify the Court doth appoint G. E. Sipe as such Committee and thereupon said G. E. Sipe appeared in Court and together with H. E. Sipe his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $5000.00 conditioned according to law, waiving the benefit of their Homestead Exemption, and thereupon the said G. E. Sipe qualified as the Committee of the said Lucinda Yancey.

H. M. Barglebaugh this day appeared in Court and made choice of Joseph S. Shreckhise as his guardian, and thereupon the said Jos. S. Shreckhise appeared in Court and together with R. L. Roberts his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, waiving the benefit of their Homestead Exemptions, and qualified as guardian of the said H. M. Barglebaugh it appearing to the Court that said infant is over the age of 14 years.

On the motion of George Arehart, jr John J. Bowman who made oath thereto according to law appeared in Court who together with John Zigler, George Arehart, & Jacob Lincoln his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $13000.00 conditioned according to law, waiving the benefit of their Homestead Exemptions, a Certificate is granted said John J. Bowman for obtaining letters of administration in due form upon the Estate of Elizabeth Brenner decd. And the Court doth appoint Jno. M. Garber, David Zigler, Milton Taylor & Jacob Hinegardner to appraise the estate of said Elizabeth Brenner decd any three of whom may act after first being duly sworn.

The writing purporting to be the last will and testament of Mary Arehart decd. was this day presented in Court and proved by the oaths of J. F. Brenner and

P. A. Bushong. two of the Subscribing witnesses thereto. was admitted to probate and ordered to be recorded. and no Executor being named in the will on the motion of Wm H Arehart one of the devisees & legatees the Court doth appoint Michael Fitzmyers administrator C.t.a. and thereupon the said Michael Fitzmyers appeared in Court who made oath thereto according to law. and together with Wm H Arehart his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $1400.00 Conditioned according to law each waiving the benefit of his Homestead Exemption. a Certificate is granted him for obtaining letters of administration in due form upon the estate of the said Mary Arehart decd. And the Court doth appoint Frank Garber, John Garber & D. Brenner, Chas. B. Will & Milton Taylor to appraise the estate of the said Mary Arehart decd. any three of whom may act after first being duly Sworn,

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At a Circuit Court continued and held in and for the County of Rockingham at the Court-House thereof on Thursday June 7. 1877.

Lewis Randol } Plaintiff in Error,
} upon a writ of Error to the Judgment of the Co. Ct. of Rockingham
The Commonwealth Defendant in Error.

This day came the parties by Counsel. and the Court having maturely considered the transcript of the Record. and the arguments of Counsel is of opinion that the County Court erred in overruling the Plaintiffs motion for a new trial and in arrest of Judgment. first because the indictment is fatally defective in omitting to State that the Plaintiff "attempted feloniously" to do the act charged, but is a good indictment for an assault and battery: and Secondly because the facts Certified do not establish a felony. It is therefore Considered by the Court that the Judgment of the County Court be reversed and annulled. the verdict of the Jury set aside, and a new trial awarded, and that the Case be remanded to the County Court for further proceedings.

A Copy Attest.

J. N. Shue C. C. C. R. C.

Ordered that the above named Cause The Commonwealth & Lewis Randol be placed upon the Docket of this Court, which is accordingly done,

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The Commonwealth }
} upon an Indictment for Felony
Lewis Randol }

Lewis Randol who stands charged with a felony by him Committed. this day appeared in Court, in discharge of his recognizance entered into before the Circuit Court of this County, and thereupon he moved the Court to allow him to Confess judgment for One dollar fine and the Costs of this prosecution, and the Attorney for the Commonwealth expressing his opinion that under the ruling of the said Circuit Court. the prisoner Could not be convicted of the felony where of he stands charged, but Could only be convicted of an Assault and battery, on Consideration whereof and with the assent of the Attorney for the Commonwealth. the Court doth permit the said Lewis Randol to Confess judgment for One dollar fine and the Costs as aforesaid, and the Court in the exercise of its discretion doth fix the term of imprisonment of the said Lewis Randol in the Jail of this County at the term of Six months from this day, and thereafter until the said fine and Costs be paid. or he be otherwise discharged according

to law. It is therefore considered by the Court, that the Commonwealth recover of the said Lewis Randol the said fine of One dollar and the costs of this prosecution, and that he be confined in the Jail of this County for the term of six months from this day, and thereafter until the said fine and costs be paid or he be otherwise discharged according to law. and thereupon the said Lewis Randol was committed to the said Jail.

At a Circuit Court continued and held in and for the County of Rockingham at the Court-House thereof, on Saturday June 16, 1877

Anderson Shifflett, Plaintiff in Error,
vs. } Upon a writ of Error &c. to the judgment of the Co. Ct. of Rc. Co.
The Commonwealth of Va. Defendant in Error

The transcript of the Record, and the arguments of counsel being heard & maturely considered, the Court is of opinion, that the said County Court erred, in admitting the statement of Burris Williams made by him before the Justice in the presence of the prisoner as set forth in the prisoner's first bill of exceptions. It is therefore considered by the Court that the judgment of the County Court be reversed, that the verdict of the jury be set aside & this — be remanded to said County Court for a new trial, upon which new trial, said statement of Burris Williams if again offered, shall be excluded

A copy, Attest,
J. B. Shue, C. C. C. R. C.

Ordered that the above named cause, The Commonwealth vs. Anderson Shifflett, be placed upon the docket of this Court, which is accordingly done,

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The Commonwealth
vs. } Upon an Indictment for murder.
Anderson Shifflett.

Anderson Shifflett, who was, at a former term of this Court convicted of murder in the first degree, and sentenced to suffer the penalty prescribed by law, which said conviction and sentence has been set aside by the Circuit Court of this County, and a new trial awarded and the cause remanded to this Court, was this day led to the bar of this Court in custody of the jailor of this County, and thereupon he moved the Court for a change of venue to the County of Greene, and introduced in support of his motion the affidavit of himself and other persons that in his opinion and in the opinion of such other persons, that he, the said prisoner could not obtain a fair trial in this County, which motion was resisted by the Attorney for the Commonwealth, Our consideration whereof, and after argument by counsel, the Court doth overrule the said motion, and thereupon, Monday July 2d. 1877 was fixed as the day of his trial, and thereupon the following witnesses in behalf of the Commonwealth, viz:- Theophilus Shiff-

-lett, James Crawford, Robert Crawford, Lydia Baugher, Joseph Funkhouser, Geo. A. Hutcheson, Rebecca Hall, Mary F. Crawford, John W. Mowberry, Bunis Williams, Samuel Hall, V. H. Lam, J. M. Lam, Phebe Knighten, David Gilmer, Jos. H. Stover, Dr. J. H. Wolfe and Archie McDaniel, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100. to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition that they each do make their personal appearance before the Judge of this Court on the said 2nd. day of July 1877, as witnesses as aforesaid, and not depart thence without leave of the Court; and thereupon the prisoner was remanded to Jail.

Memo:- Be it remembered, that upon the calling of this case on this day, the prisoner by counsel, moved the Court for change of venue from this County to the County of Greene, which motion the Court overruled, and thereupon the prisoner tendered his bill of exception thereto, ~~which~~ in the words & figures following to-wit, Commonwealth vs Anderson Shifflett, &c which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done.

Commonwealth,
vs
Louisa Lawson, } Upon an Indictment for murder.

The prisoner who stands indicted for murder, was this day again led to the bar of the Court in custody of the Jailor of this County, and her trial postponed until a future day of this term, hereafter to be fixed by the Court, and thereupon the prisoner was remanded to Jail.

Commonwealth
vs
Silas Morriss } Upon an Indictment for murder.

The prisoner who stands indicted for murder, was this day again led to the bar of the Court in custody of the Jailor of this County, and his trial ~~postponed until a future day of this term, hereafter to be fixed by the Court, and thereupon the prisoner~~ was fixed for Monday the 9th. day of July 1877, and thereupon the following witnesses in behalf of the Commonwealth viz:- James Crawford, Samuel Hall, John Mowberry, Frances Crawford, Jennie Williams, Lydia Baugher, Wm. F. Davis, Wm. N. Crawford, Archie McDaniel, Alfred Mowberry, Robert Crawford, Conrad Eaton, Rebecca Hall, James Hall, Jos. Stover, David Gilmer, Larkin Clarke, Dr. J. H. Wolfe, J. M. Lam, V. H. Lam, G. A. Hutcheson, & Abel Eaton, and the following witnesses in behalf of the defendant, viz:- David Gilmer, Dr. F. Catterton, Ira Morriss, Jefferson Morriss, Conrad Eaton, Geo. Lawson, Haiston Shifflett, Henry Morriss, Martha J. Shifflett, Riley Moss, Fanny Bruce, Winnie F. Lamb & John Coleman, each appeared in Court and acknowledged themselves to be indebted to the Com-

-monwealth of Virginia in the sum of $100 each, to be levied of their respective goods and chattels, lands & tenements, for the use of The Commonwealth, yet upon this condition that they each do make their personal appearance before the Judge of this Court on the said 9th. day of July 1877, as witnesses as aforesaid, and not depart thence without leave of the Court, and thereupon the prisoner was remanded to Jail.

Commonwealth,
Burns (n) Williams, } Upon an Indictment for murder.

Burns Williams, who stands indicted for murder, this day appeared in Court in obedience to his recognizance entered into at the last term of this Court, and his trial was postponed until a future day of this term, if there be sufficient time for the same to be hereafter determined.

The following-named persons, who were elected Justices of the Peace for the respective Districts of this County, at an election held on the 24th. day of May 1877, to-wit:- Michael Lindon, B. M. Rice, & J. S. Loose for Ashby District; George J. Kisling, John W. Bowers and Jacob Funkhouser, for Central District; John Funk & R. W. Harrison, for Linville District; A. H. Fulk, B. F. Garber & Thos. L. Williamson for Plains District and Wm. D. Maiden & J. Henry Shipp for Stonewall District, this day appeared in Court and respectively qualified according to law, as Justices of the Peace aforesaid, for the term prescribed by law.

The following-named persons, who were elected Supervisors for the respective Districts of this County at an election held on the 24th. day of May 1877, this day appeared in Court, and each entered into and acknowledged a bond in the penalty of $2500. conditioned according to law, with the sureties hereinafter named, said sureties each justifying as to his sufficiency and both principals and sureties each waiving the benefit of his Homestead exemption as to said obligations, and said principals each qualifying according to law as Supervisors for the District in which he was elected, for the term prescribed by law, to-wit:-
John F. Craven, for Ashby District, with John E. Roller as surety,
David A. Heatwole for Central District, with Geo. P. Buntner as surety,
Milton Taylor, for Plains District with George Arehart as surety,
James M. Weaver for Stonewall District, with G. W. Manzy as surety.

The following-named persons, who were elected Constables for the respective Districts of this County, at an election held on the 24th. day of May 1877, this day appeared in Court, and each entered into and acknowledged a bond in the penalty of $4.000. conditioned according to law, with the sureties hereinafter named, said sureties each justifying as to his sufficiency, and both principals and sureties

waiving the benefit of his Homestead exemption as to said obligation; and said principals each qualifying according to law, as Constables for the District in which he was elected, for the term prescribed by law, to-wit:-
James W. Burgess, for Ashley District, with E. S. Huffman, John Gangwer and George W. Skelton as sureties,
Thompson Steele, for Central District, with James Steele, William Steele and Jesse Rolston as sureties,
Erasmus R. Aeff, for Plains District, with Jesse Moyers & Moses Mason as sureties,
V. H. Lam, for Stonewall District, with F. W. Kirtley, Sr. D. Kirtley & Wm. D. Maiden as sureties.

The following-named persons who were elected Commissioners of Roads for the respective Districts of this County, at an election held on the 24th day of May 1877, this day appeared in Court, and each entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law, with the sureties hereinafter named, said sureties each justifying as to his sufficiency, and both principals and sureties each waiving the benefit of his Homestead exemption as to said obligation, said principals each qualifying according to law as Commissioner of Roads for the District in which he was elected for the term prescribed by law, to wit:-
John H. Moore for Ashley District, with Wm. P. Sites as surety,
Wm. F. Bowers for Plains District, with George Archart, as surety,
John J. Wood for Stonewall District, with Wm. D. Maiden as surety.

This day appeared in Court, J. M. Lam who was elected Overseer of the Poor for Stonewall District in this County, at an election held on the 24th day of May 1877, and together with Wm. D. Maiden his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500. conditioned according to law, each waiving the benefit of his Homestead exemption, as to said obligation, and qualified according to law as such Overseer of the Poor for the term prescribed by law, as said O. of P. for said District.

M. M. Sibert Foreman, C. H. Vandeford, David Suter, A. C. Long, S. J. Jones Gabriel Heatwole, J. H. Rolston Jr. Abraham Click, Geo. W. Fawley and James Walter Davis were Sworn and empannelled as a Special Grand Jury in and for the body of this County, and having received their charge from the Court, retired to their room to consider their presentments and after Sometime returned into Court and made the following presentments namely: An Indictment vs Peter B. Reed for breaking and entering an out house in the night time A true bill M. M. Sibert Foreman, An Indictment vs Peter B. Reed for breaking and entering an out house in the night time. A true bill M. M. Sibert, foreman, An Indictment vs James McWilliams for receiving Stolen goods. A true bill M. M. Sibert foreman, An Indictment vs James McWilliams for receiving Stolen goods A true bill M. M. Sibert, foreman. An Indictment vs Emanuel Royer & Susan A Phillips for lewd & lacivious Cohabitation A true bill M. M. Sibert foreman.

and An Indictment vs Susan A. Phillips for Keeping a house of ill fame. A true bill M.M. Sibert foreman. And having completed the business before them they were discharged from further attendance upon this Court.
And the Said Peter B. Reed, not being in Custody on the charges as Set forth in the Said Indictments the Court issued Bench Warrants in accordance with Law.

Ordered. That the following named Grand Jurors be allowed the Sum of One dollar each for one days Services at this term of the Court, and that the Same be Certified to the Treasurer of this County for payment, viz:- M. M. Sibert, C. H. Vanderford, David Suter, A. C. Long, S. J. Jones, Gabriel Heatwole, J. H. Rolston, Jr. Abrm. Click, Geo. W. Fawley, & James Walter Davis.

Commonwealth vs Jacob N. Rhodes } Indictment for breaking & entering an out-house in the nightime.

This day Jacob N. Rhodes who stands indicted for a felony by him committed appeared in Court in discharge of his recognizance entered into at the last term of this Court, whereupon the prisoner by Counsel demurred to the indictment which on consideration the Court overruled and thereupon on his arraignment pleaded not guilty, and thereupon came the Venniemen Summoned for the trial of felony cases for this term, thirty of whom appeared to-wit:- David R. Beard, John H. Frank, Solomon Shepp, Allen Driver, Charles G. Skinner, Harvey Fifer, Conrad Rodeffer, Geo. H. Whitesel, P. A. Kiser, Milton Taylor, John B. Hamsberger, F. C. Hopkins, Harman D. Earman, Martin Cline, Isaac Stone, David Lineweaver, W. H. Monger, B. F. Dove, A. N. Black, B. F. Cromer, Emanuel Suter, R. A. Scott, Thos. G. Hopkins, T. J. Weaver, John W. Lee, Samuel Shrum, Thos. D. Rippetoe, Charles M. Furry, John Harper and Joseph S. Coffman, of whom Seven to-wit: Geo. H. Whitesel, Milton Taylor, Martin Cline, B. F. Dove, John W. Lee, Chas. M. Furry & John Harper were execused from Serving, and thereupon the panel of thirty Six was completed by Summoning from a list furnished by the Judge, the following named persons to-wit:- John D. Wood, J. M. C. Hamsberger, Patterson Burgess, Wm. H. Renbush, James M. Lineweaver, Dorman L. Smith, Scott Newman, Robert Hamsberger, Joseph S. Miller, Preston Rhodes, John M. Glass, Joseph D. Moyers and Ran. D. Cushen and from the panel thus completed, a panel of Sixteen were called, examined by the Court found to be duly qualified and free from exceptions viz:- John H. Frank, Solomon Shepp, Allen Driver, Charles G. Skinner, Harvey Fifer, Conrad Rodeffer, P. A. Kiser, John B. Hamsberger, F. C. Hopkins, Harman D. Earman, Isaac Stone, David Lineweaver, W. H. Monger, A. N. Black, B. F. Cromer and Emanuel Suter and thereupon the prisoner was furnished a Copy thereof, and having Stricken therefrom the names of four of the persons of Said panel viz: P. A. Kiser, Wm. H. Monger, A. N. Black, & Emanuel Suter, the remaining twelve of Said panel, viz:- John H. Frank, Solomon Shepp, Allen Driver, Charles G. Skinner, Harvey Fifer, Conrad Rodeffer, John B. Hamsberger, F. C. Hopkins, Harman D. Earman, Isaac Stone, David Lineweaver & B. F. Cromer, thereby constituting the jury who being thus elected tried and 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 not having fully heard the evidence were adjourned until to-morrow morning at 9 o'clock and thereupon they were placed in charge of D. H. Rolston Sheriff of this County and D. N. Bear his deputy, to whom was administered an oath that you

shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court tomorrow morning at 9 O'clock. So help you God' And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

June 19, 1877. At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Tuesday, June 19, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

This day appeared in Court, William Sellers, who was elected Overseer of the Poor for Linville District in this County, at an election held on the 21st day of May 1877, and together with Henry Pulse, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500. conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to law, as Overseer of the Poor for Linville District, for the time prescribed by law.

This day appeared in Court, Henry Pulse, who was elected Road Commissioner for Linville District in this County, at an election held on the 21st day of May 1877, and together with William Sellers, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500. conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to law, as Road Commissioner for Linville District, for the time prescribed by law.

Commonwealth,
Jacob N. Rhodes. } Upon an Indictment for breaking and entering an out-house in the night-time,

This day, the prisoner, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this County, and thereupon came the Jury sworn and impannelled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County & D. H. Bowman his deputy, to whom was administered an oath, that you shall Keep this Jury together, and not have any communication with them

yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God. And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

June 20, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, June 20, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

cap'd & d. to Henry Shacklett, per order. P. M. Whitlock, Committee for Eliza J. Dickson, a person of unsound mind, presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $28.50 for the board & care of Eliza J. Dickson, a Lunatic, from March 25, 1877 to June 25, 1877, (3 months @ $8 per month, ($24.00) and 3 months clothing @ $1.50 per mo. ($4.50) which being sworn to in open Court by said Committee, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

This day appeared in Court, James C. Heltzel who was elected Road Commissioner for Central District in this County, at an election held on the 24th day of May 1877, and together with John W. Rolston, of D, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $200. conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to law as Commissioner of Roads for Central District, for the time prescribed by law.

Upon the Petition of C. M. Martz & others, for establishment of Public Road from Martz's Store on the Mountain Valley Road to the Barley Mill Road, Henry Neff, Commr. of Roads of Plains District, having made his report to this Court, that, in obedience to an order entered at the January Term 1877, he had proceeded on the 23d day of April 1877 to open the road as established by said order from Martz's Store on the Mountain Valley Road to the Barley Mill Road, and completed the same on the 17th day of May 1877, and that, in opening said road, he followed the courses and distances prescribed in said order, and that he has filed with the Clerk of the Board of Supervisors of this County, an itemized account of the cost incurred in opening said road, It is ordered that the said report be filed, and that the said road as established and opened, be placed under the supervision and control of the Comm.

of Roads and Road Board of Plains District, as one of the public roads of said District, and that this Petition be now stricken from the Docket.

Petition of George Kline and others for a change in the Public Road from Bowers Station to the Maupin Road, upon the lands of George Kline and Henry Davis.

Ordered, That this cause be placed upon the Court's Docket.

Upon the Petition of George Kline and others, for a change in the Public Road leading from Bowers Station to the Maupin Road, upon the lands of George Kline and Henry Davis.

cc/pd. The Court doth appoint Isaac Klinger, A. L. Maupin and William F. Bowers as viewers to report upon said proposed change in said Road. The said viewers shall give at least 5 days' notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of said Road. The viewers before proceeding to discharge their duties, shall be severally sworn by the Commissioners of Roads, or some other person authorized to administer oaths, to perform their duties impartially, and to the best of their judgment. If they decide there is a public necessity for the change, they shall lay out the same, having respect for the shortest distance and best ground, so as to do the least injury to private property, and also, as far as practicable, to be agreeable to the petitioners, and also to report the grade of said proposed change.

They shall assess the damages to the land, through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of the Court, giving the names of the land-owners entitled to damages; but in no case shall any yard, garden or orchard, or any part thereof be taken, without the consent of the owner or owners thereof.

But it appearing from the report of Henry Staff, Road Commissioner of Plains District, that the proposed change will only be beneficial to George Kline and Henry Davis, and not to the public, It is ordered that all of the costs attending this proceeding, including the per diem to the viewers and Surveyor shall be paid by the said Kline and Davis, or the petitioners, whether the said change is ordered by this Court or not, and that in the event the change is ordered, the damages and costs of such change to be also borne by them, or the petitioners.

For reasons appearing to the Court, the order entered at the March Term 1871, of this Court, appointing R. H. Spindle, Jr. Price Reuben Kingree, J. B. Amick & J. P. Houck to appraise the Estate of B. Taylor, dec'd is set aside, and on motion of Jno. W. Taylor one of the Admrs. the Court doth appoint W. Sigler, R. W. Bear, Dr. J. B. Amick, Hunter H. Spindle & Sebastian Propst, in lieu of those then appointed, any three of whom may act, after first being duly sworn, to appraise the Estate of said B. Taylor, dec'd.

cc/pd & Rec/pd.

Commonwealth.

Jacob W. Rhodes. } Upon an Indictment for breaking and entering an out house in the night time

This day, the prisoner who stands indicted for a felony by him committed, was again led to the bar of this Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Roleston, Sheriff of this County and D. W. Bear, his deputy, to whom was administered an oath that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

June 21, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, June 21, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

This day appeared in Court, John D. Swank, who was elected Supervisor for Linville District in this County, at an election held on the 24th. day of May 1877, and together with John H. Roleton, of D., his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2500.00, conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to Law, as Supervisor for Linville District, for the time prescribed by law.

This day appeared in Court John D. Swank, who was elected Constable for Linville District in this County, at an election held on the 24th. day of May 1877, and together with John H. Roleton, of D, and J. P. Swank, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4000.00 conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to Law, as Constable of Linville District.

S. Carson Bowers,
vs
A. Rutherford's Admr. } Notice

On motion of Plaintiff, Ordered, that this cause be placed upon the Court's Docket.

Upon the application of John W. Melhorn, A. Shaver, &c. for the establishment of a Public Road from some point near Ammon's Mill, on the Shenandoah River to the Port-Republic Road.

The viewers appointed at the May Term 1877 of this Court having filed their report at this term, which the Court on examination finds to be imperfect, in the following particulars, to-wit:-

1st. The probable cost of opening and making said proposed road is not stated.

cap.d

2d. It does not appear with distinctness whether the land-owners along the route of the proposed road claim damages or not, and if they claim, the probable damages assessed by said viewers to each land-owner,

It is therefore ordered that the said report be recommitted to the said viewers, who are hereby directed to amend their report in the particulars above set forth, and to return their amended report to the 20th day of the present term of this Court.

Upon the Petition of M. Lohr, John H. Thomas, &c. for the establishment of a Public Road from Hoover's Mill Road from a point on said road east of Michael Lohr's house, &c, and upon the Petition of John W. Spitzer & others, for the establishment of a public road leading from the road which crosses Flint Ridge, &c, the viewers appointed at the April Term 1877 of this Court upon these petitions, filed their report at this term which the Court on examination finds to be imperfect in the following particulars, to-wit:-

1st. The Report designates three routes examined by the said viewers, but damages assessed on only one, which is designated as the "middle route," when damages to the land-owners ought to have been assessed on all three of said routes.

cap.d

2d. The Report does not set out the courses and distances along said routes, to enable the Court to locate the road should the same be established, when the same should be set out on each route.

3d. The Report does not state the probable cost of making the road on the different routes, which must be estimated by the said viewers.

4th. The Report does not state whether any yard, garden or orchard will have to be taken on the said routes or either of them, as required by law,

It is therefore ordered that the said Report be recommitted to the said viewers to be amended by them, in the particulars referred to, and said amended Report returned to the 20th day of the present term of this Court.

Commonwealth,
vs
John Pittington, } Upon an Indictment for breaking and entering an out-house in the night-time. (No. 1.)

This day the prisoner, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon from the Venire-men summoned for the trial of felony cases at this term of the Court, the following panel of sixteen were called, examined by the Court and found to be duly qualified and free from exceptions, viz:- R. A. Scott, Thos. G. Hopkins, Thos. J. Weaver, Samuel Shrum, Thos. D. Rippetoe, Jos. S. Coffman, J. M. C. Harnsberger, Patterson Burgess, Wm. H. Ruebush, James M. Linaweaver, Dorman L. Smith, Scott Newman, Robert Harnsberger, Jos. S. Miller, John M. Glass and Jos. G. Myers, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz: R. A. Scott, Thos. D. Rippetoe, James M. Linaweaver & Robert Harnsberger, the remaining twelve of said panel, viz:- Thos. G. Hopkins, Thos. J. Weaver, Samuel Shrum, Jos. S. Coffman, J. M. C. Harnsberger, Patterson Burgess, Wm. H. Ruebush, Dorman L. Smith, Scott Newman, Jos. S. Miller, John M. Glass & Jos. G. Myers, thereby constituting the Jury, who being thus elected, tried and 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 thereupon they were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. H. Rolston, Sheriff of this County and D. W. Bear, his deputy, to whom was administered an oath that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Commonwealth,
vs
Jacob W. Rhodes. } Upon an Indictment for breaking and entering an out-house in the night-time.

This day the prisoner, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and Wm. H. Blakemore, his deputy, to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 8½ o'clock.

Chas. T. O'Ferrall.

June 22nd 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House, thereof on Friday June 22, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, }
Jacob W. Rhodes, } Upon an Indictment for breaking and entering a out house in the night-time.

This day, the prisoner, Jacob W. Rhodes, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday last for his trial, pursuant to their adjournment, 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 oaths do say, "we, the Jury find the prisoner Jacob W. Rhodes not guilty, Chas. G. Skinner, foreman."

It is therefore considered by the Court that the prisoner go hence without day, &c.

Commonwealth, }
John Pittington, } Upon an Indictment for breaking and entering an out houses in the night-time. (No. 1).

This day, the prisoner, John Pittington, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon came the Jury sworn and impannelled on yesterday for his trial, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock. And thereupon, they were placed in charge of D. H. Roleston, Sheriff of this County and D. A. Bear his deputy to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

Ordered, That this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

June 23, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, June 23, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for breaking & entering
vs. } an out-house in the night-time. (No. 1.)
John Pittington.

This day, the prisoner, John Pittington, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Thursday last for his trial, and not having time fully to hear the evidence were adjourned until Monday morning next at 9 o'clock. And thereupon, they were placed in charge of D. H. Rolston, Sheriff of this County & D. N. Bear, his deputy, to whom was administered an oath that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on Monday morning next at 9 o'clock. So help you God. And thereupon, the prisoner was remanded to Jail.

Ordered, That this Court be adjourned until Monday morning next at 9 o'clock.

Chas. T. O'Ferrall.

June 25, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, June 25, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Asher Argabright who was elected a Justice of the Peace, for Stonewall District in this County, at an election held on the 24th day of May 1877, this day appeared in Court and qualified according to law as Justice of the Peace for said Stonewall District, for the term prescribed by law.

Thompson Steele, Constable of Central District, in this County, this day presented in Court an Account against the Common-
c.a.f.d. wealth of Virginia, amounting to the sum of $4.20 for arresting John Pittington & Daniel Madden for felony, conveying same to Jail, & for summoning witnesses in behalf of the Commonwealth, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Commonwealth,
vs
John Pittington. } Upon an Indictment for the breaking & entering an out-house in the night time. (No 1.)

This day, the prisoner, John Pittington, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impannelled on Thursday last, for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock. And thereupon, they were placed in charge of D. H. Roleston, Sheriff of this County & D. H. Bear, his deputy, to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

June 26, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, June 26, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

It being the opinion of the Court that the panel of Veniremen now in attendance upon this Term of the Court, will have served a reasonable time under existing circumstances on Saturday next, It is hereby ordered that all of said Veniremen who may not be engaged or impannelled on the trial of any case on Saturday next be then discharged, and that the Clerk of this Court is hereby directed to issue a Venire Facias to summon other Veniremen, directed to the Sheriff of this County, returnable to Monday next, July 2, 1877, at 10 o'clock, A. M. for the trial of felony cases on the docket at this Term, which may not already have been tried, a List of said Veniremen thirty-six in number being this day drawn by the Judge of the Court, in accordance with law.

issued.

On the motion of D. H. Roleston, Sheriff of this County, and with the consent of the Court, George N. Kutcheson & Henry J. Rynman, appeared in Court, and qualified as Deputies for said D. H. Roleston, Sheriff as aforesaid, by taking the oaths prescribed by law.

Commonwealth,
vs
Daniel Madden, } Upon an Indictment for breaking and entering an out-house, in the night-time. No. 1

This day, the prisoner, Daniel Madden, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon the remaining Veniremen summoned for the trial of felony cases at this term, were called, & examined by the Court, nine of whom were found to be duly qualified and free from exceptions, viz:- P. A. Kiser, W. H. Monger, A. N. Black, Emanuel Suter, R. A. Scott, Thos. D. Rippetoe, Robert Harnsberger and James M. Linaweaver and David R. Beard, whereupon the following additional Veniremen were summoned from a List furnished by the Court sitting, viz:- A. W. Dutrow, W. E. Lemley, F. D. Hopkins, J. H. Dwyer, George Messersmith, S. C. Rohr & Peter Guyer, who appeared, and were examined by the Court, found to be duly qualified and free from exceptions. The panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- David R. Beard, R. A. Scott, Thos. D. Rippetoe and Peter Guyer; the remaining twelve of said panel, viz:- P. A. Kiser, W. H. Monger, A. N. Black, Emanuel Suter, Robert Harnsberger, James M. Linaweaver, A. W. Dutrow, W. E. Lemley, F. D. Hopkins, J. H. Dwyer, George Messersmith & S. C. Rohr, thereby constituting the Jury, who being thus elected, tried and 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 thereupon they were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. N. Bear & Geo. A. Hutcheson, Deputies for D. H. Rolston, Sheriff of this County, to whom was administered an oath that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

C. M. Killian,
vs
Joseph Michael & Elicous Michael. } Upon a motion upon a forthcoming Bond.

This day came the Plaintiff by counsel, and the Defendants were solemnly called and came not, whereupon the Notice was proved, and It is therefore considered by the Court that the Plaintiff recover of the Defendants the sum of $100. the penalty of said bond to be discharged by the payment of $55.00 with interest thereon from February 21, 1877, till paid, and his costs by him in this behalf expended.

Commonwealth,
vs
John Pittington, } Upon an Indictment for breaking and entering an out-house in the night-time.

This day, the prisoner, John Pittington, who stands

indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Thursday last for his trial, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, and not having time to consider their verdict, were adjourned until to-morrow morning at 9 o'clock, and placed in charge of D. H. Rolston, Sheriff of this County and Henry J. Ryman, 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 have any communication or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

June 27, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, June 27, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

John E. Dovel who was elected a Justice of the Peace for Linville District in this County, at an election held on the 24th day of May 1877, this day appeared in Court and qualified according to law, as Justice of the Peace for said Linville District, for the term prescribed by law.

Commonwealth, } Upon an Indictment for assault & battery.
issd. (vs) Aaron Cubbage,
&
same,
issd. (vs) same, } Upon an Indictment for disturbing a religious congregation.

Ordered, That alias summones in the two foregoing-named causes be issued, directed to the Sheriff of this County, returnable to Monday next, July 2, 1877.

Commonwealth, } Upon an Indictment for breaking & entering an out-
(vs) John Pittington, } house in the night-time. No. 1.

This day, the prisoner, John Pittington, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Thursday last for his trial, "pursuant to their adjournment, and upon their oaths do say," we, the Jury

find the prisoner, John Pittington guilty in manner & form as charged in the Indictment in the first count thereof, and ascertain the term of his confinement in the Penitentiary at three years, and we find him not guilty on the second count in the Indictment, W. H. Renbush, foreman. And thereupon, the prisoner was remanded to Jail.

Commonwealth,
vs
Daniel Madden, } Upon an Indictment for breaking and entering an out-house in the night time. (No. 1.)

This day, the prisoner, Daniel Madden, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impanneled on yesterday for his trial, and having heard the evidence and argument of counsel, do say, "we, the Jury find the prisoner, Daniel Madden not guilty," Jas. H. Dwyer, foreman. It is therefore considered by the Court that the prisoner go hence without day, as to this Indictment.

Commonwealth,
vs
John Pittington & Daniel Madden. } Upon an Indictment for breaking & entering an out-house in the night-time. (to-wit the out-house of John Hottinger)

This day, John Pittington and Daniel Madden who were at the May Term of this Court indicted for breaking and entering an out-house in the night-time, appeared in Court, and by counsel, each waived an examination before a Justice of the Peace, and being thereof arraigned, each pleaded not guilty to said Indictment, and upon their arraignment elected to be tried separately, and their trials fixed for to-morrow June 28th 1877; and they having thus elected to be tried separately, as above stated, the following witnesses in behalf of The Commonwealth, viz:- Richard Miller, Peachy Miller, John Hottinger, David Martz, Isaac Martz, Stephen Chapman, John A. Armentrout, George W. Yancey & Reuben Gruble appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $1110. to be levied of their respective goods & chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition that each do make their personal appearance before the Judge of this Court, on to-morrow June 28, 1877, as witnesses ~~as aforesaid~~ in behalf of the Commonwealth vs John Pittington, and not depart thence without leave of the Court. And the same witnesses were recognized in the same sum and upon the same conditions for their appearance at same time in behalf of The Commonwealth vs Daniel Madden.

And thereupon the prisoners were committed to Jail.

The following settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed and ordered to be recorded, viz:-

Settlement of the Account of Wm. F. Riger, Admr. of Alex. Riger,
" " " " Wm. Rehard, Admr. of Lewis H. Rehard,

over

Settlement of Account of Wm. H. Arehart, Admr. of John Arehart,
" " " " Jacob F. Neff, " " Peter Acker,
" " " " D. W. Rolston S.R.C. " " Hay. M. Argabright,
" " " " D. J. Garber & T. J. Dovel " " Tandy Dovel,
" " " " G. W. Manzy, " " Peter Boyers,
" " " " J. S. Harnsberger, " " J. W. Hill,
" " " &c. " B. F. Cromer, " " James Richards,
" " " " T. L. Williamson & D. S. Henkel " " J. D. Williamson,
" " " " R. B. Cook, guard. of Wm. H. Cook,
" " " " Henry A. Sprinkel " " Mary L. Sprinkel,

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

June 28, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, June 28, 1877.

Present:— Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, vs John Pittington. } Upon an Indictment for breaking and entering an out-house in the night-time. (to-wit:- the outhouse of John Hottinger.)

The prisoner, John Pittington, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court in custody of the Jailor of this County, and on motion of the prisoner by counsel, his trial is continued until to-morrow, and thereupon the following witnesses in behalf of the Commonwealth, viz:- Richard Miller, John A. Armentrout, Isaac Martz, Peachy Miller, Madison Wise, Stephen Chapman, David Martz, Cyrus Wise, John Hottinger, Jane Hottinger, Eliza Bennett, Charles Bowyers, Jacob C. Harrison & Geo. W. Yancey; and the following witnesses in behalf of the prisoner, viz:- D. W. Sherman, John M. Rhodes, John Pittington & James Sites, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100. to be levied of their respective goods & chattels, lands and tenements, yet upon this condition that they each do make their personal appearance before the Judge of this Court, on to-morrow, June 29th 1877, as witnesses as aforesaid, and not depart thence without leave of the Court.

And thereupon the prisoner was remanded to Jail.

Commonwealth, vs Daniel Madden. } Upon an Indictment for breaking & entering an outhouse in the night-time. (to-wit:- the out-house of John Hottinger.)

This day, the prisoner, Daniel Madden, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and from the Veniremen summoned for the trial of felony cases at this term, fifteen were selected by the Court as qualified

and free from exceptions, after being first duly examined by the Court on their voirdire, viz:- David Beard, John R. Thomas, R. A. Scott, Thos. D. Rippetoe, A. W. Black, Robert Harnsberger, J. H. Dwyer, Geo. Messersmith, S. C. Rohr, W. E. Lemley, W. H. Monger, P. A. Kiser, Emanuel Suter, James M. Linaweaver & A. W. Dutrow, and thereupon the panel of sixteen was completed by summoning Patterson Greiner by direction of the Court, who was also examined by the Court on his voirdire, and found to be duly qualified and free from exceptions, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- John R. Thomas, R. A. Scott, Thos. D. Rippetoe & Patterson Greiner, the remaining twelve of said panel, viz:- David Beard, A. W. Black, Robert Harnsberger, J. H. Dwyer, Geo. Messersmith, S. C. Rohr, W. E. Lemley, W. H. Monger, P. A. Kiser, Emanuel Suter, James M. Linaweaver & A. W. Dutrow, thereby constituting the Jury, who being thus elected, tried and 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 fully heard the evidence and argument of counsel, retired to their room to consider their verdict, and after some time returned into Court, and not having agreed upon a verdict, were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. H. Rolston, Sheriff of this County & Henry J. Ryman, his deputy, to whom was administered an oath that you shall keep this Jury together and have no communication with them ~~touching this trial~~ ~~xxx~~ yourselves, nor permit any other to person to have any communication or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Jos. Byrd, survg. &c
Jos. A. Hammen, late S. R. C. & his sureties } Upon a Notice

By consent of parties by counsel, It is ordered that this Notice which ought to have been docketed on the first day of this term of the Court (June 18th 1877) be this day docketed nunc pro tunc, and continued until the next term.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

June 29, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday June 29, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth
vs.
Daniel Madden. } Upon an Indictment for breaking & entering an out-house in the night time (to-wit out-house of John Bottinger.)

This day, the prisoner, Daniel Madden, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on yesterday for his trial, and again retired to their room to consider of their verdict, and after some time, returned into Court, and not being able to agree upon a verdict, one of the Jurors, J. H. Dwyer, was withdrawn, and the rest from rendering a verdict was discharged. And thereupon, the prisoner was remanded to Jail.

Commonwealth,
vs.
John Pittington. } Upon an Indictment for breaking & entering an out-house in the night time (to-wit:- outhouse of John Bottinger.)

This day, the prisoner, John Pittington, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and for reasons appearing to the Court this trial is continued until to-morrow, and thereupon the following witnesses in behalf of the Commonwealth, viz: Richard Miller, John A. Armentrout Isaac Mantz, Peachy Miller, Madison Wise, Stephen Chapman, David Mantz, Leyms Wise, John Bottinger, Jane Bottinger, Eliza Bennett, Chas. Bowyers, Jacob C. Harrison, Geo. W. Yancey, John Devers, Geo. Rimel & Crawford Layman, and the following in behalf of the prisoner viz:- D. W. Sherman, John M. Rhodes, John Pittington, Mrs. Bettie Reed & Mrs. James M. Rhodes appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia each in the sum of $100. to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that they do each make their personal appearance before the Judge of this Court on to-morrow morning at 9 o'clock, as witnesses as aforesaid, and not depart thence without leave of the Court. And thereupon, the prisoner was remanded to Jail.

Commonwealth
vs.
Samuel Coffman. } Upon an Indictment for P. & B.

This day came as well the attorney for the Commonwealth as the Defendant in person, whereupon the Defendant, Samuel Coffman, with the consent of the Attorney for the Commonwealth, confessed a judgment for One Dollar Fine & Costs; It is therefore considered by the Court, that the Commonwealth

recover of the Defendant Samuel Koffman, One Dollar Fine and her costs by her in this behalf expended.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. F. O'Ferrall.

June 30, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, June 30, 1877.

Present:- Hon. Chas. F. O'Ferrall, presiding.

This day appeared in Court, B. F. Hughes, who was elected Overseer of the Poor for Ashby District in this County, at an election held on the 21st. day of May 1877, and together with John H. Bell, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500. conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to law, as Overseer of the Poor for Ashby District, for the time prescribed by law.

Commonwealth, } Upon an Indictment for breaking & entering an outhouse
John Pittington, } in the night-time, to-wit, the out-house of Jno. Kollinger

This day, the prisoner, John Pittington, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar, in custody of the Jailor of this County, whereupon the remaining Veniremen summoned for the trial of felony cases at this Term of the Court, four in number, to-wit: Patterson Greiner, R. A. Scott, Thos. D. Rippetoe & J. R. Thomas, were called, examined by the Court, and found to be duly qualified and free from exceptions; whereupon the following twelve additional Veniremen were summoned by the Sheriff from a list furnished by the Court sitting, viz:- H. M. Flick, James Kavanaugh, John S. Lewis, Peter Guyer, E. R. Gibbs, James Long, Wm. M. Bilhimer, Calvin Ragan, Charles Eshman, S. J. Jones, James Lenny & J. W. Taliaferro, who were examined by the Court, found to be duly qualified and free from exceptions; the panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Patterson Greiner, R. A. Scott, Thos. D. Rippetoe & Peter Guyer; the remaining twelve, viz:- J. R. Thomas, H. M. Flick, James Kavanaugh, John S. Lewis, E. R. Gibbs, James Long, Wm. M. Bilhimer, Calvin Ragan, Charles Eshman, S. J. Jones, James Lenny & J. W. Taliaferro, thereby constituting the Jury, who being then elected, tried and 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 not having time fully to hear the evidence and argument of counsel, were adjourned until Monday morning next at 9 o'clock. And thereupon, they were placed in charge of D. W. Roleton, Sheriff of this County, & D. N. Bear, his deputy, to whom was administered an oath that you shall keep this Jury together, and not have any communications with them yourselves, nor permit any other person to have any communication with them, nor converse with them touching this trial, and cause them to appear in Court on Monday morning next at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Ordered, that Court be adjourned until Monday morning next at 9 o'clock.

Chas. J. O'Ferrall.

July 3d 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday July 2, 1877.

Present: Hon. Chas. J. O'Ferrall, presiding.

The Court doth appoint Samuel Miller as Overseer of the Poor for Plains District in this County, to serve as such until his successor is qualified to enter upon the discharge of the duties of said office, the said Samuel Miller having been elected as said Overseer by the qualified voters of said District, on the 24th day of May 1877, and failed to qualify within the time prescribed by law; and thereupon said Samuel Miller appeared in Court, and together with Noah Hoover his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500 conditioned according to law, each waiving the benefit of the Homestead exemptions as to said obligation, and qualified according to law as Overseer of the Poor for said Plains District, for the unexpired term, and thereafter until his successor is qualified to enter upon the discharge of the duties of his office.

Richard Miller having been guilty of a contempt of Court, the Court doth impose upon him a Fine of $5.00 and commit him to the Jail of this County, for the period of twenty-four hours, and thereafter until the said Fine & Costs are paid, or he be discharged therefrom according to law, for his contempt aforesaid.

The Commonwealth
vs. } Upon an Indictment for murder.
Anderson Shifflett.

This day, the prisoner, Anderson Shifflett, late of this County of Rockingham, who stands indicted for a felony by him committed, was arraigned to the bar of the Court, in custody of the Jailor of this County, and thereupon the Veniremen summoned and in attendance upon this day of the Court, were called, twenty-six of whom appeared, and there-

upon the panel of thirty-six was completed by the Sheriff summoning ten additional Veniremen from a List furnished by the Court sitting, and from said panel of thirty-six, a panel of sixteen were called and found to be duly qualified and free from exceptions, after first being examined by the Court on their voir-dire, viz:- C. C. White, A. B. Lago, Jacob W. Cool, Silas W. Rolston, A. S. Hooke, A. R. Rineheart, Silas Beard, C. H. Cross, F. M. Stinespring, John B. Harnsberger, Noah Hoover, John W. Baldwin, John H. Frank, Solomon Shepp, C. G. Skinner, & Harvey Fifer, whereupon the prisoner was furnished a copy thereof and having stricken therefrom the names of four of the persons of said panel, viz:- Jacob W. Cool, Silas W. Rolston, C. H. Cross & C. G. Skinner; the remaining twelve of said panel, viz:- C. C. White, A. B. Lago, A. S. Hooke, A. R. Rineheart, Silas Beard, F. M. Stinespring, John B. Harnsberger, Noah Hoover, John W. Baldwin, John H. Frank, Solomon Shepp, & Harvey Fifer, thereby constituting the Jury, who being thus elected, tried and 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 not having time to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. W. Bear & W. H. Blakemore, Deputies for D. H. Rolston, Sheriff of this County, to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication nor converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

Thereupon, the following witnesses summoned in behalf of the prisoner appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100 each, to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition, that they each do make their personal appearance before the Judge of this Court, as witnesses as aforesaid, on to-morrow morning at 9 o'clock and not depart thence without leave of the Court, viz:- Elijah Davis, B. P. Peel, Jefferson Morris, Moses Powell, Nevel Crawford, Archie McDaniel, Robert Crawford & Alfred Mowberry.

And thereupon, the prisoner was remanded to Jail.

George M. Armentrout having been guilty of a contempt of Court, the Court doth impose upon him a Fine of $5.00, and commit him to the Jail of this County for the period of five days, and thereafter until said Fine & costs are paid, or he be discharged therefrom according to law for his contempt aforesaid.

Commonwealth,
(re)
John Pittington,

Upon an Indictment for breaking and entering an out-house in the night-time, to-wit the out-house of John Hottinger.

This day, the prisoner, John Pittington, late of

the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of this Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Saturday last for his trial, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, but not having time to consider their verdict, were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. N. Roleton, Sheriff of this County and J. A. Switzer 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 have any communication nor converse with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God,

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

July 3, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, July 3, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth,
John Pettington (col'd) } Upon an Indictment for breaking & entering an out-house in the night-time, to wit: the out house of Jno. Bottinger.

This day, the prisoner, John Pettington, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impannelled on Saturday last for his trial, pursuant to their adjournment, and upon their oaths do say, "we the Jury find the prisoner, John Pettington, guilty in manner & form as charged in the indictment, and ascertain the term of his confinement in the Penitentiary a term one year, Jno. S. Lewis Foreman. And thereupon the Jury was discharged. Whereupon, the prisoner was remanded to Jail.

Commonwealth,
Anderson Shifflett (col'd) } Upon an Indictment for murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and were placed in charge

of D. W. Polston, Sheriff of this County and D. W. Beard & Henry J. Lupician, 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 have any communication or converse with them touching this trial and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

Richard Miller who was, on yesterday fined $5.00 and committed to the Jail of this County for 24 hours and thereafter until said fine & costs are paid, for a contempt, having paid said fine & costs into Court on this day is discharged from said Jail.

Ordered That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

July 5, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, July 5, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

The following witnesses summoned in behalf of Anderson Shifflett vs The Commonwealth, upon an Indictment for murder, appeared in Court and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 each, to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition, that they each do continue their attendance upon this term of the Court as witnesses as aforesaid, and not depart thence without leave of the Court, viz:- Rufus Shifflett, Mary Crawford, Geo. Glenn, Sarah Glenn, Jr. H. Rite, Georgianna Gladden, B. B. C. Gentry, Minnie A. Sauls, Martha Shifflett, A. P. Davis, James Hall, Larkin Clarke, Columbia Shifflett, Neril Crawford, Thomas Powell, Montgomery Marshall, Fannie Shifflett, Angeline Sauls, Ira Morris, Susan Gladden & Jr. Frank Rouser, & Lydia Knighten & Lurenna Morris.

Geo. M. Armentrout, who was on Monday last fined $5.00 and committed to the Jail of this County for 5 days, and thereafter until said Fine & costs are paid, for a contempt, having paid said Fine & costs into Court, is discharged from said Jail, before the expiration said fine days, for reasons appearing to the Court.

Jesse Wyant and Elijah Davis, witnesses in behalf of the Commonwealth vs Anderson Shifflett, appeared in Court, and each acknowledged them-

selves indebted to the Commonwealth of Virginia, in the sum of $1000. to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition that they each do make their personal appearance before the Judge of this Court on Monday next, July 9th. 1877. as witnesses as aforesaid, and not depart thence without leave of the Court.

Commonwealth,
James W. Rhodes. } Upon an Indictment for felony.

It appearing to the Court that this cause cannot be tried at this term of the Court, the trial is continued until the first day of the next Term, and on motion of the prisoner by counsel, the Court doth permit him to renew his bail, and thereupon the said James W. Rhodes appeared in Court, who, together with Cyrus Rhodes his surety, (who justified as to his sufficiency,) acknowledged and ~~did themselves to be indebted to the~~ Commonwealth of Virginia in the sum of $5.000 each to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition that the said James W. Rhodes does make his personal appearance before the Judge of this Court, on the 1st. day of the July Term next of this Court, to answer the said Indictment found against him at the May Term last of this Court, and not depart thence without leave of the Court, and each waiving the benefit of the Homestead exemption as to this obligation.

The Court doth appoint M. Y. Pattlow as Overseer of the Poor for Central District in this County to serve as such until his successor is qualified to enter upon the discharge of the duties of the said office, the said M. Y. Pattlow having been elected as said Overseer by the qualified voters of said District on the 24th. day of May 1877, and failed to qualify within the time prescribed by law; and thereupon the said M. Y. Pattlow appeared in Court, and together with John G. Effinger & F. Logan, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $500, conditioned according to law, each waiving the benefit of the Homestead exemption as to said obligation, and qualified according to law as Overseer of the Poor for said Central District, for the unexpired term, and thereafter, until his successor is qualified to enter upon the discharge of the duties of his office.

Commonwealth
Anderson Shifflett. } Upon an Indictment for murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and empanneled on Monday last for his trial, pursuant to their adjournment,

and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. H. Rolston, Sheriff of this County and D. M. Beard & Henry J. Ryman, his deputies, to whom was administered an oath that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to have any communication or converse with them touching this trial, and cause them to appear in Court ow to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

July 6, 1877.- At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, July 6, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On his motion, and it appearing to the Court that John A. Cowen is a man of good character and honest deportment of the age of twenty-one years, and has resided in this County one year next preceding this application, It is ordered that a certificate be granted him for obtaining the necessary license to practice Law in this Commonwealth.

Montgomery Marshall, James Hall & Thomas Powell this day appeared in Court to answer a Rule awarded against each of them on Monday last, for their failure to appear as witnesses in the cause of The Commonwealth vs Anderson Shifflett, when duly summoned, and the Court doth consider that the said Rules be discharged, upon the payment of the costs of the same.

Reuben Shifflett, a witness in behalf of Anderson Shifflett ad. The Commonwealth, under an attachment for his failure to appear when duly summoned, appeared in Court and acknowledged himself to be indebted to the Commonwealth of Virginia in the sum of $100. to be levied of his respective goods & chattels, lands & tenements, yet upon this condition, that he continues his attendance upon the Court as said witness, and not depart thence without leave of the Court.

Commonwealth, }
vs } Upon an Indictment for murder.
Anderson Shifflett, }

This day, the prisoner, Anderson Shifflett, late

of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. H. Rolston, Sheriff of this County & D. N. Bear & Ky. J. Rymail, his deputies, to whom was administered an oath that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication, or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o' clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

July 7, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, July 7, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth,
vs
James McWilliams. } Upon an Indictment for receiving stolen goods. (No. 1)

This day James McWilliams, who stands indicted for receiving stolen goods, was led to the bar of the Court in custody of the Jailor of this County, and filed his plea of "not guilty", and it appearing to the Court that the offence with which he is charged is a mis-demeanor, It is considered by the Court that he be discharged from custody, which is accordingly done, and that his trial be continued until the next Term.

Commonwealth
vs
Same. } Upon an Indictment for receiving stolen goods. (No. 2)

This day, James McWilliams, who stands indicted for receiving stolen goods, was led to the bar of the Court in custody of the Jailor of this County, and filed his plea of "not guilty", and it appearing to the Court that the offence with which he is charged, is a mis-demeanor, It is considered by the Court that he be discharged from custody, which is accordingly done, and

that his trial be continued until the next term.

Commonwealth, }
vs. } Upon an Indictment for murder.
Anderson Shiflett. }

This day, the prisoner, Anderson Shiflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until Monday morning next, at 9 o'clock, and were placed in charge of D. H. Polston, Sheriff of this County, & D. N. Beard by J. Pyman, his deputies, to whom was administered an oath that they shall keep this Jury together, and not have any communication with them themselves, nor permit any other person to have any communication, or converse with them touching this trial, and cause them to appear in Court on Monday morning next at 9 o'clock. So help them God. And, thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until Monday morning next at 9 o'clock.

Chas. P. O'Ferrall.

July 9, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday July 9, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

On the motion of E. M. Pollard, who made oath thereto according to law, he appeared in Court, and together with G. W. Berlin, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $80.00, conditioned according to law, a certificate is granted him for waiving the benefit of their Homestead exemptions, a certificate is granted said E. M. Pollard, for obtaining letters of administration in due form upon the Estate of John C. Walker, dec'd, who it appears from evidence introduced to the Court, died a non-resident of this State, and has been dead more than three months without administration on his Estate.

Commonwealth, }
vs. } Upon an Indictment for murder.
Silas Morris. }

The prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of

this County, and it appearing to the Court that, for want of time, the cause cannot be tried at this term of the Court, his trial is continued until the 1st day of the next term; and thereupon, B. P. Peel & Elijah Davis witnesses in behalf of the Commonwealth and Dr. Finks Catterton & Geo. Lawson in behalf of the prisoner, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition, that they each do make their personal appearance before the Judge of this Court on the 1st day of the next term of this Court, as witnesses as aforesaid and not depart thence without leave of the Court. And thereupon the prisoner was remanded to Jail.

Commonwealth,
vs
Anderson Shifflett. } Upon an Indictment for murder.

This day, the prisoner, Anderson Shiflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and S. H. Bowman & Hy. J. Ryman, his deputies, to whom was administered an oath that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication, or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And thereupon, the prisoner was remanded to Jail.

Ordered, that Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

July 10, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, July 10, 1877.

Present: Hon. Chas. P. O'Ferrall, presiding.

It appearing to the Court that the order entered at the April Term last of this Court, on the motion of J. M. Irvine for the filing and recordation of the Report of A. C. Bear, Surveyor of a tract of land near Harrisonburg assessed to J. R. Stevens, purchased by J. M. Irvine at Delinquent Tax Sale is incorrect as to the date of the purchase, the same is set aside.

On the motion of J. M. Irvine, purchaser at the sale of Delinquent Lands by S. R. McCaugh, Treasurer of Rockingham County, Va., on the 18th. day of January 1875, of a Tract of Land of 12 A. 0 R. and 09 Poles near Harrisonburg, assessed to J. R. Stevens, for the non-payment of taxes thereon prior to year 1872, It is ordered that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th. Section Chapter 38 Code of Va. 1873, which the Court, on examination, finds to be in conformity to law, be recorded in the Clerk's Office of this Court, as required by law.

Samuel Bailey this day presented in Court an Account against the County of Rockingham, for warning in hands as Surveyor of Road Precinct No. 11 Linville Dist. $1.00 - 1 day for 2 horse Plough & team $2.00 & Keeping up foot bridge $2.00 total $5.00 which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Road Levy for the year 1875.

cap's d.

Erasmus Myers this day presented in Court an Account against the County of Rockingham, for balance due on 2 horse team employed on Road Precinct, No. 11, Linville Dist. amounting to $1.25 which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Road Levy for the year 1875.

Daniel B. Reed this day presented in Court an Account against the County of Rockingham, amounting to $2.00 for 2 horse team employed on Road Precinct, No. 11, Linville Dist. which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Road Levy for the year 1875.

cap's

Dr. R. W. & R. Patrick, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.00 for visit to Mrs. Reed, a witness in Commonwealth vs John Pettigrew on charge of felony & traveling a distance of 12 miles & returning to ascertain her condition & physical ability to attend Court, 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 Gideon Kratzer & others for a change in the location of the Public Road leading from Sinville to the Valley Turnpike, where said road passes through the land of Gideon Kratzer, the said change being recommended by Jacob Myers, Commissioner of Roads for Sinville District, the Court doth appoint Jasper Hawse, John L. Reeny & Jacob Yeil, Commissioners to view the proposed change in said road, on the lands of said Gideon Kratzer, and report thereon to the next term of this Court.

The said viewers shall give at least 5 days notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of said road. The viewers before proceeding to discharge their duties, shall be severally sworn by the Commissioners of Roads, or some other person authorized to administer oaths to perform their duties impartially, and to the best of their judgment, if they decide there is a public necessity for the change they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property, and also, as far as practicable, to be agreeable to the petitioners, and also report the grade of said proposed change.

They shall assess the damages to the land through which the road passes, taking into consideration the advantages to be derived from the road passing through the land, and shall report in writing to the next term of the Court, giving the names of the land owners entitled to damages, but in no case shall any yard, garden or orchard or any part thereof be taken, without the consent of the owner or owners thereof. And the Court doth order that all costs, including cost of making change to be paid by Gideon Kratzer, and also all damages.

Commonwealth,
vs
Anderson Shifflett. } Upon an Indictment for murder.

This day, the prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday of last week (July 2d) for his trial, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, but not having time to consider their verdict, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Kolston, Sheriff of this County and D. N. Bear & Hy. J. Ryman, 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 have any communication, or converse with them touching this trial, and cause them to appear in Court now to-morrow morning at 9 o'clock, so help you God. And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall,

July 11. 1877.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday July 11, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

John E. Roller, &c, Pltff.
John R. Keagy's Exr. Deft. } Upon a Notice.

This cause came on to be heard this 11th. day of July 1877, and the Defendant being called, and not appearing, for reasons appearing to the Court, It is ordered that the powers of Jacob Keagy, as Executor of John R. Keagy, deceased, be revoked, and that the Plaintiffs in this motion recover of Jacob Keagy their costs in this behalf expended.

Commonwealth
vs.
Anderson Shifflett. } Upon an Indictment for murder.

This day, the Prisoner, Anderson Shifflett, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday of last week, July 2d. for his trial, pursuant to their adjournment, and upon their oaths do say, "we, the Jury find the prisoner, Anderson Shiflett guilty of murder in the first degree, in manner and form as charged in the Indictment, J. H. Baldwin foreman; and thereupon, on motion of the prisoner by counsel, the Jury was polled, each responding to the question "Is this your verdict?" in the affirmative. And thereupon the Jury was discharged, and the prisoner was remanded to Jail.

The Commonwealth,
vs.
Robert Rawles & Susan Stover, } Upon an Indictment for lewd & lascivious cohabitation.

This day came as well the attorney for the Commonwealth as the Defendant Susan Stover by counsel, and it appearing that Robert Rawles, the other defendant, although process had been returned executed upon him, did not appear, on motion of the attorney for the Commonwealth, a Capias is awarded against him, directed to the Sheriff of this County, returnable to tomorrow July 12th. 1877.

E. J. Brock moved the Court to grant him Bar-room License and Retail Liquor License from May 1, 1877 to April 30, 1878, the said business to be conducted at Massanutten Springs in this County, and upon the introduction of evidence, it appears to the Court that the applicant is a person of sobriety and good character, and that the place of business is convenient and suitable, the Court doth grant said applicant a certificate to obtain said License upon

the execution of a bond in the penalty of $600. conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia, entitled an Act imposing a tax, and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits or Malt Liquors, within the limits of this Commonwealth for the support of the Government and to pay the interest on the Public Debt" approved March 31, 1877, as amended by the Act approved April 2, 1877, and thereupon said C. J. Brock, appeared in Court, and together with A. D. Pennybacker, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600. conditioned for the faithful performance of the requirements of the said Act of Assembly imposing a tax, &c, for the privilege of selling wine, ardent spirits, &c, as above recited, waiving the benefit of the Homestead exemption, It is considered by the Court that the said certificate be granted the said C. J. Brock, the receipt of the Treasurer of this County for $37.50 one-half of the amount of said License Tax being produced in Court.

The Court doth order that the following-named persons be allowed the sums opposite their names, for their attendance and services at this Term of the Court as Veniremen summoned for the trial of Felony causes, @ $1.00 per day, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:—

David R. Beard,	c&d.	$7.00	Scott Newman,	c&d.	$9.00
✓ Allen Driver,		5.00	Robert Harnsberger,	c&d.	7.00
✓ Chas. G. Skinner,		6.00	Joseph S. Miller,	c&d.	9.00
✓ Conrad Rodeffer,		6.00	Preston Rhodes,	c&d.	5.00
P. A. Kiser,	c&d.	7.00	Jno. M. Glass,	c&d.	9.00
✓ F. C. Hopkins,		6.00	Jos. G. Moyers,	c&d.	9.00
✓ Harmon D. Earmon,		6.00	Ran. D. Cushen,	c&d.	2.00
Isaac Stone,	c&d.	6.00	John R. Thomas,	c&d.	9.00
David Linaweaver,	c&d.	6.00	A. W. Dutrow,	c&d.	4.00
W. H. Monger,	c&d.	7.00	W. E. Lemley,	c&d.	4.00
A. W. Black,	c&d.	7.00	✓ F. D. Hopkins,		3.00
✓ B. F. Cromer,		6.00	J. H. Dwyer,	c&d.	4.00
Emanuel Suter	c&d.	7.00	✓ Geo. Messersmith,	c	4.00
R. A. Scott,	c&d.	7.00	S. C. Rohr,	c&d.	4.00
Thos. G. Hopkins,	c&d.	9.00	Peter Guyer,	c&d.	3.00
T. J. Weaver,	c&d.	9.00	Patterson Greiner,	c&d.	3.00
Samuel Shrum,	c&d.	9.00	✓ F. M. Flick,		4.00
Thomas D. Rippetoe,	c&d.	7.00	✓ James Kavanaugh,		4.00
Jos. S. Coffman,	c&d.	9.00	Jno. S. Lewis,	c&d.	4.00
John D. Wood,	c&d.	5.00	C. R. Gibbs,	c&d.	4.00
J. M. C. Harnsberger,	c&d.	9.00	James Long,	c&d.	4.00
Patterson Burgess,	c&d.	8.00	✓ Wm. M. Bilhimer,		4.00
Wm. H. Reubush,	c&d.	9.00	Calvin Ragan,	c&d.	4.00
James M. Linaweaver,	c&d.	7.00	Charles Eshman,	c&d.	4.00
Dorman L. Smith,	c&d.	8.00	✓ S. J. Jones,		4.00
		178.00			124.00

certified List for auditor delivered to S. R. S. Treasr.

copied

James Curry,	cod.	$4.00	✓ James R. Sillings,		$1.00
J. W. Taliaferro,	cod.	4.00	✓ Jacob W. Cool,		1.00
C. C. White,	cod.	10.00	✓ Silas W. Rolston,		1.00
A. B. Lago,	cod.	10.00	✓ Chas. A. Vanlear,		1.00
A. S. Hooke,	cod.	10.00	✓ C. H. Cross,		1.00
A. R. Rhinehart	cod.	10.00	✓ Chas. P. Ragan,		1.00
Silas Beard,	cod.	10.00	✓ Michael J. Roller,		1.00
F. M. Stinespring,	cod.	10.00	✓ Geo. W. Murry,		1.00
John B. Harnsberger,	cod.	15.00	✓ Geo. W. Skelton,		1.00
Noah Hoover,	cod.	10.00	✓ Geo. W. Roller,		1.00
John W. Baldwin,	cod.	10.00	✓ M. J. Bixler,		1.00
John H. Frank,	cod.	15.00	✓ Henry Mason,		1.00
Solomon Shepp,	cod.	15.00	✓ E. M. Shaver,		1.00
Harvey Fifer,	cod.	15.00	✓ Jacob W. Fawley, jr.,		1.00
✓ Joshua Ritchie,		1.00	✓ A. G. Sherfey,		1.00
✓ Valentine Bolton		1.00	✓ D. G. Whitmore,		1.00
		156.00			[illegible]

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Harris & Harris

✓ Valley Railroad Co. gar. of John W. Showalter, } upon a sug.

Ordered, That this cause be dismissed at the cost of the judgment debtor, John W. Showalter.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Donnell,

July 12, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, July 12, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

cap.

On the motion of James O'Brian, and on account of physical disability, and indigent circumstances, the Court doth exempt him from the payment of his Capitation tax and County and Parish Levies for the years 1876 & 1877.

cap. & d.

It is ordered to be certified to the Auditor of Public Accounts that John Paul, attorney for the Commonwealth for this County is entitled to the sum of $55.00 for prosecuting in five cases of felony at this Term, to-wit:- Commonwealth vs Jacob N. Rhoder, same vs John Pittington, No. 1- same vs same, No. 2- same vs Daniel Maddox, No. 1 & same vs same No. 2, and for prosecuting to conviction in one case of misdemeanor, Commonwealth vs Samuel Coffman.

Commonwealth,
John Pittington. } Upon an Indictment for breaking & entering an out-house in the night-time, No. 1.

This day, the prisoner, John Pittington, late of the County of Rockingham, who was at a former day of this term of the Court, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and by counsel, moved the Court to set aside the verdict of the Jury and grant him a new trial, which motion, on consideration by the Court the Court doth sustain. It is therefore considered that the verdict of the Jury be set aside, a new trial awarded him, and his trial continued. And thereupon the prisoner was remanded to Jail.

Commonwealth
John Pittington. } Upon an Indictment for breaking & entering an out-house in the night-time, to wit the out-house of John Pittinger,

This day, the prisoner, John Pittington, late of the County of Rockingham, who was, at a former day of this term of the Court, convicted of a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and it being enquired of the prisoner if anything he had, or knew to say, why this 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 Pittington be imprisoned in the public Jail and Penitentiary house of this Commonwealth for the term of one year, (the period by the Jurors in their verdict ascertained) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said John Pittington from the Jail of this Court to the public Jail and Penitentiary House of this Commonwealth, therein to be kept imprisoned, and treated in the manner

directed by law, for the term aforesaid.

And the Court doth suspend the execution of this sentence for the period of 30 days, on motion of the Atty. for the Commonwealth, it appearing to the Court that the said John Pittington stands charged of two other felonies for which he has not been tried.

And thereupon the prisoner was remanded to Jail.

Commonwealth,
(vs)
Anderson Shiflett. } Upon an Indictment for murder.

This day, the prisoner, Anderson Shiflett, late of the County of Rockingham, who was, at a former day of this term of the Court, convicted of murder in the first degree, by the Jury impanneled and sworn for his trial, was again led to the bar of the Court in custody of the Jailor of this County, and it being demanded of him if anything for himself he had or knew to say, why the Court here, to judgment and execution against him, of, and upon the premises should not now proceed, said he had nothing but what he had before said.

copied & delivered to D.H. Rolston Shff. July 23d. 1877. e.i.L.c.c.

Therefore, it is considered by the Court, that he be hanged by the neck until he be dead, and that execution of this judgment upon him, the said Anderson Shiflett be made and done by the Sheriff of this County, on Tuesday, the 25th day of September next (1877,) between the hours of sunrise and sunset of the same day; and thereupon the said Anderson Shiflett is remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Farrall.

July 13. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, July 13, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of P. K. Hamsberger, purchaser at the sale of Delinquent Lands by S. R. Allebaugh, Treasurer of Rockingham County, Va., on the 18th day of January 1875 of a Tract of Land of 303 Acres, lying in the Blue Ridge, assessed to Jacob Hamsberger & others, for the non-payment of Taxes for the year 1872, It is ordered that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th Section Chapter 38 of the Code of Va. 1873, which the Court, on exonerating, finds to be in conformity to law, be recorded in the Clerk's office of this Court as required by law.

c/p'd o.d. D. H. Kolston, Sheriff & Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $14.90, for Keeping & supporting Wm. Spitzer, a Lunatic, confined in Jail, 31 days from May 16, 1877 to June 15, 1877 at 40 cents per day, ($12.40) and clothing for one month ($2.50) which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd o.d. D. H. Kolston, Sheriff & Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $159.00, for keeping & supporting various prisoners, covering a period from May 16, 1877 to June 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd o.d. D. H. Kolston, Sheriff & Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $283.00 for dieting Venires, at this term of the Court, in the following felony cases, viz:- Commwlth. vs. Jacob W. Rhodes, same vs. John Pittington on 2 Indictments, same vs. D. L. Madden, on 2 Indictments and same vs. Anderson Shiflett, (2d trial,) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

$2.00 c/p'd for D. N. Sellers. $2.00 c/p'd for J. M. Weaver $2.00 c/p'd for J. A. Hammen $3.75 allowance c/p'd for W. T. Bradley Ordered that J. M. Weaver, Jr. A. Hammen & D. N. Sellers viewers on Road from Ammon's Mill to Port Republic Road be allowed $2.00 each for their services in viewing said road, and that W. T. Bradley be allowed $3.75 as Surveyor on same road, payable out of Levy for the year 1877, if any surplus, if not, out of year 1878, and that the same be certified to the Treasurer of this County.

c/p'd & d to V. A. L. This day, V. A. Lam, Constable of this County, presented in Court an Account against the ~~County of Rockingham~~ Commonwealth of Virginia amounting to the sum of $8.25 for arresting Frank R. Reeves, charged with felony, board & lodging same,

mileage to Jail & returns summoning 8 witnesses, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Wm. N. Law, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.50 for 3 days & 3 nights services as guard of A. Reeves, charged with felony (6 total @75¢) which being sworn to by the guard, and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c of d. rd to V.N.L.

V. N. Law, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $13.50 for arresting Silas Morris, charged with felony, mileage, board of prisoner, & livery hire (3 horses, for 3 guards - 3 days, @75¢ a day each) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c of d. rd to V.N.L.

Joseph Carrier, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.25 for 3 days services as guard of Silas Morris, charged with felony, which being sworn to by the guard, and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c of d. rd to V.N.L.

John Bird, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.50 for 6 days services as guard in assisting in the arrest of Silas Morris charged with felony, @75¢ per day, which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c of d. rd to V.N.L.

J. M. Law, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.25 for 3 days services as guard in the arrest of Silas Morris, charged with felony, @75¢ per day, which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c of d. rd to V.N.L.

J. M. Law this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $11.50 for services as guard to Anderson Shufflett, Sonia Lawson & B. Williams charged with felony, for 10 days & 6 nights in all 16 @75¢ which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c of d. rd. to V.N.L.

E. E. Conrad this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.25 for aiding in arrest of Anderson Shufflett, charged with felony and 1 day and 1 night c of d rd to V.N.L.

services as guard for same, which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Thos. S. Kite this day presented in Court an Account against The Commonwealth of Virginia amounting to the sum of $1.50 for services as guard one day & one night c 75¢ to Anderson Shiflett, Louisa Lawson & B. Williams, charged with felony, which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c apd. ord. to V. H. S.

A. C. Walker this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $7.50 for services as guard to Anderson Shiflett, Louisa Lawson & B. Williams, charged with felony, 6 days & 4 nights total 10 c 75¢, which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c apd. ord. to V. H. S.

John Brill this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $4.50 for services as guard to Anderson Shiflett, Louisa Lawson & B. Williams, charged with felony, 3 days & 3 nights 6 in all c 75¢, which being sworn to by the guard & by the Constable, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

c apd. ord. to V. H. S.

John Breeden, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.00 for services as guard to Anderson Shiflett, Louisa Lawson & B. Williams, charged with felony 2 days & 2 nights (4 in all c 75¢) which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c apd. ord. to V. H. S.

Wm. Johnson this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.00 for services as guard to A. Shiflett, &c, charged with felony, 2 days & 2 nights (4 in all c 75¢) which being sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c apd. ord. to V. H. S.

Thomas Miller this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $2.25 for services as guard 2 nights & 1 day to A. Shiflett, &c, charged with felony, which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c apd. ord. to V. H. S.

Edward Miller this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $1.50 for
cap^d. rd. to V.H.S. guarding A. Shiflett, &c, charged with felony, one day & one night @ 75 which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

M. M. Jarman this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $1.50 for
cap^d. rd. to V.H.S. guarding A. Shiflett, &c, charged with felony, one day & one night @ 75¢, which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

J. K. Frazier this day presented in Court an Account against
cap^d. rd. to V.H.S. The Commonwealth of Virginia, amounting to the sum of 75 cents for guarding A. Shiflett, charged with felony, one night, which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Wm. J. Runcle this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $4.50
cap^d. rd. to V.H.S. for guarding A. Shifflett, &c, charged with felony 3 days & 3 nights, (6 in all @ 75¢) which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Joseph Carrier this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.00
cap^d. rd. to V.H.S. for guarding A. Shiflett, &c., charged with felony 1 night and also 2 days & 1 night guarding same @ 75¢, which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Franklin Rucker this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $1.50 for
cap^d. rd. to V.H.S. guarding A. Shiflett, &c, charged with felony 1 day & 1 night @ 75¢, which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

F. Lam this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.00 for
cap^d. rd. to V.H.S. guarding Louisa Lawson, charged with felony one day & three nights, @ 75¢ which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

E. Lam this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.00 for
c a p^d. & d. to V.H.L. guarding Louisa Lawson, charged with felony one day & three nights @ 75¢, which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

S. D. Kirtley this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of 75 cents for
c a p^d. & d. to V.H.L. guarding A. Shiflett &c. charged with felony, 1 day, which being sworn to by the guard, and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Geo. W. Cook this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of 75
c a p^d. & d. to V.H.L. cents for guarding A. Shiflett, &c charged with felony, 1 day, which being sworn to by the guard, and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Wm. D. Maiden this day presented in Court an Account against
c a p^d. & d. to V.H.L. the Commonwealth of Virginia, amounting to the sum of 75 cents for guarding A. Shiflett, & others, charged with felony, 1 night, which being sworn to by the guard, and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

George Hutcheson this day presented in Court an Account against
c a p^d. & d. to C.A.H. The Commonwealth of Virginia, amounting to the sum of $4.50 for aiding in arrest of A. Shiflett & others charged with felony and guarding same four days & two nights (6 @ 75¢) which being sworn to by the guard and by the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Joseph Kelly this day presented in Court an Account against The Commonwealth of Virginia amounting to the sum of
c a p^d. & d. $4.50 for aiding in arrest of A. Shiflett & others, charged with felony, and guarding same four days & two nights (6 @ 75¢) which being sworn to by the guard and by the Constable, 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 the first day of the next term.

Chas. T. O'Ferrall.

July 16. 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday July 16. 1877.

Present:- Hon. Chas. T. O'Ferrall, 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 June Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	Frederick Miller & wife,	to	Frederick Heline,
" "	James M. Riddle & wife,	"	same,
" "	Rebecca Bare,	"	Elizabeth Brenner,
" "	John R. Beery & wife,	"	Isaac N. Beery,
Trust Deed,	Solomon C. Kanner & wife,	"	Oliver B. Roller, Trustee,
" "	John D. Sites & wife,	"	Oliver B. Roller, Trustee,
Bargain & Sale,	M. Harvey Effinger & wife & others,	"	William Williams,
" "	J. A. Loewenbach & wife & c.,	"	C. W. Heatherlick,
Trust Deed.	Isaac N. Brown,	"	Jno. P. Heyde, trustee
Bargain & Sale,	Thomas L. Williamson & wife,	"	Lucy M. Harrison,
" "	John P. Good & wife,	"	John F. Good,
" "	David Miller & wife & heirs of R. M. Kyle,	"	John R. Jones, Trustee for his wife, S. S. Jones,
" "	John R. Jones & as Trustee for his wife, &c,	"	George J. Kisling,
" "	Jacob Fawley, Sen. & wife,	"	Jacob M. Fawley,
" "	Harvey Kyle, Exr. of David Kyle,	"	E. J. Sullivan,
" "	J. P. L. Preston & wife & others,	"	Augustus & G. W. Berlin,
" "	Augustus Berlin & wife & G. W. Berlin,	"	J. P. L. Preston,
" "	J. S. Hamsberger, Spl. Commr.	"	Joseph B. Dunnavan,
" "	G. W. Miller & wife,	"	Malinda Garber, wife of David J. Garber,
" "	Sandy Dovel & wife,	"	same,
Deed of Release,	James Neily	"	A. S. Gray, C. D. Gray, W. J. Gray, R. A. Gray, &c,
Bargain & Sale,	Wm. B. Compton, Commr,	"	Levi S. Byrd,
" "	James Bumgardner, jr, Commr	"	M. Harvey Effinger,
" "	M. Harvey Effinger & wife,	"	W. H. Sheffey, Trustee for M. S. Lurnee,
" "	David Layman,	"	Wm. B. Kuckenah,
" "	A. B. Lerch & wife, M. G. Harman & wife, &c,	"	David M. Pollock, Agt. & Trustee for M. L. Pollock,
Trust Deed.	Kath. Russell wife of Jas. Russell Jr & Russell,	"	Granville Earthman, Trustee,
Deed of Homestead.	Richard M. Ashby,		
Bargain & Sale,	Benj. F. Smith & wife,	"	Daniel Steinmetz,
" "	B. G. Patterson, Commr.	"	Geo. J. Kisling,

The settlement of G. G. Grattan, Exr of W. D. Grattan, was presented in Court, and having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto, the same is confirmed, and ordered to be recorded.

The Appraisement & Sale Bill of Harrison Brenner's Estate, was this day presented in Court, and no exceptions being taken thereto, the same is ordered to be recorded.

On the motion of J. W. Rose, Commissioner of the Revenue for Stonewall District, and for reasons appearing to the Court, the Court doth appoint Wm. A. Maupin as Assistant Commissioner of the Revenue in said District, and thereupon the said Wm. A. Maupin appeared in Court and qualified by taking the oaths prescribed by Law.

Isaac Marshall, a Veniereman duly summoned to appear at this day of this Term of the Court, and having failed to appear at the hour ~~xxxxx~~ designated, and for reasons appearing to the Court, the Court doth consider that a fine of $2.50 be imposed upon him for his contempt aforesaid

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The writing purporting to be the last will and testament of William Robinson, dec'd, was this day presented in Court for probate on the motion of Peachy Milne, one of the Executors therein named, and it appearing to the Court that the probat of said will is resisted by John G. Robinson, one of the heirs of the said William Robinson it is ordered that the motion to probat said Will be docketed and continued until a future day of the term.

On this motion, and by consent of parties the Court doth appoint Peachy Milne as Curator of the Estate of William Robinson, dec'd, and thereupon he appeared in Court, and together with George W. Viney and Geo. W. Wine, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $10,000.00 conditioned according to Law, each waiving the benefit of their Homestead exemptions as to this obligation, and qualified as Curator of the Estate of said Wm. Robinson.

And the Court doth appoint Emanuel Spitzer, John Mcart, Abram Andes & Simon Damman to appraise the Estate of said William Robinson, any three of whom may act, after first being duly sworn.

On motion of Wm. B. Yancey, a creditor of the Estate of Anderson Augenbright, dec'd, the Estate of said Augenbright is committed to D. H. Rolston, Sheriff of this County, for administration it appearing to the Court that said deceased has been dead more than three months without administration upon his Estate.

Emanuel Dipe Pltff
Mary Johnston Deft } upon a rule to try the right of property.

Jones & McAlister Pltffs.
Wm. G. Campbell, Louisa Campbell, & S. J. Jones. Defts. } upon a Suggestion,
garnishees of William C. Price

D. H. Rolston, S. R. C. & Adm'r. of Thomas H. Gordon, Pltff } upon a Scifa.
Thomas G. Hopkins. Deft

Ordered that the foregoing causes be placed upon the Court's Docket.

Mary Billhimer Pltff.
vs
A. N. Peale Deft. } Declaration in Ejectment & Notice.

10 Cs/y. issd.

This day 16th of July 1877. Came the plaintiff by her attorneys and upon her motion this Cause is ordered to be docketed, and a rule awarded against the defendant A. N. Peale to appear on the 1st day of the August term of this Court 1877. and Show Cause why judgment should not be given against him.

✓

Commonwealth.
vs
Silas Morris } upon an Indictment for Murder.

This day the prisoner Silas Morris, lately of the County of Rockingham who stands indicted for a felony by him committed, was again led to the bar of the Court in Custody of the Jailor of this County, And thereupon the Veniremen Summoned for the trial of felony cases at this term of the Court were called twenty six of whom appeared Viz:- Wm. M. Lewis, John A. Yates, Jacob A. Swank, John Liskey, J. H. Samuels, John W. Blackburn, Gideon Rosenberger, R. B. Jones, Thos. J. Butler, Barnett Getz, Joel Rinker, Isaac Acker, Harry Wayne, M. Martz, Jacob B. Burns, Jacob A. Rudes, Harvey Alger, Peter P. Holsinger, Leyrus N. Spitzer and E. H. Conner, George D. Sheets, John S. McLeod, Philip Strickler, Daniel C. Layman, James R. Kemper, and Daniel H. Beidler, of whom Six to-wit:- George D. Sheets, John S. McLeod, Philip Strickler Daniel C. Layman, James R. Kemper and Daniel H. Beidler were excused from serving, and thereupon the panel of thirty Six was completed by the Sheriff summoning from a list furnished by the Judge Setting the following named persons to-wit:- Geo. W. McFarland, Wm. M. Mauzy, William Kountz, John W. Brill, Wm. Berry, John Huddleson, Jacob C. Harrison, William Bateman, David Linneweaver, Daniel Brunk, Joel Flory, Philander Herring, Adam Wine, H. B. Pence, Samuel Leedy and W. R. H. Messick. And from the panel thus Completed a panel of Sixteen were called examined by the Court on their Voir dire found to be duly qualified and free from exceptions, Viz:- Wm. M. Lewis, John A. Yates, J. H. Blackburn, Gideon Rosenberger, R. B. Jones, T. J. Butler, Barnett Getz, Joel Rinker Harry Way, Wm. M. Martz, Jacob B. Burns, Jacob A. Rudes, Harvey Alger, Peter P. Holsinger, Leyrus N. Spitzer, and George W. McFarland. And thereupon the prisoner was furnished with a Copy thereof and having Stricken therefrom the names of four of the persons of said panel Viz:- Wm M. Lewis Gideon Rosenberger, Barnett Getz, and Harry Way, the remaining twelve of said panel Viz:- John A. Yates, J. H. Blackburn, R. B. Jones, T. J. Butler, Joel Rinker, Wm. M. Martz, Jacob B. Burns, Jacob A. Rudes, Harvey Alger, Peter P. Holsinger, Leyrus N. Spitzer and George W. McFarland, thereby constituting the Jury who being duly elected tried and 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 not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock and thereupon they were placed in charge of D. H. Rolston Sheriff of this County, and D. M. Rear and Henry J. Ryman his deputies to whom was administered an Oath that you shall keep this jury together and have no Communications with them yourselves nor permit any other person to have any Communications or Converse with them touching this trial and

cause them to appear in Court tomorrow morning at 9 o'clock, So help you God,
Thereupon Elijah Davis, Lydia Baugher, James Hall, W. F. Davis, John H. Monberry, John C. Eaton, Edward Rogers, Wm. N. Crawford, Frances Crawford, Rebecca Hall, David Gilmer, Burriss Williams, Virginia Williams, Larkin Clarke, Samuel Hall, James Crawford, V. H. Lam, Phoebe Knighton, John I. Wood, W. T. McGahey, Robert Crawford, Thomas Powell, Archie McDaniel, and James G. Maiden, witnesses in behalf of the Commonwealth and David Gilmer, Elijah Davis, Lurena Morriss, Angeline Lamb, Susan A. Gladden, Martha A. Shifflett, John C. Eaton, John Ira Morriss, Henry Morriss, Sampson Davis Aaron P. Davis, Jefferson Morriss, Witnesses in behalf of the prisoner, appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods and chattels lands and tenements for the use of the Commonwealth yet upon this Condition that they each do Continue their appearance before the Judge of this Court as witnesses as aforesaid and not depart thence without leave of the Court, And thereupon the prisoner was remanded to Jail,

Commonwealth
vs
James M. Rhodes. } Upon an Indictment for Felony.

This day James M. Rhodes who stands indicted for a felony by him Committed, appeared in Court in pursuance of his recognizance entered into at the last term of this Court, and the Court doth fix monday the 30th day of July for his trial and on motion of the prisoner by Counsel, the Court doth permit him to renew his bail, and thereupon the Said James M. Rhodes together with Cyrus Rhodes his Surety (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $5000.00 each, to be levied of their respective goods and Chattels lands and tenements waiving the benefit of their homestead exemptions, for the use of the Commonwealth yet upon this Condition that the Said James M. Rhodes does make his personal appearance before the Judge of this Court on the 30th day of July 1877, the day fixed for his trial to answer the Said indictment found against him at the May Term last of this Court and not depart thence without leave of the Court.
Thereupon Cambyses Zetty, Wm. C. Flook & Richard Miller witnesses in behalf of the Commonwealth, and Michael Armentrout, James Thompson, John R. Thompson, Delila Thompson, Samuel Barley, John W. Keller, Geo. D. Armentrout, A. H. Brewer, Calvin Thompson, Jacob S. Armentrout, and Thomas A. Long, witnesses in behalf of the prisoner, appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia, in the Sum of $100.00 each to be levied of their respective goods and Chattels lands and tenements for the use of the Commonwealth, yet upon this Condition that they each do make their personal appearance before the Judge of this Court as witnesses as aforesaid and not depart thence without leave of of the Court,

Jacob L. Sibert Foreman, F. L. Kemper, J. B. Eastham, Charles R. Burke, D. J. Hanzucker, Hiram Coffman, A. W. Knipple, James F. Lowman, Wm. A. Messerole, James C. Heltzel, James Stearn, James White, Herod Homan, D. M. Beam, Stewart Sluser, and Henry Smals, were impannelled and Sworn 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 namely, An Indictment vs Zebulon D. Gilmer, for Murder A true bill, J. L. Sibert, foreman, And Indictment vs John Lee, for Larceny A true bill J. L. Sibert, foreman, An Indictment vs Moses Joseph & Margaret Pirer, for Lewd & lascivious Co-habitation A true bill J. L. Sibert foreman, An Indictment vs C. C. Strayer, for Assault & battery, A true bill J. L. Sibert foreman, & an Indictment vs E. A. Shands for Assault & battery, A true bill J. L. Sibert foreman, and having completed the business before them were discharged from further attendance upon this Court.

Ordered, That Jacob L. Sibert, F. L. Kemper, J. B. Eastham, Charles R. Burke, D. J. Hansucker, Hiram Coffman, A. W. Knipple, James F. Lowman, Wm. A. Meserole, James C. Heltzel, James Stern, James White, Herod Homan, D. M. Beam, Stewart Sluker & Henry Smals, be each allowed the sum of One Dollar for their services at this term of the Court as Grand Jurors and that the same be certified to the Treasurer of this County for payment.

copied.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

July 17, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday July 17, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Samuel Shacklett, A. Hockman & Dr. J. H. Neff, the Committee heretofore appointed to inspect the Jail of this County, this day made their Quarterly Report in accordance with law, from which it appears that the Jailor has in every respect performed his duties, and that said Jail is secure and in good condition.

Commonwealth vs Zebulon D. Gilmer, } upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, who stands indicted for a felony by him committed, was led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty" to said Indictment, and the Court doth fix upon Thursday the 2d day of August next, as the day for his trial, and thereupon the prisoner by counsel, moved the Court to grant him bail, and the Court not being able fully to hear the evidence, adjourned the further hearing of said motion until to-morrow.

And thereupon, the prisoner was remanded to Jail.

Commonwealth,
Silas Morris. } Upon an Indictment for Murder.

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury empannelled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County, and D. H. Beard & Wm. J. Ryman, 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 have any communication or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

July 18, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, July 18, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth,
Zebulon D. Gilmer. } Upon an Indictment for murder.

The prisoner, Zebulon D. Gilmer, was this day again led to the bar of the Court in custody of the Jailor of this County, and the Court proceeded to further hear the motion of the prisoner made on yesterday for bail; and the Court having fully heard the same, doth sustain the motion, and fixes the amount of bail at the sum of $10,000 for himself and the same amount for his surety; and thereupon, the said Zebulon D. Gilmer together with Dr. A. M. Newman, as his surety (who justified as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $10,000 each, to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth of Virginia, (each waiving the benefit of this Homestead exemptions as to this obligation,) yet upon this condition, that the said Zebulon D. Gilmer does make his personal appearance before the Judge of this Court, on Thursday, August 2, 1877, to answer the said Indictment, and not depart thence without leave of the Court.

And the following witnesses

in behalf of The Commonwealth, viz:- J. A. Hammen, Whitfield Lin-
-damood, J. W. Walters, Thomas Royer, C. E. Hammen, Wm. M. Boyd, Dr.
W. A. Conn, James Colvin, Edward Bonds & R. E. Hopkins each
acknowledged themselves to be indebted to The Commonwealth of
Virginia, in the sum of $100. to be levied of their respective goods &
chattels, lands & tenements, for the use of The Commonwealth (waiv-
-ing the benefit of their Homestead exemptions,) yet, upon this condi-
-tion, that they each do make their personal appearance before the
Judge of this Court, as witnesses as aforesaid, on the said 2nd day of
August 1877, and not depart thence without leave of the Court.

Commonwealth,
vs
Silas Morris. } Upon an Indictment for Murder.

This day, the prisoner, Silas Morris, late of the County
of Rockingham, who stands indicted for a felony by him commit-
-ted, was again led to the bar of the Court in custody of the Jailor
of this County, and thereupon again came the Jury impanneled
and sworn on Monday last for his trial, and not having time
fully to hear the evidence, were adjourned until to-morrow
morning at 9 o'clock, and were placed in charge of D. H. Rolston
Sheriff of this County, and D. W. Bear & Hy. J. Ryman his deputies, to
whom was administered an oath that you shall keep this Jury to-
-gether and have no communication with them yourselves, nor
permit any other person to have any communication or converse
with them touching this trial and cause them to appear in Court
on to-morrow morning at 9 o'clock. So help you God.

Richard Morris, a witness in behalf of the prisoner acknowledged
himself to be indebted to the Commonwealth of Virginia, in the
sum of $1000. to be levied of his respective goods and chattels, lands
& tenements, for the use of the Commonwealth, yet, upon this condition,
that he continues his appearance before this Court as witness as
aforesaid and not depart thence without leave of the Court.
And thereupon, the prisoner was remanded to Jail.

Commonwealth,
vs
Louisa Lawson. } Upon an Indictment for murder.

This day, the prisoner, Louisa Lawson, late of the
County of Rockingham, who stands indicted for a felony by her
committed, was again led to the bar of the Court in custody
of the Jailor of this County, and Tuesday next July 24, 1877, is fixed
by the Court as the day for her trial, and Henry Morris, a witness in
behalf of the prisoner appeared in Court and acknowledged himself
to be indebted to the Commonwealth of Virginia, in the sum of $100.
to be levied of his respective goods & chattels, lands & tenements, for the
use of the Commonwealth, yet, upon this condition, that he
does make his personal appearance before the Judge of this Court,
on the 24th day of July 1877, as witness as aforesaid, and not depart
thence without leave of the Court. And thereupon the prisoner

was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

July 19, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, July 19, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for murder.
Silas Morris. }

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury impannelled and sworn on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock; and were placed in charge of D. H. Roleton, Sheriff of this County, and D. W. Bear & Henry J. Ryman, 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 have any communication or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Commonwealth } Upon an Indictment for murder.
Louisa Lawson. }

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor of this County; and thereupon the following witnesses in behalf of the prisoner acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100, each to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth; yet, upon this condition, that they each do make their personal appearance before the Judge of this Court on Tuesday next, July 24th as witnesses as aforesaid, and not depart thence without leave of the Court, and each waiving the benefit of their Homestead exemption as to this obligation, viz:- John Ira Morris, Geo. Lawson, Jefferson Morris, Hairston Shifflett, Samuel

Davis, Matilda Baugher and Aaron P. Davis.

And thereupon, the prisoner was remanded to Jail.

It appearing to the Court, that on the first day of the last June Term of this Court, an order was improperly entered, admitting the following settlements to record, viz:-

Settlement of the Account of Saml. Shaulk, Trustee for Catharine Brenneman
" " " " " Henry E. Beery Admr. of Elizabeth Beery
" " " " " J. P. Rolston late S. R. C. & Admr. of Mathias Snyder,
" " " " " B. A. Myers, Admr. of Catharine Myers,
" " " " " Wm. H. Archeart " " Raphael Myers,
" " " " " John Zigler, guard. " Samuel Koontz,
" " " " " Reuben M. Grable Exor. " Moses Bonner,
" " " " " Dr. Harvey Kyle, Exor. " David Kyle,
" " " " " Josephine Sites guard. " Mary Sites
" " " " " same, guard. " John Sites
" " " " " John Zigler, Exor. " John Kline
" " " " " J. M. Roth, guard. " Maggie M. Sprinkel,

they not having been filed in the office the time prescribed by law, It is therefore ordered that said order of the June Term be set aside, and it now appearing to the Court that the said settlements have remained in the office the full time prescribed by law, It is ordered that the said settlements be now confirmed and recorded, no exception being taken thereto.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

July 20, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, July 20, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Commonwealth
vs
Silas Morris. } Upon an Indictment for murder.

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the jury impanneled and sworn on ~~yesterday~~ Monday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and D. N. Bear, 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 have any com-

-munication with them or converse with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock, So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

July 21. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, July 21, 1877.

Present:- Hon. Chas J. O'Ferrall, presiding.

Commonwealth
vs.
Louisa Lawson. } Upon an Indictment for murder.

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court, and Tuesday next July 24th having been fixed as the day for her trial, the following witnesses in behalf of the Commonwealth, viz:- Samuel Hall, Rebecca Hall, Burris Williams, Frances Crawford, James Crawford, John Mowbery, Phebe Nighten, Conrad Davis, Daniel Powell, A.J. Galloway, Asa Baughen, Abel Eaton, Jno. P. Maiden, Geo. W. Baughen, Thomas Powell, Franklin Davis, David Gilmer & Aaron P. Davis, and the following witnesses in behalf of the prisoner, viz:- Eppa Morris, Wm. McDaniel, Rufus Shiflett & David Gilmer, each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of their respective goods & chattels, lands & tenements for the use of the Commonwealth, yet, upon this condition, that they each do make their personal appearance before the Judge of this Court, on Tuesday next, July 24th as witnesses as aforesaid, (each waiving the benefit of the Homestead exemption) and not depart thence without leave of the Court.

And thereupon, the prisoner was remanded to Jail.

It appearing to the Court that Katharine Miller, widow of Daniel Miller, dec'd has renounced her right to administer upon the Estate of her husband, on the motion of J.P. Miller, one of the heirs & distributees of said Estate, who made oath thereto according to law he appeared in Court, and together with J.S. Miller & A.B. Miller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4,000.00, conditioned according to law, (waiving the benefit of the Homestead exemption, as to this obligation,) a certificate is granted him for obtaining letters of administration, in due form upon the Estate of said Daniel Miller; and

the Court doth appoint Jacob L. Rhodes, John J. Bowman, Abraham Shank and Isaac Acker to appraise the Estate of said Daniel Miller, any three of whom may act, after first being duly sworn.

Commonwealth,
Silas Morris. } Upon an Indictment for murder.

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the jury impannelled and sworn on Monday last for his trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until Monday morning next at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, Sheriff of Rockingham County, and D. W. Bear, 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 have any communication or converse with them touching this trial, and cause them to appear in Court, on Monday morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until Monday morning next at 9 o'clock.

Chas. J. O'Ferrall.

July 23, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday July 23d. 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth,
Silas Morris. } Upon an Indictment for murder.

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the jury impannelled and sworn on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon ~~they were placed~~ in charge of D. H. Rolston, Sheriff of this County & Wm. D. Blakemore, 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 have any communi-

cation or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

And thereupon, the prisoner was remanded to Jail.

Ordered, That this Court be adjourned until to-morrow morning, at 9 o'clock.

Chas. J. O'Ferrall.

July 24, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, July 24, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for murder.
Silas (x) Morris. }

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury impannelled and sworn on Monday, July 16, 1877, for his trial, pursuant to their adjournment, 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 not having agreed upon a verdict were adjourned until to-morrow morning at 9 o'clock, and were placed in charge of D. H. Roleton, Sheriff of this County, and D. M. Bear, 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 have any communication or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Commonwealth, } Upon an Indictment for murder.
Louisa (x) Lawson, }

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor of this County, and on motion of the prisoner by counsel, and for reasons appearing to the Court, her trial is continued until the first day of the August Term next of this Court, and thereupon the following witnesses in behalf of the Commonwealth, viz:- Daniel Hall, Rebecca Hall, Burris Williams, Frances Crawford, James Crawford,

John Mowberry, Phoebe Knighten, Conrad Davis, A. J. Holloway, Abel Eaton, David Gilmer, Aaron P. Davis, B. P. Peel, Dr. J. N. Wolfe & Isaac Wyant, & John L. Wood, and the following witnesses in behalf of the prisoner, viz:- Saml. Davis, Matilda Baugher, Eppa Morris, Rufus Shiflett, David Gilmer, & Fannie Bruce, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. each to be levied of their respective goods & chattels, lands & tenements, upon this condition, that they each do make their personal appearance before the Judge of this Court on the first day of August Court next, as witnesses as aforesaid, and not depart thence without leave of the Court.

And Rules are awarded against the absent witnesses both for the Commonwealth and the prisoner, viz: For Commonwealth, Dl. Powell, Asa Rules issd. Baugher, Jno. T. Marden, Geo. W. Baughan, Thomas Powell, Franklin Davis, Julia Marshall, Columbia Shiflett, Jr. H. Baughan, For prisoner, John Asa Morris, Jefferson Morris, Daiston Shiflett, Wm. McDaniel Henry Morris, Lurena Morris, Columbia Shiflett, Angeline Lamb, Rial Morris, Martha Roach, Susan Gladden, Elijah Davis, Martha Shiflett, Betsy Bryce, Lydia Rules issd. Knighten, Wm. McDaniel, Minnie F. Lamb, Fannie Bryce & May Crawford, for their failure to appear at this term of the Court, returnable to the 1st day of the next term of this Court.

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

July 25, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-house thereof, on Wednesday, July 25, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, }
vs } Upon an Indictment for murder.
Silas Morris. }

This day, the prisoner, Silas Morris, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the jury impannelled and sworn on Monday, July 16, 1877, for his trial, pursuant to their adjournment, and not having agreed upon a verdict, retired to their room to consider the same, and after some time returned into Court, and upon their oaths do say, "We the jury find the prisoner, Silas Morris, guilty as accessory before the fact to murder in the first degree in manner and form as charged in the Indictment, Geo. W. McFarland foreman," and thereupon, on motion

of the prisoner, by counsel, the Jury was polled, each responding to the question, Is this your verdict? in the affirmative. Whereupon the Jury was discharged. And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall,

July 26, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, July 26, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for murder.
(vs)
Silas Morriss,

This day, the prisoner, Silas Morriss, late of the County of Rockingham, who was, at a former day of this term of the Court convicted as an accessory before the fact to murder in the first degree, in manner and form as charged in the Indictment by the Jury impanneled and sworn for his trial, was again led to the bar of the Court in custody of the Jailor of this County, thereupon the prisoner by counsel, moved the Court, first, to set aside the verdict of the Jury and grant him a new trial,- second, In arrest of judgment, which motions, on consideration, the Court doth overrule; and it being demanded of him if anything for himself, he had, or Knew to say, why the Court here, to judgment and execution against him, of, and upon the premises should not now proceed, said he had nothing but what he had before said. Therefore, it is considered by the Court that he be hanged by the neck until he be dead, and that execution of this judgment upon him the said Silas Morriss, be made and done by the Sheriff of this County, on Tuesday, the 25th day of September next, (1877,) between the hours of sunrise and sunset of the same day; and thereupon the said Silas Morriss is remanded to Jail.

copd. & delivered to C. H. Rolston, J. R. C. Aug. 1/77. C. P. C. C.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

July 27, 1877. At a County Court continued and held in and ~~for~~ for the County of Rockingham, at the Court-House thereof, on Friday, July 27, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Ordered, That Court be adjourned until to-morrow morning, at 9 o'clock A.

Chas. J. O'Ferrall,

July 28, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, July 28, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Commonwealth
vs. } Upon an Indictment for breaking & entering an out-house in the night-time, to-wit the out-house of John Wattinger.
Daniel Madden,

This day, the prisoner, Daniel Madden, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and the prisoner by counsel, moved the Court to admit him to bail, which motion, on consideration, the Court doth sustain, and fixes his bail at the sum of $250. for himself & $250. for his surety; and thereupon the said Daniel Madden, together with Abram Loug, his surety, (who justified as to his sufficiency,) each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $250.00 each, to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that the said Daniel Madden does make his personal appearance before the Judge of this Court on the first day of the August Term next of this Court, to answer the said Indictment for felony, and not to depart thence without leave of the Court (each waiving the benefit of the Homestead exemption as to this obligation.)

And thereupon, the prisoner was released from custody.

Ordered, That this Court be adjourned until Monday morning next, at 9 o'clock.

Chas. J. O'Ferrall.

July 30, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, July 30, 1877.

Present:— Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for breaking and entering an
vs. } out-house in the night-time-to-wit: the out-house of Wm.
James M. Rhodes, } C. Flook.

This day, James M. Rhodes, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into on the first day of this term of the Court, and thereupon the Veniremen summoned for the trial of Felony cases at this term of the Court, were called, and thereupon a panel of sixteen were found to be duly qualified and free from exceptions, after first being examined by the Court upon their voir-dire, viz:— Wm. A. Maupin, Wm. Koontz, Wm. Berry, David Linaweaver, Daniel Brunk, Joel Flory, Philander Herring, H. B. Pence, W. R. H. Messick, Wm. M. Lewis, Barnet Getz, Harry Way, John Liskey, J. W. T. Samuels, Wm. Bateman & E. H. Cromer, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:— Wm. A. Maupin, Philander Herring, Harry Way & John Liskey; the remaining twelve of said panel, viz:— Wm. Koontz, Wm. Berry, David Linaweaver, Daniel Brunk, Joel Flory, H. B. Pence, W. R. H. Messick, Wm. M. Lewis, Barnet Getz, J. W. T. Samuels, Wm. Bateman & E. H. Cromer, who being thus elected, tried and 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 fully heard the evidence and argument of counsel, retired to their room to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the Jury, find the prisoner, James M. Rhodes, not guilty, David F. Linaweaver, foreman.

It is therefore considered by the Court that the prisoner be discharged and go hence without day, &c.

Geo. W. Landes (use of Geo. Wetzel's Admr.) } upon a sugn. vs. Robert Painter, &c.
vs.
Wm. P. Bloce,
&
same,
vs. } upon a Rule vs. Robert Painter, &c.
same,

On motion of the Plaintiff, by counsel, It is ordered that these causes be dismissed.

Commonwealth
vs. } upon an Indictment for lewd
Emanuel Royer & Susan A. Philips } & lascivious cohabitation.

This day came as well the Attorney for the Commonwealth, as the Defendants by counsel, who filed their plea of

not guilty; and thereupon came the following jury to-wit:- Wm. Koontz, Wm. Berry, David Linaweaver, Daniel Brunk, Joel Flory, H. B. Pence, W. R. D. Messick, Wm. M. Lewis, Barnet Getz, J. W. D. Samuels, Wm. Bateman, & E. W. Conner, who being elected, tried and sworn the truth in and upon the premises to speak, 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 oaths do say, "we, the Jury find the Defendants, Emanuel Boyer and Susan A. Philips guilty in manner & form as charged in the Indictment, and assess their amercements at fifty dollars each, David F. Linaweaver, foreman. And thereupon the jury was discharged.

Commonwealth,
vs.
Susan A. Philips. } Upon an Indictment for Keeping a House of ill-fame.

This day came as well the Attorney for the Commonwealth as the Defendant, by counsel, who filed her plea of not guilty, and thereupon came the following Jury, to-wit:- G. W. McFarland, E. C. Peale, J. W. Blackburn, B. F. Miller, W. D. Stine, Spring, Harvey Alger, Silas Beard, Garret King, J. M. Wellman, J. W. Brunk, Conner, R. C. Paul and F. J. Butler, who being elected, tried and sworn the truth in and upon the premises to speak, 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 oaths do say, "we, the Jury find the Defendant, Susan A. Philips, guilty in manner and form as charged in the Indictment, and ascertain the term of her confinement in the County Jail at six months, and assess her amercement at One Hundred dollars. John W. Blackburn, foreman. And thereupon, the jury was discharged.

And the Court doth award a Capias ad audiendum judicium, to be directed to the Sheriff of this County, commanding him forthwith to take the said Defendant, Susan A. Philips, and her safely Keep, so as to have her before this Court, as soon as may be, to show if anything she has to say or knows why the Court should not then proceed to pronounce judgment against her according to law, &c.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

July 31, 1877.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, July 31, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for breaking and entering
vs. } an out-house in the night-time, to-wit: out-house of Wm. C. Flook.
John Pittington.

This day, the prisoner, John Pittington, late of the County of Rockingham, who stands indicted for a felony by him committed, was arrived to the bar of the Court in custody of the Jailor of this County, and the Veniremen summoned for the trial of felony cases at this term of the Court were called, and thereupon a panel of sixteen were found to be duly qualified and free from exceptions, after first being examined by the Court upon their voir-dire, viz:- J. W. Blackburn, T. J. Butler, Joel Rinker, Jacob B. Burns, Harvey Alger, Wm. M. Martz, D. W. Biedler, R. B. Jones, Jacob A. Andes, Peter P. Holsinger, Cyrus N. Spitzer, Geo. W. McFarland, Harry Way, John Liskey, John W. Brill and Philander Herring, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- J. W. Blackburn, Peter P. Holsinger, Cyrus N. Spitzer & Harry Way,* who being thus elected, tried and 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 not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County & D. N. Bear & S. H. Bowman, 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 communicate or converse with them, touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock.

E. S. Kemper acknowledged himself to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of his respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition that he does make his personal appearance before the Judge of this Court on to-morrow morning at 9 o'clock, as a witness in behalf of the said John Pittington, and not depart thence without leave of the Court.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

*The remaining twelve of said panel, viz:- T. J. Butler, Joel Rinker, Jacob B. Burns, Harvey Alger, Wm. M. Martz, D. W. Biedler, R. B. Jones, Jacob A. Andes, Geo. W. McFarland, John Liskey, John W. Brill & Philander Herring, thereby constituting the Jury.

August 1, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, August 1. 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Commonwealth,
John Pittington, } Upon an Indictment for breaking and entering an out-house in the night time, to wit: the out-house of Wm. C. Flook.

This day the prisoner, John Pittington, late of the County of Rockingham, who stands indicted for a felony by him committed was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impannelled on yesterday for his trial, pursuant to their adjournment, 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 oaths do say, "We, the Jury find the prisoner, John Pittington, guilty in manner and form as charged in the Indictment in the first count thereof, and ascertain the term of his confinement in the Penitentiary at three years, and we find him not guilty on the second count of the Indictment, P. Herring Foreman", and thereupon on motion of the prisoner by counsel, the Jury was polled, each responding to the question, Is this your verdict? in the affirmative. And thereupon the Jury was discharged. Whereupon, the prisoner by counsel, moved the Court, first, to set aside the verdict and grant him a new trial, and second, in arrest of judgment, which motions, the Court, on consideration overruled, and it being enquired of the prisoner if anything he had or knew to say, why this 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 Pittington be imprisoned in the public Jail and Penitentiary House of this Commonwealth for the term of three years, (the period by the Jury in their verdict ascertained) to hard labor; said term to commence after the expiration of the term of one year, in the said public Jail and Penitentiary House, for which he was sentenced at the June Term last of this Court, under a conviction then had under an Indictment for breaking and entering an out-house in the night-time, to-wit: the out-house of John Nettinger. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said John Pittington 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 directed by Law for the term aforesaid.

And thereupon, the prisoner was remanded to Jail.

Commonwealth,

Robert Rawles & Susan Stover. } Upon an Indictment for lewd and lascivious cohabitation.

This day came as well the Attorney for the Commonwealth, as the Defendant Susan Stover by counsel, who filed her plea of not guilty, and the Defendant Robert Rawles being solemnly called, came not, the Court entered his plea of not guilty, and thereupon came the following Jury, to-wit:- Joel Pinkey, Jacob B. Burns, Harvey Alger, Wm. M. Mantz, Dl. W. Riedler, John Liskey, Jacob A. Anges, Geo. W. McFarland, John M. Bill, Philander Herring, Jacob V. Swank and Wm. Bateman, who being elected, tried and sworn, the truth in and upon the premises to speak, 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 oaths do say, "we, the Jury find the Defendants, Robert Rawles and Susan Stover, guilty in manner and form as charged in the Indictment, and assess their amercement at Fifty Dollars each, P. Herring, foreman."

It is therefore considered by the Court that the Commonwealth of Virginia recover of the said Defendants, Robert Rawles and Susan Stover, the sum of Fifty Dollars each, and her costs by her in this behalf expended.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock

Chas. T. O'Ferrall.

August 2, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday August 2d. 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia amounting to the sum of $14.50, for Keeping & supporting Wm. Spitzer, a Lunatic, confined in Jail 30 days from June 16th. 1877 to July 15, 1877, at 40 cents per day, ($12.00) and clothing for one month ($2.50), which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd. & d.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $124.80 for Keeping and supporting various prisoners, covering a period from June 16th. 1877 to July 15th. 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd. & d.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $120.00 for dieting Venues in the following felony cases, at this term of the Court, to-wit:- Commlth. vs. Silas Morris, (2d. trial ($108.00) and Commlth. vs. John Pittington, charged with a felony, to-wit, breaking and entering the out-house of Wm. C. Flook in the night-time ($12.00) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd. & d.

On motion of the President & Directors of the "New Rawley Springs Company," the Court doth appoint Harvey Peter as a Policeman at the said Rawley Springs, a place of public resort, in this County, whose powers shall be those of a Constable, except that he shall not have power to execute civil process. And said Policeman before entering upon the discharge of his duties, shall take the oaths prescribed by law.

cap'd.

Commonwealth,
vs.
Zebulon D. Gilmer, } Upon an Indictment for murder.

This day, Zebulon D. Gilmer, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into on the 3d. day of this term of the Court (July 18th. 1877) and for reasons appearing to the Court, his trial is continued generally until the 13th day of the August Term 1877, of this Court, being the 3d. day of September 1877, and the following witnesses in behalf of the Commonwealth, viz: J. A. Hammen, Whitfield Lindamood, J. W. Walters, Thomas Royer, C. E. Hammen, Wm. M. Boyd, James Colvin, Edward Bonds, R. E. Hopkins, John H. Berry, Charles Morris,

Jesse L. Pocock, Emanuel Sellers, Jacob B. Burner, George Gillespie, George Dennett, Thomas Roberts ~~and~~ B. B. Cave, N. W. Cave, Emily Payne, Geo. H. Hulvey and Geo. Williams, and the following witnesses for the defence, viz:- Cornelia Bear, Mary V. Ervine, Hugh Lilley, Charles Bunk, Jacob Runcle, Frank Life, Harvey Lilley & Robert Michael, ~~each~~ acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $250.00, to be levied of their respective goods & chattels, lands and tenements, for the use of the Commonwealth, each waiving the benefit of their Homestead exemptions as to this obligation, yet upon this condition that they each do make their personal appearance before the Judge of this Court on the said 13th day of the August Term 1877 of this Court, being the 3d day of September 1877, as witnesses as aforesaid, and not depart thence without leave of the Court. And the Court doth award Rules against the following witnesses, for their failure to appear this day, when duly summoned, returnable to the said 13th day of the August Term 1877, of this Court, to wit: For the Commonwealth:- George Davis, E. H. Ervine, Ellen Bennett, Geo. W. Manzy, Nicholas Kyger, Dr. L. B. Yancey, Geo. W. Hedrick, Wm. Hedrick, W. P. Sturgeon - For the defence, viz:- Wm. Reed, Hy. B. Harnsberger, Frederick Armentrout, John C. Whetzel, R. A. Gibbons, T. W. Sellers, Joseph Bauserman, Rev. I. Condor, J. B. Eastham, Daniel McCauley, Elizabeth McCauley, Brown Crawford, Charles Rush, Mrs. Himler, Wm. Eddins, David Gilmer, Fred. Harris, Wm. S. Ayler, Benj. Bonds, A. J. Life, L. B. Yancey and — Showalter (at McGaheyville.)

And the Court doth also award a Rule against Dr. W. A. Conn, returnable to said 13th day of the August Term 1877, of this Court, to shew cause, if any he can, why his recognizance entered into on the 3d day of this term of the Court, in the penalty $100.00 for his appearance this day as a witness in behalf of the Commonwealth ~~as~~ said Zebulon D. Gilmer, should not be forfeited.

On motion of the prisoner, ~~by counsel~~, the Court doth permit him to renew his bail in the sum of $10.000 for himself and in same amount for his surety; and thereupon the said Zebulon D. Gilmer, together with A. M. Newman, as his surety, (who justified as to his sufficiency,) acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $10.000.00 each, to be levied of their respective goods and chattels, lands & tenements, for the use of the Commonwealth of Virginia, (each waiving the benefit of their Homestead exemptions as to this obligation,) yet, upon this condition, that the said Zebulon D. Gilmer does make his personal appearance before the Judge of this Court on the said 13th day of the August Term 1877 of this Court, being the 3d day of September 1877, to answer the said Indictment, and not depart thence without leave of the Court.

The Court doth order that the following-named persons be allowed the sum of One Dollar each for their services as Jurors at this term of the Court, upon the trial of Emanuel Royer & Susan A. Philips, for a misdemeanor, and that the same be paid by the Treasurer

of this County, and certified to the Auditor of Public Accounts, viz:

Wm. Koontz,	Joel Flory,	Barnet Getz,
Wm. Berry,	W. B. Pence	J. H. D. Samuels,
David Linaweaver,	W. R. H. Messick,	Wm. Bateman,
D. Bannk,	Wm. M. Lewis,	E. H. Conner,

The Court doth order that the following-named persons be allowed the sum of One dollar each for their services as Jurors at this Term of the Court, upon the trial of Susan A. Philips, for a misdemeanor, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

S. H. McFarland,	M. M. Stinespring,	J. W. Wellman,
E. O. Peale,	Harvey Alger,	J. W. Funkhouser,
J. H. Blackburn,	Silas Beard,	R. C. Paul
B. F. Miller,	Barnet King,	T. J. Butler,

The Court doth order that the following-named persons be allowed the sums opposite their names, for their attendance and services at this Term of the Court as Veniremen summoned for the trial of Felony cases $1.00 per day, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

John A. Yates,	$11.00	Isaac Acker,	$1.00
J. H. Blackburn,	12.00	E. H. Conner,	6.00
R. B. Jones,	14.00	Wm. A. Mauzy,	5.00
T. J. Butler,	13.00	Wm. Koontz,	4.00
Joel Rinker,	14.00	John M. Baill,	8.00
Wm. M. Matty,	14.00	Wm. Berry,	4.00
Jacob B. Burns,	14.00	John Huddleson,	6.00
Jacob A. Anders,	14.00	Jacob C. Harrison,	5.00
Harvey Alger,	13.00	Wm. Bateman,	5.00
Peter P. Holsinger,	13.00	David Linaweaver,	4.00
Cyrus N. Spitzer,	13.00	Daniel Bannk,	4.00
Geo. W. McFarland	13.00	Joel Flory,	4.00
Wm. M. Lewis,	6.00	Philander Herring,	6.00
Gideon Rosenberger,	5.00	Adam Miller,	7.00
Barnet Getz,	5.00	H. B. Pence,	4.00
Harry Alger,	7.00	Samuel Leedy,	7.00
Jacob A. Swank,	6.00	W. R. H. Messick,	4.00
John Lipkey,	8.00	Daniel W. Biedler,	5.00
J. H. D. Samuels,	5.00		

It is ordered to be certified to the Auditor of Public Accounts that John Paul, Commonwealth's Attorney for Rockingham County is entitled to the sum of $30.00 for prosecuting in three cases of Felony at this term of the Court, to-wit:- Commonwealth vs. Silas Norris, same vs. John Pittington, and same vs. James M. Rhodes.

Cyrus Pence, for &c Pltff } Upon a Notice,
vs
Z. D. Gilmore &c Defts }
&
same, Pltff } Upon a Notice,
vs
same, Defts. }

By the consent of parties, It is ordered that these two causes be submitted to the Judge of this Court for decision in vacation, on the 13th day of August 1877.

Ordered, that this Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

August 3d 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, August 3, 1877.

Present: Hon. Chas. T. O'Ferrall, presiding.

On the Petition of Benjamin Hoover and others for a change in a Public Road.

The viewers appointed at a former term of this Court having made their report, which the Court on examination finds to be incomplete in the following particulars:-

1 & 4 cap. ind. 1st. The report does not show whether any yard, garden, orchard or any part thereof will have to be taken in case the proposed change is made, as required by law, - and

2nd. It does not show the probable cost of making said proposed change. It is, therefore, ordered that the said report be recommitted to the said viewers, who are hereby required to amend their report in the particulars named, and return their amended report to this Court on the first day of the next term.

And E. M. Hoover, one of the proprietors of the land along the route of the said proposed change, having by writing filed and made a part of the record in this cause, accepted the damages assessed to him by said viewers and set forth in their report, It is ordered that no summons issue as to him. And B. F. Strickler, the other land-owner along said proposed route having come into Court and waived service of summons, it is ordered that no summons issue as to him, and the said B. F. Strickler having entered himself as a party defendant to said petition, and expressed his unwillingness to accept the damages assessed to him by said viewers and set forth in said report, on his motion, the Court doth appoint John J. Bowman, William F. Bowers, Henry L. Shoup, John Zigler and B. F. Garber, Commissioners, (any three of whom may act, after first being duly sworn) for the

purpose of ascertaining what will be a just compensation for the land of the said B. P. Strickler proposed to be taken, and for the damages to the residue of the tract beyond the peculiar benefits to be derived in respect to such residue, should said proposed change be made.

The said Commissioners shall meet on the land of the said B. P. Strickler on Saturday the 18th day of August 1877, and shall, in all respects be governed by Sections 9 & 10 of Ch. 56 of the Code of 1873, and shall forthwith make return of their report and the certificate of the Justice administering the oath, to this Court, for further proceedings to be had and for a final determination of this cause.

Thomas W. Gordon's Admr. Plff

Thomas G. Hopkins, Deft. } Upon a Sci. fa. to revive a Judgment, &c,

This day, came the plaintiff by his Attorney, and the defendant, upon whom process was duly served, not appearing, It is considered by the Court that the judgment mentioned in the said Scire facias, which was duly docketed upon the first day of this term, be revived in the name of D. H. Bolton, Sheriff of Rockingham County, and as such Administrator of T. W. Gordon, dec'd, and that the plaintiff may have execution against the defendant for the sum of Sixty-five & 94/100 dollars with interest thereon from the 2nd day of July 1858 till paid, the debt and interest, and $6.71 the costs in the suit aforesaid specified; and also that the plaintiff recover against the defendant his costs by him expended in suing forth and prosecuting this suit.

J. N. Sellers & Jacob Argenbright, Trustees for the Peaked Mountain Congregation, Plffs.

Thomas K. Milley, surviving obligor of himself and W. D. C. Covington & William B. Yancey, dec'd, in the official bond of W. D. C. Covington, late Constable of Rockingham County, Deft. } Upon a Notice, for money collected as Constable

This day came the parties, by their attorneys, and the decision of this cause was submitted to the Court, and the Court having fully heard the same, doth consider that the Plaintiffs recover of the Defendant, the sum of $40.00, with interest thereon from February 16, 1850, till paid, subject to a credit of $5.00 paid April 9, 1867, and their costs by them in this behalf expended.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. A. O'Neall,

August 4, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, August 4, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the Petition of Gideon Kratzer and others for a change in the public road leading from Linville to the Valley Turnpike, where the same passes through the lands of said Gideon Kratzer,

The viewers appointed at a former term of this Court having made their report, which the Court finds on examination to be in accordance with law, and the said Gideon Kratzer on whose lands the road will pass if the proposed change is made having appeared in Court and waived service of process and relinquished all claim for damages for the land proposed to be taken &c, and agreed to bear all the expense necessary to make said change and all costs attending this petition, including the per diem to the viewers and Surveyor, On consideration the Court doth hereby order said change to be made in accordance with the report of said viewers, as follows:-

Cap'd. fa G. Kratzer.

"Beginning where said public road passes Gideon Kratzer's corner and running S. 63° E. 62 poles on a grade of 3½° to Ragan and Kratzer's corner; thence So. 80° E. 30 poles on a grade, the steepest part of which is 2° to the intersection of said road."

And the Commissioner of Roads of Linville District is hereby directed to proceed forthwith to make the said change according to the courses and distances above set forth, and report his proceedings to this Court, with a view to a final determination of this matter.

On the motion of G. E. Sipe, her Committee, the Court doth appoint G. G. Gattan, F. A. Daingerfield & R. R. Fletcher to appraise the Estate of Lucinda Yancey, after first being duly sworn.

Ordered, That Court be adjourned until Monday morning next at 9 o'clock.

Chas. T. O'Ferrall.

August 6, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, August 6, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth
vs
Emanuel Royer & Susan A. Philips. } Upon an Indictment for lewd and lascivious cohabitation.

This day came again as well the Attorney for the Commonwealth, as the Defendants by their Attorneys, and the Defendants moved the Court to set aside the verdict of the Jury rendered at a former day of this term, and grant them a new trial, which motion, on consideration, the Court doth sustain; It is therefore considered by the Court that the verdict of the Jury in this cause be set aside, and a new trial is awarded the defendants.

It is ordered to be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for Rockingham County is entitled to the sum of Ten Dollars, for prosecuting to conviction, in two cases of misdemeanor, at this term of the Court, to-wit:- Commonwealth vs Susan A. Philips & same vs Robert Rawles & Susan Stover.

c. p. d. & d.

Commonwealth,
vs
Susan A. Philips. } Upon an Indictment for Keeping a House of ill-fame.

Memo:- Be it remembered, that upon the trial of this cause, the Defendant, by counsel, moved the Court in arrest of judgment, which motion, on consideration, the Court overruled and thereupon the Defendant excepted to the opinion of the Court in overruling her motion for a new trial, and tendered her Bill of exceptions, which she prays may be signed, sealed and enrolled by the Court, which is accordingly done, and is in the words & figures following, to-wit:- Commonwealth vs Susan A. Philips," &c.

S. Carson Bowers, Pltff.
vs
Archibald Rutherford's Admr. Deft. } Upon a Motion to set aside a Judgment.

This day came the parties by their Attorneys, and the Plaintiff by counsel moved the Court to set aside a judgment obtained against him by the Defendant in this motion at the May Term 1873 of this Court for the sum of $1.000.00 with legal interest thereon from the 26th day of March 1862 until paid, and $14.50 Costs, on consideration whereof, and after hearing the evidence and argument of counsel, the Court is of opinion that no ground has been shown to set aside the said judgment, and doth overrule the said motion, It is therefore considered by the Court that the motion of the Plaintiff be

dismissed, and that the Defendant recover his costs by him in this behalf expended.

Commonwealth, } Upon an Indictment for breaking and
vs } entering an out-house in the night time,
John Pittington. } to-wit:- the out-house of Wm. C. Flook.

Memo:- Be it remembered that upon the trial of this cause the prisoner by counsel, excepted to the opinion of the Court in excluding certain testimony from the Jury, and tendered his first bill of exceptions, which is in the words & figures following, to-wit:- Commonwealth vs. John Pittington", &c.

And be it further remembered, the prisoner, by counsel, excepted to the opinion of the Court in refusing to give certain instructions to the Jury asked for by the prisoner, which opinion of the Court in refusing to give said instructions, the prisoner, by counsel, excepted, and tendered his second bill of exceptions, which is in the words & figures following, to-wit: Commonwealth vs. John Pittington, &c.

And be it further remembered, that after the rendition of the verdict in this cause, the prisoner, by counsel, moved the Court to set aside the verdict and grant him a new trial, which motion the Court overruled, to which action of the Court in refusing to set aside the verdict and grant him a new trial. the prisoner, by counsel, excepted, and tendered his third bill of exceptions, which is in the words & figures following, to-wit:- Commonwealth vs John Pittington, &c.

And be it further remembered that the prisoner moved the Court in arrest of judgment, which motion the Court, on consideration, overruled, to which action of the Court in overruling the said motion, the prisoner, by counsel, excepted, and tendered his fourth bill of exceptions, which is in the words & figures following, to-wit:- Commonwealth vs. John Pittington," &c.

All of which said four bills of Exceptions, the prisoner, by counsel, prayed the Court to sign, seal and enroll, which was accordingly done.

S. Carson Bowers, Pltff.
vs } Upon a motion to set aside a judg-
Archibald Rutherford's Adm. Deft. } -ment.

Memo:- Be it remembered, that the Plaintiff, by counsel, excepted to the opinion of the Court in overruling his motion to set aside the judgment set forth in the proceedings in this cause, and tendered his bill of exceptions, which is in the words & figures following to-wit: S. Carson Bowers vs Archibald Rutherford's Adm., which he prayed may be signed sealed and enrolled by the Court, which is accordingly done.

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

Chas. F. Onnall.

August 20 1877 At a County Court held in and for the County of Rockingham at the Court House thereof on Monday August 20th 1877.

Present:- Hon. Chas. T. O'Ferrall 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 July Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the minutes, and is as follows, Viz:-

Bargain & Sale	Jacob B. Coffman & wife.	to Lewis J. Heatwole.
" "	Ed. S. Conrad, Comm'r.	" William M. Billheimer.
" "	E. J. Sullivan, & wife.	" M. Harvey Effinger.
" "	Henry Hale & wife	" Perry Baugher.
" "	James Butler, & wife.	" Perly H. Baugher.
" "	Geo. M. Yancey & wife	" Daniel Flook.
" "	D. B. Haymaker & wife	" John Zigler.
" "	Wm. P. McNeall & wife	" Solomon Garber & wife.
" "	Jacob B. Burns & wife.	" Sylvan Garber.
" "	S. R. Eastham	" James Bowman.
" "	Jno. E. Roller Assignee of Dan'l Baugher.	" D. J. Baugher.
" "	Peter Hile & wife.	" David McNett.
" "	J. M. Bunting & wife	" Rebecca Bare.
" "	Joseph S. Sheetz & wife	" John P. Sheetz
" " "	James M. Chapman & wife.	" Virginia Chapman.
" "	John Leedy & wife.	" William P. Blose.
Trust Deed	William P. Blose.	" Oliver B. Roller, Trustee.
Bargain & Sale	John E. Roller, Trustee.	" Daniel Bowman.
" "	John M. Stern & wife.	" Mary E. High.
Trust Deed.	John Lee.	" J. J. Logan, Trustee.
Bargain & Sale	Samuel Bare & wife	" Levi Wise.
Trust Deed.	Sam'l M. Pollock Agt & Trustee for Mary L. Pollock &c.	" M. D. Early Trustee.
Bargain & Sale	William N. Whitaker & wife.	" John N. Bell.
" "	F. A. Daingerfield Comm'r of J. N. Bell & wife.	" James M. Davidson,
" "	Geo. M. Shaver & wife.	" Geo. A. Ritchie Trustee for Ann E. Ritchie
" "	Joseph Loewenbach & wife.	" Ann E. Loewenbach.
Release Deed	A. M. Newman Trustee,	" Susan Kinehart.
Bargain & Sale	Geo. A. Phares & wife	" Emily Phares wife of Jacob Phares.
Trust Deed.	John Lovar & wife	" George E. Jenkins Trustee.
Bargain & Sale.	Harvey F. Smith & wife.	" Sarah M. Devier & Bettie Devier.
" "	John E. Roller Special Comm'r.	" Louisa & Robinson Showalter.
" "	Robinson Showalter & wife	" Louisa Showalter.
Trust Deed	Louisa M. Showalter.	" Oliver B. Roller, Trustee.
Lis Pendens	Mary B. Brown Adm'x of A. M. Brown	" B. F. Harman.

The following Settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed and ordered to be recorded. Viz:-

Settlement of the Account of D. H. Rolston S. R. C. & Adm'r. of Benjamin Yount dec'd.

" " " " " D. H. Rolston S. R. C. & Adm'r. of Mary Yount dec'd.

The following Apperaisement & Sale Bills were this day presented in Court and no exceptions being taken thereto. the same are ordered to be recorded. Viz:-
Sale Bill of Personal Property of Isaac Burner's Estate.
Apperaisement & Sale Bill of Adam Piper's Estate.
" " " " Michael Hupie Estate.
" " " " Elizabeth Roller's Estate.
Apperaisement & Supplemented Sale Bill of Peter Roller's Estate.
Apperaisement Bill of Geo. M. Miller's Estate.

On the motion of A. W. Peale the Estate of Joseph Billinger is committed to D.B. Roleton, Sheriff of this County, for administration, it appearing to the Court that John Billinger, the former administrator has departed this life, and that the Estate of said Jo. Billinger has been without an administrator for more than three months.

On the motion of Mrs. Eliza Miller, widow of George Miller, dec'd, the Estate of the said decedent is committed to D. B. Roleton, Sheriff of this County, for administration, it appearing to the Court that he has been dead for more than three months, without an administration upon his Estate, and the Court doth appoint J. W. Martinam, J. P. Hyde, J. F. Voorhees, John C. Morrison & J. N. Vanpelt to appraise the Estate of said George Miller, dec'd, any three of whom may act, after first being duly sworn.

Application of Harry Crook for Ordinary, and Wholesale & Retail Liquor Merchants License at Broadway.

Ordered that this application be placed upon the Courts Docket.

Commonwealth, } upon an Indictment for breaking and entering
vs. } an outhouse in the night-time, to-wit the outhouse
Daniel Madden. } of John Billinger, who stands indicted for a felony by him committed,

This day, Daniel Madden appeared in Court in discharge of his recognizance entered into at the last term of the Court and the Court fixed Wednesday, the 29th. day of this month as the day for his trial, and on motion of the prisoner, the Court doth permit him to renew his bail; and thereupon the said Daniel Madden, together with A.C. Long, his surety, (who justified as to his sufficiency,) acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $250.00 to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet, upon this condition, that the said Daniel Madden does make his personal appearance before the Judge of this Court on the said 29th. day of July (1877) to answer the said Indictment for felony, and not depart thence without leave of the Court each waiving the benefit of the Homestead exemption as to this obligation, and thereupon the prisoner was released from custody.

Wm. J. Maxwell vs. Pltff
D. H. Roleton, Sheriff &c, Defts. } Upon a notice.

Same, Pltff
Same, Defts. } Upon a notice.

J. C. Echard, for &c, Pltff,
Peter Rollen Exor. Defts. } Upon a motion

Mary Bilhimer, Pltff.
N. W. Poole, Defts. } Upon a Rule on action of Ejectment.

J. N. Taylor, Trustee for Louisa C. Taylor, Pltff
Samuel Shirkey, Defts. } W. E. & D.

Ordered, That the foregoing causes be placed on the Court's Docket.

Wm. C. McAlister this day presented in Court an Account against the County of Rockingham, amounting to $4.98 for repairing windows &c, in Court-House, which being received to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of Levy for the year 1877.

cap'd. ord.

The writing purporting to be the last will and testament of George Lohr, dec'd, was this day presented in Court, and being proven by the oaths of David C. Sanders & John M. Reiner, two of the subscribing witnesses thereto, was admitted to Probate and ordered to be recorded.

The writing purporting to be the last will and testament of David Whitmore, dec'd, was this day presented in Court, and being proven by the oaths of David B. Armentrout, Benjamin Miller, Adam Turner & Jacob Miller, the subscribing witnesses thereto, was admitted to Probate and ordered to be recorded; and thereupon, on the motion of Martha E. Whitmore, the Executrix therein named, who made oath thereto according to law, she appeared in Court, and together with David B. Armentrout and Benjamin Whitmore her sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $1200 & conditioned as the law requires, waiving the benefit of the Homestead exemption, a certificate is granted her for obtaining a Probat of said will of said David Whitmore, dec'd, And the Court doth appoint Henry N. Miller, John H. May, & Jonathan Wampler to appraise the

Estate of said David Whitmore, after first being duly sworn.

Commonwealth, } Upon an Indictment for murder.
Louisa Lawson, }

This day the prisoner Louisa Lawson late of the County of Rockingham who stands indicted for a felony by her committed was again led to the bar of this Court in Custody of the Jailor of this County, and thereupon the Veniremen Summoned for the trial of felony cases at this term of the Court, were called twenty three of whom appeared Viz:- Wm. C. Summers, Joseph Howver, B. F. Kiger, Jacob Lineweaver, John D. Heatwole John C. Hidecker, Henry C. Beery, R. A. Harrison, B. F. Showalter, Marion Long, T. J. Kline, John W. Heaton, D. W. C. Koogler, R. L. Gowl, J. R. Price, Adam Pifer, Geo. W. Keller, Abraham Brenneman, Peter W. Roller, V. Bolton, S. S. Bowman, Geo. R. Eastham, & Jackson Knupp, and thereupon the panel of thirty six was completed by the Sheriff Summoning from a List furnished by the Judge Sitting, the following named persons to-wit:- John S. Fridley, Wm. Moomaw, John W. Gaither, John F. Ranhof, Robt. G. Coakley, Hiram Coffman, Jacob Whitmer, John H. Rolston of D. James H. White, J. A. Herring, Joseph Coffman, Joseph Spitzer, and Daniel Cupp, and from the panel thus completed a panel of Sixteen were called examined by the Court, on their voirdire, found to be duly qualified and free from exceptions, viz:- Joseph Howver, Jacob Lineweaver, John D. Heatwole John C. Hidecker, R. A. Harrison, B. F. Showalter, Geo. W. Keller, S. S. Bowman, Geo. R. Eastham, Wm. Moomaw, D. W. C. Koogler, John W. Gaither, Hiram Coffman, Jacob Whitmer, John H. Rolston, of D. & John A. Herring. And thereupon the prisoner was furnished with a copy thereof and having stricken therefrom the names of four of the persons of said panel Viz:- D. W. C. Koogler, Hiram Coffman John H. Rolston, of D. & John A. Herring, the remaining twelve of said panel. Viz:- Joseph Howver, Jacob Lineweaver, John D. Heatwole John C. Hidecker R. A. Harrison B. F. Showalter, Geo. W. Keller, Geo. R. Eastham, Wm. Moomaw, John W. Gaither ~~and~~ Jacob Whitmer, and S. S. Bowman, thereby constituting the jury who being thus elected tried and 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 not having time fully to hear the evidence were adjourned until tomorrow morning at 9 O'clock, and thereupon they were placed in charge of D. H. Rolston Sheriff of this County and D. N. Bear his Deputy to whom was administered an Oath that you shall keep this jury together, and have no Communications with them yourselves nor permit any other persons to have any Communications or Converse with them touching this trial, and cause them to appear in Court tomorrow morning at 9 O'clock So help you God, Thereupon Samuel Hall, Rebecca Hall, Burress Williams Frances Crawford, James Crawford, John Mowberry Conrad Davis, Abel Eaton, David Gilmer, Aaron P. Davis, B. P. Teel, Dr. J. H. Wolfe, Isaac Wyant John I. Wood, Asa Baugher, John T. Maiden, Geo. W. Baugher, Thomas Powell, Franklin Davis, Julia Marshall, Columbia Shifflett, & Joseph W. Baugher, witnesses in behalf of the Commonwealth and Samuel Davis, Matilda Baugher, Dr. J. F. Caterton, Rufus Shifflett, David Gilmer Jefferson Morris Hailston Shifflett, Wm. McDaniel Henry Morriss, Columbia Shifflett, Rial Moss, Martha Roach, Susan Gladden, Elijah Davis, Betsy Byrd, Winnie E. Lamb, John W. Morriss, Henry E. Sipe, Nicholas Williams,

John alias Johnny Morris. witnesses in behalf of the prisoner. appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each, to be levied of their respective goods and Chattels, lands and tenements, for the use of the Commonwealth, yet upon this Condition that they each do Continue their appearance before the Judge of this Court as witnesses as aforesaid, and not depart thence without leave of the Court, each waiving the benefit of the Homestead exemption and thereupon the prisoner was remanded to Jail.

Mary Bilhimer
vs
A. N. Peale. } Upon a Rule on an action of Ejectment.

This day came the parties by their attorneys, and the Defendant by counsel, entered a general demurrer to the Plaintiff's declaration, and filed his plea of not guilty, and the cause is continued until a future day of the term.

Ordered, that Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

August 21, 1877 At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, August 21, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of Mary A. Stover, the Estate of Joseph Stover Sr. is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that he has been dead for more than three months, without an administration on his Estate.

The Court doth award Rules against A. R. Whissen and James F. Lang, returnable to Monday next, August 27th 1877, the 7th day of this term of the Court, for their failure to appear at this term of the Court as Veniremen for the trial of Felony cases when duly summoned.

ind.

Commonwealth,
vs
Louisa Lawson, } Upon an Indictment for murder.

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn

and impannelled on yesterday for her trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Rolston, Sheriff of this County, and D.M. Bear, 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 with or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

Ordered That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

August 22, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday August 22, 1877.

Present: Hon. Chas. T. O'Ferrall, presiding.

Commonwealth
Louisa Lawson } upon an Indictment for murder.

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday last for her trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Rolston, Sheriff of this County and D.M. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And Charles Henley, a witness in behalf of the prisoner appeared in Court and acknowledged himself to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of his respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition that he continues his appearance before the Judge of this Court as a witness aforesaid, and not depart thence without leave of the Court, waiving the benefit of

the Homestead exemption

And thereupon the prisoner was remanded to Jail.

It appearing to the Court that no appraisers have heretofore been appointed to appraise the Estate of Henry Argenbright dec'd since the same was committed to the Sheriff of this County, on the motion of D. B. Roleton, Sheriff of Rockingham County as such Admr. c. t. a. d. b. n. of Henry Argenbright, dec'd the Court doth appoint Albert P. Nicholas, G. M. Weaver, R. E. Hopkins, Jesse L. Bowcock & Jo. A. Hammen, to appraise the Estate of said decedent, any three of whom may act, after first being duly sworn,

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Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. J. O'Ferrall.

Aug. 23, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, August 23, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Geo. J. Kisling, a Justice of the Peace of Rockingham County, and as such Acting Coroner, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.50 for expenses in holding an Inquest upon the body of an unknown white female child, found near Harrisonburg, in said County, to-wit: (Coroner's fee $3.00 Constable's fee for summoning jury &c. $1.50 and pay of 6 Jurors $6.00) which being certified to by the said acting Coroner, and examined by the Court, was ordered to be certified for payment to the Auditor of Public Accounts, as expenses incurred in holding Inquest on body of stranger or unknown person, under Section 9 Chapter 197 Code of 1873, and Sec. 14, of Chapter 180 Ibid, as amended by an Act entitled "An act to amend & re-enact Sect. 1-4-9 of Chapter 194 & Sec. 14 of Chapter 180 of Code of 1873 in reference to Coroners Juries & the pay thereof, and of Coroners, approved March 31, 1875,

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The Commonwealth,
vs.
Louisa Lawson,
} upon an Indictment for murder,

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in cus-

-tody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for her trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County & D. W. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

August 24, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, August 24, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Commonwealth,
vs
Emanuel Royer & Susan A. Philips. } Indictment for lewd & lascivious cohabitation.

This day came again as well the Attorney for the Commonwealth, as the Defendants by counsel, and thereupon the Attorney for the Commonwealth entered a nolle prosequi, It is therefore considered by the Court that the Defendants go hence without day, &c.

Commonwealth,
vs
John Shea, } Indictment for unlawfully shooting at another in a street in a town.

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, who filed his plea of not guilty, and thereupon came the following Jury, to-wit:- Isaac Stone, Geo. W. Hedrick, C. W. Fellows, Michael Ward, John H. Wartmann, Bolivar Ward, J. R. Price, A. W. Dutrow, G. D. Anthony, Rial Moss, S. C. Rohr, and C. R. Gibbs, who being elected, tried and sworn, the truth in and upon the premises to speak, 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 oaths do say, "we the Jury find the Defendant, John Shea, guilty in manner & form as charged in the Indictment, and assess his amercement at One Hundred

Dollars, Jno. H. Wartmann, foreman.

And the Court doth award a Capias ad audiendum judicium, to be directed to the Sheriff of this County, commanding him forthwith to take the said Defendant, John Shea; and him safely Keep so as to have his body before this Court, as soon as may be, to show if anything he has to say or Knows, why the Court should not then proceed to pronounce judgment against him according to law, &c.

Commonwealth, } Upon an Indictment for murder.
Louisa Lawson, }

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for her trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Roleton, Sheriff of this County & D. W. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And the following witnesses in behalf of the Commonwealth, viz:- Jackson Lam, Richard Morris, Benton Morris, Conrad Davis, Conrad Eaton, James Crawford, Wm. D. Maiden, Samuel Hall, Bennis Williams, V. H. Lam, Asa Baugher, Franklin Davis, Jos. Baugher, A. P. Davis, Abel Eaton, David Gilmer, Wesley Conly, Abs. Lawson, John I. Wood, B. P. Peel, A. J. Holloway, Geo. W. Hedrick, Jno. T. Maiden, Geo. W. Baugher, Jesse Wyant, Thomas Powell, Edward Herring, Charles Hensly & Matilda Baugher, appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $100.00, to be levied of their respective goods & chattels lands & tenements, for the use of the Commonwealth, yet, upon this condition that they each make their personal appearance before the Judge of this Court, on Monday morning next, at 10 o'clock, as witnesses as aforesaid and not depart thence without leave of the Court, each waiving the benefit of the Homestead exemption as to this obligation.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

August 25, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, August 25, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of John E. Roller, James Hay, a regularly licensed Attorney at Law, appeared in Court, and qualified to practice Law in this Court, by taking the oaths prescribed by law.

The Court doth order that the following named persons be allowed the sum of One dollar each for their services as Jurors at this Term of the Court, upon the trial of John Shea, for a misdemeanor, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

c.a.p.d for Aud.

Isaac Stone,	Michael Ward,	J. R. Price,	Rial Moss,
Geo. W. Hedrick,	Jno. H. Wartmann,	A. W. Dutrow	S. C. Rohr,
C. W. Fellows,	Bolivar Ward,	G. D. Anthony	C. R. Gibbs,

On the application of A. Shaver & Co. John W. Melhorn, G. W. Mauzy, &c, for the establishment of a public road connecting with the road leading from Rockingham Mills (A. Shaver & Co.) at the mouth of the lane on the lands of Mrs. F. C. Melhorn, &c to Montevideo,

The Court doth appoint Chas. R. Rush, James M. Weaver & John L. Wood, viewers to view the ground, and report to this Court, at its next term, first, the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken

2nd. They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on such route or routes, and state which of them require compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same,

Any defect in the action or Report of the viewers will prevent them from receiving pay for their services

Commonwealth
vs
Louisa Lawson } upon an Indictment for murder.

This day the prisoner, Louisa Lawson, late of the

County of Rockingham, who stands indicted for a felony by her committed, was ~~this day~~ again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday last for her trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until Monday morning next, at 9 o'clock and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County & D. N. Bear, 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, and cause them to appear in Court on Monday morning next at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Dr. J. H. Neff this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00 for attendance upon the Inquest and assisting in making autopsy upon the body of a white female infant, found in a well two miles North of Harrisonburg, Aug. 22, 1877, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd & d.

Ordered, That Court be adjourned until Monday morning next, at 9 o'clock.

Chas. T. O'Ferrall.

August 27, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, August 27, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

For reasons appearing to the Court, the Rules awarded against A. R. Whissen, & James F. Lang at a former day of this term for their failure to appear as Veniremen, when duly summoned, were discharged.

On motion of Wm. F. Koontz & others, the children of John Koontz, dec'd, the Court doth appoint Abraham Miller, John Huddleson, Edward S. Peale and Albert Eiler to assign Dower to Frances C. Koontz, the widow of John Koontz, in the lands of the said John Koontz, dec'd.

cap'd & d & fur p'd. 25 25 50

Commonwealth, } Upon an Indictment for murder,
Louisa Lawson, }

This day, the prisoner, Louisa Lawson, late of the

County of Rockingham, who stands indicted for a felony by her committed was again led to the bar of the Court in custody of the Jailor of this County and thereupon again came the Jury sworn and impannelled on the first day of this term of the Court, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. N. Roleton, Sheriff of this County and W. H. Blakemore & D. N. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Aug. 28, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, August 28, 1877.

Present: Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for murder.
vs.
Louisa Lawson.

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on the first day of this Term of the Court, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. N. Roleton, Sheriff of this County and Geo. A. Hutcheson, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

John Ira Morris, Lurenna Morris and George Lawson, witnesses in behalf of Louisa Lawson, in the case of the Commonwealth vs. Louisa Lawson, appeared in Court in custody of the Jailor of this County, under an Attachment awarded against them for their con-

tempt in failing to appear as witnesses as aforesaid, and for rea-sons appearing to the Court, the attachment was dismissed, and the said witnesses discharged from custody.

Ordered, That Court be adjourned until to-morrow morning at 9 o' clock.

Chas. J. O'Ferrall.

Aug. 29, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House, thereof, on Wednesday, August 29, 1877.

Present: Hon. Chas. J. O'Ferrall, presiding.

Commonwealth, }
Daniel Madden. } Upon an Indictment for breaking and entering an outhouse in the night time, to-wit: the outhouses of John Bottinger.

This day, Daniel Madden, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into on the first day of this term of the Court, and for reasons appearing to the Court his trial is continued until Friday next, August 31, 1877, and thereupon the following witnesses in behalf of the Commonwealth, viz: Richard Miller, John Bottinger & Isaac Martz, and the following witness in behalf of the defence, viz: Alex Madden, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods & chattels, lands & tenements for the use of the Commonwealth, yet upon this condition that they each do make their personal appearance before the Judge of this Court, on Friday next, Aug. 31, 1877, as witnesses as aforesaid, and not depart thence without leave of the Court, each waiving the benefit of the Homestead exemption. And on motion of the prisoner, the Court doth permit him to renew his recognizance, and thereupon the said Daniel Madden, together with Cyrus Rhodes, his surety, (who justified as to his sufficiency,) ac-knowledged themselves to be indebted to the Commonwealth of Vir-ginia, each in the sum of $250.00 to be levied of their respective goods and chattels, lands and tenements, for the use of the Common-wealth, yet upon this condition, that the said Daniel Madden does make his personal appearance before the Judge of this Court on Friday next, Aug. 31, 1877, to answer the said Indictment for felony, and not depart thence without leave of the Court, each waiving the ben-efit of the Homestead exemption as to this obligation, and thereupon the prisoner was released from custody.

Commonwealth,
vs.
Louisa Lawson. } Upon an Indictment for murder.

This day the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the jury sworn and impanneled on the first day of this Term of the Court, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County, and Geo. A. Rutherson 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So keep you God.

And A. Shaver, a witness in behalf of the Commonwealth appeared in Court, and acknowledged himself to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of his goods & chattels, lands & tenements, for the use of the Commonwealth, yet, upon this condition, that he does make his personal appearance before the Judge of this Court on to-morrow as a witness as aforesaid, and not depart thence without leave of the Court, waiving the benefit of the Homestead exemption.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Aug. 30, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, August 30, 1877.

Present: Hon. Chas. T. O'Ferrall, presiding.

Dr. Wm. A. Neff this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00 for assisting Dr. Neff in making Autopsy on infant found in well 2 miles North of Harrisonburg, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Cert. under order made at May Term 1878. See page 395.

Commonwealth
vs.
Louisa Lawson, } Upon an Indictment for murder.

This day, the prisoner, Louisa Lawson,

late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on the first day of this term of the Court, pursuant to their adjournment, and not having time fully to hear the argument of counsel, were adjourned until to-morrow morning at 9 o'clock; and thereupon, they were placed in charge of D.H. Roleton, Sheriff of this County & D.L. Bear 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, and cause them to appear in Court on to-morrow morning at 9 o'clock, So help you God."

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

Aug. 31. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday August 31, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Jackson Knupp, Plff.

Peter Rader & Geo. W. Shaver, Defts. } Upon a motion for fine for failure to return Ex.

Ordered, That this cause be placed upon the Court's docket.

Commonwealth,

Louisa Lawson } Upon an Indictment for murder.

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailer of this County, and thereupon again came the Jury sworn and impannelled on the first day of this term of the Court, pursuant to their adjournment, and having fully heard the argument of counsel, but not having time to consider their verdict were adjourned until to-morrow morning at 9 o'clock, and thereupon, they were placed in charge of D.H. Roleton, Sheriff of this County and Wm. J. Ryman & Geo. A. Hutcheson, his deputies, to whom was administered and 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, and caused them to appear in Court on to-morrow morning at 9 o'clock. So keep you God.

And thereupon, the prisoner was remanded to Jail.

On the motion of Wm. P. Bloce, a creditor thereof, the Estate of W. Wm. Bilhimer, dec'd, is committed to D.B. Bolton, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months without an administration upon his Estate.

Commonwealth,
vs
Daniel Madden. } Upon an Indictment for breaking and entering an out-house in the night-time, to-wit the out-houses of John Pottinger.

This day, the prisoner, Daniel Madden, late of the County of Rockingham, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into on yesterday, and for reasons appearing to the Court his trial is continued until to-morrow, Sept 1, 1877, and thereupon D. B. Marty, a witness in behalf of the Commonwealth and Samuel Barley, Mat. Snyder & Abe Madden, witnesses in behalf the prisoner appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that they each do make their personal appearance before the Judge of this Court, on to-morrow morning at 9 o'clock, as witnesses as aforesaid, and not depart thence without leave of the Court, each waiving the benefit of the Homestead exemption.

And on motion of the prisoner, the Court doth permit him to renew his recognizance, and thereupon the said Daniel Madden, together with Lyne Rhodes, his surety, (who justified as to his sufficiency,) acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $250.00 to be levied of their respective goods & chattels, lands & tenements for the use of the Commonwealth, yet upon this condition that the said Daniel Madden does make his personal appearance before the Judge of this Court on to-morrow, Sept 1, 1877 at 9 o'clock, to answer said Indictment for felony, and not depart thence without leave of the Court, each waiving the benefit of the Homestead exemption as to this obligation, and thereupon the prisoner was released from custody.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 1, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, Sept. 1, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

It appearing to the Court that Mary M. Lohr, widow of Geo. Lohr, dec'd, has relinquished her right (in writing) to administer upon the Estate of her husband, George Lohr, dec'd, on the motion of George Lohr who made oath thereto according to law, he appeared in Court, and together with Isaac Lohr, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $3500 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration C. T. A. upon the Estate of the said George Lohr, dec'd.

And the Court doth appoint John W. Driver, Abm. Bowlong, John R. Thomas and Geo. A. Moffett to appraise the Estate of said George Lohr, dec'd. any three of whom may act, after first being duly sworn.

Commonwealth,
Louisa Lawson, } Upon an Indictment for murder.

This day, the Prisoner, Louisa Lawson, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on the first day of this term of the Court for her trial, pursuant to their adjournment, and not having agreed upon a verdict, retired to their room to consider the same and after some time returned into Court, and upon their oaths do say, "we the Jury find the Prisoner, Louisa Lawson, guilty, as an accessory before the fact to murder in the first degree, in manner and form as charged in the Indictment, John D. Heatwole, foreman. And thereupon, on motion of the Prisoner, by counsel, the Jury was polled, each responding to the question, Is this your verdict? in the affirmative. Whereupon the Jury was discharged.

And thereupon, the Prisoner was remanded to Jail.

Commonwealth
Daniel Madden, } Upon an Indictment for breaking & entering an out-House in the night-time, to-wit: the out-house of John Hottinger.

This day, the Prisoner, Daniel Madden, late of this County of Rockingham, who stands indicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into on yesterday, and none of the regular Panneled being present, except those already impanneled for the trial of

a cause, the following-named persons, constituting a panel of sixteen ~~xxxx~~ summoned by the Sheriff of this County from a list furnished by the Judge sitting, appeared, viz:- H. W. Roller, H. M. Roudabush, George Hall, Adam Wise, David Suter, J. M. Davidson, P. Tatum, Henry Snyder, A. Weiner, J. A. Fulcher, Isaac Stone, W. W. Webb, James Vanpelt, David M. Holler, John Linaweaver, jr and Wm. H. Stinespring, who were examined by the Court on their voir-dire, found to be duly qualified and free from exceptions, and the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- J. M. Davidson, Henry Snyder, A. Weiner & W. H. Stinespring, the remaining twelve of said panel, viz:- H. W. Roller, H. M. Roudabush, George Hall, Adam Wise, David Suter, P. Tatum, J. A. Fulcher, Isaac Stone, W. W. Webb, James Vanpelt, David M. Holler and John Linaweaver, jr, thereby constituting the Jury, who being thus elected, tried and 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 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 oaths do say, "we, the Jury, find the prisoner, Daniel Madden, not guilty, Henry W. Roller, foreman." Thereupon The Jury was discharged. And it is considered by the Court that the prisoner go hence without day, &c,

J. W. T. Samuels, who was, on the 12th day of July 1877, duly commissioned by the Governor of Virginia, a Notary Public in & for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Z. T. Samuels his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office, waiving the benefit of the Homestead exemption. 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. W. T. Samuels took the several oaths prescribed by law.

Certified to Secy. of Commonwealth. Sept. 20/77. L. T. L. c. c.

Commonwealth,
(vs)
James McWilliams } Upon an Indictment for receiving stolen goods, No. 1.
and
same
(vs)
same. } Upon an Indictment for receiving stolen goods, No. 2.

This day came again as well the Attorney for the Commonwealth as the Defendant by counsel, and by the consent of the Attorney for the Commonwealth and of the Defendant by counsel these two causes are heard together, and thereupon came the following Jury, to-wit:- Hy. W. Roller, H. M. Roudabush, George

Hall, Adam Wise, Wm. H. Stinespring, P. Tatum, J. A. Fulcher, Isaac Stone, W. W. Webb, James Vanpelt, David M. Holler & John Lina-weaver, jr., who being elected, tried and sworn well and truly to try the issues joined between the Commonwealth and the Defendant upon the two foregoing Indictments, and having fully heard the evidence and argument of counsel, retired to their room to consider their verdicts, and after some time returned into Court, and upon their oaths do say, upon Indictment No. 1, "We, the Jury find the Defendant James McWilliams guilty in manner and form as charged in the Indictment in the first count thereof, and ascertain the term of his confinement in the County Jail at two months, Henry W. Roller, foreman and upon Indictment No. 2, "We, the Jury find the Defendant James McWilliams, guilty in manner & form as charged in the Indictment in the first count thereof, and ascertain the term of his confinement in the County Jail at two months, and we find him not guilty on the second count in the Indictment, Henry W. Roller, foreman, And thereupon the Jury was discharged.

And the Court doth award Copiases ad audiendum judicium to be directed to the Sheriff of ~~this~~ Shenandoah County, commanding him forthwith to take the said Defendant, James McWilliams and him safely Keep, so as to have him before this Court, as soon as may be, to show if anything he has to say, or Knows, why the Court should not then proceed to pronounce judgment against him according to law.

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

Chas. P. O'Ferrall.

Sept. 3, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, September 3, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Commonwealth, vs. John Lee, } Upon an Indictment for Larceny.

This day came the Attorney for the Commonwealth, and entered a Nolle Prosequi in this cause, It is therefore considered by the Court that the Defendant go hence without day, &c.

Commonwealth, vs. Zebulon D. Gilmer, } Upon an Indictment for murder.

This day, Zebulon D. Gilmer, who stands in-

dicted for a felony by him committed, appeared in Court in discharge of his recognizance entered into on the 16th day of the July Term last, being the 3rd day of August 1877, and from the Veniremen summoned for the trial of felony cases at this term of the Court a panel of sixteen were selected & found to be duly qualified and free from exceptions, after first being examined by the Court upon their voir-dire, to-wit:- D. W. C. Koogler, John H. Rolston, J. D., John A. Herring, Wm. C. Simmers, Henry C. Beery, Marion Long, D. J. Cline, John W. Denton, R. L. Gowl, J. R. Price, Peter W. Roller, V. Bolton, John H. Ronhof, John S. Fridley, Joseph Coffman and Joseph Spitzer, and thereupon the prisoner was furnished with a copy thereof; and having struicken therefrom the names of four of the persons of said panel, viz:- John A. Herring, J. R. Price, V. Bolton and John H. Ronhof; the remaining twelve of said panel, viz:- D. W. C. Koogler, John H. Rolston, J. D., Wm. C. Simmers, Henry C. Beery, Marion Long, D. J. Cline, John W. Denton, R. L. Gowl Peter W. Roller, John S. Fridley, Joseph Coffman and Joseph Spitzer thereby constituting the Jury, who being thus elected, tried and 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 for reasons appearing to the Court, they were adjourned until to-morrow morning at 9 o'clock and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County and D. H. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was committed to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 4. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, September 4, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth, } Upon an Indictment for murder
Z. D. Gilmer, }

This day the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was led to the bar of the Court, in custody of the Jailor of this County, and thereupon came the Jury sworn and impanneled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, Sheriff of this County, and D. W. Bear & S. H. Bowman, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 5. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, Sept. 5, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth } Upon an Indictment for murder.
Louisa Lawson, }

Cap'd. & delivered to D. H. Rolston, S.R.C. Sept. 28/77. I.T.L.c.c.

This day, the prisoner, Louisa Lawson, late of the County of Rockingham, who was, at a former day of this term of the Court convicted as an accessory before the fact to murder in the first degree, in manner and form as charged in the Indictment, by the Jury impanneled and sworn for her trial, was again led to the bar of the Court in custody of the Jailor of this County, thereupon, the prisoner, by counsel, moved the Court to set aside the verdict of the Jury and grant her a new trial, which motion, on consideration, the Court doth overrule; and it being demanded of her if anything for herself, she had, or knew to say, why the Court here, to judgment and execution against her, of and upon the premises,

should not now proceed, said she had nothing, but what she had before said. Therefore, it is considered by the Court that she be hanged by the neck until she be dead, and that execution of this judgment upon her the said Louisa Lawson be made and done by the Sheriff of this County, on Tuesday, the 30th day of October next (1877.) between the hours of sunrise and sunset of the same day; and thereupon the said Louisa Lawson is remanded to Jail.

On the motion of D.H. Roleton, Sheriff of this County, and with the consent of the Court, Isaac Milnegord appeared in Court and qualified as deputy for said D.H. Roleton, Sheriff as aforesaid, by taking the oaths prescribed by Law.

This day came John T. Green and Price Co. who allege that they are aggrieved by an entry in the land books made by Joseph W. Rhodes, Commissioner of the Revenue for Ashley District in said County in the years 1875 & 1876, whereby they are charged with $12.33 taxes for the year 1875 and $11.42 taxes for the year 1876, on a tract of land containing 11.200 Acres, described as lying on North Mountain; and thereupon the said John T. Green and Price & Co. moved the Court to exonerate them from the payment of $23.75- all of the taxes so erroneously charged against them for said years, which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said Joseph W. Rhodes the Commissioner aforesaid who made the assessment was examined as a witness touching the application. And it appearing that said books in which said alleged erroneous entries have been made, were certified by the Clerk of the County Court of this County on the day of 1875 and on the day of 1876, and that application for redress against the erroneous entries was made on this day for the first time. And it appearing that the said John T. Green & Price & Co. own no land in said County, excepting the 6800 Acre tract charged against them on the same book aforesaid, and that they do not and never did own any such tract in said County as the 11.200 Acres aforesaid.

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 John T. Green & Price & Co. are erroneously charged on said books with taxes on the said tract of 11.200 Acres amounting to $23.75. Whereupon, it is ordered that the said John T. Green & Price & Co. be exonerated from the payment of $23.75- taxes so erroneously charged, if not already paid, and if paid that it be refunded to them, $11.20, whereof is State Tax and $12.55 is County Tax. And it is further ordered that the said tract of 11.200 Acres of land be stricken from the land books of said District.

Commonwealth,
Z. D. Gilmer, } Upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the jury sworn and impannelled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D.H. Rolston, Sheriff of this County and D.N. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. D. O'Ferrall.

Sept. 6, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, Sept. 6, 1877.

Present:- Hon. Chas. D. O'Ferrall, presiding.

Commonwealth,
Z. D. Gilmer, } Upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the jury sworn and impannelled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Rolston, Sheriff of this County and D.N. Bear, 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, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And there-

upon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 7, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, Sept. 7, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of Margaret Huffman, the Estate of Peter Neff, dec'd, is committed to D. H. Rolston, Sheriff of Rockingham County, for administration, it appearing to the Court that he has been dead more than three months, without an administration upon his Estate; and the Court doth appoint R. W. Harrison, S. R. Allebaugh, Wm. L. Simmers and John E. Dovel to appraise the Estate of said Peter Neff, any three of whom may act, after first being duly sworn.

cop'd & d.

Wm. H. Bond moved the Court to grant him Retail Liquor ~~Merchants~~ License from Sept. 7, 1877 to April 30, 1878, the said business to be conducted at his ~~residence~~ House in McGaheysville in this county, and upon the introduction of evidence it appears to the Court that the applicant is a fit person, and that the place of business is convenient and suitable, the Court doth grant him a certificate to obtain said License upon the execution of a bond in the penalty of $600, conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia entitled an An Act imposing a tax, and prescribing the mode of collecting the same, on the privilege of selling wine, Ardent Spirits or Malt Liquors, within the limits of the Commonwealth, for the support of the Government, and to pay the interest on the Public Debt, approved March 30, 1877, as amended by the Act approved April 2, 1877, and thereupon the said Wm. H. Bond, together with J. Bird Eastham, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600. conditioned for the faithful performance of the requirements of the said Act of Assembly imposing a tax &c, for the privilege of selling wine, Ardent Spirits &c, as above recited, waiving the benefit of the Homestead exemption, It is considered by the Court that said certificate be granted the said Wm. H. Bond, the receipt of the Treasurer of this County for $33.33, the amount of the said License Tax being produced in Court.

cop'd & d.

Commonwealth,
Z. D. Gilmer, } Upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Bolton, Sheriff of this County, and D.N. Bear, 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, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God.

And thereupon, the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 8, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday Sept. 8, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding

J. E. Bonds this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.00 for one day travel of self, horse & buggy to Blue Ridge & back to Harrisonburg to bring witness in case of Commonwealth vs Jno. Lawson, tried for felony, under Attachment, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd & rd.

Commonwealth,
Z. D. Gilmer, } Upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled on Monday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until

Monday morning next at 8 o'clock; and thereupon they were placed in charge of D. H. Roloton, Sheriff of this County and D. W. Bear 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, and cause them to appear in Court on Monday morning next, at 8 o'clock. So help you God.

And thereupon, the prisoner was remanded to jail.

Ordered, That Court be adjourned until Monday morning next at 8 o'clock.

Chas. J. O'Ferrall.

Sept. 10, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, Sept 10, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

Samuel R. Sterling, Treasurer of this County, this day presented in Court, Lists of Insolvents for the non-payment of Capitation & Property Tax and Lists of Real Estate delinquent for non-payment of tax thereon for the year 1876, for the several Districts in this County, also Lists of Improper Assessments of Land for in said Districts, and also a List of Insolvent License Tax from Dec. 1, 1875 to 1st day of May 1877, in Plains District, with the oath of the said Treasurer at the foot thereof thereto subscribed; and accompanied by the written opinion of each of the Assessors in the several Districts aforesaid, touching the propriety of such Lists and each case contained therein, 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 copies thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

It is ordered by the Court that all the Rules awarded at the last term of the Court against the witnesses both for the Commonwealth and the defence, in the case of the Commonwealth against Z. D. Gilmer, be discharged.

Commonwealth,
Z. D. Gilmer, } Upon an Indictment for murder.

This day the Prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was ~~this day~~ again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury sworn and impanneled for his trial on Monday Sept. 3, 1877, and not having time fully to hear the argument of counsel, were adjourned until to-morrow morning at 8 o'clock; and thereupon they were placed in charge of D. H. Ralston, Sheriff of this County, and Isaac Finegood, 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, and cause them to appear in Court on to-morrow morning at 8 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered That Court be adjourned until to-morrow morning at 8 o'clock.

Chas. J. O'Ferrall.

Sept. 11, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, Sept. 11, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

The Court doth order that the following-named persons be allowed the sum of One dollar each for their services as jurors at this Term of the Court, upon the trial of James McWilliams, for a misdemeanor; and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

c/p/d. for Auditor.

✓ Sly. M. Roller,	✓ Wm. H. Stinespring,	✓ W. W. Webb,
✓ W. M. Rondabush	✓ P. Patterson,	✓ James D. Campbell,
✓ George Hall,	✓ J. A. Fulcher,	✓ David M. Roller,
✓ Adam Wise,	✓ Isaac Stone,	✓ John Linaweaver, jr.,

Commonwealth,
Z. D. Gilmer, } Upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a

felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannaled on Monday, Sept. 3, 1877, for his trial, and having fully heard the argument of counsel, and not having time to consider their verdict, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D.H. Roloton Sheriff of this County, and D. M. Bear & Isaac Winegard 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, and cause them to appear in Court on to-morrow morning at 9 o'clock.

And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. P. O'Ferrall.

Sept. 12, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, Sept. 12, 1877.

Present:- Hon. Chas. P. O'Ferrall, presiding.

Upon the motion of Margaret Bonds, widow of Reuben Bonds, a householder and head of a family, who has departed this life since the adoption of the present constitution, and of Emma J., Cornelia A., Eleanora, Lillie B., Walter S., Jacob R. and Margaret E. infant children of said decedent, who appear by Margaret Bonds, their mother and next friend, the Court doth appoint R. E. Hopkins, Joseph A. Hammer, C. R. Rush and C. E. Hammer, Commissioners, any three of whom may act, after first being duly sworn, to assign to said widow and infant children a homestead in the property of the said Reuben Bonds, dec'd in accordance with the provisions of Chapter 183 of the Code of Va. 1873.

The Commonwealth

E. A. Shands, } Upon an Indictment for a Assault & Battery

This day came as well the attorney for the Commonwealth, as the Defendant in person, whereupon the Defendant, E. A. Shands, with the consent of the Attorney for the Commonwealth confessed a judgment for One Dollar Fine & Costs, It is therefore considered by the Court that the Commonwealth of Virginia, recover of the Defendant E. A. Shands, One Dollar Fine and her costs by her in this behalf expended.

Commonwealth,
Z. D. Gilmer. } upon an Indictment for murder.

This day, the prisoner, Zebulon D. Gilmer, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor of this County, and thereupon again came the Jury sworn and impannelled on Monday Sept. 3, 1877, for his trial, and not having agreed upon a verdict, retired to their room to consider the same, and after some time again returned into Court, and upon their oaths do say "We the Jury find the prisoner, Zebulon D. Gilmer, not guilty, Jas. W. Rolston, of D. foreman." Thereupon the Jury was discharged. It is therefore considered by the Court, that the prisoner go hence without day, &c.

D. W. Rolston, Sheriff and Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $14.90, for Keeping and supporting Wm. Spitzer, a Lunatic, confined in Jail from July 16, 1877 to Aug. 15, 1877 @ 40¢ per day, $12.40, and clothing for 1 month $2.50, which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/f'd.

D. W. Rolston, Sheriff and Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia amounting to the sum of $255.00 for dieting Venires in the following Felony cases tried at this term of the Court, to-wit: Commonwealth & Louisa Lawson, (12¼ days, @ $1.00 per day, $114.00) and Commonwealth & Z. D. Gilmer, 9 days @ $1. per day, $108.00) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/f'd.

D. W. Rolston, Sheriff and Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $117.10 for Keeping and supporting various Prisoners, covering a period from July 16th 1877 to Aug. 15, 1877, (and including an omitted charge for Keeping & supporting James Mason, convicted of misdemeanor from June 15th to July 12, 1877 and for releasing the same)) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/f'd.

The Court doth order that the following-named persons be allowed the sums opposite their names, for their attendance and services at this term of the Court, as Veniremen summoned for the trial of Felony cases @ $1. per day, and that the same be paid by the Treasurer of this County, and certified

c/f'd for Auditor.

to the Auditor of Public Accounts, viz:-

Joseph Bowyer,	$13.00	D. W. C. Koogler,	$11.00	Hiram Coffman,	$2.00
Jacob Linaweaver	13.00	John W. Rolston,	11.00	Jno. A. Denny,	2.00
John D. Heatwole	13.00	Wm. C. Simmers,	11.00	B. F. Kyger,	2.00
John C. Hidlecker,	13.00	Henry C. Berry,	11.00	J. R. Price,	2.00
R. A. Harrison,	13.00	Marion Long,	11.00	Adam Piper,	2.00
B. F. Shumaker,	13.00	F. J. Cline,	11.00	Abm. Brenneman,	2.00
Geo. W. Keller,	13.00	John M. Denton,	11.00	V. Bolton,	2.00
S. S. Bowman,	13.00	R. L. Good,	11.00	Jackson Krupp,	2.00
Geo. R. Eastham,	13.00	Peter W. Roller,	11.00	John F. Rinehoff	2.00
Wm. Mooman,	13.00	John S. Fridley	11.00	R. G. Coakley,	1.00
John M. Gaither,	13.00	Jr. Coffman,	11.00	Jas. A. White,	1.00
Jacob Whitmer,	13.00	Jr. Spitzer,	11.00	Daniel Lupp,	1.00
David Suter,	1.00	J. M. Davidson,	1.00	Henry Snyder,	1.00
N. Weimer,	1.00	Isaac T. Kibler	2.00	David Frank,	2.00
B. F. Strickler,	1.00				

D. W. Rolston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00, for one two horse Hack to go for witnesses, under attachment, in the case of the Commonwealth vs Louisa Lawson, charged with felony (1 days night) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cert'd.

It is ordered to be certified to the Auditor of Public Accounts that John Paul, attorney for the Commonwealth for this County, is entitled to the sum of Forty Dollars for prosecuting in two cases of Felony at this Term of the Court, to-wit:- Commonwealth vs Louisa Lawson and same vs J. D. Gilmer, and for prosecuting to conviction in four cases of misdemeanor, to-wit:- Commonwealth vs E. A. Shands, same vs John Shea and same vs. James McMilliams, (No. 1) and same vs James McMilliams, (No. 2.) cert'd.

Commonwealth,

vs

Moses Joseph & Margaret Pines. } Upon an Indictment for lewd and lascivious cohabitation.

This day came as well the Attorney for the Commonwealth, as the Defendants by counsel, who filed their plea of not guilty, and thereupon the trial of the cause was continued.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. J. O'Donald,

Sept. 13, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, Sept. 13, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 14, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, Sept. 14, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. T. O'Ferrall.

Sept. 15, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, Sept. 15, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth,
Louis (R) Lawson, } Upon an Indictment for murder.

Memo:- Be it remembered that after the evidence and argument of counsel in this cause had been concluded the prisoner, by counsel, moved the Court to give to the Jury certain instructions, - seventeen in number, but the Court refused to give Nos. 15-16 & 17- all of which said seventeen instructions are in the words & figures following to-wit: (Here insert them) and the Court gave Nos. 18 & 19 which are in words & figures following to-wit: (Here insert them) to which action of the Court in refusing to give Nos. 15-16 & 17 and in giving Nos. 18 & 19 the prisoner, by counsel, excepted, and be it further remembered on motion of the Attorney for the Commonwealth the Court gave certain instructions in the words & figures following to-wit: (Here insert them) to which action of the Court the prisoner, by counsel, again excepted, and be it further remembered, that after the jury had returned into Court with their verdict, which was in the words & figures following to-wit: (Here insert the verdict) the prisoner, by counsel, moved the Court to set aside said verdict and grant him a new trial, upon the following grounds, to-wit: 1st. That said verdict was contrary to the evidence & 2d. that said verdict was not warranted by the evidence and was contrary to the instructions of the Court 3d. Because the Court refused to give the 2d, 5th, 16th & 17th instructions aforesaid, & 4th. Because the Court gave the instructions asked for by the Commonwealth as aforesaid, but the Court refused to set aside the verdict and grant a new trial, to which action of the Court the prisoner, by counsel again excepted, and tendered his several bill of exceptions in the words & figures following to-wit: (Here insert exceptions) which bills prayed by counsel, might be signed, sealed and enrolled by the Court, which was accordingly done.

Ordered, That Court be adjourned until the 1st day of the next term.

Chas. T. O'Ferrall.

Sept. 17, 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, Sept. 17, 1877.

Present:- Hon. Chas. P. O'Ferrall, 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 August Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale.	Geo. G. Grattan, Commr.	to Wm. N. Wood,
Trust Deed.	Geo. W. Beaver & wife,	" J. W. Basore, trustee,
Bargain & Sale.	Daniel Flory & wife,	" Jacob Smith,
" "	Joseph & Abraham Garber	" Wm. F. Bowers,
" "	Michael Halterman & wife,	" Benj. F. Sutherly,
Trust Deed.	R. F. Higgs,	" D. N. Biedler, trustee,
Deed of Homestead.	William Hilbert	Claim of Homestead
Bargain & Sale.	John Linaweaver & wife,	" Perry Heatwole,
" "	W. S. Lunty, Commr.	" John P. High,
" "	Daniel Sellers & wife	" Reuben J. Sellers,
" "	Jacob Senger & wife,	" Catharine Fitzwaters,
" "	Jeremiah Dovel & wife,	" Laura M. Dovel,
" "	W. B. Moffett & W. E. Williams, Trustees &c	" Sarah Beam,
" "	Mary C. Young, widow of Isaiah R. Young	" H. Jonette Gray,
Release Deed,	George G. Grattan, Trustee	" Geo. S. Christie, Trustee for Sarah L. Jones,
Bargain & Sale.	Rebecca Argabright,	" Retta Ann Elizabeth Washington, (old)
B. & S. In lieu of old deed	Saml. A. Long & wife,	" Christian Showalter (in lieu of old deed)
Bargain & Sale.	Geo. Philips & Jno. R. Thompson	" Pub. School Trustees of Plains Dist.
" "	J. W. Zirkel & wife & Geo. K. Gilmer,	" Thornton Green,
" "	John J. Branner & wife,	" Josiah Branner,
Release Deed,	Philip Phares, jr.	" H. J. Gray,
Bargain & Sale,	Alex. H. Fultz, Spl. Commr.	" Sarah F. Cherryholmes,
" "	L. W. Gambill, Clerk	" George Airion (old deed from Bmt Record)
" "	James Clark	" same " " "
" "	George Airion,	" Frederick Airion " "
Power of Atty.	J. C. Henrie, guard. of Arthur A. T. Houghton	" A. E. Gilmer,
Trust Deed,	Jno. R. Jones & wife & S. L. Jones Trustee,	" Ed. S. Conrad, Trustee,
Agt. & B. S.	James W. Fitzwater	" C. C. Shoemaker, Trustee for Cath. Fitzwater,
Trust Deed	Thos. Washington & wife & her Trustee & Heirs,	" W. S. Lunty, Trustee,
Bargain & Sale,	R. A. Gray & wife & Mary P. Gray's Trustees	" Isaac Billhimer,
" "	Isaac Billhimer & wife,	" Anderson M. Newman, jr.,
" "	Benjamin Chambers	" Conklin & Nixon & Monwalt & Wardell
" "	Jacob Conklin, John Nixon, Alex. Monwalt & John Wardell	" Josiah Masters,
Release Deed,	G. W. Berlin, Trustee	" David H. Sanders,
Trust Deed,	Geo. W. Kratzer & wife,	" B. G. Patterson, Trustee,
" "	Mary C. Lupton,	" John Paul, Trustee,
Bargain & Sale,	Joseph H. Earmon & wife	" Wm. H. Monger,
" "	Daniel Sluss & wife & Mary Baker,	" same,
" "	Daniel Sluss & wife,	" same,

Trust Deed.	Wm. H. Hedrick & H. C. Hedrick & c to	G. W. Berlin, Trustee,
Bargain & Sale,	Emanuel Royer & wife,	" Mary J. Gay, wife of G. A. Gay,
" "	Jno. W. F. Allemong & wife,	" Mrs. Mary Kagey,
Trust Deed,	Giles A. Jackson,	" B. G. Patterson, Trustee,
Agreement,	Joseph Lipe	& John Bauserman,
Bargain & Sale,	Wm. H. Clatterbuck, wife & others to	Peter Guyer,
Trust Deed,	Wm. H. Clatterbuck	" O. B. Roller, Trustee,

The following Settlements were this day presented in Court, and having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed, and ordered to be recorded, viz:—

Settlement of the Account of John Wampler, Exor. of John Wampler, dec'd
" " " " Noah Martz & C. W. Dovel, Exors. of Jno. W. Dovel, dec'd,
" " " " Joseph Heatwole, Exor. of Jno. G. Heatwole, dec'd
" " " " Jesse Rolston, Admr. of Jesse Rolston, dec'd,
" " " " J. P. Rolston, Shff & Admr. of Geo. W. Miller, dec'd,
" " " " J. S. Runcle, Admr. of Jonetta Runcle, dec'd,
" " " " John H. May, Admr. of Margaret Evers, dec'd,
" " " " Wm. A. Pence, Admr. c.t.a. of Geo. Branner, dec'd,
" " " " Jno. H. Rolston, Admr. c.t.a. of Christian Bowers, dec'd,
" " " " same " " " same,
" " " " Jasper Hawse, Admr. of John Baldwin, dec'd,
" " " " Saml. J. Dundore, guard. of D. C. Florence V. Jas. M. Ella R. & Floyd Koogler,
" " " " John E. Roller, guard. of Charles E. Nicholas,
" " " " J. W. Beery " " Lydia A. Mary M. Ida C. & Emanuel D. Rhodes,
" " " " John H. Crawford " Lilia B. Zirkel,
" " " " John Geil " Susannah Brenneman,
" " " " Wm. T. Carpenter " Edward W. & Mary L. Carpenter,
" " " " Isaac Wenger, " Sarah A. J. Niswander, (old)
" " " " same, " Margaret Niswander, (old)
" " " " same " Sarah A. J. Niswander,
" " " " Chas. P. Airey " Julia A. Wise
" " " " Jacob S. Sellers, " P. M. Shaver,

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—

Appraisement & Sale Bill of Est. of R. A. Thomas, dec'd
" " " " " " " Samuel Earmon, dec'd
Appraisement Bill of Estate of Z. Taylor, dec'd,
" " " " " Lucinda Yancey, dec'd,

J. H. Rolston, who was, on the 16th day of August 1877, duly commissioned by the Governor of Virginia, a Notary Public in & for the County of Rockingham for the term of four years from said date, this day appeared in Court, and together with D. H. Rolston, his surety,

certified to Secy. of Committee Sept. 20/77. W.S.C.C.

(who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, waiving the benefit of the Homestead exemption. 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. W. Rolston took the several oaths prescribed by law.

M. M. Hellert, former of Jno. W. Thomas
R. B. Ragan, gar. of James G. Allen. } upon a Lug.

Same,
Same, } upon a Lug.

Ordered, That the foregoing causes be placed upon the Court's Docket.

It appearing to the Court, that it is the desire of Silas Morris to bind his daughter, Mary Nelly Morris, an infant under the age of fourteen years, as an Apprentice to D. W. Rolston, as evidenced by a writing filed signed by said Silas Morris, the consent of this Court is hereby given to the binding of the said infant. The said D. W. Rolston shall, in addition to what is required of him in Chapter 122 of the Code of 1873, pay to the said Apprentice when she shall attain the age of 18 years, the sum of $50- and a good suit of outer and under clothing.

The writing purporting to be the last will and testament of George Archart, dec'd, was this day presented in Court, and being proven by the oaths of Wm. Harvey Archart and Samuel B. Archart, two of the subscribing witnesses thereto, was admitted to probate and ordered to be recorded.

And on the motion of the heirs and devisees of the said George Archart, E. B. Neff, (who made oath thereto according to law) appeared in Court, and together with Mathias Miller and George Archart, his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $2,000.00 conditioned according to law, & waiving the benefit of the Homestead exemption as to this obligation, a certificate is granted him for obtaining letters of administration, with the will annexed, upon the Estate of said George Archart dec'd, and the Court doth appoint David Bowman, B. F. Strickler, Henry Neff and Daniel Zigler to appraise the Estate of said George Archart, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of James W. West, dec'd, was this day presented in Court, and was proven by the oaths of D. F. Kagey, C. C. Heuckel and W. V. Rosenberger, the subscribing witnesses thereto, and continued for probate, the tax not being paid.

Wm. P. McCall, jr., moved the Court to grant him Retail Liquor License from Sept. 17, 1877 to April 30, 1878, the said business to be conducted at his residence near Saugersville in this County, and upon the introduction of evidence it appears to the Court that the applicant is a fit person, and that the place of business is convenient and suitable, the Court doth grant him a certificate to obtain said License upon the execution of a bond in the penalty of $600. conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia, entitled an Act imposing a tax, and prescribing the mode of collecting the same, on the privilege of selling wine, Ardent Spirits or Malt Liquors, within the limits of the Commonwealth, for the support of the Government, and to pay the interest on the Public Debt, approved March 30, 1877, as amended by the Act approved April 2, 1877 and thereupon the said Wm. P. McCall, jr., together with Wm. P. McCall, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600. conditioned for the faithful performance of the requirements of the said Act of Assembly, imposing a tax, &c, for the privilege of selling wine, ardent Spirits, &c, as above recited, and waiving the benefit of the Homestead exemption, It is considered by the Court that said certificate be granted the said Wm. P. McCall, jr, the receipt of the Treasurer of this County for $33.33, the amount of the said License Tax being produced in Court.

On the motion of Wm. Neff, heir of Peter Neff, the Court doth appoint S. R. Allebaugh, R. M. Harrison & Isaac Yeager Commissioners to lay off and assign dower to Lydia Neff, the widow of Peter Neff, in the lands of which he (the said Peter Neff,) died seized.

Upon the application of Harvey Crook for Ordinary, Wholesale & Retail Liquor License at Broadway in this County, the following persons, to-wit:- J. W. Bacon, P. M. Pugh, John G. Winfield, M. B. Kline, Joseph Shickel, Thomas Lamplugh Rev. D. L. Wilson, John Zigler, Jacob S. Rhodes, John W. Baker, Jacob S. Miller, John M. Spitzer, Jacob Garber, N. J. Dougherty, John C. Zigler, Samuel Zigler, Samuel Kline, J. J. Bowman, Noah Spitzer, Michael Zigler, Dr. J. G. Coons, Peter Rader, S. C. Williams, Marion Hulvey, B. A. Myers, E. B. Knipple, R. P. Wilson, W. Miller & W. Mitmer, entered themselves as Defendants resisting the said application, and it appearing to the Court that the said applicant is a non-resident of this State, on the motion of the said defendants by counsel, the Court doth award

a Rule for security for costs against him, and thereupon the hearing of the said application was continued until the first day of the next term of this Court.

J. H. Taylor, Trustee for Barbara C. Taylor, Pl'ff
vs
Samuel Shirkey, Deft } Unlawful Entry & Detainer.

This day came the Plaintiff, by his Attorney, the Defendant failing to appear, and thereupon came the following Jury to-wit:- James Curry, Edward Koontz, Ephraim Bowman, George Archart, Wm. C. Grandel, Madison Wise, M. E. Carrier, S. P. H. Miller, Daniel S. Harrison, R. J. Mason, Wm. Meserole and Jacob Echard, who being elected, tried and sworn to try whether the Defendant ~~against the consent of the Plaintiff~~ unlawfully with holds possession of the premises, mentioned in the writ and proceedings, and whether he did so unlawfully with hold possession of the said premises on the 6th day of August 1877, the date of the issuance of the writ, and a true verdict find according to the evidence, 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 oaths do say, "we the Jury find that the Defendant unlawfully detains from the possession of the Plaintiff the premises in controversy, to-wit: the house and ten acres of Land in the writ and proceedings mentioned, and did so unlawfully detain the same at the time the writ issued, to-wit: the 6th day of August, 1877. It is therefore considered by the Court that the Plaintiff recover of the said defendant, possession of the said premises, to-wit: the house and ten acres of Land, situated in Rockingham County adjoining the lands of Saml. Sheets & others, &c, and his costs by him in this behalf expended. And the Clerk of this Court is directed to issue a writ of possession, to the Sheriff of this County directed, commanding him to place the said plaintiff in possession of the said premises, forthwith.

Ordered, That the following named persons be each allowed the sum of One Dollar, for their 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:-
James Curry, Edward Koontz, Ephraim Bowman, Geo. Archart, Wm. C. Grandle, Madison Wise, M. E. Carrier, S. P. H. Miller, Daniel S. Harrison, R. J. Mason, Wm. Meserole and Jacob Echard.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $91.30 for Keeping and supporting various prisoners, covering a period from August 16, 1877, to Sept. 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. W. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $14.90 for Keeping & supporting William Spitzer, a Lunatic, confined in Jail, from Aug. 16, 1877 to Sept. 15, 1877, @ 40¢ per day, ($12.40) and clothing for one month, ($2.50) which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cert'd. ord.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. J. O'Ferrall.

Sept. 18, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof on Tuesday, Sept. 18, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

The petition of Fannie Thomas, setting forth that she is the mother of Mary Ella, an infant female child, three years and four months old; that said infant has no father or guardian, and in said petition the said Fannie Thomas asks the consent of the County Court of Rockingham that she may bind the said female infant child to Mrs. Amanda Keezle, being this day presented to Court, and the said Court being willing to give such consent, It is therefore ordered that said Fannie Thomas be permitted to bind the said female child to said Mrs. Amanda Keezle, until she attains the age of eighteen years; that the writing by which said female child is so bound, shall state the age of said child to be three years & four months. The said Amanda Keezle shall comply with all the requirements of Chapter 122 Code of 1873, and in addition thereto, shall pay to the said Mary Ella the sum of $30.00 and furnish her with a good suit of outer and under clothing, when she shall attain the age of 18 years.

cert'd.

The order entered at the March Term 1877 of this Court, directing Wm. G. Thompson, Exr. of Jas. B. Shaver to pay over to the Genl. Receiver of this Court any moneys in his hands belonging to Clarissa Shaver, one of the heirs of said Jas. B. Shaver, decd., and directing the said Genl. Receiver to invest

the same upon real estate security is hereby so modified as to rescind that part of said order directing the said Genl. Receiver to invest said moneys upon real estate security.

On the application of Gideon Kratzer and others for a change in a Public Road, &c.,

The Commissioner of Roads for Linville District in this County, (Henry Pulse,) having made his report to this term of the Court, that pursuant to an order of this Court entered at the July Term, 1877, he proceeded as directed by said order, to make the change according to the report of the viewers filed in this cause, and that the said change is now open, complete and ready for travel; It is ordered that the said public road be discontinued to the extent of such change; that all costs in any way attending this application (as heretofore ordered,) be paid by the petitioners, and that the same be now stricken from the docket of this Court.

Upon the application of Geo. W. Gaither, Chas. D. Harrison & others, for the establishment of a Public Road, between a point of Michael Brown's barn and Meserole's farm on the Brock's Gap Road, the Eastern point, and the Rockingham Turnpike, near John Leedy's the western point,

1 & 3 cap. issd. The Court doth appoint Jas. C. Heltzel, David A. Heatwole and Peter Reherd, viewers, to view the ground, and report to this Court at its next term, the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof, will have to be taken.

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same. Any defect in the action or Report of

the viewers, will prevent them from receiving pay for their services.

Upon the application of Wilson Bazzle, Emanuel Driver & others, for the establishment of a public road, beginning on the Mountain Valley Road, at the Run, known as James' Run, on the lands of J. P. Rhodes, and following the old lane which has been open for over fifty years up the run, passing through the lands of J. P. Rhodes, Reuben F. Higgs, Reuben Sellers and Jacob S. Sellers to the Timber lands lying on and near the Massanutten Mountain,

1 & 3 capies ind.

The Court doth appoint C. J. Brock, S. R. Allebaugh & Henry Pulse, viewers, to view the ground, and report to this Court, at its next term, the conveniences and inconveniences that will result, as well to individuals, as to the public, if such road should be established as proposed, and especially whether any yard, garden orchard, or any part thereof, will have to be taken. They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. (1) They shall report the names of the land-owners on such route, and state which of them require compensation; the probable amount, in their opinion to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same. But all costs, including damages, per diem to viewers & Surveyor and opening the road to be paid by the petitioners in any event, whether the road be established or not.

P. M. Whitlock, Committee for Eliza J. Dickson, a person of unsound mind, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $28.50 for the board and care of the said Eliza J. Dickson, a Lunatic, from June 25, 1877 to Sept. 25, 1877, (3 mos. @ $8 per month $24.00 & clothing for same (3 months @ $1.50 per month ($4.50) which being sworn to, by said Committee, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

This order set aside see next page.

Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

Chas. S. O'Ferrall.

Sept. 19, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, Sept. 19, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

For reasons appearing to the Court, the order made on yesterday certifying an allowance to the Auditor of Public Accounts in favor of P. M. Whitlock, Comm. for Eliza J. Dickson, a person of unsound mind, for the sum of $28.50 from June 25 to Sept. 25, 1877, is set aside.

On the motion of Jno. M. Kiser, purchaser at the sale of Delinquent Lands by S. R. Allebaugh, Treasurer of Rockingham County, Va. on the 15th day of Dec. 1873, of a Lot of Land, lying in Dayton, in said County, assessed to John Allebaugh's Estate, for the non-payment of Taxes for the year 1871, It is ordered that the Report of A. C. Bear, Surveyor of Rockingham County, made in pursuance of the 18th Section, Chapter 38 of the Code of Va. 1873, which the Court, on examination, finds to be in conformity to law, be recorded in the Clerk's office of this Court, as required by law.

cap'd. on Survey

On the application of A. Shaver, &c, for the establishment of a public road, connecting with the road leading from Rockingham Mills, (A. Shaver & Co.) at the mouth of the lane on the lands of Mrs. F. C. Melhorn, &c, to Montevideo.

The Court doth order that the order made at the last term of this Court, appointing viewers upon the road aforesaid, be amended by the substitution of E. S. Kemper as one of said viewers in the place of J. M. Weaver.

Henry B. Harnsberger, surviving partner of Harnsberger & Coffman,
(w)
Samuel R. Allebaugh, garnishee of George W. Hogan,
} Upon a suggestion.

This cause came on to be heard this 19th day of September 1877, upon the suggestion of Henry B. Harnsberger, surviving partner, &c, the petition of John Zigler, the petition of Jacob W. Zirkle, the application of Joseph Cromer's Admr. and the application of John Paul, asserting his lien as Attorney of G. W. Hogan, the judgment debtor, and upon the answer of S. R. Allebaugh, garnishee, the exhibits and upon the evidence adduced and was argued by counsel. On consideration whereof, it appearing to the Court that a judgment for the benefit of the said G. W. Hogan has been rendered against the said S. R. Allebaugh, for the sum of One hundred and sixty-five 28/100 dollars, with interest thereon from the 23d day of April 1869 till paid, the Court is of opinion that upon the exhibits filed and evidence adduced, the said fund of $165.28/100 with the

interest as aforesaid, should be disbursed as follows:—
1st. To John Paul, the sum of Fifty Dollars with interest thereon from the 1st day of April 1876 till paid = 2nd. To John Zigler, the sum of Sixty-three 72/100 dollars, with interest thereon from the 19th. day of September 1877 till paid. 3d. To Henry B. Hannsberger, surviving partner, &c, the sum of Twenty-nine 15/100 dollars, with interest thereon, from the 19th. day of September 1877 till paid, and his costs by him in this behalf expended.

And the Court is further of the opinion that after the payment of the sums above set forth, the said Samuel R. Allebaugh is entitled to retain the residue of the said judgment against him as an assignee for value, without notice, of the judgment in favor of Frederick Wampler against said G. W. Hogan, as against the residue of the judgment in favor of said H. B. Hannsberger, surviving partner, &c, and as against the claims of Joseph Cromer & Advr. and Jacob W. Zinkel,

It is therefore considered by the Court that the said John Paul recover of the said S. R. Allebaugh, the sum of Fifty dollars with interest thereon from the 1st day of April 1876 till paid, that John Zigler recover of the said S. R. Allebaugh, the sum of Sixty-three 72/100 dollars, with interest thereon from the 19th day of September 1877 till paid, and that Henry B. Hannsberger, surviving partner, &c, recover of the said S. R. Allebaugh, the sum of Twenty-nine 15/100 dollars, with interest thereon from the 19th. day of September 1877 till paid, and his costs in this behalf expended, and that the said parties have leave to sue out executions on said judgments. It is further considered by the Court that the sum of One hundred and one 36/100 dollars be credited as of the 19th day of September 1877, upon the judgment in favor of Frederick Wampler, (now for the use of said S. R. Allebaugh) against the said G. W. Hogan.

Memo:— Be it remembered that upon the trial of this cause, Hy. B. Hannsberger, surv. partner excepted to the opinion and judgment of the Court rendered in this cause, and tendered his bill of exceptions, which is in the words & figures following to-wit:- (Here insert it) which he prays may be signed, sealed and enrolled by the Court, which is accordingly done.

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

Chas. A. O'Donnell.

Octo. 15, 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof on Monday, October 15, 1877.

Present:— Hon. Chas. T. O'Ferrall, 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 September Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Homestead Deed.	James G. Allen,	
Bargain & Sale.	Philip Barnhard & wife & John Haelzel,	to Jackson Showalter,
" "	Henry Gantz & wife,	" Joseph B. Loose,
" "	John R. Heatwole & wife & others,	" Frederick Heatwole,
" "	Jonas A. Loewenbach & wife & his Trustees	" Wm. T. Carpenter,
" "	Wm. Minnick & wife,	" Wallace B. Minnick,
" "	George W. Moyers & wife,	" Jesse Spitzer,
" "	Peachy Wine & wife,	" Peter Long,
" "	Robert H. Spindle,	" H. Hunter Spindle,
" "	Wm. B. Yancey & wife,	" George Berry,
" "	Philip Eastham,	" Granville Eastham,
" "	Robert A. Gilmore & wife,	" F. H. Murray,
" "	Milton Grant & wife & others (heirs Maria Mary)	" Charles Fortune,
" "	Wm. Crawford, Commr. Jos. W. Crawford &c	" John W. Cline,
" "	J. A. Loewenbach & wife & N. J. Huffman & wife	" A. Elhart,
Agreement.	Philip K. Mitchell	" John H. Mitchell & Mary C., his wife,
Cont. & Power of Atty.	Benj. F. Mitchell,	" John H. Mitchell,
Power of Atty.	Philip K. Mitchell,	" same,
Bargain & Sale.	William Brenner & wife, &c,	" Samuel H. Wampler,
" "	W. H. Rader & wife,	" Rebecca Bare,
" "	A. B. Irick & wife,	" Jacob Dundore & J. L. Sibert,
" "	Wm. Minnick & wife,	" Elizabeth Charlton,
" "	Wm. S. Perry & wife,	" William Chapman,
" "	Wesley T. Newham & wife,	" John Hiser,
" "	Joseph T. Logan, Clerk Ro. Co. Ct.	" J. M. Irvine,
" "	Lydia Silvius,	" Jacob C. Ritchie,
Trust Deed.	Chas. R. Brenner,	" J. T. Logan, trustee for Aultman Taylor Co.
Cont. or Agreement.	August H. Heller,	& Sarah E. Long,
" "	B. F. Rickard,	& same,
Bargain & Sale.	Peter D. Byerly & wife	to Wm. T. Carpenter & James E. Roller
" "	M. Harvey Effinger & wife,	" John T. Harris,
Agreement,	Daniel Swank	& Catharine Swank
Bargain & Sale.	William Williams & wife	" Lizzie Thurmond,
" "	David Bear,	" Tazwell Moubray,

The Settlement of the Estate of Jonathan Peale, dec'd, was this day presented in Court, and having been filed in the office, the time prescribed by law, and no exceptions being taken thereto, the same is confirmed, and ordered to be recorded.

The following Appraisement Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—
Appraisement of the Personal Property of Rebecca C. Branner, dec'd,
" " " " " " Mary Archeart, dec'd,

Jesse Kiser, Pltff
(a)
Clem Spelman, Deft. } Unlawful Entry & Detainer.

Ordered, That this cause be placed upon the Court's Docket.

Upon the application of Harry Crook for Ordinary, Wholesale & Retail Liquor License at Broadway,

This day came again the applicant by counsel, as well as the Defendants in person and by counsel, and thereupon the applicant by counsel, declined to give the security for costs required at the last term of this Court, It is therefore considered by the Court that his said application be dismissed and that the Defendants J. W. Basore, P. W. Pugh & others, entered at the last term, recover against the applicant their costs by them in this behalf expended.

The Commonwealth,
(a)
Aaron Cubbage, } Upon an Indictment for Assault & Battery.

$5.00 paid John Paul, Atty. for Commonwealth his fee Octo. 15/77 I.P.L.

This day came as well the Attorney for the Commonwealth as the Defendant in person, whereupon the Defendant Aaron Cubbage with the assent of the Atty. for the Commonwealth confessed a judgment for One Dollar Fine & Costs, It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant One Dollar Fine and her costs, by her in this behalf expended. And thereupon, the said Fine of $1.00 and $9.33 Costs were paid to the Clerk of this Court.

Fine & costs certified to Auditor. I.P.L. C.C.

Commonwealth,
(a)
Same, } Upon an Indictment for disturbing a religious Congregation.

This day came as well the Attorney for the Commonwealth as the Defendant in person, whereupon the Defendant Aaron Cubbage with the assent of the Atty. for the Commonwealth confessed a judgment for One Dollar Fine & Costs. It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant One Dollar Fine and her costs by her in this behalf expended; and that he be confined in the Jail of this County for the period of One hour, and thereafter until the

$5.00 paid John Paul, Atty. for Commonwealth his fee, Octo. 15/77 I.P.L. C.C.

Fine & Costs certified to Auditor. I.P.L. C.C.

Fine and costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was committed to the custody of the Jailor of this County. The period of his confinement having expired, and having paid to the Clerk of this Court the said fine of $1.00 and $9.33 Costs; It is considered by the Court that the said Defendant Aaron Bubbage be discharged from custody, and go hence without day, which is accordingly done.

It appearing to the Court that the powers of Jacob Keagy, Exor. of John R. Keagy, dec'd, have been revoked for more than three months, and that the Estate of said Keagy is without administration, It is ordered by the Court, on the motion of C. Miller, a creditor, that the Estate of said John R. Keagy be committed to D.W. Rolston, Sheriff of this County, as Administrator de bonis non, with the will annexed.

George Hutchinson this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $8.75 for 7 days services in bringing various witnesses to Court, under Attachment, in the case of Commonwealth vs. Anderson Shifflett, charged with and convicted of murder, which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.a.p.d. to G.J. Kirtley pr order. S.I.c.c.

George Hutchinson this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.75 for 3 days services in bringing a witness to Court under Attachment, in the case of Commonwealth vs. Jacob N. Rhodes, charged with felony (& toll, &c.) which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.a.p.d. to G.J. Kirtley pr order. S.I.c.c.

Catharine Flick, committee for Anna Flick, a person of unsound mind, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $85.20 for the support and maintenance of said Anna Flick, in accordance with the provisions of the order of this Court, of the 18th day of April 1876 (183 days from April 15, 1877 to Octo. 15, 1877 @ 40 ct. per day ($73.20) and for clothing for same 6 months @ $2 per month, $12.00) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.a.p.d. to G. Hampton Atty.

P. M. Whitlock, committee for Eliza J. Dickson, a person of unsound mind, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $28.50 for the support and care and maintenance of said Eliza J. Dickson, a Lunatic from June

c.a.p.d. to Atty. Shacklett pr order.

25, 1877 to Sept. 25, 1877, (3 mos. @ $8 per mo. $24.00 and 3 months clothing, @ $1.50 per month ($4.50) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $57.55 for Keeping & supporting various prisoners, covering a period from Sept. 16, 1877 to Octo. 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cupd. d.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia amounting to the sum of $14.50, for Keeping and supporting William Spitzer, a Lunatic, confined in Jail from Sept. 16, 1877 to Octo. 15, 1877, (30 days @ 40¢ per day, $12.00) and clothing for one month ($2.50) which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cupd. d.

Ordered, That this Court be adjourned until to morrow morning at 10 o'clock A.

Chas. L. O'Neall.

Octo. 16, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, October 16, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

cap. & sheriff. On the motion of Jacob Myers, and from evidence introduced, the Court, being satisfied that he is a person of good character and a proper person in whom to confide the trust of selling or distributing religious Books, doth direct any one of the Commissioners of the Revenue for this County, to grant him such License with a nominal tax only.

Jesse Kiser, Pltff.
Clem. Spelman, Deft. } Unlawful Entry & Detainer.

This day came the Plaintiff, by his Attorney, the Defendant being solemnly called, failed to appear, and thereupon came the following Jury, to-wit:- Thos. G. Logan, M. H. Richcreek, Chas. P. Bowman, Jos. C. Bowman, D. M. Huffman, Jos. B. Moyers, Bolivar Ward, Calvin Clatterbuck, Wm. Yeakel, W. R. H. Messick, S. W. Kaylor and Jacob Echard, who being elected, tried and sworn to try whether the Defendant unlawfully withholds possession of the premises mentioned in the writ and proceedings, and whether he did so unlawfully withhold possession of the said premises on the 28th day of September 1877, the date of the issuance of the writ, 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 some time returned into Court, and upon their oaths do say, "We, the Jury find that the Defendant unlawfully withholds from the possession of the Plaintiff the premises in the writ described, and did so unlawfully withhold the same on the 28th day of Sept. 1877, M. H. Richcreek, foreman.

writ of Possn. issd.

It is therefore considered by the Court that the Plaintiff recover of the said defendant, possession of the said premises, to-wit:- "a certain House and lot of land, containing about two acres, situated near New Erection Church, Rockingham County, Va., adjoining the lands of John Linaweaver & others," and his costs by him in this behalf expended. And the Clerk of this Court is directed to issue a writ of possession, to the Sheriff of this County directed, commanding him to place the said plaintiff in possession of the said premises, forthwith.

Ordered, That the following named persons be each allowed the sum of One dollar for their 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:- Thos. G. Logan, M. H. Richcreek, Chas. P. Bowman, Jos. C. Bowman, D. M. Huffman, Jos. B. Moyers, Bolivar

cap.

Ward, Calvin Clatterbuck, Wm. Yeakel, W. R. H. Messick, L. W. Kaylor and Jacob Echard.

The Court doth order that J. T. Logan, Clerk of this Court pay to John Paul, Atty. for the Commonwealth, Ten Dollars, it being his fees in two cases of misdemeanor in the name of the Commonwealth vs Aaron Cubbage, (the same having been paid into Court,) which is accordingly done, and that the payment thereof be certified to the Auditor of Public Accounts.

D. A. Heatwole, Jas. C. Heltzel & Peter Reherd, viewers appointed at the last term, to view and report upon the route of a new road from Brock's Gap Road to the Rockingham Turnpike, near John Leedy's, this day returned their Report & diagram of said road into Court, which is ordered to be filed.

John I. Wood, E. S. Kemper & Chas. R. Rush, viewers appointed at the last term, to view and report upon the route of a new road from a point in the Mill Road, near Shaver's Mill and to intersect the old McGaheysville Road, at a point opposite Montevideo, this day returned their Report & diagram of said road into Court, which is ordered to be filed.

Wm. M. Libert, Thomas Moore & John J. Bowman, viewers appointed at a former term of the Court to view and report upon the route of a new road, from Hoover's Mill Road across Long Meadows to intersect Brock's Gap & Sparta Road, this day returned an amended Report and diagram into Court, of said road, which is ordered to be filed.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Octo. 17. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, October 17, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

It appearing to the Court from a writing filed, that Mrs. C. Armstrong relinquishes her right to qualify as Admr. of the Estate of her deceased husband, E. J. Armstrong, on the motion of John Armstrong, an heir of said Estate, Wm. H. Blakemore, who made oath thereto according to law, appeared in Court, and together with A. J. Blakemore and Wm. P. McCall, his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $7,000.00 conditioned according to law, (waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of said E. J. Armstrong.

And the Court doth appoint P. Herring, M. B. Childress, Joseph Byrd & James F. Lowman, to appraise the Estate of said E. J. Armstrong, any three of whom may act, after first being duly sworn.

N. L. Greiner this day presented in Court an Account against the County of Rockingham, amounting to $2.50 for a Water-cooler for the Court-House, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1877.

Evaline A. Baugher, Appellant,
(vs)
Rachel E. Powell, Appellee. } On an Appeal from a judgment of a Justice of the Peace.

This day came the parties by their Attorneys and the case being argued, and maturely considered, it seems to the Court that there is error in the judgment aforesaid. Therefore it is considered that the said judgment be reversed, and that the appellant recover against the Appellee her costs by her expended in the prosecution of her appeal aforesaid here; and that the warrant of the said Appellee against the said appellant be dismissed, and that the said appellant recover against the said Appellee her costs by her about her defence in this behalf expended. And leave is given to withdraw the order sued upon in this cause, for such further action thereon as the proper parties may deem advisable, a certified copy of the same being required to be left in the papers.

Sallie H. Palmer, Pltff.
(vs)
Wm. Crawford, Commr. gar. of Mary Miller, Deft. } Upon a Suggestion.

This day came again the parties by their attor-

-neys, and it appearing to the Court from the written answer of the said Wm. Crawford filed in the papers, that he is indebted to the Defendant Mary Miller, in the sum of $62.40 with interest thereon from January 1, 1875, It is ordered by the Court that the said Wm. Crawford do pay to Sallie H. Palmer or her Attorney the said sum of $62.40 with interest thereon from Jany 1, 1875, till paid, to be applied first to the costs of this Suggestion, which the Court adjudges against the said Mary Miller, and the remainder to the judgment of the said Sallie H. Palmer against the said Mary Miller.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Octo. 18, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, October 18, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

John Paul, Attorney of the Commonwealth for this County, this day tendered his resignation, which the Court (whilst expressing its regret that an officer who has displayed so much zeal and ability, should desire to sever his connection with the office,) hereby accepts.

The Court doth appoint George G. Grattan, Attorney for the Commonwealth for this County, to fill the vacancy occasioned by the resignation of John Paul, late the said Attorney, to serve as such until his successor is duly elected and qualified to enter upon the discharge of the duties of his office, and thereupon the said George G. Grattan appeared in Court and qualified as Attorney for the Commonwealth for this County, by taking the several oaths prescribed by law.

Benjamin Hoover, &c. On Petition for change of Road,

It is ordered that this cause be continued until the 3d day of the next December Term of this Court, and it is further ordered that all parties in said case, be at that time prepared for the trial of the same, which will then be disposed of, and no further continuance allowed.

1 & 3 caps. On the application of A. H. Brewer & others for a change in the location of the Road, known as Furnace Road in Central Township, the said change covering the distance of about 1/4 of a mile & being merely to change the bed of the old Road to a trunk along & parallel to the old road, close up the old road and open the new for said distance, and James C.

Heltzel, Commr. of Roads for Central District having endorsed his approval of the same on said Petition for the change in said Road, the Court doth appoint Jacob Meserole, Geo. J. Kisling and Geo. R. Eastham as viewers to report upon said proposed change in said road to the next term of this Court. The viewers before proceeding to discharge ~~to discharge~~ their duties shall be sworn by the Commr. of Roads or some other person authorized to administer oaths, to perform their duties impartially and to the best of their judgment.

The said viewers shall give at least 5 days' notice before the time of meeting of the time and place, when and where in some public manner in the vicinnage of said road. If they decide there is a public necessity for the change they shall lay out the same, having respect for the shortest distance and the best ground so as to do the least injury to private property, and also as far as practicable, to be agreeable to the petitioners, and also report the grade of said proposed change.

They shall assess the damages to the land through which the road passes, taking into consideration the advantages to be derived from the road passing through the land, and shall report in writing to the next term of the Court, giving the names of the land-owners entitled to damages; but in no case shall any yard, garden or orchard, or any part thereof be taken, without the consent of the owner or owners thereof.

A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Octo. 19, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, October 19, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Petition of Samuel Frank et. al. for a change in the public road leading from Harrisonburg to top of Shenandoah Mountain,

1 & 3 copy. ✓

It appearing to the Court that the report of the viewers, Geo. Chrisman, T. A. Jackson & Michael Whitmer appointed under a former order of this Court, is defective, It is ordered by the Court on motion of Petitioners, by counsel, that said report be recommitted to said viewers to ascertain and report to the first day of the next

term of this Court;
1st. The names of the land-owners on the route proposed, and which of them require damages, and the amount of damages assessed by them to each land-owner, having regard to the advantages to be derived by the road passing through the land.
2nd. Whether any yard, garden, orchard, or any part thereof will have to be taken, and any other matters they may deem pertinent. They shall give notice of the time and place, when and where they shall meet, in some public manner, in the vicinage of the proposed road, at least five days before the time of meeting."

B. F. Armentrout, Pltff.,
vs.
Hamp. Washington, Trustee for Julia A. Washington
Thomas Washington & D. W. Washington, Defts.
} On a warrant removed from a Justice.

This day came the parties by their attorneys, and the Plaintiff, by counsel, moved the Court to allow him to amend the writ and proceedings, by making Hamp. Washington a party defendant, which motion, the Court, on consideration overruled, and thereupon this cause is continued until the next term.

J. M. Weaver, Supervisor &c.
vs.
Rockingham Turnpike Company
} Upon a Petition for certificate of abandonment of the Rockingham Turnpike.

1 & 2 cap's to Green Co.
1 & 3 cap's to Augusta Co.
1 & 2 cap's to Rockingham.

Ordered, That this Petition be docketed, and that process issue against the Rockingham Turnpike Company, and Geo. J. Stephens, A. D. Almond, David Beard Trustee, Keeton's Former wife of Henry Forrer, Henry Forrer and Wm. B. Compton, substituted Trustee, requiring them to appear on the first day of the next term of this Court and show cause, if any they can, why the prayer of the petitioners should not be granted.

On the Petition of D. Shaver and others for the establishment of a Public Road.

1 & 3 cap's

This day came the petitioners by counsel, and on their motion the report of the viewers returned at this term of the Court is recommitted to said viewers, with directions to go upon the lands along said route again, and ascertain and report, as required by law, which of the land owners require damages, and report their names and the amount assessed. They are further directed that in estimating damages they must allow compensation for the land belonging to each land owner, actually taken by the road bed, and can only set off peculiar advantages derived from the road passing through the lands, against the peculiar disadvantages which may result therefrom.

They are further directed to survey the line laid down

on the diagram as the "Short line," and return a survey of the corners and distances of the same, together with the names of the land-owners along said "Short line," which of them require damages and the amount to which they may be entitled, allowing compensation for the land actually taken by the road bed, and off-setting peculiar advantages against peculiar disadvantages in their estimate.

They are further directed to estimate and report the probable cost of opening said proposed road on each of said routes.

They shall return their amended report to the 1st. day of the next Term.

D. H. Rolston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $2.50 for hire of conveyance to take Mary Crawford, a witness in the case of The Commonwealth vs. Louisa Lawson charged with and convicted of murder, to the County Court House, a distance of about 20 miles under Attachment issued by the County Court 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. The witness was not fined by the Court, because of an affliction which prevented her from walking so far and her poverty which prevented her from securing a conveyance.

D. H. Rolston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $2.50 for hire of conveyance to take Susan Gladden, a witness in the case of Commonwealth vs. Louisa Lawson, charged with and convicted of murder, to the County Court House, under an Attachment of the County Court of Rockingham County, distance about 16 miles 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 witness was not fined by the Court, on account of the condition of her family at the time and the distance she lived from the Ct. House.

M. M. Mellett for use of Jno. W. Thomas
vs
R. B. Ragan, gar. of James G. Allen,
} Upon a Sug.

Same
vs
Same,
} Upon Same

In these two causes, the Deft. R. B. Ragan is granted leave to file his answer in writing, which is accordingly done, and the trial of the same is continued.

On the motion of Chas. F. Myers, and from evidence introduced, the Court, being satisfied that he is a person of good character and a proper person in whom to confide the trust of selling or

distributing Religious Books, doth direct any one of the Commissioners of the Revenue for this County, to grant him such License, with a nominal Tax only, of One cent.

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

Chas. A. O'Finall.

Nov. 19, 1877. At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, November 19, 1877.

Present:- Hon. Chas. T. O'Ferrall, 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 October Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	Mary Deada, Edwd. Deada & wife	to Timothy Sullivan,
" "	Jos. T. Logan, Clk. Colet. Roles,	" John M. Riser,
" "	Jackson Martz,	" Jacob N. Cowen, &c, School Trustees, &c,
" "	Peter Byerly & wife,	" Wm. McAtee,
" "	Henry Geil & wife,	" Isaac Wenger,
" "	C. T. Acker & wife,	" same,
" "	David Stinespring & wife,	" Jacob Jordan, (old deed,)
" "	Geo. W. McFarland & wife,	" Horace H. Beall, Trustee for Florence V. Beall,
" "	John Rice & wife,	" B. M. Rice,
" "	Peter Guyer & wife	" Mrs. E. B. Rutter, Trustee for Mrs. Mary M. O'Brien,
" "	Wm. A. Vigar & wife & others,	" Martha Ann Roof,
Trust Deed,	John H. Funkhouser,	" Jno. H. Wartmann, Trustee for D. H. Pearson, &c,
Bargain & Sale,	D. R. Hopkins & others,	" D. W. & Jno H. Rolston, of B. H. & Salome Rolston,
" "	F. L. Shaver & wife,	" B. A. Myers,
" "	John H. Crist & wife	" Henry A. Rife,
" "	Philip Holler, Exr. of D.,	" Philip Reedy,
Trust Deed,	Erasmus Coffman & D. W. Coffman,	" A. M. Newman, Trustee,
Bargain & Sale,	Mary Shoemaker,	" Richard J. Zirkle,
" "	G. E. Deneale, Trustee for & Lucenna Deneale.	" George M. Shifflett,
" "	Warren S. Lenty, Commr,	" Wm. B. Compton,
" "	Cath. Swank & Abm. Diehl, her Trustee,	" Conrad H. Long,
" "	L. Dinkel, Wm. Williams &c Trustees	" Wm. R. Speck & others, Trustees, (old deed,)
" "	Harvey Evers & wife	" Daniel Evers,
" "	Peter Swank & wife	" John Shaffer,
" "	Daniel Epard & wife & others,	" Robt. H. Smith, Trustee & guardian for
" "	Daniel Epard & wife & others,	" Sanford A. K. Epard,
" "	Daniel Epard & wife & others	" same,
" "	Peter Mesesole & wife,	" Philo Bradley & Co,
" "	Samuel Step & wife	" Michael Showalter,
Trust Deed,	John H. Bell,	" John Paul, trustee,
Bargain & Sale,	Samuel Flory's Heirs,	" Elizabeth Salyard, wife of Jos. Salyard,
" "	G. W. Berlin, &c,	" Wm. R. Long, trustee for Susan Long,
Assignment,	C. M. Killian & wife,	" Granville Eastham & L. H. Moffett,
Bargain & Sale,	Mary Manning & others,	" Elizabeth Catharine Miller,
" "	W. B. Lenty, Commr,	" Wm. R. McKeever,
Marriage Agt. & Trust Deed,	Jos. S. Shayer, &c,	" Henry V. Shayer, Trustee,
Bargain & Sale,	Timothy Funk & wife & Wm. Roudabush & wife	" Peter Sipe & Geo. Lindamood,
" "	M. Harvey Effinger & wife	" Mattie A. Kent, wife of J. M. Kent,

Trust Deed,	Mary C. Russell & Geo. Russell	to J. C. Staples, Trustee for J. M. Kent,
" "	Geo. W. Hedrick & wife	" Ed. S. Conrad, trustee,
Homestead Deed,	Abraham S. Hoover,	
Bargain & Sale,	B. G. Patterson, Commr,	to Joseph G. Snyder,
" "	Jas. P. Armentrout & wife & Sylvanus A. Miller	" Gideon Miller,
" "	John W. Palmer & wife	" Peter Kaylor,
" "	Charles W. Fellows & wife	" Moritz H. Holler,
" "	Catharine Showalter	" Wm. H. Chapman,
" "	Joseph Rhodes,	" Henry J. Showalter,
" "	A. J. Nicholas & wife	" James D. Shipe,
" "	John W. Shepherd,	" Annie Shepherd,

The following Settlements were this day presented in Court, and having been filed in the Clerk's Office, the time prescribed by law, and no exceptions being taken thereto, the same are confirmed, and ordered to be recorded, viz:—

Settlement of the Acct. of B. F. & H. B. Armentrout, Exors. of David Armentrout,
" " " " " D. M. Holler, Exor. of David Holler,
" " " " " George N. Earmon " " Samuel Earman,
" " " " " John Zigler, " " John G. Hulvey,
" " " " " Joel Flory " " Henry Hungardner,
" " " " " Jacob Keagy " " John R. Keagy,
" " " " " David C. Kline " " David Kline,
" " " " " D. A. & Saml. N. Wine Exor. " Michael Wine,
" " " " " W. J. Myers, Exor. " Henry S. Showalter,
" " " " " Wm. T. Carpenter, one of the Exors. of Daniel Huffman,
" " " " " Jos. A. Earmon " " " " same,
" " " " " J. W. & H. H. Taylor, Admrs. of Zachariah Taylor,
" " " " " Henry J. Derror, Admr. " W. W. Armentrout,
" " " " " B. A. Myers, " " Catharine Myers,
" " " " " B. M. Rice, " " Sarah Fishback,
" " " " " Geo. W. Showalter " " L. F. Moyerhoeffer,
" " " " " R. W. Harrison, " " John Huffman,
" " " " " Paul C. Bowman, " " Noah Bowman,
" " " " " A. A. Argenbright " " Joel Argabright,
" " " " " John E. Bryan, " " Elizabeth Bryan,
" " " " " Michael Ward " " Bridget Ward,
" " " " " Martha E. Hisey, Admrs. " David Hisey,
" " " " " Henry A. Rhodes, guard, " Cornelius C. & Mary F. Gilmer,
" " " " " Reuben Huffman, " " Fanny S. Garber,
" " " " " Reuben Huffman, " " Mary Alice Garber,
" " " " " Henry W. Roller, " " John R. Pence,

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded, viz:—

Appraisement & Sale Bill of Personal Est. of George Lohr, decd.
" " &c. " " " " " " John Weaver, decd.
Sale Bill " " " " John C. Homan, decd.

Elizabeth Frank
vs
Noah Hoover &c } Unlawful Entry & Detainer.

Ordered, That this cause be placed upon the Courts Docket.

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cap.d &c. On his motion, and it appearing to the Court that E. A. Shands is a man of good character and honest demeanor, and of the age of 21 years, and has resided in this County one year next preceding this application, It is ordered that a certificate be granted him for obtaining the necessary License to practice Law in this Commonwealth.

Commonwealth
vs
Burris Williams. } Upon an Indictment for murder.

This day came the Attorney for the Commonwealth, as well as the Defendant Burris Williams, in discharge of his recognizance entered into at a former term of this Court, and thereupon ~~on motion~~ of the Attorney for the Commonwealth ~~and~~ with the assent of the Court, entered a Nolle prosequi, and therefore It is considered by the Court that the defendant be discharged and go hence without day, &c.

Joseph A. Raum, Pltff.
vs
S. L. Colohan, Deft. } Upon an Attachment.

&

Moses Strickler, Pltff
vs
Same. } Upon an Attachment.

Ordered that these two causes be placed upon the Courts Docket.

On the motion of W. F. Bonds, who made oath thereto according to law, he appeared in Court, and together with Peter Bonds, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Reuben Bonds, decd.

And the Court doth appoint C. R. Rush, J. A. Hammen, R. E. Hopkins & A. J. O'Bader to appraise the Estate of said Reuben Bonds, any three of whom may act, after first being duly sworn.

On the motion of Charles P. Airey, who made oath thereto according to law, he appeared in Court, and together with Jehila Ann Airey, his surety, (who justified as to her sufficiency) entered into

and acknowledged a bond in the penalty of $3.000.00, conditioned according to law, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Samuel H. Arey, dec'd.

And the Court doth appoint B. M. Rice, E. H. Cromer, Ephraim Wenger & Simeon Hildebrand to appraise the Estate of said Samuel H. Arey, any three of whom may act, after first being duly sworn.

It appearing to the Court that Joshua Pence who qualified at a former term of this Court as guardian of the infant children of Jacob Boyers, has departed this life, John J. M. Boyers, Beauregard T. J. Boyers and Robert M. L. Boyers, three of said infant children over the age of 14 years, appeared in Court and made choice of Peter K. Pence as their guardian; and thereupon said Peter K. Pence appeared in Court and together with W. H. Michael, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified accordingly.

C. R. Rush, J. A. Hammen & R. E. Hopkins appointed at the August Term last of this Court, to assign a Homestead to Mrs. Margaret Bonds in the Estate of her deceased husband, Reuben Bonds, this day returned their Report of Assignment into Court, which is ordered to be filed and lie 30 days for exceptions.

cap'd. & d. Samuel Brunk this day presented in Court an Account against the County of Rockingham, amounting to the sum of $4.00 for Ice furnished for the Court House to Sept. 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of Levy for 1877.

cap'd. & d. G. W. Tabb this day presented in Court an Account against the County of Rockingham, amounting to $18.63, for Coal furnished for Ct. House & Clerk's offices to Nov. 10, 1877, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of Levy for 1877.

J. Hawse, H. W. Beery & George Chrisman viewers appointed at the April Term last of this Court, upon the application of Henry Frank & others, to view and report upon a proposed change in the public road leading from the North Mountain road at Henry Frank's to the Tenleytown Road, having returned their Report into Court, It is ordered by the Court that a Rule be awarded against Solomon Funk, land owner through whose land said Road passes, to show cause, if any he can, why the proposed change in said road should not be made according to the Report of the said viewers, returnable to next term of the Court.

1 & 1 copy inst.

M. Treiber, foreman, Jesse Kiser, C. E. Lupton, W. A. Slater, Joseph Bauserman, B. F. Thomas, Samuel Shrum, Abm. Click, Jacob T. Baxter, E. P. Myers, Geo. W. Rosenberger, J. R. Price, A. L. Maupin, J. P. Rhodes, Wm. P. Wast, & J. G. H. Miller, were impanelled and sworn 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 their presentments and after some time returned into Court, and not having completed the business before them were adjourned until to-morrow morning at 10 o'clock.

Ordered That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Nov. 20, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, November 20, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

At a Circuit Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, November 8th 1877.

Isaac Wenger, Henry J. Showalter & others, Appellants } Upon an appeal of Right.
vs
John D. Pennybacker, A. L. Maupin, G. W. Shaver & others, Appellees

This day came the parties by their Attorneys, and the Court having maturely considered the transcript of the record of the proceedings of the County Court, and the argument of counsel is of opinion that there is error in the judgment of the said County Court establishing the road from Edom down Linville's Creek, to the road leading from Isaac Acker's to Cowan's Station on the Baltimore & Ohio Railroad, for which the said judgment of the County Court should be reversed, annulled, and set aside; It is therefore considered by the Court, that the judgment of said County Court of Rockingham, establishing said road be set aside; and the whole proceeding from, and including the report of the viewers, made to the December term 1875, of the County Court, be set aside; and that the cause be remanded to the County Court, with instructions, to require a new report from the viewers in the cause, or new viewers, and for further proceedings to be had according to law, and that the Appellants Isaac Wenger, H. J. Show-

-alter & D. C. Brenneman recover of the Appellees, J. D. Pennybacker, A. L. Maupin, G. W. Shaver & others their costs expended in the prosecution of their Appeal.

A copy,- Atteste,

J. H. Shue, C. C. C. R. C.

Upon the Petition of John D. Pennybacker, A. L. Maupin, G. W. Shaver, &c, for the establishment of a public road from Edom down Linville's Creek to the Road leading from Isaac Acker's to Cowen's Station on the B & O. R. R.

1 & 3 cap. ind. The proceedings in this cause having been, upon an "Appeal of right" to the Circuit Court of Rockingham, reversed, annulled & set aside to & inclusive of the order appointing viewers, and the cause remanded to this Court for further proceedings therein,

The Court doth hereby appoint Charles J. Brock, John J. Bowman and Peter S. Roller, as viewers, to view the ground and report to the Court the conveniences and inconveniences that will result as well to individuals as to the public, if such road shall be established as proposed, and especially whether any yard, garden or orchard, or any part thereof or of either, will, in such case have to be taken. The viewers shall particularly report the facts and circumstances, in their opinion, useful in enabling the Court to determine the expediency of establishing the road, and the said viewers shall examine other routes than the one proposed, & report in favor of the one they prefer with their reasons for such preference. They shall report the names of the land owners on such route and state which of them require compensation, the probable amount in the opinion of the viewers to which each party may be entitled, and any other matter which they may deem pertinent, - ~~They shall examine other routes than the one proposed & report in favor of the one they prefer with their reasons for such preference. They shall report the names of the land owners on such route and state which of them require compensation, the probable amount in the opinion of the viewers to which each party may be entitled and any other matter which they may deem pertinent.~~ they shall return a map or diagram of such route with their report, to which end, if neither of said viewers be such, they may employ a Surveyor. The said viewers shall report to this Court their action under this order at its next term, And Isaac Wenger & D. R. Clem, whose names were to the original petition, withdraw their names as applicants for the appointment of viewers as aforesaid, and decline to participate in this application, and this order is made on behalf of the other petitioners, whose names are signed to said original petition.

On the Petition of A. Shaver and others, for the establishment of a Public Road.

1218 cap. and. The viewers heretofore appointed in this cause having returned their amended report to this term of the Court, as directed by an order entered at the Oct. Term last, which the Court on examination finds to be substantially in accordance with law, It is ordered that Cornelius Armentrout, John W. Mellhorn and Fannie his wife, William F. Lewis and his wife, Nicholas Kiger, William A. Britt, Henrietta Royer, Benjamin Engle, John Royer, Frederick B. Armentrout, Henry Kiger, Addison Royer, Geo. W. Mauzy, Peter Kiger, Joseph Barkerman, Mrs. Fannie Yancey and Columbia Royer, land owners along the two proposed routes of said road, be summoned to appear before this Court on the 1st. day of the next term to shew cause, if any they can why the said road should not be established on one of the said proposed routes.

At a Circuit Court continued and held in and for the County of Rockingham at the Court House thereof on Saturday, November 10th. 1877.

Jackson Rhodes, }
D. A. Plecker, } Upon a Supersedeas to a judgment of the County Court of Rockingham.

This day came again the parties by their attorneys, and the Court having maturely considered the transcript of the record of the judgment of the County Court and the argument of counsel, is of opinion that there is error in the judgment of said County Court, for which the same should be reversed and set aside. It is therefore considered by the Court that the judgment order of the County Court of Rockingham made in this cause on the 20th. May 1875 be reversed, annulled and set aside, and that the proceedings instituted by said D. A. Plecker vs Jackson Rhodes to condemn land under the Act of March 6, 1874 be dismissed, and that the Appellant, Jackson Rhodes recover of the Appellee, D. A. Plecker, his costs in this behalf expended, which shall be certified to the County Court

A copy,
Attest,
J. D. Shue, C. C. C. R. C.

On the Petition of James G. Keltzel, Samuel Frank and others, for a change in the public road leading from Dayton to the top of the Shenandoah Mountain, by the way of Radley Springs, and thence up Dry River, beginning at a point just below or opposite Rawley Springs, continuing on the east side

1214 cap. and. of the said River, &c,

The viewers heretofore appointed in this cause having this day returned their amended Report as required by an order of this Court entered at the Oct. Term last, which the Court, on examination finds to be in accordance with law, It is ordered that the following

land-owners along said route, to-wit:- Jacob Sanger, Samuel Frank, James L. Keltzel and the New Rawley Springs Company be summoned to appear before this Court on the 1st day of the next term to show cause, if any they can, why the said change in said public road as proposed and as reported by the said viewers should not be made.

And it appearing that the names of the owners of the "Waterman Survey" through which the said proposed route will pass are unknown, and that there is no tenant or other person residing on said "Survey", upon whom process can be served, It is ordered that notice be given to the unknown owners or proprietors of the said "Waterman Survey" to appear on the 1st day of the next term to show cause if any they can, why the said proposed change should not be made, by publication in one of the newspapers published in the town of Harrisonburg, for four successive weeks.

Robert Finks, who was, on the 7th day of November 1877, recognized to appear before this Court on this day to answer an Indictment to be preferred by the Grand Jury for a misdemeanor by him committed, was this day brought into Court by Benjamin Bond, his surety in his recognizance and placed in the custody of the Court, and it appearing to the Court that it is probable that the Grand Jury now in session will prefer an Indictment against the said Robert Finks for a felony by him committed, the Court is of opinion that he should be detained in custody. It is therefore, ordered that he be committed to the Jail of this County, and the Jailor thereof is directed to receive and keep him in custody until the future order of this Court.

Jno. R. Jones, Comr. of the Revenue of Central District in this County, this day returned to the Court, a copy of his certificate as to the sales of Wine, alcoholic and malt liquors by all licensed retail and bar-room liquor dealers and wholesale liquor dealers within his district for the months ending on the 17th day of November 1877, as required by an Act entitled "An Act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits or malt liquors, &c" approved March 30th 1877, which is ordered to be filed.

D.N. Roleton, Sheriff & Jailer of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $37.85 for Keeping & supporting various prisoners, covering a period from October 16, 1877 to Nov. 15, 1877, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd. & d.

cap^d. & d. D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to $14.90 for Keeping & supporting Wm. Spitzer, a Lunatic, confined in Jail from Oct. 16, 1877 to Nov. 15, 1877, (31 days @ 40¢ per day, $12.40) and clothing for one month ($2.50) which having been sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

The Grand Jury impanneled and sworn on yesterday in and for the body of this County, this day appeared in Court, pursuant to their adjournment, and again retired to their room to consider further of their presentments, and after some time returned into Court and made the following presentments, viz:—

1 & 1 cap^d. ind. An Indictment against Charles Fridley, for selling ardent spirits without a License, a true bill, M. Treiber, foreman,

An Indictment against Philip Phillips for breaking & entering out-house with intent to steal, a true bill, M. Treiber, foreman, and not having completed the business before them were adjourned until to-morrow morning at 10 o'clock.

On the application of William Arey, D. C. Koogler and others for the establishment of a public road, commencing at Rushville Church on the Ottobine, Rushville and Dayton Road to the Rushville and Simmers Mill Road,

The Court doth appoint B. M. Rice, John H. Moore and George J. Kisling, viewers to view the ground, and report to this Court, the

1 & 3 cap^s. ind. conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof, will have to be taken.

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land owners on such route or routes, and state which of them require compensation, the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Nov. 21, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-house thereof, on Wednesday, the 21st day of November 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

James Steele,
(n)
P. W. Armentrout, Committee for Mrs. Mary Nicholas } Upon a Notice

This Notice having been made returnable to the first day of this term of the Court, and the Plaintiff having failed then to docket the same, On motion of the Plaintiff, and it appearing to the Court that no injury can accrue to the Defendant, It is ordered that the same be docketed nunc pro tunc, which is accordingly done.

same,
(n)
same. } Upon a Notice,

Upon the motion of James Steele, the surety of Peter W. Armentrout, who qualified at the April 1877 Term of this Court, as Committee for Mrs. Mary Nicholas, a person of unsound mind, to revoke the powers of said Armentrout as such Committee, unless he give new or other and additional security on his bond as such Committee, It appearing that Notice of this motion has been duly given and executed according to law, and said Peter W. Armentrout refusing to give other security; It is ordered that the powers of said Peter W. Armentrout as Committee of Mrs. Mary Nicholas be and they are hereby revoked.

1 & 3 copies & cap'd for G.W.R.

On the Application of D. A. Plecker for the establishment of a Public Road from the west end of the Bridge at Mt. Crawford in this County, (now in process of construction by said D. A. Plecker,) to the County Road about 15 or more poles below said bridge:-

The Court doth appoint Jos. S. Loose, Geo. H. Dinges and George J. Kisling, viewers, to view the ground, and report to this Court the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden,

orchard, or any part thereof, will have to be taken.

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on each route or routes, and state which of them require compensation; the probable amount, in their opinion to which each party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

The Grand Jury impannelled and sworn on the first day of this term of the Court, ~~in and for~~ the body of this County, this day appeared in Court, pursuant to their adjournment, and retired to their room to consider further of their presentments, and after some time returned into Court, and not having completed the business before them were adjourned until to-morrow morning at 10 o'clock A.M.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. D. O'Neall.

Nov. 22. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, November 22, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

The Grand Jury impannelled and sworn on the first day of this term of the Court, in and for the body of this County, this day appeared in Court, pursuant to their adjournment, and retired to their room to consider further of their presentments, and after some time returned into Court, and made the following presentments, viz:-

An Indictment against De Witt Glovier alias Dewitt Ettinger alias De Glover, for the murder of Thomas Shiddow, A true bill, M. Freiler, foreman.

An Indictment against De Witt Glovier alias Dewitt Ettinger alias De Glover, for the murder of John L. Thompson, A true bill, M. Freiler, foreman.

An Indictment against Robert Sinks, for carrying a gun, pistol Bowie Knife on Sunday, without good and sufficient cause, A true bill, M. Freiler, foreman. 1st copy ind. ✓

An Indictment against Reuben Biggs, for injuring, maiming, disfiguring & Killing cattle, A true bill, M. Freiler, foreman, 1st copy ind. ✓

An Indictment against John Hanna alias John Hannah, for carrying a pistol, without good and sufficient cause on Sunday, A True Bill, M. Freiler foreman. 1st copy ind. ✓

An Indictment against John Hanna alias John Hannah, for unlawfully maiming, injuring & Killing a dog, the property of Richard Slattenbuck, A true bill, M. Freiler foreman, 1st copy ind. ✓

An Indictment against J. C. Miller, for refusing and neglecting to assist an officer in the execution of his office in a criminal case, A true bill, M. Freiler foreman, 1st copy ind. ✓

An Indictment against Abraham Hoover, for refusing & neglecting to assist an officer in the execution of his office in a criminal case, A true bill, M. Freiler, foreman, 1st copy ind. ✓

An Indictment against Samuel Hall, for murder, Not a true bill, M. Freiler, foreman.

An Indictment against R. M. Pool, for Larceny, A true bill, M. Freiler, foreman,

and having completed the business before them, were discharged from further attendance upon this Court.

And thereupon, the Court issued a Bench warrant for the arrest of R. M. Pool, he not being in custody.

Ordered, That the following-named persons be each allowed the sum of Four Dollars, for their services at this Term of the Court, as Grand Jurors, (14 days @ $1 each,) and that the same be certified to the Treasurer of this County for

cap'd & d. payment, viz:- M. Treiber, Jesse Riser, C. E. Lupton W. A. Slater, Jos. Bauserman, B. F. Thomas, Samuel Shrum, Abm. Click, Jacob T. Baxter, E. P. Myers, Geo. W. Rosenberger, J. R. Price, A. L. Maupin, J. P. Rhodes, Wm. P. Wast & J. G. H. Miller.

Robert Finks having been committed to Jail on Monday last to await the action of the Grand Jury, and the Grand Jury having failed to find an Indictment against him for felony, It is ordered by the Court, that he be discharged from custody, which is accordingly done.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

Nov. 23, 1877.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, Nov. 23d 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Petition of James W. Messick & others for the establishment of a Public Road from Timberville Northward to Shenandoah Line,

&

Petition of R. L. Allen, &c, for confirmation of change of Public road on the premises of A. J. Johnson

Ordered, That these causes be placed upon the Court's Docket.

Commonwealth, vs Philip Phillips. } Upon an Indictment for breaking & entering out-house, with intent to steal.

This day, the prisoner, Philip Phillips, late of the County of Rockingham, who stands indicted for a felony by him committed, was led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty" to the said Indictment, and thereupon, for reasons appearing to the Court, his trial is continued until the next term, and the prisoner remanded to Jail.

It appearing to the Court that Dewitt Glovier alias Dewitt Ettinger alias De Glover, who was indicted by the Grand Jury impannelled and sworn on the 1st day of this term and attending on this Court for the murder of Thomas Chidlow, has not been arrested for the said felony, the Court issued a Bench

warrant for the arrest of the said Dewitt Glovier, alias Dewitt Ettinger, alias De Glover, in accordance with law.

It appearing to the Court that Dewitt Glovier, alias Dewitt Ettinger, alias De Glover, who was indicted by the Grand Jury impannelled and sworn on the 1st. day of this term and attending on this Court, for the murder of John L. Thompson, has not been arrested for the said felony, the Court issued a Bench warrant for the arrest of the said Dewitt Glovier alias Dewitt Ettinger, alias De Glover, in accordance with law.

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall,

Nov. 24, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, Nov. 24, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

Commonwealth,
vs.
James McWilliams, } Upon an Indictment for a misdemeanor. (No. 1.)

issd. & sent to Sheff. of Shenandoah, Nov. 28, 1877.

The defendant having been convicted at a former term of this Court, and the Capias ad audiendum judicium then awarded against him not having been returned, It is ordered by the Court that an alias Capias be issued against him, directed to the Sheriff of Shenandoah County.

Same,
vs.
Same, } Upon an Indictment for a misdemeanor. (No. 2.)

issd. & sent to Sheff. of Shenandoah, Nov. 28/77.

The defendant having been convicted at a former term of this Court, and the Capias ad audiendum judicium then awarded against him not having been returned, It is ordered by the Court that an alias Capias be issued against him, directed to the Sheriff of Shenandoah County.

capl.

L. H. Utt, Coroner of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $10.00, for expenses incurred in holding Inquest on the bodies of Thomas Shiddons & J. L. Thompson, Killed on the

wrecking train at Cowan's Station, Nov. 17th 1877, which being sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

S. B. Hulva, a Special Constable, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $4.50, for arresting Jefferson D. Campbell, charged with felony, mileage & expenses in conveying prisoner to 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.

cap'd & d. to D.H.R. Shff.

Ordered, That Court be adjourned until Monday morning next at 10 o'clock.

Chas. T. O'Ferrall.

Nov. 26. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, November 26, 1877.

Present:- Hon. Chas. T. O'Ferrall, presiding.

D. H. Rolston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $41.95, for expenses incurred upon the execution of Anderson Shifflett, convicted of murder and fee for executing the death warrant on said Anderson Shifflett, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd & d.

Arah Flick, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $13.87 for repairing Court-yard gates, lights & sash for cell in Jail, and repairs to Jail, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of Levy for year 1877.

cap'd & d.

Staples & Kent, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $15.00 for horse-hire, per Geo. Hutcheson, Special Depy. Sheriff, in bringing witnesses to Court under attachments, awarded by the Court upon the trials of Silas Morris & Anderson Shiflett, charged with murder, John Pittington, charged with felony & for witnesses before Grand Jury, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd & d.

Ordered, That County Court lie adjourned until ~~the fourth day~~ to-morrow morning at 10 o'clock, of the next term.

Chas. J. O'Ferrall.

Nov. 27, 1877. At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, November 27, 1877.

Present:- Hon. Chas. J. O'Ferrall, presiding.

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

Chas. J. O'Ferrall.

In Vacation December 6th 1877.

The Clerk of the County Court of Rockingham County is hereby directed to issue a Venire Facias directed to the Sheriff to Rockingham County, Commanding him to Summon a Special Grand Jury for the December Term of said Court, to appear at the Court House thereof on the fourth day of said Term being the 20th day of December 1877 at 10 O'Clock A. M. Given under my hand this 6th day of December 1877.

Chas. J. O'Ferrall Judge of the Co Ct of Rockingham County.

Attest:
J. T. Logan, Clerk

Dec. 17th 1877 At a County Court held in and for the County of Rockingham, at the Court House thereof on Monday December 17th 1877.

Present:— Hon. Chas. T. O'Ferrall, 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 November Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the minutes, and is as follows, Viz:—

Bargain & Sale.	Adam Showalter & wife & M. G. Jones & wife	to Robert A. Gilmore.
" "	James C. Heltzel & wife &c.	" A. D. Weaver.
" "	John K. Beery & wife	" Wm R. & Benj W. McKeever.
" "	Alexander Holsinger & wife	" George W. Moyers.
" "	William B. Compton & wife	" Emma V. Weaver wife of W. J. Weaver
" "	John A. Winfield & wife	" Gideon Wescott.
" "	Wm B. Compton Trustees & others	" Robert R. Andrews.
" "	Emanuel Suter & wife & others	" Lewis Heatwole.
Release Deed.	B. G. Patterson Trustee.	" A. D. Armentrout.
Bargain & Sale.	Geo. W. Berlin.	" Felix Landes.
" "	David B. Armentrout & wife & others	" John H. Miller.
" "	Ed. S. Conrad, Commr.	" John Paul Trustee for Kate S. Paul.
" "	Timothy Funk & wife.	" L. R. Keiffer.
" "	A. M. Newman Commr.	" Benjamin F. Spicer.
Lis Pendens.	George Kline	(VB) Geo. W. Wood, Noah Brock Wm D. Rodgers & J. E. Roller
Bargain & Sale.	J. A. Loewenbach & wife & James Smith	to Judson M. Kent.
Trust Deed.	Geo. G. Strayer.	" Henry V. Strayer Trustee for L. W. Kaylor
Bargain & Sale	L. S. Reed & wife.	" Franklin Liskey.
Trust Deed.	Robert G. Coakley.	" James J. Miller Trustee for Jas. S. Canny &c.
Bargain & Sale.	M. Harvey Effinger & wife	" Henry T. Wartmann (in Lieu of old Deed)
" "	Geo. G. Grattan Commr.	" A. S. Byrd.
" "	A. S. Byrd.	" Annie R. Wartmann wife of H. T. Wartman
" "	Wm. P. McCall & wife.	" Jacob Driver & wife.
Lis Pendens.	Joshua Shoemaker	(VB) Wm Orebaugh.
Bargain & Sale	John E. Roller, Commr.	to John Dungeon
" "	John Dungeon & wife	" Isaac F. Green.
Deed of Homestead.	John Rhodes.	"
Trust Deed.	W. R. Bowman.	" E. S. Conrad Trustee.
Bargain & Sale.	Samuel Sheets & wife & others.	" Joseph A. B. Huregardner, & wife.
Trust Deed.	James H. VanPelt Trustee for L. VanPelt	" Oliver B. Roller Trustee.
Deed of Loan.	A. Elhart.	" Ann E. Loewenbach.
Bargain & Sale.	Philip Liggett & wife.	" Mary L. Pollock.
" "	James T. Dovell & wife.	" James F. Dovel Angeline Jenkins & Mary Dovel
Trust Deed.	Thomas J. Keenan.	" Oliver B. Roller Trustee.
Bargain & Sale	Conrad H. Long & wife	" Mrs Frances Baldwin
" "	Daniel Epard.	" Wesley Breeden.

The Settlement of the Estate of Mary Bryan, decd. was this day presented in Court, and having been filed in the Clerk's office of this Court the time prescribed by law, and no exceptions being taken thereto, the Same is Confirmed, and ordered to be recorded.

The following Appraisement & Sale Bills, were this day presented in Court and no exceptions being taken thereto, the Same are ordered to be recorded - Viz:-

Appraisement and Sale Bill of the Personal Property of Daniel Miller decd.
Appraisement. " " " " " Margaret Miller "
" " " " " " Christena Miller "

D. F. Ritenour } Upon a Notice to Quash an Execution
vs
J. P. Effinger.

Judson M. Kent. } upon a Sug.n
vs
Henry V. Strayer Trustee for Juliet L. Strayer & Juliet L. Strayer gar. of R. C. Douglass.

Peter Bonds. } Sug.
vs
E. S. Peale. gar of Augustine Armentrout

Julia Ann Denor Appellant } upon an appeal.
vs
Preston Rhodes Appellee

A. H. Brewer. } upon a Notice
vs
Madison Airey &c.

Ordered that the foregoing causes be placed upon the Court's Docket.

Jno. R. Jones, Comm.r of the Revenue of Central District in this County this day returned to the Court, a copy of his Certificate as to the Sales of Wines, Acoholic and Malt Liquors by all licensed retail and barroom liquor dealers, and wholesale liquor dealers within his district for the month ending on the 15th day of December 1877, as required by an act entitled, "An Act imposing a tax and prescribing a mode of Collecting the Same, on the privilege of Selling wine, Ardent Spirits or malt liquors, &c," approved March 30th 1877, which is ordered to be filed.

On motion of Susan Detimore, a creditor of the Estate of Robert S. Beard, decd. the Estate of Said Robert S. Beard, is Committed to D. H. Rolston Sheriff of this County for administration, it appearing to the to the Court that Said decedent has been dead more than three months without administration upon his Estate.

D. F. Ritenour. Pltff } upon a Motion to Quash an Execution.
vs
J. P. Effinger, Deft.

On the motion of D. F. Ritenour, to quash an execution Sued out of the Clerk's office of this Court by J. P. Effinger against the goods and chattels of the Said D. F. Ritenour on the 22nd day of October, 1877 upon a judgment obtained before a Justice of the peace this day came as well the Said D. F. Ritenour as the Said J. P. Effinger by their Attorneys, and the Said motion being maturely Considerered by the Court, it is ordered that the

execution aforesaid be quashed; And it is therefore considered by the Court that the Plaintiff recover against the Defendant his Costs by him about his motion in this behalf expended.

It appearing to the Court from evidence introduced that the widow of Jacob Driver dec'd relinquishes her right to qualify as the Admr. of the Estate of her deceased husband Jacob Driver, On the motion of Lewis Driver and David A. Heatwole who made oath thereto according to law appeared in Court and together with John Shivatter and Joseph Driver their Sureties (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1800.00/100 Conditioned according to law, waiving the benefit of their Homestead exemption, a Certificate is granted them for obtaining letters of administration in due form upon the Estate of said Jacob Driver.

And the Court doth appoint Michael Whitmer, A. J. Long Samuel Long, and John Karicoff, to appraise the estate of said Jacob Driver, any three of whom may act, after first being duly Sworn.

Commonwealth.

Dewitt Glovier, alias Dewitt Ettinger, alias De Glover } Upon an Indictment for Murder of Thomas Chidlow.

This day, the prisoner, Dewitt Glovier, alias Dewitt Ettinger alias De Glover who Stands indicted for a felony by him Committed, was led to the bar of the Court in the Custody of the Jailor of this County, and being thereof arraigned the prisoner by Counsel demurred to the said indictment and the Several Counts thereof, in which demurrer the attorney for the Commonwealth joined, whereupon the argument of Counsel being heard upon Consideration thereof the Court overruled said demurrer, and thereupon the prisoner pleaded not guilty to the indictment, and the Court doth fix upon Wednesday the 26th day of December 1877 as the day for his trial.
And thereupon the prisoner was remanded to Jail.

On motion of A. K. Leake trustee the Estate of Linneas Woodem dec'd is Committed to D. H. Rolston Sheriff of Rockingham County, for administration with the will annexed, it appearing to the Court that Jane E. Woodem Executrix of said Estate has departed this life, and that the Estate has been without administration for more than three months.

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

Chas. J. O'Ferrall.

Dec. 18. 1877. At a County Court Continued and held in and for the County of Rockingham, at the Court-House thereof on Tuesday December 18th 1877.

Present. Hon. Charles T. O'Ferrall, presiding.

On motion of the Attorney for the Commonwealth a rule is awarded against C. N. Harper, returnable forthwith for failing to attend here this day as a witness for the Commonwealth in the Case of the Commonwealth ⊗ James Kavanaugh.

On motion of the Attorney for the Commonwealth a rules ~~is~~ awarded against M. Treiber and John Donovan returnable forthwith for their failure to attend here this day as witnesses for the Commonwealth in the Case of the Commonwealth ⊗ James Kavanaugh.

Commonwealth ⊗ C. N. Harper. } upon a Rule, for failing to appear this day as a witness in the Case of the Commonwealth ⊗ James Kavanaugh.

This day Came the Attorney for the Commonwealth and the defendant in person, and it is Considered by the Court that the defendant pay the Costs of this Rule.

In the matter of the Petition of John D. Pennybacker & others for a Road leading from Isaac Ackers to Cowan's Station. For reasons appearing to the Court Peter S. Roller is removed and Saml. R. Allebaugh appointed as a Viewer to take his place and report in accordance with the order made at the last term of this Court.

Upon the application of William Henry Tolly, the Court doth certify that the Said William Henry Tolly is a Citizen of this State, that he lost a leg in the late war, and was a Citizen of the State at the time of the loss of Said leg, and that the Said Tolly has not received an artificial leg from any other State, the united States or under the provisions of any of the acts recited in Section 17 of Chapter 76 of the Code of Virginia edition of 1873.

Copied. On the Petition of A. H. Fulk and others for a change in the Public Road leading through Brock's Gap to Franklin in Pendleton Co West Va in Consequence of the old road being washed away by the late flood the Commissioner of Roads W. F. Bowers for Plains District having returned to this Court Said Petition with his endorsement of approval thereon, and the Same having been presented in open Court as required by Statute, the Court doth hereby appoint the following named freeholders to view the Said proposed change, to-wit:- Jacob Moyers, John J. Bowman and Jackson Horn. The Said Viewers before they proceed to discharge their duties shall be Severally Sworn by the Commissioner of Roads for Said District or Some other person authorized to administer oaths, to perform their duties impartially and to the best of their judgment. notice of the time and place when and where they shall meet shall be made in Some public manner in

the viewage of the proposed change at least five days before the time of meeting. If they decide there is public necessity for the change they shall lay out the same, having respect for the shortest distance and the best ground and so as to do the least injury to private property, and also as far as practicable to be agreeable to the Petitioners; They shall asses the damage done to land through which the road passes, taking into consideration the advantages to be derived from the road passing through the land, reporting the names of the land owners which of them claim damages and the amount assessed to each, but in no case shall any yard, galden, or orchard or any part thereof to be taken without the consent of the owner, they may view and make report of and estimate for any modification of the change.

They shall estimate and make report of amount which in their opinion will be required to make the proposed change. The County or other Competent Surveyor, shall accompany them, and survey and mark out the proposed change giving Courses and distances which shall be returned with their report.

They shall make report to this Court at its next term, accompanying their report with a Statement under oath of the number of days necessarily employed by each of them and the Surveyor in executing this order. any defect in their report requiring a recommittal will preclude them from receiving their per deim for the additional time.

Commonwealth.

James Kavanaugh. } Upon an Indictment for Selling intoxicating drink on Sunday

This day came again as well the Attorney for the Commonwealth, as the Defendant by Counsel, and the Defendant by Counsel demurred generally to the said indictment in which demurrer the Attorney for the Commonwealth joined whereupon argument of Counsel being heard, upon Consideration thereof the Court overruled said demurrer, and thereupon the Defendant filed his plea of "not guilty" and thereupon came the following Jury, to-wit:- Michael Ward, E. S. Mitchell Shem S. Heatwole Thomas J. Butler, Charles A. VanLear, Hugh Morrison, A. G. Sherfey, John M. Kenton, J. R. Price F. K. Speck Wm A. Mefferdle and Jacob Funkhouser, who being elected, tried and Sworn well and truly to try the issue joined, and the truth in and upon the premises to Speak, 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. "We the jury find the Defendant James Kavanaugh guilty as charged in the within indictment and fix his fine at ten Dollars Fred. K. Speck, foreman.

Commonwealth

James Kavanaugh } Upon an Indictment for Selling intoxicating drink on Sunday

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and the Defendand by Counsel demurred generally to the said indictment in which demurrer the Attorney for the Commonwealth joined whereupon argument of Counsel being heard, upon Consideration thereof the Court overruled said demurrer and thereupon the Defendant filed his plea of "not guilty" and thereupon came the following jury, to-wit:- Michael Ward E. S. Mitchell

Shem S Heatwole Thomas J. Butler, Charles A. VanLear, Hugh Morrison A. G. Sherfey John W. Henton J. R. Price F. K. Speck. Wm A. Messerole and Jacob Funkhouser who being elected, tried and Sworn well and truly to try the issue joined, and the truth in and upon the premises to Speak 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 "we the jury find the Defendant James Kavanaugh guilty as charged in the within indictment and fix his fine at ten dollars. Fred. K. Speck foreman,

Commonwealth.
(vs) John J. Mahon } upon an Indictment for Selling intoxicating drink on Sunday

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and the Defendant filed his plea of not guilty" and thereupon came the following Jury, to-wit:- Michael Ward E. S. Mitchell, Shem S. Heatwole, Thomas J. Butler Charles A VanLear Hugh Morrison, A. G. Sherfey. John W. Henton, J. R. Price. F. K. Speck. Wm A. Messerole and Jacob Funkhouser, who being elected tried and Sworn: well and truly to try the issue joined, and the truth in and upon the premises to Speak 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, we the Jury find the Defendant John J. McMahon Guilty as charged in the indictment and fix his fine at Fifteen Dollars F. K. Speck foreman,

Commonwealth.
(vs) John J. McMahon } upon a Indictment for Selling intoxicating drink on Sunday

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and the Defendant filed his plea of not "not guilty" and thereupon came the following Jury, to-wit:- Michael Ward. E. S. Mitchell Shem S. Heatwole, Thomas J. Butler, Charles A. VanLear, Hugh Morrison. A. G. Sherfey, John W. Henton, J. R. Price F. K. Speck. Wm A Messerole and Jacob Funkhouser who being elected tried and Sworn well and truly to try the issue joined, and the truth in and upon the premises to Speak 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 oaths do Say, we the Jury find the Defendant John J. McMahon Guilty as charged in the within indictment and fix his fine at Fifteen Dollars Fred. K. Speck. foreman,

B. M. Rice. John H. Moore and George J. Kisling viewers appointed to view the ground of a proposed road, from Rushville Church on the Ottobine Rushville and Dayton Road to the Rushville and Simmers Mill Road, upon the application of Wm Airey. D. C. Koogler & others this day returned their report into Court, which is ordered to be filed.

Henry Pulse. S R Allebaugh and Charles J. Brock viewers appointed to view the ground of a proposed road beginning on the Mountain Valley Road at the Rum Runn as James Rum to the Timber lands lying on and near the Massanutten Mountain upon the application of Wilson Bazzle. Emanuel Driver &c, returned their report into Court which is ordered to be filed.

In the matter of a Petition of D Shaver and others. for a Road. It appearing to the Court that Wm F Lewis and wife are non Residents of the State State of Va and that Wm Berry is a tenant upon the land. It is ordered that procss be awarded against Wm Berry tenant on the land, to Show cause why the said Road should not be opened according to the prayer of the Petitioners and the Report of the Viewers returnable to monday the 24th day of Dec 1877.

Commonwealth.
William H. Clatterbuck. } Upon an Indictment for assault & battery.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and the Defendant filed his plea of "not guilty" and thereupon came the following Jury. to-wit. John S Thomas M. M. Holmes, James C. Kettzel. John S. Effinger. Noah Hoover, Wm C. Price R S. Byrd. Silas M. Rolston Joseph Coffman John L. Kerlin, James Harnsberger and D. A Heatwole, who being elected tried and Sworn, well and truly to try the issue joined, and the truth in and upon the premises to Speak 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. "we the Jury find the defendant guilty in manner and form as charged in the indictment and assess his fine at one dollar. R. S. Byrd. foreman.

It is therefore Considered by the Court that The Commonwealth of Virginia do recover of the Defendant William H. Clatterbuck the Sum of One Dollar the amount of the fine, by the Jurors in their verdict ascertained, and her costs by her in this behalf expended.

Copied & delivered to M. Linden.

James M. Burgess Constable of this County. this day presented in Court an Account against the Commonwealth of Virginia, amounting to the Sum of $5.04 for the arrest of Joseph Taylor upon the charge of a Misdemeanor Summoning witnesses, Conveying Said Taylor to Jail, mileage. &c. which being Sworn to by Said Constable. and Certified by B. M. Rice Justice of the Peace, as to the Correctness of the Same, was examined and allowed by the Court. and ordered to be Certified to the Auditor of Public Accounts for payment

D. H. Rolston Sheriff of this County. this day presented in Court an Account against the Commonwealth of Virginia, amounting to the Sum of $11.95/100 for the arrest of Z. D. Gilmore upon the charge of Felony. Summoning witnesses, Mileage, guards. Horse hire &c. which being Sworn to by J. D. Scott Deputy for D. H Rolston Sheriff of this County. and the guards as to the Correctness of the Same, 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 9 O'clock

Chas. T. O'Ferrall.

Dec. 19th 1877. At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Thursday December 19th 1877.

Present Hon. Chas. T. O'Ferrall presiding.

Elizabeth Frank. Pltff
vs
Noah Hoover & James Hoover. Defts } unlawful Entry & Detainer.

This day came the parties by their Attorneys and by the consent of parties a Jury of Six were impannelled to-wit John S. Effinger, Wm C. Price M. W. Holmes, R. D. Cushen, James H. Hamsberger and Shem S Heatwole who being elected, tried and sworn to try whether the Defendants unlawfully withhold possession of the premises mentioned in the writ and proceedings, and whether they did so unlawfully withhold possession of the said premises on the 9th day of November 1877 the date of the issuance of writ, 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. "We the jury find that the defendants unlawfully withhold from the plaintiff the lot of land & buildings in the within Summons described & so unlawfully withheld the same at the time the within Summons issued John S. Effinger foreman.

It is therefore considered by the Court that the Plaintiff recover of the said defendants possession of the said premises to-wit a certain garden containing about one quarter of an acre and of two rooms and a Kitchen in the Dwelling house of the Plaintiff situated near Singers Glen, Rockingham County, Va and her costs by her in this behalf expended. And the Clerk of this Court is directed to issue a writ of possession to the Sheriff of this County directed, commanding him to place the said plaintiff in possession of the said premises forthwith.

On the motion of J. W. Sherman Admr. of George Sherman the estate of Abraham Shoemaker decd is committed to D. H. Rolston Sheriff of Rockingham County for administration. It appearing to the Court that the said decedent has been dead more than three months without administration upon his Estate.

John L. Lewis.
vs
Israel Mongold } M. E. D.

Ordered that the foregoing cause be dismissed agreed by consent of parties.

Commonwealth } upon an Indictment for breaking and entering an
Philip Phillips } out-house with intent to Steal.

This day the prisoner who Stands indicted for a felony by him committed, was again led to the bar of the Court, in Custody of the Jailor of this County, and thereupon from the Veniremen Summoned for the trial of felony Cases at this term of the Court the following panel of Sixteen were called, examined by the Court, and found to be duly qualified and free from exceptions, Viz:- J. M. Mauzy, Wm. C. Coffman, N. W. Shuler, Wm G. Reed, J. S. Fry, J. M. C. Pickering, E. A. Sanford, J. J. Nicholas, H. H. Kite, J. F. Taylor C. H. Lowes, Geo. P. Buttner, A. D. Woodson, Robert Liskey, George Logan and S. H. Carrier. and thereupon the prisoner was furnished ~~with~~ a Copy thereof and having Stricken therefrom the names of four of the persons of said panel Viz- H. H. Kite Geo. P. Buttner, Robert Liskey and George Logan. the remaining twelve of said panel viz- J. M. Mauzy, Wm. C. Coffman, N. W. Shuler Wm. G. Reed, J. S. Fry, J. M. C. Pickering. E. A. Sanford, J. J. Nicholas J. F. Taylor C. H. Lowes A. D. Woodson. and S. H. Carrier. thereby constituting the Jury, who being thus elected tried and 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 not having fully heard the evidence were adjourned until to morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston Sheriff of this County. and D. R. Bear and Isaac Winegord his deputies, to whom was administered an oath that you shall Keep this Jury together and not have any Communications with them yourselves, nor permit any other person to converse or have any Communications with them touching this trial. and Cause them to appear in Court on to morrow morning at 9 o'clock. So help you God.

And thereupon the prisoner was remanded to Jail.

Commonwealth. } upon an Indictment for Assault & Battery.
Harvey Detrick }

On Motion of the Attorney for the Commonwealth, and for reasons appearing to the Court. the foregoing cause is dismissed.

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

Chas. F. O'Ferrall.

Dec. 20. 1877. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday December 20th 1877.

Present Hon. Chas. T. O'Ferrall presiding.

Samuel Cootes assignee &c. } Sugn
vs
Moses Turner, & wife &c. }

This day came again the parties by their attornies, and Mary V. Devier assignee of Derrick Pennybacker by her attorney, and thereupon all matters of difference between said parties are adjusted as follows, to-wit:- Samuel Cootes is to be paid the sum of thirty dollars as of this date in settlement of his claim, and the residue of the claims in controversy shall be paid to Mary V. Devier, and E. R. Neff the Constable in whose hands these claims now are is directed to carry out this order.

Commonwealth. } Upon an Indictment for breaking and entering an-out house
vs
Philip Phillips } with intent to steal.

This day the prisoner, Philip Phillips, late of the County of Rockingham, who stands indicted for a felony by him committed was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impanneled on yesterday for his trial, 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 upon their oaths do say, We the Jury do find the prisoner Philip Phillips guilty of breaking and entering the out house of Henry Whisler with intent to commit larceny as charged in the indictment and and fix the term of his imprisonment in the penetentiary at one year, and we do further find that the prisoner Philip Philips has been before sentenced in the united States to a like punishment as charged in the indictment. S. H. Carrier Foreman. And thereupon the prisoner was remanded to Jail.

Commonwealth } Upon and Indictment for selling ardent Spirits without
vs
Charles Fridley } license.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and the Defendant by Counsel demurred to said indictment and the several counts thereof, in which demurrer, the attorney for the Commonwealth joined, whereupon argument of Counsel being heard, upon consideration thereof the Court overruled said demurrer, and thereupon the Defendant filed his plea of not guilty, thereupon came the following Jury, to-wit:- Michael Ward, E. S. Mitchell Shem S. Heatwole, Thomas J. Butler, Charles A. VanLear, Hugh Morrison R. G. Sherfey, John W. Henton, James Harnsberger, F. K. Speck, Ran D. Cushen and Wm A. Messerole, who being elected tried and sworn, well and truly to try the issue joined, and the truth in and upon the premises to speak and having fully heard the evidence and argument of Counsel but not

having time to Consider their verdict. were adjourned ~~in~~ until to-morrow morning at 9 O'Clock.

D. A. Heatwole, foreman, B. M. McKeever, John R. Bowman, Harvey Fitzwater, George R. Argabright, George L. Scott, Gabriel S. Heatwole, John Lineweaver, Milton Pence & G. F. Barbee, were impannelled and Sworn as Grand Jury in for the body of the County of Rockingham, and having received their charge from the Court, retired to their room to Consider their presentments and after sometime returned into Court and made the following presentments Viz:- An Indictment against Isaac M Powell for the Murder of Thomas Chrisler. A true bill D A Heatwole foreman.
An Indictment against Isaac M. Powell for the Murder of John L. Thompson. A true bill D. A. Heatwole, foreman.
and having completed the business before them were discharged from further attendance upon this Court.

Ordered. That. D. A. Heatwole, B. M. McKeever, John R. Bowman Harvey Fitzwater Geo R. Argabright, George L. Scott, Gabriel S. Heatwole, John Lineweaver, Milton Pence, and G. F. Barbee be each allowed the Sum of one Dollar for their Services at this term of the Court, as Grand Jurors, and that the same be certified to the Treasurer of this County for payment.

Commonwealth.
vs } Upon an Indictment for Selling intoxicating drink on
James Kavanaugh } Sunday.

The Jury impannelled and Sworn in this Cause having on the 18th day of December 1877 being the 2d day of this term, brought in a verdict of guilty and assessed a Fine of Ten Dollars against the defendant. It is now Considered by the Court. that the Commonwealth of Virginia recover of the Defendant James Kavanaugh. the Sum of $10.00 the amount of Fine by the Jurors in their verdict ascertained. and her her Costs by her in this behalf expended.

Commonwealth
vs } Upon an Indictment for Selling intoxicating drink on Sunday
James Kavanaugh }

The Jury impannelled and Sworn in this Cause having on the 2d day of this term. brought in a verdict of guilty and assessed a Fine of Ten Dollars against the defendant. It is now Considered by the Court. that the Commonwealth of Virginia recover of the Defendant James Kavanaugh the Sum of Ten Dollars the amount of Fine by the Jurors in their verdict ascertained. and her Costs by her in this behalf expended.

Commonwealth
vs } Upon an Indictment for Selling intoxicating drink on Sunday
John J. McMahon }

The Jury impannelled and Sworn on the 2d day of this term (Dec. 18 1877) for the trial of this Cause having brought in a verdict of guilty and assessed a Fine of Fifteen Dollars against the defendant. It is now Considered by the Court that the Commonwealth of Virginia recover of the Defendant John J. McMahon the Sum of Fifteen

Dollars the amount of Fine by the Jurors in their verdict ascertained. and her Costs by her in this behalf expended.

Commonwealth.
John (no) J. McMahon. } upon an Indictment for Selling intoxicating drink on Sunday.

The Jury impannelled and Sworn on the 2d day of this term (Dec 18 1877) for the trial of this Cause having brought in a Verdict of guilty and assessed a Fine of Fifteen Dollars against the Defendant. It is now Considered by the Court that the Commonwealth of Virginia recover of the defendant John J. McMahon the Sum of Fifteen Dollars the amount of Fine by the Jurors in their verdict ascertained. and her Costs by her in this behalf expended.

Ordered. that this Court be adjourned until to-morrow morning at 9 O'Clock.

Chas. T. O'Ferrall.

Dec. 21. 1877. At a County Court Continued and held in and for the County of Rockingham. at the Court House thereof on Friday December 21st 1877.

Present Hon. Chas. T. O'Ferrall. presiding.

Commonwealth.
Charles (no) Fridley } upon an Indictment for Selling Ardent Spirits without licence

This day Came again as well the Attorney for the Commonwealth as the Defendant in person and by Counsel. and thereupon Came the Jury Sworn and impannelled on yesterday the 4th day of this term for the trial of this Cause. and not having agreed upon a verdict, retired to their room to Consider their verdict, and after Sometime again returned into Court. and not being able to agree upon a verdict, one of the Jurors Ran. D. Cushen. was withdrawn. and the rest from rendering a verdict, was dis-charged. and the Court doth fix upon Monday the 24th day of December. 1877 as the day for the further trial of this Cause.

cop? S. J. Jones. this day presented in Court an Account against the County of Rockingham. amounting to the Sum of $9.00 for work done in Clerk's office of the Circuit Court of this County. which being Sworn to, was examined and allowed by the Court. and ordered to be certified to the Treasurer of this County for payment out of Levy for year. 1877.

Commonwealth.
John (no) Hanna alias John Hannah } upon an Indictment for unlawfully maiming and Killing a dog.

This day Came as well the Attorney for the Commonwealth as the Defendant by Counsel, and thereupon the attorney for the Commonwealth entered a Nolle prosequi. It is, therefore Considered by the Court that the Defendant go hence, without day. &c.

Commonwealth.
vs
John J. McMahon } upon an Indictment for permitting a gaming table to be Kept & Exhibited on premises in his occupation

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and the defendant filed his plea of "Not Guilty." and thereupon came the following Jury, to-wit:- Michael Ward, E. S. Mitchell, Shem S. Heatwole Thomas J. Butler Charles A. VanLear, Hugh Morrison, A. G. Sherfey, John W. Henton, James Hamsberger, J. R. Price F. K. Speck and Wm A. Messerole, who being elected, tried, and Sworn well and truly to try the issue joined, and the truth in and upon the premises to Speak, 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, "We the Jury find the defendant John J. McMahon not guilty as charged in the indictment Fred. K. Speck, Foreman.

It is therefore Considered by the Court that the Defendant go hence without day, &c.

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

Chas. T. O'Ferrall.

Dec. 22. 1877. At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Saturday December 22. 1877.

Present Hon. Chas. T. O'Ferrall, presiding.

S. M. Jones.
vs
Barbara C. Taylor } On an interpleader to ascertain the ownership of property Levied upon and claimed by Defendants.

On the motion of Barbara C. Taylor and by Consent of parties this Cause is ordered to be docketed, and the Court orders the parties to be present on the 31st day of December 1877. to litigate their rights as to Said property both parties waiving Summons.

This order Set aside See page 343.

P. M. Whitlock. Committee for Eliza J. Dickson, a person of unsound mind, this day presented in Court an Account against the Commonwealth of Virginia amounting to the Sum of $28.50/100 for the board and Care of Said Eliza J. Dickson, a Lunatic from September 25th 1877 to December 25th 1877. (3 mos @ $8 per mo. $24.00) and 3 months clothing @ $1.50 per month ($4.50) which being Sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Singer Sewing Machine. now for the use of George Moore.
vs
Henry Empswhiler } upon a Warrant removed from before a Justice

This day Came the parties by their Attorneys, and thereupon the argument of Counsel having been heard the Court upon the motion of the defendant doth order that this Cause be dismissed. and It is Considered by the Court that the defendand recover of the Plaintiff George Moore his Costs by him in this behalf expended, and leave is granted the plaintiff to withdraw the note upon which this action was brought by filing an attested Copy of the Same in the papers of this Cause. The dismissal of this Cause is without prejudice to the Said George Moore to institute proceedings upon the note withdrawn from the papers.

Commonwealth.
vs
J. C. Miller } upon an Indictment for refusing and neglecting to assist an officer in the Execution of his office in a Criminal Case.

This day Came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel. and the Defendant filed his plea of "not guilty" and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle prosequi. It is therefore Considered by the Court that the Defendant go hence without day, &c.

Commonwealth.
vs
Abraham Hoover } upon an Idictment for refusing and neglecting to assist an officer in the Execution of his office in a Criminal Case.

This day Came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel. and the Defendant filed his plea of not guilty and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle prosequi. It is therefore Considered by the Court that the Defendant go hence without day, &c.

Commonwealth.
vs
Isaac M. Powell } upon an Indictment for the murder of Thomas Chidlow.

This day the prisoner Isaac M. Powell, who Stands indicted for a felony by him Committed, was led to the bar of the Court in Custody of the Jailor of this County, and being thereof arraigned, the prisoner by Counsel demurred to the Said indictment in which demurrer the Attorney for the Commonwealth joined. whereupon argument of Counsel being heard, upon Consideration thereof the Court overruled Said demurrer and thereupon the prisoner pleaded "not Guilty".

And thereupon the prisoner was remanded to Jail.

Commonwealth.
vs
Reuben Higgs } upon an Idictment for Injuring, maiming disfiguring & Killing Cattle.

This day Came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, whereupon the Defendant by Counsel moved the Court to quash the Indictment: on Consideration of which the Court overruled Said motion to quash the Said Indictment. The Defendant then filed his plea of "not guilty," and thereupon Came the following Jury towit

Michael Ward. E. S. Mitchell, Shem S. Heatwole Thmas J. Rutter, Charles A. VanLear, Hugh Morrison, A. G. Sherfey, John M. Kenton James Hansbergen F. K. Speck. Ran. D. Cushen and Wm. A. Peterson who being elected tried and Sworn, well and truly to try the issue joined, and the truth in and upon the premises to Speak. 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. "We the Jury find the defendant guilty in manner and form as charged in the indictment and assess a fine of Seventeen Dollars Fred K. Speck. Foreman.

Ordered that ~~this~~ Court be adjourned until Monday morning at 10 O'Clock.

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday December 24th 1877.

Present Hon. Chas. J. O'Ferrall presiding.

Commonwealth.

John Hanna, alias John Hannah } upon an Indictment for Carrying Concealed weapons on Sunday &c.

This day Came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and the defendant filed his plea of "Not guilty" thereupon Came the following jury to-wit: Michael Ward. E. S. Mitchell. Shem S. Heatwole. Thmas J. Rutter. Charles A. VanLear Hugh Morrison A. G. Sherfey James Hansbergen F. K. Speck, Ran D. Cushen, Edward F. Cole & Geroge D. Anthony. who being elected tried and Sworn, well and truly to try the issue joined and the truth in and upon the Jeremies to Speak 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 being able to agree upon a verdict, one of the jurors E. S. Mitchell was withdrawn and the rest were discharged and the Court doth fix upon Monday the 31st day of Dec. 1877 as the day for the further trial of this Cause.

The Commonwealth.

Charles Bridley. } upon an Indictment for Selling ardent Spirits without License.

This day Came again as well the Attorney for the Commonwealth as the Defendant in person and by Counsel and by Consent of the Attorney for the Commonwealth and the Defendant a jury of Six were impannelled to-wit: Wm A Peterson. R. D. Rolston M. E. Carrier. Geroge Hall. Geo W. Showalter and E. N. B. Huffman. who being elected tried and Sworn, well and truly to try the issue joined and the truth in and upon the premises to Speak. and having fully heard the evidence and argument of Counsel retired to their room to Consider their verdict. and after Some returned into Court and upon their oaths do Say we the jury find the Defendant "not guilty" E. N. B. Huffman Foreman. It is.

therefore considered by the Court, that the Defendant go hence without day, &c.

Emanuel Sipe Pltff.
vs
Mary Johnston Deft. } upon a Rule to try the right of property.

This day came again the parties by their attorneys, and thereupon came the following Jury to-wit:- Michael Ward, E. S. Mitchell Shem S. Heatwole Thomas J. Butler, Charles A. VanLear, Hugh Morrison, A. G. Sherfey, James H. Hamsberger, F. K. Speck, J. R. Price, Ran. D. Cushen and John W. Henton, who being elected tried and sworn well and truly to try the issue joined, and true verdict render according to the evidence, and not having time fully to hear the evidence and argument of Counsel, were adjourned until Wednesday morning next at 10 O'clock.

It appearing to the Court, from the Certificate of Wm D. Maiden J.P. that Maggie A. Showalter infant over 14 years of age hath nominated Samuel Baker, as her guardian, the Court doth appoint him as said guardian: and thereupon said Samuel Baker appeared in Court, and together with Abraham Hartman, his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $50.00 Conditioned according to law, waiving the benefit of the Homestead exemption, and thereupon Samuel Baker qualified as said guardian.

For reasons appearing to the Court, the order made on the 6th day of this term (Decr. 22 1877) Certifying an allowance to the Auditor of Public Accounts in favor of P. M. Whitlock, Comm for Eliza J. Dickson, a person of unsound mind, for the sum of $28.50 from Sept 25. to Decr. 25. 1877. is set aside.

Ordered that this Court be adjourned until Wednesday Morning at 10 O'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in for the County of Rockingham, at the Court-House thereof on Wednesday December 26th 1877.

Present Hon. Chas. T. O'Ferrall presiding.

Copd. sd to Henry Shacklett.

P. M. Whitlock Committee for Eliza J. Dickson a person of unsound mind this day presented in Court an Account against the Commonwealth of Virginia amounting to the sum of $28.50 for the board and care of said Eliza J. Dickson, a Lunatic from September 25th 1877. to December 25th 1877. (3 Months at $8 per Mo $24.00) and 3 Months Clothing @ $1.50 per Month ($4.50) 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 the following named Jurors be allowed the sums opposite their names for their attendance, and services upon this term of the Court

in the trial of misdemeanor Cases, and that the Same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts Viz:-

✓ Michael Ward $5.00	✓ J. R. Price $1.00	✓ Noah Hoover $1.00
✓ E. S. Mitchell $5.00	✓ F. K. Speck $5.00	✓ Wm C. Price $1.00
✓ Sheri S. Heatwole $5.00	✓ Ran D. Cushen $4.00	✓ R. S. Byrd $1.00
✓ Thomas J. Rutter $5.00	✓ Wm A. Mefferd $4.00	✓ Silas M. Rolston $1.00
✓ Chas. T. VanLear $5.00	✓ Jacob Funkhouser $1.00	✓ Joseph Coffman $1.00
✓ Hugh Morrison $5.00	✓ John N. Thomas $1.00	✓ John L. Heatwole $1.00
✓ R. G. Sherfey $5.00	✓ M. M. Holmes $1.00	✓ D. A. Heatwole $1.00
✓ John M. Newton $4.00	✓ James C. Keltzel $1.00	✓ Edward T. Cole $1.00
✓ James H. Hansbergen $4.00	✓ John S. Effinger $1.00	✓ George D. Anthony $1.00
✓ M E Carrier $1.00	✓ A. D. Rolston $1.00	✓ Geo. W. Shwartes $1.00
✓ Wm H. Peterson $1.00	✓ George Hall $1.00	✓ E H B. Huffman $1.00

Ordered. That the following named persons be allowed the Sums opposite their names for their Services at this term of this Court as Petit Jurors and that the Same be certified to the Treasurer of this County, for payment Viz:-

✓ Michael Ward $2.00	✓ John M. Newton $3.00	✓ J. C. Ritchie $5.00
✓ E. S. Mitchell $2.00	✓ James H. Hansbergen $4.00	✓ Jacob Funkhouser $4.00
✓ Sheri S. Heatwole $3.00	✓ J. R. Price $6.00	✓ M. M. Holmes $4.00
✓ Thomas J. Rutter $2.00	✓ Wilson Harper $1.00	✓ John S. Effinger $4.00
✓ Chas. T. VanLear $2.00	✓ F. K. Speck $2.00	✓ Wm C. Price $4.00
✓ Hugh Morrison $2.00	✓ Ran D. Cushen $4.00	✓ B. J. Jones $5.00
✓ R. G. Sherfey $2.00	✓ Wm A. Mefferd $1.00	

Emanuel Sipe.
Mary Johnston } upon a Rule to try the right of Property.

This day Came again the parties by their Attorneys and thereupon Came the Jury Sworn and impannelled on Monday last (Dec 24 1877) for the trial of this Cause, 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, "We the Jury find on the issue joined that the Sorrel Mare in Controversy is the property of the plaintiff Mary Johnston. Fred K. Speck Foreman.
It is therefore Considered by the Court that the officer who has in charge the Mare in Controversy, turn the Same over to the Said Mary Johnston, and that she recover of Emanuel Sipe her Costs by her in this behalf expended.

On the Petition of James M Weaver and others for a Certificate Setting forth the abandonment of the Rockingham Turnpike by the Company thereof or those now owning the Said road.
This day Came the petitioners by Counsel and William B. Compton Substituted Trustee in a Deed of Trust executed by the Said Rockingham Turnpike Company on the day of 18 , and Henry Forrer, A. D. Almond, George I Stephens, Hester S. Forrer and David Beard Trustee for Hester S. Forrer upon whom process has been duly Served being Solemnly Called Came not.
Whereupon William B. Compton Trustee as aforesaid moved the Court to dismiss the Said petition upon the ground that the Circuit Court of Rockingham in the

case of Compton Trustee vs Borst &c. now pending in Said Court has decreed a Sale of the property to Satisfy the liens thereon, the record of which case was introduced as evidence by Said Compton Trustee, which motion was resisted by the Counsel for the petitioners, and Thereupon, on Consideration whereof, the Court overruled the Said motion to dismiss to which ruling of the Court, the Said William B. Compton Trustee as aforesaid excepted.

And Thereupon it appearing to the Court from evidence introduced that the Statements Set forth in Said petition are true, and that the Said Company and the Said Henry Forrer, A. D. Almond Geo. I. Stephens, Hester S. Forrer & David Beard, Trustee for Hester S. Forrer the present owners of the Said Turnpike and the Said William B. Compton Trustee as aforesaid have failed to Keep in repair Said Turnpike: that no work has been done on the Same for more than two years: that the gates on the Same were thrown open by an order of this Court, Sept Term 1875: that the Said road is now in an almost impassable Condition and the bridges dangerous: that it is the only road over which the people living in the eastern portion of this County and along the line of the Same, and the people of the Southern portion of Page Co. and the people of Greene and other Counties on the eastern Side of the Blue Ridge living on ~~on~~ east of the line of the road, can reach the County Seat of Rockingham and the Valley Rail Road, except by indirect routes, the Court is of the opinion that the evidence shows an abandonment of the Said Rockingham Turnpike and that the public Convenience and public interests demand that the Same shall be turned over to the proper authorities of this County, (So far as the Same lies within this County) to be worked, managed and Controlled as public roads are worked, managed, and Controlled, under the Statute now in force, It is therefore, ordered that it be Certified to the Road Boards of Central and Stonewall Districts in this County that the Said Rockingham Turnpike has been abandoned by the Company and owners thereof, and the Said Boards are hereby directed to take Charge of, work and Keep in repair the Said Turnpike, as other public roads of this County are worked and Kept repaired, and that the Said Boards be further directed to Conform their action in all respects to the Statute laws now in force, in reference to working and Keeping in repair the public roads of this County

Commonwealth

vs

Dewitt Glovier alias Dewitt Ettinger alias De Glover } upon an Indictment for the murder of Thomas Chidlow.

This day the prisoner, Dewitt Glovier alias Dewitt Ettinger alias De Glover, late of the County of Rockingham who Stands indicted for ~~a~~ felony by him Committed was again led to the bar of the Court, in Custody of the Jailor of this County, and thereupon from the Veniremen Summoned for the trial of felony Cases at this term of the Court, the following panel of Sixteen were Called, examined by the Court, and found to be duly qualified and free from exceptions. Viz:- Joseph N. Manzy, Lafayette Lee Wm. G. Reed, J. S. Fry, Jesse L. Bockek, J. M. C. Pickering, F. W. Kirtley, C. H. Sowers, Geo. P. Burtner Robert Liskey, S. H. Carrier, Samuel Loewner, John H. Funkhouser, Franklin Liskey, Harvey Liskey, and James R. Eiler, and thereupon the prisoner was furnished a Copy thereof, and having Stricken therefrom the

names of four of the persons of Said panel. Viz:- Geo. P. Buntner, Robert Liskey, Harvey Liskey, and James R. Eller, the remaining twelve of Said panel Viz:- Joseph N. Manzy, Layfayette Lee, Wm G. Reed, J. S. Fry, Jesse L. Bocock J. M. C. Pickering F. W. Kutley, C. H. Sowers, S. H. Carrier, Samuel Loewner, John H. Funkhouser, and Franklin Liskey, thereby constituting the Jury, who being thus elected tried and 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 thereupon the prisoner by Counsel for reasons Stated moved the Court to Set aside John H. Funkhouser, one of the Jurors Sworn and impannelled as aforesaid, and to Swear another Juror from the Veniremen Summoned for the trial of felony cases at this term of the Court in his Stead and Thereupon the Court on consideration Sustained the motion of the prisoner, and Set aside the Said Juror John H. Funkhouser, and Called another Juror to-wit:- M. E. Carrier ~~in his Stea~~ one of the Veniremen as aforesaid Summoned for the trial of felony cases at this term of the Court who being examined by the Court on his voirdire, and found to be duly qualified and free from exceptions he was Substituted in the Stead of John H. Funkhouser, and thereupon the panel of twelve being again completed by the Substitution of M. E. Carrier as aforesaid for the Said John H. Funkhouser the whole panel thus completed to-wit:- Joseph N. Manzy, Lafayette Lee, Wm G. Reed, J. S. Fry Jesse L. Bocock, J. M. C. Pickering F. W. Kutley C. H. Sowers S. H. Carrier, Samuel Loewner Franklin Liskey and M. E. Carrier, were with the consent of the prisoner duly elected tried and 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 not having time fully to hear the evidence were adjourned until tomorrow morning at 9 oclock, and thereupon they were placed in charge of D. H. Rolston Sheriff of this County and D. N. Bear and Henry Ryman 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 persons to have any Communication or Converse with them touching this trial and Cause them to appear in Court tomorrow morning at 9 oclock. So help you God.

And thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until tomorrow morning at 9 Oclock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof on Thursday December 27. 1877.

Present. Hon. Chas. T. O'Ferrall presiding.

Commonwealth.

Dewitt Glovier, alias Dewitt Ettinger, alias De Glover } upon an Indictment for the Murder of Thomas Chidlow.

This day the prisoner Dewitt Glovier, alias Dewitt Ettinger alias De Glover, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came again the Jury impannelled and sworn on yesterday (Wednesday December 26. 1877) for his trial, pursuant to their adjournment and not having time fully to hear the evidence were adjourned until tomorrow morning at 9 o'clock: and were placed in charge of D. H. Rolston Sheriff of this County, and D. N. Bear and Isaac Winegord 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 have any communication or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock So help you God, thereupon Miss Alice Bowman, S. C. Williams, Dr. James A. Alexander, John S. Rhinehart and A. L. Maupin witnesses in behalf of the Commonwealth and Lewis Randol in behalf of the prisoner appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods and and chattels, lands and tenements for the use of the Commonwealth. Yet upon this condition that they each do continue their appearance before the Judge of this Court as witnesses as aforesaid and not depart thence without leave of the Court. And thereupon the prisoner was remanded to Jail.

Commonwealth.

Dewitt Glovier alias Dewitt Ettinger alias De Glover } upon an Indictment for the Murder of Thomas Chidlow

It appearing to the Court that in yesterday's proceedings the Clerk failed to include in the order entered in this cause ~~the~~ recognizing of the witnesses. It is ordered by the Court that the order be now entered nunc pro tunc as follows. "Thereupon Frank Armentrout, James T. Collins, George Riley, Anthony Rhodes Henry Davis, J. S. Shoup, Joseph Wenger, G. W. Keller, Erasmus Spitzer, H. L. Shoup Abner Spitzer, Eugene West, Jacob Ettinger, Wm Davis, J. H. Kelley, Jacob Garber, Peter Rader, D. D. Pennybacker, B. F. Fendell witnesses in behalf of the Commonwealth and Wm H. Fultz, Mrs Martha Fultz Madison Taylor Joseph Shoupe, Benjamin Flick, George Ettinger, Ed. Johnson, Erasmus Gullihugh, William Davis, Abner Spitzer, John Lincoln, Frederick Hilliard and James Russell witnesses in behalf of the prisoner, appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied ~~of their~~ of their respective goods and chattels, lands and tenements for the use of the Commonwealth.

Yet upon this condition that they each do continue their appearance before the Judge of this Court as witnesses as aforesaid. and not depart thence without leave of the Court. when the recognizance were entered in to and. this order. made the prisoner. was present in Court.

On the Petition of D. A. Plecker for the establishment of a Public Road from the West end of the Bridge at Mt. Crawford in this County (now in process of Construction by Said D. A. Plecker) to the County Road about 15 or more poles below Said bridge.

181 copy. The viewers heretofore appointed in this cause, having this day returned their report, as required by an order of this Court entered at the November Term last, which the Court on examination finds to be in accordance with law. It is ordered that the following Land owner along Said route, to-wit: Jackson Rhodes. be Summoned to appear before this Court on the 12th day of this December Term (being Monday Dec 31st 1877) to Show cause if any he can why the Said Road as proposed and as reported by the Said viewers should not be made.

Ordered that this Court be adjourned until to-morrow morning at 9 O'clock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham. at the Court-House thereof on Friday December 28th 1877

Present Hon. Chas. T. O'Ferrall presiding

Commonwealth.

Dewitt Glovier. alias Dewitt Ettinger alias De Glover. } upon an Indictment for the Murder of Thomas Chidlow.

This day the prisoner Dewitt Glovier alias Dewitt Ettinger alias De Glover. late of the County of Rockingham, who stands indicted for a felony by him committed. was again led to the bar of the Court in custody of the Jailor of this County, and thereupon again came the Jury Sworn and impanneled on Wednesday last 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 thereupon they were placed in charge of D. H. Rolston Sheriff of this County. and D. N. Bear and Isaac Winegord 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, and cause them to appear in Court on to-morrow morning at 10 O'clock. So help you God.

Thereupon D. M. Coffman, Erasmus Fletcher, John W. Keller & J. Lyons witnesses in behalf of the Commonwealth and Boston Propst witness in behalf of the prisoner appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods and chattels lands and tenements for the use of the Commonwealth, yet upon this condition that they each do continue their

appearance before the Judge of this of Court as witnesses as aforesaid, (each waiving the benefit of the Homestead exemption) and not depart thence without leave of the Court. And thereupon the prisoner was remanded to Jail.

Commonwealth
vs
John Shea } upon an Indictment for unlawfully Shooting at another in a Street in a town.

The Capias ad audiendum Judicium awarded against the Defendant John Shea at the August Term last of this Court, being returned executed, the Defendant was led to the bar of the Court in Custody of the Sheriff of this County, 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 therefore Considered by the Court that the Commonwealth of Virginia do recover of the Defendant John Shea the Sum of One Hundred Dollars the amount of the Fine by the Jurors in their verdict ascertained, and her Costs by her in this behalf expended, and it is further Considered by the Court that the Said Defendant John Shea be imprisoned in the Jail of this County for the period of Six months, and thereafter until the Fine and Costs in this prosecution be paid, or he be discharged therefrom according to law, and thereupon the Defendant was Committed to the Jail of this County.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Saturday December 29. 1877.

Present Hon. Chas. T. O'Ferrall, presiding.

Commonwealth
vs
Dewitt Glovier alias Dewitt Ettinger alias De Glover. } upon the Indictment for the murder of Thomas Chidlow.

This day the prisoner Dewitt Glovier, alias Dewitt Ettinger alias De Glover, late of the County of Rockingham, who Stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County, and thereupon again came the Jury Sworn and impanneled on Wednesday last for his trial, pursuant to their adjournment. And Thereupon the Attorney for the Commonwealth being unable on account of Sudden indisposition to proceed farther with the Evidence on to-day the further hearing thereof and farther proceeding in this cause and the Jury were adjourned until Monday morning next at 10 O'clock, and thereupon the Jury were placed in charge of D. H. Rolston Sheriff of this County and D. N. Bear and Isaac Winegord his deputies to whom was administered an Oath that you shall Keep this Jury together and have no Communications with them yourselves nor permit any other person to Converse

or have any Communication with them touching this trial and Cause them to appear in Court on Monday morning next at 10 O'clock. So help you God.
And thereupon the prisoner was remanded to Jail.

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

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof on Monday December 31st 1877.

Present Hon. Chas. T. O'Ferrall presiding.

Commonwealth
upon an Indictment for
Dewitt Glover, alias Dewitt Ettinger alias De Glover. } the Murder of Thomas Chidlow.

This day the prisoner, Dewitt Glover, alias Dewitt Ettinger alias De Glover late of the County of Rockingham, who stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County, and thereupon Came again the Jury Sworn and impanneled on Wednesday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of Counsel were adjourned until to-morrow morning at 9 o'clock: and thereupon they were placed in charge of D. H. Rolston Sheriff of this County, and D. M. Bear and Isaac Wineyard his deputies to whom was administered an oath. "that you shall Keep this jury together and not have any Communication with them yourselves nor permit any other person to Converse or have any Communication with them touching this trial, and Cause them to appear in Court on to-morrow morning at 9 o'clock, So help you God. And thereupon the prisoner was remanded to Jail.

It appearing to the Court from the Certificate of Joseph P. Hyde Mayor of the Town of Harrisonburg, that Maggie B. Irick infant over 14 years of age hath nominated Samuel R. Sterling as her guardian, the Court doth appoint him as Said guardian, and thereupon Said Samuel R. Sterling appeared in Court, and together with Philo Bradley and Samuel R. Allebaugh his Sureties (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $8000.00 Conditioned according to law & waiving the benefit of their Homestead exemption as to this obligation and thereupon Samuel R. Sterling qualified as Said guardian.

184 copies. ✓

Harvey Ludholtz who has been confined in the Jail of this County as a Witness in behalf of the Commonwealth vs Dewitt Glover alias Dewitt Ettinger alias De Glover, was this day led to the bar of the Court in Custody of the Jailor of this County. And for reasons appearing to the Court the Said Harvey Ludholtz is discharged,

Commonwealth
Isaac M. Powell } upon an Indictment for the Murder of Thomas Chidlow.

This day the prisoner Isaac M. Powell late of the County of Rockingham, who stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth and for reasons appearing to the Court, his trial is Continued until the first day of the next term of the Court; and thereupon Harvey Ludwhitty, George Riley and Abner Spitzer witnesses in behalf of the Commonwealth, appeared in Court and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 to be levied of their respective goods & Chattels, lands and tenements for the use of the Commonwealth, yet upon this Condition that they each do make their personal appearance before the Judge of this Court on the first day of the next term as witnesses as aforesaid, (each waiving the benifit of the Homestead exemption as to this obligation) and not depart thence without leave of the Court. And thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of of Rockingham at the Court House thereof, on Tuesday January 1st 1878

Present:- Hon. Chas. T. O'Ferrall presiding.

Commonwealth.
Susan A. Philips } upon an Indictment for Keeping a disorderly house of ill fame.

The Capias ad. respondendum Judicium awarded against the Defendant Susan A. Philips at the July Term last of this Court, being returned executed, the Defendant was led to the bar of the Court in custody of the Sheriff of this County, and it being enquired of her if any thing she had or knew to say, why the Court should not now proceed to pronounce Judgment against her according to law, and nothing being offered or alleged in delay of Judgment, It is therefore considered by the Court, that The Commonwealth of Virginia do recover of the Defendant Susan A. Philips the Sum of One Hundred Dollars the amount of the Fine by the jurors in their verdict ascertained, and her Costs by her in this behalf expended, and it is further considered by the Court that the said Defendant Susan A. Philips be confined in the Jail of this County for the period of Six months from this day the period by the jurors in their verdict ascertained and thereafter until the Fine and Costs in this prosecution be paid, or she be discharged therefrom according to law, and thereupon the Defendant was committed to the Jail of this County.

Commonwealth.

Dewitt Glovier, alias Dewitt Ettinger alias De. Glover, } upon an Indictment for the Murder of Thomas Chidlow.

This day the prisoner, Dewitt Glovier alias Dewitt Ettinger alias De. Glover late of the County of Rockingham, who Stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County and thereupon Came again the Jury Sworn and impanneled on Wednesday last, for his trial, pursuant to their adjournment, and having fully heard the argument of Counsel, but not having time to consider their verdict, were adjourned until to-morrow morning at 10 O'clock, and thereupon they were placed in charge of D. N. Bear, Isaac Kinegord and Henry J. Ryman, deputies for D. H. Rolston Sheriff of this County 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 and Cause them to appear in Court on to-morrow morning at 10 O'clock. So help You God.

And thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until to-morrow morning at 10 O'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof, on Wednesday January 2d. 1878.

Present Hon. Chas. T. O'Ferrall, presiding.

Commonwealth.

Beauregard Kinney alias Beauregard Dees } upon an Indictment for breaking & entering the barn of Jacob Suter with intent to commit larceny

This day the prisoner, Beauregard Kinney alias Beauregard Dees, late of the County of Rockingham, who Stands indicted for a felony by him Committed was led to the bar of the Court in Custody of the Jailor of this County, whereupon the prisoner by Counsel demurred to the indictment, which on Consideration the Court overruled, and thereupon on his arraignment pleaded "not guilty;" and the Court doth fix upon Friday January 4. 1878 as the day for his trial. And thereupon the prisoner was remanded to Jail.

Commonwealth

R. N. Pool alias Richard N. Pool } upon an Indictment for Larceny

This day, R. N. Pool alias Richard N. Pool, who Stands indicted for a felony by him Committed, appeared in Court in discharge of his recognizance entered into on the 24th day of December 1877. before J. B. Hyde Mayor of the Town of Harrisonburg, for his appearance before this County on the 1. day of January 1878. and being thereof arraigned, pleaded "not guilty" to the said Indictment, and the Court doth fix upon Saturday January 5. 1878 as the day for his trial, the Court doth permit him on his motion, by Counsel, to renew

his recognizance, and thereupon the said R. N. Pool together with Charles E. Haas his Surety, acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $1000.00/100 each for the use of the Said Commonwealth to be levied of their respective goods and Chattels lands and tenements, yet upon this Condition that the said R. N. Pool does make his personal appearance before the Judge of this Court on the said 5th day of January 1878 and not depart thence without leave of the Court, each waiving the benefit of their Homestead exemption as to this obligation

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Commonwealth.

Robert Finks } upon an Indictment for Carrying a gun, pistol and Bowie Knife on Sunday, without good and Sufficient Cause.

This day Came as well the Attorney for the Commonwealth as the Defendant by Counsel, whereupon the Defendant by Counsel with the Consent of the Attorney for the Commonwealth Confessed a Judgment for Twenty Dollars Fine and Costs. It is therefore Considered by the Court that the Commonwealth recover of the Defendant Robert Finks Twenty Dollars Fine and her Costs by her in this behalf expended.

Commonwealth.

Dewitt Glovier alias Dewitt Ettinger alias De Glover } upon an Indictment for the Murder of Thomas Lehidley.

This day the prisoner Dewitt Glovier alias Dewitt Ettinger alias De Glover late of the County of Rockingham, who stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County, and thereupon Came again the Jury Sworn and impannelled on Wednesday (Dec. 26. 1877) for his trial, pursuant to their adjournment, and not having agreed upon a verdict, retired to their room to Consider the Same, and after Sometime returned into Court, and upon their oaths do Say, we the Jury find the prisoner De Witt Glovier alias DeWitt Ettinger alias De Glover guilty of Murder in the Second degree in manner and form as charged in the indictment and fix the term of his Confinement in the Penitentiary at Eighteen years. S. H. Lanier Foreman and thereupon on motion of the prisoner by Counsel the Jury was polled, each responding to the question, Is this your Verdict? in the affirmative. Thereupon the Jury was discharged.

And thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday January 3. 1878.

Present:- Hon. Chas. T. O'Ferrall presiding.

Cop. rd. D. H. Rolston, Sheriff & Jailor of this County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the Sum of $14.50 for Keeping and Supporting Wm Spitzer, a Lunatic Confined in Jail 30 days from Nov. 16. 1877 to Dec. 15. 1877 at 40 cents per day ($12.00) and Clothing for one month ($2.50) which having been Sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Cop. rd. D. H. Rolston Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia amounting to the Sum of $87.20 for Keeping and Supporting Various Prisoners, Covering a Period from Novbr. 16. 1877 to Decr. 15. 1877 which being Sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Cop. rd. D. H. Rolston, Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $102.00 for dieting Juries in the following Felony Cases, at this term of the Court, to-wit:- Commonwealth vs Philip Phillips charged with a felony to-wit:- for breaking and entering an out house with intent to Steal. ($15.00) and Commonwealth vs Dewitt Glover, alias Dewitt Ettinger, alias Dex Glover, charged with Murder ($87.00) 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 Madison Wise & others for the establishment of a Public Road, Commencing at the Mountain Valley Road, near Armentrouts Church, and running thence by Madison Wise's Mill, and intersecting with the Mountain Valley Road, at a point Called Paradise.

The Commissioners S. R. Allebaugh, C. J. Brock & A. H. Brewer heretofore appointed to View and report upon Said Road having returned their report together with a diagram & Survey of the proposed route, and Said Commissioners having partially recommended the establishment of Said road. It is ordered that the following named land-owners along the line of Said proposed road to-wit Madison Wise, Cyrus Wise, Michael Armentrout and Wm Derror be Summoned to appear before this Court on the 1st day of the next term being January 21st 1878 to Show Cause if any they can why the Said Road as proposed and as reported by Said viewers shall not be made.

1 & 4 Copies.

Samuel Shacklett, Anthony Hockman & Dr. J. H. Neff, the Committee heretofore appointed to inspect the Jail of this County this day made their Quarterly Report, in accordance with law, from which it appears that the Jailor has in every respect performed his duties and that Said Jail is Secure and in good Condition.

Cop. J. Hawse, this day presented in Court an Account against the County of Rockingham, amounting to the Sum of $10.00 for five days Services as Surveyor on Road from Edom to Cowan's Station at $2.00 per day, which being Sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the Year 1877.

On the application of Jacob Beam Thomas Moore & others for the establishment of a Public Road Beginning in a public road near Jacob Beam's. Thence
103 copies. N.W. on a line between Said Beam and Thomas Moore passing Said Beam's house and through L. P. Henkel's land thence on a line between Samuel Holsinger and John Beam. Thence W. on a line between Noah Holsinger and John K. Moore to the Marsh Road near Noah Holsinger.

The Court doth appoint Michael J. Martz, Jacob N. Cowan, and William C. Harrison, Viewers to view the ground, and report to this Court at its next term, first, the Conveniencies and inconveniences that will result as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden orchard or any part thereof will have to be taken.

2nd They shall further report the facts and Circumstances in their opinion useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on Such route ~~or routes~~, and state which of them require Compensation: the probable amount in their opinion to which Such party may be entitled and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding Six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A Map or diagram of the route, with Courses and distances, shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and Sworn to before a Justice of the Peace or other officer who shall append his Certificate to the Same.

Any defect in the action or Report of the viewers will debar them from receiving pay for their Services.

On the application of Joseph W. Rhodes Jacob Wenger, Henry A. Rhodes
103 copies. & others for the establishment of a Public Road, leading from near where Swartz's Cooper shop used to Stand in an easterly direction between the lands of S. S. Heatwole & Frances Skank, Jacob Wenger and Frances Shank and through the lands of Jos. W. Rhodes and intersect the Simmers Mill Road on the line between Adam Showalter and the Said Jos. W. Rhodes.

The Court doth appoint Peter Paul, Michael Whitmer and John H. Moore Viewers, to view the ground, and report to this Court at its next term, first, the Conveniences and inconveniencies that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard or any part thereof will have to be taken.

2nd They shall further report the facts and Circumstances in their opinion

useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on such route and State which of them require Compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route with Courses and distances, shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report, and Sworn to before a Justice of the Peace, or other officer, who shall append his Certificate to the Same. Any defect in the action or Report of the viewers, will debar them from receiving pay for their Services.

183 copies. On the application of H. A. Brunk, Simeon Heatwole, Gabriel D Heatwole & others, for the establishment of a Public Road, Commencing at a point on the road known as "Shun Pike near the junction of the Rushville Road with said "Shun Pike, running in a Southerly direction nearly on the line between the lands of A. C. Fishback & Jno. S. Coffman on the one side and Henry Petry on the other Continuing in the same direction Crossing the lands of Danl. Switzer Henry Linhoff Benj Bowman, and Adam Thomas at right Angles-Wood lands diverging from this point 15° more or less and Crossing the wood land formerly owned by Jos. S. Loose and the Snell farm on an open lane to a point just below Glick's ford in Dry River on the Bridewater Road.

The Court doth appoint Solomon Burtner, D. A. Heatwole and John H. Moore, Viewers, to view the ground, and report to this Court at its next term, First, the Conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken

2nd They shall further report the facts and Circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land owners on such route and State which of them require Compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route with Courses and distances, shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order shall be appended to the report, and Sworn to before a Justice of the Peace or other officer, who shall append his Certificate to the Same. Any defect in the action or Report of the Viewers, will debar them from receiving pay for their Services.

Commonwealth.

Moses Joseph & Margaret Piner. } Upon an Indictment for lewd and lascivious Cohabitation

This day Came as well the Attorney for the Commonwealth as the Defendants by Counsel. and on motion of the Defendants by Counsel & for reasons appearing to the Court the trial of this Cause is Continued until the first day of the next term.

John N. Long's Adm'r.

Isaac Hardesty & Son } Motion. Upon a ~~Judgment~~ reverse a Judgment

This day Came the parties by their Attorneys and the said Motion having been maturely Considered by the Court is overruled. and it is ordered that the said Isaac Hardesty & Son recover of James P. Chatam late Sheriff of Rockingham County & as such Adm'r. D. B. N. of John N. Long dec'd. their Costs by them in this behalf expended, to be levied of the goods & chattels of the said John N. Long dec'd. in the hands of the said Adm'r. to be administered.

It appearing to the Court that Malinda Correll has been by George J. Kipling. John E. Dovel & R. M. Harrison. Justices of the Peace. adjudged a Lunatic upon an examination: and it further appearing to the Court that it is proper to Contract with a proper & fit person for the maintenance and care of said Lunatic. It is therefore ordered by the Court that John Miswander be appointed a Committee to have the Care. Custody and maintenance of the said Malinda Correll until the future order of this Court. and that he be allowed therefor the Sum of $100.00 annually for Board & attention payable quarterly from 27 October 1877. and at the rate of $1.50 monthly for her clothing. It appearing further to the Court that the said Malinda Correll has no estate.

Cf.

Ordered that this Court be adjourned until to-morrow morning at 10. Oclock

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday January 4th 1878

Present Hon. Chas. J. O'Ferrall. Presiding.

Commonwealth.

Beauregard Funny alias Beauregard Dees. } Upon an Indictment for breaking & entering the barn of Jacob Suter with intent to Commit Larceny

This day. the prisoner. Beauregard Funny alias Beauregard Dees. late of the County of Rockingham. who stands indicted for a felony by him Committed was again led to the bar of the Court. in Custody of the Jailor of this County. and the prisoner by Counsel withdrew his plea of not guilty and plead Guilty to the said Indictment. whereupon the remaining Veniremen Summoned for the trial of felony

Cases at this term of the Cmt, nine in number were called examined by the Cmt found to be duly qualified and free from exceptions, Viz:- Geo. P. Buntner, Robert Liskey George Logan John H. Funkhouser James R. Euler, Harvey Liskey A. J. McKinis, George P. Bruffy and E. D. Coffman, the Cmt then directed the Sheriff to Summon seven additional Venniemen, and the following named Venniemen having been Summoned, appeared and were examined by the Cmt and found to be duly qualified and free from exceptions. Viz: Bolivar Ward. B. F. Miller, James M. Long. George D. Anthony. E. H. Davis. C. M. Fellows and Lewis P. Ott. the panel of Sixteen being thus Completed the prisoner was furnished a Copy thereof and having Stricken therefrom the names of four of the persons of said panel viz:- Geo. P. Buntner, Robert Liskey James R. Euler, and Harvey Liskey, the remaining twelve of said panel named George Logan, John H. Funkhouser, A. J. McKinis, Geo. P. Bruffy E. D. Coffman Bolivar Ward, B. F. Miller, James M. Long, Geo. D. Anthony, E. H. Davis, C. M. Fellows and Lewis P. Ott, thereby Constituting the Jury, who being thus elected tried and 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 fully heard the evidence and argument of Counsel retired to their room to Consider there verdict, and after sometime returned into Cmt, and upon their oaths do say "we the Jury find the prisoner Beauregard Funny alias Beauregard Dees guilty of breaking & Entering the house of Jacob Suter with intent to Commit Larceny in manner and form as alleged in the indictment, and fix the term of his Confinement in the County Jail at three months Geo. P. Bruffy Foreman and it being enquired of him if anything he had or Knew to Say why the Cmt should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of Judgment. It is therefore Considered by the Cmt that the prisoner Beauregard Funny alias Beauregard Dees be Confined in the Jail of this County for the period of three months from this day, the period by the Jurors in their verdict ascertained, and it is further Considered by the Cmt that The Commonwealth recover against the Defendant her Costs by her in this behalf expended, and thereupon the prisoner was Committed to Jail.

The Last Will & Testament of J. Wallace West decd. which was on the 17th day of Sept 1877, duly proven by the oaths of the Subscribing witnesses thereto, Is this day admitted to probate. And thereupon on the motion of Elizabeth West the widow and one of the Creditors of J. Wallace West decd. It appearing to the Cmt that the said J. W. West has been dead more than three months and that no administration has been had upon his Estate. It is Ordered that the Estate of the said J. W. West be Committed to D. H. Rolston Sheriff of Rockingham County to be by him administered according to Law. with the will annexed.

And the Cmt doth appoint Thomas Moore, Emanuel Driver, Lewis Strickler and Wm C. Harrison. to appraise the Estate of said J. Wallace West. any three of whom may act after first being duly Sworn.

Ordered, that this Court be adjourned until to-morrow morning at 10. O'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Saturday January 5th 1878

Present Hon Chas. T. O'Ferrall presiding

Mary Billhimer.
A. M. Peale. } upon a Rule on action of Ejectment.

This day came the parties by their attorney, and the Court having sustained the demurrer to the declaration, the Court on motion of the plaintiff doth hereby grant permission to said plaintiff to amend her declaration within thirty days giving a more definite description of the bond in controversy.

H. L. Shoup.
J. E. Miller. } upon an appeal.

This day came the parties by their attorneys and thereupon the Plaintiff moved the Court to quash the warrant on the ground that the the same had been brought in the assignees name. On consideration whereof of the Court is of opinion that the suit is properly brought and therefore refuses to quash the same.

Commonwealth
R. N. Pool alias Richard N. Pool } upon an Indictment for Larceny.

This day R. N. Pool, alias Richard N. Pool, who stands indicted for a felony by him committed appeard in Court in discharge of his recognizance entered into on 16th day of this term (January 2. 1878) and on motion of the Attorney for the Commonwealth and for reasons appearing to the Court his trial is continued generally until the first day of the next term, the Court doth permit him on his motion by Counsel to renew his recognizance, and thereupon the said R. N. Pool together with Thomas M. Hite his surety (who justified as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $500.00 each to be levied of their respective goods and chattels, lands and tenements for the use of the Commonwealth of Virginia (each waiving the benefit of their Homestead exemptions as to this obligation) yet upon this condition, that the said R. N. Pool does make his personal appearance before the Judge of this Court on the first day of the next term of this Court being January 21. 1878. to answer the said Indictment, and not depart thence without leave of the Court.

Commonwealth.

(10) Dewitt Glovier alias Dewitt Ettinger alias De Glover } upon an Indictment for the Murder of Thomas Chidlow.

This day the prisoner Dewitt Glovier, alias Dewitt Ettinger alias De Glover late of the County of Rockingham, who was at a former day of this term of the Court, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and it being enquired of the prisoner if anything he had or knew to say why this 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 Dewitt Glovier alias Dewitt Ettinger alias De Glover be imprisoned in the public Jail and Penitentiary house of this Commonwealth for the term of Eighteen years (the period by the Jurors in their verdict ascertained) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Dewitt Glovier, alias Dewitt Ettinger alias De Glover, 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 directed by law for the term aforesaid. And the prisoner was remanded to Jail.

Commonwealth.

(10) Philip Phillips } upon an Indictment for breaking and entering an out-house with intent to Steal.

This day the prisoner Philip Phillips late of the County of Rockingham who was at a former day of this term of the Court, convicted of a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and by Counsel moved the Court to set aside the Verdict of the Jury and grant him a new trial, which motion on consideration the Court doth sustain. It is therefore considered by the Court that the Verdict of the Jury be set aside, a new trial awarded him, and his trial continued. And thereupon the prisoner was remanded to Jail.

The Court doth order that the following named persons be allowed the sums opposite their names for their attendance and services at this Term of the Court, as Veniremen summoned for the trial of Felony cases at $1.00 per day and that the same be paid by the Treasurer of this County and certified to the Auditor of Public Accounts. Viz:—

Cop.

✓ Joseph N. Manzy $10.00	✓ A. D. Woodson $6.00	✓ J. J. Nicholas $2.00
✓ Wm. G. Reed $10.00	✓ George Logan $6.00	✓ J. F. Taylor $2.00
✓ J. S. Fry $10.00	✓ George P. Buttner $5.00	✓ Samuel Ott $2.00
✓ J. M. C. Pickering $10.00	✓ Robert Liskey $5.00	✓ H. A. Kite $1.00
✓ C. H. Lowers $10.00	✓ John H. Funkhouser $5.00	✓ W. E. Cordell $1.00
✓ S. H. Carrier $10.00	✓ Harvey Liskey $5.00	✓ Bolivar Ward $1.00
✓ Lafayette Lee $9.00	✓ A. T. Wilkins $5.00	✓ B. F. Miller $1.00
✓ J. L. Bocock $9.00	✓ E. D. Coffman $5.00	✓ James W. Long $1.00
✓ H. Wirkirtley $9.00	✓ Geo P. Bruffy $4.00	✓ Geo. D. Anthony $1.00
✓ Samuel Loewner $9.00	✓ James R. Eiler $4.00	✓ S. A. Davis $1.00
✓ Franklin Liskey $9.00	✓ Wm. C. Coffman $2.00	✓ C. W. Fellows $1.00
✓ M. E. Carrier $9.00	✓ N. W. Shuler $2.00	✓ Lewis P. Ott $1.00
	✓ E. L. Sanford $2.00	

On the Petition of D. A. Blocker for the establishment of a Public Road &c.
This day Came the petitioner by Counsel. and thereupon Came Jackson Rhodes
1 & 1 Copy the proprietor of the land proposed to be taken for said road. by Counsel and moved the Court to quash the report of the viewers heretofore returned and filed. which motion on Consideration and after argument of Counsel the Court overruled: To which opinion of the Court in overruling said motion. the said Jackson Rhodes by Counsel excepted:

And thereupon. on motion of the said Jackson Rhodes by Counsel. the Court do th appoint the following freeholders to-wit:- John M. Eastman Solomon Buttner. A. L. Lindsay. William H. Monger and C. Miller (any three of whom may act) Commissioners. to ascertain what will be a just Compensation for the land to be used for said road belonging to the said Jackson Rhodes. and they are hereby directed to meet on the said land on Thursday the 17th day of January 1878. and the Sheriff is hereby directed to give notice to the said Jackson Rhodes of the said time and place of the meeting of the said Commissioners Any one (or more) of said Commissioners attending on the land as aforesaid may adjourn from time to time till the business shall be finished. Before said Commissioners shall enter upon the discharge of their duties they shall be Sworn before a Justice of the Peace. and they shall Comply in all respects with the provisions of Sections 9 & 10 Ch. 56. of the Code of 1873. and make return of their report and the certificate of the Justice forthwith to this Court.
Any failure upon the part of the Commissioners to Comply with the law! or any defect in their report will debar them from receiving Compensation. The time actually employed by said Commissioners in the discharge of their duty shall be endorsed on their report.

On the application Wm. Airey. D. C. Koogler and others for the establishment of a Public Road from Rushville Church on the Attoonie Rushville
1 & 2 Copies. and Dayton Road to the Rushville and Simmons Mill Road.
The Commissioners B. M. Rice. George J. Kisling & John M. Moore heretofore appointed to view and report upon said Road, having returned their report together with a diagram & Survey of the proposed route and. said Commissioners having recommended the establishment of said road It is ordered that the following named land owners along the line of said proposed road to-wit F. Hughes and Wm Airey be Summoned to appear before this Court on the 1st day of the next term being January 21st 1878. to Show Cause if any they can why the said Road as proposed and as reported by said Viewers shall not be made.

On the Petition of R. Shaver and others for the establishment of a Public
1 & 1 Copy Road.
On motion of Noah A. Royer and Addison Royer the Court do th appoint the following freeholders of this County. to-wit- Edward S. Kemper. S. M. Sellers George J. Kisling. Daniel Hanson and Eugene A. Peale Commissioners (any three of whom may act) to view the lands of the said Noah A. Royer and Addison Royer proposed to be taken for the establishment of said road. on either of the routes

reported by the viewers heretofore appointed, and ascertain what will be a just Compensation to each proprietor aforesaid for the land proposed to be taken, and for the damage to the residue of the tract of each, beyond the peculiar benefit which will be derived in respect to such residue from the said road.

Before the said Commissioners shall enter upon the discharge of their duties they shall be duly sworn before some Justice of the Peace, and in the discharge of their duties they shall comply in all respects with the provisions of Sections 9 & 10 of Ch. 56 of the Code of 1873, and make report forthwith together with the certificate of the Justice to this Court.

They shall meet at the houses of the said proprietors on Saturday, the 19 day of January 1878 and any one or more of them attending on the land may adjourn from time to time till the business shall be finished.

The sheriff shall give notice to the said proprietors of the place and time fixed in this order, for the meeting of said Commissioners.

The Commissioners shall endorse on their report, the time actually employed by them in the discharge of their duty, any defect in their report will debar them from receiving Compensation

John H. Plunkett Guardian &c.
John H. May Adm^r. of Margaret Evers. } upon a Petition

The Petition of John H. Plunkett guardian of George K. Hefner was this day filed in this Court and John H. May adm^r. of Margaret Evers the defendant therein having appeared and waived process by consent, the whole matter was submitted to the decision of this Court and the evidence being heard and a copy of a decree of the Circuit Court of Augusta County in the Chancery Cause of Heffners widow ~~&c.~~ & Heffners infant rendered June 19. 1877 being offered in evidence & that Court being satisfied that under the circumstances of the case that John W. Hefner must be presumed to be dead, unmarried without issue and intestate and that his only brother George K. Hefner is entitled to the share in the hands or to come into the hands of John H. May administrator of Margaret Evers dec^d. to which John W. Hefner would be entitled if living it is therefore ordered that the said John H. May administrator of Margaret Evers deceased do pay over to John H. Plunkett the guardian of George K. Hefner the said sum of $213.06 3/4 reported as due John W. Hefner in the report of Com^r. Newman filed in June last, also any other amount which may hereafter be found due him in like manner from the Estate of Margaret Evans dec^d. the said amount to be held by said John H. Plunket as guardian of George K. Hefner and that the costs of this petition be paid by said guardian out of the funds to be received by him. But before the said John H. Plunkett guardian as aforesaid shall receive the said money he shall execute bond with approved security before the Clerk of this Court in the penalty of $400. payable to the Commonwealth of Virginia, with condition for the faithful discharge of his duty as such guardian in relation to the fund, aforesaid.

Cop. & ds

D. H. Rolston Sheriff & Jailor of this County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $42.10 for receiving keeping & supporting Jefferson D. Campbell committed by a Justice of this County for a felony committed in West Virginia, covering a period from Feby 8th 1877 to May 23. 1877

which being Sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Cop.

John Bishop. this day presented in Court an Account against the Commonwealth of Virginia amounting to the Sum of $6.00 for hire of Wagon & two horses to Convey witnesses to Harrisonburg, under attachments in Case of Commonwth vs Silas Morris charged with & Convicted of Murder two days at $3. per day which being Sworn to by W. H. Lam Constable of this County. as to the Correctness of the Same. was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop. & Sep.

This day came Jacob Bunner who alleges that he & the other heirs of Ellen Bunger dec'd except George & Ellen Bunner. are aggrieved by Entries in the Land Book. made by J. M. Rose Assessor of the Revenue for Stonewall District in Said County in the year 1877. whereby they are charged with 50¢ State Tax & 64¢ County taxes for the year 1877 on 39 Acres of land lying in the Blue Ridge in Said County. and also that they are charged with $8.40 State Tax & $10.75 County Taxes for the year 1877 on 105 acres of Land in Said County, and thereupon the Said Jacob Bunner moved the Court to exonerate them from the payment of $19.29 the taxes so charged against them for said year. which motion was defended by Gen. G. Wattan the Attorney for the Commonwealth for Said County. and the Said J. M. Rose the Assessor who made the assessment was examined as a witness touching the application

And it appearing that Said books in which said alleged erroneous entries had been made was certified by the Clerk of the County Court on the day of 1877. and that application for redress against the erroneous entries was made on this day for the first time and it appearing that the Said 39 acres of land does not belong to the said Jacob Bunner &c. and it further appearing that the Said tax on Said 105 acres of Land was erroneously extended by the Assessor upon the Land Book of Said District and that the Correct amount of tax for which Said Bunners ought to be charged is $1.31 State Tax and $1.68 County Taxes 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 Jacob Bunner &c. are erroniously charged on Said books with taxes amounting to $17.30 Whereupon. It is ordered that the Said Jacob Bunner &c. be exonerated from the payment of $17.30 taxes So erroneously charged. if not already paid. and if paid that it be refunded to them $7.59 of which is State and $9.71 is County Taxes

Commonwealth.
Reuben Higgo } upon an Indictment for injuring. Maiming disfiguring and killing Cattle.

The Jury Sworn and impanneled in this Cause having on the 5th day of this term of the Court (Decr. 22 1877) brought in a verdict of guilty and affixed a Fine of Seventeen Dollars against the Defendant. It is now Considered by the Court that The Commonwealth of Virginia recover of the Defendant Reuben Higgo. the Sum of $17.00 the amount of Fine by the Jurors in their verdict

ascertained and her costs by her in this behalf expended.

Memo:- Be it Remembered, that on the trial of this Cause the Defendant by Counsel tendered his two bills of exceptions which are in the words and figures following to-wit (here insert exceptions) which he prayed might be Signed Sealed and enrolled by the Court which is accordingly done.

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham at the Court-House thereof on Monday January 7th 1878.

Present Hon Chas. T. O'Ferrall presiding.

C. R. Rush Admr. of David Scott decd.

D. H. Roiston S. R. C. as Such Admr of Henry Gilmer decd.
Garnishee of Geo. K. Gilmer.

This day Came again the parties to this Cause by Counsel. whereupon the evidence and argument of Counsel being heard the Court is of opinion that there is nothing in the hands of the Deft. D H. Roiston S. R. C. Admr of or to Come into his hands of Henry Gilmer decd due to George K. Gilmer. and he is further of opinion that the Said D. H. Roiston S R C. as administrator of Henry Gilmer decd. acting by virtue of his Said office has no power to act as Such administrator except within this Commonwealth and that he cannot as Such Admr be required to make Sale of land in another State. It is therefore ordered that this motion be dismissed and that the Said Hy Gilmers Admr recover of the Plaintiff his costs about his defence in this behalf expended.

John N. Plunkett Guardian &c.
John H. May Admr of Margaret Evers decd } upon a Petition

On motion of the Plaintiff by Counsel, and for reasons appearing to the Court. It is ordered that that portion of the order entered in this Cause on yesterday requiring the Said John N. Plunkett as Guardian &c. to execute a bond in the penalty of $490.00 be Set aside. it appearing to the Court that the Said John N. Plunkett has already executed a bond as Such guardian in the County of augusta

It is ordered to be certified to the Auditor of Public Accounts that George G. Grattan, Attorney for the Commonwealth for this County is entitled to the Sum of Fifty five Dollars for prosecuting in two Cases of Felony at this term of the Court. to-wit:- Commonwealth vs Dewitt Glovier, alias Dewitt Ettinger alias De Glover, and Same vs Beauregard Fanny alias Beauregard Dees. and for prosecuting to conviction in seven Cases of Misdemeanor to-wit:- Commonwealth against James Kavanaugh (No 1) and Same vs James Kavanaugh (No 2) Same vs John J. McMahon (No 1) and Same vs John J. McMahon (No 2) and Same vs Wm H. Clatterbuck. and Same vs Reuben Higg-

and Same. as Robert Fink.

Chas. T. O'Ferrall.

Present Granville Eastham Esq. presiding. Called to the Bench by the Judge of the Court with the assent of the Attorney for the Commonwealth. It being improper for the Said Judge to preside in consideration of the following matter to-wit

This day came Chas. T. O'Ferrall Trustee for Mary Ann Dorman wife of David Dorman to whom the land hereinafter described was conveyed by Andrew Dorman prior to his death who alleges that he is aggrieved by an entry in the Land books made by John R. Jones assessor of the Revenue for Central District in this County in the year 1876. whereby the Est of Andrew Dorman decd is charged with $3.47 State Taxes and $3.74 County Taxes on a tract of Land containing 484 acres described as lying in Said District on Cub Run and thereupon the Said Chas. T. O'Ferrall Trustee as aforesaid moved the Court to exonerate him from the payment of $7.21 the taxes So erroneously charged against the Said Estate for Said year 1876. which motion was defended by Geo. G. Grattan Attorney for the Commonwealth for Said County and the Said John R. Jones the assessor who made the assessment was examined as a witness touching the application.

And it appearing that Said books in which Said alleged erroneous entry have been made was certified by the Clerk of the County Court of this County on the — day of — 1876 and that application for redress against the erroneous entry was made on this day for the first time and it appearing that Said Estate of Andrew Dorman Decd is assessed with 137 acres of Land more than belongs to the Said Trustee or the Said estate. that it should be for 347 acres instead of 484 acres of Land and that the Said Estate is improperly charged with 137 Acres 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 Said Estate is erroneously charged on Said books with 137 acres of Land, and with taxes amounting to the Sum of $7.21: whereupon. It is ordered that the Said assessment be corrected from 484 acres to 347 acres on the assessors books of Said District and that Charles T O'Ferrall Trustee as aforesaid be exonerated from the payment of $7.21 taxes so erroneously charged of which $3.47 is State & 3.74 is County Taxes and that it be refunded to the said Chas. T. O'Ferrall Trustee as aforesaid,

Granville Eastham

Present — Hon. Chas. T. O'Ferrall presiding.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Tuesday January 8th 1878.

Present Hon. Chas. F. O'Ferrall, presiding.

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

Chas. F. O'Ferrall.

At a County Court held in and for the County of Rockingham at the Court-House thereof, on Monday January 21st 1878.

Present:- Hon. Chas. T. O'Ferrall 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 thereof, which List being seen and inspected by the Court, is ordered to be spread upon the minutes, and is as follows, Viz:-

Trust Deed.	Brown Frazier & wife.	to Ed. S. Conrad, Trustee
Bargain & Sale	Joseph Showalter & wife.	" Andrew J. Showalter.
" "	Same.	" Thomas H. Showalter.
" "	Thomas H. Showalter, & wife	" William P. Showalter.
" "	William T. Smith, & wife.	" Charles R. Bush.
" "	Henry Zirkle & wife	" Same.
" "	Manasses Heatwole & wife.	" Christian Good.
" "	Jacob S. Miller & wife	" Saml. Wine, Danl. Miller & Saml. G. Glick Church Trustees.
" "	Martin Miller & wife & Saml. A. Miller & wife	Same Trustees as above
" "	B. G. Patterson Commr.	" R. A. Harrison.
" "	Martin Garber, & wife & others heirs of Daniel Garber.	" Solomon Bortner, A. P. Funkhouser & C. W. Stineepring Church Trustees
" "	John E. Roller Commr.	" Same Trustees as above.
" "	Wm B. Compton Commr.	" Samuel Shacklett.
" "	Same.	" J. J. Bocock.
" "	A. M. Newman	" Margaret E. Bocock.
" "	Charles W. Dovel & wife	" Willis Jones.
" "	John H. Bell, & wife	" James W. Curry.
" "	James W. Curry, & wife.	" James M. Davidson.
" "	George G. Grattan Commr.	" J. S. Harnsberger.
" "	William B. Compton Commr.	" Sarah Miller, wife of J. J. Miller.
Trust Deed	George G. Strayer.	" Charles H. Lewis, Trustee.
Bargain & Sale	Benjamin F. Spicer & wife	" Aaron Shutters.
" "	John Paul Commr.	" Andrew Kiracofe.
" "	Geo S. Christie Sub. Tr for S. L. Jones & S. L. Jones & Jno R. Jones	" Edward S. Conrad.
" "	Edward S. Conrad & wife	" John R. Jones, Trustee for Sarah L. Jones.
Trust Deed	John R Jones & wife & Jno R. Jones S. L. Jones Trustee for	" Edward S. Conrad, Trustee.
Bargain & Sale	John Bare	" Wm A. Mill.
" "	Samuel R. Allebaugh & wife	" Margaret Grim.
" "	John R. Heatwole & wife & others	" Joseph F. Heatwole.
" "	William T. Carpenter & wife.	" Israel P. Dellinger.
" "	Peter H. Myers & wife & others	" Abraham P. Myers.
" "	John J. Myers & wife	" Same.
" "	Abraham P. Myers.	" Peter H. Myers.
" "	Wm. N. Wood & wife	" Dabney Adams.
" "	Adam Showalter & wife.	" Joseph W. Rhodes.
Trust Deed	John N. Falls & wife & Peter F. Earman Trustee	" M. Y. Partlow, Trustee.
Bargain & Sale	William C. Harrison & wife	" Daniel C. Fulk and Jno. G. Fulk.
" "	David W. Brenneman & wife.	" Thomas J. Atchison.
" "	Peter Long & wife.	" Frank M. Chapman.
" "	Jacob H. Rimel, & wife	" Wm E. G. Rimel.

Bargain Sale	Rebecca Bare.	to John B. Bare.
" "	J. B. Dunnivin & wife.	" Margaret Breeden.
Trust Deed	George G. Strayer.	" Charles B. Lewis, Trustee.
Bargain Sale	Wm. A. Conrad.	" Strother J. Jones.
" "	John M. Bowman & wife.	" Sarah J. Leake.
" "	Wm. B. Compton Comm'r.	" Seram Pence.
" "	Same	" Noah Dyer.
Trust Deed	Thomas Moore and Annis Moore	" Samuel J. Yates.
Deed of Trust	Albert A. Price & wife	" Chas. E. Haas & Edd. S. Conrad Trustees.
Bargain Sale	Elizabeth Strayer & Wm. M. Cromer & wife others	" Franklin L. Grove.
" "	George M. Logan.	" Minerva Ann Logan.
" "	Harvey Kyle. Exor. of David Kyle Sr. decd.	" Eliza A. Hedrick wife of John Hedrick
" "	Albert A. Price & wife & C. E. Haas & E. S. Conrad Trustees	" D. Harvey Kyle.
" "	Lydia A. Maltz &c.	" Jackson Maltz.
" "	Erasmus Taylor & wife & Charity Layman	" George Deeds.
" "	Jeremiah Dovel & wife.	" Lucious B. Dovel.
Trust Deed	Mrs. R. A. McPherson.	Edd. S. Conrad Trustee.
Bargain Sale	Magdalen M. D. Coffman	" Theophilus Att.
" "	Wm. B. Compton Comm'r.	" Geo. E. Deneale Trustee for Deneale Lyncina
" "	George Deeds & wife.	" Preston Layman & Jackson Layman.

The following Settlements were this day presented in Court, and having been filed in the Clerk's office, the time prescribed by Law and no exceptions being taken thereto, the Same are confirmed and ordered to be recorded, Viz:-

Settlement of the Acct. of John F. Andes, Exor. of Eli Andes.
" " " " " Jonathan Beale, Agent for Matilda Bovy
" " " " " Wm F. Kyger, Adm'r. of Alexander Kyger.
" " " " " Robert Liskey, Exor. of Martin Liskey
" " " " " A. J. Myers, Guard'n for Jacob M. Myers.
" " " " " D. H. Roller, S. R. C. Adm'r. of Anthony Rhodes Sr.
" " " " " Mrs G. Thompson, Exor. of George B. Shaver.
" " " " " R. A. Scott, Adm'r. of Wm Stuffley,
" " " " " M. G. Jones Adm'r. of F. M. Shipman
" " " " " Paul A. Price Comm'r for Elizabeth Simmers.
" " " " " Jacob Thomas, Adm'r. of Daniel Thomas.
" " " " " Same Same
" " " " " Harvey Price Adm'r. of Peter Price.

The following Apperaisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the Same are ordered to be recorded. Viz
Apperaisement & Sale Bill of Personal Estate of John Crowshorn, Dec'd.
" " " " " " " " Rebecca Guyer Dec'd.
" " " " " " " " Peter Neff Dec'd.

William Beard, who was on the 15th day of January 1878, duly Commissioned by the Governor of Virginia a Notary Public in and for the County of Rockingham for the term of four years from said date, this day appeared in Court, and together with Abraham 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 execution of his Said office, each waiving the benefit of their Homestead exemptions, 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 William Beard took the Several oaths prescribed by law.

On the motion of Richard W. Bear and Jacob A. Bear, two of the heirs of Jacob Bear dec^d. the Court doth appoint J. S. Harnsberger Administrator of the Said Estate, and thereupon the Said J. S. Harnsberger appeard in Court and together with Richard W. Bear and Jacob A. Bear, 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, waiving the benefit of the Homestead exemption. a certificate is granted him for obtaining letters of Administration in due form upon the Estate of Jacob Bear dec^d. he having taken the oaths prescribed by law.

And the Court doth appoint J. H. Wolfe, T. K. Miller, J. H. Kite, John H. Bear & Wm H. Marshall, to appraise the estate of Said Jacob Bear dec^d. any three of whom may act, after first being duly Sworn.

A. H. Brewer for &c.
(no)
Madison Avrey &c. } On a motion.

certified.

It appearing to the Court that this is a motion upon the trial of which the Judge of this Court is So Situated that he cannot preside - having been Originally Counsel of one of the parties, by Consent of parties this Cause is removed to the Circuit Court of Rockingham for trial

The Writing purporting to be the last will and testament of Solomon F. Burkholder, was this day presented in Court, and being proven by the oaths of H. A. Heatwole and J. N. Driver two of the Subscribing witnesses thereto, was admitted to probate and ordered to be recorded and thereupon, on the motion of John Geil and Jacob Geil the Executors therein named who made oath thereto according to law they appeared in Court and together with Peter Wenger, their Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $1000.00/100 Conditioned as the law requires, waiving the benefit of the Homestead exemption. a Certificate is granted them for obtaining a probate of the Will of Said Solomon F. Burkholder, Dec^d.

copied.

And the Court doth appoint Hugh Pence, Joseph Driver, Lewis Driver & Abram Layman, to appraise the Estate of Said Solomon F. Burkholder, any three of whom may act, after first being duly Sworn.

Commonwealth
(no)
Isaac M. Powell } upon an Indictment for the Murder of Thomas Chidlow

This day the prisoner Isaac M. Powell, ~~who~~ of the County of Rockingham, who

Stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County and on motion of the Attorney for the Commonwealth and for reasons appearing to the Court his trial is continued until the first day of the next term of this Court. And thereupon Harvey Ludholtz, Abner Spitzer and Henry L. Shmp witnesses in behalf of the Commonwealth appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 to be levied of their respective goods & Chattels, Lands & Tenements for the use of the Commonwealth each waiving the benefit of their Homestead exemption as to this obligation, yet upon this Condition that they each do make their personal appearance before the Judge of this Court on the first day of the next term of the Court as witnesses as aforesaid. and not depart thence without leave of the Court.

And thereupon the prisoner was remanded to Jail.

Commonwealth. }
Philip Phillips } upon a Notice.

This day, the prisoner Philip Phillips late of the County of Rockingham who stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County. and on motion of the Attorney for the Commonwealth and for reasons appearing to the Court his trial is Continued until the first day of the next term of this Court. And thereupon the prisoner was remanded to Jail.

On the motion of Margaret Rehard the mother of Ella May Rehard aged 10 years and Lilly Hamilton Rehard aged 6 years the Court doth Appoint Edmond M. Shaeffer as guardian of the said Ella May Rehard and Lilly Hamilton Rehard infants of Lewis H. Rehard Dec'd. and thereupon the said Edmond M. Shaeffer appeared in Court, and together with George M. Shaver his Surety. (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $5000.00 Conditioned according to law. (waiving the benefit of the Homestead exemption) and qualified according to law as said guardian.

J. B. Eastham. }
Margaret E. Brill Gnd'n &c. } upon a Notice.

J. B. Eastham &c. }
Jameson Dobell. Guard'n &c. } upon a Notice

Ordered that the foregoing Causes be placed upon the Courts Docket.

Commonwealth }
R. H. Pool alias Richard H. Pool } upon an Indictment for Larceny.

This day R. H. Pool alias Richard H. Pool, who Stands indicted for a felony by him Committed, appeared in Court in discharge of his recognizance, entered into at the last term of this Court and the Veniremen Summoned for the trial of felony cases at this term of the Court were called and thereupon a panel of Sixteen were found to be duly qualified

and free from exceptions, after first being examined by the Court upon their voir-dire, Viz:- Oscar F. Moore, James E. Templeman, Joel Barber, B. F. Rickard, Harry May, George M. Hedrick, Jacob M. Fawley, Wm. M. Maltz, Adam Pifer, Jr. Leanbyses le White, Samuel M. Bowman, Peter P. Holsinger, Joshua Ritchie, R. D. Harrison, R. D. Scott and Wm H. Flick and thereupon the prisoner was furnished a Copy thereof, and having Stricken therefrom the names of four of the persons of said panel, Viz:- Joel Barber, B. F. Rickard, Harry May & Leanbyses le White, the remaining twelve of said panel, Viz:- Oscar F. Moore, James E. Templeman, Geo. M. Hedrick, Jacob M. Fawley, Wm. M. Maltz, Adam Pifer, Jr. Samuel M. Bowman, Peter P. Holsinger, Joshua Ritchie, R. D. Harrison, R. D. Scott and Wm H. Flick, thereby Constituting the Jury, who being then elected, tried and 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 not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 Oclock, and thereupon they were placed in charge of D. H. Rotsten Sheriff of this County, & D. M. Bear and Isaac Vineyard, 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, and Cause them to appear in Court on to-morrow morning at 9 O'clock, So help you God, and thereupon the prisoner was placed in custody of the Jailor of this County.

10 11 Copies.

The Court doth award Rules against J. M. S. Sammels, Moses Sumner, John C. Williams, Wm H. Marshall, S. S. Bowman, Jacob W. Fawley, Wm H. Flick, Leanbyses le White, S. P. Miller, John D. Hylsinger, R. A. Scott, A. S. Hoffe, John R. Bowman and Seth Russell for their failure to appear at this term of the Court as Veniremen, when Summoned, returnable to the next term of the Court.

Ordered that this Court be adjourned until to-morrow morning at 9 Oclock

Chas. J. O'Neals.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof on Tuesday January 22, 1878.

Present: Hon. Chas. T. O'Ferrall, presiding.

John R. Jones Commr. of the Revenue for Central District in this County, this day returned to the Court, a copy of his certificate as to the Sales of Wines, Alcoholic and Malt Liquors by all licensed retail and bar-room liquor dealers and wholesale liquor dealers, within his District for the month ending on the 19th day of January 1878, as required by an act entitled, "An act imposing a tax and prescribing the mode of Collecting the Same, on the privilege of Selling Wine, Ardent Spirits or malt liquors &c" approved March 30th 1877, which is ordered to be filed.

Commonwealth.
vs
R. N. Pool alias Richard N. Pool } upon an Indictment for Larceny

This day, the prisoner, R. N. Pool alias Richard N. Pool who stands indicted for a felony by him committed was again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impanneled on yesterday for his trial, 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 upon their oaths do say, "We the Jury find the prisoner R. N. alias Richard N. Pool not guilty R. A. Scott Foreman.

It is therefore considered by the Court that the prisoner go hence without day, &c.

Peter A. Whitesel &c.
vs
Calvin Irvine } unlawful Entry & Detainer

This process having been made returnable to the first day of this term of the Court, and the Plaintiffs having failed then to Docket the Same, On motion of the Plaintiffs by Counsel, and it appearing to the Court, that no injury can accrue to the Defendant, It is ordered that the Same be docketed nunc pro tunc, which is accordingly done.

The Court doth order that the following named persons be allowed the Sums opposite their names for their attendance and Services at this term of the Court, as Veniremen Summoned for the trial of felony cases at $1.00 per day and that the Same be paid by the Treasurer of this County, and Certified to the Auditor of Public Accounts Viz:-

Certified

Oscar F. Moore $2.00	Joshua Ritchie $2.00	Joel Rinker $1.00	Wilson A. Bazzle $1.00
James E. Templeman $2.00	R. A. Harrison $2.00	Michael Summers $1.00	
George W. Hedrick $2.00	R. A. Scott $2.00	D. F. Riterour $1.00	
Jacob W. Fawley $2.00	Wm. H. Flick $2.00	Jos. H. Coffman $1.00	
Wm. M. Martz $2.00	Joel Garber $1.00	Geo. D. Sheets $1.00	
Adam Pifer Jr. $2.00	B. F. Rickard $1.00	Wm. C. Simmers $1.00	
Saml. M. Bowman $2.00	Harry Way $1.00	Jacob H. Swank $1.00	
Peter P. Holsinger $2.00	D. W. C. Koogler $1.00	Emanuel Rhodes $1.00	

On the application of Madison Wise & others for the establishment of a Public Road Commencing on the Mountain Valley Road near Armentrouts Church and running thence by Madison Wises Mill and intersecting with the Mountain Valley Road at a point called Paradise.

This day comes D. Wise one of the land owners through whose lands the proposed route of the aforesaid road passes and who has been duly Summoned to Show Cause why said road should not be opened appeared in Court and entered his objections thereto, and thereupon the case is Continued to the next Term of this Court.

Ordered that this Court be adjourned until to-morrow morning at 9 O'clock

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday January 23. 1878.

Present: Hon. Chas T. O'Ferrall presiding.

Peter Paul, Michael Whitmore, and John H. Moore, Viewers appointed to view the ground of a proposed road from Swartz Cooper Shop on the Dry River Road to the Briery Branch and Simmies Mill Road upon the application of Jos. M. Rhodes, Jacob Wenger & Henry A. Rhodes & others, returned their report into Court which is ordered to be filed.

Solomon Buttner, D. A. Heatwole & John H. Moore Viewers appointed to view the ground of a proposed road from a point on the road known as the Shun Pike near the junction of the Rushville Road on Shun Pike, to the Dry River road on the Snell farm below Slick ford upon the application of H. D. Brunk, Simeon Heatwole & Gabriel D. Heatwole & others, returned their report into Court, which is ordered to be filed.

Charles J. Brock, S. R. Allebaugh and J. J. Bowman, viewers appointed to view the ground of a proposed road from Edom down Linvilles Creek, to intersect with a public road leading by Isaac Sellers to Cowans Station upon the application of J. D. Pennybacker & others returned into Court their report which is ordered to be filed.

Ordered that this Court be adjourned until to-morrow morning at 9 O'clock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Saturday January 26 1878.

Present Hon Chas. T. O'Ferrall presiding.

Ordered that this Court be adjourned until monday morning at 9 o'clock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham. at the Court-House thereof on Tuesday January 29th 1878.

Present. Hon. Chas. T. O'Ferrall. presiding.

D. H. Rolston. Sheriff & Jailor of this County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the Sum of $14.20 for Keeping and Supporting Wm Spitzer a Lunatic confined in Jail, 31 days from Dec 16 1877. to January 15. 1878. at 40¢ per day ($12.40) and Clothing for one month ($2.50) which being Sworn to was examined and allowed by the Court. and ordered to be certified to the Auditor of Public Accounts for payment.

c&p.

D. H. Rolston. Sheriff & Jailor of this County. this day presented in Court an account against the Commonwealth of Virginia, amounting to the Sum of $105.50 for Keeping and Supporting various Prisoners. Covering a period from Dec. 16. 1877 to January 15. 1878, which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

c&p.

Thomas Taliaferro. This day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $6.50 for horse hire and livery &c. in conveying witnesses to Harrisonburg in the Case of the Commonwealth & Silas Morris Charged with & Convicted of Murder (under attachments from Court) which being Sworn to by W. H. Law Constable of this County. was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

c&p.

W. H. Law, Constable of this County. this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $4.55 for the arrest of George Collins charged with and Convicted of a Misdemeanor. Summoning witnesses, Conveying prisoner to Jail. Mileage &c. which being Sworn to by said Constable, was examined and allowed by the Court. and ordered to be Certified to the Auditor of Public Accounts for payment.

c&p.

W. H. Law, Constable of this County. this day presented in Court an account against the Commonwealth of Virginia, amounting to the Sum of $4.20 for the arrest of Frank Carter charged and convicted of a misdemeanor. Summoning

Co&p.

witnesses. Conveying Frank Carter to Jail. board and Lodging. mileage &c. which being Sworn to by Said Constable. was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Daniel A. Wine Committee for Elizabeth Simmons a lunatic. this day presented in Court, an account against the Commonwealth of Virginia amounting to the Sum of $64.08 being the balance due him for the care and board of Elizabeth Simmons lunatic for the year ending Sept 20. 877. as per Contract with the County Court of Rockingham which Said account being Sworn to was examined and allowed by the Court, and ordered to be Certified to the Auditor of Public Accounts for payment.

Cop'd.

On the application of John S. Coffman. Jos. S. Loose. Hiram Coffman & others for the establishment of a public Road Beginning at Petry's gate on the road Known as Shun Pike and running in a Southerly direction (nearly) on the line of the land of Henry Petry Continuing on the line of the lands of Petry and Jno. S. Coffman. Crossing the lands of Daniel Switzer Henry Linhop. (on the line) Benj. Bowman and Adam Thomas. thence diverging eastward running on the line of the lands of Jos. S. Loose. Silas Sandy Jos. Coffman's Est. Widow Haney Hiram Coffman & others to a point on the Dry River road near the house of Adam Thomas.

1 & 3 Copies.

The Court doth appoint Solomon Burtner. D. A. Heatwole and John H. Moore. viewers, to view the ground, and report to this Court at its next term. first. the Conveniences and inconveniences that will result, as well to individuals as to the public. if Such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof. will have to be taken.

2nd They shall further report the facts and Circumstances in their opinion useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on Such route, and State which of them require Compensation; the probable amount in their opinion, to which Such party may be entitled. and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding Six degrees. and Shall endeavor to locate a route which Shall not exceed five degrees at any one point. A Map or diagram of the route. with Courses and distances. shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order. shall be appended to the report, and Sworn to before a Justice of the Peace. or other officer. who shall append his Certificate to the Same. Any defect in the action or report of the views will debar them from receiving pay for their Services.

James B. Eastham Pltff
vs
Margaret E. Brill Guardn &c. Deft. } Upon a Notice & Petition

This day came the Plaintiff by Attorney & the defendant by Attorney and thereupon it is ordered that unless the Said Margaret E. Brill as guardian

of William Brill Benjamin Brill, George W. Brill, N. Hellen Brill Julia M Brill Sarah F Brill & Ellen E Brill, infant children of George Brill dec^d do execute a New bond as such guardian on or before the 1st day of the next term of this Court the powers of the said guardian as such shall be and are hereby revoked.

James B. Eastham & George W. Hedrick Pltffs.
Jameson H. Dovel Guardian &c. Deft } upon a Notice & Petition

This day came the Plaintiffs by Attorneys & the Defendant by Attorney and thereupon it is ordered that unless the said Jameson H Dovel as guardian of his five infant children Viz:- Rebecca J. Dovel Philip G. Dovel Jenetta Dovel, Ellen G. Dovel & Susan A. Dovel do execute a new bond as such guardian on or before the 1st day of the next Term of this Court the powers of the said guardian as such shall be and are hereby revoked and also that unless the said Jameson H. Dovel as guardian of his two infant children Viz Robert D. Dovel & Sarah C. Dovel do execute a new bond as such guardian on or before the 1st day of the next term of this Court the powers of the said guardian as such shall be and are hereby revoked and annulled

In the matter of the application of Jacob Burner & others to be exonerated from the payment of certain taxes.

Cop^d & d. Rep^d. It appearing to the Court that one of the facts proven in this case at the December Term last of this Court was inadvertently omitted in the order then entered It is therefore ordered that the same be now entered as follows. "It appearing to the Court that the said 105 Acres was erroneously assessed at $16.00 per acre in stead of $2.50 per acre as in previous years."

On the application of James M. Saufley & others for the establishment of a Public Road to intersect the Port Republic Road at a point near John W. Bowman's then to pass through the lands of the different owners as shown upon the map accompanying the petition to the Valley pike

1 & 26 Copies. The Commissioners Edward S. Kemper, William T. Carpenter and George J Kisling heretofore appointed to view and report upon said Road having returned their report together with a diagram and survey of the proposed route and said Commissioners having recommended the establishment of the said road. It is ordered that the following named land-owners along the line of said proposed road to-wit:- Mrs Alexander Kyger, John W. Bowman, Joseph Shifflett Jacob Harshberger (Margaret Saufley, Margaret Showalter - Showalter her husband N. B. Saufley, R. A. Scott and Mary his wife and Abraham Evers) the last seven being heirs of Wm Saufley dec^d Samuel Sanger, Peter Showalter Senr Harvey Wise John Huffman, Robinson Showalter, John M. Saufley, Joseph Altaffer William M. Meyerhoeffer Michael J. Meyerhoeffer, James M. Meyerhoeffer Daniel Long, Frederick Cline, James Riddle Mrs Jacob Argenbright and Samuel Sluser be summoned to appear before this Court on the first day of the Next term being February 18, 1878 to show cause if any they can why the said road as proposed and reported by the said viewers shall not be made,

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

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham at the Court House thereof on Friday February 1. 1878.

Present Hon. Charles T. O'Ferrall presiding.

Ordered that this Court be adjourned until to-morrow morning at 9. O'clock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof on Monday February 4th 1878.

Present Hon Chas. T. O'Ferrall, presiding.

B. F. Thomas, this day presented in Court an account against the Commonwealth of Virginia, amounting to the Sum of $7.50 for guarding Anderson Shiflett, Louisa Lawson & Burris Williams To and from Harrisonburg 10 days @ 75 per day, which being Sworn to by Said B. F. Thomas and by V. H. Lam Constable of this County, was examined and allowed by the Court, and ordered to be Certified to the Auditor of Public Accounts for payment.

Copd.

The Court doth appoint the following persons as Registrars, at the Various voting places in this County, to Serve as Such for the term of two years, Commencing January 1. 1878. Viz:-

✓ Plains District	Timberville,	Charles E. Fahrney.	Cootes Store.	John G. Cootes. ✓
✓ " "	Tenth Legion,	Jackson Martz.	Wittigs Store	Geo. Wittig. ✓
✓ " "	Broadway -	W. H. V. Enos.	----------	
✓ Linville's Creek "	Melrose. -	E. P. Myers.	Hoover's Shop. -	Naason Turner. ✓
✓ " " "	Edom.	Dr. M. S. Zukel.	Singers Glen. -	Solomon Funk. ✓
✓ Central "	Harrisonburg	R. D. Cushen.	Mt Clinton. -	S. A. Friebaugh. ✓
✓ " "	Keezletown	Geo. P. Buttner.	----------	
✓ Ashby "	Cross Keys	W. S. Sluser.	Bridgewater.	John W. Jacobs. ✓
✓ " "	Mt Crawford.	Geo. D. F. Speets	Ottobine.	Shem S. Heatwole ✓
✓ " "	Dayton.	Stephen J. Few.	Moyerhoeffer's Store	Isaac Long ✓
✓ Stonewall "	Conrad's Store.	Joseph H. Kite	Port Republic.	John W. Lee. ✓
✓ " "	McGaheysville	Joseph A. Hammen.	Furnace No. 2.	James W. Blair. ✓

Corporations:-

✓ Harrisonburg R. D. Cushen. Bridwater. Henry Smals. ✓

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

Chas. T. O'Ferrall.

In Vacation. February 18. 1878.

The Clerk of the County Court of Rockingham County. is hereby directed to issue a Venire Facias. directed to the Sheriff of Rockingham County. commanding him to Summon a Special Grand Jury for the February Term of said Court. to appear at the Court-House thereof on the fourth day of the said Term being February 21st 1878 at 10 o'clock A. M.

Given under my hand this 18th day of February 1878.

Chas. T. O'Ferrall Judge of the Superior Court of Rockingham County.

Attest,

J. T. Logan, Clerk

Feby. 18. 1878. At a County Court held in and for the County of Rockingham at the Court House thereof on Monday February 18th 1878.

Present Hon. Chas. T. O'Ferrall. 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 January Term thereof. which list being seen and inspected by the Court is ordered to be Spread upon the minutes. and is as follows. Viz:-

Bargain&Sale.	J. S. Hainsberger. Comm'r.	to Stephen J. Ferr.
" "	Samuel Mohler & wife	" Absalom Mitt
" "	W. T. Williams Trustee & others	" John P. Kline
" "	Geo. W. Mauzey & wife	" Abraham Hartman.
" "	Joseph M. Hauser & wife	" Lucius C. Haney
Trust Deed.	Edward J. Sullivan	" Wm B. Luty Trustee.
Pof Atty	John M. Bowman & others.	" John Bowman Jr.
B.&Sale	A. H. Brewer & wife & Geo. Rufell & wife	" Harriet C. Dovel wife of Jeremiah Dovel
" "	Jeremiah Dovel & wife	" Christena Wells.
" "	G. F. Pulse & wife	" James Ritter.
Contract &c	Wm. R. Conrad.	" W. G. Partlow.
Trust Deed	M. E. Lanier & wife.	" Shelton H. Lanier. trustee.
B.&Sale	B. L. Patterson & wife	" P. H. Bertram.
" "	Wm. C. Harrison & wife.	" Dewitt C. Martz.
" "	Hudson Collier & wife.	" Joseph Drinnon.
" "	Benos. Scott & wife.	" R. A. Scott.
" "	Edward S. Conrad Comm'r.	" Mary Ann Brown.
Trust Deed	John M. Keller.	" James Kenney Trustee.
Contract.	S. M. & H. C. Jones.	" George A. Myers.
B.&Sale.	Elizabeth G. Moore & others (Chas. Moore dec'd) Widow & heirs of	Annie Henkel wife of L. P. Henkel & others heirs
" "	John P. Brock & wife.	" L. P. Henkel & L. M. Henkel trad'g as Henkel & Co.
" "	Elias Holler & wife.	" Adam R. Holler.
Trust Deed	Franklin Liskey	" George G. Grattan. Trustee.
B.&Sale	John R. Long.	" Emanuel Royer.
" "	Jacob Smoke.	" Joseph Smoke & Heirs.
Release Deed	S. M. Bowman & wife & Robert Bowman's Exor	to Susan Bowman " Henry Shacklett.
Trust Deed	Wm Garrington	" Wm Shields Trustee.
" "	John S. Lewis & wife.	" John R. Jones Trustee.
B.&Sale	Wm Rehead.	" Benj E. Long Trustee for Sarah E. Long.
" "	John K. Hopkins Exor & Exor & Wm D. Hopkins	Robert Liskey John M. Liskey & others
" "	Andrew J. Blakemore & wife	" Harvey Evers
Claim of Homestead	Lucie M. Stover widow of C. M. Stover.	
Receipt	C. R. Harman. L. B. Harman & M. E. Harman	Jacob Harman.
Trust Deed	Benjamin Crawford	" James C. Cochran Trustee.
" "	H. Hunter Sheridle	" John C. Walker Trustee.
B.&Sale	G. W. Berlin Comm'r.	" D. F. Blakemore
" "	George Barnett & wife	" F. Bryman Looker & Wm P. Looker.
" "	John E. Roller Comm'r.	" Harvey Evers
" "	Same. "	" Joseph. Click
" "	Same.	" Daniel Miller.

The following Apperaisement & Sale Bills, were this day presented in Court, and no exceptions being taken thereto, the Same are ordered to be recorded. Viz:
Apperaisement & Sale Bills of Personal Estate of George Airheart. decd.
" & " " " " " Christiana Minnick decd.
" " " " " " Isaac Ritchie decd.
Sale Bill " " " Rebecca C. Brunner. decd.
" " " " Sarah Sellers decd.
Apperaisement Bill " " " Sarah Conrad decd.

On motion of A. S. Miller one of the heirs of Daniel Miller decd. the Court doth appoint John J. Bowman, B. F. Myers Abraham Shank, Samuel Shank & Jacob E. Rhodes Commissioners to assign Dower to the widow of Daniel Miller decd., in the lands of her said husband, any three of whom may act, after first being duly Sworn.

R. M. Harrison, who was on the 15th day of February 1878. duly Commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with S. R. Allebaugh, 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 execution of his said office, each waiving the benefit of their Homestead exemptions 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 R. M. Harrison took the Several Oaths prescribed by law.

The writing purporting to be the last will and testament of Madison Moore decd. was this day presented in Court and being proven by the oaths of S. R. Allebaugh and Andrew Lewis the Subscribing witnesses thereto, was admitted to probate and ordered to be recorded.

And on the motion of David H. Moore and Reuben M. Moore (who made oath thereto according to law,) appeared in Court and together with Thomas Moore and John G. Moore, their Securities (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $2000.00 Conditioned according to law, each waiving the benefit of the Homestead exemption as to this obligation, a Certificate is granted them for obtaining letters of administration with the will annexed upon the Estate of said Madison Moore decd.

And the Court doth appoint, Benjamin Bowman, Silem Sellers, Erasmus Long & John M. Gaither to appraise the Estate of said Madison Moore any three of whom may act after first being duly Sworn.

The writing purporting to be the last will and testament of Margaret Huffman, was this day presented in Court, and being proven by the oaths of R. M. Harrison and William Coffman the Subscribing witnesses thereto, was admitted to probate, and ordered to be recorded.

On motion of Jennetta Conrad and others resident heirs of Wm A Conrad dec^d. the Court doth appoint Edward S. Conrad Administrator of the Estate of Said Wm. A. Conrad dec^d. and thereupon the Said Edward S. Conrad, (who made oath thereto according to law) appeared in Court and together with Charles A. Yancey his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $8000.00 conditioned according to law, waiving the benefit of the Homestead exemption as to this obligation, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Said Wm A Conrad dec^d.

And the Court doth appoint A M. Newman, M. M. Sibert, S. M. Ott, W. D. Hopkins and J S. Harnsberger to appraise the Estate of Said Wm A. Conrad dec^d. any three of whom may act after first being duly Sworn.

It appearing to the Court from the certificate of Jos. S. Loose a Justice of the Peace for this County that William N. Garber, and Barbara S. Garber infants of Christian Garber dec^d. over the age of 14 years, have nominated Solomon Garber as their Guardian, the Court doth appoint him as Such, and the Court also doth appoint him as guardian of David S Garber, infant under under 14 years of age of the Said Christian Garber dec^d. and thereupon the Said Solomon Garber appeared in Court and together with Joel Flory his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $2000.00 conditioned according to law, each waiving the benefit of the Homestead exemption as to this obligation, and qualified accordingly.

On the motion of Abraham Bushong, who made oath thereto according to law he this day appeared in Court, and together with Jacob Arehart his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $4000.00 conditioned according to law, each waiving the benefit of their Homestead exemption as to this obligation a certificate is granted him for obtaining letters of administration in due form upon the Estate of Mary Bushong dec^d.

And the Court doth appoint Geo. A. Moffett, Geo Lohr, Isaac Lohr & Michael Thomas to appraise the Estate of the Said Mary Bushong dec^d. any three of whom may act after first being duly Sworn.

Commonwealth
(10)
Isaac M. Powell } upon an Indictment for the Murder of Thomas Chidlow.

This day the prisoner, Isaac M. Powell late of the County of Rockingham who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County and from the Veniremen Summoned for the trial of felony cases at this term of the Court nine were Selected by the Court as qualified and free from exceptions, after being first duly examined by the Court on the Voirdire. Viz:- Geo. W. Skelton, A. D. Rolston James P. Rolston John Harman, Jacob H. Driver, Wm A. Switzer John A. Armentrout, Jacob Hinegardner and A. H. Wilson whereupon the following additional veniremen were Summoned from a List furnished by the Court Sitting. Viz:- Thomas Mesick, Wm C. Harrison, Stephen Chapman, Abraham Niswander David Luter

Henton Swank and A. D. Brunk who appeared and were examined by the Court on their voirdire found to be duly qualified and free from exceptions the panel of Sixteen being thus completed the prisoner was furnished a Copy thereof and having Stricken therefrom the names of four of the persons of said panel Viz:- James P. Rotston, John Hannan, Wm C. Harrison & Henton Swank the remaining twelve of said panel Viz Geo. W. Skelton A. D. Rotston, Jacob H. Driver Wm O. Switzer, John A Armentrout, Jacob Hinegardner, A. H. Wilson Thomas Messick Stephen Chapman, Abraham Niswander David Suter and A. D. Brunk thereby constituting the Jury, who being thus elected tried and 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 thereupon they were adjourned until to-morrow morning at 9 Oclock, and were placed in charge of D. H. Rotston Sheriff of this County and D. N. Bear & Isaac Winegord his deputies to whom was administered an oath that you shall Keep this Jury together and not have any communication with them yourselves nor permit any other person to Converse or have any communication with them touching this trial and Cause them to appear in Court on to-morrow morning at 9 Oclock. So help you God, and thereupon J. T. Collins J. S. Rhinehart and Harvey Ludholtz witnesses in behalf of the Commonwealth appeared in Court and acknoledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods and Chattels, lands and tenements for the use of the Commonwealth each waiving the benefit of their Homestead exemption. Yet upon this Condition that they each do Continue their appearance before the Judge of this Court, as witnesses as aforesaid and not depart thence without leave of the Court. And thereupon the prisoner was remanded to Jail.

Michael Sellers. } upon a Notice
Daniel Flook Committee }

J. P. Rolston late S. R. C. } upon Notice
E. C. Bare, &c. }

Ordered that the foregoing Causes be placed upon the Courts Docket.

Ordered that this Court be adjourned until to-morrow morning at 9 Oclock.

Chas. T. O'Donnell.

Feby 20. 1878. At a County Court continued and held in and for the County of Rockingham. at the Court House thereof. on Tuesday February 19th 1878.

Present Hon. Chas. T. O'Ferrall presiding.

John R. Jones. Commr. of the Revenue of Central District of this County. having made his monthly report to this Court. of all alcoholic liquors Sold within his District, which the Court on examination is not Satisfied embraces all the
1 & 6 issd. alcoholic liquors actually Sold during the month. It is therefore ordered that the following retail and bar-room liquor dealers to-wit:- John J. McMahon James Kavanaugh. Kavanaugh & Wall. Mrs. M. L. Pollock. Yancey & Loewenbach & J. P. Lowman be Summoned to appear before this Court on Saturday next. it being the 6th day of this term to be examined as to whether or not they have complied fully with the law in registering the alcoholic liquors Sold.

It appearing to the Court that J. N. Ross Comr. of the Revenue for Stonewall District and Joseph W. Rhodes Comr. of Revenue for Ashby District have failed
1 & 2 issd. to make any monthly reports to this Court of alcoholic liquors Sold within their respective districts as required by law it is ordered that they be Summoned to Saturday next it being the 6th day of this time to Shew cause if any they can. why they should not be removed from office for their failure to discharge their duties.

Mary Billhimer. Plaintiff
A. N. Peale Defendant } In Ejectment.

This day came the parties by their attorneys and on motion of the plaintiff by her attorney leave is given her to file her amended declaration which was accordingly done. and thereupon the defendant by Counsel demurred to the Said declaration the plaintiff joining issue upon the demurrer. On Consideration whereof the Court overruled the demurrer. and thereupon the defendant filed his plea of not guilty. to which the plaintiff replied generally. and the defendant joined issue upon the replication.

In re.
Upon Petition for Road down Linvilles Creek &c.
John D. Pennybacker. et als.

Upon motion of the petitioners. the report of the Viewers Chas. J. Brock. Saml. R. Allebaugh and J. J. Bowman filed in this Cause at the January Term 1878. is ordered to be recommitted to Said viewers with instructions that they reassess the damages to the land owners along Said route, & in So doing they shall allow the actual value of the land taken for the purposes of the road. and Shall Set off the peculiar advantages against the peculiar disadvantages to the residue of the tract and Shall in no Case Sett off the peculiar advantages against the actual Value of the land taken, and they shall return their report So amended to the next Term of this Court.

Michael Sellers.
vs
Daniel Flook Comm. &c. } upon a Notice.

This day came the Plaintiff Michael Sellers by his attorney and it appearing to the Court that the Defendant Daniel Flook has been duly served with notice of this motion. he was solemnly called but came not, whereupon the Court doth order that the powers of the Said Daniel Flook as Committee for Daniel Armentrout be and are hereby revoked the Said Daniel Flook having failed to appear and execute a bond in obedience to the Said Notice. And it is further ordered that the Said Daniel Flook do settle his accounts as Committee for Daniel Armentrout before the Commissioner of accounts.

James P. Rotston late S. R. C. Pltff.
vs
~~Samuel C. Bare~~ J. F. Branner. John J. Branner. Charles R. Branner. Jacob Hinegardner and William F. Landes Surviving Obligors &c. as Sureties of Said S. C. Bare, D. S. Defts } upon a Notice.

This day came the Plaintiff by his attorney and the Defendants J. F. Branner John J. Branner. Charles R. Branner. Jacob Hinegardner and Wm F. Landes being solemnly called came not, whereupon the bond of Samuel C. Bare & J. F. Branner &c. his Sureties to James P. Rotston late S. R. C. as also the receipt of David H. Rotston S. R. C. for the Sum of $155 99/100 the amount of the fifa issued upon the judgment in favor of S. R. Allebaugh Adm. of Philip Layman dec. vs J. P. Rotston late S. R. C. on account of an Execution in favor of Said Allebaugh Adm. of Philip Layman vs Reuben Sellers for $100 with with interest from Dec 18th 1871 & $3.43 Costs Collected by Said Bare D. S. as aforesaid & not paid over to the Pltff or accounted for to any one authorized by law to receive it, being seen and inspected by the Court.

It is considered by the Court that James P. Rotston late S. R. C. do recover of J. F. Branner John J. Branner. Charles R. Branner. Jacob Hinegardner and William F. Landes Surviving obligors of themselves & George H. Copp & John C. Homan dec. (in the bond for $20.000.00 executed by Saml. C. Bare &c. Conditioned for the faithful performance by Said Bare of his duties as deputy Sheriff as aforesaid. The Sum of $20.000.00 to be discharged by the payment of $155.99/100 with legal interest thereon from Feby 5th 1878 till paid and the costs of this motion.

Samuel H. Eavy Committee for Susannah C. Eavy a Lunatic this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $190.95 for the board and Care of Said Susannah C. Eavy a Lunatic from January 15. 1877 to January 21. 1878. 371 days @ 45¢ per day ($166.95) and Clothing for one year ($24.00) which being Sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

Copd. & d. to C. E. Haas.

The Court doth allow James C. Heltzel. H. L. Shoup and S. R. Allebaugh the Sum of four dollars each for two days Services as Viewers of the Rockingham Turnpike ~~Company~~ rendered by virtue of an order of this Court entered at

copd. for J. N. Liggett, attn.

the August Term 1875. on the petitions of various persons under Section 8 ch. 61 of the Code of 1873. and the Same is ordered to be certified to the Treasurer of this County for payment out of the levy for 1877 if funds, if not out of the levy for 1878.

J. N. Ross Commr. of the Revenue of Stonewall District in this County having made his report to this Court (for the month ending Feby 16. 1878) of all alcoholic liquors Sold within his District, which the Court on examination is not Satisfied embraces all the alcoholic liquors actually Sold during the month. It is therefore ordered that the following retail and bar-room liquor dealer to-wit W. H. Bond be Summoned to appear before this Court on Saturday next it being the 6th day of this term to be examined as to whether or not he has Complied fully with the law in registering the alcoholic liquors Sold.

101 Iss.d

E. A. Shands who was on the 15th day of January 1878 duly Commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham for the term of four years from Said date. this day appeared in Court. and together with Wm. Shands 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 execution of his Said office. each waiving the benefit of their Homestead exemption; 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. A. Shands took the Several oaths prescribed by law.

Edward S. Kemper. who was on the 25th day of January 1878. duly Commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham for the term of four years from Said date, this day appeared in Court and together with George J. Kisling 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 execution of his Said office. each waiving the benefit of their Homestead exemption. 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 Edward S. Kemper took the Several oaths prescribed by law.

On the motion of Wm. H. Waesche who made oath thereto according to law and for reasons appearing to the Court. he appeared in Court and together with Thomas J. Butler his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $200.00 Conditioned according to law each waiving the benefit of their Homestead exemption as to this obligation. a Certificate is granted him for obtaining letters of administration in due form, upon the Estate of Margaret Bonds decd. And the Court doth appoint B. F. Richards I. C. Hill and Emanuel Royer to appraise the Estate of Margaret Bonds decd. after first being duly Sworn.

Wheeling Iron and Nail Co. Pltff. } upon a Warrant removed from before a
John S. Coles. Deft } Justice.

This day came the parties by their attorneys. and thereupon the argument of Counsel having been heard. the Court upon the motion of the defendant doth order that this Cause be dismissed. and It is considered by the Court that the defendant recover of the Plaintiff the said Wheeling Iron and Nail Co. his costs by him in this behalf expended. and

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Commonwealth. } upon an Indictment for the murder of Thomas Childow.
Isaac M. Powell. }

This day the prisoner Isaac M. Powell. late of the County of Rockingham who Stands indicted for a felony by him Committed. was again led to the bar of the Court in Custody of the Jailor of this County. and thereupon Came again the Jury Sworn and impanneled on yesterday for his trial. pursuant to their adjournment. and not having time fully to hear the evidence and argument of Counsel. were adjourned until to-morrow morning at 9 O'clock. and were placed in charge of D. H. Roberts Sheriff of this County and Isaac Winegard his deputy. to whom was administered an oath. that you shall Keep this jury together and have no Communications with them yourselves. nor permit any other person to converse or have any Communication with them touching this trial. and Cause them to appear in Court on to-morrow morning at 9 O'clock. So help you God. and thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until to-morrow morning at 9 O'clock.

Chas. J. O'Ferrall.

Feby 20. 1878. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof on Wednesday February 20. 1878.

Present. Hon. Chas. T. O'Ferrall presiding.

Commonwealth.

(15) Moses Joseph and Margaret Piner } upon an Indictment for lewd and lascivious Cohabitation.

This day came again the well the Attorney for the Commonwealth as the Defendants by Counsel and thereupon the Defendants by counsel withdrew their plea of not guilty and moved the Court to quash the said indictment, on consideration of which the Court overruled said motion to quash. The defendants then filed their plea of not guilty, and thereupon came the following Jury to-wit. James Steele, F. G. Way, Chas. G. Skinner, George Logan, D. R. Cromer, M. E. Carrier, A. H. Brewer, John Huddleson, Wm H. Stinespring, Philip Eastham, Edward T. Cole, and Lewis P. Ott, who being elected, tried and sworn, well and truly to try the issue joined, and the truth in and upon the premises to speak, 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. We the jury find the defendants Moses Joseph and Margaret Piner guilty in the manner and form as charged in the indictment and assess their fine at fifty dollars. Chas. G. Skinner foreman

Commonwealth.

(15) John Hanna alias John Hannah } upon an Indictment for carrying concealed weapons on Sunday &c.

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and on motion of the defendant by Counsel & for reasons appearing to the Court, the trial of this cause is continued until the first day of the next term.

Commonwealth.

(20) Abraham Armentrout } upon an Indictment for Assault & battery.

This day came again as well the Attorney for the Commonwealth as the Defendant in person and by Counsel and the defendant filed his plea of "not guilty" and thereupon came the following jury to-wit:- James Steele, D. R. Cromer, Wm H. Stinespring, F. G. Way, George Logan, Charles G. Skinner, Edward T. Cole, Lewis P. Ott, Philip Eastham, A. H. Brewer, John Huddleson and M. E. Carrier, who being elected, tried and sworn, well and truly to try the issue joined and the truth in and upon the premises to speak, 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 we the jury find the defendant Abraham Armentrout guilty in manner & form as charged in the indictment and assess his fine at fifteen dollars Chas. G. Skinner Foreman

Commonwealth
vs
Isaac M Powell } Upon an Indictment for the murder of Thos Chiddow.

This day the prisoner Isaac M Powell, late of the County of Rockingham, who Stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County, and thereupon again Came the jury Sworn and impannelled on Sunday last (Feby 18. 1878) for his trial pursuant to their adjournment and having fully heard the argument of Counsel but not having time to Consider their verdict were adjourned until to-morrow morning at 9 Oclock, and thereupon they were placed in charge of D.H. Rolston Sheriff of this County, and D.M. Bear and Henry J. Lyman his deputies to whom was administer 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 and Cause them to appear in Court on to-morrow morning at 9 Oclock, So help you God.

And thereupon the prisoner was remanded to Jail.

The writing purporting to be the last will and testament of Morgan Layton dec. was this day presented in Court, and being proven by the oaths of Jackson Maltz and Reynes Spitzer the two Subscribing witnesses thereto, was admitted to probate and ordered to be recorded. and thereupon Jacob Huntsberry the Executor therein named, who made oath thereto according to law, appeared in Court and entered into and acknowledged a bond in the penalty of $1500.00 Conditioned according to law waiving the benefit of his Homestead exemption as to this obligation. Said will providing that no Security be required of said Executor a Certificate is granted him for obtaining a probat of the will of said Morgan Layton dec.

And the Court doth appoint John Smith, Curtis Yates, Jacob N. Cowan and Abraham Pickering to appraise the Estate of said Morgan Layton dec. any three of whom may act after first being duly Sworn.

Charles Bowyers &c.
vs
Commonwealth. } upon an Appeal.

This Cause having been duly filed, and the Clerk having failed to docket the Same, on motion of the Appellants by Counsel. It is ordered that the Cause be docketed nunc pro tunc, which is accordingly done.

Ordered that this Court be adjourned until to-morrow morning at 9 Oclock.

Chas. F. O'Ferrall.

February 21.1878. At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof on Thursday February 21. 1878.

Present:- Wm. Chas. J. O'Ferrall, presiding.

Commonwealth.
Isaac M. Powell } Upon an Indictment for the murder of Thos. Chidlow.

This day the prisoner, Isaac M. Powell, late of the County of Rockingham who stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County and thereupon again Came the jury Sworn and impannelled on monday last (February 18. 1878) for his trial pursuant to their adjournment and not having agreed upon a verdict, retired to their room to consider their verdict and after sometime again returned into Court, and not being able to agree upon a verdict one of the jurors Abraham Kisiwander was withdrawn, and the rest were discharged.

And thereupon the prisoner was remanded to Jail.

Commonwealth.
Philip Phillips } Upon an Indictment for breaking and entering an out house with intent to Steal.

This day, the prisoner Philip Phillips late of the County of Rockingham, who stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is Continued until the first day of the next term of this Court, and thereupon Henry Whisler, George Miller, J. G. Coates, Noah Turner, Daniel Turner, Erasmus Kisiwander, Milton Pence, Herman Wise, John F. Coates, Joshua Shoemaker and B. S. Garner, witnesses in behalf of the Commonwealth and Robert Fawley, and Julia Phillips, witnesses in behalf of the prisoner appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each, to be levied of their respective goods and Chattels, lands and tenements, for the use of the Commonwealth, each waiving the benefit of their homested exemption, yet upon this Condition that they do make their personal appearance before the Judge of this Court, as witnesses as aforesaid, on the first day of the March Term next of this Court, and not depart thence without leave of the Court.

And thereupon the prisoner was remanded to Jail.

Commonwealth
Moses, Joseph & Margaret Price } Upon an Indictment for lewd and lascivious Cohabitation.

This day Came again as well the Attorney for the Commonwealth as the Defendants by Counsel, and thereupon the defendants by Counsel moved the Court to Set aside the verdict of the Jury and grant them a new trial, which motion on Consideration the Court doth Sustain.

It is therefore considered by the Court that the verdict of the Jury be set aside and a new trial awarded them, and the Court doth fix upon Monday next Febry. 25. 1878 as the day for the further trial of this cause.

Commonwealth.
Jenny Williams } Upon an Indictment for Keeping a house of Ill-fame

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and the defendant by counsel filed her plea of "not guilty" and thereupon came the following jury to-wit:- D. R. Cromer, George Logan, A. H. Heller, Henry Hickle, James Steele, Samuel Shrum, S. Henton Swank, A. H. Brewer, F. G. Way, Thomas Messick, Wm O. Switzer and Jacob H. Driver who being elected tried and sworn well and truly to try the issue joined, and the truth in and upon the premises to speak, 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 day say, "We the jury find the defendant Jenny Williams guilty in manner and form as charged in the indictment and assess her fine at one hundred dollars. A. H. Heller Foreman,

J. D. Price, Foreman, G. J. Huff, Wm. F. Gaines, A. P. Nicholas, Nicholas Kyger, A. J. Bear, A. C. Long, P. C. Bowman, A. W. Kimple and Ran. D. Cushen, were impannelled and sworn a Special 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 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 Court doth order that the following named persons be allowed the sum opposite their names for their attendance and services at this term of the Court, as Veniremen summoned for the trial of Felony cases at $1.00 per day and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts. Viz:-

✓ Geo W. Skelton $4.00	✓ James P. Rotston $2.00	✓ Thomas G. Hopkins $1.00
✓ A. D. Rotston $4.00	✓ Wm. C. Harrison $2.00	✓ Thomas D. Rippetoe $1.00
certified ✓ Jacob H. Driver $4.00	✓ C. G. Jennings $2.00	✓ W. E. Lemley $1.00
✓ Wm O. Switzer $4.00	✓ A. H. Heller $1.00	✓ B. F. Cromer $1.00
✓ John A. Armentrout $4.00	✓ J. B. D. Rhodes $2.00	✓ Samuel Shrum $1.00
✓ Jacob Hinegardner $4.00	✓ John W. Blackburn $1.00	✓ Henton Swank $1.00
✓ A. H. Wilson $4.00	✓ David [illegible]eatwole $1.00	✓ A. J. Bare $1.00
✓ Thomas Messick $4.00	✓ Charles G. Skinner $1.00	✓ Henry Hickle $1.00
✓ Stephen Chapman $4.00	✓ John R. Eastham $1.00	✓ John Harman $2.00
✓ Abraham Niswander $4.00	✓ Henry Harrisberger $1.00	
✓ David Suter $4.00	✓ C. F. Shank $1.00	
✓ A. D. Brunk $4.00	✓ Abraham Brenneman $1.00	

Ordered that the following named Jurors be allowed the sums opposite their names for their attendance and services at this term of the Court

in the trial of Misdemeanor Cases, and that the Same be paid by the Treasurer of this County and Certified to the Auditor of Public Accounts. Viz:

certified

✓ F. G. Clay	$2.00	✓ Charles G. Skinner	$1.00	✓ Philip Easthan	$1.00
✓ James Steele	$2.00	✓ Samuel Shrum	$1.00	✓ Lewis P. Ott	$1.00
✓ D. R. Conner	$2.00	✓ S. Newton Swank	$1.00	✓ John Huddleson	$1.00
✓ Geo. Logan	$2.00	✓ Henry Hickle	$1.00	✓ M. E. Lamier	$1.00
✓ A. N. Brewer	$2.00	✓ Wm. H. Stinespring	$1.00		
✓ A. N. Heller	$1.00	✓ Edward T. Cole	$1.00		

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Friday February 22d 1878.

Present:- Hon Chas T. O'Ferrall presiding.

Commonwealth.
Jenny Williams } Upon an Indictment for Keeping a house of Ill fame.

The Jury Sworn and impannelled on yesterday the 4th day of this term for the trial of this cause having found the defendant guilty and assessed a fine against her of $100.00 and the defendant not being in Court. And the Court doth award Capias ad audiendum Judicium to be directed to the Sheriff of this County Commanding him forthwith to take the said Defendant Jenny Williams and her safely keep So as to have her before this Court as soon as may be. to Shew if anything she has to say or Knows why the Court should not then proceed to pronounce Judgment against her according to law.

Cyrus Pence for &c. } upon a Notice.
vs. D. Gilmore &c.

By Consent of parties these two causes are Continued to the next term, and the Plaintiff is directed to Serve notices upon the other Surviving obligors except W. W. Carpenter who it appears is a bankrupt and a Non resident of the County.

Cyrus Pence for &c. } upon a Notice.
vs. D. Gilmore &c.

John Niswander, Committee for Malinda Worrell a person of unsound mind this day presented in Court an Account against the Commonwealth of Virginia amounting to the Sum of $29.50 for the board and Care of Said Malinda Worrell, a Lunatic from October 27th 1877 to January 27th 1878 3 Mos. at $100.00 per year ($25.00) and three months Clothing at $1.50 per month ($4.50) which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cert'd. &d.

upon the motion of Danl. S. Caricoff. and it appearing to the Court from the testimony of Witnesses that the Said Danl. S. Caricoff is physically disabled, and incapable of performing labor upon roads. as required by the Law. it is accordingly ordered that he be exempted from all Service upon the roads of this County.

Cop^d. & d.

Upon the Petition of James M. Saufley & others for the establishment of a public road from John W. Bowmans to the Valley Turnpike.

This day Wm M. Moyerhoeffer. Joseph Altaffer. Frederick Miller Frederick Cline. Samuel Sanger, J. M. Saufley and Daniel Long. land owners upon the line of Said proposed road appeared in Court and objected to the report of the Commissioners upon the ground that the damages allowed them are inadequate and asked that viewers be appointed to view Said proposed road & report as required by law.

On the Petition of A. H. Fulk & others for a change in a Public Road in Brocks Gap.

The Viewers. John J. Bowman. Jacob Moyers and Jackson Horn. appointed at the December Term 1877 to View and report as required by law upon the proposed change having this day made their report to this Court recommending the Said change. it is ordered that the following land-owners. along the route of Said change to-wit: Philip Baker. Betsey Baker. John Turner. Solomon Ritchie. Lizzie Ritchie. Jeremiah Ritchie Abraham Hess. The heirs of Christian Fulk dec^d. and Benjamin Ritchie be Summoned to appear on the 1st day of the next term to Show Cause if any they Can. why the Said change Should not be made. in accordance with the report of the Said viewers.

1 & 8 ins^d.

And it appearing to the Court. that the Said Viewers have failed to assess the actual value of the land of the various land owners' aforesaid for the land which will actually be taken and occupied by the road bed in Case Said proposed change is made. it is ordered that Said report be recommitted to the Said viewers. who are hereby directed to go upon the lands aforesaid and assess the actual value of the land as aforesaid. and report the Same to this Court on the 1st day of the next term ascertaining and reporting which if any of Said land-owners claim damages for the land which will be actually taken and occupied by the road bed in Case Said proposed change is made.

Cop^d. & d. to Jacob Moyers.

D. H. Rotston. Sheriff & Jailor of this County this day presented in Court an Account against the Commonwealth of Virginia amounting to the Sum of $14.^{90} for Keeping and Supporting Wm Spitzer, a Lunatic Confined in Jail for 31 days January 16. 1878 to Feby 15 1878 at 40¢ per day ($12.40) and Clothing for one month ($2.50) which having been Sworn to was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

Cop^d. & d.

D. H. Rotston. Sheriff & Jailor of this County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the Sum of $90.^{15} for Keeping and Supporting various prisoners. Covering a period from Jany

16. to February 15 1878. which being Sworn to. was examined and allowed by the Court. and ordered to be certified to the Auditor of Public Accounts for payment

D. H. Rolston. Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia. amounting to the Sum of $33.00. for dieting the Venire in the following Felony Case to wit:- Commonwealth vs Isaac M. Powell. charged with Murder. 2 3/4 days at $1.00 per day. which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop.d. d.

On the application of Thomas H. Showalter. A. J. Showalter, John Rodeffer & others for the establishment of a Public Road. Beginning at the Hopkins Mill Road near Jerry Lineweavers, and running on the line between Said Lineweaver and William Chrisman. to the lands of Robert Gaines thence on the line between Said Gaines and Chrisman to the lands of John Hegedon. thence on or near the line between Said Hegedon and Joseph Showalter. thence on the line between John Showalter and William Evers to or near the Township line between Central and Linville Township. thence on an old road through Said Evers farm to Henry Millers land thence through Said Millers land to the farm of Christian Burkholder dec.d thence through the Said Burkholders farm to the Bowman Mill Road, near the buildings on the farm of Said Burkholder.

1 & 3 inc.d

The Court doth appoint James C. Hettzel. Jacob Funkhouser and D. A. Heatwole. viewers. to view the ground. and report to this Court at its next term 1st the Conveniences and inconveniences that will result. as well to individuals as to the public. if Such road Should be established as proposed, and especially whether any yard. garden. orchard. or any part thereof. will have to be taken.

2nd They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the landowners on Such route. and State which of them require Compensation; the probable amount in their opinion. to which Such party may be entitled. and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding Six degrees, and Shall endeavor to locate a route which shall not exceed five degrees at any one point. A Map or diagram of the route. with Courses and distances. shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order shall be appended to the report. and Sworn to before a Justice of the Peace. or other officer. who shall append his Certificate to the Same. Any defect in the action or report of the viewers will debar them from receiving pay for their Services.

The Grand Jury. impannelled and Sworn. on yesterday the fourth day of this term of the Court in and for the body of this County, this day appeared in Court pursuant to their adjournment, and retired to their room to Consider further of their presentments and after Sometime

returned into Court. and not having completed the business before them. were adjourned until to-morrow morning at 10. O'clock.

Samuel Barley. } On a garnishee Summons.
Elias Kindig }

The Court fixes the 1st day of the March Term 1878 for the trial of this Cause.

Ordered that this Court be adjourned until to-morrow morning at 10 O'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham. at the Court House thereof. on Saturday February 23d 1878.

Present:- Hon Chas. T. O'Ferrall. presiding.

Copd. rd. D. H. Rolston. Sheriff ~~of~~ Jailor of this County. this day presented in Court an Account against the Commonwealth of Virginia amounting to the Sum of $15.00 for dieting the Venire in the following Felony Case to-wit:- Commonwealth ~~&~~ R. N. Pool charged with Larceny. 1¼ days at $1.00 per day. 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 Grand Jury. impannelled and Sworn on the fourth day of this term (Febry 21. 1878) of the Court, in and for the body of this County. this day appeared in Court pursuant to their adjournment, and retired to their room to Consider further of their presentments. and after Sometime returned into Court and made the following presentments, Viz:-

101 issued An Indictment against James Kavanaugh for Selling intoxicating drink on Sunday. A true bill J. D. Price foreman,

101 An Indictment. against James Kavanaugh. for Selling wine &c. to a minor. A true bill. J. D. Price, foreman,

101 An Indictment against James Kavanaugh. for Selling Wine &c. to a minor. A true bill, J. D. Price. foreman,

101 An Indictment against John J. McMahon. for Selling intoxicating drink on Sunday. A true bill J. D. Price, foreman,

101 An Indictment against John J. McMahon for Selling Wine &c. to a minor, A true bill. J. D. Price. foreman,

101 An Indictment against John J. McMahon for Selling Wine &c. to a minor. A true bill. J. D. Price, foreman,

102 An Indictment against C. A. Yancey & J. A. Loewenbach for Selling intoxicating drink on Sunday. A true bill. J. D. Price, foreman,

102 An Indictment against C. A. Yancey & J. A. Loewenbach for Selling wine &c to minor. A true bill. J. D. Price. foreman.

102 An Indictment against C. A. Yancey & J. A. Loewenbach for Selling wine &c. to a minor. A true bill. J. D. Price. foreman,

101 An Indictment against E. M. Pollock for Selling wine &c. to a minor A true bill. J. D. Price. foreman

101 An Indictment against E. M. Pollock for Selling Wine &c to a minor. A true bill. J. D. Price. foreman.

An Indictment against A. J. Wall & Joseph Kavanaugh For Selling Wine to a
102 minor. A true bill. J. D. Price, foreman.

An Indictment against J. P. Lowman. For Selling Wine &c. to a Minor. A.
101 true bill. J. D. Price. foreman.

101 An Indictment against Jacob Byerly. for Selling Liquor without license A true bill. J. D. Price. Foreman.

102 An Indictment against Jacob Suter & Jennie Bundo for lewd and lascivious Cohabitation. A true bill J. D. Price. Foreman.

101 An Indictment against Jacob Harvey For Selling wine &c. without a license. A true bill J. D. Price. Foreman.

102 An Indictment against J. D. Wilbrains & Margaret Lamb. for Lewd & Lascivious Cohabitation. A true bill J. D. Price. foreman.

101 An Indictment against Henry Fragier for Petit Larceny. A true bill J. D. Price foreman. And having Completed the business before them were discharged from further attendance upon this Court.

Ordered. That the following named persons be each allowed the Sum of Three Dollars. for their Services at this Term of the Court. as Grand Jurors (3 days @ $1.00 per day) and that the Same be certified to the Treasurer of this County for payment. Viz— J. D. Price G. J. Huff Wm. F. Gaines. A. P. Nicholas Nicholas Kiger A. J. Bear. A. C. Long. P. C. Bowman, A. M. Kniffle & Ran. D. Beushen.

Henry Frazier having been recognized before a Justice of the Peace of this County to await the action of the Grand Jury. and the Grand Jury having found an Indictment against him for Petit Larceny. he appeared in Court and acknowledged himself to be indebted to the Commonwealth of Virginia in the Sum of $100.00 to be levied of his respective goods and Chattels. lands and tenements for the use of the Commonwealth waiving the benefit of his Homestead exemption. Yet upon this Condition that he does make his personal appearance before the Judge of this Court on the 1st day of the March Term next of this Court to answer Said Indictment and not depart thence without leave of the Court.

It appearing to the Court that Dr. Wm O. Hill has lost or misplaced ~~an~~ a Certificate of an allowance made him at the August Term 1877 of this Court. for assisting Dr. Neff in making Autopsy on infant found in well 2 miles North of Harrisonburg. It is ordered that the Clerk of this Court. deliver to the Said Dr. Wm O. Hill a duplicate of Said order.

Cop. original order See page 272 this book

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof, on Monday February 25. 1878.

Present. Hon Chas. P. O'Ferrall presiding.

On the Petition of A Shaver and others for the establishment of a Public Road, and upon the Petition of Noah A. Royer and others for the establishment of a Public Road. ~~This day~~

This day Came the parties to the above two petitions by their Counsel which are Consolidated and to be heard together, as Competing petitions are Continued until the next term, and the Court doth fix Friday the 5th day of said Term for the trial of the Same.

It appearing to the Court that it is the desire of Silas Morris to bind his Son William Jefferson Morris, an infant under the age of 14 years to Thomas J. Atchison of this County. The Court doth hereby give its Consent to the binding of the said infant, until he shall attain the age of 21 years, to the said Thomas J. Atchison, upon the following conditions to-wit: The said Atchison is to teach or have taught the said infant, reading, writing and Common Arithmetic, including the rule of three; he is to furnish him during his apprenticeship with good clothing and food, and give him when he attains the age of 21 years, a good horse worth not less than $100.00, Saddle & bridle and a good dress suit of clothing.

D. A Blecker.
John F. Brown &c. } Upon a Writ of Ad Quod Dammum.

This day Came again the parties by their Attorneys and the Plaintiff D. A. Blecker and Defendant John F. Brown having agreed to Settle and Compromise the matters of Controversy between them in this Cause as appears from a written paper Signed by both parties and filed in the papers of this Cause.

It is ordered by Consent of parties that the Inquest taken in this Cause and returned to this Court and Confirmed on the 22d. September 1868 be and the Same is hereby observed and Confirmed except as to the right of said D. A. Blecker to excavate the Creek or the land of John F. Brown below the line between said John F. Brown & D. A. Blecker, as a tail race for said proposed machine Shop and dam as to which last named land the said D. A. Blecker agrees to let said inquest be set aside and agrees to abandon any claim to excavate the Same as aforesaid or to use the said land in manner but in all other respects said Inquest is Confirmed and So much of the order of this Court made on the 22d day of September 1868 as allows said Blecker to excavate the bed of Brocks Creek below the line between the lands of said D. A. Blecker & John F. Brown is Set aside - but in all other respects the said order is Confirmed, and this Cause is Stricken from the docket and John F. Brown is adjudged his Costs in this behalf expended against the said D. A. Blecker and Said Blecker is to pay no damages for the Said land of John F. Brown's below Said line. - but only the five dollars allowed for damages above the proposed dam.

On the Applicatin of Harvey Kyle & others for the establishment of a Public Road from Main Street in the town of Bridgewater to the Ford on North River below the Bridgewater Manufacturing Company's Factory & Machine Shop. upon the following line or as near so as practicable. to-wit:- Beginning on Said Main Street between the lots of James B. Lowman & Mrs Mary Williams taking the alley and the balance of the width of the road to be taken off of said Lowmans lot. thence in as Straight a line as practicable to the line between the lands of Joel B. Millers and Said Kyle. thence with Said line to Carpenters lane. thence with Said lane to the Said river. thence up Said River to Said Ford thence across the River by Said Ford to the public road on the opposite of the River

1 & 3 iss? The Court doth appoint John F. Crawn. John M. Moore and John A. Herring Jr. Viewers. to view the ground and report to this Court at its next Term 1st the Conveniences and inconveniences that will result as well to individuals as to the public. if Such road Should be established as proposed, and especially whether any yard. garden orchard or any part thereof. will have to be taken.

2nd They shall further report the facts and Circumstances in their opinion useful in enabling the Court to determine the expediency of establishing the road. They Shall report the names of the land-owners on Such route and State which of them require Compensation. the probable amount in their opinion. to which Such party may be entitled. and any other matters which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding Six degrees. and Shall endeavour to locate a route which shall not exceed five degrees at any one point. A Map or diagram of the route. with Courses and distances shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the report and Sworn to before a Justice of the Peace, or other officer. who shall append his Certificate to the Same. Any defect in the action or report of the viewers will debar them from receiving pay for their services.

Commonwealth.

vs

Moses Jacob & Margaret Price } Upon an Indictment for lewd and lascivious Cohabitation

This day Came again as well the Attorney for the Commonwealth as the Defendant by Counsel. and on motion of the Defendants by Counsel. and for reasons appearing to the Court. the trial of this Cause is Continued until the first day of the next Term

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On the Petition of William Lisley & others for a change in the Public Road known as the Brocks Gap Road. between the following designated points Viz:- from the Point on Said Brocks Gap Road where Said Road Crosses the line between Michael Brown & Wm A. McKenzie Northwardly to where Said Road Crosses Catharine Lisley's land in Consequence of Said road at

between the points designated being very bad, inconvenient and the grade very Steep. The Commissioner of Roads James C. Heltzel for Central District having returned to this Court said petition with his endorsement of approval thereon and the Same having been presented in open Court as required by Statute. The Court do they hereby appoint the following named freeholders to view the said proposed change to wit. Geo. R. Eastham, John Leedy & Geo J. Kisling. The said viewers before they proceed to discharge their duties shall be Severally Sworn by the Commissioner of Roads for said district or Some other person authorized to administer oaths to perform their duties impartially and to the best of their judgment. notice of the time and place when and where they shall meet shall be made in Some public manner in the vicinage of the proposed change at least five days before the time of meeting If they decide there is public necessity for the change they shall lay out the Same having respect for the Shortest distance and the best ground and So as to do the least injury to private property and also as far as practicable to be agreeable to the Petitioners. They shall ascertain the damage done to land through which the road passes taking into consideration the advantages to be derived from the road passing through the land, reporting the names of the land owners, which of them claim damages and the amount asked to each, but in no case shall any yard garden or orchard or any part to be taken without the Consent of the owner. they may view and make report of and estimate for any modification of the Change.

They shall estimate and make report of amount which in their opinion will be required to make the proposed change. the County or other competent Surveyor, shall accompany them and Survey and mark out the professed change giving Courses and distances which shall be returned with their report. They shall make report to this Court at its next term, accompanying their report with a Statement under oath of the number of days necessarily employed by each of them and the Surveyor in executing this order. any defect in their report requiring a recommittal will preclude them from receiving their per diem for the additional time.

On the Petition of John A Winfield, D. M. Pugh & others for a change in the Public Road. Extending from the N. W. bank of the Shenandoah River, opposite Cootes Store to the junction of Runnions Creek with the Shenandoah River. in Consequence of the old road being damaged by the late flood. the Commissioner of Roads Wm F. Rowes for Plains District having returned to this Court said petition with his endorsement of approval thereon, and the Same having been presented in open Court as required by statute. The Court do thereby appoint the following named freeholders to view the said proposed change to wit: Jacob Moyers, Joseph A. Mitchell and Jasper Hawse. The said viewers before they proceed to discharge their duties shall be Severally Sworn by the Commissioner of Roads for said district or Some other person authorized to administer oaths to perform their duties impartially and to the best of their judgment. notice of the time and place when and where they shall meet shall be made in Some public manner in the vicinage of the proposed change at least five days before the time of meeting.

If they decide there is public necessity for the change. they shall lay out the Same having respect for the Shortest distance and the best ground and So as to

102 copies

c/p.

do the least injury to private property. and also as far as practicable to be agreeable to the Petitioners. They shall assess the damage done to land through which the road passes. taking into Consideration the advantages to be derived from the road passing through the land. reporting the names of the land owners. which of them Claim damages and the amount assessed to each. but in no case shall any yard garden or orchard or any part to be taken without the Consent of the owner they may view and make report of and estimate for any modification of the change. They shall estimate and make report of amount which in their opinion will be required to make the proposed change the County or other Competent Surveyor. shall accompany them and Survey and mark out the proposed change giving Courses and distances which shall be returned with their report. They shall make report to this Court at its next term. accompanying their report with a Statement under oath of the number. of days necessarily employed by each of them and the Surveyor in executing this order. any defect in their report requiring a recommittal will preclude them from receiving their per diem for the additional time.

On the Petition of Madison Wise & others for the establishment of a Public Road Commencing at the Mountain Valley Road near Armentrouts Church and running thence by Madison Wises' Mill. and intersecting with the Mountain Valley Road. at a point called Paradise.

This day Came the petitioners and the defendant Cyrus Wise by their Attorneys. and thereupon, on motion of the defendant Cyrus Wise. the Court doth appoint the following freeholders. to wit:- Jacob Moyers. A. C. Long. Robert Lisley. John W. Dovell and Edward D. Kemper any three of whom may act for the purpose of ascertaining a just Compensation for the land of the said Cyrus Wise to be used for said proposed road. Said Commissioners shall meet on the said land on Saturday the 16th day of March 1878. any one or more of said Commissioners attending on the land aforesaid may adjourn from time to time till the business shall be finished.

The said Commissioners in the discharge of their duties. shall comply in all respects with the provisions of Section 9 and 10. of Chapter 56 of the Code of 1873 and forthwith make return of their report and the certificate of the justice to this Court.

Upon the Petition of James M. Saufley & others for the establishment of a Public Road from John M. Bumgarner to Valley Turnpike.

This day Came Ellen M. Moyerhoeffer. Saml. Sangei. Margaret Saufley, Daniel Long. Frederick Lehmi. Frederick Miller. Joseph A. Staffer & John M. Saufley Land owners upon the line of said proposed road. appearing in Court and objecting to the report of the viewers upon the grounds 1st that the opening of said proposed road is not a public necessity. 2d That the report of the Viewers fails to state that no yard Garden or orchard. is taken 3d Frederick Miller through whose land the proposed road will pass has not been reported as one of the land owners. or his damages assessed. nor has he been Summond to Show cause. 4th upon the

ground that the damages allowed are greatly inadequate. and do not in some instances allow damages for the land which will be actually covered by the road bed in case the proposed road is established.
It is, therefore, ordered that all of said parties be entered as defendants in this petition. and as resisting the opening of said road.
It is further ordered that the said report be recommitted to the said Viewers, who are hereby directed to go upon the lands along said proposed route again and apep in each particular case as damages the value of the land which will be actually taken for the proposed ~~of the~~ road bed, only setting off peculiar advantages against peculiar disadvantages.
They are further directed to report specifically whether or not the said proposed route will pass through the lands of Frederick Miller. and if so, they will assess his damages as required by law and report the same.
They are further directed to report whether any yard, garden or orchard or any part thereof, will have to be taken on any part of said proposed route.
They shall report to the 1st day of the next term of this Court.

On the Petition of J. H. Shipp. Joseph H. Wolfe. G. W. Calhoun and others for the construction of a Bridge across the Shenandoah River at or near the "Old Site" West of Conrads Store. of the bridge washed away by the late flood.
This day came the petitioners by their attorney. and thereupon on consideration the Court doth appoint the following named parties to wit:- J. W. F. Allemong.
102 copies D. A. Heatwole and C. W. Oltmann to visit the location of the said proposed bridge and report to the Court at the next term.
copied. 1st whether the construction of said bridge "is necessary for the convenience and use of the citizens of the County generally", as required by § 46 ch. 52 of the Code of 1873. whether or not travel is interrupted and prevented by the loss of the bridge washed away by the late flood. and to what extent. what is the condition of the ford at or near the location of the old site of said bridge: whether it is safe and good in ordinary stages of the water: how frequent the river is past fording. and for what length of time usually.
2nd The practicability of constructing a good bridge on the "old site". or at some point immediately above or below. not liable to be swept away or injured by high water.
3d The probable cost of constructing said proposed bridge in a safe and substantial manner on such site as they may designate. giving specifications upon which a contract can be made. in the event the same shall be constructed.
4th Any other matter which the said parties may deem necessary to enable the Court to determine the expediency of constructing said bridge.
Before the said parties shall enter upon the discharge of their duties. they shall be sworn by some officer authorized to administer oaths.

On the Petitioners of I. F. Branner and others for the construction of a Bridge over the north Branch of the Shenandoah River at Cootes Store, in this County
102 copies This day came the petitioners by Counsel, and thereupon, on consideration
copied. the Court doth appoint the following named parties to wit. George J. Kisling Jasper Hawse and Jacob Moyers to visit the location of the said proposed bridge and report to this Court at the next term.

1st whether the construction of Said bridge "is necessary for the Convenience and use of Citizens of the County generally." as required by § 46 Ch. 52 of the Code of 1873 whether or not travel is frequently prevented by the rise of the Said Stream. and for what length of time. and the Conditions of the ford. when the Stream is at its ordinary heigth.
2d The practicability of Constructing a good bridge, and whether it will be liable to be Swept away or injured by high water at the point designated.
3d The probable Cost of Constructing Said proposed bridge in a Safe & Substantial manner, giving Specifications upon which a Contract can be made in the event the Same shall be Constructed.
4th Any other matter which the Said parties may deem necessary to enable the Court to determine the expediency of Constructing Said bridge.
Before the Said parties shall enter upon the discharge of their duties they shall be Sworn. by Some officer authorized to administer oaths.

On the Petition of D. A. Plecker for the establishment of a Public Road. from the West end of the Bridge at Mt Crawford in this County, about 15 or more poles below the Bridge to the County Road.
This day Came the petitioner D. A. Plecker and the Defendant Jackson Rhodes. by their Attorneys. and on motion of the Defendant the trial of this Cause is Continued until the next term of this Court.

In the matter of the Petition of Jacob Beam, Thomas Moore & others for the establishment of Public Road. from the public road near Jacob Beams to the March road near Noah Holsingers.
For reasons appearing to the Court. Wm C. Harrison is removed and Chas. J. Brock appointed as a viewer to take his place, and report in accordance with the order made at the December Term last of this Court.

On the Application of John S. Coffman. Jos. S. Loose. H. Coffman. &c for the establishment of a Public Road. from Petrys Gate on Elum Pike to Dry River Road near Adam Thomas' House.
The Commissioners Solomon Burtner. D. A. Heatwole and John H. Moore heretofore appointed to view and report upon Said road having returned their report together with a diagram and Survey of the proposed route. and Said Commissioners having recommended the establishment of Said road.
It is ordered that the following named land-owners along the line of Said proposed road. to-wit Henry Petry. A. C. Fishback. John S. Coffman. Daniel Switzer. Henry Linhoff. Benj Bowman. Adam Thomas Jos. S. Loose, Silas Sandy. Jos. Coffmans Heirs. Widow Haney. Hiram Coffman. be Summoned to appear before this Court on the 1st day of the March Term next being March 18th 1878 to Shew Cause if any they can why the Said Road as proposed and as reported by Said viewers shall not be made.

:Cop.

1 & 12 issued

Commonwealth

vs } Upon an Indictment for Assault & battery

Abraham Armentrout

The Jury sworn and impannelled in this Cause having on the 3d day of this term of the Court (Feby 20. 1878) brought in a verdict of guilty and assessed a fine of Fifteen Dollars against the Defendant. It is now considered by the Court that The Commonwealth of Virginia recover of the Defendant Abraham Armentrout the sum of Fifteen Dollars the amount of fine by the Jurors in their verdict ascertained. and her Costs by her in this behalf expended.

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham. at the Court-House thereof. on Thursday February 28th 1878

Present. Hon. Chas. T. O'Ferrall presiding.

Ordered that this Court be adjourned until to-morrow morning at 9 Oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham at the Court-House thereof on Monday March 4th 1878.

Present Hon Chas. T. O'Ferrall presiding.

Ordered that this Court be adjourned until to-morrow morning at 9 Oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham. at the Court-House thereof on Thursday March 7th 1878.

Present Hon. Chas. T. O'Ferrall presiding.

Ordered that this Court be adjourned until to-morrow morning at 9 Oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham. at the Court-House thereof on Monday March 11. 1878.

Present Hon. Chas. T. O'Ferrall presiding.

The Clerk of this Court is directed to issue a Venire Facias directed to the Sheriff of Rockingham County Commanding him to Summon a Special Grand Jury for the March Term of this Court to appear at the Court-House thereof on the 4th day of the said Term being Thursday March 21st 1878. at 12 Oclock A. M.

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

Chas. D. O'Donnell.

At a County Court held in and for the County of Rockingham, at the Court-House, thereof on Monday March 18. 1878.

Present:- Hon. Chas. T. O'Ferrall 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 February Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the minutes, and is as follows, Viz:-

Bargain & Sale	Nicholas Kyger & wife,	to	Frederick Armentrout.
" "	Wm M. & Geo. M. Herring.	"	Sarah M. Hammer.
" "	I. F. Brauner Special Commr.	"	Henry Showalter.
" "	Rebecca Bare	"	Harvey Whitmore,
" "	Joseph Funkhouser & wife.	"	Sarah Ann Armentrout.
" "	Joseph B. Armentrout & wife & others	"	Mary Long,
" "	Moses Mason & wife & others.	"	Silas Turner,
" "	David Sipe, & wife.	"	John L. Harvey,
" "	Burdine Blake & Wm H. Blake,	"	Solomon Funk,
" "	John P. Kline & wife	"	Abraham Neff.
" "	Isaac B. Sheets & wife	"	William T. Carpenter.
" "	Frederick Rodes & wife	"	Same,
" "	George D. Jenkins.	"	Same,
Trust Deed.	John H. Earman	"	Wm T. Carpenter. Trustee.
Release Deed.	A. H. Brewer & wife.	"	Strother Sheets.
Bargain & Sale.	Daniel H. Rhodes & wife	"	David H. Whitmer.
Power of Attorney	David H. Myers Curator, &c. & others	"	Jacob Myers.
Bargain & Sale	Peter M. Shafer,	"	Jacob S. Sellers.
" "	Wm. B. Compton Commr.	"	Harvey Kyle,
" "	Lewis & Polly Scothern	"	Noah C. Spitzer,
" "	Daniel Flook.	"	Eliza Ann Flook, Martha Jane Flook & Frances E. Harvey
Claim or Deed Homestead	John W. Airey	"	
Bargain & Sale,	Peter Baker & wife & others	"	Daniel T. Baker,
" "	Sarah H. Palmer John W. Palmer & wife & others	"	A. J. Sigler,
Trust Deed.	A. J. Sigler,	"	O. B. Roller. Trustee.
Bargain & Sale	E. B. Brown & wife & others	"	T. N. Sellers.
" "	I. F. Brauner & wife & P. W. Pugh & wife	"	George W. Shaver
" "	Same, & Same,	"	Same,
Lis. Pendens	J. Keely & Co. & Mt Vernon Iron Works	to	H. C. Wyeth & Wm L. Maupin.
Bargain & Sale	James Hensley & wife & others.	to	Daniel & James D. Epard.
Trust Deed.	Christopher Bolton.	"	Wm T. Carpenter trustee.
Bargain & Sale	Catharine Liskey & others	"	Wm Reherd,
" "	Thomas Burke & wife.	"	The Valley Railroad Company
" "	James Hensley & wife.	"	Silas Hensley.
Trust Deed.	Wm H. Pearson & wife.	"	O. B. Roller. trustee.
Bargain & Sale	Harvey Evers & wife.	"	Shem Miller.
" "	John H. Rimel, & wife.	"	Peter W. Armentrout
Agreement &c.	Jacob & Wm Moserole	"	M. Y. Partlow.
Bargain & Sale,	B. G. Patterson Commr.	"	Preston Rhodes.
" "	Same,	"	Same,

Trust Deed	Madison H. Thomas.	To B. G. Patterson Trustee.
Bargain & Sale.	J. J. Littell & wife	" James W. Warble
" "	John Howe & wife.	" Geo. W. Skelton.
" "	Samuel Eaton & wife.	" Alexander W. Eaton & Mary C. Eaton.
" "	Dr. H. Shroeder & wife.	" John H. Neff.
" "	Abraham Hinegarner & wife	Joseph Bowman.
Lis Pendens.	D. H. Rolston S. R. C. & as Such Commr. for Daniel Armentrout.	Daniel Flook in his own right &c. & others.
Bargain & Sale.	John E. Roller. Special Commr.	to John C. Walker, Charles R. Rush & John W. Palmer School Trustees.

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, the Same are ordered to be recorded. Viz:-

Appraisement & Sale Bill of Personal Property of Jacob Driver. decd.
" & " " " " " E. J. Armstrong. decd.

The following Settlements were this day presented in Court and having been filed in the Clerks office, the time prescribed by law, and no exceptions being taken thereto, the Same are Confirmed and ordered to be recorded. Viz:-

Settlement of the Acct. of D. H. Rolston S. R. C. Admr. of Henry Argenbright decd.
" " " " " Silas Henton Committee for Henry Andes.
" " " " " Benjamin Bowman Admr. of Jacob Bowman decd.
" " " " " Wm. A. Pence " " George Branner. "
" " " " " D. H. Rolston S. R. C. Admr. of Mary A. Baugher "
" " " " " George Chrisman Trustee for Mrs. M. A. Buckley
" " " " " David Bowman, Executor of John Bowman Sr.
" " " " " George W. Showalter, Exor. of Joseph Beery decd.
" " " " " George Chrisman Trustee for Henrietta Chrisman,
" " " " " George Chrisman, Exor. of George H. Chrisman decd.
" " " " " Same. " " Same. "
" " " " " Same. Trustee for Henrietta Chrisman,
" " " " " Rudolph Myers one of the Exors. of Joseph Cromer, decd.
" " " " " Abraham Shank Exor. of Abner Canada "
" " " " " John Cupp & John Camicofe Exors. of Frederick Cupp. "
" " " " " E. H. Cromer one of the Exors. of Joseph Cromer "
" " " " " &c. George Chrisman Exor. of John H. Detamore "
" " " " " D. H. Rolston S. R. C. Admr. D. B. N. C. T. A. Danl. D. Dovel "
" " " " " J. B. Dingledine Exor of Balser Dingledine "
" " " " " Granville Eastham Admr. of John Eastham "
" " " " " James P. Rolston late S. R. C. & Admr. of John Fulk "
" " " " " Abrm. & John M. Garber Jr. Admrs. of Martin Garber "
" " " " " J. S. Hainsberger Comm. for James A. B. Hill.
" " " " " J. S. Hainsberger Admr. C. T. A. of John N. Hill decd.
" " " " " J. S. Hainsberger. Admr. of Stephen Hainsberger. "
" " " " " Henry A. Heatwole Guard for Mary, Margt. & Magdalene Heatwole.
" " " " " John S. Long, Guard for Anna Kyger,
" " " " " Jas. P. Rolston S. R. C. Admtr. D. B. N. C. T. A. R. M. Kyle decd.
" " " " " Joseph Miller Guard of Luther Keezle &c.
" " " " " Same. " " Same. "

Settlement of the Acct D. H. Rolston. S. R. C. Adm. C. T. A. of Christian Miller dec.
" " " " J. P. Zigler. Guard. for Charles S. Myers.
" " " " B. A. Myers " " Anna C. Myers.
" " " " D. H. Rolston Adm. of Christena Minnick.
" " " " Daniel Bowman Guardian for Joseph Miller.
" " " " George W. Showalter Adm. D. B. N. of L. F. Moyerhoeffer dec.
" " " " J. Saml. Hamsberger Adm. of Joshua Pence. dec.
" " " " James P. Rolston S. R. C. Adm. of Jonas Reed. "
" " " " John Shader Adm. of Elizabeth Roller. "
" " " " John A. Switzer Exor. under the will of Peter Roller. "
" " " " D. H. Rolston S. R. C. & Adm. of Isaac Ritchie. "
" " " " James P. Rolston S. R. C. Adm. of Mathias Snyder. "
" " " " D. H. Rolston S. R. C. & Adm. of Sarah Sellers. "
" " " " Abraham Shank. Guard. for Elizabeth John & Daniel Showalter.
" " " " Jacob & David Sonders Adm. of Philip Sowders dec.
" " " " John H. Thomas Adm. of Thornton Thomas "
" " " " George Chrisman Trustee for Mrs M. A. Williams
" " " " Daniel A. & Samuel N. Wine Exor. of Michael Wine dec.
" " " " Mary C. Young Admtx of Isaiah R. Young "
Mary C. Young Guardian for Ida R. Young. &c.

Commonwealth.
(vs)
Philip Phillips } upon an Indictment for breaking and entering an out-house with intent to Steal.

This day the prisoner, Philip Phillips late of the County of Rockingham who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor of this County, and thereupon from the Veniremen summoned for the trial of felony cases at this term of the Court, the following panel of Sixteen were called examined upon their Voirdire by the Court, and found to be duly qualified and free from exceptions, Viz:- Jacob A. Andes, Jacob Lineweaver, John Leedy, James R. Eiler, A. F. Lam, Timothy Quinlin, Jacob Wynant, A. S. Bader, John M. Huffman, D. G. Whitmer, David Lineweaver, Jacob W. Cool, H. K. Devier, Albert A. Burner, John Lineweaver, and A. N. Peale, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel Viz:- Jacob Lineweaver, John Leedy, James R. Eiler and A. N. Peale, the remaining twelve of said panel, Viz:- Jacob A. Andes A. F. Lam, Timothy Quinlin, Jacob Wynant, A. S. Bader, John M. Huffman, D. G. Whitmer, David Lineweaver, Jacob W. Cool, H. K. Devier, Albert A. Burner, & John Lineweaver, thereby constituting the Jury, who being thus elected tried and 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 not having time fully to hear the evidence and argument of Counsel were adjourned until tomorrow morning at 9 o'clock and thereupon they were placed in charge of D. H. Rolston Sheriff of this County, and D. N. Bear and Isaac Winegord 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, and cause them

to appear in Court on to-morrow morning at 9 o'clock So help you God.
And thereupon the prisoner was remanded to Jail.

The writing purporting to be the last will and testament of Elizabeth Wise, was this day presented in Court and being proven by the oaths of Emanuel Rolar. Dew. & M. D. Rodgers the two subscribing witnesses thereto. was admitted to probate. and ordered to be recorded.

On motion of J. J. Deitrick the Estate of Richard Robinson dec'd. is committed to D. H. Ralston. Sheriff of Rockingham County for administration. It appearing to the Court that the said decedent has been dead more than three months without administration upon his estate.

B. F. Barber, Justice of the Peace for Plains District in this County tendered to the Court his resignation, which is accepted. and thereupon the Court doth appoint D. M. Beam. to fill the said vacancy. and the said D. M. Beam appeared in Court and qualified as Justice of the Peace for Plains District in this County by taking the several oaths prescribed by Law.

Cyrus Pence for &c.
Z. D. Gilmore &c. } Notice

Cyrus Pence. for &c,
Z. D. Gilmore &c. } Notice

Samuel Wells.
B. S. Cubbage } upon an Appeal

Ordered. that the foregoing named causes be placed upon the Court's Docket.

Ordered. that this Court be adjourned until to-morrow morning at 9 Oclock.

Chas. A. O'Farrell.

March 19. 1878. At a County Court continued and held in and for the County of Rockingham. at the Court-House thereof, on Tuesday March 19th 1878.

Present:- Hon Chas. T. O'Ferrall presiding.

On the Petition of A. H. Brewer & others for a change in the Public Road Known as the "Old Furnace Road" in Central District in this County:
This day came the petitioners by Counsel, and it appearing to the Court that the Viewers heretofore appointed have returned their report to this Court recommending a change in Said road according to a diagram returned with Said report, and it appearing to the Court further that Said change Should be made, and Strother Sheets the only land owner who will be affected by Said change appearing in Court, waiving process and consenting to Said change and agreeing to receive the damages allowed him by Said viewers. It is ordered by the Court that Said change be made according to Said diagram as follows:- Beginning at the Keezletown road where the Old Furnace Road intersects it (on the Southwest Side of the Keezletown Road) Thence N 78½ W 36 poles to fig 1 in diagram in Sheets field S 81½ W 23 poles to fig. 2 in diagram. N 62¼ W 10½ poles to fig. 3. in diagram. West 20 poles to fig. 4 in diagram. S 75 W 4 poles to fig 5 in diagram, S 60 W 5 poles to fig 6. in diagram in the old Road, the whole distance being 98½ poles.
It is further ordered that the Road Commissioners of Central District proceed at once to make Said change and to close the old road to the extent of Said change and report his proceedings to this Court at its next term.
It is further ordered that Strothers Sheets be allowed the Sum of twenty five dollars the amount of damages allowed him by the Said Viewers, and that the Same together with Costs of Making Said change be paid by Central District.

$2.00 cp. J. Meserole

Ordered, that G. R. Eastham, Jacob Meserole and George J. Kisling be each allowed the Sum of $2.00 for one days Services as viewers on the Petition of A. H. Brewer & others for a change in the Old Furnace Road, and that George J. Kisling be allowed the further Sum of $2.50 as Surveyor on the Same petition payable out of the Levy for the year 1877. if any Surplus, if not out of year 1878. and that the Same be Certified to the Treasurer of this County.

John R. Jones, Comr. of the Revenue of Central District in this County, this day returned to the Court, a copy of his Certificate as to the Sales of Wine, Alcoholic and Malt liquors, by all licensed retail and bar-room liquor dealers and wholesale liquor dealers within his district for the month ending March 16. 1878. as required by an act entitled "An Act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine, ardent Spirits or Malt liquors, &c." Approved March 30th 1877. which is ordered to be filed.

On the Petition of Abraham Pickering &c. for a change in the Road from Spartapolis to Bowman's Mill.
On motion of the petitioners by Counsel. It is ordered that this petition be dismissed.

Joseph W. Rhodes Comm^r. of the Revenue of Ashby District in this County, this day presented to the Court, a Copy of his Certificate as to the Sales of Wine, alcoholic and malt liquors, by all licensed retail and bar-room liquor dealers, and whole Sale liquor dealers within his district for the month ending March 16. 1878. as required by an act entitled "An act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine, ardent Spirits or malt liquors &c., Approved March 30. 1877. which is ordered to be filed.

J. N. Rop. Com^r. of the Revenue of Stonewall District in this County. this day returned to the Court. a Copy of his Certificate as to the Sales of Wine. Alcoholic and Malt liquors. by all licensed retail and barroom liquor dealers. and wholesale liquor dealers within his district for the month ending March 16. 1878. as required by an act entitled "An act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine. Ardent Spirits or malt liquors &c." Approved March 30. 1877. which is ordered to be filed.

On the Application of Dr. Harvey Kyle &c. for the establishment of a Public road. From main Street in the town of Bridgewater to the Ford on North River below the Bridgewater Manufacturing Company's Factory & Machine Shop.

The Commissioners John F. Crawn, John H. Moore & John A. Herring jr. heretofore appointed to view and report upon Said Road. having returned their report together with a diagram and Survey of the proposed route and Said Commissioners having recommended the establishment of Said road. It is ordered that the following named land-owners along the line of Said proposed road, to-wit, James F. Lowman, Joel B. Miller, Samuel Sanger, Dr. Harvey Kyle, Bridgewater Manufacturing Co. be Summoned to appear before this Court on the 10th day of this march Term being March 28th 1878 to Shew cause if any they can why the Said road as proposed and reported by the Said viewers. shall not be made.

$2. cop^d. for J. A. Herring
$2. cop^d. for J. F. Crawn
$2^{00} cop^d. for J. H. Moore.
$2^{50} cop^d. for Wm Beard.

Ordered. that John F. Crawn, John H. Moore & John A. Herring, Jr. viewers on road from main Street in the town of Bridgewater to the Ford on North River below the Bridgewater Manufacturing Company's Factory & Machine shop, be allowed $2. each for their Services in viewing Said road, and that Wm Beard be allowed $2.50 as Surveyor on Same road, payable out of Levy for 1877. if any Surplus. if not out of year 1878. and that the Same be Certified to the Treasurer of this County.

On the application of Jacob Beam Thomas Moore & others for the establishment of a Public road from the public road near Jacob Beams to the Marsh Road near Noah Holsingers

The Commissioners J. N. Cowan, M. J. Martz and Charles J. Brock heretofore appointed to view and report upon Said Road having returned their report together with a diagram and Survey of the proposed route and Said Commissioners having recommended the establishment of Said road. It is ordered that the following named land owners along the line of

Said proposed road, to-wit: Thmas Moore, John Wills. L.P. Henkel Samuel Holsinger. John Rife. J.K. Moore. Jacob Beam. Abraham Beam. John Beam. & Noah Holsinger. be Summoned to appear before this Court on the 12th

15.10 cpies. day of this March Term being March 30th 1878. to Shew Cause if any they can why the Said road as proposed. and as reported by the viewers Shall not be made.

#4. Cert for J.N. Newman. Nov 16/78. #4.00 cert for M.J. Manty Jany. 16/79. 15.00 cert for Julius J. Manty, Jany 8/79.

Ordered. that Jacob N. Newman and M. J. Manty be each allowed the Sum of $4.00 for two days Services and ~~that~~ Charles J. Brock be allowed the Sum of $2.00 for one days Services as viewers upon the Petition of Jacob Beam Thmas. Moore & others for road from Public Road near Jacob Beams to the March road near Noah Holsingers. and that Julius J. Manty be allowed the Sum of $5.00 for two days Services as Surveyor on Same road. payable out of the Levy for the Year 1877. if any Surplus. if not out of year 1878 and that the Same be Certified to the Treasurer of this County.

On the application of A.H. Fulk & others for a change in a Public Road in Brocks Gap.

The Commissioners J.J. Bowman, Jackson Horn & Jacob Moyers heretofore appointed to view and report upon Said road having returned their Supplemental report and Said viewers having at a former term of this Court returned their report together with a diagram and Survey of the proposed route and recommending the establishment of Said road.

It is ordered that the following named land-owners along the line of Said proposed road. to-wit:- Philip Baker, Betsey Baker, John Turner Solomon Ritchie Lizzie Ritchie Jeremiah Ritchie, Abraham Hep. & Fulks heirs-or G.W. Fulk. & Benjamin Ritchie, be Summoned to appear before this Court on the 12th day of this March Term being March 30 1878. to Shew Cause if any they can why the Said road as proposed and as reported by the viewers shall not be made.

Ordered. that J.J. Bowman. Jacob Moyers & Jackson Horn be each allowed the Sum of $2.00 for one days Services as viewers on the petition of A.H. Fulk & others for a change in a Public Road in Brocks Gap. and that J.J. Bowman be allowed the additional Sum of $2.50 as Surveyor on Same road. payable out of the Levy for the year 1877. if any Surplus if not out of year 1878. and that the Same be certified to the Treasurer of this County.

Commonwealth. }
Philip Phillips } upon an Indictment for breaking and entering an out-house with intent to Steal.

This day. the prisoner Philip Phillips late of the County of Rockingham who Stands indicted for a felony by him committed was again led to the bar of the Court in Custody of the Gailor of this County, and thereupon Came again the Jury Sworn and impanneled on yesterday for his trial 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 upon their oaths do Say. We the Jury find the prisoner Philip Phillips guilty of Petit Larceny in manner and form as charged in the Indictment and fix the term of his Confinement in the County Jail at thirty days. D. G. Whitmore, Foreman.

It is therefore Considered by the Court that the Defendant Philip Phillips be imprisoned in the Jail of this County for the period of thirty days the time ascertained by the Jurors in their verdict, and the Court doth further Consider that at the expiration of said imprisonment the said defendant shall receive thirty-nine Stripes according to law. and that the Commonwealth do recover of said Defendant her Costs. by her in this behalf expended. And thereupon the prisoner was remanded to Jail.

The writing purporting to be the last will and testament of A. B. Irick dec'd was this day presented in Court, and was proven by the oaths of Geo. A. Conrad and Saml R. Sterling the Subscribing witnesses thereto, and Continued for probate, the tax not being paid.

Cyrus Pence. for &c.
H. D. Gilmore &c. } upon a Notice.

Cyrus Pence. for &c.
H. D. Gilmore &c. } upon a Notice.

The order entered in those Causes on yesterday is amended so as to show that these Causes are placed upon the Courts Docket as to Geo. W. Hedrick, Charles R. Rush, Abram P. Kite & Henry Neff upon whom the notices were Served returnable to this term it appearing that the Same two Causes are pending upon the Docket of this Court as to H. D. Gilmore & J. M. Weaver two of the Sureties on the official bond of H. C. Summon.

Commonwealth
} upon an Indictment for Lewd and lascivious
Moses Joseph & Margaret Puner } Co-habitation

This day Came again as well the Attorney for the Commonwealth as the Defendants Moses Joseph in person and by Counsel, & the Defendant Margaret Puner by Counsel, and thereupon Came the following Jury to wit: James R. Euler, Joseph M. Mauzy, John D. Heatwole, Emanuel Driver, Marvin Long, E. M. Shaeffer, John S. Effinger, Wm H. Peterson, Jacob Lineweaver, A. M. Peale, A. J. Kibler, and John B. Hansbergen, who being elected tried and Sworn well and truly to try the issue joined and the truth in and upon the premises to Speak, 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. We the jury find the defendants Moses Joseph and Margaret Puner guilty in the manner & form as Charged in the indictment and assess their fine at One Hundred dollars, John S. Effinger Foreman.
It is therefore Considered by the Court that the Commonwealth of Virginia recover of the Defendants Moses Joseph & Margaret Puner the Sum of One Hundred Dollars the amount of Fine by the Jurors in their verdict ascertained and her Costs by her in this behalf expended.
And the Defendant Moses Joseph being present in Court, it is ordered that he be imprisoned until he shall pay the said fine and Costs or be otherwise discharged according to law and thereupon he was placed in Custody of the Sheriff of this County. and thereupon Said Moses Joseph moved the Court to allow him to give Security for the said fine and Costs. which motion the

Cent on Consideration doth Sustain. and thereupon John Joseph appeared in Cent (who justified as to his Sufficiency) waiving the benefit of his Homestead exemption and acknowledged himself as security for the said Moses Joseph for the payment of said fine & costs. and thereupon the said Moses Joseph was discharged from Custody. It is therefore Considered by the Cent that the Commonwealth do recover of the said Moses Joseph & John G. Joseph the said fine & costs. and that execution do issue therefor against them.

Ordered. that this Cent be adjourned until to-morrow morning at 10 O'clock

Chas. T. O'Ferrall.

At a County Cent Continued and held in and for the County of Rockingham at the Cent-House thereof. on Wednesday March 20. 1878.

Present:- Hon. Chas. T. O'Ferrall. presiding.

David A. Bleeker, }
Jackson Rhodes } upon a Petition for a Road.

This day Came again the parties by their Attorneys. and thereupon the argument of Counsel having been heard. for reasons appearing to the Cent the ordered entered in this Cause on the 5th day of January 1878. overruling the motion of the defendant Jackson Rhodes to quash the report of the viewers. is Set aside. and it is Considered by the Cent that said report be quashed and the said Viewers are directed to proceed on Friday the 22 day of March 1878 to execute the order of this Cent entered on the 21st of November 1877. upon the petition of D. A. Bleeker and to make report in accordance with the requirements of the law. to a future day of this term.

Commonwealth. }
John Hanna, alias John Hannah }

This day Came again as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and thereupon Came the following jury to-wit:- Marion Long. John Leedy. James R. Eiler. E. M. Shaeffer. John B. Hansbarger. John D. Heatwole. Wm. H. Peterson. S. H. Weaver. John S. Effinger. C. H. Bowers. D. M. Beale and Joseph N. Mauzy. who being elected tried and Sworn. well and truly to try the issue joined and the truth in and upon the premises to Speak. and having fully heard the evidence and argument of Counsel, retired to their room to Consider their verdict. and after Sometime returned into Cent and upon their oaths do Say. "we the Jury find the Defendant not guilty" John S. Effinger, foreman,
It is therefore Considered by the Cent that the Defendant go hence without day &c

Ordered, that this Cent be adjourned until to-morrow morning at 10 O'clock.

Chas. T. O'Ferrall.

March 21. At a County Court Continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday March 21. 1878.

Present:- Adm. Chas. T. O'Ferrall, presiding.

In re }
Joseph Flick & Charles R. Brunner } Upon a Motion.

Upon motion of The Aultman and Taylor Company, and it appearing to the Court that Joseph T. Logan has declined to act as Trustee in a certain deed of trust recorded in Deed Book No 13 page 18 bearing date July 22d 1876 executed by Chas. R. Brunner and Joseph Flick to said Jno. T. Logan Trustee to secure certain negotiable notes due The Aultman and Taylor Company, It is ordered that Winfield Liggett be Substituted in the Stead of said Logan as Trustee in said deed, he being acceptable also to the trust debtors.

Commonwealth }
Moses Joseph & Margaret Price } Upon an Indictment for Lewd and lascivious Cohabitation.

This day came again the Attorney for the Commonwealth and the Defendants by their Attorney and the Defendants by Counsel moved the Court to Set aside the verdict and grant them a new trial which motion the Court doth overrule, and also moved in arrest of Judgment which motion was also overruled Memo:- On the trial of this Cause the Defendants excepted to two Several Opinions given on said trial and tendered their two bills of exceptions which were Signed Sealed & enrolled and ordered to be made a part of the record in this Cause and the Same is accordingly done.

Phils. Bradley. Foreman, J. B. D. Rhodes. John S. Effinger, James R. Eiley Wm. N. Peterson. Marvin Long. D. M. Switzer Henry Shacklett. S. S. Rohr Jas. F. Lowman, were impannelled and Sworn a Special 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 their presentments and after Sometime returned into Court, and not having Completed the business before them were adjourned until to-morrow morning at 10 O'clock.

Commonwealth. } No. 1. Upon an Indictment for Selling intoxicating drink on Sunday.
James Kavanaugh

Same. } No. 2. Upon an Indictment for Selling Wine &c. to a Minor.
Same.

Same } No. 3. Upon an Indictment for Selling Wine &c. to a Minor.
Same.

Same } No. 2. Upon an Indictment for Selling Wine &c. to a Minor.
Same.

Commonwealth } No. 4. Upon an Indictment for Selling intoxicating drink on Sunday
John J. McMahon

Same } No. 3. Upon an Indictment for Selling Wine &c. to a Minor.
Same.

Commonwealth. } no. 1. Upon an Indictment for
C. A. Yancey & J. A. Lowenbach. } Selling Intoxicating drink on Sunday

Same } no. 2. Upon an Indictment
& } for Selling Wine &c. to a
Same. } Minor.

Same } no. 3
& } Upon an Indictment for Selling Wine &c. to a
Same. } Minor.

Same } no. 1. Upon an Indictment for
& } Selling Wine &c. to a Minor.
C. M. Pollock.

Same. } no. 2. Upon an Indictment for
& } Selling Wine &c. to a Minor.
Same.

This day came as well the Attorney for the Commonwealth as the Defendants to the foregoing Causes by their Attorney's and the Defendants by their Counsel filed their pleas in abatement, to the said Indictments and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle Prosequi in each of the foregoing causes. It is therefore considered by the Court that the Defendants, go hence without day, &c.

Commonwealth. } Upon an Indictment for
J. B. Lowman. } Selling Wine, &c., to a Minor.

Same. } Upon an Indictment for Selling
& } Wine &c. to a Minor.
A. J. Wall & Joseph Kavanagh

Same. } Upon an Indictment for
& } Selling Liquor without License
Jacob Byerly

Same. } Upon an Indictment for Lewd
& } & Lascivious Cohabitation.
Jacob Suter & Jennie Bondo

Same. } Upon an Indictment for
& } Selling Wine &c. without License.
Jacob Haney

Same. } Upon an Indictment for Lewd
& } & Lascivious Cohabitation.
J. D. Williams & Margaret Lamb.

This day came as well the Attorney for the Commonwealth as the Defendants to the foregoing Causes by their Attorneys, and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle Prosequi in each of the foregoing causes. It is therefore considered by the Court that the Defendants go hence without day &c.

It appearing to the Court that the Jailor of this County has under his Control, a Certified Lunatic, Susannah C. Easy, a Citizen of this County, and it further appearing to the Court that it is proper to Contract with a proper & fit person for the maintenance & care of the said lunatic; It is therefore ordered that Rosanna D. Bligh, be appointed a Committee to have the Care Custody and maintenance of the said Susannah C. Easy, until the further order of the Court: that she be allowed therefor 45 Cents per diem, and twenty four dollars per annum for clothing. And it is further ordered that the said Bligh execute bond before this Court in the penalty of $400.00 with good personal Security, Conditioned to exercise proper Care & make proper & decent provisions for said Lunatic.

And thereupon the said Rosanna D. Bligh appeared in Court, and together with D. M. Rolston her Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of Four Hundred Dollars, Conditioned as required by law and the above order each (waiving the benefit of the Homestead exemption) and qualified as Committee of said Susannah C. Easy.

Ordered that this Court be adjourned until to-morrow morning at 10. O'clock,

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Friday March 22d. 1878.

Present:- Hon. Chas. T. O'Ferrall presiding.

Upon the petition of A. Shaver & Co & others for a Public Road,
On the motion of Addison Royer whose name is signed to the petition the cause is dismissed as to him so far as he is a petitioner, but this order shall not be construed as dismissing the said Royer from the case as a party defendant.

On the motion of John Bloser and from evidence introduced the Court being satisfied that he is a person of good character and a proper person in whom to confide the trust of selling or distributing religious Books, doth direct any one of the Commissioners of the Revenue for this County, to grant him such License with a nominal tax of one cent only.

On the Petition of J. M. Weaver &c. for the appointment of Commissioners to re-assess their lands along the Shenandoah River.
Ordered, that this cause be placed upon the Court's Docket.

The Grand Jury, impanneled and sworn on yesterday the fourth day of this term of the Court, in and for the body of this County, this day appeared in Court pursuant to their adjournment, and retired to their room to consider further of their presentments, and after sometime returned into Court and made the following presentments Viz:-
An Indictment against James Ergenbright for burning a barn. A true bill. Philo Bradley, Foreman,
An Indictment against George Collins for breaking & entering a dwelling house in the day time with intent to steal A true bill Philo Bradley, Foreman,
An Indictment against William Michael Martz for assault & battery a true bill. Philo Bradley, Foreman,
An Indictment against Samuel Swartz for assault & battery a true bill, Philo Bradley, Foreman,
and not having completed the business before them were adjourned until to-morrow morning at 10 O'clock.

Ordered, that this Court be adjourned until to-morrow morning at 10 O'clock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday March 23d 1878.

Present: Hon. Chas. T. O'Ferrall, presiding.

It appearing to the Court that the Rev. Stephen Hensley is a regularly ordained Minister in the Methodist Episcopal Church South, from evidence introduced, and authorized to celebrate the Rites of Matrimony, on his motion he appeared in Court, and together with William Hensley his Surety, (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned according to law, (waiving the benefit of the Homestead exemption) and thereupon he accordingly qualified.

cap'd. & d.

On the motion of Wm. F. McCauley, and on account of physical disability, and indigent circumstances, the Court doth exempt him from the payment of his Capitation tax and County and Parish Levies for the year 1877 and it is further considered by the Court that he be exempted from working roads in this County.

Wm P. Blose & wife. Pltffs.
vs
A. N. Peale Deft.

This day came the parties by their Attorneys, and by the consent of the parties a Jury of Nine were impanneled Viz:- P. W. Pugh, John Leedy, John D. Heatwole, J. N. Manzy, T. H. Weaver, C. H. Sowers, S. M. Hammen, John B. Hamsberger, and E. M. Shaffer, who being elected, tried and 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, "we the Jury find as our verdict, Judgment for the defendant in the Sum of $22.55 P. W. Pugh Foreman,

It is therefore considered by the Court that the Defendant recover of the Plaintiffs the Said Wm P. Blose & wife the Sum of $22.55 with interest thereon from this the 23d day of March 1878 till paid, each party to pay their own Costs.

On the Petition of John F. Lewis, for the appointment of Commissioners to reassess his lands on the Shenandoah River injured by the late flood Ordered that this cause be placed upon the Courts Docket.

The Grand Jury, impanneled and Sworn on Thursday last the 4th day of this term of the Court, in and for the body of this County, this day appeared in Court, pursuant to their adjournment, and retired to their room to consider further of their presentments, and after Sometime returned into Court, and made the following presentments, Viz:-
An Indictment against Jacob Suter & Jennie Bonds for lewd & lascivious Cohabitation, a true bill. Philo Bradley, Foreman,
An Indictment against Thomas J. Keeran & Mary Atkinson, for lewd & lascivious Cohabitation, A true bill. Philo Bradley, Foreman,

An Indictment against Lizzie Garison. Jennie Mitchell & Eliza Simmes For Keeping and Maintaining a house of Illfame resorted to for the purpose of prostitution and lewdness. A true bill Philo Bradley. foreman,
An Indictment against Fannie Scott & Bettie Brightman. For Keeping and maintaining a house of illfame resorted to for the purpose of prostitution and lewdness. A true bill. Philo Bradley. Foreman,
An Indictment, against Julia Phillips. For Keeping and maintaining a house of illfame resorted to for the purpose of prostitution and lewdness. a true bill. Philo Bradley. foreman,
An Indictment against Mary Manning. For Keeping and maintaining a house of illfame resorted to for the purpose of prostitution & lewdness. a true bill. Philo Bradley Foreman,
An Indictment, against Fannie Grove. For Keeping and maintaining a house of illfame resorted to for the purpose of prostitution and lewdness. A true bill Philo Bradley foreman,
An Indictment against Susan Gayler. For Keeping and maintaining a house of illfame resorted to for the purpose of prostitution & lediness. a true bill. Philo Bradley Foreman,
An Indictment against Mary Fishbeck. For Keeping and maintaining a house of illfame resorted to for the purpose of prostitution and lewdness. a true bill Philo Bradley Foreman,
and not having completed the business before them were adjourned until Monday April 1st 1878 being the 13th day of this term of the Court.

Ordered, that this Court be adjourned until Monday morning at 10 Oclock.

Chas. D. O'Donnell.

At a County Court continued and held in and for the County of Rockingham. at the Court-House thereof on Monday March 25th 1878

Present:- Hon Chas S. O'Ferrall presiding.

Commonwealth. }
Henry Frazier } Upon an Indictment for Petit Larceny.

It appearing to the Court that in Saturdays proceedings the Clerk failed to make an order in this cause, It is ordered by the Court that the order be now entered nunc pro tunc as follows:-

This day came as well the Attorney for the Commonwealth as the Defendant in person and by counsel and thereupon the Defendant pleaded guilty to the said indictment. and thereupon It is considered by the Court that the Defendant Henry Frazier be confined in the Jail of this County for the period of thirty days from March 23. 1878. and that the Commonwealth of Virginia recover of the defendant her costs by her in this behalf expended. and thereupon the Defendant was committed to said Jail.

Cop. delivered to Hy. Shacklett.

P. M. Whitlock, Committee for Eliza J. Dickson, a person of unsound mind this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $28.00 for the board and Care of the said Eliza J. Dickson, a Lunatic from December 25 1877 to March 25 1878. (3 mos. @ $8. per Mo. $24.00) and 3 months clothing @ $1.50 per month ($4.50) which being Sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Abraham Bloser, this day presented in Court an Account against the County of Rockingham amounting to the Sum of $5.00 for two days Services as Surveyor on Roads, as follows one day Surveying a road from the Dry river & Rawley road to the Harrisonburg and Briery Branch road & one day as Surveyor on a road from Shumpike to a point on the Bridgewater & Dry river road @ $2.50 per day. which being Sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment out of the levy for the year 1877. if any Surplus if not out of year 1878.

On the Petition of Miss A. M. E. Strayer & Sisters and S. H. Lewis for the appointment of Commissioners to reassess their lands. on the Shenandoah River. injured by the late flood.

Ordered. that the two foregoing Causes be placed upon the Court's Docket

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On motion of Peachy Annie Executor of Wm Robinson dec'd for the probate of a Will.

By Consent of the parties thereto the trial of the motion to probate the Will of the said Wm Robinson dec'd is fixed by the Court for the 4th day of the April Term next.

Commonwealth. }
Isaac M. Powell } Upon an Indictment for the Murder of Thomas Chidlow.

This day, the prisoner, Isaac M. Powell, late of the County of Rockingham, who stands indicted for a felony by him committed was again led to the bar of the Court in custody of the Jailor of this County, and from the remaining Veniremen Summoned for the trial of felony cases at this term of the Court the following twelve were examined by the Court on their Voirdire and found to be duly qualified and free from exceptions. Viz:- Jacob A. Andes, A. S. Bader, D. G. Whitmer, Samuel Dundore, Timothy Amiklin, John P. Sellers, Jacob Strayman, David Lineweaver, Jacob M. Cook, Albert A. Burner, John Leedy, & A. M. Beale, whereupon the following additional veniremen were Summoned from a list furnished by the Court Sitting Viz:- John M. Gaither, Geo. M. Yancey, Peter Roller and Samuel L. Rice, who appeared and were examined by the Court on their Voirdire found to be duly qualified and free from exceptions. the panel of Sixteen being thus completed the prisoner was furnished a Copy thereof, and having Stricken therefrom the names of four of the persons of said panel Viz:- D. G. Whitmore Samuel Dundore, Jacob Strayman, and John M. Gaither, the remaining twelve of said panel, Viz:- Jacob A. Andes, A. S. Bader, Timothy Amiklin, John P. Sellers David Lineweaver, Jacob M. Cook, Albert A. Burner, John Leedy Geo. M. Yancey, A. M. Beale, Peter Roller, and Samuel L. Rice thereby Constituting the Jury, who being thus elected tried and 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 not having time fully to hear the evidence they were adjourned until to-morrow morning at 10 O'clock, and were placed in charge of D. H. Rolston Sheriff of this County and D. M. Bear and Isaac Ellinegord his deputies to whom was administered the oath that you shall Keep this Jury together and not have any Communication with them yourselves nor permit any other person to Converse or have any Communication with them touching this trial and cause them to appear in Court on to-morrow morning at 10 O'clock So help you God. And thereupon J. P. Collins, Geo. Riley, John S. Rhinehart, Wm. Swain, James M. Kellman, A. D. Woodson, Abner Spitzer, Harvey Ludholtz, & D. G. A. Alexander, witnesses on behalf of the Commonwealth appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $500.00 each, to be levied of their respective goods and Chattels, lands and tenements for the use of the Commonwealth, each waiving the benefit of the Homestead exemption. Yet upon this Condition that they each do Continue their appearance before the Judge of this Court as witnesses as aforesaid, and not depart thence without leave of the Court.

And thereupon the prisoner was remanded to Jail.

Ordered, that this Court be adjourned until to-morrow morning at 10 O'clock,

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof on Tuesday March 26. 1878

Present:- Hon. Chas. S. O'Ferrall. presiding.

Commonwealth.
Julia Phillips & Same. } Upon an Indictment. For Keeping and maintaining a house of ill fame. resorted to for the purpose of prostitution and lewdness

Susan Taylor & Same. } Upon an Indictment. For Keeping and maintaining a house of ill fame. resorted to for the purpose of prostitution and lewdness

Mary Fishback & Same. } Upon an Indictment. For Keeping and maintaining a house of ill fame. resorted to for the purpose of prostitution and lewdness

Fanny Scott & Betty Brightman & Same. } Upon an Indictment. For Keeping and maintaining a house of ill fame. resorted to for the purpose of prostitution & lewdness

Mary Manning & Same. } Upon an Indictment, For Keeping and Maintaining a house of ill fame. resorted to for the purpose of prostitution and lewdness

Fannie Grove & Same. } Upon an Indictment. For Keeping and Maintaining a house of ill fame resorted to for the purpose of prostitution and lewdness

Lizzie Garrison. Jennie Mitchell & Eliza Simmons. } Upon an Indictment. For Keeping and maintaining a house of ill fame resorted to for the purpose of prostitution and lewdness

The Court doth award Capias ad Respondendum in each of the foregoing causes. directed to the Sheriff of this County Commanding him to have each of the foregoing Defendants before the judge of this Court as Soon as may be to answer no of the said Misdemeanors whereof they Stand indicted

The Royal Landlords of Va On a Motion.

On motion of the plaintiff by its Counsel It is ordered that this motion be dismissed.

Commonwealth.
Isaac M. Powell } Upon an Indictment for the Murder of Thomas Chiddon.

This day. the prisoner. Isaac M. Powell late of the County of Rockingham. who Stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County and thereupon again Came the Jury Sworn and impanneled on yesterday for his trial. 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 upon their oaths do Say. "We the jury find the prisoner Isaac M Powell not guilty" A M. Peale. foreman. It is therefore Considered by the Court. that the prisoner be discharged and go hence without day &c.

Commonwealth.
Isaac. M. Powell. } Upon an Indictment for the Murder of John L. Thompson.

This day Came the Attorney for the Commonwealth and the Defendant Isaac M. Powell being in Court in Custody of the Jailor of this County thereupon the attorney for the Commonwealth with the assent of the Court entered a Nolle Prosequi. and therefore It is Considered by the Court that the defendant be discharged. and go hence without day. &c.

Commonwealth
James Ergenbright } Upon an Indictment for burning a barn

This day the prisoner James Ergenbright, who Stands indicted for a felony by him Committed, was led to the bar of the Court in Custody of the Jailor of this County, and being thereof arraigned pleaded "not guilty" to the said Indictment. and thereupon his trial was Continued until the 1st day of the next Term of this Court.

And thereupon the prisoner was remanded to Jail.

Commonwealth, of Virginia
Isaac M. Ponto, John Ponto v James Kenney } Upon a Forthcoming Bond.

This day the Defendant James Kenney, appeared in Court and confessed judgment. It is therefore considered by the Court, that the Commonwealth of Virginia do recover of the said Defendant the sum of $168.[54/100] the Penalty of said Bond, to be discharged by the payment of $34.27 with interest thereon from the 23d. day of April 1877. till paid, and her costs by her in this behalf expended.

Ordered. that this Court be adjourned until tomorrow morning at 10. Oclock.

Chas. S. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham, at the Court House thereof on Wednesday March 27th 1878.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the application of D. A. Plecker for the establishment of a Public Road from the West end of the bridge at Mt Crawford in this County to the County Road about 15 or more poles below Said bridge

The Commissioners Jos. S. Loose, G. H. Dinges and George J. Kisling heretofore appointed to view and report upon Said Road, having returned their Supplemental report, and Said viewers having at a former term of this Court returned their report together with a diagram and Survey of the proposed route & recommending the establishment of Said road,

It is ordered that the following named land owner along the line of Said proposed road, to-wit:- Jackson Rhodes be Summoned to appear before this Court on the 12th day of this March term being March 30 1878. to Shew Cause if any he can why the Said road as proposed and as reported by the viewers shall not be made.

A. Shaver & Co & others
Addison Royer &c. } upon a Petition for a Road.

Upon the motion of the defendants Addison Royer and Henrietta Royer. a rule is awarded against E. S. Kemper, T. N. Sellers, George J. Kisling Daniel Hanson and Eugene O. Peale Commissioners appointed in this Cause returnable to Monday the 1st day of April 1878 requiring them to Show cause if any they can. why they should not be fined and attached for their failure to return a report in this Cause as required by Law.

On motion. of the Heirs of Robert S. R. Beard decd. the Court doth appoint Elias Crawn. Martin Attaffer, Samuel Crawn and Daniel Baker. to appraise the estate of Said Robert S. R. Beard decd. any three of whom may act after first being duly Sworn.

J. T. Kibler. Agt for A. E. Kibler Appellant
Thomas Brubecker. Appellee } upon an Appeal from a J. P.

This day came the appellant by his Attorney, and it appearing to the Court that the affidavit upon which the distress warrant in this Cause was issued, was insufficient and defective in that no amount due is Specified and no Specific breaches of Contract for rent in Kind or labor & improvements with the damages for Such breaches. The Appellee not having appeared in person or by Counsel. It is ordered that this appeal be dismissed without Costs. and without prejudice to the appellants right to proceed de novo for the Cause of action herein referred to.

Charles Boyers &c. Appellants.
The Commonwealth Appellee } upon an Appeal from a Judgment of a Justice.

This day came the appellants Chas. Boyers John Armentrout. Chas. Baker and

William Cole by their Attorneys, and the Commonwealth by her Attorney, and the Court having fully heard the argument of Counsel upon a motion to quash the warrant against the Said Appellants, doth Sustain Said motion Therefore it is Considered by the Court that the Said judgment of the Justice be reversed and the warrant quashed, but without Costs to the appellants.

On the motion of John C Sprinkel a Creditor of the Estate of John Comer, dec^d. is Committed to D. H. Rolston Sheriff of Rockingham County to be administered according to law. - it appearing to the Court that John Comer has been dead more than three months and no administration having been granted upon his estate.

Isaac Wenger, G. R. Allebaugh & R. W. Harrison, Commissioners appointed by an order of this Court, entered at the September Term, 1877, to lay off and assign to Lydia Neff widow of Peter Neff dec^d. dower in the lands of which the Said Peter Neff died Seized. - having this day returned their report to the Court & there being no exceptions to the Said report the Same is Confirmed & approved & the Clerk of this Court is ordered to record the Same, in the Deed Books of the Clerk's office of this Court.

V. H. Lam, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the Sum of $11.00 For arresting Charlotte Harris, charged with felony, board & lodging of prisoner $4. Hire of 2 horses & wagon 2 days @ $3. per day $6.00 which being Sworn to was examined and allowed by the Court, and ordered to be Certified to the Auditor of Public Accounts for payment.

cop^d.

J. M. Lam, this day presented in Court an Account against The Commonwealth of Virginia amounting to the Sum of $2.25 for 3 days Services in assisting in the arrest of Charlotte Harris charged with felony & guarding Same, @ 75¢ per day which being Sworn to by the guard and the Constable was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

cop^d.

John H. Sipe, this day presented in Court an Account against The Commonwealth of Virginia amounting to the Sum of $2.25 for 3 days Services in assisting in the arrest of Charlotte Harris charged with felony & guarding Same @ 75¢ per day, which being Sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be Certified to the Auditor of Public Accounts for payment.

cop^d.

Charles Rhyne, this day presented in Court an Account against The Commonwealth of Virginia amounting to the Sum of $1.50 for 2 days Services in guarding Charlotte Harris, charged with felony @ 75¢ per day, which being Sworn to by the guard and the Constable was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

cop^d.

Joseph Argabright, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the Sum of $1.50 for 2 days Services

cop^d.

in guarding Charlotte Harris, charged with felony @ 75¢ per day, which being Sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment,

Cop^d. V. H. Lam, Constable of this County, this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $13.40 For arresting James Argabright charged with felony, board & lodging for prisoner horse hire, mileage to and from 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

Cop^d. J. M. Lam, this day presented in Court an account against The Commonwealth of Virginia, amounting to the Sum of $3.75 For assisting in the arrest of James Argabright charged with felony, 75¢ & 4 days guarding the Same @ 75¢ per day which being Sworn to by the guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment,

Cop^d. John H. Sipe, this day presented in Court an account against The Commonwealth of Virginia, Amounting to the Sum of 75¢ for one days, Services in guarding James Argabright charged with felony, which being Sworn to by said guard and the Constable, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Cop^d. Samuel H. Eavy, Committee for Susannah C. Eavy a Lunatic, this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $23.95 for the board and Care of the Said Susannah C. Eavy a Lunatic from January 21st 1878 to March 6. 1878 ($18.55) Clothing at the rate of 24.00 per annum $2.90 Hire of horse & wagon & hand to Convey Lunatic to Jail $2.50 which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment

Cop^d. The last Will and testament of A. B. Irick dec^d. which was on the 2nd day of this term of the Court (Mch. 19. 1878) duly proven by the oaths of the Subscribing witnesses thereto, is this day admitted to probate. And thereupon on the motion of the Heirs and devisees of the Said A. B. Irick, dec^d. Edward S. Conrad (who made oath thereto according to law) appeared in Court and together with Saml. R. Sterling and Chas. A. Yancey his Sureties (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $10.000.00 Conditioned according to law each waiving the benefit of their Homestead exemption as to this obligation, a certificate is granted him for obtaining letters of administration in due form with the will annexed upon the Estate of Said A. B. Irick, dec^d.

And the Court doth appoint C. C. Strayer, W. D. Hopkins, A. M. Newman, L. H. Ott and J. L. Sibert to appraise the Estate of Said A. B. Irick, dec^d. any three of whom may act after first being duly Sworn,

On the Petitions of Robert M. Burke, A. Shaver & Co. and B. F. Thomas for the appointment of Commissioners to reassess their lands on the Shenandoah River injured by the late floods.

Ordered, that the three foregoing causes be placed upon the Courts Docket.

On the application of Thomas H. Showalter & others for the establishment of a Public Road. Beginning at the Hopkins Mill Road near Jerry Lineweavers and running thence to the Bowman Mill Road near the buildings on the farm of Christian Burkholder dec^d.

The Commissioners James C. Heltzel, Jacob Funkhouser & D. A. Heatwole, heretofore appointed to view and report upon Said road, having returned their report together with a diagram and Survey of the proposed route and Said Commissioners having recommended the establishment of Said road.

It is ordered that the following named land-owners along the line of Said proposed road to wit:- Jerry Lineweaver. Wm. J. Chrisman. John Gaines. Robert Gaines. John Hegedon. Joseph Showalter. John Showalter. Wm. Evers heirs. ~~Whitmore~~ Henry M. Miller and Mrs Frances Burkholder. be Summoned to appear before this Court on the 4th day of the April Court next being April 18th 1878 to Shew cause if any they why the Said road as proposed and as reported by the viewers Shall not be made.

Cop^d for J. H. Funkhouser $5.50

Ordered, that James C. Heltzel, Jacob Funkhouser and D. A. Heatwole, viewers on Road from Hopkins Miller Road to the Bowman Mill Road, be allowed $3.00 each for 1½ day's Services in viewing Said road, and that Jacob Funkhouser be allowed the additional Sum of $2.50 as Surveyor on Same, payable out of the Levy for the year 1877, if any Surplus if not out of year 1878, and that the Same be Certified to the Treasurer of this County.

Commonwealth.

Mary Manning } Upon an Indictment. For Keeping and maintaining a house of ill fame, resorted to for the purpose of prostitution & lewdness.

This day, the Defendant Mary Manning who Stands indicted for a Misdemeanor by her Committed appeared in Court in Custody of the Sheriff of this County under a writ of Capias ad respondendum and the Defendant filed her plea of not guilty to Said Indictment and thereupon the defendant by counsel moved the Court to grant her bail, which motion upon Consideration the Court doth Sustain and fixes the amount of bail at the Sum of $100.00 for herself and the Same amount for her Surety, and thereupon the Said Mary Manning together with Edward Feddon as her Surety (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods and chattels, lands and tenements for the use of the Commonwealth, (each waiving the benefit of their Homestead exemptions as to this obligation) yet upon this Condition that the Said Mary Manning does make her personal appearance before the Judge of this Court on the 1st day of the April Term next to answer the Said Indictment, and not depart thence without leave of the Court & thereupon she was discharged from the Custody of the Sheriff.

Commonwealth.

Julia Phillips } Upon an Indictment For Keeping and maintaining a house of ill-fame resorted to for the purpose of prostitution and lewdness.

This day, the Defendant Julia Phillips who Stands indicted for a Misdemeanor by her Committed appeared in Court in Court in Custody of the Sheriff of this County

under a Writ of Capias ad. respondendum and thereupon the Defendant filed her plea of not guilty to said indictment. and the defendant by Counsel moved the Court to grant her bail, which motion upon Consideration the Court doth Sustain, and fixed the amount of bail at the Sum of $100.00 for herself and the Same amount for her Surety, and thereupon the said Julia Phillips together with Emanuel Royer as her Surety, (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each, to be levied of their respective goods and Chattels, lands and tenements, for the use of the Commonwealth (each waiving the benefit of their Homestead exemptions as to this obligation) Yet upon this Condition, that the said Julia Phillips does make her personal appearance before the Judge of this Court on the 1st day of the April Term next to answer the said indictment, and not depart thence without leave of the Court, & thereupon she was discharged from the Custody of the Sheriff

Commonwealth.
vs
Lizzie Garrison, Jane, reported to for the purpose of prostitution and lewdness.
Jennie Mitchell & Edgar Simmons

Upon an Indictment, For Keeping and maintaining a house of ill-

This day, the Defendant Lizzie Garrison, who stands indicted for a Misdemeanor by her Committed, appeared in Court in Custody of the Sheriff of this County under a Writ of Capias ad. respondendum, and thereupon the said Defendant (in person) pleading her plea of not guilty to said Indictment, and elected to be tried separately and the defendant by Counsel moved the Court to grant her bail which motion upon Consideration the Court doth Sustain and fixes the amount of bail at the Sum of $100.00 for herself and the Same amount for her Surety, and thereupon the said Lizzie Garrison together with Samuel Catt as her Surety, (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each, to be levied of their respective good and Chattels, lands and tenements for the use of the said Commonwealth, (each waiving the benefit of their Homestead exemptions as to this obligation) Yet upon this Condition that the said Lizzie Garrison does make her personal appearance before the Judge of this Court on the 1st day of the April Term next to answer the said indictment and not depart thence without leave of the Court, & thereupon she was discharged from the Custody of the Sheriff.

Commonwealth
vs
Fanny Scott, & Bettie Nightingale.

Upon an Indictment For Keeping and maintaining a house of ill-fame presented to for the purpose of prostitution and lewdness.

This day the Defendant Fanny Scott, who stands indicted for a misdemeanor by her Committed, appeared in Court in Custody of the Sheriff of this County under a Writ of Capias ad. respondendum, and thereupon the said Defendant in person pleading her plea of not guilty to said indictment, and elected to be tried separately and the defendant by Counsel moved the Court to grant her bail, which motion upon Consideration the Court doth Sustain and fixes the amount of bail at the Sum of $100.00 for herself and the Same amount for her Surety, and thereupon the said Fanny Scott together with William Kain as her Surety, (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each, to be levied of their respective goods and chattels, lands and tenements for the use of the said Commonwealth, (each waiving the benefit of their Homestead exemptions as to this obligation) Yet upon this Condition that the said Fanny Scott does make her personal appearance before the Judge of this Court on the 1st day of the April

Term next to answer the said indictment and not depart thence without leave of the Court & thereupon she was discharged from the Custody of the Sheriff.

William Kelbert } Appellant.
The Commonwealth } Appellee. } Upon an Appeal from a Judgment of a Justice.

For reasons appearing to the Court the trial of this Cause is continued generally until the 1st day of the April Term next of this Court, and the Court doth award rules against the absent witnesses returnable to said 1st day of April Court next.

Ordered, that this Court be adjourned until to-morrow morning at 10. Oclock.

Chas. J. O'Ferrall.

At a County Court Continued and held in and for the County of of Rockingham, at the Court House thereof, on Thursday March 28. 1878.

Present:- Hon. Chas. J. O'Ferrall presiding.

On the Application of Harvey Kyle for the establishment of a Public Road from Main Street in the town of Bridgewater to the Ford on North River below the Bridgewater Manufacturing Companys Factory & Machine Shop.

On the motion of James F. Lowman, and Joel B. Miller by Counsel, the Court doth appoint the following freeholders, to-wit:- J. W. F. Fleming, A. L. Lindsay, John M. Jacobs Philander Fleming and Joseph Click (any three of whom may act) Commissioners to ascertain what will be a just Compensation for the land to be used for said road belonging to the said James F. Lowman and Joel B. Miller, and they are hereby directed to meet on the lands on Monday April 1st 1878. and the Sheriff is hereby directed to give notice to the said James F. Lowman & Joel B. Miller of the said time and place of the meeting of the said Commissioners. Any one or more of said Commissioners attending on the lands as aforesaid may adjourn from time to time till the business shall be finished. Before said Commissioners shall enter upon the discharge of their duties they shall be Sworn before a Justice of the peace, and they shall Comply in all respects with the provisions of Sections 9 & 10 Ch. 56. of the Code of 1873. and make return of their report and the Certificate of the Justice forthwith to this Court. Any failure upon the part of the Commissioners to Comply with the Law, or any defect in their report will debar them from receiving Compensation. The time actually employed by said Commissioners in the discharge of their duties shall be endorsed on their report.

On the motion of Wm. Shands, Receiver in the Chancery Cause of of Williams & Gordon, Creditor, The Estate of Michael Mahoney dec'd is Committed to D H Roberts Sheriff of Rockingham County, to be administered according to law, it appearing to the Court that Michael Mahoney has been dead for more than three months, and no administration having been granted upon his estate.

On the Petition of Sallie C. Miller by her Agent S. P. H. Miller for the appointment of Commissioners to reassess her lands on the Shenandoah River injured by the late floods.

Ordered that this Cause be placed upon the Courts Docket.

George Carricofe Appellant
D. C. J. Smith Appellee
} upon an Appeal from a Judgment of a J. P.

This day came the parties by their Attorneys and this cause having been submitted to the Court, and the evidence and argument of Counsel having been fully heard, the Court is of opinion that the judgment of the Court below is erroneous and doth proceed to enter up such judgment as the Court below should have given: It is therefore Considered by the Court that the Appellee recover of the Appellant the Sum of $10.00 with legal interest thereon from January 12th 1860 till paid and his Costs by him in this behalf expended Subject to a Credit of $3.00 amount of Costs Paid by the appellant before the Justice of the peace.

Peter A. Whitesel &c. Pltffs
Calvin Irvine Deft.
} Unlawful Entry & Detainer.

On motion of the Plaintiffs by their Attorney, this Cause is dismissed, It is therefore Considered by the Court that the plaintiffs recover of the Defendant Calvin Irvine their Costs by them in this behalf expended, it appearing to the Court that the defendant unlawfully withheld possession of the premises in the Summons mentioned at the time the same was sued out, but has since surrendered possession.

William Helbert Appellant
The Commonwealth Appellee
} upon an appeal from a Judgment of a Justice

It appearing to the Court that in the order entered in this cause on yesterday the Clerk failed to enter the names of the witnesses against whom rules were awarded. It is ordered that the same be now entered nunc pro tunc, as follows: "The Court doth award Rules against Jos. S. Loose, Jacob Buckhouser Andrew Lindsey Samuel Grogg, West Leaves Dr Clarke & Wm P. McCall witnesses in behalf of Wm Helbert and Frank Dettinore Wm. L. Anderson Benj. Miller Samuel L. Rice, James M. Burgess James Anderson, John Michael, witnesses in behalf of the Commonwealth returnable to the 1st day of the April Term next, to Shew Cause if any they can why they should not be fined and attached for their contempt to us offered in failing to attend at this March term as witnesses as aforesaid.

Ordered, that this Court, be adjourned until to-morrow morning at 10 Oclock

Chas. T. Herndon.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday March 29th 1878.

Present:- Hon Chas. T. O'Ferrall presiding.

Baltimore & Ohio Railroad Co Appellants
Anthony Rhodes Jr. Appellee } Upon an Appeal from a Judgment of a Justice.

This day came the parties by their attorneys, and by consent of parties the the Judgment of the Justice is reversed, and a judgment entered in favor of the Appellee against the Appellant for $10.00 damages with interest thereon from the 12th day of August 1876. and Costs.

M. Y. Partlow. Pltff.
C. N. Harper. Deft. } Upon a Warrant, removed from a Justice

This day came the Plaintiff by his Counsel the Defendant not appearing, and thereupon came the following Jury to-wit:- Jacob Lineweaver D. G. Whitmer, A. F. Lam, Samuel Dundore Jacob Wynant, John M. Huffman Isaac T. Kibler, Emanuel Driver, H. K. Devier John Lineweaver, Newton Hopkins and D. M. Huffman, who being elected tried and sworn well and truly to try the issue joined and a true verdict render according to the evidence and having fully heard the evidence, without retiring from the bar, upon their oaths do say:- We the jury find for the plaintiff the debt claimed of thirty five dollars with interest thereon from Dec. 15th 1877. D. G. Whitmore Foreman,

It is therefore considered by the Court that the Plaintiff recover of the Defendant C. N. Harper the Sum of $35.00 with interest thereon from the 15th day of December 1877 till paid, and his Costs by him in this behalf expended.

Commonwealth.
Robert Rawles & Susan Stover } Upon an Indictment for lewd and lascivious Cohabitation.

This day came again as well the Attorney for the Commonwealth as the Defendant Robert Rawles in person and by Counsel and the Defendant Susan Stover by Counsel, and thereupon the Defendants by Counsel moved the Court to set aside the Judgment entered against them at the July Term 1877. of this Court, which motion on Consideration the Court doth Sustain and thereupon the Defendants withdrew their plea of not guilty to the charge set forth in the said indictment and plead guilty and submitted the question of fine to the Court, whereupon on Consideration the Court doth fix their amercement at the Sum of Fifty Dollars,

It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendants Robert Rawles and Susan Stover the Sum of Fifty Dollars the amount of Fine as aforesaid and her Costs by her in this behalf expended

And the Defendant Robert Rawles being present in Court, it is ordered that he be imprisoned until he shall pay the said fine and Costs or be otherwise discharged according to law, and thereupon he was placed in custody of the

Sheriff of this County and thereupon the Said Robert Rawles moved the Court to allow him to give Security for the Said fine and Costs. which motion the Court on Consideration doth Sustain and thereupon H. H. Washington appeared in Court. (who justified as to his Sufficiency) waiving the benefit of his Homestead exemption. and acknowledged himself as Security for the Said Robert Rawles for the payment of Said fine and Costs. and thereupon Said Robert Rawles was discharged from Custody. It is therefore Considered by the Court that The Commonwealth of Virginia do recover of the Said Robert Rawles and H. H. Washington the Said Fine and Costs, and that execution do issue therefor against them.

The Court doth order that the following named persons be allowed the Sums opposite their names for their attendance and Services at this term of the Court, as Veniremen Summoned for the trial of Felony Cases at $1.00 per day and that the Same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts. Viz:-

Co R.

✓ Jacob A. Rudes $4.00	John M. Huffman $3.00	✓ N. M. Shuler $1.00
A. S. Bader $4.00	✓ H. K. Devier $3.00	G. H. Sowers $1.00
Timothy Quinlin $4.00	John Lineweaver $3.00	✓ John B. Hansbergen $1.00
David Lineweaver $4.00	Jacob Lineweaver $2.00	✓ John D. Heatwole $1.00
Jacob M. Cool $4.00	✓ Samuel Dundore $2.00	✓ Wm H. Peterson $1.00
Albert A. Runner $4.00	✓ Isaac S. Kibler $2.00	✓ F. H. Weaver $1.00
✓ A. M. Beale $3.00	✓ Emanuel Driver $2.00	✓ Jos. M. Mauzy $1.00
✓ John Leedy $3.00	Geo. M. Yancey $2.00	
D. G. Whitmer $3.00	Peter Roller $2.00	
A. F. Lam $3.00	Samuel L. Rice $2.00	
✓ John P. Sellers $3.00	✓ Marion Long $1.00	
Jacob Wyrnant $3.00	James R. Eiler $1.00	

Ordered. that the following named Jurors be allowed the Sums opposite their names for their attendance and Services at this term of the Court in the trial of Misdemeanor Cases and that the Same be paid by the Treasurer of this County and certified to the Auditor of Public Accounts Viz:-

✓ A. M. Beale $3.00	Marion Long. $2.00	Jacob Lineweaver $1.00
✓ John Leedy $3.00	James R. Eiler $2.00	Isaac S. Kibler $1.00
✓ Jos. M. Mauzy $3.00	E. M. Shaver $3.00	Emanuel Driver $1.00
John B. Hansbergen $3.00	G. H. Sowers $2.00	
John D. Heatwole $3.00	Wm H. Peterson $2.00	
F. H. Weaver. $3.00	John D. Effinger $2.00	

Ordered. That the following named persons be allowed the Sums opposite their names for their 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:-

F. H. Weaver. $1.00	Jacob Wyrnant $1.00	
✓ A. M. Beale $1.00	P. M. Pugh $2.00	John M. Huffman $1.00
✓ John Leedy $1.00	C. M. Hammen $2.00	Isaac S. Kibler $1.00
E. M. Shaver $1.00	Geo. M. Yancey $2.00	Emanuel Driver $1.00
✓ Jos. M. Mauzy $1.00	Jacob Lineweaver $1.00	✓ H. K. Devier $1.00
G. H. Sowers $1.00	D. G. Whitmore $1.00	John Lineweaver $1.00
John B. Hansbergen $1.00	A. F. Lam. $1.00	Newton Hopkins $1.00
John D. Heatwole $1.00	Samuel Dundore $1.00	D. M. Huffman $1.00

Commonwealth.

Lizzie Garrison. Jennie Mitchell } Upon an Indictment for Keeping and maintaining a
+ Eliza Simmons. } House of ill fame resorted to for the purpose of prostitution and lewdness.

This day the Defendant Jennie Mitchell who stands indicted for a misdemeanor by her committed, appeared in Court in Custody of the Sheriff of this County under a writ of Capias ad. respondendum and thereupon the said Defendant severed in her plea of "not guilty to said indictment and elected to be tried seperately and moved the Court to grant her bail which motion upon Consideration the Court doth sustain. and fixes the amount of bail at the sum of $100 00 for herself and the same amount for her Surety and thereupon the said Jennie Mitchell together with Otway Savage as her Surety, (who justified as to his Sufficiency) acknowledged themselves to be indebted to The Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods and Chattels, lands and tenements for the use of the said Commonwealth each waiving the benefit of their Homestead exemptions as to this obligation) Yet upon this Condition that the said Jennie Mitchell does make her personal appearance before the Judge of this Court on the 1st day of the April Term next, to answer the said indictment and not depart thence without leave of the Court. and thereupon she was discharged from the Custody of the Sheriff.

Commonwealth.

George Collins } Upon an Indictment for breaking and entering a dwelling House in the day time with intent to steal.

This day, the prisoner, George Collins who stands indicted for a felony by him Committed was led to the bar of the Court in Custody of the Jailor of this County, and being thereof arraigned pleaded "not guilty" to the said indictment and thereupon his trial was Continued until the 3d day of the April Term next of this Court.

And thereupon the prisoner was remanded to Jail.

Ordered that this Court be adjourned until tomorrow morning at 10 Oclock.

Chas. T. O'Donald.

March 30, 1878. At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Saturday March 30, 1878.

Present:- Hon. Chas. J. O'Ferrall, presiding.

James M. Linaweaver, who was on the 21st day of March 1878, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with John Linaweaver, his surety, (who justified as to his sufficiency), entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of his said office, each waiving the benefit of their Homestead exemptions, 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 James M. Linaweaver took the several oaths prescribed by law.

Ordered, That Court be adjourned until Monday morning next at 10 o'clock.

Chas. J. O'Ferrall.

April 1, 1878. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, April 1, 1878.

Present: Hon. Chas. J. O'Ferrall, presiding.

On the Petition of Wm. L. Miller for the appointment of Commissioners to re-asses his lands, on the Shenandoah River, injured by the flood of November 1877.

Ordered, That this cause be placed upon the Court's docket.

Wm. G. Stevens' Adm'r. Pl'ff.

Rawson M. Parrott, Deft. } Upon a Sci. Fa. to revive a Judgment, &c.,

This day came the Plaintiff by his Attorney, and the Defendant, upon whom process was duly served to 1st Monday in March 1878 not appearing, on his motion it is considered by the Court that the judgment mentioned in the said Scire Facias be revived in the name of Joseph M. Stevens, Adm'r. of Wm. G. Stevens & Henry J. Showalter, Adm'r. of R. M. Parrott, dec'd., and that the Plaintiff may have execution against the defendant for the sum of $374.20/100 debt, with legal interest thereon from May 16, 1859, till paid & $6.11 Cents in the mint aforesaid specified, and also that the Plaintiff recover

against the Defendant his costs by him expended in suing forth and prosecuting this writ.

Commonwealth of Virginia
James Kavanaugh. } Upon a motion to revoke Bar-room License,
&
Same,
John J. McMahon. } Upon same,

Ordered, That these causes be placed upon the Court's docket

The Commonwealth,
Fanny Grove. } Upon an Indictment for Keeping and maintaining a House of ill-fame resorted to for the purpose of prostitution & lewdness.

This day came as well the Attorney for The Commonwealth as the Defendant in person and by counsel, and the Defendant filed her plea of "not guilty," and thereupon came the following Jury, to-wit:— Samuel Barley, M. H. Richcreek, E. S. Kemper, Robert R. Fletcher, M. M. Sibert, J. F. Voorhees, F. H. Dice, Jo. A. Coffman, Charles Eshman, John Messerley, D. W. Pollard & M. Y. Partlow, who being elected, tried and 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, without retiring to their room, upon their oaths do say, "we the Jury find the Defendant "not guilty," M. M. Sibert, foreman. It is therefore considered by the Court that the Defendant, Fanny Grove go hence without day, &c.

The Grand Jury sworn and impanneled on the fourth day of this term of the Court, this day again appeared in Court, pursuant to their adjournment, and again retired to their room to consider their presentments, and after some time again returned into Court, and not having completed the business before them, were adjourned until Wednesday morning next at 10 o'clock.

Commonwealth
Fanny Scott & Bettie Brightman } Upon an Indictment for Keeping and maintaining a house of ill-fame, resorted to for the purpose of prostitution & lewdness.

This day came as well the Attorney for The Commonwealth as one of the Defendants, Bettie Brightman, in person and by counsel and said Defendant elected to be tried separately and filed her plea of "not guilty," and thereupon came the following Jury, to-wit:— Samuel Barley, M. H. Richcreek, E. S. Kemper, Robt. R. Fletcher, M. M. Sibert, J. F. Voorhees, F. H. Dice, Jo. A. Coffman, Charles Eshman, John Messerley, D. W. Pollard & M. Y. Partlow,

who being elected, tried and 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, without retiring to their room, upon their oaths do say, "We, the jury find the Defendant Bettie Brightman, "not guilty." Mr. M. Silcott, foreman. It is therefore considered by the Court that Defendant go hence without day &c.

Commonwealth, } Upon an Indictment for Keeping and maintaining a house of ill-fame, resorted to for the
Eliza Simmons. } purpose of prostitution & lewdness.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by counsel, (who stands jointly indicted with Lizzie Garrison & Jennie Mitchell) and thereupon the Attorney for the Commonwealth, with the assent of the Court, entered a Nolle Prosequi as to said Eliza Simmons. It is therefore considered by the Court that the Defendant, Eliza Simmons, go hence without day, &c.

Commonwealth, } Upon an Indictment for Keeping and maintaining a house of ill-fame, resorted to for
Susan Taylor. } the purpose of prostitution & lewdness.

This day came as well the Attorney for the Commonwealth as the Defendant in person, under a writ of Capias ad respondendum, and by counsel, and the Defendant filed her plea of "not guilty" and thereupon came the following jury, to-wit:- Samuel Bailey, M. V. Richcreek, E. S. Kemper, Robert R. Fletcher, M. M. Silcott, J. F. Voorhees, F. N. Dice, Jo. A. Coffman, Charles Eshman, John McKenley, D. W. Pollard & M. J. Partlow, who being elected, tried and 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 some time returned into Court, and upon their oaths do say "We the jury find the Defendant, Susan Taylor, guilty in manner and form as charged in the Indictment, and assess her amercement at Twenty-five dollars. M. M. Silcott foreman, and thereupon the jury was discharged and the Defendant was remanded to jail until to-morrow morning.

Ordered, That the following named persons be allowed the sum opposite their names for their services at this term of the Court in the trial of misdemeanor cases, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

Samuel Bailey,	$1.00	M. M. Silcott,	$1.00	Charles Eshman,	$1.00
M. V. Richcreek,	1.00	J. F. Voorhees,	1.00	John McKenley,	1.00
E. S. Kemper	1.00	F. N. Dice,	1.00	D. W. Pollard,	1.00
Robert R. Fletcher,	1.00	Jo. A. Coffman,	1.00	M. J. Partlow,	1.00

c of d od.

certified to Auditor

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

April 2, 1878. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof on Tuesday, April 2, 1878.

Present: Hon. Chas. T. O'Ferrall, presiding.

Commonwealth } Upon an Indictment for Keeping and Maintaining a House of ill-fame, resorted to for the purpose of Prostitution & lewdness.
Susan Taylor }

This day the defendant again appeared in Court in custody of the Jailor of this County, and by counsel, moved the Court to set aside the verdict of the Jury rendered on yesterday and grant her a new trial, which motion, on consideration, the Court doth sustain, and her trial continued until the 5th day of the next April term of this Court, and the defendant further moved the Court to grant her bail, which motion the Court also sustained; and thereupon the said Susan Taylor acknowledged herself to be indebted to the Commonwealth of Virginia in the sum of $100 Cy, (waiving the benefit of her Homestead exemption,) to be levied of her respective goods & chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that she does make her personal appearance before the Judge of this Court, on Friday the 20th day of April 1878, being the 5th day of the April Term of this Court, to answer the said Indictment, and not depart thence without leave of the Court. And thereupon the Defendant was discharged from custody.

The following Land-owners in the County of Rockingham this day filed their petitions for the appointment of Commissioners to assess their lands damaged by the flood of Nov. 1877, viz:-

J. B. Nicholas, ✓	John D. Moore, ✓
James Smith, ✓	Elizabeth Thomas, ✓
H. Bateman, ✓	Martin Heatwole, ✓
same, ✓	D. H. Weaver, ✓
same, ✓	Magdalene Weaver, ✓
Jane M. Yost & sisters. ✓	

which Petitions are ordered to be placed upon the Court docket.

L. H. Ott, Coroner of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $27.50 for expenses &c incurred in holding Inquest upon the body of Charlotte Harris, lynched and hung near McGaheysville in this 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.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $21.25 for Keeping & supporting Wm. Spitzer, a lunatic 28 days from Feby. 16th to March 15, 1878 - clothing for same 1 month, and for Keeping & supporting Susanna C. Carr, a Lunatic 16 days - receiving & releasing same, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia for dieting Venires in case of Commwlth. vs. Phil. Phillips and Commwlth vs. Isaac M. Powell, charged with Felony (1 day each @ $1 per day,) amounting to the sum of $30.00 which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to $63.00 for Keeping & supporting sundry prisoners covering a period from Feby 16th to March 15, 1878, 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. W. F. Allemong, D. A. Heatwole & C. W. Altman, Comm'rs appointed at Feby term last of this Court to report upon the proposed construction of a Bridge at or near the "old Site" West of Conrad's Store, this day presented their Reports, which are ordered to be filed.

J. Hawse, J. A. Mitchell & Jacob Myers, viewers appointed at Feby. Term last of this Court to report upon the proposed change in the public road from N. W. bank of the Shenandoah River opposite Keedy's Store to the junction of Runion's Creek, this day presented their report, which is ordered to be filed.

Ordered That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Wednesday April 3d 1878.

Present:- Hon. Chas. S. O'Ferrall presiding.

On the Petition of Jacob Dundore & L Sibert for the appointment of Commissioners to reasess their lands. Damaged by the flood of November 1877.

Ordered. That this cause be placed upon the Courts Docket.

It is ordered to be certified to the Auditor of Public Accounts that George G. Grattan Attorney for the Commonwealth for this County is entitled to the Sum of Fifty Five Dollars for prosecuting in three cases of Felony as follows. at January Term Commonwealth vs R. N. alias Richard N. Pool. March Term. Same. vs Philip Phillips and Same. vs Isaac M. Powell. and for prosecuting to Conviction in five Misdemeanor cases as follows. (February Term) Commonwealth vs Abraham Armentrout. Same vs Jenny Williams. (March Term) Commonwealth vs Moses Joseph & Margt Price. Same. vs Henry Frazier. Same. vs Robert Rawles & Susan Stover.

Csf.

The Grand Jury Sworn and impannelled on the fourth day of this term of the Court. this day again appeared in Court, pursuant to their adjournment. and again retired to their room to consider their presentments and after sometime returned into Court and made the following presentments. Viz:-

An Indictment against James Kavanaugh. For Selling intoxicating drink on Sunday. A true bill Philo Bradley Foreman.

An Indictment against James Kavanaugh. For Selling intoxicating drink on Sunday A. true bill Philo Bradley Foreman.

An Indictment against James Kavanaugh For Selling Illicit Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a minor. Knowing him to be a minor, without the Consent of his parent or guardian. A true bill. Philo Bradley Foreman.

An Indictment against Charles A. Yancey & J. D. Loewenbach For Selling Illicit Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a Minor Knowing him to be a minor, without the Consent of his parent or guardian. A true bill Philo Bradley Foreman.

An Indictment against Charles A. Yancey & J. D. Loewenbach For Selling Illicit Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a Minor. Knowing him to be a minor, without the Consent of his parent or guardian A. true bill Philo Bradley. Foreman.

An Indictment against Joseph Kavanaugh and A. J. Wall. For Selling Illicit Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a minor. Knowing him to be a Minor. without the Consent of his parent or guardian A. true bill Philo Bradley. Foreman.

An Indictment against John J. McMahon. For Selling intoxicating drink on Sunday A true bill Philo Bradley. Foreman.

An Indictment against John J. McMahon. For Selling intoxicating drink on Sunday A. true bill Philo Bradley. Foreman.

An Indictment against John J. McMahon For Selling wine ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a minor, Knowing him to be a minor without the Consent of his parent or guardian A true bill Philo Bradley. Foreman.

An Indictment against Jonas Lowman. For Selling Wine ardent Spirits and a mixture thereof to a Minor. Knowing him to be a Minor. without the Consent of his parent or guardian. A true bill Philo Bradley. Foreman.

An Indictment against Jonas Lowman. For Selling Wine ardent Spirits and a mixture thereof to a Minor Knowing him to be a Minor without the Consent of his parent or guardian. A true bill Philo Bradley Foreman.

And having Completed the business before them were discharged from further attendance upon this Court.

Ordered. That the following named persons be each allowed the Sum of Five Dollars. for their Services at this term of the Court as Grand Jurors (5 days @ $1.00 per day) and that the Same be Certified to the Treasurer of this County for payment, Viz:- Philo Bradley. J. B. D. Rhodes. Jno. S. Effinger Jas. R. Eiler. Wm. H. Peterson, Marion Long, D. M. Switzer, Henry Shacklett. T. T. Rohr and Jas. F. Lowman,

On the Petitions of Samuel H. Lewis. John F. Lewis. Harrison Bateman and Jane M. Yost and Sisters, James Smith, J. B. Nicholas A. M. E. Strayer. E. J. Strayer Clara Strayer. Adelaide Strayer James M. Weaver and Robert F. Weaver. B. F. Thomas. A. Shaver & Co R. M. Burke Sallie C. Miller, and Wm S. Miller for the appointment of Commissioners to re-assess their lands injured by the late freshet of November 1877. as provided for in an act of the General assembly entitled "An act to authorize a reassessment of the lands throughout the Commonwealth approved February 22d. 1878"

The Court doth hereby appoint the following freeholders. to-wit:- Edward S. Kemper Isaac Long and G. T. Hopkins. Commissioners to reassess the lands of the petitioners Situated as follows: The lands of Samuel H. Lewis. John F. Lewis. Jane M Yost & Sisters. James Smith. James M. Weaver and Robert F. Weaver. B. F. Thomas A Shaver & Co. R. M. Burke A. M. E. Strayer, E. J. Strayer, Clara Strayer. Adelaide Strayer, Sallie C. Miller. lying on the Shenandoah River in this County. The lands of J. B. Nicholas on the North River and the lands of Harrison Bateman on the Shenandoah. North and South River in this County.

The Said Commissioners Shall proceed within fifteen days from this date. to the Said lands mentioned above and after having taken an Oath for the faithful discharge of their duty to be administered by a justice. Notary or other person authorized to administer Oaths in this County. they shall personally inspect and examine Said lands. and if they shall be of Opinion that they have in fact been Materially injured by the late freshet. they shall proceed to re-assess Said lands in accordance with their true Cash Value. after which they Shall within ten days. return their assessment to the office of the Clerk of this County provided that the reduction made by them shall in no case exceed the damage done to the property reassessed by the freshet of November. Eighteen hundred and Seventy Seven

All assessments hereby directed must be made and Completed within 15 days from this date. the Commissioners will have no authority to act after the expiration of

that time. All costs of these proceedings shall be paid by the petitioners.

On the Petition of John H Moore Agt. for A. M. Bugh for the appointment of Commissioners to reassess his lands damaged by the freshet of November 1877
Ordered that this Cause be placed upon the Courts Docket.

On the Petitions of Jacob Dundore and J. L. Sibert. Martin Heatwole. D. H. Weaver. Magdalene Weaver Thomas Elizabeth Thomas. John H Moore and John H. Moore Agt for A. M Bugh for the appointment of Commissioners to reassess their lands injured by the late freshet of November 1877 as provided for in an act of the General Assembly entitled "An act to Authorize a reassessment of the lands throughout the Commonwealth Approved February 22d 1878"
The Court doth hereby appoint the following freeholders. to-wit- Peter Paul. David A. Heatwole. and Joseph S. Lowe Commissioners to reassess the lands of the petitioners Situated as follows:- The lands and Mill property of Jacob Dundore and J. L. Sibert lying on Dry River in this County. The lands of Martin Heatwole. and the lands & Mill Property of A. M Bugh on North River in this County The land of D. H. Weaver lying on Beaver Creek in this County. The lands of Magdalene Weaver lying on North River in this County: The lands and Mill or Manufactory property of Elizabeth Thomas widow of Daniel Thomas dec'd lying on Beaver Creek in this County and the lands of John H Moore lying on North River in this County. The said Commissioners shall proceed within fifteen days from this date to the said lands mentioned above and after having taken an Oath for the faithful discharge of their duty to be administered by a Justice. Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine said lands. and if they shall be of Opinion that they have in fact been Materially injured by the late freshet. they shall proceed to reassess Said lands in accordance with their true Cash Value after which they shall within ten days return their assessment to the office of the Clerk of this County. provided that the reduction made by them shall in no Case exceed the damage done to the property re-assessed. by the freshet of November Eighteen hundred and Seventy Seven. All assessments hereby directed must be made and Completed within 10 days from this date the Commissioners will have no authority to act after the expiration of that time. all Costs of these proceedings shall be paid by the petitioners.

The following land-owners in the County of Rockingham. this day filed their petitions for the appointment of Commissioners to re-assess their lands damaged by the flood of November 1877. Viz:-
Thos. K. Miller.
J. A. Bear
John H Bear & Chas. B. Stephens.
N. B. J. McHamsberger.
Jeremiah Hamsberger.
Which Petitions are ordered to be placed upon the Courts Docket.

Ordered that this Court be adjourned until to morrow at 10 Oclock
Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Thursday April 4th 1878.

Present: Hon Chas. T. O'Ferrall. presiding.

On the Petitions of Thomas K. Miller, J. H. Bear & Chas. B. Stephens, J. A. Bear, H. B. & J. McHamsberger, and Jeremiah Hamsberger, for the appointment of Commissioners to reassess their lands injured by the late freshet of November 1877 as provided for in an Act of the General Assembly entitled "an act to authorize a reassessment of the lands throughout the Commonwealth approved February 22d 1878"
The Court doth hereby appoint the following freeholders, to-wit:- Edward S. Kemper, Isaac Long and G. T. Hopkins Commissioners to reassess the lands of the petitioners situated as follows:- The lands of Thomas K. Miller Bear & & Stephens, J. A. Bear & Jeremiah Hamsberger lying on the Shenandoah River in this County and the lands of H. B. & J. McHamsberger on the South River. The said Commissioners shall proceed within fifteen days from this date to the said lands mentioned above and after having taken an oath for the faithful discharge of their duty to be administered by a justice Notary or other person authorized to administer oaths in this County, they shall personally inspect and examine said lands. and if they shall be of opinion that they have in fact been materially injured by the late freshet. they shall proceed to reassess said lands in accordance with their true cash value after which they shall, within ten days, return their assessment to the office of the Clerk of this County: provided that the reduction made by them shall in no case exceed the damage to the property reassessed by the freshet of November Eighteen hundred and Seventy Seven. All assessments hereby directed must be made and completed within 15 days from this date. The Commissioners will have no authority to act after the expiration of that time. All costs of these proceedings shall be paid by the petitioners

Cyrus Pence, for. &c., } upon a Notice
vs
Z. D. Gilmore. &c.

Same, } upon a Notice
vs
Same,

This day came again the parties by their attorneys and upon motion leave is given the plaintiff to amend his notices in these two causes so as to show that the execution referred to and described in the notices was originally endorsed for the use of F. A. Mooney and that the said debt is now for the use of The First National Bank of Harrisonburg and John E. Roller and the causes were thereupon continued and upon the motion of the Plaintiff rules are awarded against Amos Scott and Peter F. Earman two absent witnesses returnable to the 1st day of the next term of this Court which day is fixed for the trial of these causes.

Joseph Byrd. Survg. &c., } upon a Notice.
vs
J. A. Hammen. late S. R. C.

This day came again the parties by their attorneys. and thereupon on

motion of the Defendant by Counsel this Cause is continued until the 1st day of the next term and a rule is awarded against R. D. Hefs. an absent Witness returnable to said 1st day of April Court next.

Upon the Petition of James M. Sanfley & others for the establishment of a Public Road.

It appearing to the Court that the Commissioners heretofore appointed in this Cause and whose report was recommitted to them by an order of this Court of the 25th of February 1878. have not yet returned a report in accordance with the requirements of said order It is Considered by the Court that said Commissioners do proceed on Friday the 12th of April 1878 to execute the order aforesaid. and the Clerk of this Court is directed to furnish said Commissioners with a Copy of this Order. without delay

Upon the Petition of Henry Frank. for a Change in a Public Road

The Report returned by the Commissioners heretofore appointed in this Cause having been seen and inspected by the Court. and the same being defective in several particulars. upon the motion of the Petitioner the same is recommitted to them with instructions to make report in accordance with the Orders heretofore entered in the Cause and with the requirements of the law.

This day came William F. Kyger who alleges that he is aggrieved by an entry in the land book made by J. N. Rob Assessor of the Revenue for Stonewall District in said County, in the year 1877. whereby he is charged with $50.87 taxes for the year 1877. upon a tract of land Containing 162 Acres and One rood. described as lying on Mill Creek and thereupon the said William F. Kyger moved the Court to Exonerate him from the payment of $21.66 part of the taxes so erroneously Charged against him for said year. which motion was defended by George G. Grattan Attorney for the Commonwealth for said County and the said J. N. Rob Assessor who made the Assessment was examined as a Witness touching the application. And it appearing that said book in which said erroneous entry has been made was Certified by the Clerk of the County Court of this County, on the day of 187 and that application for redress against the erroneous entry was made on this day for the first time and it appearing that the Assessor in making the transfer upon said book in accordance with the partition of the real estate of Alexander Kyger dec'd & the assignment of dower to his widow erroneously charged to Wm F. Kyger a tract of 162 Acres and one rood at $27.50 when he ought to be Charged with 142 Acres and one rood at $18 per acre and that he is erroneously Assessed with taxes upon the difference between the first quantity of land at $27.50 and the last quantity named at $18 per acre. All of which the Court Certifies as facts proved upon the application. On Consideration whereof and from such facts so proven the Court is Satisfied that the said William F. Kyger is erroneously Charged upon said book with taxes amounting to $21.66 whereupon it is

ordered that William F. Kyger be exonerated from the payment of $21.66 taxes so erroneously charged if not already paid. and if paid that it be refunded to him. of which $9.60 is State tax and $12.06 is County tax &c.

On the Application of A. Shaver and others for the establishment of a Public Road from a point beginning in the Old Mill Road leading from McGaheysville to A Shaver & Geo Mills thence along the location of the present old Road to or near the three Springs and by the way of Nicholas Kyger. and Addison Royer's House to a point on the old McGaheysville Road nearly opposite to Montevideo and the application of Noah A Royer &c. which stands as a Competing petition.

These Causes Came on to be finally heard this 4th day of April 1878. upon the proceedings heretofore had and upon the report of E. D. Kemper John I Wood and M. K. Rush Viewers appointed to View and locate a Route &c. for said proposed Road returned to the Octo Term 1877. of this Court and upon the Summons awarded against the land owners along said proposed route to-wit:- Cornelius Armentrout Wm F. Lewis and Mary his wife Mrs F. Melhorn. Nicholas Kyger. Wm R Bratt Mrs Henrietta Royer. Benj Engle. John Royer. Frederick Armentrout. Henry Fifer. Addison Royer. G. W. Mauzy. Peter Kyger. Joseph Bauserman. Mrs Fannie Yancey and others returned executed as to all of said parties and upon the objections filed to said report by Addison Royer and Noah Royer agent for Henrietta Royer and upon the report of the Commissioners appointed on the motion of said Addison Royer and Noah A. Royer agent for Henrietta Royer at the December term of this Court 1877. to go upon the lands of the said Addison Royer and Henrietta Royer and assess the damage to the lands of the said Addison & Henrietta Royer by the locating of said Road through their lands &c. and returned to this term and exceptions to said report by the said Addison Royer and the said Noah A Royer agent for Henrietta Royer. and upon the withdrawal of objections upon the part of the Addison Royer and Noah A. Royer agent for Henrietta Royer upon the following Conditions and in the words & figures following, to-wit: March 27th 1878 I hereby withdraw all opposition to the Three Springs and Montevideo road passing over my land on the Condition that each Party to the Controversy shall pay their own Costs also that I be allowed the damages assessed by the Commissioners. also that said road shall not exceed twenty feet wide with the exception of the Hill from the Saw Mill to the top of said Hill (Signed) Addison Royer Witness by J. A. Hammer whereupon it appearing to the Court from the report of said Viewers. and from evidence introduced that Public Necessity and Convenience require the establishment of said road and it further appearing to the Court from evidence introduced that a good and Sufficient Public Road can be made at a width of twenty feet with the exception of the Hill at the Saw mill mentioned in the reports of Viewers at which point the road should be twenty six feet wide. Upon Consideration whereof the Court doth hereby establish said Road, & to be opened twenty feet wide in the clear at all points except at the Hill near the Saw Mill which shall be and is hereby established twenty six feet width in the clear. The line of said Road is as follows- Beginning at a point in the Mill Road near Shavers Mill S 28 W 2 Poles through the lands of C. Armentrout and Mrs F. Melhorn and W. F.

Lewin N 61 3/4 W. 42 Poles on Same land S 86 W 159 Poles on Same land S 36. W 34 poles on Same land S 74 1/2 W 20 poles 17 links through Nicholas Kygers land N 61 W 28 poles on Same land N. 61 3/4 W 45 1/2 poles on Same land N. 62 W 41 poles 13 links on Britt land N 18 W 19 poles on Henrietta Royers land N 8. E. 30 poles and 18 links through Benj Engles and John Royers land N. 84 1/2 W. 18 poles through the land of Frederick Armentrout and Benj Engle land N 85 1/2 W. 35 P. through the lands of Henry Fifer and Addison Royer N. 4 1/2 E 40 poles through the Lands of Addison Royer N. 5 1/2 E 50 poles on Same land N. 14 W. 24 Poles on Same land N 41 W 15 Poles on Same land N 51 1/2 W 15 Poles 7 links on Same land N 9 1/2 W 7 poles to Cub Run N 55 1/4 W 5 1/2 Poles Crossing Cub Run. N. 84 1/2 W 19 Poles 15 links N 8. E 33 Poles and 19 links. N 73 1/2 W. 72 Poles through the lands of Said A Royer and Cornelius Armentrout N. 36. W 93 1/2 Poles through the lands of Said Cornelias Armentrout and Geo. W. Manzy & Peter Kyger thence N. 33 W 53 Poles through the lands of Joseph Bauserman and Mrs Fannie Yancey to the point of intersection of the old McGaheysville Road. The entire length of Said new Road being three miles lacking 4 Poles according to the report and diagram returned by the Viewers.

And the Court doth Confirm the report and amended report of the viewers as to all damages allowed to the Various land owners along Said route except Addison Royer and Henrietta Royer and doth direct that the Said land-owners be paid as follows: To William A Britt the Sum of four Dollars. Henry Fifer the Sum of Five dollars. Joseph Bauserman the Sum of five dollars. Mrs Fannie Yancey the Sum of twenty dollars. Benjamin Engle & John Royer the Sum of five dollars. John Royer the Sum of four Dollars. And the Court doth allow to Addison Royer the Sum of thirty Eight dollars and to Henrietta Royer the Sum of thirteen dollars. The amounts allowed by the Commissioners appointed as aforesaid to assess their damages. all of Said Sums to be paid by the County out of the levy for the year 1878.

And the Court doth hereby direct the Road Commissioner of Stonewall District to open and establish Said road according to the Courses and distances set forth in this order without any deviation therefrom forthwith, and when he shall have completed the Same he shall report to this Court, setting forth the Condition of Said road. with a view to a final determination of this matter The Petition of Noah A. Royer & others is hereby dismissed, and the petition of A Shaver & others is retained on the docket to await the report of the Commr. of Roads.

On the application of D. A. Plecker for the establishment of a Public Road from the West end of the Bridge at Mt Crawford in this County to the County Road about 15 or more poles below Said bridge.

103 This day came the petition by Counsel and thereupon came Jackson Rhodes the proprietor of the land proposed to be taken for Said Road and thereupon upon the motion of the Said Jackson Rhodes by Counsel the Court doth appoint the following freeholders to wit:- James F. Lowman John H. Moore, Hiram Coffman. Saml. C. Switzer and M. J. Moyerhoeffer

(any three of whom may act) Commissioners to ascertain what will be a just Compensation for the land to be used for said Road belonging to the said Jackson Rhodes and they are hereby directed to meet on the said land on Saturday April 13th 1878. and the Sheriff is hereby directed to give notice to the said Jackson Rhodes of the said time and place of the meeting of the said Commissioners any one (or more) of said Commissioners attending on the land aforesaid may adjourn from time to time till the business shall be finished.

Before said Commissioners shall enter upon the discharge of their duties they shall be Sworn before a Justice of the Peace and they shall Comply in all respects with the provisions of Sections 9 and 10 ch. 56 Code of 1873. and make return of their report together with the Certificate of the Justice forthwith to this Court.

Any failure upon the part of the Commissioners to Comply with the law or any defect in their report will debar them from receiving Compensation. The time actually employed by said Commissioners in the discharge of their duty shall be endorsed on their report.

Samuel Bailey Pltff
vs
Elias Kindig Deft. } upon a Garnishee Summons.
as gar of Ulys S. Peterson.

This day Came the parties by their Attorneys and this Cause having been Submitted to the Court. and the evidence and argument of Counsel having been fully heard. and it appearing to the Court that Elias Kindig had in his hands for the benefit of said Peterson the Sum of $23.57 which the Court is of opinion is liable to the levy of the Plaintiffs Fieri Facias: It is therefore Considered by the Court that the Plaintiff recover of Elias Kindig. garnee the Sum of $23.57 with interest thereon from the 28th day of October 1869 till paid and his costs by him in this behalf expended Since that date.

The Restatement of Debts against the Estate of John C. Woodson dec'd was this day presented in Court. and having been filed in the Clerks Office the time prescribed by law, and no exceptions being taken thereto. the Same is Confirmed and ordered to be recorded.

Ordered that this Court be adjourned until ~~tomorrow~~ morning at 10 Oclock

Chas. F. O'Ferrall.

April 8, 1878. At a County Court continued and held in and for the County of Rockingham, ~~at the~~ Court House thereof, on Monday, April 8, 1878.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the application of John Q. Winfield & others, for a change in the public Road, extending from the N. W. Bank of the Shenandoah River opposite Coote's Store to the junction of Runion's Creek with said River, the Commissioners J. Hawse, J. A. Mitchell and Jacob Moyers heretofore appointed to review and report upon said proposed change having returned their report, together with a diagram and survey of said proposed change and the said Commissioners having recommended the said change on one of the routes reported, It is ordered that the following-named land-owners along the line of the three routes for said change reported by said Commissioners, to-wit:- Charles Wunder, Jackson Horn, Cornelius Riddle & sisters, John G. Cootes, James Steele, S. B. Hulvey, and William Minnick be summoned to appear before the Judge of this Court on the 8th day of May Term 1878, and show cause, if any they can, why one of the said Routes should not be adopted by the Court and the proposed change be made.

The following land-owners in the County of Rockingham this day filed their petitions for the appointment of Commissioners to re-assess their lands, &c., damaged by the Flood of November, 1877, viz:-

A. C. Bear, John H. Holbrook, Samuel W. Kaylor,
Wm. S. Downs, John Harper, J. J. Strayer,
G. W. Kemper, C. C. Strayer,

which Petitions are ordered to be placed upon the Court's Docket.

On the Petitions of A. C. Bear, Wm. S. Downs, G. W. Kemper, John H. Holbrook, John Harper, Samuel W. Kaylor, C. C. Strayer and J. J. Strayer, for the appointment of Commissioners to re-assess their lands injured by the late freshet of November, 1877, as provided for in an Act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth, approved February 22, 1878."

The Court doth hereby appoint the following free holders, to-wit:- E. S. Kemper, Isaac Long and G. T. Hopkins, commissioners to re-assess the lands of the petitioners, situated as follows: On the Shenandoah and South Rivers in Rockingham County.

The said Commissioners shall proceed within fifteen days from this date, to the said lands mentioned above, and after having taken an oath for the faithful discharge of their duty, to be administered by a Justice of the Peace, Notary or other person authorized to administer oaths

in this County, they shall personally inspect and examine said lands, and if they shall be of opinion that they have in fact been materially injured by the late freshet, they shall proceed to re-assess said lands in accordance with their cash value, after which they shall, within ten days, return their assessment to the office of the Clerk of this County; provided that the reduction made by them shall, in no case exceed the damage done to the property re-assessed, by the freshet of November eighteen hundred and seventy-seven. All assessments hereby directed must be made and completed within fifteen days from this date, the Commissioners will have no authority to act after the expiration of that time. All costs of these proceedings shall be paid by the petitioner.

Jerry Morris, } Petit Larceny. Appeal from a
vs. } Upon an judgment of Justices of the Peace.
The Commonwealth. }

This day came as well the Attorney for the Commonwealth as the Defendant, Jerry Morris in person, and in custody of the Jailor of this County, and by counsel, and the Defendant by counsel, moved the Court to grant him bail, and due consideration, the Court doth sustain his motion; and thereupon the said Jerry Morris, together with Benton Morris and Samantha Morris, wife of Benton Morris, acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $100. to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition, that the said Jerry Morris do make his personal appearance before the Judge of this Court, on the 5th day of the next April Term, being Friday April 5, 1878, to prosecute his said Appeal, and waiving the benefit of his homestead exemptions, and not depart thence without leave of the Court and thereupon he was discharged from Custody.

Petit Larceny

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

April 9, 1878. At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, April 9, 1878.

Present: Hon. C. T. O'Ferrall, presiding.

J. P. Logan, Clerk of this Court, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $42.50 for fees allowed under Sec. 31, Chapter 180, of the Code of Va. 1873, for the trial of Seventeen cases of Felony, in said Court from May Term 1877 to March Term 1878, inclusive, 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 Court be adjourned until the first day of the next term.

Chas. T. O'Ferrall.

In Vacation.

Before the Judge of the County Court of Rockingham County, this 11th day of April 1878.—

On the Petition of William C. Long, for the appointment of Commissioners to re-assess his lands situated on the Shenandoah River in this County, to-wit:— A tract of 420 Acres of Shenandoah River & Mountain land assessed now at $5.00 per acre, $100. for buildings.— total $2.100. alleged to have been injured by the late freshet of November 1877, as provided for in an Act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth" approved February 22d. 1878.

I, Chas. J. O'Ferrall Judge of the County Court of Rockingham County, do hereby appoint the following freeholders, to-wit: Edward S. Kemper, Isaac Long, and G. T. Hopkins, Commissioners to re-assess the lands above described.

The said Commissioners are hereby directed to comply fully with the provisions of the said Act of the General Assembly.

All costs of these proceedings to be paid by the petitioner.

Given under my hand & seal, this 11th day of April 1878.

Chas. J. O'Ferrall, (Seal)
Jude Rs. Co. Ct

Attest, J. T. Logan, Clerk

April 15. 1878 At a County Court held in and for the County of Rockingham at the Court House thereof, on Monday April 15th 1878.

Present:- Hon Chas. T. O'Ferrall, 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 March Term thereof, which List being seen and Inspected by the Court, is ordered to be Spread upon the minutes and is as follows. Viz:

Bargain & Sale.	James E. Roller & wife,	to Wm F. Sherman,
" "	David Holsinger Sr. & wife	" David Holsinger Jr. & wife.
" "	S. Carson Bowers & & wife & others.	" I. N. & John W. Bowers.
" "	S. C. Bowers & wife & others.	" Jacob T. Bowers.
" "	Rebecca Bare.	" Isaac Arehart.
" "	J. Conder. D. R. Orebaugh &c. Trustees	" Emanuel Wise &c. Church Trustees
" "	Joseph M. Fauver & wife.	" Adam Thomas.
Trust Deed.	J. H. Kite. T. S. Kite. J. G. H. Miller &c.	" Preston T. Burkholder Trustee.
Bargain & Sale.	Geo. W. Gaither & wife & others	" Wm H. L. Gaither.
" "	Geo. W. Gaither & wife & others.	" John W. Bryant.
" "	Wm H. L. Gaither & wife & others	" Geo. W. Gaither.
" "	A. Hartman & wife.	" Maggie E. Reherd.
" "	Wm P. McCall & wife	" Morgan Hogshead.
" "	Jacob K. Manzy & wife.	" Mrs Elizabeth M. Brock.
" "	Joseph T. Williams & wife	" Nathaniel T. Chase & Jno B. Bare.
" "	Charles R. Hooff Truste & Va. T. Company	" Wilmer D. Corse.
" "	Simon P. Burkholder & wife.	" John A. Fultz.
" "	John W. Moyerhoeffer & wife	" Mary S. Moyerhoeffer.
" "	Geo. W. Berlin Spl. Commr.	" Mary Allen Brown.
" "	John E. Roller. Commr.	" Wm. Landes.
Lis Pendens.	Jerome Keeley & Co & Mt Vernon Iron Works	" H. C. Wyeth & Wm L. Mauzin
Bargain & Sale.	H. B. Michie Comr.	to George H. Dinges.
" "	John E. Roller Commr. & others.	" Peter A. & Wm O. Whitesel.
" "	Mary Manning.	" E. A. Legg.
Trust Deed.	Charles R. Brunner.	" W. K. V. Enos. Trustee.
Agreement &c.	Jonathan Shafer.	and Josephine Coffman.
Bargain & Sale.	Warren S. Lurty. & wife.	" Wm. B. Lurty.
" "	Henry Fifer & wife.	" Adam W. May.
Trust Deed.	Chas. T. O'Ferrall.	" J. T. Logan Trustee.
Lis Pendens.	John E. Roller.	" J. G. Riley. W. S. Scott. Philip Pearce &c.
Bargain & Sale.	John E. Roller Commr. & others.	to John D. Burkholder,
" "	Abraham Burkholder. & wife	" James C. Hettzel,
" "	John Geil	" Noah Holsinger,
" "	Margt D. Effinger & J. Fred Effinger	" John B. Kline
" "	Christena Crist	" John Zigler.
" "	Willis B. Moffett.	" John W. Bare,
Trust Deed.	Geo. G. Strayer.	" Chas H. Lewis Trustee.
" "	Mary C. Lupton	" J. S. Harnsberger Trustee.
" "	John Lewis Wise	" D. F. Kagey Trustee
Homestead.	Noah Landes.	

Lis. Pendens.	Sheffey & Bumgardner.	⊗ H. C. Wyeth.
Bargain & Sale.	Aaron Shutters	to G. F. Avrey
" "	Noah Burkholder & wife.	" S. A. Firebaugh.
" "	James F. Lowman & wife.	" John Swartz.
" "	Amandat Turner.	" Benjamin F. Turner.
" "	Philip Hiser & wife.	" A. Hockman.
" "	Joseph Miller & wife	" Jonathan Miller.
Agreement	J. B. Nicholas.	" Lunsfield Lee.
Trust Deed.	Albert Lewis.	" Isaac Winegord.
Lis-Pendens.	Wm Shands Receiver &c.	" Samuel Upp.
Bargain & Sale	B. G. Patterson Commr.	" Adam Wine.
" "	Betsey McAtee.	" Wm McAtee Trustee for Olivia Whisman.
" "	Joseph B. Armentrout.	" B. F. Armentrout.
" "	Eliza Rogers	" B. F. Armentrout.
" "	Erasmus Long & wife	" Same.
" "	Jacob Barley.	Same.

The Settlement of the Guardian ofc. of Lucy Hahn was this day presented in Court and having been filed in the office, the time prescribed by law and no exceptions being taken thereto the Same is confirmed; and ordered to be recorded.

The following Appraisement & Sale Bill were this day presented in Court, and no exceptions being taken thereto the Same are ordered to be recorded. Viz:-
Appraisement & Sale Bill of the Personal Property of Archd. Hopkins decd.
" & " " " " &c of Daniel Thomas decd.
Appraisement Bill of the Personal Property of Saml. H. Avey decd.
Appraisement & Sale Bill of the " " " Wm. A. Conrad decd.

The writing purporting to be the last will and testament of Morgan C. Chapman decd. was this day presented in Court and being proven by the oaths of R. J. Mason and Daniel J. Myers two of the Subscribing witnesses thereto, was admitted to probate and ordered to be recorded.
And thereupon on the motion of James M. Chapman and Jefferson D. Chapman the Executors therein named who made oath thereto according to law, they appeared in Court and together with Henry N. Beery their Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned as the law requires waiving the benefit of their Homestead exemption, a certificate is granted them for obtaining a probat of the will in due form of Said Morgan C. Chapman, decd. And the Court doth appoint Henry Beery, Robert Mason, Isaac Clure, & Christian Shank to appraise the Estate of the Said Morgan C. Chapman, decd. any three of whom may act after first being duly Sworn.

The writing purporting to be the last will and testament of Columbia S. Royer, was this day presented in Court, and being proven by the oaths of G. W. Manzy & James M. Weaver two of the Subscribing witnesses

thereto. was admitted to probate. and ordered to be recorded.
And thereupon on the motion of Jacob H. Rush the Executor therein named who made oath thereto according to law. he appeared in Court and together with James M. Weaver and G. W. Mauzy his Sureties who justified as to their Sufficiency) entered into, and acknowledged a bond in the penalty of $100.00 Conditioned: as the law requires waiving the benefit of their Homestead exemption. A certificate is granted him for obtaining a probat of the will of said Columbia S. Royer dec'd. in due form.
And the Court doth appoint Addison Royer, Cornelius Armentrout Nicholas Miller and Frederick Armentrout to appraise the Estate of Columbia S. Royer dec'd any three of them may act after first being duly Sworn.

Commonwealth.

Lizzie Garrison. Jennie Mitchell and Eliza Simmons } upon an Indictment. for Keeping and maintaining a house of ill fame resorted to for the purpose of prostitution and lewdness.

This day the Defendant Lizzie Garrison, who Stands indicted for a Misdemeanor by her Committed, appeared in Court in discharge of her recognizance entered into on the 9th day of the March Term last of this Court. and for reasons appearing to the Court her trial is continued until to-morrow. the 2d day of this term.
And on the motion of the defendant Lizzie Garrison. the Court doth permit her to renew her recognizance in the Sum of $100.00 for herself and the Same amount for her Surety. and thereupon the said Lizzie Garrison together with Samuel Ott as her Surety (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia. in the Sum of $100.00 each. to be levied of their respective goods & chattels, lands and tenements for the use of the Commonwealth each waiving the benefit of their Homestead exemption as to this obligation. Yet upon this Condition that the said Lizzie Garrison. does make her personal appearance before the Judge of this Court on to-morrow morning at 10 Oclock to answer the said Indictment and not depart thence without leave of the Court

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Commonwealth.

Julia Phillips } upon an Indictment. for Keeping and Maintaining a house of ill fame resorted to for the purpose of prostitution & lewdness.

This day the Defendant Julia Phillips who Stands indicted for a Misdemeanor by her Committed appeared in Court in discharge of her recognizance entered into on the 9th day of the March term last of this Court. and for reasons appearing to the Court her trial is continued until to-morrow the 2d day of this term. And on the motion of the defendant Julia Phillips the Court doth permit her to renew her recognizance in the Sum of $100.00 for herself and the Same amount for her Surety, and thereupon the said Julia Phillips together with Emanuel Royer as her Surety (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods & chattels lands and tenements for the use of the Commonwealth each waiving the benefit of their Homestead exemption as to this obligation. Yet upon this Condition that the said Julia Phillips does make her personal appearance before the Judge of this Court on tomorrow morning at 10 Oclock to answer the said Indictment. and not

depart thence without leave of the Court.

Commonwealth.

Fannie Scott & Bettie Brightman. } upon an Indictment for Keeping and Maintaining a house of ill fame resorted to for the purpose of prostitution and lewdness.

This day the Defendant Fanny Scott who stands indicted for a Misdemeanor by her Committed appeared in Court in discharge of her recognizance entered into on the 9th day of the March term last of this Court, and for reasons appearing to the Court her trial is Continued until to-morrow the 2d day of this term. And on the motion of the defendant Fanny Scott the Court doth permit her to renew her recognizance in the Sum of $100.00 for herself and the Same amount for her Surety and thereupon the Said Fanny Scott together with Ulm Kain as her Surety (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods & chattels lands and tenements for the use of the Commonwealth each waiving the benefit of their Homestead exemption as to this obligation. Yet upon this Condition that the Said Fanny Scott does make her personal appearance before the Judge of this Court on to-morrow morning at 10 O'clock to answer the Said Indictment and not depart thence without leave of the Court.

It appearing to the Court that the Revd Joseph Wampler is a regularly ordained Minister in the German Baptist Church, from evidence introduced and authorized to Celebrate the Rites of Matrimony on his motion he appeared in Court and together with Frederick Wampler and Daniel Flory his Sureties (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 Conditioned according to law (waiving the benefit of the Homestead exemption) and thereupon he accordingly qualified by taking the oaths prescribed by law.

John R. Jones Commr of the Revenue for Central District, Jos W Rhodes Commr of the Revenue of Ashby District and J N Ross Commr of the Revenue for Stonewall District, in this County, this day returned to the Court a Copy of their certificates as to the Sales of Wine Alcoholic and Malt liquors, by all licensed retail and bar-room liquor dealers and wholesale liquor dealers within their respective districts for the month ending April 13th 1878 as required by an act entitled "An act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine, Ardent Spirits or Malt liquors &c approved March 30. 1877. which are ordered to be filed.

Geo. W. Yancey } U D
Geo. M Armentrout }

Julia H Smith } U D
John W. Keller }

Ordered that the foregoing Causes be placed upon the Court Docket.

Commonwealth
vs
James Ergenbright } upon an Indictment, for burning a barn.

This day the prisoner James Ergenbright late of the County of Rockingham who stands indicted for a felony by him committed, was again led to the bar of the Court in Custody of the Jailor of this County and thereupon from the Venniemen summoned for the trial of felony cases at this term of the Court the following fifteen were examined by the Court on their voirdire and found to be duly qualified and free from exceptions Viz:- John W. Spitzer Michael H. Earman, Jacob B. Burns Harvey Fifer, Madison Wise. A. P. Myers. A. R. Rhinehart, Conrad Rodeheffer, John H. Funkhouser, John H. Frank. Henry A. Sprinkel, Robert Liskey. A. B. Driver, Wm C. Price & Daniel W. Pollard, whereupon the following additional Venrieman was summoned Viz:- John Lineweaver who appeared and was examined by the Court on his voirdire found to be duly qualified and free from exceptions, the panel of sixteen being thus completed the prisoner was furnished a copy thereof and having stricken therefrom the names of four of the persons of said panel Viz:- Michael H. Earman, John H. Funkhouser, Robert Liskey and John Lineweaver, the remaining twelve of said panel Viz John W. Spitzer Jacob B. Burns. Harvey Fifer, Madison Wise. A. P. Myers, A. R. Rhinehart, Conrad Rodeheffer, John H. Frank. Henry A. Sprinkel. A. B. Driver, Wm C. Price and Daniel W. Pollard, thereby constituting the Jury who being thus elected, tried and 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 heard the evidence but not having time fully to hear the argument of Counsel, were adjourned until to-morrow morning at 9 O'clock, and were placed in charge of D. H. Rolston Sheriff of this County and D. N. Bear and Henry J. Ryman his deputies to whom was administered an oath that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial and cause them to appear in Court on to-morrow morning at 9 O'clock So help you God. And thereupon the prisoner was remanded to Jail

Ordered, that this Court be adjourned until to-morrow morning at 9 O'clock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham, at the Court-House thereof on Tuesday April 16. 1878.

Present:- Hon. Chas. T. O'Ferrall presiding.

The following land-owners in the County of Rockingham this day filed their petitions for the appointment of Commissioners to re-assess their lands, &c. damaged by the flood of November 1877. Viz:-
Sarah E. Marshall. Isaac Marshall. Julia Strausborough.
E. B. Simpson.
Which Petitions are ordered to be placed upon the Courts Docket.

On the Petition of Sarah E. Marshall, Isaac Marshall and E. B. Simpson for the appointment of Commissioners to re-assess their lands injured by the late freshet of November 1877 as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth. approved February 22nd 1878."
The Court doth hereby appoint the following free-holders. to-wit:- Peter Paul, David A. Heatwole and Joseph D. Lowe Commissioners to re-assess the lands of the Petitioners situated as follows: The lands of Mill Property of Sarah E. Marshall and Isaac Marshall on North River in this County now assessed to John Dinkel dec'd. The lands of E. B. Simpson on North River at Bridgewater in this County. The said Commissioners shall proceed within fifteen days from this date. to the said land mentioned above. and after having taken an oath for the faithful discharge of their duty. to be administered by a Justice. Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine said lands. and if they shall be of opinion that they have in fact been materially injured by the late freshet. they shall proceed to re-assess said lands in accordance with their true Cash value. after which they shall. within ten days. return their assessment to the office of the Clerk of this County; provided that the reduction made by them shall in no case exceed the damage done to the property re-assessed. by the freshet of November Eighteen Hundred and Seventy Seven.
All assessments hereby directed must be made and completed within fifteen days from this date. the Commissioners will have no authority to act after the expiration of that time. All Costs of these proceedings shall be paid by the petitioners.

On the Petition of Julia Strausborough for the appointment of Commissioners to re-assess her lands injured by the late freshet of November 1877. as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth. approved February 22nd, 1878"
The Court doth hereby appoint the following free-holders. to-wit:- Edward S. Keinsler. Isaac Long. and G. T. Hopkins Commissioners to re-assess the land of the petitioner. Situated as follows: The lands of Julia Strausborough

lying on the Shenandoah River in this County The said Commissioners shall proceed within fifteen from this date. to the said land mentioned above. and after having taken an oath for the faithful discharge of their duty to be administered by a Justice Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine said Lands. and if they shall be of opinion that they have in fact been materially injured by the late freshet. they shall proceed to reassess said lands in accordance with their true Cash value. after which they shall within ten days. return their assessment to the office of the Clerk of this County. provided that the reduction made by them shall in no case exceed the damage done to the property reassessed. by the freshet of November. eighteen hundred and Seventy-Seven.

All assessment hereby directed must be made and completed within fifteen days from this date, the Commissioners will have no authority to act after the expiration of that time. All Costs of these proceedings shall be paid by the petitioner.

Commonwealth.

James Engenbright } Upon an Indictment for burning a barn.

This day. the prisoner James Engenbright. late of the County of Rockingham who stands indicted for a felony by him committed, was again led to the bar of the Court in Custody of the Jailor of this County and thereupon again came the jury Sworn and impannelled 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 returned into Court and upon their oaths do Say We the jury find the prisoner James Engenbright not guilty. W. C. Price foreman. It is therefore Considered by the Court that the prisoner be discharged and go hence. without day &c.

Commonwealth

Julia Phillips } Upon a Indictment for Keeping and maintaining a house of ill-fame resorted to for the purpose of prostitution & Lewdness

This day came again as well the Attorney for the Commonwealth as the Defendant Julia Phillips in discharge of her recognizance entered into on yesterday the 1st day of this term of the Court in person and by Counsel and thereupon came the following jury to-wit Michael N. Earman Joel B. Miller. Robert Liskey. Anthony Rhodes. Henry Moffett John L. Wise John Lineweaver Valentine Bolton. Samuel B. Good Thomas D. Masseltine Lewis Powell Martin Beery. who being elected tried and 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. without retiring from the bar upon their oaths do Say We the jury find the defendant Julia Phillips not guilty. John Lineweaver Foreman.

It is therefore Considered by the Court that the Defendant Julia Phillips go hence without day &c.

Commonwealth } upon an Indictment for Keeping & Maintaining a house
Mary Manning } of ill-fame resorted to for the purpose of prostitution & lewdness.

This day came again as well the Attorney for the Commonwealth as the the Defendant Mary Manning in discharge of her recognizance entered into on the 9th day of the March Term last of this Court in person and by Counsel, and thereupon came the following Jury to-wit:- Michael H. Earman, Joel B. Miller, Robert Liskey Anthony Rhodes Henry Moffett, John L. Wise, John Lineweaver, Valentine Bolton, Samuel B. Good, Thomas D. Rippetoe Lewis Powell & Martin Beery, who being elected tried and Sworn well and truly to try the issue joined and a true Verdict render according to the evidence and having fully heard ~~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 "We the Jury find the Defendant not guilty John Lineweaver Foreman. It is therefore Considered by the Court that the Defendant Mary Manning go hence without day. &c.

On the Petition of Samuel Zigler for a change in the Public Road known as the Brocks Gap and Spartapolis Road, where the Said Road passes through the Land of the Said petitioner, in consequence of the old road being troughed out and difficult to Keep in order. The Commissioners of Roads Wm F. Bowers for Plains District having returned to this Court Said petition with his endorsement of approval thereon, and the Same having been presented in open Court as required by Statute, The Court doth hereby appoint the following named freeholders to view the Said proposed change to-wit:- Jacob Moyers, Jackson Horn, I F. Branner, J. Q. Winfield and Jno. J. Bowman, any three of whom may act. The Said viewers before they proceed to discharge their duties Shall be Severally Sworn by the Commissioner of Roads for Said District or Some other person authorized to administer oaths to perform their duties impartially and to the best of their judgment. notice of the time and place when and where they shall meet shall be made in Some public manner in the vicinage of the proposed change at least five days before the time of meeting If they decide there is public necessity for the change, they shall lay out the Same having respect for the Shortest distance and the best ground So as to do the least injury to private property, and also as far as practicable to be agreeable to the petitioners. They Shall apep the damage done to land through which the road passes taking into Consideration the advantages to be derived from the road passing through the land. reporting the names of the land owners which of them claim damages and the amount assessed to each but in no case shall any yard garden or orchard or any part thereof to be taken without the Consent of the owner. they may view and make report of any modification of the change. they shall estimate and make report of the amount which in their opinion will be required to make the proposed change the County or other Competent

Surveyor shall accompany them and Survey and mark out the proposed change giving Courses and distances which shall be returned with their report. They shall make report to this Court at its next term accompanying their report with a Statement under oath of the number of days necessarily employed by each of them and the Surveyor in executing this Order any defect in their report requiring a recommittal will preclude them from receiving their per diem for the additional time.
All expenses of making the change damages and Costs of Viewers &c. to be paid by the petitioner.

On the Motion of Mrs Lucinda Fogle the powers of D. H. Roleton Sheriff of this County to whom the Estate of Martin Fogle dec'd was committed at the June term 1877 of this Court are hereby revoked with the assent of the Sheriff
And thereupon on the motion of William G. Brown who made oath thereto according to law he appeared in Court and together with E. C. Huff his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $100.00 Conditioned according to law waiving the benefit of the Homestead exemption a certificate is granted him for obtaining letters of administration in due form upon the estate of the said Martin Fogle dec'd.
And the Court doth appoint Gideon Rosenberger, J. L. Wine & E. Driver to appraise the Estate of said Martin Fogle dec'd.

On the motion of R. M. Mooney heir & distributee of F. A. Mooney dec'd the Estate of said F. A. Mooney dec'd is committed to D. H. Roleton Sheriff of Rockingham County to be administered according to law. It appearing to the Court that F. A. Mooney has been dead for more than three months and no administration having been granted upon his estate.

Geo. M. Yancey. Pltff.
Geo. M. Armentrout Deft. } Unlawful Entry & Detainer.

This day Came the Plaintiff by his Attorney. the Defendant being Solemnly Called failed to appear and thereupon the decision of this Cause was Submitted to the Court, and the Court having fully heard the Same is of opinion that the Defendant unlawfully withholds from the possession of the Plaintiff the premises in the writ described, to-wit: a House & Lot Situate on Mountain Valley Road near the "Old Furnace" known as the old Palser Property and did so unlawfully withhold the Same on the 4th day of April 1878.
It is therefore Considered by the Court that the Plaintiff recover of the said Defendant possession of the said premises to-wit: a House & Lot Situate on Mountain Valley Road near the "Old Furnace" known as the old Palser Property and his Costs by him in this behalf expended. And the Clerk of this Court is directed to issue a writ of possession, to the Sheriff of this County directed Commanding him to place the said plaintiff in possession of the said premises, forthwith.

On the Application of John M. Melhorn and others for the establishment of a Public Road leading from the Shenandoah River at Some point near

Simmons Mill to the Port Republic Road.

The Commissioners S. M. Sellers. J. M. Weaver. & J. A. Harpine. heretofore appointed to View and report upon said road having at the June Term 1877. returned their report & Supplemental report together with a diagram & Survey of the proposed route. and said Commissioners having recommended the establishment of said road.

It is ordered that the following named land-owners along the line of said proposed road to-wit A. Shaver & Rev. John M. Melhorn. Wm S. Lewis & A. Shaver be Summond to appear before the Judge of this Court on the 4th day of this April term being April 22d. 1878. to Shew Cause if any they can why the said road as proposed and as reported by the Viewers shall not be made.

104 copies?

Ordered. that this Court be adjourned until to-morrow morning at 10 oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham at the Court-House thereof. on Wednesday April 17th 1878.

Present. Hon. Chas. T. O'Ferrall. presiding.

Commonwealth.

Fanny Scott & Bettie Brightman. } Upon an Indictment for Keeping and Maintaining a house of ill fame resorted to for the purpose of prostitution and lewdness.

This day came again as well the Attorney for the Commonwealth as the Defendant Fanny Scott in discharge of her recognizance entered into on the 1st day of this term in person and by Counsel and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle prosequi as to said ~~Bettie~~ Fanny Scott. It is therefore considered by the Court that the Defendant go hence without day &c. (the other defendant Bettie Brightman having been tried at a former term of this Court)

Commonwealth.

Lizzie Garrison Jennie Mitchell & Eliza Simmons. } Upon an Indictment for Keeping and Maintaining a house of ill fame resorted to for the purpose of prostitution & Lewdness

This day came again as well the Attorney for the Commonwealth as the Defendant Jennie Mitchell in discharge of her recognizance entered on the 11th day of the March Term last in person and by Counsel and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle prosequi as to said Jennie Mitchell. It is therefore considered by the Court that the Defendant Jennie Mitchell go hence without day &c.

Commonwealth.

Lizzie Garrison & Eliza Simmers } Upon an Indictment for Keeping & Maintaining a house of ill fame. resorted to for the purpose of prostitution and lewdness.

This day Came again as well the Attorney for the Commonwealth as the Defendant Lizzie Garrison in discharge of her recognizance entered into on the first day of this term of the Court and thereupon on the motion of the Attorney for the Commonwealth her trial is continued until Saturday the 20th day April 1878. whereupon the Defendant moved the Court to permit her to renew her recognizance which motion the Court do th Sustain, and thereupon the said Lizzie Garrison. together with Samuel Ott as her Surety. (who justified as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia. in the sum of $100.00 each to be levied of their respective goods & chattels, lands and tenements for the use of the Commonwealth each waiving the benefit of the Homestead exemption. Yet upon this Condition that the said Lizzie Garrison does make her personal appearance before the Judge of this Court on Saturday next April 20th 1878. to answer the said Indictment and not depart thence without leave of the Court & a rule is awarded against Joseph Eaarman an absent witness on behalf of the Commonwealth. returnable to said 20th day of April 1878

Commonwealth.

George Collins. } Upon an Indictment for breaking and entering a dwelling house in the day time with intent to steal.

This day. the prisoner George Collins late of the County of Rockingham who stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County. and on the motion of the Attorney for the Commonwealth his trial is Continued until tomorrow the 4th day of this term. and thereupon Asher Argabright. Wm D. Warden and D. H. Lam witnesses in behalf of the Commonwealth appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100.00 each to be levied of their respective goods and chattels. land and tenements for the use of the Commonwealth. each waiving the benefit of their Homestead exemption. Yet upon this Condition that they do make their personal appearance before the Judge of this Court on tomorrow. the 4th day of this term as witnesses as aforesaid and not depart thence without leave of the Court.

And thereupon the prisoner was remanded to Jail.

Commonwealth.

Jenny Williams } Upon an Indictment for Keeping a house of ill fame &c.

This day the Defendant Jenny Williams. appeared in Court and submitted to hear the Judgment of the Court. and it being enquired of her if anything she had or Knew to say why the Court should not now proceed to pronounce judgment against her according to law and nothing being offered or alleged in delay of Judgment. It is therefore Considered by the Court that The Commonwealth of Virginia do recover of the Defendant Jenny Williams the sum of One Hundred Dollars the amount of fine by the Jurors in their verdict ascertained and her Costs by her in this behalf

expended. And It is further considered by the Court that the Defendant Jenny Williams be confined in the Jail of this County for the period of three months from this day. and thereafter until the Fine & costs in this prosecution be paid. or she be discharged therefrom according to law. and thereupon the Defendant was committed to the Jail of this County

The following Land-owners in the County of Rockingham this day filed their petitions, for the appointment of Commissioners to reassess their lands &c. damaged by the flood of November 1877. Viz.
Isaac Miller John G. Cootes. Benjamin Trumbo.
St C. D. Hutley
Which Petitions are ordered to be placed upon the Court Docket

On the Petition of Isaac Miller for the appointment of Commissioners to reassess his lands injured by the late freshet of November 1877. as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth approved February 22nd 1878.
The Court doth hereby appoint the following freeholders to-wit:- Peter Paul, D. A. Heatwole and Joseph S. Loose Commissioners to re-assess the lands of the petitioner. Situated as follows. The lands of Isaac Miller of 85 Acres now assessed at 38¢ per acre lying on North River in this County. The Said Commissioners shall proceed within fifteen days from this date. to the Said land mentioned above and after having taken an oath for the faithful discharge of the duty. to be administered by a Justice, Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine Said lands. and if they shall be of opinion that they have in fact been materially injured by the late freshet they shall proceed to re-assess Said land in accordance with their true cash value, after which they shall within ten days return their assessment to the office of the Clerk of this County: provided that the reduction made by them shall in no case exceed the damage done to the property re-assessed, by the freshet of November eighteen hundred and Seventy Seven.
All assessments hereby directed must be made and completed within fifteen days from this date: the Commissioners will have no authority to act after the expiration of that time. All costs of these proceedings shall be paid by the petitioner.

On the Petitions of Benjamin Trumbo and J. G. Cootes for the appointment of Commissioners to reassess their lands injured by the late freshet of November 1877. as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth, approved February 22d 1878."
The Court doth appoint the following freeholders to-wit:- John H. Thomas, Wm F. Bowers & John J. Bowman, Commissioners to re-assess the lands of the petitioners Situated as follows. The lands of Benjamin Trumbo & John G. Cootes lying on the North Fork of the Shenandoah River in this

County. The said Commissioners shall proceed within fifteen days from this date. to the said land mentioned above. and after having taken an oath for the faithful discharge of their duty. to be administered by a Justice Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine said lands and if they shall be of opinion that they have in fact been materially injured by the late freshet. they shall proceed to re-assess said lands in accordance with their true Cash value. after which they shall shall within ten days return their assessment to the office of the Clerk of this County provided that the reduction made by them shall in no case exceed the damage done to the property reassessed. by the freshet of November. eighteen hundred and Seventy Seven,

All assessments hereby directed must be made and completed within fifteen days from this date. the Commissioners will have no authority to act after the expiration of that time All Costs of these proceedings Shall be paid by the petitioner.

On the Petition of St & D. Kirtley for the appointment of Commissioners to re-assess his lands injured by the late freshet of November 1877 as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth. approved February 22nd 1878"

The Court doth hereby appoint the following freeholders to wit: Edward D. Kemper. Isaac Long and G. D. Hopkins Commissioners to reassess the lands of the petitioner Situated as follows: the lands of said St. & D. Kirtley lying on the Shenandoah River in this County.

The said Commissioners shall proceed within fifteen days from this date to the said land mentioned above. and after having taken an oath for the faithful discharge of their duty. to be administered by a Justice. Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine said lands. and if they shall be of opinion that they have in fact been materially injured by the late freshet, they shall proceed to reassess said land in accordance with their true Cash value. after which they shall within ten days, return their assessment to the office of the Clerk of this County provided that the reduction made by them shall in no Case exceed the damage done to the property re-assessed. by the freshet of November eighteen hundred and Seventy Seven. All assessments hereby directed must be made and completed within fifteen days from this date; the Commissioners will have no authority to act after the expiration of that time. All Costs of these proceedings shall be paid by the Petitioner.

Ordered. that this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Thursday April 18th, 1878.

Present: Hon Chas. T. O'Ferrall presiding.

It appearing to the Court that the Revd Charles H. Crowell is a regularly ordained Preacher of the Gospel in the Church of the United Brethren in Christ from evidence introduced and authorized to celebrate the Rites of Matrimony on his motion he appeared in Court and together with V. H. Law his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 conditioned according to law (waiving the benefit of the Homestead exemption) and thereupon he accordingly qualified by taking the oaths prescribed by law.

Commonwealth.

Jacob Suter & Jennie Bonds } upon an Indictment for lewd and lascivious Co-habitation

This day came as well the Attorney for the Commonwealth as the Defendant Jacob Suter in person and by Counsel and the Defendant Jennie Bonds by Counsel, and thereupon the Defendants by Counsel demurred to the said indictment, which demurrer upon consideration the Court doth overrule, whereupon the Defendants filed their plea of not guilty, and by consent of the Attorney for the Commonwealth and the Defendants a Jury of nine were impanneled to-wit:- Harvey Fifer John H. Frank, A. P. Myers, A. Rhinehart, Valentine Bolton, Conrad Rodeheffer A. B. Dwyer, John Lineweaver, & Lewis Powell, who being elected tried and 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 without retiring from the bar upon their oaths do say: "we the jury find the defendants Jacob Suter and Jenny Bonds not guilty, John Lineweaver foreman. It is therefore considered by the Court that the Defendants Jacob Suter and Jenny Bonds, go hence without day, &c.

Commonwealth.

George Collins } upon an Indictment for breaking and entering a dwellinghouse in the day time with intent to Steal.

This day the prisoner George Collins late of the County of Rockingham, who stands indicted for a felony by him committed was again led to the bar of the Court in custody of the Jailor of this County and thereupon from the Veniremen summoned for the trial of felony cases at this term of the Court the following fourteen were examined by the Court on their voirdire and found to be duly qualified and free from exceptions Viz:- Wm C. Price John H. Funkhouser, Conrad Rodeheffer Lewis Powell John Lineweaver, A. P. Myers, John H. Frank, Harvey Fifer Henry A. Sprinkel, Daniel W. Pollard, A. B. Dwyer Ran D. Cushen, Valentine Bolton & A. R. Rhinehart, whereupon the following additional Veniremen were summoned Viz. Thomas M. Hite & Michael J. Martz who appeared and were examined by the Court on their voirdire found to be duly quali-

fied and free from exceptions, the panel of Sixteen being thus completed the prisoner was furnished a copy thereof and having stricken therefrom the names of four of the persons of said panel viz:- John H. Funkhouser, John Lineweaver, Thomas M. Hite and Michael J. Martz, the remaining twelve of said panel viz:- Wm C. Price, Conrad Rodeheffer, Lewis Powell, A. P. Myers, John H. Frank, Harvey Fifer, Henry A. Sprinkel, Dan'l W. Pollard, A. B. Driver, Ran D. Cushen, Valentine Bolton, and A. R. Rhinehart thereby constituting the jury who being thus elected tried and 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 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 "We the jury find the prisoner George Collins guilty of breaking and entering in the day time the dwelling house of Mc P. Ford with intent to steal in manner and form as charged in the indictment and ascertain the term of his confinement in the penitentiary at four years. V. Bolton Foreman. And thereupon the jury was discharged and it being enquired of the prisoner if anything he had or knew to say why this 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 George Collins be imprisoned in the public Jail and Penitentiary house of this Commonwealth for the term of four years the period by the jurors in their verdict ascertained to hard labor. And the Sheriff of this County is ordered as soon as possible after the adjournment of this Court to remove and convey the said George Collins from the Jail of this County to the Jail and public Penitentiary house of this Commonwealth therein to be kept imprisoned and treated in the manner directed by law for the term aforesaid. And thereupon the prisoner was remanded to Jail.

On the Petition of Jacob Shickel for the appointment of Commissioners to reassess his land &c. damaged by the freshet of November 1877. Ordered that this petition be placed upon the Courts Docket.

Brock & Lemon.
@
J. Knopp & Henry Neff } Notice.
Ordered that this cause be placed upon the Courts Docket.

certified to Aud. of Pub. Accts. U. S. L. C. C.

M. Lindon a Justice of the Peace for this County this day paid into Court the sum of $5.00 it being the amount of a Judgment for fine rendered by him in the case of the Commonwealth @ Edward Showalter for a misdemeanor.

On the Petition of Jacob Shickel for the appointment of Commissioners to reassess his lands &c. injured by the late freshet of November 1877 as provided for in an act of the General Assembly entitled "An Act to authorize a reassessment of the lands throughout the Commonwealth. approved February 22nd 1878." The Court doth hereby appoint the following free-holders to-wit:- Peter Paul

David A. Heatwole and Joseph S. Loose Commissioners to reassess the lands of the petitioner situated as follows: The land of Jacob Shickel lying on Dry River in this County Comprising fifteen acres & assessed at Six Thousand three hundred and four dollars together with his Iron Foundry, Mill, Machine Shops, and dwelling houses.
The Said Commissioners shall proceed within fifteen days from this date, to the Said land mentioned above, and after having taken an oath for the faithful discharge of their duty, to be administered by a Justice, Notary or other person authorized to administer oaths in this County, they shall personally inspect and examine Said lands, and if they shall be of opinion that they have in fact been materially injured by the late freshet, they shall proceed to reassess Said lands in accordance with their true Cash value, after which they shall within ten days, return their assessment to the office of the Clerk of this County; provided that the reduction made by them shall in no case exceed the damage done to the property reassessed by the freshet of November eighteen hundred and Seventy Seven.
All assessments hereby directed must be made and completed within fifteen days from this date; the Commissioners will have no authority to act after the expiration of that time. All Costs of these proceedings shall be paid by the petitioner

Commonwealth.
Samuel Swartz } upon an Indictment For assault & battery

This day came as well the Attorney for the Commonwealth as the Defendant Samuel Swartz in person and by Counsel, and It appearing to the Court from a writing this day filed, that the prosecutor in this cause has received Satisfaction in full for the assault made upon him by the Defendant Samuel Swartz, and that he does not wish to further prosecute this charge, It is therefore Considered by the Court that the Defendant Samuel Swartz be discharged, and that the Commonwealth of Virginia do recover of the Defendant Samuel Swartz her Costs by her in this behalf expended.

Ordered, that this Court be adjourned until tomorrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof. on Friday April 19th 1878.

Present. Hon Chas. T. O'Ferrall, presiding.

Commonwealth.
vs
Thomas J. Keeran & Mary Atkison } upon an Indictment. For lewd and lascivious Cohabitation

This day came as well the Attorney for the Commonwealth as the Defendant Thomas J. Keeran in person and by Counsel and the Defendant Mary Atkison by Counsel, and the Defendants by counsel filed their plea of not guilty and thereupon came the following jury to-wit:- John Lineweaver, Michael H. Earman, Harvey Fifer, S. B. Good Valentine Bolton, Madison Wise, A. P. Myers A. R. Rhinehart, Anthony Rhodes, Martin Beery John W. Spitzer and Thomas D. Rippetoe, who being elected tried and 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 some time returned into Court and not being able to agree upon a verdict one of the Jurors Michael H. Earman was withdrawn and the rest were discharged.

Commonwealth.
vs
Susan Taylor. } upon an Indictment, for Keeping and maintaining a house of ill fame resorted to for the purpose of prostitution & lewdness

This day came again as well the Attorney for the Commonwealth as the Defendant Susan Taylor in discharge of her recognizance entered into on the 14th day of the March Term last of this Court, in person and by Counsel. and for reasons appearing to the Court her trial is continued until to-morrow the 6th day of this term of the Court, and on the motion of the Defendant Susan Taylor the Court doth permit her to renew her recognizance and thereupon the Said Susan Taylor acknowledged herself to be indebted to the Commonwealth of Virginia, in the sum of $100.00 to be levied of her respective good and chattels lands and tenements for the use of The Commonwealth waiving the benefit of her Homestead exemption, yet upon this condition that she does make her personal appearance before the Judge of this Court on to-morrow morning at 10 o'clock to answer the Said indictment and not depart thence without leave of the Court.

On the Petition of John W. Palmer and John W. Palmer as agent for J. T. L. Preston for the appointment of Commissioners to reassess their lands, injured by the freshet of November 1877.

Ordered that the two foregoing petitions be placed upon the Courts Docket.

On the petitions of John W. Palmer and John W. Palmer Agent for J. T. L. Preston for the appointment of Commissioners to reassess their lands injured by the late Freshet of November 1877, as provided for in an act of the General Assembly entitled "An Act to authorize a reassessment of the lands throughout the Commonwealth. approved February 22. 1878. The Court doth appoint

the following free-holders, to-wit E. S. Kemper Isaac Long, and G. T. Hopkins Commissioners to-reassess the lands of the petitioners situated as follows: The lands of John M. Palmer, & Col J. T. L. Preston, lying on the South fork of the Shenandoah River in this County. The said Commissioners shall proceed within fifteen days from this date, to the said land mentioned above and after having taken an oath for the faithfull discharge of their duty, to be administered by a Justice, Notary or other person authorized to administer oaths in this County, they shall personally inspect and examine said lands, and if they shall be of opinion that they have in fact been materially injured by the late freshet they shall proceed to reassess said lands in accordance with their true cash value, after which they shall, within ten days return their assessment to the office of the Clerk of this County; provided that the reduction made by them shall in no case exceed the damage done to the property reassessed, by the late freshet of November, eighteen hundred and seventy seven.

All assessments hereby directed must be made and completed within fifteen days from this date; the Commissioners will have no authority to act after the expiration of that time. All costs of these proceedings shall be paid by the petitioner.

Ex parte
McP. Ford, } upon the Petition of McP. Ford, claiming that he is improperly held in the custody of the Jailor of this County under a warrant issued by John C. Walker late Justice of the Peace of this County, charging the said petitioner McP. Ford with having committed a misdemeanor in this County the Court doth order that a writ of Habeas Corpus do issue to the Jailor of this County commanding him that he bring the body of the said McP. Ford, detained by him and under his custody together with the day and cause of his detention by whatsoever name he may be called you have before this Court this evening at 5 o'clock to do and to submit to and receive those things that shall then & there be considered of him in this behalf.

Ex parte
McP. Ford } upon a writ of Habeas Corpus.

The petitioner was this day brought before this Court upon a writ of Habeas Corpus issued upon the petition of the Defendant alleging that he is improperly held in custody by the Sheriff of this County, which said petition the Court doth take time to consider.

And thereupon the petitioner was remanded to Jail.

Commonwealth
Mary Fishback, } upon an Indictment for keeping a house of ill fame resorted to for the purpose of prostitution and fewdness.

This day came the Attorney for the Commonwealth and with the assent of the Court entered a Nolle prosequi in the foregoing cause. It is therefore considered by the Court that the Defendant go hence without day &c.

Ordered that this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Saturday April 20th 1878.

Present:- Hon. Chas. T. O'Ferrall, presiding.

On the motion of D. H. Rolston, Sheriff of Rockingham County for the appointment of freeholders under §16 ch. 183 Code of 1873 to appraise certain property levied on by said Sheriff to satisfy certain executions in his hands against Edward S. Kemper, claimed by said Kemper as exempt under the homestead provision of the Constitution, and set forth in an inventory filed under oath with the said officer.

The Court doth appoint M. J. Moyerhoeffer, John W. Earman and John Carpenter freeholders of this County to appraise the property contained in said inventory. The said freeholders after first being duly sworn by said officer shall appraise said property at its cash value and deliver their appraisement so made to the said officer.

On the motion of D. H. Rolston, Sheriff of Rockingham County, for the appointment of freeholders under §16 ch. 183 Code of 1873 to appraise certain property levied on by said Sheriff to satisfy certain executions in his hands against George W. Roller &c, claimed by said Roller as exempt under the homestead provision of the Constitution, and set forth in an inventory filed under oath with the said officer,

The Court doth appoint C. Miller, Joel Garber, & Lewis W. Kaylor, freeholders of this County to appraise the property contained in said inventory.

The said freeholders after first being duly sworn by said officer shall appraise said property at its cash value and deliver their appraisement so made to the said officer.

Commonwealth.
Susan Taylor. } upon an Indictment for Keeping and Maintaining a house of Ill fame resorted to for the purpose of prostitution and lewdness

This day came again as well the Attorney for the Commonwealth as the Defendant Susan Taylor, in discharge of her recognizance entered into on yesterday, in person and by Counsel, and thereupon came the following jury to-wit:- A. P. Myers, Harvey Fifer, John W. Spitzer, Thomas D. Rippetoe, John Lewis, Valentine Bolton, John Lineweaver, Lewis Powell, Joel B. Miller, John H. Frank, Conrad Rodeheffer, and Jacob B. Burns who being elected tried and 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, We the jury find the defendant Susan Taylor guilty in manner and form as charged in the indictment and

assess her fine at One Hundred dollars V. Bolton, Foreman, and thereupon the Jury was discharged, whereupon the Defendant by Counsel moved the Court first to set aside the verdict and grant her a new trial and second in arrest of judgment which motions the Court on consideration overruled, and it being enquired of the Defendant if anything she had or knew to say why the Court should not now proceed to pronounce judgment against her according to law, and nothing being offered or alleged in delay of judgment it is therefore considered by the Court that The Commonwealth of Virginia do recover of the Defendant Susan Taylor the sum of One Hundred Dollars the amount of Fine by the Jurors in their verdict ascertained and her costs by her in this behalf expended. And it is further considered by the Court that the Defendant Susan Taylor be confined in the Jail of this County for the period of Six months from this day and thereafter until the Fine and Costs in this prosecution be paid or she be discharged therefrom according to law. And thereupon the Defendant was committed to the Jail of this County.

Commonwealth.

Lizzie Garrison, Jennie Mitchell & Eliza Simmers. } upon an Indictment for Keeping and maintaining a house of ill fame resorted to for the purpose of prostitution & lewdness.

This day came again as well the Attorney for the Commonwealth as the Defendant Lizzie Garrison, in discharge of her recognizance entered into on Wednesday last the 3d day of this term, in person and by Counsel, and by consent of the Commonwealths Attorney and the Defendant a Jury of ten were impaneled to-wit: A. R. Rhinehart A. B. Driver, Michael H. Earman, Samuel B. Good, B. F. Garber, Anthony Rhodes J. J. Nicholas, John Rauhof, Wm T. Carpenter & Peter F. Earman, who being elected tried and 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 without retiring to their room upon their oaths do say. We the Jury find the Defendant Lizzie Garrison not guilty John F. Rauhoff Foreman. It is therefore considered by the Court that the Defendant go hence without day &c. The other Defendants Jennie Mitchell & Eliza Simmers having been heretofore tried & acquitted.

Commonwealth.

James Kavanaugh } upon an Indictment For Selling intoxicating drink on Sunday.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel and the Defendant filed his plea of not guilty, and thereupon came the following jury to-wit: John Lineweaver, Jacob B. Burns, Lewis Powell, Valentine Bolton, John L. Wise, J. J. Nicholas, Conrad Rodeheffer, John H. Frank, John W. Spitzer, Harvey Fifer, Joel B. Miller & A. P. Myers who being elected tried and 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 we

the jury find the Defendant James Kavanaugh guilty in manner & form as charged in the indictment and fix his fine at thirty Dollars V. Bolton Foreman.

Commonwealth
vs
James Kavanaugh. } Upon an Indictment for Selling intoxicating drink on Sunday.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel and the Defendant filed his plea of not guilty and by consent of the Attorney for the Commonwealth and the Defendant a jury of Eleven were impanneled. Viz:- B. F. Garber, Michael H. Emmon, Samuel B. Good, Thomas D. Rippetoe, A. R. Rhinehart, A. B. Driver, Anthony Rhodes, Jesse Summers, J. M. Weaver, E. O. Peale & Geo. W. Heduck who being elected tried and 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 some time returned into Court and upon their oaths do Say we the jury find the Defendant James Kavanaugh not guilty Anthony Rhodes foreman. It is therefore considered by the Court that the Defendant go hence without day &c.

Commonwealth
vs
James Kavanaugh. } Upon an Indictment For Selling Wine Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a Minor knowing him to be a minor without the consent of his parent or guardian

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and the Defendant filed his plea of not guilty and thereupon came the following jury to-wit:- John Lineweaver, Jacob B. Burns Lewis Powell, Valentine Bolton, John L. Wise, J. J. Nicholas Conrad Rodeffer, John H. Frank, John W. Spitzer Harvey Fifer, Joel B. Miller & H. P. Myers who being elected tried and Sworn well and truly to try the issue joined and a true verdict render according to the evidence, and having fully heard the evidence but not having time fully to hear the argument of Counsel were adjourned until Monday morning at 9 Oclock.

Jerry Morris
vs
The Commonwealth. } Petit Larceny, upon an Appeal from a Judgment of Justices of the Peace.

This day came again as well the Attorney for the Commonwealth as the Appellant Jerry Morris in discharge of his recognizance entered into on the 19th day of the March term last of this Court in person and by Counsel and for reasons appearing to the Court the trial of this cause is continued until the 1st day of the May term next of this Court, and the Appellant moved the Court to permit him to renew his recognizance, which motion the Court doth Sustain, and thereupon the Said Jerry Morris together with James H. Dofflemoyer as his Surety (who justified as to his Sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia, in the Sum of $100.00 each, to be levied of their respective goods and chattels lands and tenements for the use of the Commonwealth (each waiving the benefit of their Homestead exemption) Yet upon this condition that the Said Jerry Morris does make his personal appearance before the Judge of this Court on the first day of the May term next of this Court to answer the charge of Petit Larceny and ~~to prosecute~~

~~his said appeal~~, and not depart thence without leave of the Court.

Upon the Petition of John D. Pennybacker & others for the Establishment of a Public Road from Edom down Linville's Creek to the Road leading from Isaac Ackers to Evans's Station on the B & O R.R.

It appearing to the Court that Charles J. Brock, John J. Bowman and Peter S Roller were by order of Court at Novbr Term 1877 appointed Viewers to view according to law & the instructions of the Court in said order the proposed route for the Establishment of the road sought in this cause and that Peter S. Roller declining to act at the Dec. Term 1877 of said Court Saml. R. Allebaugh was appointed in his stead who together with the said Charles J Brock & John J. Bowman proceeded to view the line of the proposed road & made report thereon to the January Term 1878 of said Court which report being adjudged defective in certain particulars was by order of said Court at its February Term 1878 recommitted with instructions to said Viewers to amend their said report in those certain particulars in which it appeared defective and it further appearing to the Court that the said Viewers misapprehending the said order to amend returned into Court on the day of April 1878 their Original report first aforesaid so altered amended & mutilated as to mar the record & render the same incomplete and insufficient.

It is ordered that the said Charles J Brock, John J. Bowman & Saml R. Allebaugh viewers as aforesaid do proceed de novo to execute the order of this Court entered at the Nov. Term 1877 in executing which they shall be guided by the instructions contained in the orders entered in this matter at the Nov Term 1877 & the Feby term 1878 of this Court and they shall as speedily as may be make report to this Court of their action under this order and if practicable to the present term.

G. W. Babb & Son this day presented in Court two accounts against the County of Rockingham one for $31.50 for Coal for Court House from November 26. 1877 to April 13th 1878 the other for $2.90 for Coal ~~for Coal~~ for County & Circuit Court Clerks offices from Dec. 4. 1877 to Feby 8. 1878 total $60.50 which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1877 if a Surplus if not out of the Levy for the year 1878.

Cop.

D. H. Lam Constable of this County this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $13.40 For arresting George Collins charged with Felony Board & lodging for prisoner horse hire. Livery. mileage to and from Jail which being sworn to was examined & allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop. ord

Robert P. Harnsberger this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $2.25 for assisting in the arrest of George Collins charged with Felony & 2 days guarding same at 75¢ per day

Cop. ord.

which being Sworn to by the guard and the Constable. was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Samuel Bryan This day presented in Court an account against The Commonwealth of Virginia. amounting to the Sum of $2.25 for assisting in the
Cop. ord. arrest of George Collins charged with Felony & 2 days guarding Same at 75¢ per day. which being Sworn to by the guard & the Constable was examined and allowed by the Court and ordered to be certified to the auditor of Public Accounts for payment.

DeWitt County. this day presented in Court an account against The Commonwealth of Virginia. amounting to the Sum of $1.50 for assisting in the arrest
Cop. ord. of George Collins charged with Felony & 1 day guarding Same at 75¢ per day which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Champ Bryan this day presented in Court and account against The Commonwealth of Virginia, amounting to the Sum of 75¢ for assisting in
Cop. ord. the arrest of George Collins charged with felony. which being Sworn to by him and the Constable was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

J. M. Lam. this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $1.50 for guarding George Collins
Cop. ord charged with felony 2 days @ 75 per day. 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 Breeden this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $3.00 for Guarding James Argabright
Cop. ord charged with felony Ct. 4 days @ 75 per day which being Sworn to by said guard and the Constable was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Catharine Flick Committee for Anna Flick a person of unsound mind this day presented in Court an account against The Commonwealth
of Virginia amounting to the Sum of $84.80 for the Support and maintenance of the Said Anna Flick in accordance with the provisions of the
Col. ord. order of this Court of the 18th day of April 1876. 182 days from October 15th 1877. to April 15. 1878. at 40¢ per day $72.80 and for clothing for Same 6 months @ $2 per month ($12.00) 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 Monday morning next at 10 oclock.

Chas. T. O'Ferrall

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Monday April 22d 1878.

Present Hon Chas. T. O'Ferrall presiding.

Cp? D. H. Rolston. Sheriff & Jailor of this County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $14.20 for Keeping & Subsisting Wm Spitzer, a lunatic 31 days from March 16th 1878 to April 15 1878. @ 40¢ per day ($12.40) & clothing for same one month $2.50 which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cp? D. H. Rolston. Sheriff & Jailor of this County, this day presented in Court an account against The Commonwealth of Virginia amounting to the sum of $15.00 for dieting Venire in the case of Commonwealth & James Argabright charged with Felony. 6¼ days @ $1.00 per day each which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cp? D. H. Rolston. Sheriff & Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia amounting to the sum of $113.15 for Keeping and Subsisting various prisoners covering a period from March 16th to April 15. 1878. which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment

Cp? D. H. Rolston. Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of $5.00 For Coffin for Silas Morris who was under Sentence of death (which Sentence was Commuted to imprisonment for life in the Penitentiary) 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 following Land-Owners in the County of Rockingham this day filed their petition for the appointment of Commissioners to re-assess their land &c. damaged by the flood of November 1877. Viz:-

✓ Wm B. Yancey. R. A. Gibbons ✓ Keziah Shuler, by her agt. A. W. Shuler.
✓ Rebecca Hester. ✓ Henry Harnsberger jr ✓ Stephen H. Murray & John A. Murray.
✓ E. L. Lambert. ✓ Jacob H. Grim ✓ John Bishop.

Ordered, that the foregoing petitions be placed upon the Court's Docket.

On the petitions of Wm B. Yancey. Rebecca Hester. E. L. Lambert. R. A. Gibbons Henry Harnsberger jr. Jacob H. Grim. Keziah Shuler by her agt A. W. Shuler. Stephen H. Murray & John A. Murray & John Bishop for the appointment of Commissioners to re-assess their lands &c. injured by the late freshet of November 1877 as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth. approved February 22d 1878."

The Court doth hereby appoint the following freeholders. to-wit:- Edward

S. Kemper, Isaac Long & G. T. Hopkins Commissioners to re-assess the lands of the petitioners Situated as follows. The Lands of Wm B. Yancey, Rebecca Hester. E. L. Lambert. R. A. Gibbons. Henry Harrisberger Jr. Jacob H. Grim. Keziah Shuler, by her agt N. W. Shuler. John Bishop. on the Shenandoah River in this County and the lands of Stephen H. Murray & John A. Murray lying on the South River in this County.

The Commissioners shall proceed within fifteen days from this date. to the Said land mentioned above. and after having taken an oath for the faithful discharge of their duty. to be administered by a Justice, Notary or other person authorized to administer oaths in this County. they shall personally inspect and examine Said lands. and if they shall be of opinion that they have in fact be materially injured by the late freshet. they shall proceed to re-assess Said lands in accordance with their true cash value. after which they shall, within ten days return their assessments to the office of the Clerk of this County provided that the reduction made by them shall in no case exceed the damage done to the property reassessed. by the freshet of November. eighteen hundred and Seventy-Seven.

All assessments hereby directed must be made and completed within fifteen days from this date; the Commissioners will have no authority to act after the the expiration of that time. All costs of these proceedings shall be paid by the petitioner.

Commonwealth } upon an Indictment. For Selling wine. ardent Spirits
(S) } and a mixture thereof and Spiritnous and fermented liquors
James Kavanaugh. } to a minor. Knowing him to be a minor without the consent of parent or guardian.

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel and thereupon came the Jury Sworn and impanneled on Saturday last the 1st day of this term of the Court for the trial of this cause. and not having agreed upon a verdict retired to their room to consider the Same, and after Sometime returned into Court and upon their oaths do Say. we the jury find the Defendant James Kavanaugh guilty in manner and form as charged in the Indictment and assess his fine at Ten Dollars V. Bolton. Foreman,

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Commonwealth. } upon an Indictment. For Selling Wine. ardent Spirits
(S) } and a Mixture thereof and Spiritnous and fermented liquors
Charles A. Yancey & J. A. Loewenbach } to a minor Knowing him to be a Minor without the Consent of his parent or guardian.

This day came as well the Attorney for the Commonwealth as the Defendant C. A. Yancey in person and by Counsel and the Defendant J. A. Loewenbach by Counsel, and thereupon the Defendants filed their plea of not guilty. and by Consent of the Commonwealths Attorney & the Defendants by Counsel a Jury of Nine were impanneled. Viz: Michael H Earman. Samuel B Good Thomas D. Rippeetoe A. R Rhinehart. A. B. Driver. Anthony Rhodes E. O. Peale John F. Ranhof & Wm T. Carpenter. who being elected tried and 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. we the jury find the Defendants not guilty. S. B. Good Foreman. It is therefore considered by the Court that the Defendants

go hence without day &c.

Commonwealth.
C. A. Yancey & J. A. Loewenbach. } Upon an Indictment for Selling Wine, Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a Minor Knowing him to be a Minor without the Consent of his parent or guardian.

This day came as well the Attorney for the Commonwealth as the Defendant C. A. Yancey in person and by Counsel and the Defendant J. A. Loewenbach by Counsel and the Defendants by Counsel filed their plea of not guilty and by Consent of the Attorney for the Commonwealth and the Defendants by Counsel a Jury of Nine were impanneled. Viz: Michael H. Earman, Samuel B. Good, Thomas D. Rippetoe, A. R. Rhinehart, A. B. Driver, Anthony Rhodes, E. O. Peale, John F. Ranhof & Wm F. Carpenter, who being elected tried and 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 without retiring to their room, on their oaths do Say we the jury find the Defendants not guilty. E. O. Peale Foreman. It is therefore Considered by the Court that the Defendants go hence without day. &c.

Commonwealth.
Joseph Kavanaugh & A. J. Wall. } Upon an Indictment for Selling Wine, Ardent Spirits and a Mixture thereof and Spirituous and fermented liquors to a Minor Knowing him to be a Minor without the Consent of his parent or guardian.

This day came as well the Attorney for the Commonwealth as the Defendant A. J. Wall in person and by Counsel, and the Defendant Joseph Kavanaugh by Counsel and the Defendants by Counsel filed their plea of not guilty and thereupon came the following Jury to-wit:- John Lineweaver, Jacob B. Burns, Lewis Powell, Valentine Bolton, John L. Wise, J. J. Nicholas, Conrad Rodsheffer, John H. Frank, John W. Spitzer, Harvey Fifer, Joel B. Miller, A. P. Myers, who being elected tried and 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 Some-time returned into Court and upon their oaths do Say we the jury find the Defendants not guilty. V. Bolton foreman. It is therefore Considered by the Court that the Defendants go hence without day. &c.

Commonwealth.
John J. McMahon. } Upon an Indictment for Selling intoxicating drink on Sunday.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and the Defendant by Counsel filed his plea of not guilty and by consent of the Attorney for the Commonwealth and the Defendant by Counsel, a jury of Nine were impanneled. Viz:- Michael H. Earman, Samuel B. Good, Thomas D. Rippetoe, A. R. Rhinehart, A. B. Driver, Anthony Rhodes, John H. Frank, John F. Ranhof & Wm F. Carpenter, who being elected tried and 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 and argument of Counsel were adjourned until to-morrow morning at 10 Oclock.

Geo. W. Yancey. Pltff.
vs
Geo. M. Armentrout. } Unlawful Detainer.
Deft.

On the motion of the Plaintiff by his Attorney and for reasons appearing to the Court. the Clerk of this Court is directed to issue a writ of possession to the Sheriff of this County directed. Commanding him forthwith to place the said plaintiff in possession of the premises mentioned in the writ & proceedings in this Cause to wit: A House & Lot Situated on Mountain Valley Road near the "old Furnace" known as the old Palser Property which at a former day of this term the plaintiff recovered of the defendant.

Ordered, that this Court be adjourned until to-morrow morning at 10 oclock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham. at the Court-House thereof on Tuesday April 23d. 1878

Present. Hon Chas. T. O'Ferrall presiding.

Commonwealth.
vs
John J. McMahon } Upon an Indictment. for Selling intoxicating drink on Sunday.

This day Came again as well the Attorney for the Commonwealth as the Defendant. by Counsel. and thereupon Came the jury Sworn and impannelled on yesterday for the trial of this Cause. 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, we the jury find the Defendant John J. McMahon guilty in manner and form as Charged in the indictment and assess his fine at Ten Dollars. D. B. Good Foreman.

Commonwealth.
vs
John J. McMahon } Upon an Indictment for Selling intoxicating drink on Sunday.

This Day Came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel. and the Defendant filed his plea of not guilty. and by the Consent of the Attorney for the Commonwealth and the Defendant by Counsel a jury of Eleven were impaneled Viz- John Lineweaver. Jacob B. Burns. Lewis Powell. Valentine Bolton. John L. Rose J. J. Nicholas. Conrad Rodeheffer. John W. Spitzer. Harvey Kiser. Joel B. Miller D. P. Myers. who being elected tried and 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. We the jury find the defendant not guilty. V. Bolton Foreman. It is therefore Considered by the Court that the Defendant go hence without day &c.

Commonwealth. } Upon an Indictment for Selling wine, Ardent Spirits and
(vs) } a mixture thereof, and Spirituous and fermented liquors to a
John. J. McMahon. } Minor. Knowing him to be a Minor without the Consent of his parent or guardian

Same.
(vs) } Upon an Indictment for Selling wine, Ardent Spirits and a mixture
Jonas Lowman. } thereof to a Minor. Knowing him to be a Minor without the Consent of his parent or guardian

Same.
(vs) } Upon an Indictment for Selling Wine, Ardent Spirits and a mixture
Same. } thereof to a Minor. Knowing him to be a Minor without the Consent of his parent or guardian

This day came as well the Attorney for the Commonwealth as the Defendants in the three foregoing causes by their Attorneys, and thereupon the Attorney for the Commonwealth with the assent of the Court entered a Nolle Prosequi in each of the foregoing causes. It is therefore considered by the Court that the Defendants go hence without day &c.

On the Petition of J. H. Bear for the appointment of Commissioners to reassess his lands injured by the freshet of November 1877.
Ordered that the foregoing petition be placed upon the Court's Docket.

On the Petition of J. H. Bear for the appointment of Commissioners to reassess his lands injured by the late freshet of November 1877 as provided for in an act of the General Assembly entitled "An Act to authorize a re-assessment of the lands throughout the Commonwealth. approved February 22nd. 1878"
The Court do the hereby appoint the following free-holders, to-wit Edward S Kemper, Isaac Long & G. T. Hopkins Commissioners to reassess the lands of the petitioner, situated as follows: The lands of the Said J. H. Bear lying on the Shenandoah River in this County, and now assessed to J. H. Kite & G. W. Miller
The Said Commissioners shall proceed within fifteen days from this date, to the Said land mentioned above, and after having taken an oath for the faithful discharge of their duty, to be administered by a Justice, Notary or other person authorized to administer oaths in this County, they shall personally inspect and examine Said lands, and if they shall be of opinion that they have in fact been materially injured by the late freshet, they shall proceed to reassess Said lands in accordance with their true cash value after which they shall, within ten days, return their assessment to the office of the Clerk of this County; provided that the reduction made by them shall in no case exceed the dame to the property re-assessed by the freshet of November eighteen hundred and Seventy Seven.
All assessments hereby directed must be made and completed within fifteen days from this date; the Commissioners will have no authority to act after the expiration of that time.
All costs of these proceedings shall be paid by the petitioner.

Commonwealth.
vs
Wm. Michael Martz } upon an Indictment for Assault & Battery.

This day came as well the Attorney for the Commonwealth as the Defendant in person and by Counsel, and thereupon the Defendant filed his plea of not guilty, and thereupon came the following jury to-wit: John Lineweaver, Jacob B. Burns, Lewis Powell, Valentine Bolton, John L. Wise, J. J. Nicholas, Conrad Rodeheffer, John M. Spitzer, Harvey Fifer, Joel B. Miller, D. P. Myers and Samuel Sowers, who being elected tried and 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 not having agreed upon a verdict were adjourned until to-morrow morning at 10 Oclock.

Ex parte
Mc P. Ford.

On the petition of Mc P. Ford stating that he is illegally detained in the custody of D. H. Ralston Jailor of this County, a Writ of Habeas Corpus is awarded him to the said Jailor to be directed Commanding him to have the body of the petitioner before this Court this evening at 3 Oclock. together with the day and cause of his caption and detention.

Ex parte
Mc P. Ford.

D. H. Ralston Jailor of this County in obedience to the writ of Habeas Corpus awarded this day, and to him directed, brought into Court Mc P. Ford in the said writ named, and certified that the detention of the said Mc P. Ford was by Virtue of a Commitment of Jno C. Walker, a Justice of the Peace of this County dated the 24th day of July 1875. by which it appears the said Justice had adjudged him guilty of Petit Larceny and directed him to be confined in the Jail of this County for the period of 99 days, that the said Mc P. Ford, after being confined in the jail of this County by virtue of said Commitment from the 24th day of July 1875. to the 21st day of August 1875. on the last named day escaped from custody and was not apprehended until the 18th day of April 1878. since which last named date he had been again confined in the Jail of this County; which said Commitment together with the warrant of arrest being inspected, the Court is of opinion that neither the Commitment or warrant is sufficiently Specific as to the goods charged to have been Stolen and that the Commitment is otherwise defective and that for these reasons the detention of the said Mc P. Ford is illegal; but
But the Court being further of opinion that the warrant and Commitment Sufficiently Shew that an offence has probably been committed by the said Mc P. Ford, and that said alleged offence is the larceny of the goods of one Joseph S. Taylor, on the ___ day of ___ 1875. within this County, and that there is probable cause to charge the said Mc P. Ford with the said offence; doth commit him to the Jail of this County, to answer an indictment should one be preferred by the Grand Jury at the next term of this Court.
And thereupon said Mc P. Ford by Counsel moved the Court to admit him to bail, which Motion on Consideration the Court doth Sustain, and fixes the amount

of bail at $100.00 for himself and the same sum for his Surety. and thereupon Said Mc P. Ford together with Isaac Crawford as his Surety who justified as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100.00 each to be levied of their respective good and chattels lands and tenements for the use of the Commonwealth, each waiving the benefit of their Homestead exemptions. Yet upon this condition, that the Said Mc P. Ford. does make his personal appearance before the Judge of this Court on the 1st day of the May Term. next. to await the action of the Grand Jury as aforesaid and not depart thence without leave of the Court. and thereupon the Said Mc P. Ford was discharged from Custody.

Ordered that this Court be adjourned until to-morrow morning at 10 o'clock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham. at the Court-House thereof. on Wednesday April 24. 1878.

Present. Hon. Chas. T. O'Ferrall. presiding.

Commonwealth.

Wm Michael Marty } Upon an Indictment for Assault & battery

This day came again as well the Attorney for the Commonwealth as the Defendant in person. & by Counsel and thereupon came the Jury Sworn and impannelled on yesterday for the trial of this cause and not having agreed upon a verdict retired to their room to consider the Same, and after Sometime again returned in Court and not being able to agree upon a verdict one of the Jurors John Lineweaver was withdrawn, and the rest were discharged.

The Board of School Trustees of Linville District of Rockingham County

Barbara Swank } Motion for appointment of Commissioners to ascertain Value of land Condemned for the purpose of erecting a School House thereon

It appearing to the Court that this motion ought to have been docketted on the 1st day of this term. by Consent of parties the Same is now docketted nunc pro tunc.

The Board of School Trustees of Linville's District of Rockingham County.

Barbara Swank }

On motion for the appointment of Commissioners to ascertain a just compensation for certain land proposed to be taken for the Erection of a School House.

It appearing to the Court that the Board of School Trustee of Linville District in this County, has caused a certain parcel of land to be Surveyed

by a Competent Surveyor. upon which in its judgment the public interest demand that a School House should be located. and no arrangement for its purchase proving to be practicable. and has caused a plat of the Same to be filed together with a ~~agreement~~ General Statement of the case with the Clerk of this Court and that the defendant has had 10 days notice of this motion of said Board. It is ordered that Solomon Funk. John S. May. Jonathan Hample John Shaeffer and George Chrisman freeholders of this County. any three of whom may act) be and they are hereby appointed Commissioners for the purpose of ascertaining a just Compensation for the said parcel of land proposed to be taken. bounded as follows: Beginning at a Stone. Hannah J. Funk's Corner in Jonathans Funk's line. thence with H. J. Funk's line S 44½ W. 8 Pc. to a Stone. Thence N 41½ W. 5 Pc. to a Stone. Thence N 44½ E. 8 Pc. to a Stone thence S 41½ E 5 Pc. to the beginning. Containing One fourth acre. and being part of the tract of land now occupied by Barbara Swank widow of Peter Swank dec'd.

The said Commissioners shall meet on the land above described on Saturday the 4th day of May 1878 between the hours of 8 A M and 6 P M. any one or more attending on the land. may adjourn from time to time until the business shall be finished.

Before executing their duties they shall take an oath as prescribed in § 9 Chapter 56 of the Code of Virginia of 1873 which oath shall be certified and appended to their report.

After viewing the land and hearing such proper evidence as either party may offer. they shall ascertain what will be a just Compensation for the said Land and for the damages to the residue of the tract. beyond the peculiar benefits to be derived in respect to such residue. and shall make a report in the manner and form as prescribed in § 10 of the Same Chapter of the Code mentioned above. forthwith. to this Court.

On the Petition of John D. Rankof and others for the establishment of Pleasant Valley in this County. as a place for holding elections.

It appearing to the Court that the requisite number of qualified Voters of this County residing in Ashby District have petitioned for the establishment of said place as a place for holding elections. and that the law has been complied with by posting notice of said petition. as evidence introduced the Court is of opinion that the Convenience of a large number of Voters of said district will be promoted by the establishment of said place as a place for holding elections in this County. and doth hereby establish the Same The election district of said place shall be as follows: Beginning at the Stone Spring on the Valley Turnpike. 2 miles South of Harrisonburg. thence with the said Valley Turnpike S. W. about 2½ miles to the Mennonite Church: thence S. E. along the Freedens Church Road to Wm Sandys: Thence N E. to the Ashby and Central District line Striking the Same at a point near Taylor Springs. thence with Said Ashby and Central District line N W. to the Beginning at the Stone Spring on the Valley Turnpike. All voters within the boundaries designated shall register and vote at said Pleasant Valley. and their names shall be stricken from the Registration Books upon which they now appear And the Court doth appoint Willegin F. Sherman Registrar. and Wm H. Bowman. Wm D. Carpenter. and Abraham Early Judges of Election at said Pleasant

Valley, and they are hereby directed to qualify according to law.

The Court doth appoint the following named persons to act as Judges of Elections at the respective Voting Places in the County of Rockingham to serve as such for the term of one year, Viz:-

J. E. Selvey moved the Court to grant him Bar-room License and Retail Liquor License from May 1, 1878 to April 30, 1879, the said business to be conducted at the "Spotswood" Hotel, in the town of Harrisonburg, Va; and produced the recommendation of the Town Council therefor, and upon the introduction of evidence, and for reasons appearing to the Court, the Court doth refuse his said application; and thereupon the said J.E. Selvey, by counsel, excepted to the action of the Court in refusing his said application.

James Kavanaugh moved the Court to grant him Bar-room License and Retail Liquor License from May 1, 1878 to April 30, 1879, the said business to be conducted at the "Virginia" House, in the town of Harrisonburg, Va., and produced the recommendation of the Town Council therefor, and upon the introduction of evidence and for reasons appearing to the Court, the Court doth refuse his said application, and thereupon the said James Kavanaugh, by counsel, excepted to the action of the Court in refusing his said application.

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

Chas. S. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday April 25th 1878.

Present. Hon. Chas. T. O'Ferrall, presiding.

Commonwealth.
James Kavanaugh } upon an Indictment, for Selling intoxicating drink on Sunday.

The Jury Sworn and impanneled in this cause having on the 6th day of this term of the Court (April 20th 1878) brought in a verdict of guilty and assessed a Fine of Thirty Dollars against the Defendant, and thereupon the Defendant by Counsel moved the Court first to set aside the verdict and grant him a new trial and second in arrest of Judgment, which said motions the Court upon considerations doth overrule. It is now considered by the Court that the Commonwealth of Virginia do recover of the Defendant James Kavanaugh the Sum of Thirty Dollars the amount of fine by the Jurors in their verdict ascertained, and her costs by her in this behalf expended.

Commonwealth.
James Kavanaugh } upon an Indictment for Selling Wine, ardent Spirits and a mixture thereof and Spirituous & fermented liquors to a minor Knowing him to be a minor, without the Consent of his parent or guardian.

The Jury Sworn and impanneled in this cause having on the 7th day of this term of the Court (April 22d 1878) brought in a verdict of guilty and assessed a Fine of Ten Dollars against the Defendant, and thereupon the Defendant by Counsel moved the Court first to set aside the Verdict and grant him a new trial and second in arrest of Judgment which motions on consideration the Court doth overrule. It is now considered by the Court that the Commonwealth of Virginia do recover of the Defendant James Kavanaugh the Sum of Ten Dollars the amount of Fine by the Jurors in their verdict ascertained, and her costs by her in this behalf expended.

John J. McMahon, moved the Court to grant him Bar-room License and Retail Liquor Merchants License from May 1st 1878 to April 30. 1879 the said business to be conducted at the "Magnolia House" in the town of Harrisonburg, Va and produced the recommendation of the Town Counsel therefor, and upon the introduction of evidence and for reasons appearing to the Court, the Court doth refuse his said application and thereupon the said ~~James Kavanaugh~~ John J. McMahon by Counsel excepted to the action of the Court in refusing his said application.

Commonwealth.
John J. McMahon. } upon an Indictment for Selling intoxicating drink on Sunday.

The Jury Sworn and impanneled in this cause, having on the 8th day of this term of the Court (April 23d 1878) brought in a verdict of guilty and assessed a Fine of Ten Dollars against the Defendant, and thereupon the Defendant by Counsel moved the Court first to set aside the verdict and grant him a new trial second in arrest of Judgment, which motions on

consideration the Court doth overrule. It is now considered by the Court that the Commonwealth of Virginia do recover of the Defendant John J. McMahon the sum of Ten Dollars the amount of fine by the Jurors in their verdict ascertained, and her costs by her in this behalf expended.

Ordered that this Court be adjourned until to-morrow morning at 10 oclock,

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday April 26th 1878.

Present:- Hon. Chas. T. O'Ferrall presiding.

John R. Eastham and A. J. Wall partners doing business under the firm name & Style of Eastham & Wall moved the Court to grant them Bar Room License from May 1st 1878 to April 30. 1879 the said business to be conducted in the "Harris Building" in the town of Harrisonburg Va. and produced the recommendation of the Town Council therefor. and upon the introduction of evidence it appears to the Court that the applicants are persons of Sobriety, and good character, and that the place of business is convenient and suitable, the Court doth grant said applicants a certificate to obtain said License upon their execution of a bond in the penalty of Six Hundred Dollars, conditioned for the faithful performance of the requirements of the Act of the Legislature known as the "Moffett Liquor Law Act" and thereupon the said John R. Eastham and A. J. Wall appeared in Court and together with Franklin Lickey their Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act" passed by the General Assembly of Virginia approved March 30 1877. as amended by the Act approved April 2 1877. waiving the benefit of the Homestead exemption. It is considered by the Court that said certificate be granted the said Eastham & Wall they having produced in Court the receipt of the Treasurer of this County for one half the tax on said License.

John R Eastham and A. J. Wall partners doing business under the firm name & Style of Eastham & Wall moved the Court to grant them retail Liquor Merchants License from May 1st 1878 to April 30. 1879 the said business to be conducted in the "Harris Building" in the town of Harrisonburg Va. and produced the recommendation of the town Council therefor and upon the introduction of evidence it appears to the Court that the applicants are persons of Sobriety and good character and that the place of business is convenient and suitable the Court do thy grant said applicants a certificate to obtain said License upon their execution of a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the Act of the Legislature known as

the "Moffett Liquor Law Act" and thereupon the said John R. Eastham and A. J. Wall appeared in Court and together with Franklin Liskey their Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $1000 conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act" passed by the General Assembly of Virginia approved March 30. 1877 as amended by the Act approved April 2. 1877 waiving the benefit of the Homestead exemption. It is considered by the Court that said Certificate be granted said Eastham and Wall. they having produced in Court the receipt of the Treasurer of this County for one half of the tax on said license.

Jonas Lowman, moved the Court to grant him License as a Retail Liquor Merchant from May 1st 1878 to April 30. 1879 the said business to be conducted at his present place of business in the "Nicholas Building" Harrisonburg Va and produced the recommendation of the town Council therefor, and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety, and good character and that the place of business is convenient and suitable. the Court doth grant said applicant a Certificate to obtain said License, upon his execution of a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the Act of the Legislature known as the "Moffett Liquor Law Act" and thereupon the said Jonas Lowman appeared in Court and together with George M. Heller his Surety (who justified as to his Sufficiency) entered into and acknowledges a bond in the penalty of $600.00 conditioned for the faithful performance of the requirements of the Moffett Liquor Law Act passed by the General Assembly of Virginia approved March 30. 1877 as amended by the Act approved April 2. 1877 waiving the benefit of the Homestead exemption. It is considered by the Court that said Certificate be granted the said Jonas Lowman he having produced in Court the receipt of the Treasurer of this County for $50.00 one half of the said License tax.

Jonas A. Heller, moved the Court to grant him Bar-Room License for the Sale of Malt Liquors from May 1st 1878 to April 30. 1879. the said business to be conducted in the West end of the building now occupied by John G. Effinger as a Store house on E. Market Street Harrisonburg Va and produced the recommendation of the town Council therefor, and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good character and that the place of business is convenient and Suitable, the Court doth grant said applicant a Certificate to obtain said License upon his execution of a bond in the penalty of $300.00 conditioned for the faithful performance of the requirements of the Act of the Legislature known as the "Moffett Liquor Law Act" and thereupon the said Jonas A. Heller appeared in Court and together with Charles Eshman his Surety (who justified as to his Sufficiency entered into and acknowledged a bond in the penalty of $300.00 conditioned for the faithful performance of the requirements of the "Moffett Liquor Law Act" passed by the General Assembly of Virginia, approved March 30. 1877 as amended by the Act approved April 2. 1877 waiving the benefit of the Homestead exemption It is considered by the Court that said Certificate be granted the said Jonas A. Heller he

having produced in Court the receipt of the Treasurer of this County for one half of the tax on said license.

Cyrus Pence, for, &c. } upon a Notice &
Z. D. Gilmore & others }

Cyrus Pence for &c. } upon a Notice.
Z. D. Gilmore & others }

This day came again the parties by their Attorneys and upon motion of the Defendants the trial of these causes is continued until the May term next of this Court and a Rule is awarded against J. H. Berry a witness for the Defendants returnable to the said term of the Court to shew cause if any he can why he should not be fined and attached for his contempt to us offered in failing to attend at this April Term as a witness as aforesaid. and on the motion of the Plaintiff it is ordered that the Defendants file a Statement of the grounds of their defence within 10 days from this date.

The Court doth order that the following named persons be allowed the sum opposite their names for their attendance and services at this term of the Court, as Veniremen summoned for the trial of Felony cases at ~~at~~ $1.00 per day. and that the same be paid by the Treasurer of this County. and certified to the Auditor of Public Accounts for payment. Viz.

John W. Spitzer $3.00	John H. Frank $3.00	Robert Liskey $2.00
Jacob B. Burns $3.00	John L. Wise $2.00	Henry Moffett $2.00
Madison Wise $3.00	E. B. Good $2.00	A. B. Driver $3.00
Thomas D. Rippetoe $2.00	A. B. Myers $3.00	Wm C. Price $3.00
John H. Funkhouser $4.00	Joel B. Miller $2.00	Danl. W. Pollard $3.00
Ran. D. Cushen $2.00	A. R. Rhinehart 2.00	John Lineweaver $3.00
Anthony Rhodes $2.00	Henry A. Sprinkel $3.00	Lewis Powell $2.00
Samuel Loewner $3.00	J. J. Nicholas $1.00	Martin Beery $1.00
B. F. Garber $1.00	Valentine Botton $3.00	Thomas M. Hite $1.00
~~Philip Strickler $1.00~~	Michl. H. Earman $2.00	Michael J. Martz $1.00
Harvey Fifer $3.00	Conrad Rodeheffer $3.00	

In the Matter of the application of J. E. Felvey for License:-

Memo: Be it remembered that the applicant J. E. Felvey excepted to the opinion and action of the Court in refusing to grant him license as prayed for on the 24th day of April 1878, it being the 9th day of this term and tendered his Bill of Exception to the said opinion and action of the Court in the premises, which he prayed might be signed, sealed and enrolled by the Court, which was accordingly done and is in the words and figures following to wit:- Here insert.

And be it further remembered, that on this day the said J. E. Felvey appeals from the said opinion and action of the Court in refusing the license as aforesaid, to the Circuit Court of Rockingham County.

In the matter of the application of James Kavanaugh for license.

Memo: Be it remembered that the applicant James Kavanaugh excepted to the opinion and action of the Court in refusing to grant him license

as prayed for on the 24th day of April 1878. it being the 9th day of this term, and tendered his Bill of Exceptions to the said opinion and action of the Court in the premises, which he prayed might be signed. Sealed and enrolled by the Court, which was accordingly done, and is in the words and figures, following to-wit:- Here insert &c:

And be it further remembered, that on this day the said James Kavanaugh appeals from the said opinion and action of the Court in refusing the licenses as aforesaid, to the Circuit Court of Rockingham County.

In the Matter of the application of John J. McMahon for License.

Memo:- Be it remembered that the applicant John J. McMahon excepted to the opinion and action of the Court in refusing to grant him license as prayed for on the 25th day of April 1878. it being the 10th day of this term and tendered his Bill of Exceptions to the said opinion and action of the Court in the premises, which he prayed might be signed. Sealed and enrolled by the Court, which was accordingly done, and is in the words and figures, following to-wit:- Here insert &c.

And be it further remembered, that on this day the said John J. McMahon Appeals from the said opinion and action of the Court in refusing the license as aforesaid, to the Circuit Court of Rockingham County.

Ordered, that the following named persons be allowed the Sums opposite their names for their attendance and services at this term of the Court in the trial of Misdemeanor Cases. and that the Same be paid by the Treasurer of this County, and Certified to the Auditor of Public Accounts. Viz:-

John M. Spitzer.	$5.00	S. B. Good	$6.00	A. B. Dovier	$5.00
Jacob B. Byers	$5.00	A. P. Myers	$5.00	Wm C. Price	$1.00
Madison Price	$1.00	Joel B. Miller	$1.00	D. M. Pollard	$1.00
Thomas D. Rippetoe	$6.00	R. R. Rhinehart	$6.00	John Lineweaver	$6.00
John H. Funkhouser.	$1.00	Sy. A. Sprinkel	$1.00	Lewis Powell	$6.00
Ran. D. Leuschen.	$3.00	J. J. Nicholas	$5.00	Martin Beery	$2.00
Anthony Rhodes	$6.00	Valentine Bolton	$6.00	John F. Rauhof	$4.00
B. F. Garber.	$2.00	Michael H. Eaman	$5.00	Wm F. Carpenter	$4.00
Harvey Fifer	$5.00	Conrad Rodeheffer	$5.00	E. O. Peale	$2.00
John H. Frank	$5.00	Robert Lisley	$2.00	Peter F. Eaman	$1.00
John L. Price	$6.00	Henry Moffett	$2.00	Samuel Vawters	$2.00
				Jesse Summers.	1.00

Ordered. That the following named persons be each allowed the Sum of One Dollar, for their 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:-

Harvey Fifer. John H. Frank. A. P. Myers, Valentine Bolton, Conrad Rodeheffer John Lineweaver Lewis Powell, John F. Rauhof. Wm F. Carpenter Samuel B. Good, A. B. Dovier & Samuel Vawters.

Ordered that this Court be adjourned until to-morrow morning at 10 o'clock

Chas. J. O'Ferrall.

At a County Court continued and held Holden for the County of Rockingham at the Court House thereof on Saturday April 27th 1878.

Present:- Hon Chas. T. O'Ferrall presiding.

Mary L. Pollock moved the Court to grant her Bar Room License from May 1st 1878 to April 30th 1879 the said business to be conducted at her present place of business on Main Street in the Town of Harrisonburg Va and produced the recommendation of the Town Council therefor, and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good character and that the place of business is convenient and suitable the Court doth grant said applicant a certificate to obtain said License upon her execution of a bond in the penalty of $600.00 conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia, entitled "An Act imposing a tax, and prescribing the mode of Collecting the Same, on the privilege of Selling Wine, Ardent Spirits or Malt Liquors, within the limits of the Commonwealth, for the Support of the Government and to pay the interest on the Public Debt" approved March 30th 1877 as amended by the Act approved April 2, 1877. and thereupon the said Mary L. Pollock & S. M. Pollock appeared in Court and together with M. D. Lusty her Surety who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $600.00 conditioned in accordance with the provisions of the act above referred to, waiving the benefit of the Homestead exemption It is considered by the Court that said Certificate be granted the said Mary L. Pollock she having produced in Court, the receipt of the Treasurer of this County for one half of the tax on said License.

Mary L. Pollock moved the Court to grant her Retail Liquor Merchants License from May 1st 1878 to April 30. 1878 the said business to be conducted at her present place of business on Main Street in the Town of Harrisonburg Va and produced the recommendation of the Town Council therefor, and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good character and that the place of business is convenient and suitable, the Court doth grant said applicant a certificate to obtain said License upon her execution of a bond in the penalty of $600.00 conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia, entitled "An Act imposing a tax and prescribing the mode of Collecting the Same, on the privilege of Selling Wine, Ardent Spirits or Malt Liquors, within the limits of the Commonwealth for the Support of the Government and to pay the interest on the Public Debt" approved March 30th 1877, as amended by the Act approved April 2, 1877. and thereupon the said Mary L. Pollock & S. M. Pollock appeared in Court and together with M. D. Lusty her Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $600.00 conditioned in accordance with the provisions of the act above referred to, waiving the benefit of the Homestead exemption. It is considered by the Court

that said certificate be granted the said Mary L. Pollock she having produced in Court the receipt of the Treasurer of this County for one half of the tax on said license.

John Niswander, Committee for Malinda Correll a person of unsound mind this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $29.50 for the board and care of the said Malinda Correll a Lunatic from January 27th 1878 to April 27 1878, 3 Mos @ $100.00 per year ($25.00) and three months clothing at $1.50 per Mo ($4.50) which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment

Cop. od.

The Court doth appoint the following named persons to act as Judges of Elections, at the respective Voting Places in the County of Rockingham to serve as such for the term of one year, Viz:-

Stonewall District

Conrads Store.- John C. Walker, W. H. Carpenter & James G. Maiden.
McGaheysville.- Charles R. Rush, A. J. O. Bader & Robert A. Gibbons.
Port Republic.- Geo. W. Kemper jr. J. B. Nicholas & Samuel H. Lewis.
Furnace No. 2.- Jackson Garrison, Sebastian Propst & Stephen Heensley.

Ashby District

Cross Keys.- E. S. Kemper, W. W. Hooke & Solomon Beery.
Mt Crawford.- Samuel C. Switzer, Aaron Shutters & Lemuel Vawters.
Dayton.- Hiram Coffman, Samuel Shrum & Daniel Bowman.
Bridgewater.- John Williamson, A. L. Lindsay & Moses Strickler
Ottobine.- Wm Cuny, Wm L. Anderson & William Beard.
Moyerhoeffers Store.- Henry Carpenter, Harvey Wise & C. A. VanLear.

Central District

Keezletown.- Strother Sheets, John M. Huffman & Aug. Armentrout.
Harrisonburg.- Philo Bradley, A. Hockman & Wm P. Grove.
Mt Clinton.- B. D. Bowman, A. B. Driver & Henry D. Heatwole.

Linville District

Melrose.- Peter Neff, Silem Sellers & R. N. Harrison.
Edom.- D. M. Coffman, John Lincoln & Henry Beery.
Hoovers Shop.- Daniel Brenneman, Stephen Fawley & Abraham Hoover.
Singers Glen.- A. S. Keiffer, Solomon Funk & Ephraim Renbush.

Plains District

Tenth Legion.- J. N. Cowan, Curtis Yates & John Harrison.
Timberville.- Henry Neff, Uriel Vaughn & Lewis Will.
Cootes Store.- John G. Cootes, Jackson Horn & George W. Fulk.
Wittig's Store.- Henry Wittig, Isaac Funk & Josiah Sowders.
Broadway.- George W. Rehard, Jacob Garber & John H. Baker.

And Philo Bradley, Wm P. Grove, Hiram Coffman, John M. Huffman & A. Hockman are appointed Commissioners of Election.

And also for the following Corporations. Viz:-

Harrisonburg.- Wm Ott, John S. Effinger & A. Hockman.
Bridgewater.- John Altaffer & A. L. Lindsay & M. B. Childress.

Commonwealth
vs
Susan Taylor } upon an Indictment for Keeping and Maintaining a house of ill fame Presented to for the purpose of prostitution and lewdness.

Memo:- Be it remembered that upon the trial of this Cause the Defendant by Counsel excepted to the opinions of the Court and filed her two Bills of Exceptions which she prays may be Signed. Sealed & enrolled. which is accordingly done, and are in the words & figures following to-wit:- Commonwealth vs Susan Taylor, &c.,

Ordered, that this Court be adjourned until Monday morning next at 10. Oclock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Monday April 29. 1878.

Present, Hon Chas. T. O'Ferrall presiding.

On the motion of John Bloser, and from evidence introduced the Court being Satisfied that he is a person of good Character and a proper person in whom to confide the trust of Selling or distributing religious Books doth direct any one of the Commissioners of the Revenue for this County to grant him such Licence with a nominal tax of One cent only.

Commonwealth
vs
James Kavanaugh } upon an Indictment for Selling intoxicating drink on Sunday

Memo: Be it remembered that upon the trial of this Cause the Defendant by Counsel excepted to the opinion of the Court and filed his two Bill of Exceptions which he prays may be signed sealed and enrolled. which is accordingly done. and are in the words & figures following to-wit:- Commonwealth vs James Kavanaugh &c.

Commonwealth
vs
James Kavanaugh } upon an Indictment for Selling Wine Ardent Spirits and a mixture thereof and Spirituous and fermented liquors to a minor Knowing him to be a minor his father or guardian without the Consent of

Memo:- Be it remembered that upon the trial of this Cause the Defendant by Counsel excepted to the opinion of the Court, and filed his two Bills of exceptions, which he prays may be signed, sealed and enrolled, which is accordingly done, and are in the words & figures following to-wit:
Commonwealth vs James Kavanaugh &c.

Wm D. Maiden a Justice of the Peace for this County this day paid into Court the Sum of $5.00 it being the amount of a Judgment for fine rendered by him &c. in the Case of the Commonwealth vs Nathaniel Davis. for a Mis demeanor

Commonwealth.
John J. McMahon } Upon an Indictment for Selling intoxicating drink on Sunday.

Memo:- Be it remembered that upon the trial of this cause the Defendant by Counsel, excepted to the opinion of the Court, and filed his Bill of Exceptions which he prays may be Signed, Sealed and enrolled which is accordingly done, and is in the words & figures following to-wit:- Commonwealth vs John J. McMahon, &c.,

T. L. Williamson, a Justice of the Peace for this County, this day paid into Court the Sum of $1.00 it being the amount of a Judgement for fine in the case of the Commwlth vs John Bull for a Misdemeanor. (the Same having been filed on the 4th day of December. 1877. in the Clerk's office of this Court)

Certified to the Audr of Pub. Accts. 12.2.cc

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Tuesday April 30. 1878.

Present:- Hon. Chas. J. O'Ferrall, presiding.

C. E. Sperrikel this day presented in Court an account against the County of Rockingham amounting to fifty cents for repairs to lock to Court House which being Sworn to, was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment

cop. ord.

It is ordered to be certified to the Auditor of Public Accounts that George G. Grattan Attorney for the Commonwealth for this County is entitled to the Sum of Forty Five Dollars for prosecuting two cases of Felony as follows, Commonwealth vs James Eigenbright and Same vs George Collins. and for prosecuting to Conviction in five Misdemeanor cases as follows: Commonwealth vs James Kavanaugh, Same vs James Kavanaugh Same vs John J. McMahon, Same vs Samuel Swartz, and Same vs Susan Saylor.

cop. ord.

David A. Bleeker. } Upon the petition for the establishment of a Road
Jackson Rhodes. }

This day came again the parties by their Attornies, and thereupon the Defendant moved the Court to quash the inquest of the Commissioners upon the ground that only four of the five Commissioners named in the order of the Court had been Summoned to act which motion the Court overruled, and thereupon the Cause having been heard upon the report of the Commissioners, the inquest, the evidence introduced by the plaintiff and defendant and the arguments of Counsel, it is Considered by the Court that the new road, as proposed in the report of the Viewers be

established as follows to-wit- beginning at a point Six feet above the abutment of the old Mount Crawford bridge at low tide. thence N 71½ W 132 to opposite the Centre line of the proposed new road thence down the Central line of said road. S 14 W 264 poles to the north side of the old road. and thence with the old road as will appear more distinctly from the plat accompanying said report and doth order the Commissioners of roads of Ashby Magisterial District in this County to open said road as established by this order. It is further Considered by the Court 1st That said road shall be thirty feet wide. 2nd That the County of Rockingham do pay to Jackson Rhodes the sum of Ninety five dollars as of this day as Compensation for his land taken for the bed of said road & did that all the Costs of Viewers and Commissioners and the proceedings in Court be also paid by said County except. 3d That David D. Bleeker, recover of Jackson Rhodes his Costs about the witnesses of said Bleeker expended in this behalf- But it is expressly provided that all Costs of trespass across or along any part of said road shall be borne by the said D. D. Bleeker and that the title to the west abutment on which the bridge of the said Bleeker now rests shall vest in the County of Rockingham. The sum of $60 (part of the above sum of $95.00) having been allowed the said Rhodes for the same. it being included in the bed of the road this day established as aforesaid. but the said Bleeker shall have the use of the said abutment for the purposes of his bridge at the pleasure of the County and until the further order of this Court. And thereupon the said Jackson Rhodes thinking himself aggrieved by this order and desiring to appeal therefrom to the Circuit Court. the Court fixed the penalty of the appeal bond to be executed by him at $300.00 whereupon the said Jackson Rhodes appeared in Court and together with Jacob L. Sibert his Surety who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $300.00 waiving the Homestead exemption conditioned according to law. and an appeal of right is allowed from the order of this Court to the Circuit Court of Rockingham.

Ordered. that this Court be adjourned until the 1st day of the next term

Chas. T. O'Ferrall.

In Vacation — May 13, 1878.

The Clerk of the County Court of Rockingham County is hereby directed to issue a Venire Facias directed to the Sheriff of said County, commanding him to summon a Special Grand Jury for the May Term of said Court, to appear at the Court House thereof on the 1st day of said Term, being May 20, 1878, at 10 o'clock, A. M.

Chas. T. O'Ferrall, Judge of the Cir. Ct. of Rockingham County.

Attest, J. T. Logan, Clerk.

In Vacation — May 15, 1878.

On motion of Rev W. T. Yarborough, and from evidence introduced, the Court being satisfied that he is a person of good character, and a proper person in whom to confide the trust of selling or distributing religious Books, doth direct any one of the Commissioners of the Revenue for this County to grant him such License with a nominal Tax only.

cap P. to d.

Chas. T. O'Ferrall, Judge of Cir. Ct. of Rockingham County.

Attest, J. T. Logan, Clerk.

At a County Court held in and for the County of Rockingham at the Court House thereof on Monday May 20th 1878.

Present. Hon Chas. T. O'Ferrall 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 April Term thereof which List being seen and inspected by the Court is ordered to be spread upon the Minutes. and is as follows. Viz:-

Bargain & Sale	C.G. Jennings		Catharine Piper & Rhohannah Sprinkle
" "	David C. Kline & wife		David B. Sites
" "	Noah Orebaugh & wife		J.N. Cowan J.H. Thomas & A.H. Fauver Trustees
" "	John E. Roller Comm'r.		David S. Garber
Trust Deed	J.R. Kiser		C.A. Bryan
Bargain & Sale	Lucious B Dovel & wife		David J Garber
Article of agreement or Marriage Contract	Catharine Sanders	and	Isaac S Eggleston
Homestead Deed	Philip Lanny		
Trust Deed	Ann Sipe		W.S. Lurty Trustee
Bargain & Sale	Hannah & Catharine Sackman		John N.H. Eaton
" "	D. Kenckel & Coomes, & S.A. Kenckel Exrs of S.D.	Kenckel deed	Same
" "	Michael B Roach & wife		Archibald Roach
Lis Pendens	F.M. Chapman		Daniel & Baker & Peter Baker
Assignment of B-Rupt's Effects	C.D. Gray Register in Bankruptcy		John Paul Assignee of Wm Minnich
Bargain & Sale	John R Kling & wife		William H. Bagley
	Wm N. Gay Samuel L. Gay		Hez M & G Railroad Company & Balto & Ohio Railroad Co
Agreement or Marriage Contract	Wm Rehard & Mary Bridges		Samuel R Allebaugh Trustee
Lien note for Fertilizer Furnished	G.M. Armentrout		L.F. Detrick
Same	William L. Bloser		Same
Same	J.A. Washington by her Trustee H.H. Washington		Same
Same	Samuel W. Chandler		Same
Same	Augustine Armentrout		Same
Same	Augustine Armentrout		Same
Same	Thomas R. Messick		Same
Same	B.F. Boyle		Same
Same	J. Wray		Same
Same	Franklin Sisley		Same
Same	Joseph Slatterbuck		Same
Same	W.B. Heyman		Same
Same	John D. Sites		Same
Same	Noah Argabright		Same
Same	C.M. Slatterbuck		Same
Same	John Harman		Same
Same	Samuel McDorman		Same
Same	M.A. Secrist		Same
Same	Wm K. Slatterbuck		Same
Same	Henry Hamsberger		Same
Same	A.N. Peale		Same
Same	Abraham Billheimer & J.H. Barney		Same
Same	J.S. Strayer		Same

Lien note for Fertilizer Furnished	Franklin H. Dice	L. F. Delrick
Bargain & Sale	J. Paul Assignee of Wm Minnich B-Krupt	D. H. Rolston
" "	Peter W. Hartman & wife	Jeremiah H. Diehl
Deed of Homestead	John H. Davel	
Bargain & Sale	John Bishop	J. C. Bishop Trustee for M. C. Bishop
" "	Riley Crider & wife	Frederick Crider
" "	Joseph Armentrout & wife	N. B. B. Hannah & Jane E. Brewer
" "	Wm B. Compton Commr.	Emanuel Pence
" "	C. H. Vanderford	Joseph K. Smith
Article of Sale & Copartnership	Jos. K. Smith	P. B. Delaney
Trust Deed	Wm E. G. Rinrel & wife	Wm H. Phillips Trustee
Bargain & Sale	Abraham Miller	Joel Glick & Elizabeth his wife
" "	Peter C. Tutwiler & wife	John M. Rhodes
" "	W. F. Pifer & wife & others heirs of Adam Pifer Sr. deed	Adam Pifer Jr.
" "	J. B. Kager & wife	S. D. McCommon
" "	Wm J. Weaver & wife	Walter Washington
Trust Deed	Charles Bayard	Wm Shands Trustee
Bargain & Sale	George F. Dinkel & wife	Harvey Kyle
" "	Joshua Wilton & wife	Philip Bradley
Trust Deed	Solon P. C. Henkel	M. S. Walton & A. S. Miller
Bargain & Sale	Newton G. Moore & wife	William H. Foltz
Lien note for Fertilizer Furnished	S. B. Good	G. Ober & Sons
Same	Henry McDorman	Same
Same	J. Washington by her Trustee H. H. Washington	Same
Same	James W. D. Crawn	Same
Same	Wilson Carrier	Same
Same	Franklin Liskey	Walton Wham & Co
Same	A. N. Peale	Gustave Damburaun
Lis Pendens	William B. Sterrett against	The Royan Land Co. of Va. R. N. Pool, J. H. Walter Ry Hite
Deed of Gift	Fry Overton	Nancy Overton & Children
Bargain & Sale	Henry Miller & wife	William Hensley (Old deed)
" "	D. H. Rolston Commr.	Bethsheba Witts
" "	Hiram Coffman & wife	Joseph S. Loose
" "	Joseph S. Loose & wife	Hiram Coffman
" "	John Johnson & wife	William Boswell
" "	Wm B. Compton Commr.	M. Trieber & Jacob Gassman
" "	M. Trieber & wife J. Gassman & wife	Abner Shacklett
Release Deed	Charles E. Haas Trustee	John S. Lewis
Trust Deed	Judson M. Kent	John E. Roller Trustee
Bargain & Sale	Jane Longacre & her trustee & others	Samuel Hartman
Deed of Release	A. M. Newman trustee	C. A. Sprinkel & N. Sprinkel
Bargain & Sale	E. J. Sullivan and wife	Patrick O. Sullivan
" "	Same Same	Same
" "	Geo W. Yancey & wife	John A. Armentrout
Trust Deed	Christian Kyger	Littleton W. Gambill Trustee Old deed
Bargain & Sale	Isaac Smith & wife	R. D. Cookus & wife
" "	G. Layman & wife	John T. Ryman
" "	Peter Baker & wife.	John A. Trobaugh.

The following Settlements were this day presented in Court and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the Same are Confirmed and ordered to be recorded. Viz:-

Settlement of the Acct of John E. Roller Guardian of Charles E. Nicholas.
" " " " " D. H. Rotston. S.R.C. & as Such Admr. of Jonathan Peale decd.
" " " " " D. H. Rotston. Admr. of John L. Faught. decd.
" " " " " Wm. J. Miller Admr. of Jacob Miller. decd.
" " " " " Wm. Reubush. Survg Exor of Mathias Reubush. decd.
" " " " " A. C. Long. Guardian for Jas. H. N. Eagman.
" " " " " Joel Garber one of the Exors of John Garber Decd.
" " " " " Abraham Blosser. Admr. of Ann & Abraham Blosser decd.
" " " " " Adam Pifer Jr. " " Adam Pifer Sr. decd.
" " " " " M. J. Moyerhoeffer. " " A. J. Moyerhoeffer decd.
" " " " " Jacob Baxter. Guardian for David Josephine & Emma Baxter.
" " " " " Samuel F. Bontz. Admr. of Harvey Bontz decd.
" " " " " James P. Rotston. S.R.C. Admr. of Jacob W. Roadcap
" " " " " Samuel N. Wine Guardian for Martha J. Stokes.
" " " " " Harvey Alger. " " Jennetta & Cornelius Riddle.
" " " " " Solomon Wine. " " Catharine Senger &c.
" " " " " Crawford Zirkle. Committee for Delilah Zirkle.
" " " " " William Ruebush. Admr. of Samuel Ruebush.
" " " " " John Swartz. Guardian for Simon J. Denton.

The following Appraisement & Sale Bills were this day presented in Court and no exceptions being taken thereto, the Same are ordered to be recorded. Viz:-

Appraisement & Sale Bills of the personal property of S. F. Burkholder decd.
" & " " " " " " " George Dove decd.
Appraisement Bill " " " " " Sarah Sellers.
" " of the Real Estate &c. " Peter Roller Sr. decd.

A. L. Lindsay Foreman. B. F. Miller. Joel B. Miller. Jacob Messerole. Wm. C. Price. Cyrus Wise. E. S. Mitchell Silas Beard. Peter Fahrney & Samuel Thomas. were impanneled and Sworn a Special 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 their presentments, and after Sometime returned into Court. and not having completed the business before them, were adjourned until to-morrow morning at 10 Oclock.

It appearing to the Court that the powers of John Paul Administrator of Catharine Amiss deceased were revoked by an order of this Court entered at the June Term 1872 of this Court & that no administration of Said Estate has Since been had.

Upon motion of Granville Eastham admr. of John C. Woodson deceased It is ordered that the estate of the Said Catharine Amiss deceased be committed to D. H. Rolston Sheriff of Rockingham County for administration

On motion of D. G. Mauzy a Creditor of the estate of Margaret Nicholas dec'd. It is ordered that the estate of said Margaret Nicholas be committed to the Sheriff of Rockingham County for administration it appearing to the Court that said decedent has been dead for more than three months without any administration upon her estate.

And the Court doth appoint A. P. Nicholas Joseph Dunnivan Jacob Rush & J. W. S. Miller to appraise the estate of said Margaret Nicholas dec'd any three of whom may act after first being duly Sworn,

c/p. Upon the motion of M. A. Eddins and it appearing to the Court from evidence introduced that the said M. A. Eddins is physically disabled and incapable of performing labor upon roads as required by the Law. It is accordingly ordered that he be exempted from all Service upon the roads of this County.

Rufus McCorkey moved the Court to grant him Bar-room License from May 20th 1878 to April 30. 1879 the said business to be conducted at the "Spotswood Hotel" in the town of Harrisonburg Va and produced the recommendation of the Town Council therefor. and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good character and that the place of business is convenient and suitable the Court doth grant said applicant a Certificate to obtain said License upon his execution of a bond in the penalty of $600.00 Conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia, entitled "An Act imposing a tax, and prescribing the mode of Collecting the Same, on the privilege of Selling Wine, Ardent Spirits, or Malt Liquors, within the limits of the Commonwealth for the Support of the Government and to pay the interest on the Public Debt" approved March 30th 1877 as amended by the Act approved April 2, 1877. And thereupon the said Rufus McCorkey appeared in Court and together with Chas. A. Yancey, his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $600.00 Conditioned in accordance with the provisions of the Act above referred to, waiving the benefit of the Homestead exemption. It is considered by the Court that said Certificate be granted the said Rufus McCorkey, he having produced in Court the receipt of the Treasurer of this County for one half of the tax on said License.

Rufus McCorkey, moved the Court to grant him Retail Liquor Merchants License from May 20th 1878 to April 30. 1879 the said business to be conducted at the "Spotswood Hotel" in the Town of Harrisonburg Va and produced the recommendation of the Town Council therefor, and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good character, and that the place of business is convenient and Suitable, the Court doth grant said applicant a Certificate to obtain said License upon his execution of a bond in the penalty of $600.00 Conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia entitled "An Act imposing a tax and prescribing the mode of Collecting the Same, on the privilege of Selling Wine, Ardent Spirits or Malt Liquors, within the limits of the Commonwealth for

the Support of the Government and to pay the interest on the Public Debt" Approved March 30. 1877. as amended by the Act approved April 2. 1877. And thereupon the Said Rufus McGeney appeared in Court and together with Chas. A. Yancey his Surety. (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $600.00 Conditioned in accordance with the provisions of the Act above referred to. waiving the benefit of the Homestead exemptions.

It is Considered by the Court that Said Certificate be granted the Said Rufus McGeney he having produced in Court the receipt of the Treasurer of this County for one half of the tax on Said License.

John Wallace. moved the Court to grant him Bar room License from May 20th 1878 to April 30th 1879 the Said business to be Conducted in the South Corner of the "Spotswood Hotel" in the town of Harrisonburg. Va. and produced the recommendation of the Town Council therefor. and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good Character and that the place of business is Convenient and Suitable the Court doth grant Said applicant a Certificate to obtain Said License upon his execution of a bond in the penalty of $600.00 Conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia. entitled "An Act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine Ardent Spirits. or Malt Liquors within the limits of the Commonwealth for the Support of the Government and to pay the interest on the Public Debt" Approved March 30th 1877. as amended by the Act approved April 2. 1877. And thereupon the said John Wallace appeared in Court and together with James Kavanaugh his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $600.00 Conditioned in accordance with the provisions of the Act above referred to waiving the benefit of the Homestead exemptions. It is Considered by the Court that Said Certificate be granted the Said John Wallace he having produced in Court the receipt of the Treasurer of this County for one half of the tax on Said License

John Wallace. moved the Court to grant him Retail Liquor Merchants License from May 20th 1878 to April 30. 1879 the Said business to be conducted in the South Corner of the "Spotswood Hotel" in the Town of Harrisonburg Va. and produced the recommendation of the Town Council therefor and upon the introduction of evidence it appears to the Court that the applicant is a person of Sobriety and good Character and that the place of business is Convenient and Suitable the Court doth grant Said Applicant a Certificate to obtain Said License upon his execution of a bond in the penalty of $600.00 Conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia of Virginia entitled "An Act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine. Ardent Spirits or Malt Liquors within the limits of the Commonwealth for the Support of the Government and to pay the interest on the Public Debt" Approved

March 30. 1877. as amended by the act approved April 2. 1877.
And thereupon the said John Wallace appeared in Court, and together with James Kavanaugh his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to the provisions of the Act above refered to waiving the benefit of the Homestead exemption.
It is considered by the Court that said certificate, be granted the said John Wallace he having produced in Court the Receipt of the Treasurer of this County for one half the tax on said Licence.

The writing purporting to be the last will and testament of Gideon B. Reed. was this day presented in Court, and was proven by the oaths of A B. Lincoln and W. C. Harrison. two of the Subscribing witnesses thereto, and continued for probate. the tax not being paid.

Jerry Morris.
The Commonwealth. } Petit Larceny. Upon an appeal from a Judgment of Justices of the Peace.

This day came again as well the Attorney for the Commonwealth as the Appellant Jerry Morris in discharge of his recognizance entered into at the April Term last of this Court (April 20th 1878) in person and by Counsel and for reasons appearing to the Court the trial of this Cause is continued until the first day of the next future term of this Court and thereupon the said Jerry Morris moved the Court to permit him to renew his recognizance which motion the Court doth sustain, and thereupon the said Jerry Morris together with John M. Morris and Bowers Morris as his Sureties (who justified as to their sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each. to be levied of their respective good and Chattels lands and tenements for the use of the said Commonwealth, each waiving the benefit of their Homestead exemption. Yet upon this Condition that the said Jerry Morris does make his personal appearance before the Judge of this Court on the 1st day of the June Term next of this Court being the 17th day of June 1878. to answer the charge of Petit Larceny and not depart thence with leave of the Court. and thereupon Ira Rexrode witness in behalf the Commonwealth. and Silas Miller a witness in behalf of the Appellant Jerry Morris. appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods & chattels. lands & tenements for the use of the said Commonwealth, each waiving the benefit of their Homestead exemption. Yet upon this Condition. that they each do make their personal appearance before the Judge of this Court on the 1st day of the June Term next being the 17th Day of June 1878. as witnesses as aforesaid and not depart thence without leave of the Court.

And the Court doth award Attachments against Ira Shifflett and Benjamin Shifflett witnesses in behalf of the Commonwealth. directed to the Sheriff of Greene County commanding him that he have the bodies of the said Ira Shifflett and Benjamin Shifflett before the Judge of this Court on the 1st day of the June Term next of this Court to do and receive what our said Court may then and there adjudge against them for their contempt in failing to appear at the present term as witnesses as aforesaid.

cap'd & fei'd

This day Came Rev. Isaac Long, who alleges that he has been erroneously assessed with 25 Acres of Land at the rate of $90.00 per acre. whereas the Said assessment should be 25 acres of Land at the rate of $20.00 per acre, which Said erroneous assessment was made by J. N. Ross, the Commissioner of the Revenue for Stonewall District in Rockingham County in the Assessment Book for 1877, and the Levy State & County for the year 1877 was made upon the Said erroneous assessment, and that the Said Long has been compelled to pay Taxes to the State of Virginia $11.25 and to the County of Rockingham $14.40 whereas he should properly have paid to the State of Virginia $2.50 and to the County of Rockingham $3.20 and thereupon the Said ~~the Said~~ Rev. Isaac Long moved the Court, the Attorney for the Commonwealth Geo. G. Grattan being present and representing the Same & J. N. Ross Commissioner of Revenue for the Said District, who made the assessment being examined as a witness touching the application to Correct the Said erroneous assessment and order the excessive taxes paid by him to be refunded and it appearing to the Court from the evidence adduced that there is a clerical error upon the assessment books for Stonewall District Rockingham County for the year 1877 in the assessment of 25 acres of Land at the rate of $90.00 per acre, and that the Same Should be at the rate of $20.00 per acre It is ordered that Said assessment be Corrected So as to Conform to this order, and that it be certified to the Auditor of Public Accounts of this Commonwealth, who is directed to refund to Said Rev. Isaac Long the Sum of $8.75 which is the excessive State Tax or Revenue which he has been compelled to pay upon the erroneous assessment as aforesaid and that the Same be Certified to the Treasurer of this County, who is directed to refund to the Said Rev Isaac Long the Sum of $11.20 which is the excessive County Tax, which he has been compelled to pay upon the erroneous assessment made as aforesaid. It is further Considered by the Court that the Rev. Isaac Long recover of J. N. Ross Comm.r of the Revenue for Said district his costs by him about this motion expended.

L. C. Whitescarver, who was on the 2d day of May 1878 duly Commissioned by the Governor of Virginia a Notary Public in and for the County of Rockingham for the term of four years from the Said date this day appeared in Court and together with Henry M. Roller 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 execution of the duties of Said office each waiving the benefit of their Homestead exemption 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. C. Whitescarver took the Several oaths prescribed by law.

D. Pennybacker, for &c.
vs
William H. Shoemaker } upon a Notice

Ordered that this Cause be placed upon the Courts Docket.

Shacklett & Gibbons
vs
William Koontz & Robert Koontz } upon a Notice on a twelve months Sale bond. (Homestead waived)

This day came the Plaintiffs by their Attorney and the Defendants being Solemnly called came not. the notices were proved. and It is considered by the Court that the Plaintiffs recover of the Defendants the Sum of $29.54 with legal interest thereon from the 15th day of January 1877 till paid and their Costs by them in this behalf expended.

On the motion of John F. Reed. Son of Jonas Reed, decd the powers of J. P. Rolston late S. R. C. to whom was Committed the administration of Said Estate at the May Term of this Court 1873. are hereby revoked and the Said John F. Reed. who was named as Exor in the will of Said Jonas Reed decd having arrived to the age of 21 years. on his motion. appeared in Court and entered into and acknowledged a bond in the penalty of $6000.00 Conditioned according to law, waiving the benefit of his Homestead exemption as to this obligation without Security as provided in Said will. a certificate is granted him for obtaining a probat of Said will in due form. and thereupon he qualified as Exor. of the will of Said Jonas Reed. decd

John R. Jones Commr of the Revenue for Central District. J. N. Rop Commr of the Revenue for Stonewall District and Jos. W. Rhodes Commr of the Revenue for Ashby District in this County this day returned to the Court a copy of their Certificates &c. as to the Sales of Wine. Alcoholic and Malt Liquors by all licensed retail and Bar-room Liquor dealers and wholesale Liquor dealers within their respective Districts for the month ending April 30th 1878 as required by an Act entitled "An Act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine Ardent Spirits &c. Malt Liquors &c. approved March 30th 1877. which are ordered to be filed.

It appearing to the Court that the Clerk. at the April Term last of this Court failed to enter an order. making an allowance to George W. Hedrick & James M. Weaver of $1.00 each for their Services as Jurors in Misdemeanor cases at Said term of the Court. It is ordered that Said allowances be made now for them. which is accordingly done.

Commonwealth.
vs
Wm. Michael Martz. } upon an Indictment for Assault & battery.

This day came again as well the Attorney for the Commonwealth as the Defendant in person, whereupon the Defendant with the consent of the Attorney for the Commonwealth. confessed a judgment for one cent fine and costs, as follows. to-wit:- Clerk $7.16 Sheriff $2.90 Witnesses $8.72 total $18.79 which Said Sum of $18.79 the Said Defendant paid into Court and the Clerk is directed to disburse the amounts to the parties intitled thereto.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Tuesday May 21st 1878.

Present:- Hon Chas T. O'Ferrall. presiding.

The last will and testament of Gideon B. Reed dec'd which was on yesterday the 1st day of this term of the Court duly proven by two of the subscribing witnesses thereto. is this day admitted to probate and ordered to be recorded. and thereupon Mildred Reed the Executrix therein named who made thereto according to law appeared in Court and entered into and acknowledged a bond in the penalty of $12000.00 conditioned according to law waiving the benefit of her Homestead exemption as to this obligation. without security as provided in said Will. a certificate is granted her for obtaining a probat of said will in due form and thereupon she qualified as Extx of the Will of said Gideon B. Reed dec'd.

And the Court doth appoint A. B. Lindsey, Michael J. Maxey and James N. White to appraise the Estate of said Gideon B. Reed dec'd after first being duly Sworn.

Seymour S. Wise who was on yesterday Sworn and impannelled a Grand Juror. having been guilty of a Contempt of Court. the Court doth impose upon him a Fine of $5.00 and Costs.

The Grand Jury Sworn and impannelled on the first day of this term of the Court this day again appeared in Court pursuant to their adjournment and again retired to their room to consider their presentments. and after sometime returned into Court and made the following presentments. (Viz:-

An Indictment against Meredith Knighten For selling Wine. Ardent Spirits &c. without a license A true bill: A. L. Lindsey Foreman.

An Indictment against Meredith Knighten For selling Wine ardent Spirits &c. without a license. A true bill A. L. Lindsey Foreman.

An Indictment against Meredith Knighten For selling Wine ardent Spirits &c. without a license A true bill A. L. Lindsey Foreman.

An Indictment against Meredith Knighten For selling Wine Ardent Spirits, &c. without a license A true bill A. L. Lindsey Foreman.

An Indictment against Meredith Knighten. For selling Wine, Ardent Spirits &c. without a license A true bill. A. L. Lindsey Foreman.

An Indictment against Meredith Knighten For selling Wine. Ardent Spirits &c. without a license. A true bill A. L. Lindsey Foreman.

An Indictment against Meredith Knighten. For selling Wine. Ardent Spirits. &c. to a Minor knowing him to be a Minor without the consent of his parent or guardian. A true bill A. L. Lindsey Foreman.

An Indictment against George Magill For breaking and entering an out House with intent to steal A true bill A. L. Lindsey Foreman.

An Indictment against Lewis Kirtley For attempt to administer poison with intent to kill or injure A true bill A. L. Lindsey Foreman.

An Indictment against Mc P. Ford. for Petit Larceny. A true bill
A. L. Lindsey Foreman
And having completed the busines before them were discharged from further attendance upon this Court.

Ordered. That the following named persons be each allowed the Sum of Two Dollars for Services at this Term of the Court as Grand Jurors. (2 days @ $1 per day) and that the Same be Certified to the Treasurer of this County for payment (Viz:- B. F. Miller. Joel B. Miller Jacob Meperole. Wm C. Price Cyrus Wise. E. S. Mitchell A. L. Lindsey Silas Beard Peter Fahrney & Samuel Thomas.

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock.

Chas. J. O'Donnell.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof, on Thursday May 23d 1878.

Present Hon Chas J. O'Donnell presiding.

On motion of John Lover, to correct an erroneous assessment
It is ordered that this motion be docketed, and J. W. Rose, Commr. of the Revenue for Stonewall District, be summoned as a witness to appear on to-morrow (May 24th 1878) on behalf of said application.

Commonwealth.
vs
George Magill. } Upon an Indictment for breaking and entering an out-house with intent to Steal

This day the prisoner George Magill who Stands indicted for a felony by him committed was led to the bar of the Court in custody of the Jailor of this County, and being thereof arraigned pleaded "Not guilty" and thereupon his trial was Continued until the first day of the June Term next of this Court. And thereupon the prisoner was remanded to Jail.

Commonwealth.
vs
Lewis Kirtley } Upon an Indictment for attempt to administer poison with intent to Kill & injure.

This day the prisoner Lewis Kirtley, who Stands indicted for a Felony by him Committed was led to the bar of the Court in Custody of the Jailor of this County. and being thereof arraigned pleaded "not guilty" and thereupon his trial was Continued until the 2nd day of the June Term of this Court.
And thereupon the prisoner was remanded to Jail.

Ordered, that the following named persons be each allowed the Sum opposite their names for their 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.
E. M. Stine Spring $2.00 Jacob P. Rhodes $2.00 Emanuel Suter $1.00 E. H. Bromer $2.00
Solomon Chesp $2.00 John M. C. Pickering $1.00 George Logan $2.00 M. E. Lemley $2.00

John C. Hidecker $2.00 Bernard Getz $2.00 Wm. S. Carpenter $1.00 E. W. Hester $2.00
John Lineweaver $2.00 Joseph C. Ritchie $2.00 R. M. Grubb $2.00

On the motion of Abraham B. Armentrout, who made oath thereto according to law he appeared in Court and together with Silem Sellers his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law. each waiving the benefit of their Homestead exemption as to this obligation a certificate is granted him for obtaining letters of Administration in due form upon the Estate of Joseph Armentrout dec.d (It appearing to the Court that the Said Joseph Armentrout has been dead for more than 30 days)

And the Court doth appoint Peter W. Long John Kerlin & James White to appraise the estate of Said Joseph Armentrout dec.d after first being duly Sworn.

Commonwealth.
Mc P. Ford. } upon an Indictment for Petit Larceny.

The Court doth award a Capias against the Defendant directed to the Sheriff of this County. Commanding him to have forthwith the Defendant Mc P. Ford. before the Judge of this Court to answer us of a certain Indictment for Larceny.

Ordered. that this Court be adjourned until to-morrow morning at 10. O'clock

Chas. S. O'Farrall.

At a (Court) Court continued and held in and for the County of Rockingham at the Court House thereof on Friday May 24th 1878.

Present: Hon Chas. T. O'Ferrall presiding.

The New Rawley Springs Company moved the Court to grant it Retail & Bar Room Liquor Dealers License from June 1st 1877 to the said business to be conducted at Rawley Springs in this County, and upon the introduction of evidence, it appears to the Court that the applicants are persons of sobriety and good character, and that the place of business is convenient and suitable. the Court doth grant said applicants a certificate to obtain said Licenses upon the the execution of two bonds in the penalty of $600.00 each. conditioned for the faithful performance of all the requirements of the Act of the General Assembly of Virginia entitled "An Act imposing a tax, and prescribing the mode of collecting the same, on the privilege of Selling Wine, Ardent Spirits, or Malt Liquors, within the limits of the Commonwealth, for the support of the Government and to pay the interest on the Public Debt" approved March 30th 1877, as amended by the Act approved April 2d 1877, and thereupon Wm D. Hopkins Prest. of said Company, together with Wm D. Hopkins, Chas. T. Yancey and J. L. Sibert its Sureties (who justified as to their Sufficiency) entered into and acknowledged two bonds in the penalty of $600.00 each, conditioned for the faithful performance of the said Act of Assembly imposing a tax, &c. for the privilege of Selling Wine, Ardent Spirits, &c. as above recited, waiving the benefit of the Homestead exemption. It is considered by the Court that said Certificate be granted the said New Rawley Springs Company the receipt of the Treasurer of this County for one half of the tax on said licenses being produced in Court.

Wm P. McCall moved the Court to grant him Retail Liquor Dealer's Licence at his house in this County, near Singerville, and the Court having fully heard the evidence, is of opinion that the place is not a suitable one, and doth therefore refuse his said application; and thereupon the said Wm P. McCall, appeals from the opinion and action of the Court in refusing the Licence aforesaid, to the Circuit Court of Rockingham County.

Ordered, that this Court be adjourned until tomorrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Monday May 27th 1878.

Present:- Hon. Chas. T. O'Ferrall presiding.

Commonwealth.

Henry Wilson alias Henry Johnson alias Joseph Waller. } Upon an Indictment for Larceny of a horse.

This day the prisoner Henry Wilson alias Henry Johnson alias Joseph Waller, who stands Indicted for a felony by him Committed ~~was~~ was led to the bar of the Court in Custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty" to the said indictment, and thereupon his trial was continued until the 2d day of the June Term next of this Court.

And thereupon the prisoner was remanded to Jail.

Commonwealth.

Algernon Hollen. } Upon an Indictment For attempt to ravish and Carnally Know a female by force against her will.

This day the prisoner Algernon Hollen, who stands indicted for a felony by him Committed was led to the bar of the Court in Custody of the Jailor of this County, and being thereof arraigned pleaded "not guilty" to the said indictment, and thereupon his trial was Continued until the 3d day of the June Term next of this Court.

And thereupon the prisoner was remanded to Jail.

cap'd & d. & pup. This day came Geo. P. Burtner who alleges that he is aggrieved by an entry in the Land Book made by John R. Jones Commr. of the Revenue for Central District in said County in the years 1876 and 1877 whereby he is charged with $1.50 State Tax & $1.62 County Taxes for the year 1876 and $1.50 State Tax and $1.92 County taxes for the year 1877 on a tract of land containing 2 acres described as lying at Keeztetown, and thereupon the said Geo. P. Burtner moved the Court to exonerate him from the payment of $6.54 the taxes so charged against him for said years, which motion was defended by Geo. G. Grattan the Attorney for the Commonwealth for said County, and the said John R. Jones the Assessor who made the assessment was examined as a witness touching the application.

And it appearing that said books in which said alleged erroneous entries have been made were certified by the Clerk of the County Court of this County on the day of 1876 and on day of 1877, and that application for redress against the erroneous entries was made on this day for the first time: and it appearing that the said 2 Acres of land had been transferred to Geo. P. Burtner only as trustee under a Deed of Trust executed by Abraham Whitmer & wife, to secure a creditor, some years before said erroneous assessments and that said Whitmer to whom said land is properly assessed, has also paid the same amount of tax on said land during the said years, 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 Geo. P. Burtner is erroneously charged on said books with taxes amounting to $6.54 whereupon it is ordered that the said Geo. P. Burtner be exonerated from the payment of $6.54 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to said Geo. P. Burtner $3.00 of which is State Tax and $3.54 County Tax.

Upon the petition of Jno. D. Pennybacker & others for the establishment of a Public Road from Edom down Linvilles Creek to the Cross Road leading by Isaac Ackers to Cowan's Station

The viewers Saml. R. Allebaugh, J. J. Bowman, and Chas. J. Brock, appointed at a former Term of this Court, and acting under an order entered at the April term 1878, this day returned their report into this Court, which is ordered to be filed, and the Court doth further order that H. J. Showalter Jno B. Kline, A. L. Maupin, Isaac Wenger, Dr. Wm ~~Maupin~~ Chapman, M. E. Pennybacker M. W. Bowman, Catharine Baxter, John D. Miller, D. C. Brenneman, Henry Geil John C. Beery & J. P. Swank the land-owners named in said report, be summoned to appear on the first day of the June Term 1878 of the County Court of Rockingham to show cause, if any they can, why the proposed public Road should not be established according to the prayer of the petition; and upon the route designated by the viewers in their said Report, and according to the provisions of an Act of the General Assembly of Virginia approved March 20th 1875, entitled "An act to provide for working and keeping in order the Roads of the Commonwealth.

Peachy Wine Curator of William Robinson dec^d.
John G. Robinson. } On motion to probat a paper purporting to be the last Will & Testament of William Robinson dec^d.

This day came the parties by their Attorneys, and thereupon the Court upon the examination of the subscribing witnesses, and evidence introduced is of opinion that the paper offered for probat is not sufficiently shown to be the last will and Testament of William Robinson dec^d. and doth therefore refuse to probat the said paper* and thereupon William Robinson Jackson Robinson John Airey & others, devisees and legatees under the will of the said William Robinson dec^d. thinking themselves aggrieved by this order and desiring to appeal therefrom to the Circuit Court, the Court fixed the penalty of the Appeal bond to be executed by them at $200.00 whereupon the said William Robinson appeared in Court and together with George W. Airey his surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law (waiving their Homestead exemption) and an appeal of right is allowed from the order of this Court to the Circuit Court of Rockingham.

*It is therefore considered that the said John G. Robinson recover his costs by him in this behalf expended.

R. C. Paul, this day presented in Court an account against the County of Rockingham amounting to the sum of $22.00 for 2 Doz Chairs for Court-House which being sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1877 if any surplus if not out of the Levy for 1878.

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Wednesday May 29 1878.

Present. Hon Chas. T. O'Ferrall presiding.

On the motion of John R. Humphries, and from evidence introduced the Court being satisfied that he is a person of good character and a proper person in whom to confide the trust of selling or distributing Religious Books doth direct any one of the Commissioners of the Revenue of this County to grant him Such License with a nominal tax of One cent only.

On the Petition of A. H Fulk & others for a change in a Public Road in Brocks Gap in this County.

This day came the petitioners by Counsel, and it appearing to the Court that the viewers heretofore appointed have made their Original and Supplemental reports as directed by former orders of this Court. that the land-owners along the route of said proposed change have been duly Summoned to Show Cause against said change and none appearing or Showing Cause against the Same. On Consideration whereof and upon the introduction of evidence and after argument of Counsel. the Court is of Opinion that said change ought to be made in accordance with the Original report of the viewers

It is therefore, ordered that William R Bowers. Com'r of Roads for Plains District proceed forthwith to make said change in accordance with said report as follows: Beginning at point "1" in the diagram filed with said report, thence N 22½ E 12 poles N 42° E 15 poles. N 66° E 7 poles. N 30° E 5 N. 63° E 8.8 poles. N 46½° E 10.6 poles N 49½ E 9.4 poles N 53½ E 12. 5 poles. N 78° E 8. 4 poles. S 84½ E 6 poles. S. 58° E 6.7 poles. S 9¼ E 11 poles. S 57½ E 7 poles N 36° E 8 poles. N 81° E 5. 6 poles. S 87½ E 10 poles. N 86 E 10. 5 poles. N. 55° E 6 poles. N 70° E 8. 4 poles. N 74° E 12 poles. N 84° E 8. 5 poles. S 87° E 10 poles N 78° E 6. 4 poles. N 76½ E 6 poles. N 50° E 4 2 poles. N 35° E 23 poles. N 41½ E 6 poles. N 25° E 8. 6 poles. N 24 E 9 poles. N 18½ E 6 poles. N 23° E 7 poles. N. 23½ E 7 poles N 24½ E 10 poles. N 43° E 5 poles. N. 73½ E 7 poles. S 82° E 6 poles. S 79° E 4. 5 poles. Thence East 26 poles to the point "39" in said diagram on the intersection of the road leading to Dovesville passing through the lands on said route of Philip Baker, Betsey Baker, Philip Baker, John Zimmer, Solomon and Lizzie Ritchie Jeremiah Ritchie Christian Fulk's Heirs Benjamin Ritchie and Abraham Kelp.

It is further ordered that said change be opened to the width of 12 feet only, and when the same is made the present location shall shall be closed to the extent of said change. It is further ordered that the following damages be allowed to the parties through whose lands the said route will pass in accordance with the report of said viewers, to-wit: To Philip

Baker (upper tract) Three $\frac{44}{100}$ Dollars. Betsey Baker Three $\frac{94}{100}$ Dollars. Philip Baker (lower tract) Five $\frac{96}{100}$ Dollars. John Turner two $\frac{50}{100}$ Dollars. Solomon & Lizzie Ritchie two $\frac{50}{100}$ Dollars Jeremiah Ritchie nothing (no damage claimed) Abraham Hefs nothing (no damage claimed) L. Fulk's heirs Three $\frac{62\frac{1}{2}}{100}$ dollars. and Benjamin Ritchie nothing (no damage claimed)

It is further ordered that said damages together with the costs of opening and making said change be paid by Banks District and that the Road Board of said District make the necessary appropriation for the same It is further ordered that the said Road Cmr. make a report how he has executed this order to the August Term next of this Court. with a view to a final determination of this Cause.

Jackson Knupp
Peter Rader and Geo. W. Shaver } upon a motion for fine.

On motion of the Plaintiff and it appearing to the Court that Peter Rader as Constable of Rockingham County, received from the Clerks Office of this Court on the 21st day of April 1875 a Writ of fieri facias issued in the name of George Ashenfelter for Jackson Knupp the plaintiff and against J. M. Liggett and J. L. Mayfield for the Sum of $23.$ $\frac{25}{100}$ with interest from the first day of January 1859 and for costs 60 cents and $1.$ $\frac{36}{100}$ bearing date the 20th day of April 1875 and returnable to the third monday in June 1875. and that the said Peter Rader has made default and wholly failed to make return of how he executed said writ of fieri facias and the said defendants being Solemnly Called and Came not. It is Considered by the Court that the plaintiff recover from the defendants Peter Rader and his Surety George W. Shaver the Sum of twenty dollars as a fine for said default and also his costs about his motion in this behalf expended.

On the Petition of Samuel Zigler for a change in the Public Road known as the Brocks Gap and Spartanburgh Road, where the said Road passess through the Land of said petitioner.

This day Came the petitioner by his Attorney, and the Court being Satisfied from the report of the viewers returned and filed in this Cause and from evidence introduced that the change aforesaid ought to be made, it is ordered that William F. Bowers Commissioner of Roads for Blacks District proceed at once to make the said change in accordance with the said report of the viewers, as follows: Beginning at point "A" in the diagram returned with said report. thence N 52 $\frac{3}{4}$ W 57 poles. N 59 $\frac{3}{4}$ W 92 poles. N 50 $\frac{3}{4}$ W 44.7 poles. N 24 $\frac{3}{4}$ W 120 poles. N 7 $\frac{1}{4}$ E 38.4 poles to the point "B" in said diagram. all on the land of the petitioner.

It is further ordered that the said Commissioner in making said change shall so construct it. that at no point in the same the grade will exceed Six degrees. No damage allowed the said petitioner. and all expense of making the change. and Costs of Viewers and per diem of Commissioners shall be paid by the said petitioner the said change being made upon that express Condition which is hereby agreed to by the said petitioner. After the said change is made the present location of the road to the extent

of the change shall be closed, The Said Comr. is hereby directed to make his report to the July Term next of this Court. how he has executed this order. with a view to a final determination of this Cause.

On the motion of L. S. Reed a rule is awarded against James C. Hettzel Commissioner of Roads for Rockingham County, returnable to the first day of the next term of this Court to shew cause why he shall not be fined for his failure to locate the road from L. S. Reeds to Port Republic Road according to the lines and route prescribed by this Court in an order establishing said road made at the April Term 1875.

On the Application of Chas. G. Skinner John Spader Caleb Dean & others for the establishment of a Public Road commencing on the Frieden's Church Road then Crossing Kemper's field. thence on a line between P. A. Whitesel and Lewis Argabright, thence through Charles G. Skinner's timber Land to Mrs Shavers thence through her land to the line between her & George Whitesel. thence on the line to John Spader's & J. G. Yancey's thence on their line to Israel Dungeon's line thence on Said Spaders & Dungeon's line to J. Cool's and thence on Said Cool's & Spaders line to Spaders Church intersecting the Spader Church & Landes Mill Road.
The Court doth appoint Geo. J. Kisling. C. Miller & Henry W. Roller. viewers to view the ground. and report to this Court at its next term the Conveniences and inconveniences that will result. as well to individuals as to the public. if such road should be established as proposed. and especially whether any yard. garden, orchard. or any part thereof will have to be taken. They shall further report the facts and Circumstances in their opinion. useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on such route and State which of them require Compensation; the probable amount. in their opinion. to which such party may be entitled. and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees. and shall endeavor to locate a route which shall not exceed five degrees at any one point. A Map or diagram of the route with Courses and distances. shall be returned with their report. A Statement of the number of days each viewer and Surveyor was employed in executing this order. shall be appended to the report. and Sworn to before a Justice of the Peace. or other officer. who shall append his certificate to the Same. Any defect in the action or report of the viewers will debar them from receiving pay for their Services.

On the Application of J. W. Mauck. Jacob Wenger. J. C. Beery & others for the establishment of a Public Road Beginning at Linville's Creek near Rinkers Mill over the route of a private road past Said Rinkers Mill to the present intersection of Said private road with the Bowman Mill Road at the South end of Jas. Ritchie's Orchard. a distance of about half a mile.
The Court doth appoint Jasper Hawse. Jacob Moyer and A. L. Maupin viewers to view the ground. and report to this Court the conveniences and inconveniences

that will result as well to individuals as to the public. if Such road should be established as proposed. and especially whether any yard. garden orchard. or any part thereof will have to be taken.
They shall further report the facts and circumstances. in the opinion useful in enabling the Court to determine the expediency of establishing the road they shall report the names of the land-owners on Such route and State which of them require Compensation; the probable amount. in their opinion to which Such party may be entitled. and any other matter which they may deem pertinent. They shall not report any route on which there may be entitled. and any other matter which they may deem pertinent They shall not locate any route on which there may be a grade at any one point exceeding Six degrees. and shall endeavor to locate a route which shall not exceed five degrees at any one point. A Map or diagram of the route with Courses and distances. shall be returned with their report.
A Statement of the number of days each viewer and Surveyor was employed in executing this order. shall be appended to the report. and Sworn to before a Justice of the Peace. or other officer. who shall append his certificate to the Same. Any defect in the action or report of the viewers will debar them from receiving pay for their Services.

D. H. Rolston. Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia amounting to the Sum of $14.50 for Keeping and Supporting Mrs Spitzer a Lunatic 30 days from April 16th to May 15. 1878 @ 40¢ per day $12.00 and clothing for Same one month ($2.50) which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

D. H. Rolston. Sheriff & Jailor of this County this day presented in Court an account against the Commonwealth of Virginia, amounting to the Sum of $86.30 for Keeping & Supporting various persons Covering a period from April 16th to May 15. 1878, which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Rosanna Bligh Committee for Susannah Eavy a Lunatic this day presented to Court an account against The Commonwealth of Virginia amounting to the Sum of $24.75 for Keeping & Supporting the Said Susannah C. Eavy a Lunatic 55 days from March 22d to May 15th 1878 @ 45¢ per day, 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 Commissioners appointed at the September Term 1876 of this Court to assign dower to the widow of David Kisey dec'd having made their report to this term of the Court. and there being no exceptions the Same is hereby confirmed. and the Clerk of this Court is hereby directed to record the Same in the proper Deed Book in his office.

Ordered, that this Court be adjourned until to-morrow morning at 10 o'clock

Chas. E. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday May 31st 1878.

Present:- Hon Chas. T. O'Ferrall. presiding.

Ordered. that this Court be adjourned until to-morrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Monday June 3. 1878.

Present. Hon. Chas. T. O'Ferrall. presiding.

Commonwealth
vs. } upon an Indictment for Petit Larceny.
McP. Ford.

The defendant was this day brought before the Court, in custody of the Sheriff of this County, under a Capias awarded against him at a former day of this Term, and on his motion by counsel, on consideration thereof, the Court doth grant him bail in the sum of $100. for his appearance on the 1st day of the next term of this Court, to answer said Indictment; and thereupon the said defendant tendered Isaac Crawford as his surety, but upon the examination of the said Crawford, the Court was satisfied of his insufficiency, and refused to accept him as such surety and thereupon the defendant was committed to the Jail of this County.

Ordered That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday June 5, 1878.

Present:- Hon Chas. T. O'Ferrall, presiding.

Noah Flick this day presented in Court an Account against the County of Rockingham amounting to the sum of $75.00 for Coal of Repairs on Court Yard Gates. Timber Hardware & work. which being Sworn to was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of Levy for the year 1877. if any Surplus if not out of the year 1878

Ordered, That Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, June 8, 1878.

Present:- Hon. Chas. T. O'Ferrall, Presiding.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, June 11, 1878.

Present:- Hon. Charles T. O'Ferrall, Presiding.

On his motion, and it appearing to the Court that Oliver Brown Roller, is a man of good character, and honest demeanor, of twenty-one years of age, and has resided in this County, one year next preceding this application. It is ordered that a certificate be granted him for obtaining the necessary License to practice Law in this Commonwealth.

c/p'd. o.d.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Thursday June 13th 1878.

Present:- Hon Chas. T. O'Ferrall presiding.

Ordered. That this Court be adjourned until to-morrow morning at 10 o'clock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Saturday June 15. 1878.

Present Hon. Chas. T. O'Ferrall presiding.

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

Chas. T. O'Ferrall.

At a County Court held in and for the County of Rockingham at the Court-House thereof, on Monday June 17th 1878.

Present Hon. Chas. T. O'Ferrall, 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 May Term thereof which List being seen and inspected by the Court is ordered to be Spread upon the Minutes, and is as follows, Viz:-

Bargain & Sale	John T. Wright & wife	Jacob S. Miller.
Asmt in Bankruptcy	C. Douglas Gray Register in Bankruptcy	Granville Eastham Assignee of David B. Bloser.
Bargain & Sale.	Benj Bowman & wife & J. W. S. Miller & wife.	Henry Hale.
Trust Deed.	A. N. Peale.	O. B. Roller, Trustee.
Bargain & Sale.	Samuel Kline, & wife	Samuel Thomas.
" "	Jacob K. Mainzy & wife.	Same.
" "	Christian Wine & wife	John N. Brown & Jacob M. Brown.
" "	John A. Winfield & wife.	Erasmus & Peter Long.
" "	Elizabeth Reed & Peter P. Reed her husband	Erasmus Long.
" "	Wm B. Compton Commr.	Peter W. Long & Erasmus Long
" "	John A. Switzer Exor of Peter Roller dec'd.	Samuel Byers.
" "	Samuel J. Dundore.	John S. Bowman.
" "	Frederick Rodes & wife.	Wm. T. Carpenter.
" "	Henry Randolph. & wife	Elijah Matheney.
" "	Wm. G. Thompson & wife.	Peter S. Fahrney.
" "	Joseph Layman & wife	Eli Layman.
" "	Same.	Reuben Layman.
Purchase of a Mare Lien note for the	Milton Grant & wife.	Gideon B. Reed.
Bargain & Sale	A. M. Spitzer Commissioner	Gideon B. Reed.
" "	Fannie M. Argabright & Henry M. Argabright	John Flory.
" "	B. F. Garber. & wife	Daniel M. Beam & Sarah Beam.
" "	George W. Yancey. & wife	Mary Boyers.
" "	Daniel Flook.	William Boyers.
" "	Nelson Sprinkel & wife	Henry R. Jordan & James E. Jordan
Trust Deed	Henry R. Jordan. & wife & others.	A. M. Newman. Trustee.
Bargain & Sale	Wm B. Compton Commr.	Susan Beahm wife of Jacob Beahm.
"	Jonas Reed & wife	Gideon B. Reed.
Mechanics Lien	Peter Guyer.	Fry Overton. John Cooper & others Trustees of Methodist Church Parsonage
Bargain & Sale	Wm. B. Compton Commr.	E. J. Sullivan
Trust Deed.	E. J. Sullivan.	James Sullivan Trustee
" "	John Cover.	Jesse R. Cover Trustee.
Deed of Homestead	Peter D. Crawn.	Claim of Homestead.
Bargain & Sale	George Beckone or Begoon & wife	Martha J. Cooley
" "	Ahab Dove & wife	Jeremiah Dove.
" "	Same.	Addison Dove.
" "	Lewis J. Heatwole & wife	Mrs Malinda Williams.
" "	Geo. D. Wise & wife & others Heirs of P. J. Wise dec'd	John W. Strickler
Trust Deed	William Williams	George G. Grattan Trustee.
" "	E. A. Legg.	George G. Grattan Trustee.
Marriage Contract or Trust Deed.	John Rodeffer &c.	Conrad Rodeffer Trustee.

Bargain & Sale	George W. Berlin Commr.	to John B. Harrisberger
" "	Jacob S. Miller & wife.	" John T. Wright.
" "	Elhart Witz & Co.	" H. H. Washington, D. N. Washington & others
" "	John K. Beery & wife.	" Magdalene C. Zirkle & heirs.
" "	Same	" Hannah Rhodes & Heirs.
" "	Same	" Elizabeth Moyers & Heirs
" "	M. Harvey Effinger & wife	" Wright Gatewood Trustee for Jane P. Gatewood
" "	J. S. Harrisberger, Commr.	" Harvey Kyle.
" "	John Paul assignee of James A. Campbell	" Eleanora Campbell.
" "	Daniel Sluss & wife.	" Edward Sullivan.
Trust Deed.	Samuel McDorman.	" William Shands Trustee.
Assmt of Dower.	Thomas Moore & others Commissioners	" Elizabeth Wise widow of P. J. Wise
Bargain & Sale	John Graham Effinger & wife.	" Isaac Wenger.
Trust Deed.	John Graham Effinger & wife.	" D. R. Clem Trustee.
Bargain & Sale.	Winfield Liggett Substituted Trustee	" John Zigler.
" "	Joseph D. Bowman & wife.	" George Kline.
" "	Wm. B. Compton Commr.	" Danl. S. Elizh. M. Chas. D. & John T. Harris &
" "	Geo. D. Wise & wife & others heirs of P. J. Wise	" Henry V. Strayer.
" "	John Lincoln	" David Bear.
" "	Israel Tusinger & wife	" John H. Murnaw.
" "	Daniel Epard & wife & others.	" Robert B. Hensley.
Release Deed.	Geo. Chrisman Exor of Geo. H. Chrisman decd.	" John P. Swank
Article of Agmt	Geo. M. Nicholas	and Noah Hawkins & Samuel Hill.
Trust Deed.	Abraham R. Miller	Benjamin G. Patterson Trustee
Bargain & Sale	John E. Roller, Commr.	John A. Switzer.
" "	Charles E. Haas Special Commr.	Peter D. & Jacob Zimmerman
" "	William D. Rodgers & wife.	John J. Roller.

The following Appraisement and Sale Bills were this day presented in Court, and no exceptions being taken thereto, the Same are ordered to be recorded Viz:-

Appraisement Bill of the Personal Estate of Morgan Layton decd.
Appraisement & Sale Bill of the " " " Elizabeth Miltenberger decd.
" " " " " " Mary Bushong decd.
Sale Bill of the Personal Property of Saml. A. Long Sold by John E. Roller Trustee.

On the motion of Wm H. Armentrout, and for reasons appearing to
cop'd. & d. the Court. It is ordered that he be exempted from the payment of County and Township Taxes for the year 1878 he being in indigent circumstances and disabled.

On the motion of William H. Armentrout, it appearing to the Court that the Said Armentrout was by an order of this Court at the April Term 1871, exempted from the payment of County & Parish taxes & that the Said taxes amounting to the Sum of Nine dollars & 52 cents from Said date to the
cop'd. & d. present time has been collected by the Collector from Said Armentrout in disregard of Said order It is ordered that the Said Sum of Nine dollars & 52 cents be refunded by the Treasurer of the County to the Said William H. Armentrout and the Said Treasurer is ordered to pay to the Said William H. Armentrout the Said Sum of $9.52

The writing purporting to be the last will and Testament of James M. Crawford dec'd. was this day presented in Court and being proven by the oaths of D. Fleming. J. G. Minor & J. M. Jacobs the Subscribing witnesses thereto. was admitted to probate. and ordered to be recorded. and thereupon Caroline E. Crawford the Executrix therein named who made oath thereto according to law, appeared in Court and entered into and acknowledged a bond in the penalty of $10.000.00 Conditioned according to law, waiving the benefit of her Homestead Exemption as to this obligation (said will providing that no security be required of said Executrix) a certificate is granted her for obtaining a probat of the said will of James M. Crawford dec'd in due form. And the Court doth appoint J. M. D. Fleming. James D. Lowman & J. G. Minor to appraise the Estate of said James M. Crawford dec'd after first being duly Sworn.

On the motion of J. N. Rose it appearing to the Court from evidence introduced that the said J. N. Rose is in such physical Condition and State of health as to prevent him from doing manual labor It is ordered that said J. N. Rose be exempted from working on the public roads of this County for a period of one year from this date.

Commonwealth
M^c P. Ford } Upon an Indictment for Petit Larceny.

This day came again as well the Attorney for the Commonwealth as the Defendant in the custody of the Jailor of this County and thereupon the Defendant pleaded guilty to the said Indictment. It is therefore considered by the Court that the Defendant M^c P. Ford. be confined in the Jail of this County for the period of Forty days from this date (June 17. 1878) and that the Commonwealth of Virginia recover of the Defendant her costs by her in this behalf expended. and thereupon the Defendant was committed to said Jail.

On the motion of Benjamin Trumbo. the Court doth appoint him as guardian of his daughter Cynthia A. Rebecca Trumbo Infant under the age of 14 years and thereupon he appeared in Court and together with Ulrick Stutzig his Surety. (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $800.00 Conditioned according to law) waiving the benefit of the Homestead exemption as to this obligation) and thereupon he accordingly qualified as such guardian.

Commonwealth.
George Magill } Upon an Indictment for breaking and entering an out house with intent to steal.

This day the prisoner George Magill. late of the County of Rockingham. who. stands indicted for a felony by him committed was again

led to the bar of the Court in custody of the Jailor of this County. and thereupon from the Veniremen Summoned for the trial of felony Cases at this Term of the Court the following panel of Sixteen were called examined by the Court on their Voirdire & found to be duly qualified and free from exceptions. Viz:- F. C. Hopkins. Danl. M. Biedler. C. E. Rhodes. A. H. Black. John R. Thomas. John S. McLeod. Jno. Armentrout. A. G. Sherfey. Harvey Alger. James H. Hansberger. Adam Pifer. C. H. Crop. Josiah Hulva. J. R. Price. Shem S. Heatwole. & Jacob A. Summers. and thereupon the prisoner was furnished a copy thereof and having Stricken therefrom the names of four of the persons of said panel Viz:- Danl. M. Biedler. John R. Thomas. Harvey Alger. & Josiah Hulva. the remaining twelve of said panel Viz:- F. C. Hopkins. C. E. Rhodes. A. H. Black. John S. McLeod. Jno. Armentrout. A. G. Sherfey. James H. Hansberger. Adam Pifer. C. H. Crop. J. R. Price. Shem S. Heatwole and Jacob A. Summers. thereby Constituting the Jury, who being thus elected. tried and 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 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. again retired to their room to Consider the Same and after Sometime again returned into Court and not being able to agree upon a verdict one of the Jurors. John S. McLeod. was withdrawn and the rest from rendering a verdict were discharged.

And thereupon the prisoner was remanded to Jail. the Court first fixing the first day of July Term next for this trial.

Upon the Application of J. M. Payne. M. H. Conn. & others. for the establishment of a Public Road from Bloomer Springs to a public Road at the mouth of J. Keasts Lane.

Ordered. that this foregoing petition be placed upon the Courts Docket.

Jerry Morris.
&c.
The Commonwealth. } On an Appeal from a Justice of the Peace.

This day Jerry Morris who Stands Charged with Petit Larceny appeared in Court in obedience to his recognizance entered into at the last term of this Court, and thereupon, the Attorney for the Commonwealth finding that the attendance of the witnesses upon whom the Commonwealth relies for a Conviction, cannot be obtained, doth dismiss the warrant of the Justice issued in this case under which there was a conviction and judgment by the Justice, and an Appeal to this Court

It is, therefore, considered by the Court that the said Jerry Morris be discharged, and go hence without day &c.

Ordered, That this Court be adjourned until to-morrow morning at 10 o'clock

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof, on Tuesday June 18. 1878.

Present Hon. Chas. T. O'Ferrall. presiding.

Cop.d od. D. H. Rolston, Sheriff & Jailor of this County this day presented in Court an account against The Commonwealth of Virginia, amounting to the sum of $14.90 for Keeping and Supporting Wm. Spitzer, a Lunatic, 31 days from May 16. 1878. to June 15. 1878. @ 40¢ per day ($12.40) and clothing for same one month ($2.50) which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop.d od. D. H. Rolston, Sheriff & Jailor of this County, this day presented in Court an account against The Commonwealth of Virginia amounting to the sum of $169.35 for Keeping & Supporting Various prisoners covering a period from May 16th to June 15. 1878. which being Sworn to was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Upon the Petition of J. D. Pennybacker & others for the Establishment of a Public Road from Edom leading down Linville's Creek to the Road leading from Isaac Ackers to Erwin's Station on the B & O R.R.

This day came again the parties by their Attorneys and the Summons heretofore awarded against the land-owners along the line of the said proposed route requiring them to appear before this Court on this 1st day of its June Term. 1878. & Show Cause if any they have or can Show why the proposed road should not be established according to the prayer of the Petitioners & upon the route designated by the Viewers (S. K. Allebaugh J. G. Bowman. & Charles J. Brock) in their report returned to the May Term 1878 of this Court, which Summons appears to have been duly Executed. — And upon the Motion of Isaac Wenger & D. C. Brenneman who announce themselves dissatisfied with the damages to their lands reported by the viewers, which the Court in the absence of any evidence to the contrary offered by the said Wenger & Brenneman, regards as just Compensation to them,

It is ordered that Jacob M. Erwin, Wm. S. Bowers, George J. Kisling, Henry M. Beery & Jno. A. Mitchell disinterested freeholders of this County (any three of whom may act) be and they are hereby appointed Commissioners for the purpose of ascertaining a just Compensation to each of the landowners, Isaac Wenger and D. C. Brenneman, for the land belonging to them to be used for such road, They shall meet on the lands of said Isaac Wenger & D. C. Brenneman through which the route of the proposed road passes in front of the barn of said Brenneman on Saturday the 29th day of June 1878 at 10 o'clock A. M. and after having been duly Sworn as required by Sec. 9 of Chapter 56 of the Code of Va. 1873. and after Viewing the land & hearing such proper evidence as may be offered by either party, they shall ascertain what will be a just Compensation to each of the said land-owners Wenger & Brenneman for the said land proposed

to be taken, and for the damage to the residue of the tracts of each of the said owners - beyond the peculiar benefit to be derived in respect to said residue should the road be opened as proposed and as located by the report of the viewers aforesaid heretofore made to the Court - and leave is hereby given to said Commissioners to withdraw from the papers of this Cause the diagram marked "A" returned with the report of said Viewers in order that they may ascertain the Courses & distances through the lands of each of said land-owners, & ascertain the damages with reference to the Exact location of said proposed road. The said Commissioners are appointed under the provisions of Section 7. of an Act of the General Assembly of Va approved March 20. 1875. And in their action in executing this order they shall Carefully Strictly, in all respects with the provisions & requirements of Sections 9 & 10 of Chapter 56 of the Code of 1873. & make return forthwith of their Report accompanied with the diagram "A" returned with the report of viewers as aforesaid, and they shall accompany their said report with the Certificate of the Justice or Justices before whom they qualified before proceeding to Execute this order. any one or more of said Commissioners attending on the land aforesaid may adjourn from time to time till the busniss shall be finished.

Ordered, that this Court be adjourned until to-morrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court Continued and held in and for the County of Rockingham at the Court-house thereof, on Wednesday June 19. 1878.

Present Hon Chas T. O'Ferrall, presiding.

Commonwealth. }
Algernon Hollen } Upon an Indictment for attempt to ravish and Carnally Know a female by force against her will.

This day the prisoner Algernon Hollen, late of the County of Rockingham who Stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County, and for reasons appearing to the Court his trial was Continued until to-morrow the 4th day of this term of the Court and thereupon William L. Anderson & Michael Casey witnesses in behalf of the Commonwealth and Joseph Matheney and John C. Sherfey witnesses in behalf of the prisoners appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods & Chattels Lands & tenements for the use of the said Commonwealth. each waiving the benefit of their Homestead exemption. Yet upon this Condition that they each do make their personal appearance before the Judge of this Court on tomorrow morning at 10 Oclock as witnesses as aforesaid and not depart thence without leave of the Court. And the Court doth award Rules against Daniel Wine. Saml. M. Wine and Daniel Lupp. witnesses in behalf of the Commonwealth. and Mary Hollen & Henry Empsewhiler witnesses in behalf of the prisoner

returnable to the 4th day of this June term (June 20. 1878) to Show Cause if any they can why they should not be fined and attached for their Contempt to us offered in failing to attend this the 3d day of this June term as witnesses as aforesaid.

And thereupon the prisoner was remanded to Jail.

Commonwealth. } Upon an Indictment. For attempt to administer
Lewis Kistley. } poison with intent to Kill & Injure.

This day. the prisoner Lewis Kistley. late of the County of Rockingham. who stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County. and thereupon from the Veniremen Summoned for the trial of felony Cases at this term of the Court the following twelve were Called examined by the Court upon their Voirdire and found to be duly qualified and free from exceptions Viz:- R. C. Hopkins D. H. Black. Aug. Armentrout. A. G. Sherfey. John S. McLeod. Michael Ward. J. K. Price Shem S. Heatwole. P. P. Shifflett. Robert Lisley Joshua Ritchie & John Lineweaver. whereupon the following additional Veniremen were Summoned by the Sheriff from a list furnished by the Court Sitting Viz:- Strother J. Jones. John S. Effinger Thomas M. Kite & Jacob Gassman. who appeared and were examined by the Court on their Voirdire and found to be duly qualified and free from exceptions the panel of Sixteen being thus Completed. the Prisoner was furnished a Copy thereof. and having Stricken therefrom the names of four of the persons of said Panel Viz:- D. H. Black. Strother J. Jones. John S. Effinger & Thomas M. Kite. the remaining twelve of said panel Viz:- R. C. Hopkins. Aug. Armentrout. A. G. Sherfey. John S. McLeod Michael Ward. J. K. Price. Shem S. Heatwole. P. P. Shifflett. Robert Lisley Joshua Ritchie John Lineweaver and Jacob Gassman. thereby Constituting the jury who being thus elected tried and 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 fully heard the evidence but not having time fully to hear the argument of Counsel were adjourned until to-morrow morning at 9 Oclock and were placed in Charge of D. H. Rolston Sheriff of this County and Isaac Kinegord his deputy to whom was administered an oath that you Shall Keep this Jury together and not have any Communication with them yourselves nor permit any other person to Converse or have any Communication with them touching this trial and Cause them to appear in Court on tomorrow morning at 9 Oclock So help you God.

And thereupon the prisoner was remanded to Jail

Rohr. Sprinkel & Co this day presented in Court an Account against the County of Rockingham amounting to the Sum of $168.72 for 597½ lbs Coil Chain @ 11½¢ which being Sworn to was examined and allowed by the Court and ordered to be Certified to the Treasurer of this County for payment out of the Levy for the year 1878.

John R. Jones, Comm'r. of the Revenue for Central District in this County this day returned to the Court a Copy of his Certificate as to the Sales of Wine. Alcoholic. and Malt Liquors by all licensed Retail & Bar-room liquor dealers and wholesale Liquor Dealers within his District for the month ending June 1st 1878. amounting to $258.29 as required by an act entitled An Act imposing a tax and prescribing the mode of Collecting the Same on the privilege of Selling Wine Ardent Spirits, Malt Liquors &c. approved March 30. 1877. which is ordered to be filed.

Ordered that this Court be adjourned until to-morrow morning at 9. Oclock.

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof on Thursday June 20th 1878

Present Hon. Chas. J. O'Ferrall presiding.

Commonwealth. } Upon an Indictment for Keeping a
William Steward alias William Stuart } Gaming table Commonly Called a Keno Table.

This day Came as well the Attorney for the Commonwealth as the Defendant by Counsel. and thereupon the Said Defendant by Counsel pleaded guilty to the Charge in the Indictment and thereupon the Court proceeding to pronounce judgment doth in view of the Evidence adduced before the Court of the Defendants present good Character and reformed habits assess his fine at $100.00 and fix his term of imprisonment in the County Jail at two months and thereafter until the Said fine and Costs be paid or he be otherwise discharged according to law.

And the Clerk of this Court is directed to issue a Capias directed to the Sheriff of this County. also to the Sheriff of Alexander County the Sheriff or Sargeant of Alexander City and to the proper officer of Such other County or City of the State as may be directed by the Attorney for the Commonwealth of this County. requiring him to arrest the Said William Steward alias Stuart and deliver him to the Jailor of this County. who is hereby directed to receive the Said William Steward alias Stuart in Custody and him Safely Keep for a period of two months and thereafter until the Said fine and Costs be paid. or he be otherwise discharged according to law.

Commonwealth. } Upon an Indictment for attempt to ravish and Carnally
Algernon Hollen } Knows a female by force against her will.

This day the prisoner. Algernon Hollen late of the County of Rockingham who Stands indicted for a felony by him Committed was again led to the bar of the Court in Custody of the Jailor of this County. and for reasons appearing to the Court his trial is Continued until the 2d day of the July Term next of this Court. and thereupon Catharine B. Shoemaker. A. M. Chappell. Michael Casey. Harvey Evans. Wm L. Anderson. Daniel Arrie. Samuel M. Arrie & Daniel Early

witnesses in behalf of the Commonwealth. and Campbell Sherfey. & Joseph Matherey witnesses in behalf of the prisoner. appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the Sum of $100.00 each to be levied of their respective goods & chattels lands and tenements for the use of the said Commonwealth. each waiving the benefit of their Homestead exemption, yet upon this Condition that they each do make their personal appearance before the Judge of this Court, on the 2d day of the July Term next as witnesses as aforesaid and not depart thence without leave
X of the Court. and the Court doth award a Rule against Mrs Michael Leavy, witness in behalf of the prisoner returnable to the said 2d day of the July Term of this Court to Show Cause if any she can why she should not be fined and attached for her Contempt to us offered in failing to attend at this June Term as a witness as aforesaid.
And the Court doth award an attachment against Mary Hollen a witness in behalf of the prisoner directed to the Sheriff of this County Commanding him that he have the body of the said Mary Hollen before the Judge of this Court on the 2d day of the July term next of this Court. to do and receive what our said Court may then and there adjudge against her for her Contempt in failing to appear at the present term as a witness as aforesaid.
And thereupon the prisoner was remanded to Jail.

Commonwealth } Upon an Indictment For attempt to administer poison
Lewis Kittley } with intent to Kill and Injure.

This day the prisoner Lewis Kittley late of the County of Rockingham who Stands indicted for a felony by him Committed, was again led to the bar of the Court in Custody of the Jailor of this County and thereupon Came the Jury Sworn and impannelled 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 returned into Court and upon their oaths do Say "we the Jury find the prisoner Lewis Kittley guilty of the attempt to administer poison with intent to Kill and injure in manner and form as charged in the indictment and fix the term of his Confinement in the Penitentiary at three years J. Gassman Foreman.
And thereupon the prisoner was remanded to Jail.

Commonwealth. No 1 } upon an Indictment for. Commonwealth. No 2 } upon an Indictment for
Meredith Knighten. } Selling Wine ardent Spirits &c. Meredith Knighten } Selling Wine Ardent Spirits &c
} with out a Licence. } without a Licence.

Same No 3 } upon an Indictment for. Same No 4 } upon an Indictment Same No 5 } upon an Indictment for
Same. } Selling Wine ardent Spirits &c Same } for Selling wine Ardent Same } Selling Wine ardent Spirits
} without a licence } Spirits &c. without a Licence } &c. without a Licence

Same No 6 } upon an Indictment for Same. No 7. } upon an Indictment for Selling Wine
Same. } Selling Wine Ardent Spirits &c. Same. } ardent Spirits &c. to a Minor, knowing
} without a Licence } him to be a Minor without the Consent
} of his parent or guardian.

This day Came as well the Attorney for the Commonwealth as the Defendant

by Counsel, and thereupon the Defendant by Counsel filed his plea of not guilty in each of the seven foregoing Causes and on the motion of the Defendant by Counsel and for reasons appearing to the Court the Seven foregoing Causes are continued until the 4th day of July term next of this Court. and thereupon Wm. McDaniel. Henry L. Morris. John W. Morris. Geo. N. Glenn. Jackson Lam. Henry Monger witnesses in behalf of the Commonwealth appeared in Court and acknowledged themselves to be indebted to The Commonwealth of Virginia in the Sum of $25.00 each to be levied of their respective goods & Chattels lands & tenements for the use of the Said Commonwealth. each waiving the benefit of their Homestead exemption. Yet upon this Condition that they each do make their personal appearance before the Judge of this Court on the 4th day of July Term next of this Court as witnesses as aforesaid and not depart thence without leave of the Court.

On the motion of the Defendant by Counsel Rules are awarded against 1 & 6. copies issd. Wm McDaniel. Henry L. Morris. John W. Morris. Geo N. Glen. Jackson Lam & Henry Monger (upon whose evidence the foregoing Indictments were found) returnable to the 4th day of the July Term next of this Court to Show Cause if any they can why they should not be endorsed as prosecutors on said Indictments and made responsible for Costs.

On the Petition of Jacob Beam and others for the establishment of a Public Road. beginning in a Public Road near Jacob Beams thence N.W. on a line between said Beam and Thomas Moore &c. to the Marsh Road near Noah Holsinger.

This day Came the Petitioners by Counsel. and it appearing to the Court that the viewers heretofore appointed made their report to the March Term last. and the land-owners along said proposed road having been Summoned to Show Cause against the Same, and the said land-owners being Solemnly Called Came not. and no objection being made to the establishment of the said road as proposed and as located by the said viewers, the Court on examination of the said report and after hearing the evidence introduced and argument of Counsel is of Opinion that the public Convenience requires the establishment of the road as proposed and as located by said Viewers and doth establish the Same. in accordance with the report and diagram of said Viewers, as follows: Beginning at a point called "A" in said diagram thence N 42 W. 10½ poles to point "B" Thence N 28½ W. 70½ poles to point "C" thence N. 57½ W 5 poles to "D" Thence N 22¼ W 21 8/10 poles to "E" thence N 67½ W 16 1/10 poles to "F" Thence N 58 W. 7 poles to "G" thence N 78¼ W. 7½ poles to "H" Thence N 62½ W. 42 poles to I. thence N 47¼ W. 44 poles to J. the terminus of said new road at the Marsh Road.

The Road Commissioners of Plains District is hereby directed to proceed forthwith to open said Road in accordance with the report of said viewers, and make his report to this Court at the September Term next how he has executed this order— The location to Conform Strictly to said report The Court doth allow to L.P. Henkel and J.K. Moore the Sum of $25.00 twenty five dollars each. the damages assessed by said viewers. which the Court fixes as just Compensation to them the said L.P. Henkel & J.K. Moore for the land actually taken and as damages to the residue of their respective tracts beyond the peculiar advantages derived from the

Copied.

construction of Said road, the Same to be paid out of the County Levy for the year 1878.

On the Application of J. W. Manck, Jacob Wenger, J. C. Beery & others for establishment of the Public Road Beginning at Linvilles Creek near Rinkers Mill over the route of a private road past Said Rinkers Mill to the present intersection of Said private road with the Bowman Mill Road at the South End of James Ritchie's orchard a distance of about a half of a mile.
The Commissioners A. L. Maupin, Jacob Moyers & J. Hawse heretofore appointed to view and report upon Said Road, having returned their report together with a diagram and Survey of the Said proposed route.

It is ordered that the following named land-owners along the line of Said proposed road to-wit Silas Beard, E. S. Mitchell, Jonathan Rinker, John Acker, James Ritchie, & The Trustees of Brenneman's Church be Summoned to appear before this Court on the first day of the July Term next to Show Cause if any they can why the Said Road as proposed and reported by the Viewers should not be established.

1 & 6 copies. X

D. H. Rotston, Sheriff of this County this day presented in Court an Account against the County of Rockingham amounting to the Sum of $414.93 for Carpet for Court-House ($405.47) and the freight on the Same ($9.46) which being Sworn to was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1878.

certf.d to B of S.

The Court doth order that the following named persons be allowed the Sum opposite their names for their attendance and Services at this term of the Court as Veniremen Summoned for the trial of Felony Cases at $1.00 per day, and that the Same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts Viz:

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✓ Michael Ward $4.00	✓ Josiah Hulva $2.00	✓ James A. Hutcheson $1.00
✓ J. R. Price $4.00	✓ Michael J. Roller $2.00	✓ J. F. Voorhees $1.00
✓ Shem S. Heatwole $4.00	✓ John H. Holsinger $2.00	✓ Wm. H. Ritenour $1.00
✓ P. P. Shifflett $4.00	✓ John Liskey $2.00	✓ Thomas Swanson $1.00
✓ Robert Liskey $4.00	✓ Strother J. Jones $2.00	✓ S. H. Carrier $1.00
✓ Joshua Ritchie $4.00	✓ John S. Effinger $2.00	✓ Geo. H. Messersmith $1.00
✓ John Lineweaver $4.00	✓ Jacob Gassman $2.00	✓ A. H. Wilson $1.00
✓ F. C. Hopkins $3.00	✓ Daniel W. Biedler $1.00	✓ Wm. C. McAlister $1.00
✓ A. N. Black $3.00	✓ C. E. Rhodes $1.00	✓ Wm. M. Bucker $1.00
✓ John S. McLeod $3.00	✓ Jacob A. Simmers $1.00	✓ G. M. Effinger $1.00
✓ Aug. Armentrout $3.00	✓ James H. Harnsberger $1.00	✓ B. E. Long $1.00
✓ A. G. Sherfey $3.00	✓ Adam Pifer $1.00	✓ Milton J. Carrier $1.00
✓ J. B. Eastham $3.00	✓ C. H. Cross $1.00	
✓ John P. Cline $2.00	✓ Thomas M. Hite $1.00	
✓ John R. Thomas $2.00	✓ Charles Switzer $1.00	
✓ Harvey Alger $2.00	✓ P. Tatum $1.00	

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Friday June 21st 1878.

Present Hon. Chas. T. O'Ferrall, presiding.

D. H. Rolston Sheriff & Jailor of this County this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $15.00 for dieting Venire in Case of Commonwealth @ George Magill, charged with Felony, 1/4 day at $1.00 per day each ($3.00) and Commonwealth @ Lewis Kirtley, charged with Felony, one day at $1.00 per day each $12.00 which being Sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop. & d.

Ordered that Samuel R. Allebaugh, Charles J. Brock and John J. Bowman be each allowed the Sum of $10.00 for five days Services as viewers upon the Petition of John D. Pennybacker & others for a Public Road from Edom down Linvilles Creek to the public road leading by Isaac Ackers to Cowans Station on the B & O. R. R. and that John J. Bowman be allowed the additional Sum of $2.50 as Surveyor on Same road, and that A. L. Maupin be allowed $2.00 and Joseph Wenger & John C. Beery $1.00 each for their Services as chain Carriers on Same road, and that the Same be certified to the Board of Supervisors to be included in the Levy for the year 1878.

On the Petitions of J. M. Weaver and R. F. Weaver, John F. Lewis Miss A. M. E. Strayer & Sisters, Samuel H. Lewis, Robert M. Burke, A. Shaver & Co., B. F. Thomas, Sallie C. Miller, W. S. Miller, J. B. Nicholas, James Smith, H. Bateman, J. Yost & Sisters, Thomas K. Miller, J. A. Bear, John H. Bear & C. B. Stephens, H. B. & J. M. C. Harnsberger, Jeremiah Harnsberger, A. C. Bear, Wm S. Downs, W. Kemper, John H. Holbrook, John Harper, C. C. Strayer, Samuel W. Kaylor, J. J. Strayer, Wm. C. Long, Julia Winsborough, St. C. D. Kirtley, John W. Palmer, J. T. L. Preston, Wm B. Yancey, Rebecca Hester, E. L. Lambert, R. A. Gibbons, Henry Harnsberger Jr., Jacob H. Grim, Kesiah Shuler, Stephen H. Murray, J. A. Murray in the name of Danl. Murray, John Bishop, J. H. Bear, Larkin & Ayers for reassessment of their lands injured by the late freshet of November Eighteen hundred and Seventy Seven.

The Commissioners Edward S. Kemper, Isaac Long & G. T. Hopkins heretofore appointed by this Court under an Act of the General Assembly of Virginia entitled "An Act to Authorize a reassessment of the lands throughout the Commonwealth that have been injured by the late freshet" approved February 22d 1878, to reassess the lands of the petitioners injured by said freshet, having made their report prior to the May Term last of this Court and no appeal having been taken from said report and action of said Commissioners either at the said May Term last or at this term by any of said petitioners or by the Commissioners of the Revenue, on examination the Court doth hereby approve the assessments as made and reported by said Commissioners.

It is therefore Ordered that the following assessments of the lands of the petitioners

as reported by said Commissioners be made upon the proper land books by the Commissioner of the Revenue, to-wit:—

Names of Petitioners	Description of the Land &c. reassessed & Quantity	Cash Value per A.
J. M. & Robt F. Weaver.	629 A. on Shenandoah River. now in name of Carpenter & Weaver	$ 29.00
John F. Lewis.	Two Tracts of Land on Shenandoah River 1/254 A. & 1/300 A.	33.33
Miss A. M. E. Strayer & Sisters	441. Acres on Shenandoah River.	37.73
Saml. Lewis Jr. in name Saml. Lewis Est.	421. A. 2 R. & 20 p. on Shenandoah River	28.60
Robert M. Burke.	233 A. Home Tract on " "	18.70
Same.	229 3/4 A. tract known as the "Marshall Land."	6.34
A. Shaver & Co.	36. A. on which there is a "Merchant Mill"	91.80
Benj. F. Thomas.	Quantity of Land not given.	13.50
Sallie C. Miller in name S. P. H. Miller	118. A. of Land on Shenandoah River	34.00
William S. Miller.	350 A. Home Tract on Shenandoah River.	22.43
Jacob B. Nicholas	182 A. & 3 R. "Austin Tract" North River.	16.00
Same	125 A. "Home Farm."	47.00
James Smith.	2 Small tracts on Shenandoah River 1/21 A. & 1/5 A. & 2 R.	16.00
Harrison Bateman.	8 A. Lot near Port Republic now in the name of R. W. Palmers Est.	20.00
Same.	82 1/2 A. Tract known as the G. W. Eutsler land & in his name	28.18
Same	103 A. " on Shenandoah River.	15.25
Miss Jane M. Yost & Sisters	245 A. tract on Shenandoah River	6.74
Thomas K. Miller.	494 A. Home tract on Shenandoah River	25.95
J. Asbury Bear	186. A. & 3 R. on Shenandoah River	20.00
J. H. Bear & C. B. Stephens.	7 3/4 A. of Land with Merchant Mill thereon.	322.58
Henry B. & Joseph M. C. Hamsberger.	660 A. " " on South River	23.15
Jeremiah Hamsberger.	394. A. " " Home Tract on Shenandoah River	29.41
Adam C. Bear.	281. A. 1 R. & 33 Poles "Bon Air"	23.00
Wm S. Downs.	Tan Yard Lot in Port Republic 2 1/4 Acres	222.00
Geo. W. Kemper Jr. in name of Geo. W. Kemper Sr.	290 A. 1 R. & 14 P. on South River.	29.34
John H. Holbrook.	4 A. of Land. (in the name of M. H. Harris)	25.00
John Harper.	102 A. of Land on South River	18.00
C. C. Strayer	147 A. Tract on Shenandoah River	31.29
Lewis W. Kaylor.	38 A. & 25 P. on South River (in name of J. W. Palmer)	27.20
J. J. Strayer.	152 A. Tract of Land on Shenandoah River	29.00
William C. Long.	420 A. Mountain tract & on Shenandoah River	3.57
Julia Winsborough	300 A. of Land on Shenandoah River	19.33
St. Clair D. Kutley	Quantity of Land not given.	18.40
John W. Palmer.	" " "	23.00
J. T. L. Preston (Sheilds Preston & Co)	4 A. Lot in Port Republic (embracing other Mchinery) Mill &	250.00
William B. Yancey	206 A. & 25 p of Land on Shenandoah River.	11.60
Rebecca Hester	142 A. Home Farm Shenandoah River	8.00
E. L. Lambert.	Quantity of Land not given	22.50
R. A. Gibbons	" " "	43.40
Henry Hamsberger Jr.	280. A. Tract on Shenandoah River.	18.88
Jacob H. Grim.	66. " " "	10.25
M. Kesiah Shuler & Heirs	Quantity of Land not given. In name Danl. Miller	28.40
S. H. Murray.	" " " " " "	20.00
J. A. Murray	" " " " " Taylor's Heirs.	20.00
John Bishop.	" " " " "	16.00
John H. Bear.	85 A. of Land part of the 410 A. tract on Shenandoah River charg. in name of G. W. Miller & J. H. Kite	30.00
Larkin & Ayers By E. L. Lambert.	19 A. of Land at River Bank on which there is a Merchant Mill.	240.00

The Clerk of this Court is hereby directed to transmit a copy of this order to the Auditor of Public Accounts within 30 days from this date. The reassessment of the lands set-forth above as directed by said act shall be taken as the basis of taxation upon the same by the Commissioners of the Revenue for the year 1878 and every year thereafter until a further reassessment is made pursuant to law.

On the Petitioner of John H. Moore, Elizabeth Thomas, Martin Heatwole, D. H. Weaver, Magdalene Weaver, Jacob Dundore & J. L. Libert, A. M. Pugh, Sarah C. & Isaac Marshall, E. B. Simpson, Isaac Miller, Jacob Shickel.
For reassessment of their lands injured by the late freshet of November Eighteen hundred and Seventy Seven.
The Commissioners Jos. S. Loose, Peter Paul & David A. Heatwole, heretofore appointed by this Court under an Act of the General Assembly of Virginia entitled "An Act to Authorize a reassessment of the lands throughout the Commonwealth that have been injured by the late freshet" Approved February 22d 1878 to reassess the lands of the petitioners injured by said freshet having made their report prior to the May Term last of this Court, and no appeal having been taken from said report and action of said Commissioners either at the said May term last or at this term by any of said petitioners or by the Commissioners of the Revenue. On examination the Court doth hereby approve the assessments as made and reported by said Commissioners.
It is therefore, ordered that the following assessments of the lands of the petitioners as reported by said Commissioners be made upon the proper land books by the proper Commissioners of the Revenue to-wit:-

Name of Petitioner	Quantity of Land Reassessed & Description of Same	Cash Value per
John H. Moore.	Home Tract.	23.88
Same.	Kilmore Tract.	13.30
Elizabeth Thomas.	Quantity not given.	22.85
Martin Heatwole.	" " "	18.24
D. H. Weaver.	" " "	22.45
Magdalene Weaver.	" " "	105.81
Jacob Dundore & J. L. Libert	" " "	24.00
A. M. Pugh	" " "	11.00
Sarah C. & Isaac Marshall.	" " "	1095.75
Same	One Lot.	40.00
E. B. Simpson	One Lot of Land	25.00
Isaac Miller.	Quantity not given.	34.00
Jacob Shickel	" " "	100.00

The Clerk of this Court is hereby directed to transmit a copy of this order to the Auditor of Public Accounts within 30 days from this date.
The reassessment of the lands set forth above as directed by said act shall be taken as the basis of taxation upon the same by the Commissioners of the Revenue for the year 1878 and every year thereafter until a further reassessment is made pursuant to law.

On the Petition of John G. Cootes & Benjamin Trumbo. For reassessment of their lands injured by the late freshet of November Eighteen Hundred and Seventy Seven.
The Commissioners John H. Thomas, Wm F. Bowers & J. G. Bowman, heretofore appointed

by this Court under an Act of the General Assembly of Virginia entitled "An Act to Authorize a re-assessment of the lands throughout the Commonwealth that have been injured by the late freshet" Approved February 22d 1878. to reassess the lands of the petitioners injured by said freshet having made their report prior to the May Term last of this Court, and no appeal having been taken from said report and action of said Commissioners either at the said May Term last or at this term by either of the said petitioners or by the Commissioners of the Revenue. On examination the Court doth hereby approve the assessment of damages as made and reported by said Commissioners.

It is therefore ordered that the following assessments of the lands of the petitioners as reported by said Commissioners be made upon the proper land books by the proper Commissioners of the Revenue, to-wit:-

John G. Coates Damage to Lands. $300.00
Benjamin Grubb. " " " 300.00

The Clerk of this Court is hereby directed to transmit a copy of this Order to the Auditor of Public Accounts within 30. days from this date.

The reassessment of the lands set forth above as directed by said act shall be taken as the basis of taxation upon the same by the Commissioners of the Revenue for the year 1878. and every year thereafter until a further reassessment is made pursuant to law.—

The following Settlements were this day presented in Court, and having been filed in the Clerk's office the time prescribed by law, and no exceptions being taken thereto, the same are confirmed, and ordered to be recorded, Viz:-

Settlement of the Account of Benj Miller Exor of Isaac Burner dec'd.
" " " " " C D. Harrison. Exor of Catharine Harrison dec'd.
" " " " " B F. Bryner. Admr. of James Richards dec'd.
" " " " " Peter Swank. " " Peter Acker. dec'd.
" " " " " J. D. Swank Exor of Peter Swank. dec'd.
" " " " " Thornton Thomas Admr. of Leannah Thomas dec'd.
" " " " " Peter Miller Exor of George Lutz dec'd.
" " " " " Alexander Kerr. Admr. C.T.A. of Jno. R. Armand dec'd.
" " " " " William Hensley Admr. of Wm. C. Hensley dec'd.
" " " " " John M. Garber Guardian for Wm. H. Garber.
" " " " " R. D. Hensley Admr. of Conrad Long dec'd.
" " " " " John Bigler Exor of John Kline dec'd.
" " " " " John M. Garber Guardian for Jno. M. Garber.
" " " " " John E. Roller. Trustee of Saml. A. Long-
" " " " " L. M. Kaylor Exor of M. S. Baugher dec'd.
" " " " " G. Earle Guardian for Delilah Miller.
" " " " " J. S. Bennett Admr. of Peter J. Price.
" " " " " Joseph. Heatwole Admr. of Samuel Stenger.
" " " " " Joseph Hoffman Guardian for John J. Hoffman &c.

Ordered that this Court be adjourned until to-morrow morning at 10 Oclock

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Saturday June 22. 1878.

Present, Hon. Chas. J. O'Ferrall presiding

For reasons appearing to the Court, the order made on the 6th day of the April Term last of this Court (April 20. 1878) Certifying an allowance to the Auditor of Public Accounts in favor of V. N. Lam Constable of this County for the Sum of $13.40 for arresting George Collins charged with Felony, board & lodging for prisoner, horse hire, Livery, Mileage to and from Jail, be set aside

V. N. Lam, Constable of this County, this day presented in Court an Account against The Commonwealth of Virginia amounting to the Sum of $13.40. for Arrest of George Collins charged with Felony ($1.00) Hire of 2 horses two days each for use of guards @ 75¢ ($3.00) 4 days Board & Lodging for Prisoner $4.00 Livery Bill for horses used by guards & prisoner ($2.00) 34 Miles travel to and from Jail conveying prisoner to Jail & returning, which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Copied

Ordered that this Court be adjourned until Monday morning next at 10 Oclock

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Tuesday June 25th 1878

Present Hon Chas. J. O'Ferrall presiding

On the Petition of Harvey Kyle for a change of the Public Road leading from Main Street in Bridgewater to the Ford on North River below the Bridgewater Manufacturing Company's Factory & Machine Shop.

This day came the Petitioner by Counsel and the Defendants (the land-holders through whose lands the new road is located) likewise. And it appearing to the Court that the land-owners upon the line of the proposed change of said road have been Summoned and that two said land-owners to-wit: James F. Lowman and Joel B. Miller appeared and claimed damages for such of their lands as are proposed to be taken for the purposes of said road, and that upon their motion J. W. D. Allemong, A. L. Lindsey, John M. Jacobs, Philander Herring & Joseph Click were appointed Commissioners to ascertain what will be a just Compensation for the land to be used for said road belonging to said

C/P.

Lowman & Miller, and It farther appearing to the Court that the Said Commissioners have made their report in accordance with the order of this Court appointing them as Such Commissioners, and that they have ascertained that $170.00/100 will be a just Compensation for Such of the land of James F. Lowman as will be taken & used for Said road & for the damages to the residue of his Said tract or lot of land, and that $45.00 will be a just Compensation for Such of the land of Joel B. Miller as will be taken & used for Said road & for damages to the residue of his Said tract of land. And there being no exceptions taken to Said Report and the evidence and argument of Counsel having been heard it is ordered that the Said Road as changed upon the Said new location be established and that the Said Report be Confirmed. The Said new location So established as aforesaid being located upon the following line to-wit: Beginning at Mrs Williams on Main Street at A. on the diagram returned by the Said Commissioners with their Report, thence with her line & a line of the Alley N 48½ W 34 72/100 poles to B. on Said diagram & thence passing over Grove Street and to and through the lands of Harvey Kyle & crossing the Railroad & entering again the lands of Said Kyle & running through the Same to a Stake, thence Still running on the lands of Said Kyle N. 60 W. 63 28/100 poles to a Stake at the edge of a lane at C. on Said diagram the road from A. to C. is 40 feet wide and the land taken for the road is an alley 12 feet wide running from Main Street along Mrs Williams line to Grove Street. James F. Lowmans, H. Kyles & J. B. Millers land. thence S. 34 W 29½ poles. running on Said Kyles land to opposite Saml. F. Sangers Corner at D. on Said Diagram. thence through the lands of Said Kyle S 41½ W 25 poles to a point near the River at E. on Said Diagram. thence up the River N. 78¾ W. 28 poles to Said ford at F. on Said Diagram. thence by Said ford to the Public road on the opposite Side of Said River at G. on Said diagram. From C. to D. the road is 30 feet wide & is upon the lands of Samuel F. Sanger. from D. to E. it is 30 feet wide until it Comes to the Stable belonging to the Bridgewater Manufacturing Company. from that point to the River it is only 25 feet wide. From D. to E. the road runs on the lands of Said Kyle & Said B. M. Co. from E. to F. it runs on the line of the old Public road and the line running across the River is S. 74 W. And by the establishment of this road the old public road running down the River from where this road Strikes the River down to the Lantz property is discontinued. All damages are waived by the other land-owners.

It is further ordered that the Road Board of Ashby District make an appropriation to pay the damages allowed in this order and make and establish the change as reported by the viewers and ordered by this Court.

certified

It is further ordered that the Road Commissioners of Said Ashby District proceed forthwith to make the Said Change following the exact location as Set forth in the report of Said viewers, and make report how he

has executed this order on or before the 1st day of the September Term next of this Court.

On the Petition of Wm Lickey & others for a change in the Brocks Gap Road in Central District, beginning where the line between Wm L. Mckenzie and Michael Brown Crosses the said Road. thence Northwardly &c. The Viewers heretofore appointed in this Cause. having made their report in which they report adversely to the proposed change and the Court being of opinion that said change ought not to be made. doth refuse to make said proposed change.
It is therefore, Considered by the Court. that this petition be dismissed.

The Court doth allow the following named persons the sums opposite their names for their Services as viewers &c of Roads under orders of the Court. heretofore entered. and that the same be certified to the Board of Supervisors of this County to be included in the Levy for the year 1878. Viz

Daniel Flory	2 days	on Petition of Wm Pickering &c. Rigler Road @ 2$	4.00
Chas. J. Brock	2 days	Services as Viewer on Petition of Madison Wise & others	4.00
A. H. Brewer	2 "	Same	4.00
Sayel R. Allebaugh	1/2 "	Same	2.00
J. L. Long	2 "	as Surveyor. Same	5.00
B. M. Rice	1 "	Viewer on Petition of Wm Airey & others	2.00
John H. Moore	1 "	Same	2.00
George J. Kisling	1 "	$2. Surveyor on Same 2d	4.50
S. R. Allebaugh	2 "	C. M. Martz & others @ 2 per day	4.00
Thomas Moore	3 "	Surveyor on Same	6.00
Wm Brougher	3 "	Surveyor on Same @ 2.50	7.50
Dolin	2 "	Chain Bearer on Same	2.00
J. P. Miller	2 "	Same	2.00
See page 531 George Chrisman	1 "	as Viewer on Road Petition of Henry Brant & others	2.00
Jasper Hawse	1 "	Same $2 & Surveyor on Same 2.50	4.50
L. M. Beary	1 "		2.00
Thomas Moore	2 "	on Road Petition of Benj Hoover &c	4.00
J. M. Lewan	2 "	Same	4.00
I. F. Brunner	2 "	Same	4.00
John F. Bowman	1 "	Surveyor Same	2.50
Jos. S. Lowe	1 "	Viewer on Road Petition of D. A. Bleeker	2.00
Geo. H. Dinges	1 "	Same	2.00
George J. Kisling	1 "	$ & 1 day Surveyor on Same	4.50
Peter Paul	1 "	as Viewer on Road Petitions J. W. Rhodes	2.00
Michael Whitmore	1 "	Same	2.00
John H. Moore	1 "	Same	2.00
Solomon Buttner	2 "	Petition H. A. Brunk &c	4.00
David A. Heatwole	2 "	Same	4.00
John H. Moore	2 "	Same	4.00
Solomn Buttner	1 "	John S. Coffman & others	2.00
David A. Heatwole	1 "	Same	2.00
John H. Moore	1 "	Same	2.00
George K. Eastham	1 "	Petition Wm Lickey &c	2.00
John Leedy	1 "	Same	2.00
George J. Kisling	1 "	$2. & as Surveyor on Same 2.50	4.50

Jacob Moyers	2 days	Services as viewer on the Road Petition of J. A. Winfield &c.		4.00
Joseph A. Mitchell	2 "	" " " on Same $4.00 & as Surveyor on Same $5.		9.00
Jasper Hawse	2 "	" " " on Same		4.00
Jasper Hawse	1 "	" " " & as Surveyor on the Road Petition J. W. Manck &c.		4.50
Jacob Moyers	1 "	" " "	Same	2.00
A. L. Mauzin	1 "	" " "	Same	2.00
James C. Heltzel	2 "	" " " on the Road Petition of Gaither & others		4.00
D. A. Heatwole	2 "	" " "	Same	4.00
Peter Reherd	2 "	" " "	Same	4.00
Geo J. Kisling	2 "	" " Surveyor on Same		5.00
A. Painter	2 "	" " Viewer on Road (Petition of Pleckers heirs)		4.00
Strother Sheets	2 "	" " " " " " (Mt. Clinton Road		4.00
C. Miller	1 "	" " " " " Petition H. H. Roller &c.		2.00
John F. Crawn	1 "	" " " " "	Same	2.00
Reuben Huffman	1 "	" " " " "	Same	2.00
George Carpenter	2 "	" " " " " Pleckers Heirs		4.00
	"	" " " " "		
Wm. M. Sibert	2 "	" " " " " Petition M. Lehr & others		4.00
Thomas Moore	2 "	" " " " "	Same	4.00
John J. Bowman	2 "	" " " " " $4 & Surveyor on Same $2.50		6.50
George G. Strayer	1 "	" " " " " Jas. H. Kanickhoff		2.00
James M. Weaver	1 "	" " " " "	Same	2.00
Geo. W. Manzy	1 "	" " " " "	Same	2.00
Edward S. Kemper	3 "	" " " & Surveyor &c. J. M. Saufley & others		11.00
George J. Kisling	3 "	" " " & Diagram &c.	Same	9.00
William J. Carpenter	3 "	" " " &c.	Same	6.00
Edward S. Kemper	4 "	" " $4. Surveyor &c. Petition A. Shaver & Co.		13.00
Charles R. Rush	4 "	" "	Same	8.00
John I. Wood	4 "	" "	Same	8.00
George J. Kisling	2 "	" Commr.	Same	4.00
T. N. Sellers	1 "	" "	Same	2.00
Solomon Buntmer	1 "	" " Plecker Road Petition		2.00
A. L. Lindsay	1 "	" "	Same	2.00
Wm. H. Monger	1 "	" "	Same	2.00
C. Miller	1 "	" "	Same	2.00
J. F. Lowman	1 "	" "	Same	2.00
Hiram Coffman	1 "	" "	Same	2.00
S. C. Switzer	1 "	" "	Same	2.00
M. J. Moyerhoeffer	1 "	" "	Same	2.00
George Chrisman	2 "	" Viewer Petition of Heltzel & Frank		4.00
Michael Whitmore	2 "	" "	Same	4.00
T. A. Jackson	2 "	" "	Same	4.00

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

Chas. T. O'Ferrall

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Friday June 28th 1878.

Present. Hon Chas. T. O'Ferrall presiding:-

The Court doth allow the following named persons the Sums opposite their names for Public Services for the year ending December 31st 1878 and that the Same be certified to the Board of Supervisors of this County to be included in the Levy for the year 1878. Viz:-

D. H. Rolston.	Sheriff	For Public Services to Dec 31. 1878	$150.00
Same.	Jailor.	" " " "	80.00
Same	Comm'r of Public Buildings	" " " "	20.00
G. G. Grattan	Atty for Commonwealth	" " " "	500.00
J. D. Logan.	Clerk.	" " " "	500.00
Same.		" Rearranging Court Records.	25.00

Ordered. That the Board of Supervisors do include in their estimate of expenses to be levied for the year 1878 the Sum of $200.00 to be expended in payment of the right to use the Campbell System of Indexing in the Public Offices of this County.

Ordered. that this Court be adjourned until to-morrow morning at 10 Oclock.

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof on Monday July 1st 1878.

Present Hon. Chas. T. O'Ferrall presiding.

Upon the Petition of Henry Brunk and others for a change in the Public Road leading from the North Mountain road at Henry Brunks to the Burleytown Road.

This day came again Henry Brunk and others, the petitioners by their Attorneys, and the Court having before it the report of Jasper Hawse, B. M. Beery and George Chrisman, viewers appointed by the County Court, and the written Consent of Solomon Brunk and having heard the evidence and argument of Counsel doth order that the change in said road as set forth in the report of said Viewers, and upon the terms set forth in the written Consent filed of Solomon Brunk be made. Beginning at the North Mountain road at the boundary line between said Brunk and Solomon Brunks lands and running wholly on Brunks side S 46½ E 22 poles. S 81½ E 30½ poles and again S 52½ E 22 poles Crossing the line and running wholly on said Solomon Brunks land to the point of intersection a few rods S. of James Webbs house. And it is ordered that Henry Brunk reset and make good the fence along the entire road as stipulated for by the said Brunk, and when the road as changed by this order is opened in accordance with the law, and the [illegible] of this order, the said Brunk may close the old road, and it is further ordered that the Petitioners pay to Solomon Brunk Five Dollars the amount of damages stipulated for by him the said Brunk, and that they pay all costs growing out of this proceeding to change said road including the pay of Viewers and Surveyor. It is further ordered that this cause be Stricken from the docket.

It appearing to the Court that in the order made on the 8th day of this term of the Court (June 25 1878) making allowances to various persons as Viewers & Surveyors of Public Roads, that the Clerk included therein an allowance of $2 each to Geo. Chrisman, B. M. Beery & Jasper Hawse as viewers & the sum of $2.50 to Jasper Hawse as Surveyor on the Petition of Henry Brunk for the change of a Public Road, which said amounts are to be paid by said Brunk. It is therefore ordered that said order be set aside as to them.

Susan Phillips
ads
Commonwealth } On Application to be released without payment of fine & Costs &c.

Susan Phillips, who was at the December Term 1877 of this Court Sentenced to imprisonment in Jail for six months, and thereafter until the fine of $100. and the Costs of the prosecution be paid or she be otherwise discharged according to law. this day made application to this Court to be released from imprisonment without the payment of the said fine and costs the Attorney for the Commonwealth being present, and waiving the notice prescribed by the Statute, on Consideration whereof, the Court doth release the said Susan Phillips from

imprisonment without the payment of the Said fine and Costs. she having Served out her Said imprisonment of Six months.

John Shea
ads
Commonwealth } On application to be released without payment of fine & Costs imposed

John Shea, who was at the December Term 1877 of this Court Sentenced to imprisonment in Jail for Six months, and thereafter until the fine of $100. and the Costs of the prosecution be paid or he be otherwise discharged according to law. This day made application to this Court to be released from imprisonment without the payment of the Said fine & and Costs, the Attorney for the Commonwealth being present and waiving the notice prescribed by the Statute. On Consideration whereof the Court doth refuse to release the Said John Shea without the payment of the Said Fine & costs, and thereupon he was remanded to Jail.

Cyrus Pence, for &c.
Zebulon D. Gilmer &c. } Upon a Notice

This day Came again the parties by their Attorneys, and neither plaintiff, nor defendants requiring, a Jury the whole matter of law and fact was Submitted to the Court, whereupon the Court having heard the evidence adduced and the argument of Counsel. It is Considered that Cyrus Pence for the use of John E. Roller Subject however to whatever may be allowed to The First National Bank of Harrisonburg in the motion pending in this Court in the name of The First National Bank of Harrisonburg against John R. Jones & Co If any thing be allowed recover of the Defendants Zebulon D. Gilmer, James M. Weaver, George W. Hedrick, Hiram A. Kite, Charles R. Rush the Sum of Four hundred and thirty dollars and forty Cents with interest thereon from the 18th of January 1863 until paid, and his Costs about his Suit in this behalf expended.

V. H. Lam Constable of this County this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $8.20 For arrest of Luther Ford charged with Felony $1.00 Summoning 6 witnesses @ 20¢ $1.20 2 horses 1 day each @ 75¢ & 50¢ Livery bill for Prisoner & Guard $2.00 2 days board & lodging for prisoner $2. & 20 Miles Travel $2.00 to and from 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.

J. M. Lam, this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $4.25 For assisting in the arrest of Luther Ford charged with Felony & 2 days guarding Same $2.25 & 20 Miles Travel $2.00 which being Sworn to by him and the Constable was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Burton Morris, this day presented in Court an account against The Commonwealth of Virginia, amounting to the Sum of $4.25 For assisting in the

arrest of Luther Ford. charged with Felony & 2 days guarding Same $2.25. & 20 Miles Travel $2.00 which being Sworn to by him and the Constable, was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for Payment.

John C. Shifflett this day presented in Court an account against The Commonwealth of Virginia, amounting to the Sum of $2.25 For assisting in the arrest of Luther Ford charged with Felony & 2 days guarding Same @ 75 per day. which being Sworn to by him & the Constable was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts for payment.

W. H. Lacy. Constable of this County, this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum $12.70 For Receiving Jerry Morris charged with Felony from Sheriff of Greene County & Conveying Same 34 Miles to & from Jail $3.40 hire of 2 horses 2 days each @ 75 per day for prisoner & guard. $3. Livery Bill & board of Prisoner 3½ days $5.50 & Summoning 4 Witnesses. 80¢ which was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for Payment.

J. M. Lacy this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $3.45 For 3 days guarding Jerry Morris charged with Felony @ 75¢ per day $2.25 & 12 Miles travel $1.20 which being Sworn to by the guard & the Constable was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop.

Burton Morris, this day presented in Court an account against The Commonwealth of Virginia, amounting to the Sum of $4.75 For guarding Jerry Morris charged with Felony 3 days @ 75 per day. $2.25 + 25 Miles travel $2.50 which being Sworn to by Said guard & the Constable, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop.

John C. Shifflett, this day presented in Court an account against The Commonwealth of Virginia. amounting to the Sum of $5.75 For guarding Jerry Morris charged with Felony 3 Days @ 75¢ per day. & Traveling 35 Miles $3.50 which being Sworn to by Said guard and the Constable. was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

Cop.

Thomas J. Burke, Constable of Shenandoah County, this day presented in Court an account against The Commonwealth of Virginia amounting to the Sum of $8.63 For arresting James McMillions charged with Felony $1.00 25 Miles of travel in Conveying Said McMillions to Harrisonburg Jail & returning 25 Miles $5.00 Board & Lodging for prisoner 1 Night 75¢ Fee Toll 18¢ Executing Search Warrant 50 Summoning 3 Witnesses Twice $1.20 which being Sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for Payment.

Cop.

Ordered, That this Court be adjourned until to-morrow morning at 10 Oclock.
Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Wednesday July 3d 1878.

Present, Hon Chas. T. O'Ferrall, presiding.

On the application of D. H. Rolston, Sheriff of Rockingham County, for the appointment of freeholders to appraise the property of Mathew Ireland as contained in a Schedule filed with Said Officer:

It appearing to the Court that the Said Sheriff has in his hands an execution in favor of George Irelands Admr vs Mathew Ireland, and that the Said Mathew Ireland has filed with the Said Sheriff an Inventory under oath of the whole of his real and personal property, as provided for in Section 16 Ch. 183 of the Code of 1873, the Court doth appoint C. Miller, Jacob Helmes and S. M. Wise disinterested freeholders of Rockingham County who after being duly Sworn by Said Sheriff shall appraise the property contained in Said Inventory at its Cash value, and deliver their Appraisement So made to Said Officer.

copied.

Cyrus Pence, for &c. } upon a Notice.
vs
Z. D. Gilmore &c.

Memo:- Be it remembered that upon the trial of this Cause the Defendants excepted to opinions of the Court rendered, and filed their 3 Bills of Exceptions which they prayed may be Signed, Sealed and enrolled which is accordingly done, and are in the words & figures following to-wit:- Cyrus Pence for &c. vs Z. D. Gilmore &c.

Exparte.
Algernon Hollen.

On the Petition of Algernon Hollen Stating that he is illegally detained detained in the Custody of D. H. Rolston Jailor of this County, a Writ of Habeas Corpus is awarded him to be directed to the Said Jailor, Commanding him to have the body of the petitioner, before this Court this Wednesday morning July 3 1878, at 11 Oclock A. M. together with the day and Cause of his caption and detention.

Exparte.
Algernon Hollen.

D. H. Rolston Jailor of this County in obedience to the writ of Habeas Corpus awarded this day and to him directed brought into Court Algernon Hollen in the Said Writ named and Certified that the detention of the Said Algernon Hollen is by virtue of an Indictment for a Felony found by the Grand Jurors Sworn and impanneled in the Circuit Court of Rockingham County, at the Term thereof Commencing on the 25th day of May 1878

and the Court having fully heard the evidence doth refuse to discharge the Said Petitioner Algernon Hollen.
And thereupon the Said Algernon Hollen by Counsel moved the Court to admit him to bail, which motion on Consideration the Court doth Sustain, and fixes the amount of bail at $500.00 for himself and the Same Sum for his Surety, Said bail to be given during vacation, and thereupon the Said petitioner Algernon Hollen was remanded to Jail.

On the Application of James M. Saufley & others for the establishment of a Public Road to intersect the Port Republic Road at a point near John W. Bowman's then to pass through the lands of the different land-owners upon the Map accompanying the petition to intersect the road leading from Frieden's Church to the Valley Pike.
The Commissioners Edward S. Kemper, Wm F. Carpenter and George J. Kisling heretofore appointed to view and report upon Said road, having returned their report together with a diagram and Survey of the proposed route and also their amended report and Said Commissioners having recommended the establishment of the Said road.
It is ordered that the following named land-owners along the line of Said proposed road, to-wit Mrs Alexander Kyger, John W. Bowman, Jacob Harshberger, Joseph Shufflett Samuel Sanger, Peter Showalter Sr. John Huffman, Robinson Showalter, Harvey Wise John M. Saufley, Joseph Attaffer, Wm M. Moyerhoeffer, Daniel Long, Frederick Cline, Frederick Miller, Peter Hile, James Riddle Mrs. Jacob Argabright Saml. Sluser, Sr. Michael J. Moyerhoeffer, (Margaret Saufley Margaret Showalter — Showalter her husband, N. B. Saufley, R. A. Scott, Mary Scott & Abraham Evers) the last Seven being heirs of Wm Saufley dec'd be Summoned to appear before this Court on the first day of the July Term next being July 15 1878. to Show Cause if any they can why the Said road as proposed and reported by the Said viewers shall not be established

1 & 27 copies

Commonwealth.
Upon an Indictment. For attempt to administer poison.
Lewis Kirtley with intent to Kill and Injure.
This day, the prisoner, Lewis Kirtley late of the County of Rockingham, who was at a former day of this Term of the Court (June 20th 1878) convicted of a felony by him committed, was again led to the bar of the Court in Custody of the Jailor of this County, and by Counsel moved the Court to Set aside the verdict of the Jury and grant him a new trial, which motion on Consideration the Court doth Sustain. It is therefore Considered by the Court that the verdict of the Jury be Set aside a new trial awarded him and his trial Continued until the 3d day of the July Term next being July 17th 1878
And thereupon the prisoner was remanded to Jail

Ordered. that this Court be adjourned until the 1st day of the next term.

Chas. D. O'Donnell.