ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

MINUTE BOOK 3 1872-1874

Minute Book

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1872 – 1874

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Minute Book
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1872 - 1874

Monday, November 18, 1872.

At a County Court held in and for the County of Rockingham, on Monday, November 18, 1872.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows:-

Bargain & Sale,	Benj. F. Spicer & wife	to Risen & Shutters,
" "	Catharine Calhoune, &c,	" Jefferson Herne,
" "	Jeremiah Conrad & others,	" J. P. Houck,
" "	D. C. Jones & wife,	" D. C. Jones,
" "	same,	" S. M. Jones,
" "	Jacob D. Swank & wife,	" Simeon Smith,
" "	Brown & Entwiler,	" Wm. S. Perry,
Trust Deed,	E. W. Jones & wife,	" Wm. B. Compton, Trustee,
Bargain & Sale,	Reuben Swope & wife,	" John Simmons,
" "	Susannah Sandy,	" Wm. J. Sandy,
" "	Benj. F. Spicer & wife,	" C. Bolton, Huffman, &c,
" "	D. Garber's Heirs,	" A. Blosser,
" "	Davis Shirkey, Commr.	" D. Pennybacker,
" "	Simeon Smith & wife,	" Mark B. McKeever,
" "	Samuel Dinkel & wife,	" Benj. F. Spicer,
" "	Jacob Shank,	" Sophia Groves,
Trust Deed,	E. Coffman,	" S. A. Coffman, Trustee,
Bargain & Sale,	Richard Robinson,	" John Robinson, Sr.
" "	Layman, Templeman, &c,	" Jacob Lee,
" "	Layman, Lee, &c,	" Susannah Shultz,
" "	Layman, Lee, &c,	" James Templeman,
" "	John J. Mantz & wife,	" James Templeman,
" "	Samuel Miller & others,	" A. M. Newman,
" "	James A. Ralston & wife,	" David H. Ralston,
" "	James H. Hahn	" B. A. Hawkins, &c,
" "	Jos. N. Whitmer & wife,	" Benjamin Hawkins,
" "	Layman, Lee &c,	" Mahulda Layman,
" "	Joseph Layman & wife,	" same,
Trust Deed,	Joseph Lamon & others,	" Dorilas Higgs, trustee, &c,
Bargain & Sale,	Jacob S. Rhodes & wife	" Reuben Moore,
" "	J. C. Bowman & wife	" Abner Canada,
Trust Deed,	Wm. Beard,	" John W. Crist, Trustee, &c,
Bargain & Sale,	Benj. F. Spicer & wife,	" Jacob Keagy,
Bargain & Sale,	S. K. Allebaugh, late Sheriff, &c,	" Abraham Andes,
Article of Agreement	D. C. Jones,	" S. M. Jones, &c,
Trust Deed,	Jason M. Bruffy, &c,	" C. E. Haas, Trustee,
Bargain & Sale,	John C. Miller & wife,	" Hampton Miller,
" "	Barbary Whitmer & others	" Geo. W. Yancey,

The following settlements having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto. It is ordered that the same be admitted to record, viz:-

Daniel Wenger, guardian of Sarah A. Wenger, same, " " same,
Lewis Driver, " " Susan R. Driver,
J. A. Loewenbach & J. M. Huffman, Exors of Anthony Huffman,
Wm G. Thompson, " " Abram Coffman,
D. J. Garber & Thos J. Dovel, Adms. of Tandy Dovel,
James A. Patterson, " " C. M. Keezle,
R. A. Stephens, Adm. " " R. N. Mumbert
Samuel Shank, Trustee " Catharine Brenneman,
John Keller, jr. & wife to George Shaver's Exors. (From Circuit Court.)

The Appraisement & Sale Bill of the Estate of Jacob Roadcap, dec'd. were this day returned into Court, and no exceptions being taken thereto, were ordered to be recorded.

James Steele, Pltff. vs Ges. W. Miller, adm'r. Deft. } Upon a Sug.
S. B. Jennings, Pltff. vs Adam Wampler, sr. Deft. } Upon a Sug.

Paxton & Lambert, Pltffs. vs Valley Railroad Company, Deft. } Upon a Sug.
B. H. Lambert, Pltff. vs Valley Railroad Company, Deft. } Upon a Sug.

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

Wm Beard, presented in Court an Account against the County of Rockingham, amounting to the sum of $25.50 for surveying roads under order of Court from July 1871 to May 1872, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

issued ord. book

It appearing to the Court that the order made at the August Term last of this Court, establishing a road from Paul's Mill to Fulton's Blacksmith Shop was made without notice to Peachy Wine & Wm L. Anderson, two of the land holders along the route, It is ordered that said P. Wine & Wm L. Anderson be summoned to appear at the next term of this Court and shew cause, if any they can, why said order should not stand, and said road remain established according to said order,

issued

E. H. B. Huffman, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.00 for arresting James Long, Henry Long & summoning 15 witnesses and for arresting Willis Gordon, 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.

John R. Jones, foreman, Jacob Geil, John S. Vance, John M. Maitz, J. C. Stapler, Charles Eshman, Jacob Rowan, J. W. May, Wm. Berry, Robert P. Sheets, Wright Gatewood, N. C. Beery, Joseph Ritchie, Augustine Holler, John M. Huffman, George Miller and N. M. Miller, who were sworn and impannelled 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 Willis Gordon, for rape, a true bill." - An Indictment against Samuel Banks, for Petit Larceny, a true bill." An Indictment against Elizabeth Vincegord, for Petit Larceny, a true bill" and having completed the business before them they were discharged from further attendance upon this Court. And it is ordered that proper process do issue.

issued — Ordered That John R. Jones, Jacob Geil, John S. Vance, John M. Maitz, J. C. Stapler, Charles Eshman, Jacob Rowan, J. W. May, Wm. Berry, Robert P. Sheets, Wright Gatewood, N. C. Beery, Joseph Ritchie, Augustine Holler, John M. Huffman, George Miller and N. M. Miller, be allowed the sum of One dollar each for services as Grand Jurors at this term.

issued — Rules are awarded against Noah Wean, John Beery, C. P. Earmon, James P. McLeod and Wm. Herring, for their failure to appear as Grand Jurors at this term of the Court, returnable to the first day of the next term.

/ — On the motion of A. Bloker jr, Admr. of A. Bloker, dr. the Estate of Stephen Road-cap is committed to James P. Raleton, Sheriff of this County for administration.

The Rules awarded at the August Termlast of this Court against David Link for failure to appear as a Grand Juror and as a witness at the suit of First Nat. Bank of Harrisonburg vs. David Link, &c., were, for reasons appearing to the Court, discharged.

The Rule awarded at the August Term last of this Court against Joseph Altaffer for failure to appear as a Grand Juror, was, for reasons appearing to the Court, discharged.

In the cause of Hill's Admr. vs. P. Liggett, on which judgment was entered at the last term, It appearing that the parties had agreed to an arbitration of the cause, and that the Clerk entered the judgment without having heard the agreement, It is agreed by consent that the cause shall proceed as if there was no judgment, and upon the agreement to submit to arbitration. And this shall be considered as an agreement to submit the claims of said Hill, on which this judgment was based, to arbitration, in connection with any accounts or claims of said P. Liggett against the said J. W. Hill or Administrator. It is further agreed that A. M. Newman, Commissioner, who has this judgment before him in settlement, shall be Arbitrator, and hear and examine parties, and make award, in consonance with preceding facts of this Order.

George W. Fulk, Assessor for Brock's Gap Township, this day presented
spd. in Court, an Account against the County of Rockingham, amounting to the sum of $30.00 for extending County, Parish, Railroad & County School Taxes, on Land and Property Books for the year 1872, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

Upon the petition of Noah A. Royer and others, the Court doth appoint
spd. Jonathan Miller, Samuel Good and Reuben Risling, as viewers, to view the ground and to report to the Court, in accordance with law, upon the following proposed change in the road leading from Ammon's Mill to the public road that comes by Cyrus Pence's, to the Rockingham Turnpike, at Montevideo - viz: - at the corner of the lands of Mc-horn, Levin Ha, change the direction so as to pass through the lands of Nicholas Ryger and William Britt, to the corner of Columbia and John Royer, thence on their line to the mouth of the lane from Noah A. Royer's.

Martin Garber, surety upon the official bond of David Bowman, Exe-
spd. cutor of John Bowman, dec'd having produced in Court a notice duly acknowledged by said David Bowman, requiring his release as surety, and asking that his powers as said Executor be revoked and annulled, unless he execute a new bond, with new security, for reasons appearing to the Court, said Martin Garber is released as said surety.

On the motion of David Bowman, he is permitted to execute a new
bond as the Executor of John Bowman, dec'd, in lieu of his former bond, and thereupon he appeared in Court, and together with Thornton Thomas and Madison West, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $44.000, &c conditioned according to law, and qualified according to law.

On the motion of J. N. Tate, who made oath thereto according to law, he appeared
in Court, and together with M. W. Bowman, John Hagedow, David Whitmer and Joseph Ritchie, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $200.00, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Daniel Barnes, dec'd.

The powers of J. P. Ralston, S. R. C., as Admr. of the Estate of James Whitmore being revoked,
On the motion of Elijah Armentrout, who made oath thereto according to law, he appeared in Court, and together with John Armentrout, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of James Whitmore, dec'd.

And upon his further motion, the Court doth appoint Ja-
spd. cob Hosler, Nathaniel Faught, Adam Armentrout, Stephen Chapman and George Hosler to appraise the Estate of said James Whitmore, any three of whom may act, after first being duly sworn.

On the motion of Henry C. Beery, who made oath thereto according to law, he appeared in Court, and together with David N. Landes and Abraham B. Burkholder, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4.000. conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Elizabeth Beery, dec'd.

George Homer Bowman, infant of George M. Bowman, dec'd, over the age of 14 years, this day appeared in Court, and made choice of Lewis P. Henkel as his guardian, and thereupon said Lewis P. Henkel appeared in Court, and together with David Bowman and Thornton Thomas, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1200.00 conditioned according to law, and qualified accordingly.

A Rule having been awarded at the last term of this Court against Anna Bowman, requiring her to execute a new bond as Administratrix of Noah Bowman, dec'd, and she appearing by counsel, and declining to execute said new bond, It is considered by the Court that her powers as said Administratrix be and the same are hereby revoked.

On the motion of P. C. Bowman, who made oath thereto according to law, he appeared in Court, and together with Samuel Zigler and Abraham Miller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1000.00 conditioned according to law, a certificate is granted him for obtaining letters of administration, de bonis non, in due form, upon the Estate of Noah Bowman, dec'd.

On the motion of George A. Sherman, who made oath thereto according to law, he appeared in Court, and together with Joseph A. Whitmore, 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, a certificate is granted him for obtaining letters of administration, de bonis non, in due form, upon the Estate of A. P. Hahn, dec'd.

On the motion of George A. Sherman, who made oath thereto according to law, he appeared in Court, and together with Joseph A. Whitmore, 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, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Sarah Hahn, dec'd.

And upon his further motion, the Court doth appoint P. M. Rice, P. S. Roller, James Long, Sr. and Benjamin Switzer to appraise the Estate of said Sarah Hahn, dec'd, any three of whom may act, after first being duly sworn.

Ordered, That Charles E. Haas and John Paul be appointed as proxies to represent this County in the Annual meeting of the Stockholders of the O. A. & M. Railroad Company to be held in the city of Alexandria, on the 27th day of November 1872.

Ord the motion of W. M. Bushholder, the Attorney for the Commonwealth appearing, and the Assessor who made the Assessment, being examined as a witness. It appearing that he has been assessed with one tithable both in Central and in Harrisonburg Townships, whereas he should only have been assessed with one tithable in Central Township, the Assessor of Harrisonburg Township having assessed him through inadvertence, It is ordered by the Court that he be exonerated from the payment of the tax upon the tithable assessed against him in Harrisonburg Township.

Madison Snowden, late of the County of Rockingham, who stands indicted of a felony by him committed on the ___ day of ___ was this day, again led to the bar in custody of the Jailor of this county, and and being thereof arraigned, pleaded not guilty, and the Court overruled the demurrer to the Indictment entered at the last term of the Court, by the prisoner's counsel, and the Veniremen summoned for his trial being called, nineteen of whom appeared, viz:- Wm. N. Reubush, Aldine Keiffer, James Bush, Henry Zirkel, Robert F. Mason, Conrad Custer, Crawford Zirkel, Silas H. Ralston, Jacob C. Lamb, Cornelius Wheeler, John A. Showalter, John W. Sterne, Marion Long, Benj. F. Strickler, Abraham Harrison, John W. Glovier, Wm. H. Neff, R. M. Grubb and Nathaniel Flook, three of whom, viz:- Marion Long, John W. Glovier and Wm. H. Neff, were excused from serving, with the consent of the prisoner's counsel, and two, viz:- Aldine Keiffer and James Bush, being found not duly qualified and free from exceptions, the Court ordered the Sheriff to summon two additional Veniremen to appear here forthwith, and the Veniremen so summoned appeared, viz:- George F. Funkhouser and Riley Armentrout, and being, together with the other fourteen, Veniremen, examined by the Court and found to be duly qualified and free from exceptions, the panel of sixteen was complete, the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- John A. Showalter, Benj. F. Strickler, Abraham Harrison and Riley Armentrout, the remaining twelve persons, viz:- Wm. N. Reubush, Henry Zirkel, Robert F. Mason, Conrad Custer, Crawford Zirkel, Silas H. Ralston, Jacob C. Lamb, Cornelius Wheeler, John W. Sterne, Nathaniel Flook, R. M. Grubb and Geo. F. Funkhouser thereby constituting the Jury, who being so elected, tried and sworn the truth of 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 sometime returned into Court and not having agreed upon a verdict, thereupon they were given in charge of D. H. Ralston & S. C. Bare, Deputies for J. C. Ralston, Sheriff of this County, to whom was administered an oath that they would keep them together without communication with any person, that they would neither converse with them themselves touching this trial, nor permit any other person to do so, and would cause them to appear in Court to-morrow morning at 9 o'clock. And thereupon, the prisoner was remanded to jail.

Willis Gordon, late of the County of Rockingham, who stands indicted for a felony by him committed on the 5th day of November 1872, was this day led to the bar in custody of the Jailor of this County, and being

thereof arraigned, pleaded "not guilty," and by his counsel entered a demurrer to the Indictment. And thereupon the prisoner was remanded to jail.

issued

Ordered, That the Clerk of this Court issue a Venire Facias to the Sheriff of this County, directing him to summon a Venire to appear here on Wednesday next, for the trial of Willis Gordon, charged with a felony.

copied.

On the motion of Rev. W. B. Kinacofe, and it appearing to the Court that he is a regularly licensed minister in the Christian Church, he is duly authorized to celebrate the Rites of Matrimony by the County Court of Rockingham, and thereupon he appeared in Court, and together with A. C. Beery, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, and qualified accordingly.

Commonwealth
vs
Cyrus Wise, } F. A. B.

This day came again the Attorney for the Commonwealth, and entered a Nolle Prosequi in this cause.

Same,
vs
John Green, } Petit Larceny.

This day came again the Attorney for the Commonwealth, and entered a Nolle Prosequi in this cause, and the Court doth order the discharge of the prisoner from custody.

Same,
vs
Franklin Koontz & Robert Rondabush, } F. A. B.

By consent of parties, the trial of this cause is continued until next term.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Tuesday, November 19, 1872.

Present:- Hon James Kenney, Presiding.

Madison Snowden, late of the County of Rockingham, who stands indicted for a felony by him committed, on the ___ day of October 1872, was this day again led to the bar in custody of the Jailor of this County, and thereupon came the jury sworn and impannelled on yesterday for his trial, and again 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 guilty in manner and form as charged in the Indictment, and ascertain the term of his imprisonment in the Penitentiary at five years." And thereupon the prisoner was remanded to jail.

Peter Riggleman & Jacob C. Yankey, jr., convicted at a former term of this Court of Petit Larceny were this day again led to the bar of the Court, in custody of the Jailor of this County, and it being asked of the prisoners if anything further than they had, or knew to say why this Court should not now proceed to pronounce judgment against them according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the said Peter Riggleman & Jacob C. Yankey, jr, be each imprisoned in the jail of this County for the term of six months, the period by the jurors in their verdict ascertained, and that the Commonwealth recover against them her costs by her in this behalf expended. And thereupon the prisoners were remanded to jail.

Beverly Ray, late of the County of Rockingham, who stands indicted for Bigamy, was this day led to the bar in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty", and the prisoner not being ready for trial, the case was continued until Monday next, and thereupon the prisoner was remanded to jail.

Commonwealth
vs
Att & Shue } Upon an Indictment for retailing ardent spirits without a License. No. 1.

This day came as well the Attorney for the Commonwealth, as the Defendants by their Attorneys, and the defendants moved to quash the Indictment and each count thereof, which motion the Court overruled, and thereupon the Defendants filed their plea of "not guilty."

Same vs Same - Upon same Indictment No. 2 - Same order.

Same vs Same - Upon same Indictment No. 3 - Same order.

Same vs Same - Upon same Indictment No. 4 - Same order.
Same vs Same - Upon same Indictment No. 5 - Same order.
Same vs Same - Upon same Indictment No. 6 - Same order.
Same vs Same - Upon same Indictment No. 7 - Same order.

Commonwealth
vs
James L. Davis. } Upon an Indictment for retailing ardent spirits without a license No. 1.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the Defendant moved to quash the Indictment and each count thereof, which motion the Court overruled, and thereupon the Defendant filed his plea of "not guilty."

Same, vs Same - Upon same Indictment - No. 2 - Same order.

Same vs Same - Upon same Indictment - No. 3 - Same order.

Same,
vs
B. D. Davis. } Upon an Indictment for retailing ardent spirits without a license No. 1.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the Defendant moved to quash the Indictment and each count thereof, which motion the Court overruled, and thereupon the Defendant filed his plea of "not guilty."

Same, vs Same, - Upon same Indictment - No. 2 - Same order.

Same, vs Same, Upon same Indictment - No. 3 - Same order.

Same, vs Same, Upon same Indictment - No. 4. - Same order.

Same, vs Same, - Upon same Indictment - No. 5 - Same order.

Same, vs same - Upon same Indictment - No. 6 Same order.

Same, vs same - Upon same Indictment - No. 7 Same order.

Same, vs Same - Upon same Indictment - No. 8 - Same order.

Same, vs same - Upon same Indictment - No. 9 Same order.

Same, vs Same - Upon same Indictment - No. 10 Same order.

Same vs same - Upon same Indictment - No. 11 - Same order.

Same, vs Same - Upon same Indictment - No. 12 - Same order.

Commonwealth
vs
Att. & Shue. } Upon an Indictment for retailing ardent spirits without a License. - No. 1.

This day came again as well the Attorney for the Commonwealth, as the Defendants, by their Attorney, and thereupon came a Jury to wit: - Samuel Hedrick, Charles W. Showalter, Nathaniel Flook, Robert Philips, John N. Philips, John H. Spitzer, John V.

Houston, George Deedo, James Layman, Frederick Killyard, jr, John L. May and Elijah Falls, who being elected, tried and sworn the truth to speak upon the issues joined, and not having fully heard the cause, were adjourned until to-morrow morning at 9 o'clock,

cpies o.d.

Ordered That Wm. D. Reubush, Henry Zirkel, Robert F. Mason, Conrad Leuster, Crawford Zirkel, Silas W. Ralston, Jacob C. Lamb, Landyess Whisler, John M. Steere, Nathaniel Hlook, R. M. Gouldb and Geo. F. Armentrout, be each allowed the sum of $2 for two days services as Veniremen in the case of the Commonwealth vs Madison Snowden, charged with felony.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Wednesday, November 20, 1872.

Present:- Hon. James Kenney, Presiding.

cpies

James P. Ralston, Sheriff of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $12.20 for arresting, under Capias, Jacob C. Yankey jr, & Peter Rigglemann, mileage, board of prisoners, and services of Assistant, which being shown to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Commonwealth
vs.
Ott & Shue.

Upon an Indictment for retailing and ent spirits without a Licence- No 1.

This day came again as well the Attorney for the Commonwealth as the Defendants by their Attorneys, and thereupon came again the Jury sworn and impannelled 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 not having agreed upon a verdict were adjourned until to-morrow at 9 o'clock.

Willis Gordon, late of the County of Rockingham, who stands indicted for a felony by him committed on the 5th day of November 1872, was this day again led to the bar in custody of the Jailor of this County, and the Veniremen summoned for his trial being called, fourteen of whom appeared, viz:- Henry Bamsberger, Wm. C. Leffman, Frank. Rucker, James A. Shipp, C. N. Lam, F. M. Kintley, M. C. Kite, Wm. A. Eddins, S. W. Gibson, Geo. M. Cahoon, John B. Ammon, J. J. Sittrel, N. P. Nicholas and Joseph Bare, - six of whom, viz:- Henry Bamsberger, Wm. C. Leffman, Frank. Rucker, M. C. Kite, John B. Ammon & N. P. Nicholas, being found

not duly qualified and free from exceptions, the Court ordered the Clerk to issue a Venire Facias to the Sheriff of this County, directing him to summon eight additional Veniremen to appear here on to morrow morning at 9 o'clock. And thereupon the prisoner was remanded to Jail.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday, November 21, 1872,

Present:- Hon. James Kenney, Presiding.

Commonwealth
&
Att't & Sheriff, } Upon an Indictment for retailing ardent spirits without a License, No. 1.

This day came again the Jury sworn and impannelled on Tuesday last, pursuant to their adjournment, and retired to their room, 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,

Isaac Burkis Exor. Pltff,
&
A. J. Johnson, Deft. } In Debt.

This day came the Defendant by his Attorney, and leave is given him to file his offers, which is accordingly done,

Willis Gordon, late of the County of Rockingham, who stands indicted for a felony by him committed on the 5th day of November 1872, was this day again led to the bar in custody of the Jailor of this County, and the eight Veniremen accepted on yesterday appeared in Court, and the eight Veniremen ordered to be summoned on yesterday to appear this morning were called, six of whom appeared, viz:- Henry M. Angalright, Adam M. Nay, James L. Fisher, Wm. M. McAtee, Wm. E. Shinnick and Samuel Shipplett, two of whom, viz:- Henry M. Angalright and James L. Fisher not being found duly qualified and free from exceptions, the Court ordered the Clerk to issue a Venire Facias to the Sheriff of this County, directing him to summon twelve additional Veniremen to appear here on to morrow morning at 9 o'clock. And thereupon the prisoner was remanded to jail.

Kephart, Darby & Co, Pltffs,
&
T. A. Clarke, Deft. } In Case.

Upon the calling of this cause, the non residence of the Plaintiffs was suggested, and a rule for security for costs awarded,

Linton & Lamott, Pltffs. vs. L. Paul & Sons, deffts. } In Case.

Jake Moyers, Pltff vs. Wm. Minnick, deft. } In Case.

M. N. Richcreek, Pltff vs. E. Z. Offutt, deft. } In Case.

John C. Morrison, Pltff vs. J. N. Duffy, deft. } In Case.

Hoffmans & Duffy, Pltff vs. John C. Morrison, deft. } In Case.

U. M. Lam, Pltff vs. James N. Dofflemoyer, deft. } In Debt.

same, Pltff vs. S. A. Coffman, deft. } In Case.

A. S. Rutherford's Adm. Pltff vs. Mason Bowers, deft. } In Debt.

Jake Garrier, Pltff vs. S. H. Garrier, deft. } In Case.

same, Pltff vs. Hoffmans & Duffy, deffts. } In Case.

Aug. Blinedinst Pltff, vs. Plunkett Morris, deft. } In Debt.

M. L. Nefferly, by &c, Pltff, vs. J. B. Painter, deft. } In Case.

W. Loyd & Bro, Pltff vs. Reuben Bonds, deft. } In Case.

Zach. Raines' Adm. Pltff, vs. The Abbott Iron Comp'y, deft. } In Case.

John Beam, Pltff vs. Jacob Barley, deft. } In Debt.

Gray, Miller & Co, Pltffs. vs. Jake Garrier, deft. } In Debt.

D. D. Dovel's Exr. Pltff vs. C. L. Weaver, deft. } In Debt.

John Applegate, for &c, Pltff, vs. Moses Joseph, &c, deffts. } In Debt.

Ordered, That the foregoing causes be continued generally until next term.

Lesner Prefpicht's Adm'r. Pltff, vs. Wm. H. Caufelt deft. } In Debt.

This day came again the parties by their Attorneys, and on motion of the Defendant this cause is continued until next term at his costs. And it is agreed that at next term it shall be tried by G. G. Grattan, a practicing Attorney in this Court, as the Judge of this Court has formerly been employed in the case.

Thomas & Allen, Pltffs. vs. Gabriel Kite's Adm'r. deft. } In Debt.

This day came again the parties by their Attorneys, and on motion of the Plaintiff this cause is continued until next term, at their costs.

Henry Riowander, Pltff vs. E. W. Pollard, &c, deffts. } Upon a warrant.

Ordered That this cause be dismissed, for want of security for costs.

W. H. See, Pltff, vs. Jackson Knupp, deft. } In Case.

This day came again the parties by their Attorneys, and the non-residence of the Pltff suggested, and on motion of the Defendant, a Rule is awarded against the Plaintiff for security for costs, and the cause continued until next term

John Koontz, Pltff,
vs
Catharine Sibert, Deft. } Iw Debt.

Ordered, That this cause be dismissed.

Lofland & Courger, Pltff
vs
Joseph Kavanaugh, &c, Deft. } Iw Debt.

Ordered, That this cause do abate as to the defendants, John McGuaide and Jacob C. Sharp, and the trials be continued until next term.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday, November 22nd 1872.

Present:- Hon. James Kenney, presiding.

Jos. M. Keyes Exors. Pltff
vs
John E. Roller, Deft. } Iw Debt.

This day came the Defendant by his Attorney, and filed his special pleas No. 1-2-3-4-5 & 6.

Commonwealth
vs
Att & Shue, } Upon an Indictment for retailing ardent spirits without a License No. 1.

This day came again the Jury sworn and impannuled on last Tuesday pursuant to their adjournment, and again 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 Defendant "not guilty", and thereupon the Jury was discharged.

Minor Jones, Pltff,
vs
Mrs. Showalter, Deft. } Upon sug. & M.S. Harman.

Benj. F. Spicer, Pltff,
vs
Mrs. Showalter, Deft. } Upon a sug. & M.S. Harman.

By consent of parties, the orders at the August Term made in these two causes, are set aside, the causes ordered to be re-docketed and continued.

This day came Jasper Hawse who alleges that he is aggrieved by an entry in the property book made by Henry N. Beery, Assessor of Linville Township in said County, in the year 1872, whereby he is charged with $8.43 taxes for the year 1872, on $900 of invested capital; and thereupon the said Jasper Hawse moved the Court to exonerate him from the payment of $8.43 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 Henry N. Beery the Assessor who

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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 ___ 1872, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said Jasper Hawse had $900. invested in the store of Wm. B. McKeever; that McKeever gave in and was assessed with the whole value of the stock & capital invested, including the $900, and Hawse not being aware that McKeever had reported his $900 returned it to the Assessor himself; 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 Jasper Hawse is erroneously charged on said book with taxes amounting to $8.43; whereupon it is ordered that the said Jasper Hawse be exonerated from the payment of $8.43 (viz: $4.50 State Tax - 90¢ County Levy - 68¢ Parish Levy - $1.36 Railroad Tax - 90¢ County School tax & 9¢ District School tax,) taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

Willis Gordon late of the County of Rockingham, who stands indicted for a felony by him committed on the 5th day of November 1872, was this day again led to the bar in custody of the Jailor of this County, and the Veniremen heretofore accepted appeared, except Wm. M. McAtee, reported sick, and thereupon the Venire ordered on yesterday, were called, nine of whom appeared, and there were found to be duly qualified and free from exceptions five, viz:- James H. Smithicum, M. N. Shipplett, John H. Showalter, Patterson Burgess and G. F. Airey, - the panel of sixteen being complete, the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- James A. Shipp, F. H. Kirtley, S. M. Gibson and Joseph Bare, - the remaining twelve persons, viz:- V. H. Lam, Wm. A. Eddins, Geo. W. Cahoon, Jr., J. Littell, Adam H. May, Wm. E. Shimmick, Samuel Shipplett, James H. Smithicum, M. N. Shipplett, John H. Showalter, Patterson Burgess and G. F. Airey, thereby constituting the jury, who being so elected, tried and sworn the truth of and upon the premises to speak, and having fully heard the evidence and the 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, thereupon they were given in charge of D. N. Roleston & Levi S. Byrd, Deputies for J. P. Roleston, Sheriff of this County, to whom was administered an oath that they would keep them together without communication with any person, that they would neither converse with them themselves touching this trial, nor permit any other person to do so, and would cause them to appear in Court to-morrow morning at 9 o'clock. And thereupon the prisoner was remanded to Jail.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Saturday, November 23rd 1872.

Present:- Hon. James Kenney, presiding.

Peter Walker, Pltff,
vs
Reuben Walker, Deft. } Unlawful Detainer.

This day came the parties by their attorneys, and the defendant filed his plea of "not guilty", and thereupon came a jury of seven, by consent, to wit:- S.W. Strayer, John G. Ragan, Samuel Hedrick, James Long, Jacob L. Miller, Burt. Strother and Edward Koontz, who being elected, tried and sworn the truth to speak upon the issue joined, 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 that the Defendant unlawfully withholds from the plaintiff, the premises in the within writ described."

Willis Gordon, late of the County of Rockingham, who stands indicted for a felony by him committed on the 5th day of November 1872, was this day again led to the bar 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 again 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 guilty in manner and form as alleged in the indictment, and ascertain the term of his imprisonment in the Penitentiary at twenty years." And thereupon the Jury was discharged, and the prisoner remanded to Jail.

Commonwealth,
vs
Abner Lawson alias Absalom Lawson, } Trespass.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, who pleaded "not guilty" and thereupon came a jury, to wit:- S.A. Davis, C.W. Showalter, Frederick Hillyard, jr, Robert Philips, James Roadcap, Thomas Long, Joshua Hamphey, J.M. McGinnis, Gideon Shirkey, John D. Ralston, J.D. Daniel Kolesinger, and J.L. May, who being elected tried and sworn the truth to speak upon the issue joined, 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 Monday morning next at 9 o'clock.

Ordered that V.H. Lam, Wm. A. Eddins, Geo. W. Cahoon, Jo. F. Littell, Adam H. May, Wm E. Shinnick, Samuel Shipplett, James H. Linthicum, M.V. Shipplett, John W. Showalter, Patterson Bunger & G.F. Airey, be each allowed the sum of $2.00 for their services as Veniremen in case of Comm'th v. Willis Gordon, charged with felony.

Ordered, That Court be adjourned until Monday morning at 9 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Monday, November 25, 1872.

Present:- Hon. James Kenney, presiding.

Commonwealth
@
Beverly Ray. } Upon an Indictment for Bigamy.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the Defendant demurred to the second count of the Indictment, and on consideration the Court doth sustain said demurrer, and thereupon the Attorney for the Commonwealth entered a nolle prosequi, and the prisoner was discharged from custody.

Isaac Hardesty, Adm. Pltff,
@
F. L. Way, Defft. } In Debt,

Ordered That this cause be removed to the Circuit Court of this County, as the Judge of this Court was formerly engaged as counsel.

S. K. Newham, Pltff,
@
Jacob Kindgardner, Defft. } In Debt.

This day came again the parties by their Attorneys, and neither party requiring a jury, the cause was submitted to the Court, and having fully heard the evidence, the Court is of opinion that there is no liability upon the Defendant, and it is considered that the Defendant go hence without day, and recover against the Plaintiff his costs by him in this behalf expended.

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John N. Moore, Apeson for Franklin Township, this day presented in Court an Account against the County, amounting to the sum of $30.00, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment. (For extending County & Parish Levies on Lands & Property Books for the year 1872,)

Commonwealth
@
Abner Lawson alias Absalom Lawson. } Trespass.

This day came again the Jury sworn and impaneled on Saturday last for the trial of this cause, pursuant to their adjournment, and again 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 Defendant guilty in manner and form as alleged in the Indictment, and assess his punishment at Thirty-four Dollars." It is therefore considered by the Court that the Commonwealth recover against the Defendant, $34.00 the amount of the Fine, and her costs, by her in this behalf expended.

Commonwealth
@
Samuel Banks. } Upon an Indictment for Petit Larceny.

This day came as well the Attorney for the Common-

wealth, as the Defendant by his Attorney, and the Defendant pleaded "not guilty;" and thereupon came a Jury, to wit: Samuel Hedrick, Edward Koontz, B. H. Shoaltes, Frederick Hillyard, jr., Robert Philips, Gideon Shirley, Daniel Holsinger, J. L. May, P. H. Strayer, John L. Ragan, James Long & Bunt. Strother, who being elected, tried and sworn the truth to speak upon the issue joined, 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 alleged in the Indictment & ascertain the term of his imprisonment in the County Jail at six Months." And it being asked of the Defendant 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 Samuel Banks be imprisoned in the County Jail for six Months, the period by the Jurors in their verdict ascertained, and that the Commonwealth recover against the Defendant her costs by her in this behalf expended. And thereupon the prisoner was remanded to Jail.

Commonwealth
vs.
Elizabeth Winegord. } Upon an Indictment for Petit Larceny.

This day came as well the attorney for the Commonwealth as the Defendant by his Attorney, and the Defendant pleaded "not guilty," and on her motion, the trial is continued until the next term at her costs.

On the motion of T. J. Butler the Estate of R. N. Smith, dec'd, was committed to the Sheriff of this county for administration, the former Admr Wm McC. Wartmann having departed this life.

Elizabeth Huffmans Exor. Plff
vs.
E. S. Huffman. Deft. } Elizabeth Huffmans Exor. Plff
vs.
E. S. Huffman, Deft.

On motion of Plaintiff, these two causes are ordered to be reinstated on the Court's docket, the same having been improperly stricken therefrom, and a Rule awarded against Samuel Frank, Pleasant M. Dice & Benj. F. Spicer, Arbitrators, to shew cause, if any they can, why they should not be fined and attached for their failure to return their award, returnable to first day of February term next.

Thomas J. Butler, Plff
vs.
R. N. Smiths Admr. Deft. } In Case.

Ordered That this cause be revived against J. C. Ralston, Sheriff of this county, and as such Admr of the Estate of R. N. Smith, dec'd, and continued until next term.

David Dorman, Plff
vs.
Michael Earmon, Deft. } In Case.

This day came again the parties by their Attorneys, and on

motion of the Defendant a Rule is awarded against Madison Wise, one of his witness, for his failure to appear at this term, returnable to the next term of this Court, and the cause is continued at his costs.

J. R. Jones &c, Pltff
vs
John R. Eastham, Deft. } In Debt.

First Nat. Bank of Wbg, Pltff
vs
David Linds, &c, Defts. } In Debt.

M. L. A. Houston's Admr. Pltff
vs
J. W. A. Houston's Admr. Deft } In Case.

same, Pltff
vs
same, Defts. } In Debt.

On motion of the Defendants, the above named causes are continued until the next terme, and at their costs.

John Koontz, Pltff
vs
John Silbert's Exor. Deft. } In Case.

Ordered That this cause be dismissed.

W. W. Slade, Pltff,
vs
Benjamin Hoover, Deft. } In Case.

Ordered That this cause be continued until next terme at the Plaintiff's cost, on his motion.

N. L. Shoup, Pltff
vs
Lemmons, Deft. } In Case.

Woodson's Exor. Pltff
vs
Wm. Rehard, Deft. } In Case.

Ordered that the above named causes be continued until next term, for award.

Emanuel Royer, Pltff
vs
James Roadcap, Deft. } In Case.

A. S. Gray, for &c, Pltff
vs
James Roadcap, Deft. } In Case.

On motion of the Defendant these causes are continued until next term, and at his costs, and a Rule is awarded against the Sheriff of Augusta county, for his failure to return subpoena for George Roadcap the Defendants witness to this term, returnable to the next terme of the Court.

Thomas Richards, Pltff
vs
Henry Foster, Deft, } In Case,

On motion of the Defendant this cause is continued until next term, and at his costs, and a Rule awarded against John Geary for his failure to attend at this terme as a witness in behalf of the Defendant, returnable to the next terme.

George Fawcett, Pltff
vs
Abram Long, &c, Defts. } In Detinue.

On motion of the Plaintiff this cause is

continued until next term and at his costs, and an Attachment is awarded against Wm. Sigler, F. N. Ritley and L. F. Gaither the Plaintiffs issues sutlefses for their failure to attend at this term under a Rule awarded at last term, returned executed, which Attachment is made returnable to the next term of this Court.

Grandeson M. Rogers, Pltff
vs
A. V. Wilson, &c, deffts. } In Case.

Same, Pltff
vs
Same, deffts. } In Case.

On motion of the defendants, the reference of these two causes to Arbitration, is set aside, and the trial continued until next term.

Isaah Shiflette Pltff
vs
Geo. S. Newlett, &c, deffts. } In Debt.

J. R. Crawford's Admr. Pltff
vs
Wm. P. Sites, deft. } In Debt.

Ordered that these two causes be dismissed agreed.

Joseph N. Stover, Pltff
vs
E. L. Lambert, deft. } In Case.

Ordered, that this cause be dismissed at the defendants costs.

Jacob Sipe's Admr. Pltff
vs
Anthony Rhodes, &c, deft. } In Covt.

Strayer, Nagey & Co, Pltff
vs
James N. Bell, deft. } In Case.

Peel & Stevens, Pltff.
vs
Jefferson Garrison, deft. } In Case.

Geo. Bruffy's Admr. Pltff
vs
J. N. Gordon, deft } In Case.

John A. Craven, Pltff
vs
Coffman's & Bruffy, deffts. } In Debt.

John M. Saufley, Pltff
vs
Wm. Collier, deft. } In Case.

John Q. Winfield, Pltff
vs
John Thomas, deft. } In Case.

James N. Bell, Pltff
vs
Henry Foster, deft. } In Case.

N. Dreyfous, Pltff
vs
Wm. C. Harrison, deft. } In Case.

W. M. Pool, Pltff
vs
Lincoln & Brewer, deft. } In Debt.

D. Pennybacker, Trustee, Pltff
vs
John P. Brock, deft. } In Case.

Dolson, Bro. & Co. Pltff
vs
I. Paul & Sons. deft. } In Case.

Pennybacker, Perry & Bro. Pltff.
vs
Isaac Paul, deft. } In Debt.

Joseph Sipe, Pltff
vs
R. M. Mooney deft. } In Debt.

Fletcher & Bro. & Co. Pltff
vs
R. B. Ragan, deft. } In Debt.

Jasper Shriver, Pltff
vs
Benjamin Shrunk, deft. } In Case.

Clotsworthy & Co, Pltff
vs
Miller & Co, deffts. } In Case.

R. P. Fletcher & Co, Pltff
vs
A. V. Brewer, deft. } In Debt.

Ordered That the foregoing causes be continued generally until the next term.

A. D. Huffman, Pltff. / John Robinson, jr. Deft. } In Case.

Linton & Lamott, Pltffs. / Hoffmans & Ruffy, Defts. } In Case.

Geo. A. Phares, Jr. Pltff / S. N. & M. D. Hoffman, Defts. } In Debt.

George Fawcett, Pltff. / Hoffmans & Ruffy, Defts. } In Case.

M. L. Wallowell & Co., Pltff / Geo. Ruffy's Admr. Deft. } In Case.

R. Glover's Admr. Pltff / G. M. Armentrout, Deft. } In Case.

J. C. Brock, Pltff / J. M. Ruffy, Deft. } In Case.

Archibald Alden, Pltff / Jacob Mercer, Deft. } In Case.

D. Pennybacker, Pltff / Giles Lewis, Deft. } In Case.

C. M. Sam, Pltff / G. L. Hopkins, Deft. } In Case.

E. J. H. Warren's Admr. Pltff / Gideon Reed, Deft. } In Case.

R. C. Fletcher Exr., Pltff / Martin Liskey, Deft. } In Debt.

A. L. Newton, Pltff / Strother Bright, Deft. } In Case.

John D. Wood, Pltff / G. Wood's Admr. Deft. } In Case.

Ordered That the foregoing causes be continued generally until next term.

Franklin Liskey, Pltff. / E. L. Lambert, Deft. } In Case.

Franklin Liskey, Pltff / Pantlow & Lambert, Defts. } In Case.

This day came the Defendants by their Attorneys, and the Plaintiff though solemnly called, came not, nor is his suits further prosecuted, Therefore, on the prayer of said Defendants, It is considered by the Court that they recover against the Plaintiff their costs by them in their behalf expended, the damages being waived.)

M. B. Smart, Pltff / Thomas Shumate, Deft. } In Case.

This day came the defendant by his attorney, and the Plaintiff though solemnly called, came not, nor is his suit further prosecuted, Therefore, on the prayer of said Defendant, It is considered by the Court, that he recover against the Plaintiff, $5.00 damages according to law, and his costs by him in this behalf expended.

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

James Kenney

At a County Court continued and held in and for the county of Rockingham, on Tuesday, November 25, 1873

Present:- Hon. James Kenney, Presiding.

L. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $67.10 for receiving, dieting and releasing John Green, Beverly Ray, Samuel Banks, Elizabeth Winegood & William Tolaver & Samuel Banks, 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.

Wm. Tankersley, Plff.
vs
Wm. H. Hudlowe, Deft. } In Debt.

This day came again the parties by their Attorneys, and the decision of the cause submitted to the Court, and having heard the same, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $32.00 the residue of the debt, with interest thereon from the 7th day of October 1863, till paid, subject to a credit of $2., and his costs by him, in this behalf expended since the former judgment.

John Reubush, Plff,
vs
Samuel Funkhouser's Admr. } In Case.

This day came again the parties by their Attorneys, and the Plaintiff moved the Court to set aside the verdict of the Jury rendered at the November Term last of this Court, and grant him a new trial - on consideration whereof, the Court doth set aside the verdict of the Jury and grant him a new trial upon the payment of the costs of the former trial, and the cause is continued until next term.

On the motion of Wm. H. Sites, Admr. of George Sites, deceased, It is ordered that the order made at the last August term of this Court, appointing Wm. L. Thompson a special Commissioner to settle the accounts of said Wm. H. Sites as Admr. of said George Sites, be so amended as to include the settlement of Benjamin Hoover as Receiver in the Chancery case of Hoover & Sites, &c. the funds in the hands of said Receiver belonging to the Estate of said George Sites.

S. W. Slade, Plff
vs
Benjamin Hoover, Deft. } In Case,

The non-residence of the Plaintiff being suggested, on motion of the Defendant, a rule is awarded against the Plaintiff for security for costs.

Wm. A. Harris, Plff
vs
Pet. Carpenter, Deft. } In Debt.

David Link, for &c, Plff,
vs
Pet. Carpenter, Deft. } In Debt.

It appearing that the Deft. has intermarried with one Jay Potter, It is ordered on motion of the Plffs that the above causes be revived against said Potter & the trial continued & mutual next term.

Jonathan Peale, Plff. @ Wm P. McCall, deft. } In Debt. | Jonathan Peale, Plff. @ Wm P. McCall, deft. } In Debt. | Richard Thompson Plff @ Jm. C. Morrison, deft. } Case.

On motion of the Plaintiffs the above causes are continued until next term, and at their costs.

On motion of the Trustees of Rockingham Union Lodge No. 27, Ancient Free & Accepted Masons, (N. P. Wartmann & Others) the Attorney for the Commonwealth being present and defending the motion, and the Assessor of Centre Township examined as a witness, it appearing to the Court that the Real and Personal Estate of the said Lodge of Masons is exempted from taxation by the laws of this Commonwealth (Acts 1870 & 1871 & 1872) It is ordered that the Assessment made against the same be stricken from the Assessor's Books of said Township, and the same be certified to the Auditor for correction of the Books in his office.

Charles E. Haas, Trustee in a certain Deed of Trust, executed on the 16th day of February 1872, by A. B. Lupton, for the benefit of Margaret D. Kuston, this day appeared in Court, and declined further to act as said Trustee, and on the motion of said A. B. Lupton, the Court doth substitute and appoint Joseph P. Hyde Trustee in said Deed of Trust, in the place of said Charles E. Haas.

John P. Brock, Plff. @ Nelson Sprinkel, Deft. } In Case. | John W. Stewart, Plff. @ D. Pennybacker, Deft. } In Case. | Hoffmans & Buffey for to, Plff. @ Pet. Carpenter, Deft. } In Debt,

E. J. Sullivan, Plff. @ Thos Harrison's Exrs. Deft. } In Debt. | Abm. Ludwig, Plff. @ Isaac Fulk, Deft. } In Case. | S. M. Yost, Plff. @ J. N. Wartmann & Co Deftn. } In Case,

Mary J. Johnston, Plff. @ Jacob Kutshall, Deft. } In Debt. | Israel B. Burner, Plff. @ J. Bird Eastham, &c, Defts. } In Debt. | W. D. Leap, Plff. @ Z. D. Gilmore, Deft. } Trespass.

same, Plff. @ same, Deft. } In Debt. | John W. Stewart, Plff. @ Jos & M. J. Garrier Defts. } In Case. | Joseph W. Many, Plff. @ Joseph N. Hammer, Deft. } In Case.

Greers Fellows & Son, Plff. @ F. R. Davis, Deft. } In Case. | John W. Stewart, Plff. @ J. C. Thompson Adm. Deft. } In Debt. | Peter Paul, Plff. @ John Robinson, Deft. } In Case.

W. W. Cropp, Plff. @ J. N. Burke, Deft. } In Case. | Anthony Rhodes, Plff. @ O. & M. R. R. Co's. Deft. } In Case. | Madison West, Plff. @ Jackson Many, Deft. } Trover,

Ordered That the foregoing causes be continued generally until next term.

John Hedrick, Plff. @ John Schmidtt, Deft. } In Case.

Ordered, That this cause be dismissed agreed.

John H. Rhodes, Pltff,
vs
Jacob P. Rhodes, deft. } In Case.

On motion of the Plaintiff, this cause is continued until next term, and at his costs.

H. B. & A. L. O'Brien, Pltff
vs
J. H. Windborough, deft. } Trespass.

The non-residence of the Plaintiffs being suggested, a Rule is awarded against them for security for costs, on motion of the Defendant and the cause continued until next term.

Jacob Hambleton's Admr. Pltff
vs
John R. Koogler, deft. } In Debt

On motion of the Plaintiff, this cause is revived against Jacob L. Sickert and Jacob Lundore, Admrs of John R. Koogler, dec'd

S. J. Butler, Pltff,
vs
Thomas Washington, deft. } In Debt.

On motion of the Defendant this cause is continued until next term, and at his costs.

J. W. Hill's Admrs. Pltff
vs
D. M. Huffman, deft. } In Case.

On motion of Plaintiff this cause is revived in name of J. S. Hambleton, Admr of J. W. Hill, dec'd and continued until next term.

Marquis D. Kelly, Pltff
vs
John A. Hartmann, deft. } In Case.

On motion of the Plaintiff this cause is revived against John Paul, assignee of John A. Hartmann, and continued until next term on motion of Defendants.

Lucie E. Eastham, Pltff,
vs
James Steele, deft. } In Case.

Ordered, That this cause be revived in name of Wm. H. Browning, who has intermarried with the Plaintiff, and the cause continued until next term.

P. R. Harrison's Admr. Pltff
vs
J. A. Hartmann, surv. deft. } In Debt.

On motion of the Plaintiff this cause is revived against John Paul, assignee of John A. Hartmann,

James Bolton, Pltff,
vs
J. M. Liggett, surv. &c. Defft. } In Debt.

Ordered That this cause be continued for award.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Wednesday, November 27, 1872.

Present:- Hon. James Kenney, Presiding.

On the motion of A. C. Long, It is ordered That the Estate of Marcus Lawson be committed to the Sheriff of Rockingham County, James P. Ralston, for administration.

c/s. George W. Tabb this day presented in Court an Account against the County of Rockingham, amounting to the sum of $15.62 for Stone, &c, for Court House, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

c/s. Dr. Gordon S. Williamson this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.50 for medical attendance to John Cameron, convicted of murder, and whilst in custody, 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.

James M. Armentrout, Pltff
vs
B. F. Armentrout, Defft. } In Debt.

This day came again the parties by their Attorneys, and the Defendant by his Attorney, waived his plea by him heretofore pleaded, It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $732.00 with interest on $366.00 part thereof from the 1st day of April 1870, and on $366.00 the residue thereof from the 1st day of April 1871, till paid, and his costs, by him in this behalf expended.

J. N. Wartmann & Co, former of Loewenbach, Mrs. A. Keller, Pltffs. } In Case,
vs
N. Dreyfous, Defft.

This day came again the parties, by their Attorneys, and the cause submitted to the decision of the Court, and fully heard the same, It is considered by the Court that the Plaintiffs recover against the Defendant, the sum of $32.50 with interest from April 21, 1870, subject to a credit of $20.13 defendants offsets, of same date, and his costs, by him, in this behalf expended.

Jeboulon D. Gilmer, Plff

vs. } In Assumpsit.

S. A. Coffman, deft.

This day came again the parties by their Attorneys, and neither party requiring a Jury, all matters of law and fact were submitted to the decision of the Court, and having fully heard the evidence and argument of counsel, It is considered by the Court that the Plaintiff recover against the Defendant, the sum of $125.00 Damages, with interest thereon from the 21st. day of November 1866, till paid, and his costs, by him in this behalf expended.

T. J. Mellans, Plff,

vs. } Appeal a motion.

A. C. Sterling, late Sheriff of Rockingham County, and L. H. Gambill, Nelson Sprinkel, John Scanlon, B. F. Armentrout, Henry Neff, William D. Rodeffer, John M. Wartmann, Joseph W. Manzy, S. R. Allebaugh, F. Liskey & S. R. Sterling, his sureties, deffts.

This day came again the Plaintiff, by his Attorney, and moved the Court for judgment and award of Execution against the Defendants for the sum of $486.00 with interest thereon from the 13th day of April 1869, and the further sum of $5.31 and $5.23 with interest on the two last named sums from the 2nd day of June 1869, (subject to a credit March 19th 1870, of $350.00). and it appearing that an Execution for said sum of money went into the hands of J. W. Manzy, deputy for said A. C. Sterling Sheriff of Rockingham County, on the ___ day of June 1869, which Execution issued from the Clerks Office of the County Court of Rockingham on the 31st. day of May 1869 against James M. Weaver, and directed to said Sheriff of Rockingham County, and it further appearing that said Manzy deputy as aforesaid has collected from said Weaver the sum of $350.00 as of date March 19, 1870, It is considered by the Court that the Plaintiff have judgment and execution against L. H. Gambill, Nelson Sprinkel, John Scanlon, B. F. Armentrout, Wm. D. Rodeffer, John M. Wartmann, S. R. Allebaugh, Franklin Liskey, S. R. Sterling and Henry Neff, the sureties of said A. C. Sterling Sheriff as aforesaid, who have had due notice of this motion, for the said sum of $486.00 with interest thereon from the 13th day of April 1869, and for the further sum of $11.24 with interest thereon from the 2nd day of June 1869, till paid, (subject to a credit of $350.00 aforesaid, as of date March 19, 1870, and his costs, by him in this behalf expended.

George W. Shaver, for &c, Plff

vs. } In Debt.

Henry Shaver, deft.

This day came again the parties by their Attorneys, and thereupon came a Jury to wit- John G. Ragan, Samuel Bedrick, C. W. Strayer, A. S. Davis, C. W. Showalter, J. L. May, B. F. Bickhimer, Edward Beatty, James Long, John L. Effinger, John K. Eastham and Nathaniel Flook, who being elected, tried and sworn the truth to speak upon the issue joined 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 Plaintiff One Hundred & forty-one Dollars, with interest from March 1. 1863, part of the debt in the declaration demanded, the same being confederate contract." It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $141.00 with interest thereon from March 1, 1863, till paid, and his costs, by him in this behalf expended.

Walter A. Wood, Pltff
vs } In Debt.
W. W. Beery deft.

This day came again the parties by their Attorneys, and thereupon came a Jury, to wit:- John G. Ragan, Samuel Hedrick, C. W. Shafer, S. A. Davis, C. W. Showalter, J. L. May, B. F. Bilhimer, Edward Monty, James Long, John S. Effinger, John R. Eastham & Nathaniel Flook, who being elected, tried and sworn the truth to speak upon the issue joined 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." It is therefore considered by the Court that the Defendant go hence without day, and recover his costs against the Plaintiff by him in this behalf expended.

W. M. Jordan's Adm'r. Pltff
vs } In Debt.
Samuel E. Long, deft.

W. M. Jordan's Adm'r. Pltff
vs } In Debt.
Peter Paul, sen'r. deft.

On motion of the Defendants, these causes are continued until next term, and at their costs.

John A. Fishback, Pltff
vs } In Case.
Samuel E. Long deft.

The non-residence of the Plaintiff being suggested, on motion of the Defendant, a rule is awarded against him for security for costs, and the trial continued until the next term.

James M. Armentrout Pltff
vs } In Debt.
A. D. Armentrout, deft.

A. S. Gray for c, Pltff
vs } In Debt.
John Mefferly, deft.

same, Pltff
vs } In Debt.
same, deft.

same, Pltff
vs } In Case.
same, deft.

Henry B. Jones, Pltff
vs } In Debt.
Henry C. Beery, deft.

Nichols & Shepherd, Pltffs,
vs } In Case.
John R. Jones Ex's, Defts.

Keen & Haggerty, Pltff
vs } In Case.
A. C. Lincoln, deft.

Zachariah Lee, Pltff
vs } In Case.
Wm. Beard, deft.

Isaac Bunk's Ex'r Pltff
vs } In Debt.
A. J. Johnson, deft.

W. M. Jordan's Adm'r. Pltff
vs } In Debt.
Speck & Altaffer, deft.

Gilleans M. Dailey, Pltff,
vs } In Debt
Richard H. Austin & c, Defts.

Saml. E. Long for c, Pltff
vs } In Debt.
James F. Bowman, deft

Ordered That the foregoing causes be continued generally until next term.

Upon a motion to correct an Erroneous Assessment made by the Assessor for Elk Run Township against A. J. Johnson - upon the hearing of which motion the said Assessor was examined as a witness, and the Attorney for the Commonwealth appearing and defending the same, it appearing to the Court that the said A. J. Johnson is erroneously charged with 62 Acres of Land lying in Peaked Mountain, which belongs to Benjamin & Wm. Lookes, and is already charged to them on the Land Book of 1872 and valued at $93.00, and also to correct an erroneous assessment against said A. J. Johnson of 5 Acres of Land, described as in or near McGaheysville on said Books of 1872, which it appears to the Court belongs to Mrs. P. Mcauley and Ked children, and which latter lies in Stonewall Township - the Court being of opinion that said error occurred without any fault of the said A. J. Johnson, or any refusal on his part to give correct lists of his property for assessment doth order that the said Assessments be corrected, and that the said A. J. Johnson be relieved from the payment of the taxes thereon to-wit 96 cents assessed against the 62 Acres, and 82 cents assessed against the 5 Acres, and that the latter be transferred to the Assessors Books for Stonewall Township, and charged to proper parties.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday November 28, 1872.

Present: Hon. James Kenney, presiding.

This day came D. D. Wartmann & others, Trustees of the Masonic Hall Association in the town of Harrisonburg, who alleges that they are aggrieved by an entry in the land book made by James D. Vanpelt, Assistant Assessor of Harrisonburg Township for said county in the years 1871 & 1872, whereby they are charged with $29.68 taxes for the year 1871 & $33.75 taxes for the year 1872, on the Masonic Lodge building, lying in the town of Harrisonburg; and thereupon the said D. D. Wartmann & others, Trustees &c, moved the Court to exonerate them from the payments of $29.18 (to-wit: $21.50 State Tax - $2.15 County Levy - $4.30 Railroad Tax & $1.23 Co. School Tax) taxes for the year 1871, and of $33.75 (to-wit: $22.50 State Tax - $4.50 County Levy & $6.75 Railroad Tax,) taxes for the year 1872, so erroneously charged against them for said years of 1871 & 1872; which motion was defended by John Paul, Attorney for the Commonwealth for said County, and the said James D. Vanpelt the Assistant 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, was certified by the Clerk of the County Court of this County on the ___ day of ___ 1871 & on the ___ day of ___ 1872, and that application for redress against these erroneous entries was made on this day for the first time; and it appearing that the Real & Personal Property of the said Lodge of Ancient Free & Accepted Masons is exempted from Taxation by the

laws of this Commonwealth (Acts 1870 & 1871 & 1872) 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 N. T. Wartmann & others Trustees, &c. are erroneously charged on said books, with taxes amounting to the sum of $29.68 for the year 1871 & $33.75 for the year 1872; whereupon it is ordered that the said N. T. Wartmann, &c. Trustees be exonerated from the payment of, $29.68 & $33.75 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to them.

A. J. Wall having this day presented in Court the recommendation of the Common Council of the town of Harrisonburg, applied for leave to keep an Ordinary, and to retail spirituous liquors, wines, &c, at the Virginia House in the town of Harrisonburg, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and will probably keep such an house as the law requires, It is ordered that a certificate be granted him to obtain License to keep such Ordinary, and also to retail Spirituous Liquors, &c, under Merchants' Retail Liquor License, until May 1, 1873.

cfpid.

On motion of Daniel A. Ruffner, Trustee, the Estates of Augustus Waterman and S. M. Hunter are committed to the Sheriff of this County, James P. Ralston for administration.

Weilles & Bro, for &c, Pltff
vs
John C. Woodson, Deft. } Inv. Debt.

This day came again the parties by their Attorneys, and the Defendant filed his plea that he did not assume upon himself in manner and form as the Plaintiffs against him has declared, within five years next before the day of the issuing of the original writ in this cause, to which the Plaintiff replied generally, and thereupon came a Jury of seven, by consent, to wit: John S. Effinger, Samuel Sedwick, L. A. Davis, P. H. Strayer, Edward Koontz, B. F. Behrman, J. L. May and James Long, who being elected, tried and sworn the truth to speak upon the issue joined, and having fully heard the evidence and the 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 Plaintiff Eighty six Dollars and 52 cents, with interest from October 25, 1865." It is therefore considered by the Court that the Plaintiffs recover against the Defendant the sum of $86.52 with interest thereon from the 25th day of October 1865, till paid, and their costs, by them in their behalf expended.

For reasons appearing to the Court, the order made at a former day of this term upon the petition of Noah A. Royer and others, on motion of petitioners, is set aside

cfpid.

Upon the petition of Noah A. Royer and others, the Court doth appoint Jonathan Miller, Samuel Good and Reuben Kisling, as viewers, to view the ground and to report to the Court, in accordance with law, upon the following proposed change in the road leading from the public road that leads from the Rockingham Turnpike at Montevideo, by Cyrus Pence's to Ammon's mill, viz: change the direction so as to run

from mouth of Noah A. Royer's lane with the line of Columbia & John Royer straight through the lands of William Britt & Nicholas Hyger, to the mouth of the lane between Cornelius Armentrouts and Lewis, Melhorn & Co.

James M. Armentrout, Pltff
vs
A. D. Armentrout deft. } In Debt.

James M. Armentrout, Pltff
vs
A. D. Armentrout, deft. } In Debt.

The order made on yesterday continuing this cause generally until next term, is set aside, and it is ordered that the same be dismissed agreed, and on motion of the Plaintiff, leave is given him to withdraw the bond, by leaving an attested copy thereof in the papers of the cause.

John Mively, Pltff
vs
Laban Profet. deft. } In Debt.

Joseph McKey Exor. Pltff,
vs
John J. Roller, deft. } In Debt.

Thos. J. White, for &c. Pltff,
vs
Celia Ann Airey, deft. } In Case.

Ordered That the foregoing causes be continued generally until next term.

C. M. Duff, assignee, Pltff
vs
John M. Mill's Admr. deft. } In Case.

Ordered That this cause be revived against J. S. Hannaberger, Admr. of J. M. Mill, dec'd.

John M. Mill's Admr. Pltff
vs
Reuben Bonds, deft. } In Case.

Ordered That this cause be revived in name of J. S. Hannaberger, Admr. of J. M. Mill, dec'd.

C. M. Peale, for &c, Pltff,
vs
A. B. Snick, deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury, to wit:- John L. Effinger, Samuel Hedrick, S. A. Davis, Edmund Kenny, B. F. Bilhimer, J. L. May & James Long, who being elected, tried and sworn the truth to speak upon the issue joined, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday November 29, 1872.

Present:- Hon. James Kenney, presiding.

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 Forty Dollars for prosecuting, at this term of the Court in three cases of Felony, to wit:- Commonwealth & Willis Gordon, same & Madison Snowden, same & Beverly Ray, and for prosecuting to conviction in two cases of misdemeanor, to wit, Commonwealth & Alias Absalom Lawson and same & Samil Banks.

Apld

Ordered That the Treasurer of Rockingham County, pay to John Paul, Atty. for the Commonwealth, the sum of $41.66⅔ for his services in this Court for the month of November 1872.

Apld

On motion of Samuel C. Williams, who has been for a term appointed by the Governor of Virginia, a Notary Public in and for the County of Rockingham County, leave is given him to renew his bond, and thereupon he appeared in Court, and together with D. N. Roleton, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court a bond in the penalty of Five Hundred dollars, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said Samuel C. Williams took the several oaths prescribed by law.

√

Geo. W. Shaver, for &c, Pltff
vs
Henry Shaver, Deft. } In Debt.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict of the Jury and the judgment in this cause, and grant him a new trial, which motion, on consideration whereof, the Court doth overrule.

Apld

O. P. Nefshenstein this day presented in Court an Account against the County of Rockingham, amounting to the sum of $4.25 for stove pipe, &c., and putting up stove in Court House, which being proven to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this county for payment.

James M. Armentrout, Pltff
vs
A. D. Armentrout, Deft. } In Debt.

James M. Armentrout, Pltff
vs
A. D. Armentrout, Deft. } In Debt.

Ordered, That the order made on yesterday in these causes be so amended that they be dismissed at the Defendants costs, and on motion of the Defendant, leave is given him to withdraw the bonds, by leaving attested copies thereof in the papers of the cause.

Jasper Hawse, Admr. of Abm. Wenger, decd, Pltff,
vs
Calvin Wood, Deft. } In Debt,

This day came again the Plaintiff by his Attorney and the cause submitted to the decision of the Court, and having heard the same, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $40.00 the balance of the debt in the declaration demanded, with interest thereon from the 9th day of November 1865, till paid, and his costs by him in this behalf expended since last judgment.

C. M. Peale, for &c, Pltff,
vs
N. B. Strick, Deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came 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 not being able to agree upon a verdict, S. A. Davis, one of the Jurors was withdrawn, and the rest from rendering a verdict discharged, and the trial of the cause continued until next term.

John S. Harris, Pltff
vs
David Linaweaver, &c, Defts. } Upon a motion to quash an Execution sued out Clerk's office of Co. Ct. by Defts vs John Conner & Jno. S. Harris.

By consent of parties, by counsel, this cause is ordered to be placed on the Court's Docket, without notice to Defendants, and is continued on motion of the Plaintiff.

D. Pennybacker, Pltff
vs
John P. High, Deft. } In Debt.

This day came again the parties by their Attorneys, and neither party requiring a Jury, this cause was submitted to the decision of the Court, and having fully heard the same, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $108.56¾ with interest on $38.76¾ part thereof from the 8th day of December 1838, and upon $69.80 the residue thereof from the 8th day of February 1841 till paid, and his costs by him in this behalf expended.

Memo:- Upon the trial of this cause, the Defendant by his counsel, excepted to the judgment of the Court and tendered his bill of exceptions which is in words and figures following, to wit:- "Pennybacker vs High - In Debt, &c," which he prays may be signed, sealed and enrolled, which is accordingly done.

S. R. Allebaugh, Admr. of Eli Sutwiler (Peter Hile), decd, Pltff,
vs
Peter Hile, Deft. } Issue.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, to wit, by consent, viz:- P. W. Strayer, John S. Effinger,

John G. Ragan, Cyrus Wise, R. A. Scott, Joseph Dettor and A. L. Rohr, who being elected, tried and sworn the truth to speak upon the issue joined, and having fully heard the evidence and the 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," and thereupon it is considered by the Court that the Defendant go hence without day, and recover against the Plaintiff his costs by him in this behalf expended.

Norvell Cobb, Pltff
vs
J. O. Effinger, Deft. } In Case.

On motion of the Defendant, this cause is continued until next term and at the cost of the Defendant.

J. W. Hill's Admr. Pltff,
vs
Peter Paul, Deft. } In Case, & In Debt.

On motion of Plaintiff these causes are revived in name of J. S. Hamsberger, Admr. of J. W. Hill, dec'd, and continued generally until next term.

Kuttman Bro, Pltffs,
vs
Wm. G. Shaver, &c, Defts. } In Debt.

A Rule having been awarded against the Plaintiffs, at the May Term last, requiring them to give security for costs, and they having failed to do so, on motion of the Defendants, the same is dismissed.

C. W. Duff, assignee, Pltff,
vs
J. W. Hill's Admr. Deft } In Debt.

J. W. Hill's Admr. Pltff
vs
Reuben Bondo, Deft } In Case

Richard Robinson, Pltff,
vs
Israel Winnick, Deft. } In Case.

James Williams, Pltff
vs
E. J. Sullivan, Deft. } In Case.

Britton & Bro, Pltff
vs
Saml. A. Coffman, Deft. } In Case.

I. G. Coffman's Extr. Pltff,
vs
Martin Sidney, Deft. } In Debt.

James Bolton, Pltff,
vs
Nathaniel Hook, &c, Defts. } In Debt.

Saml. W. Pollock, Pltff,
vs
J. W. Hill's Admr. Deft. } In Case.

Ordered, That the foregoing causes be continued generally until the next term.

Elizabeth Keyser, Pltff
vs
Henry Hale, Deft. } In Case,

Ordered That this cause be dismissed.

Peter Kile, Pltff
vs
Eli Intrile's Admr. Defts. } In Case,

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to-wit:- L. W. Showalter, Saml. Kedrick, S.A. Davis, Edward Koontz, B.F. Bichimer, J.L. May & James Long, who being elected, tried and sworn the truth to speak upon the issue joined 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 Plaintiff, and assess his damages at $92.21 Ninety-two dollars & twenty-one cents, with legal interest on $85.00 part thereof from the 29th. December 1860 till paid, It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $92.21, with interest on $85.00 part thereof from the 29th. day of December 1860 till paid, and his costs, by him in this behalf expended.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Saturday, November 30, 1872.

Present:- Hon. James Kenney, presiding.

George J. Kisling County Surveyor this day presented in Court an Account against the County of Rockingham, amounting to the sum of $6.00 for 2 days services in surveying Road from Old Furnace Road to Franklin Liskey's which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.
spid.

Benjamin F. Miller, special Constable presented in Court an Account against the Commonwealth amounting to $1.00 for summonsing 5 witnesses @ 20¢ each, in case of Comm'th. vs Willis Gordon charged with Rape, before J. M. Crane, Justice of the Peace, which service being certified by said Justice to this Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.
spid.

Cyprus Rhodes, Pltff
vs
A. W. Brown's Admr. Defts. } In Case,

On motion, the Plaintiff has leave to amend his declaration, and the trial is continued until next term.

Suttman Les.
vs
Wm. G. Shaver &c. } In Debt.

Ordered, That the order dismissing this cause on yesterday, be set aside, and the cause is continued until next term, at the cost of the Plaintiff.

c/pica d.

A. J. Nicholas, Sergeant of the town of Harrisonburg this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.00/100 for arresting & summoning witnesses in cases of James Goodloe, Gabriel Monroe, Archy Oldew, Madison Snowden, Elizabeth Winegord & Willis Gordon, charged with felony, which being sworn to in Court, was examined and allowed and ordered to be certified to the Auditor of Public Accounts for payment.

Margaret Miller, Pltff
vs
F. M. Kirtley, &c, Defts. } In Debt.

This day came again the parties by their attorneys, and the defendant withdrew his demurrer to Plaintiff's declaration, and waived his plea by him heretofore pleaded. It is therefore considered by the Court that the Plaintiff recover against the Defendants the sum of $131.50 with interest thereon from the 11th day of July 1871 till paid, and her costs by her in this behalf expended.

A. D. Armentrout, Pltff
vs
Wm R. W. Mefick, Admr. de bonis non of Gesner Mefick, dec'd. Defts. } In Debt.

This day came again the parties by their Attorneys, and the decision of the cause was submitted to the Court, and having heard the same, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $180.00 with interest thereon from the 8th day of March 1870, till paid and his costs by him in this behalf expended, to be levied of the goods and chattels of the Intestate in the hands of his Administrator, when assets.

D. Pennybacker, Pltff
vs
Wm H. Shoemaker, &c, Defts. } Upon a motion.

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

Saml R. Allebaugh, Admr of Eli Intuiler dec'd, Pltff
vs
Peter Hile, Defts. } Issues.

Memo:- Upon the trial of this cause the Plaintiff by his counsel excepted to the opinions of the Court, and tendered his two bills of exceptions, No. 1 & 2, which are in the words and figures following to wit "Intuiler's Admr vs Peter Hile &c, (No. 1) & "Eli Intuiler's Admr vs Peter Hile" (No. 2,) which he prays may be signed, sealed and enrolled, which is accordingly done.

Joseph Jackson, Pltff
vs
C. F. Dietrow, Defts. } In Debt.

This day came again the parties by their Attorneys, and by consent of parties, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $65.50 with interest thereon from the 22nd day of June 1870, till paid, subject to the following credits- $13.50 as of Dec. 1, 1871- $12.50 as of Feby 26, 1872 & $6.25 as of April 24, 1872, and his costs by him in this behalf expended and the cause continued as to $6.50 the residue, until next term.

Simmon Whiteell, for &c, Pltff
vs
John R. Keagy, Deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of recorey, by consent, to wit:- John S. Effinger, Edward Beatty, C. H. Showalter, Joseph Detter, S. A. Davis, J. L. May & Saml. Hedrick, who being elected, tried and sworn the truth to speak upon the issue joined, 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 Plaintiff." It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $54 cts the debt in the declaration demanded, with interest thereon from the 3rd day of October 1867, till paid, and his costs by him in this behalf expended.

Memo:- Upon the trial of this cause, the Plaintiff excepted to the opinion of the Court, and tendered his bill of exceptions, which is in words & figures following, to wit:- "Whiteel, for &c, vs Keagy &c &c." which he prays may be signed, sealed and enrolled, which is accordingly done.

John Showalter, Pltff
vs
D. S. Roller & John J. Roller, Defts. } Upon a Bond executed for the purchase of property at Sheriff's sale, under Act of Assembly, passed May 28, 1870, entitled &c."

This day came again the Plaintiff by his Attorney, and the Defendants though solemnly called, came not; thereupon the Notice was proved, and it is considered by the Court that the Plaintiff recover against the Defendants the sum of $122.21 with interest thereon from the 25th day of August 1871, till paid, and his costs by him in this behalf expended.

John Cunningham Pltff
vs
Sprinkel & Bowman, Defts. } In Case.

Upon the calling of this cause C. T. O'Ferrall appeared and entered as security for costs for Plaintiff, and on motion of the Plaintiff the trial continued until next term, and at his costs.

Bartlow & Lambert, Pltff
vs
John Bowman, Deft. } In Debt.

James A. alias Ja. H. Henderson, Pltff
vs
Thomas M. Bite, Deft. } In Debt.

J. M. Stinson, Pltff
vs
Anthony Hockman, Deft. } In Case.

Theodor Frick, Pltff
vs
J. P. Effinger, Deft. } In Case.

W. G. Bausemer Exo, Pltff,
vs
F. R. Davis, Deft. } In Debt.

J. C. Ammons adm. Pltff
vs
Harrison Riddle, &c, Defts. } In Debt.

D. D. Dovel's adm. Pltff
vs
John C. Walker, &c, Defts. } In Debt.

Jesse Ralston's adm. Pltff
vs
Lincoln & Bro. Defts. } In Case.

Ordered, That the foregoing causes be continued until next term, on motion of the Defendants, and at their costs.

Walter A. Wood, Pltff
@
Thomas Washington, Deft. } In Debt

Walter A Wood, Pltff
@
Thomas Washington, Trustee, &c, Deft. } In Debt

Same, Pltff
@
Same, Deft. } In Debt,

Same, Pltff
@
Same, Deft. } In Debt,

Upon the calling of the foregoing causes, the Defendant by his Attorney, moved the Court to award a Rule for security for costs against the Plaintiff he being a non-resident, whereupon C. E. Haas & B. G. Patterson appeared and entered as security for costs for the Plaintiff.

J. C. Homan, Pltff
@
B. F. Lincoln's Exor. Deft. } In Case,

Upon the calling of this cause, the death of the Plaintiff was suggested, and the trial continued until next term.

A. C. Rohr, Pltff
@
James T. Anthony, Deft. } In Case,

George F. Fennhouser, Pltff
@
George K. Brigham, Pltff. } In Case,

Julia Ann Devor, Pltff.
@
Strother Sheets, &c., Deftts. } Trespass,

Peel & Stevens, Pltff,
@
S. J. Hamsbergers Comm. Deft. } In Case,

On motion of the Plaintiffs the foregoing causes are continued until the next term, and at their costs.

Robert M. Bunts, Pltff,
@
Addison Royer, Deft. } In Debt,

This day came again the parties by their Attorneys, and the Defendant waived his plea by him heretofore pleaded, It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $ 54.40 with interest thereon from the 2nd day of November 1862 till paid, and his costs, by him in this behalf expended, subject to a credit of $ 25.00 as of date June 7, 1867.

Peter Mile Pltff
@
Eli Intrivleis Admr. Deft. } In Case.

On motion of the Plaintiff a Rule is awarded against his witnesses for their failure to appear at this term, returnable to next term of the Court, and the cause continued until next term at his costs.

Jacob Dinkel, Pltff
@
George W. Berlin, Deft. } In Debit,

This day came again the parties by their Attorneys, and the De-

fendant waived his plea by him heretofore pleaded, It is therefore considered by the Court, that the Plaintiff recover against the Defendant the sum of $1.19 cts with interest thereon from the 4th day of December 1871, and $2.38 charges of protest, with interest thereon from said date, till paid, and his costs by him in this behalf expended.

George W. Berlin, for &c, Pltff.,
vs
Enoch Fox, Deft. } In Debt.

This day came again the parties by their Attorneys, and the Defendant, by his Attorney, waived the plea by him heretofore pleaded, It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $91.00 the residue of the debt in the declaration demanded, with interest thereon from the 22nd day of January 1869 till paid, and his costs by him in this behalf expended, since last judgment.

Thomas J. Huggins, Pltff,
vs
John C. Morrison, Deft. } In Case.

This day came again the parties by their Attorneys, and it appearing to the Court that since the institution of this action the Defendant has paid the Plaintiff the amount demanded in his declaration, with interest, It is considered by the Court that the Plaintiff recover against the Defendant his costs by him in this behalf expended.

Michael N. Lee Pltff vs Henry Neff, Deft. } In Case.	A. L. Wenton, for &c, Pltff vs Joseph Sterne, &c, Defts. } In Debt.	D. L. Stouffer, for &c, Pltff vs D. Pennybacker, Deft } In Debt.
S. M. Jones & Bro, Pltff vs John F. Sale, Deft. } In Case.	Mrs P. McCall, Pltff vs D. Stinespring, &c, Defts. } In Debt.	John Lee, for &c, Pltff, vs E. L. Huffman, Deft. } In Debt.
South. Mut. Ins. Co. Pltff vs Jr. F. Williams, Deft. } In Debt.	James Magalis, Pltff vs A. P. Wolfhenstine Deft. } In Case.	John Letton, Pltff vs Joseph Letton, Deft. }
Allen Devier, Pltff vs Dewitt C. Rogler, Deft. } In Case.	A. L. Wagner, Pltff vs M. F. Lewis, Deft. } In Debt.	Samuel Shacklett, Pltff. vs S. A. Long, Deft. } In Debt.
John Rodes, Pltff. vs Maggie L. Wenton, Deft. } In Debt.	Mary E. Swecker, Pltff vs Geo. W. Berlin, Deft. } In Debt	

Chas. Nicholas Adm. for &c, Pltff.,
vs
John Easthams Admr, Deft. } In Debt.

Ordered that the foregoing causes lie continued generally until the next term.

Wm. Pickerd, Pltff
vs
John Seedy, Deft. } In Case.

On motion of the Defendant a Rule is awarded against Wm. W. Gay, his witness, for his failure to appear at this term of the Court, returnable to next term, and the trial of the cause continued at his costs, until next term.

Wm. N. Mumaw, Pltff
vs
A. D. Miller, Deft. } In Case.

Josiah W. Gitt, Pltff
vs
A. J. Warfield, Deft. } In Case.

A. J. Warfield, Pltff
vs
Josiah W. Gitt, Deft. } In Case.

This day came the parties by their attorneys, and the Defendants by their attorneys, filed their pleas of non assumpsit, to which the Plaintiffs replied generally. It is thereupon considered by the Court that the office judgments in the foregoing causes be set aside, and the trial of the issues continued until the next term.

J. O. Effinger, Pltff
vs
A. J. Warfield, Deft. } In Debt.

Ordered that this cause be dismissed.

Michael D. See, Pltff,
vs
Martin Garber, Deft. } Trespass.

This day came the parties by their attorneys, and the defendant filed his plea of "not guilty" to which the Plaintiff replied generally. It is thereupon considered by the Court that the office judgment be set aside and the trial of the issue continued until the next term; and the non-residence of the Plaintiff being suggested, on motion of the Defendant a Rule is awarded against him for security for costs.

Jesse Mitchell, Pltff
vs
David Freed, Deft. } In Case.

This day came the parties by their Attorneys, and the defendant filed his plea of non assumpsit and set-off, to which the Plaintiff replied generally. It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until next term, and leave is given the Defendant to file additional pleas; and the non-residence of the Plaintiff being suggested, on motion of the Defendant a Rule is awarded against him for security for costs.

E. W. Pollard, for &c, Pltff
vs
Wm. Showalter, &c, Defts. } In Debt.

This day came the parties by their attorneys, and the

Defendant filed his plea of payment, to which the Plaintiff replied generally, and leave is given the Defendant to file additional pleas. It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

O. C. Sterling, for &c, Pltff,
&
James Steele, &c, Defts, } Inv Covenant.

This day came the parties by their Attorneys, and the defendants filed their plea of Covenant performed, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

Jacob Holsinger, for &c, Pltff,
&
David Holsinger, Defts. } Inv Covenant.

This day came the parties by their Attorneys, and the Defendant filed his plea of Covenant performed and Covenant not broken, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

James Bolton, Pltff
&
Nathaniel Hook, &c, Defts. } Inv Debt.

This day came the parties by their Attorneys, and the defendants Hooker's Bankruptcy being suggested, to which the Plaintiff replied generally, It is considered by the Court that the office judgment as to said Hooker be set aside, and the trial of the issue continued until next term.

J. N. Bruffy, Pltff,
&
J. H. F. Allemong, Defts. } Inv Lease.

This day came the parties by their Attorneys, and the defendant filed his pleas of "nil debit and non assumpsit", to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

John Bowman, jr, Pltff
&
Thos. C. Bacchorles, Defts. } Inv Lease.

Ordered That this cause be remanded to Rules for declaration.

Wm. Carpenter's Adm, Pltff,
&
Nelson Andrew, &c, Defts. } Inv Debt.

This day came the parties by their Attorneys, and the Defendants filed their pleas of payment and set-offs, to which the Plaintiff

replied generally, and leave is given the Defendant to file additional pleas, It is therefore Considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

Ordered that the following named Jurors be allowed the sums opposite their names for their services during this term of the Court in the trial of misdemeanor cases, and that the same be certified to the Auditor of Public Accounts for payment, viz:-

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Samuel Hedrick,	$4.00 x	C. W. Showalter,	$6.00 x	Nathaniel Flook,	$4.00		
Robert Philips,	$6.00	John A. Philips,	4.00	John W. Spitzer,	4.00		
John W. Newton,	4.00	George Leeds,	4.00	James Layman	4.00 x		
Fred K. Milliard, jr.	6.00 x	John L. May,	6.00 x	Elijah Falls,	4.00		
S. A. Davis	2.00 x	James Roadcap,	2.00	Thomas Long	2.00 x		
Joshua Wamsley,	2.00	J. M. McGinnis,	2.00	Gideon Shirkey,	2.00 x		
John M. Roleston, of D,	2.00	Daniel Holsinger,	2.00				

Ordered, That the following named Petit Jurors be allowed the sums opposite their names for their services during this term of the Court, and that the same be certified to the Treasurer of this County for payment, viz:-

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P. M. Strayer,	$12.00 x	John G. Ragan,	$11.00 x	Samuel Hedrick,	$8.00 x
C. M. Showalter,	5.00 x	Nathaniel Flook,	1.00	John L. May,	5.00 x
James Long,	12.00 x	Jacob S. Miller	2.00	Bent Strother,	2.00
Edward Koontz,	8.00 x	S. A. Davis	5.00 x	A. H. Higgins,	1.00
H. K. Davies,	1.00	Calvin Miller,	1.00	Rial Mofs	1.00
B. F. Billmyer,	5.00	G. Echard,	1.00	John S. Effinger,	4.00
John R. Eastham,	1.00	Cyrus Wise	1.00	R. A. Scott,	1.00
Joseph Detter,	2.00 x	A. C. Rohr,	2.00 x		

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, Monday, December 2nd. 1872.

Present:- Hon. James Kenney, presiding.

Sprinkel & Houck, Pltff
vs
Wm. H. Yeakel, &c, Defts. } Unlawful Detainer.

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

The American Hotel presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $24.00 for board of 12 Veniremen 1 day each in case of Commwlth vs. Madison Snowden, charged with felony, and for board of 12 Veniremen, 1 day each in case of Commwlth vs. Willis Gordon, 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.

cp'd

Joseph P. Hyde, late Sergeant of the Town of Harrisonburg, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $17.60 for various arrests made for felonies and summoning witnesses, in years 1869 1870 & 1871, 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.

cp'd.

Peter Walker, Pltff,
vs
Reuben Walker, Deft. } Unlawful Detainer.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict of the Jury and the judgment in this cause, and grant him a new trial; on consideration whereof, the Court doth set aside the verdict of the Jury and the judgment and grant him a new trial, on the payment of the costs.

John H. Thomas, Committee for &c, Pltff;
vs
C. Keyser's Exor. Deft. } In Debt

This day came again the parties by their Attorneys, and the cause was submitted to the decision of the Court, and having fully heard the same it is considered by the Court that the Plaintiff has no cause of action against the Defendant, and that he go hence without day, and recover against the Plaintiff his costs by him in this behalf expended.

Mary J. Johnston, Pltff
vs
Peter K. Pence, &c, Deft. } In Debt.

This day came again the parties by their Attorneys, and neither party requiring a Jury, the cause was submitted to the decision of the Court, and having fully heard the same, it is considered by the Court that the Plaintiff recover against the Defendants the sum of $130.35 with interest

thereon from the 25th day of December 1863, tice paid, and his costs by him in this behalf expended.

Wittig & Son, Pltffs,
vs
Addison Harper, Deft. } Upon an Attachment.

This day came again the parties by their Attorneys, and the Defendant moved the Court to quash this Attachment, and the Court having fully heard the same, It is considered by the Court the same be quashed, and that the Defendant recover against the Plaintiffs his costs by him in this behalf expended.

Jno P McCall, Pltff
vs
Robert N. Hines, &c, Defts. } In Covenant.

This day came the parties by their Attorneys, and the Defendants filed their plea of abatement and covenant performed and covenant not broken, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until next term.

David Howard, Pltff
vs
David Holler, Deft. } In Case.

This day came the parties by their Attorneys, and the Defendant filed his plea of non assumpsit, to which the plaintiff replied generally, It is therefore considered by the Court that the Office judgment be set aside and the trial of the issue continued until next term.

Margaret Braithwaite's Admx Pltff
vs
S. M. Bowman, surv. &c, Deft. } In Debt.

This day came the parties by their Attorneys, and the defendant filed his plea of nil debit, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

Walter A. Wood, Pltff
vs
Thomas Washington, Deft. } In Debt.

Walter A. Wood, Pltff
vs
Thomas Washington, Trustee, Deft. } In Debt.

same Pltff
vs
same, Deft. } In Debt.

same, Pltff
vs
same, Deft. } In Debt.

Ordered that Rules be awarded against the Defendants witnesses for their failure to appear at this term of the Court, returnable to the next term, and on motion of the Defendants, these causes are continued until next term, and at the cost of the Defendants.

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Geo. W. Crawford's Admr &c, Plff
vs
J. G. Minnor, Defdt. } Am. Debt.

On motion of the Plaintiff, this cause is continued until next term, and at his costs.

On the motion of Reuben Huffman, the order made at the February Term 1872 is amended, and the following order entered now for then:—

Upon the motion of Reuben Huffman to correct an erroneous Assessment made against him of a Tract of Land lying in Ashby Township in Rockingham County, which motion the Attorney for the Commonwealth defended, and on which motion the Assessor for said Township was examined as a witness, and it appearing to the Court that the said Reuben Huffman is erroneously charged with a tract of 174 Acres of Land on the Land Books of the year 1870, which tract only contains 152 Acres 2 Roods and 16 Poles, and which is assessed for said year at $30 per Acre, and that he has paid the said Taxes for said year 1870 to the late Sheriff of Rockingham County, J. A. Hammond; it also appears that the error aforesaid was not caused by any failure of said Applicant to furnish the Assessor with correct information as to his property. It is ordered that the sum of $5.35 the amount erroneously paid by said Reuben Huffman, be refunded him.

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On the motion of Reuben Huffman, the order made at the February Term 1872, is amended, and the following ordered entered now for then:—

Upon the motion of Reuben Huffman to correct an Erroneous Assessment made against Elijah S. Huffman of a Tract of Land lying in Ashby Township in Rockingham County, which motion the Attorney for the Commonwealth defended, and on which motion the Assessor for said Township was examined as a witness, and it appearing to the Court that on the Land book for the year 1871, a tract of Land is erroneously charged as 174 Acres at $30 per Acre to Elijah S. Huffman, and that Reuben Huffman has paid the taxes on the same to S. B. Allebaugh, Treasurer of Rockingham County; it also appears that the error aforesaid was not caused by any failure of said applicant to furnish the Assessor with correct information as to his property. It is ordered that the sum of $5.09 the amount erroneously charged to said Elijah S. Huffman and paid by said Reuben Huffman, be refunded to said Reuben Huffman, and that the land hereafter be charged to Reuben Huffman as 152 Acres, 2 Roods and 16 poles

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724 to be paid by Mary A. Reed.

This day came Mary A. Reed who alleges that she is aggrieved by an entry in the property book made by John A. Moore, Assessor of Franklin Township for said county in the year 1871, whereby she is charged with $15.80 taxes for the year 1871 on $2000. of Personal Property; and thereupon the said Mary A. Reed moved the Court to exonerate her from the payment of $7.90 part of the taxes so erroneously charged against her for said year, which motion was defended by John Paul, Attorney for the Commonwealth for said county, and the said John A. Moore, the 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 ___ 1871, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that she was charged with $1000 of Personal Property in excess of ~~xxxxx~~ the amount with which she was chargeable 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 Mary F. Reed is erroneously charged on said book with Taxes amounting to $7.20 (to wit:- $5.00 State Tax, $2.50 County Tax and 40 cents School tax,) on the $1000 of excess of Personal Property; whereupon it is ordered that the said Mary F. Reed be exonerated from the payment of $7.20 taxes so erroneously charged, if not already paid and if paid, that it be refunded to her.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Tuesday, December 3d. 1872.

Present:- Hon. James Kenney, presiding.

Isaac Rinehearts Admr. &c. Plff.
vs
Geo. S. Newlett, &c., Deft. } In Debt.

It appearing to the Court that judgment was confirmed in this cause improperly at a former term of this Court, by consent of parties It is considered by the Court, that the judgment be set aside and that this cause be placed upon the issue docket.

On the motion of George Stuart, the Estate of Jane Beeling is committed to James P. Ralston, S.R.C., for administration, and the Court doth appoint John K. Beery, Henry Beery, Henry Pulse, John Fridley & Charles Fridley to appraise said Estate, after first being duly sworn, any three of whom may act.

Felix T. Sheets & Co., Plff.,
vs
The West Rockingham Mutual Fire Ins. Co, Deft. } In Case.

This day came the parties by their Attorneys, and the Defendant demurred to Plaintiff's declaration and filed his plea of non-assumpsit, to which the Plaintiff replied generally. It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

David Zimmerman, Pltff.,
vs
Wm L. McCall, Deft. } In Debt.

This day came the parties by their Attorneys, and the Defendant filed his plea of payment, and leave is given him to file additional pleas, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until next term.

Wm M. Jordan, for &c, Pltff.,
vs
Joseph Miller & Adms. Deft. } In Debt.

This day came the parties by their Attorneys, and the Defendant filed her plea of payment, and leave is given her to file additional pleas, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until next term.

M. M. Effinger, Pltff.,
vs
D. P. Heefhenstein, Deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- Joseph Detter, A. C. Roler, James Long, Jacob Garseman, James Steele, E. H. Cromer & Thompson Steele, who being elected, tried and sworn the truth to speak upon the issue joined, 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 the sum of $160.44 by reason of the offsets filed in this cause."

Allen Devier, Pltff
vs
Dewitt C. Roogler, Deft. } In Case.

The non residence of the Plaintiff being suggested, on motion of the Defendant, a Rule is awarded against the Plaintiff for security for costs, and the trial of the cause is continued until the next term.

Madison Snowden, late of the County of Rockingham, who at a former day of this term of the Court was convicted of a felony by him committed, was this day again led to the bar in custody of the Jailor of this County, and by his counsel, moved the Court to set aside the verdict of the Jury and grant him a new trial; on consideration whereof, the Court doth sustain said motion, It is therefore considered by the Court that said verdict be set aside, and a new trial granted him, and the trial continued until the next term. And thereupon the prisoner was remanded to Jail.

Willis Gordon, 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 this day again led to the bar in custody of the Jailor of this county, and it being asked 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 Willis Gordon be imprisoned in the Public jail and Penitentiary House of this Commonwealth for the term of twenty 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 Willis Gordon 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.

George W. Hogan, for &c., Plff
vs
James Steele, Deft. } Law Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- Joseph Detter, A. C. Rohr, James Long, Jacob Gassman, E. H. Conner, Wm. Miller and Christian Yeakel, who being elected, tried and sworn the truth to speak upon the issue joined, 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 10 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Wednesday, December 4th 1872.

Present:- Hon. James Ramsey, presiding.

James Steele Pltff
vs.
Geo. W. Miller Admr. of Daniel Miller, dec'd. } Upon a suggestion sued out by James Steele, under an Execution against William Peters.

This day came the parties by their Attorneys, and it appearing to the Court that the Plaintiff, by virtue of the lien of his writ of Fieri Facias sued out of the Clerk's office of this Court on the 2nd of November 1872, has suggested that there is a liability on the estate of Daniel Miller to pay the same, and it further appearing to the Court that at the time of the service of the suggestion the estate of said Daniel Miller was indebted to the Deft Wm Peters in the sum of $140.00, with interest thereon from the 21st day of January 1862, subject to a credit of $5.00, paid July 26, 1872, and that the amount of the Plaintiff's execution against said Peters is more than the amount aforesaid, It is considered by the Court that the Plaintiff recover of George W. Miller, Administrator of Daniel Miller, dec'd, out of the assets in his hands or to come to his hands as Administrator, the sum of $140.00 with legal interest thereon from the 21st day of January 1862 till paid, subject to a credit of $5.00 paid July 26, 1872, to be credited on the Execution of James Steele vs. Wm Peters.

George W. Kagan, for &c, Pltff
vs.
James Steele, Deft. } In Debt.

This day came again the Jury sworn and impanneled on yesterday for the trial of this cause, pursuant to their adjournment, and again 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 for the Plaintiff in the sum of Sixty-four dollars and four cents, with interest till paid," It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $64.04, with interest thereon from the 4th day of December 1872, till paid, and his costs by him in this behalf expended.

I. Hirsch & Son, Pltff
vs.
N. Dreyfous, Deft. } Upon an attachment sued out against Deft. and executed upon Jas. N. Harris, Herman Wise & C. A. Yancey as garnishees.

This day came the parties by their Attorneys, whereupon arguments of counsel being heard, It appearing to the Court that the debt due to the Deft. N. Dreyfous from James N. Harris, had been legally and for a valuable consideration transfered to J. A. Loewenbach prior to the issuing out of the attachment of the Plaintiff I. Hirsch & Son against J. N. Harris, and was a debt due from the said N. Dreyfous to the said I. Hirsch & Son. It is therefore considered by the Court that J. N. Harris is not indebted to the said N. Dreyfous, but to the said J. A. Loewenbach, that the attachment therefore is not a lien upon the debt due from J. N. Harris, and it further appearing that there is nothing due from Herman Wise & C. A. Yancey to said Dreyfous, the Attachment is therefore dismissed, and It is further considered that the defendant N. Dreyfous recover of the Plaintiff I. Hirsch & Son, his costs by him in this behalf expended.

Merchants Nat. Bank of Baltimore, Pltff
vs
Coffman & Bruffy, &c, Defts. } motion on a D. Bond.

Ordered that this cause be placed upon the Courts Docket.

W. N. Effinger, Pltff
vs
O. P. Hofhenstein, Defts. } In Debt.

This day came again the parties by their Attorneys, and the Plaintiff moved the Court to set aside the verdict of the Jury rendered in this cause, and grant him a new trial; on consideration whereof the Court doth sustain said motion, and grants the Plaintiff a new trial upon the payment of costs of this trial, and the cause is continued until next term.

Mathias Sangree Admr. Pltff
vs
Wm B Gruncy Admr. Defts. } In Debt.

Ordered That this cause be dismissed.

John G. Effinger, Pltff
vs
F. A. Effinger, Defts. } In Case.

John G Effinger, Pltff
vs
F. A. Effinger, Defts. } Att.

Ordered, That these two causes be dismissed agreed.

L. F. Detrick, Pltff
vs
E. L. Lambert, Defts. } In Case.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- Joseph L. Dettor, A. C. Rahn, Jacob Sassman, James Long, E. N. Cronen, Wm. Miller & Christian Yeakle, who being elected, tried and sworn the truth to speak upon the issue joined and having fully heard the evidence and arguments 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 10 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday, December 5th 1872.

Present:- Hon. James Kenney, presiding.

Geo. W. Neff, for A. F. Rhoden Pltff
vs
Benoni Chrisman, Deft | In Debt and upon an Attachment returned executed.

This day came the parties Plaintiff and Defendant, by counsel, and the Attachment issued in this cause, on the 7th day of September 1872, having been returned executed upon Adam N. Brewer as garnishee, and it appearing to the Court that the order of publication awarded in this cause has been duly executed, the Court proceeded to hear the cause upon its merits, And it being proved that the said Benoni Chrisman is indebted to the Plaintiff in the sum of One Hundred & thirty six 76/100 Dollars, with legal interest on $128.40 part thereof from the 18th day of March 1871 till paid, and that said Benoni Chrisman is a non resident of this State, It is considered by the Court that the Plaintiff recover against said Benoni Chrisman the sum of $136.23, with interest on $128.40 thereof from March 18, 1871 till paid and his costs in this behalf expended. And it further appearing to the Court that Adam N. Brewer, who is summoned as garnishee in this cause, is indebted to the Defendant Benoni Chrisman in the sum of One Hundred and twelve dollars & fifty cents, with interest thereon from the 28th of April 1871 till paid and $35.42 mm costs, being the amount of a judgment recovered against him in the Circuit Court of Rockingham County in favor of Benoni Chrisman & wife against Adam N. Brewer, at the April term 1871 of said Court one half of which judgment belongs to George W. Berlin. It is further considered by the Court that the Plaintiff recover of the said Adam N. Brewer $73.26 with legal interest on $56.25 part thereof from the said 28th day of April 1871 till paid, to be applied to the credit of the judgment hereinbefore rendered in favor of the Plaintiff against said Benoni Chrisman.

L. F. Dotrick, Pltff
vs
E. L. Lambert Deft. | In Case.

This day came again the jury sworn and impannelled on yesterday for the trial of this cause, pursuant to their adjournment, and again 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 Plaintiff, and assess his damages at Seventy five dollars." It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $75.00 with interest thereon from the 5th day of December 1872, till paid, and his costs, by him in this behalf expended.

John D. Thomas, Comm. for &c, Pltff,
vs
C. Keyser's Exor. Deft. | In Debt.

This day came again the parties by their attorneys, and the Defendant moved the Court to set aside the verdict of the Jury rendered

and the judgment entered in this cause, and grant him a new trial, which motion the Court doth continue until next term.

Jamison N. Dovel & Philip P. Shifflett, Heirs of Daniel D. Dovel, dec'd. Plffs.
vs
N. E. Sipe, W. S. Miller & A. C. Bear, Assessors of Land in Elk Run Township, 1st Dist. of Rockingham County, Va.; under an Act of the General Assembly of Virginia, passed Feby. 1st 1872, entitled "An Act for the re-assessment of the lands in the Commonwealth," Defts.
Upon a notice.

On the motion of Jamison N. Dovel and Philip P. Shifflett, in pursuance of the notice heretofore proved July 18, 1872, and them docketed, the Attorney for the Commonwealth for the county of Rockingham being present and defending the interests of the Commonwealth, the testimony of the parties offered being heard, the Assessors N. E. Sipe, W. S. Miller & A. C. Bear having been duly notified, but not appearing, and the Court being of opinion that the Assessment of the tract of four hundred and fifty-four acres and 3 Roods of land, lying in Rockingham County, and known as the "Jacob Rhone farm" and assessed in the name of John Cook's Estate, is too high at the sum of $18.00 per acre, and that the assessment thereof should be reduced to $15.00 per acre, and that the last named sum fixed as the true value of said land, And it is ordered that the Clerk of this Court do certify to the Auditor of Public Accounts and to the said Assessors, copies of this order, together with the notices upon which it is founded, in order that the assessment book may be corrected accordingly.

Ordered, That the following-named Petit Jurors be allowed the sums opposite their names for their services at this Term of the Court, to be paid by the County.—
Joseph Detton $3.00 x A. C. Rohr, $3.00 x James Long $3.00 Jacob Gassman, $3.00
James Steele 1.00 E. N. Cromer, 3.00 Thompson Steele 1.00 x Wm. Miller 3.00
Christian Yeakel 3.00

Merchants' National Bank of Baltimore, Plff,
vs
Samuel A. Coffman, M. D. Coffman, & Jacob N. Bruffy, late merchants trading under the style of Coffmans & Bruffy, and David R. Hopkins, A. N. Brenner and E. Coffman, jr., Defts.
Upon a motion upon a Forfeited Forthcoming Bond for the delivery of Property upon day of Sale.

This day came again the Plaintiff by its Attorney, and the Defendants having been solemnly called, came not, and service of the notice having been proved, It is thereupon considered by the Court that the Plaintiff recover against the Defendants the sum of $3500.[57] the penalty of said bond to be discharged by the payment of $1752.[27] with interest thereon from the 23rd day of September 1872, till paid, and its costs by it in this behalf expended.

N. B. Hamsbergen, Sheriff &c. Plff
vs
James Steele. Deft.
Upon a Notice.

By consent, this cause is removed to the Circuit Court of this County.

Joseph P. Logan who was, on the 5th day of November 1872, duly elected
Clerk of the County Court of Rockingham, to serve as such for the unex-
pired term of Wm. McK. Wartmann dec'd, to wit: from January 1st 1873 until
December 31st 1874, and afterwards until his successor is qualified to
entitled to enter upon the discharge of the duties thereof, this day appeared in Court,
and dec. 12/72. and together with Charles E. Haas and Samuel R. Alleback, his sureties,
(who justified as to their sufficiency,) entered into and acknowledged
in open Court, a bond in the penalty of Five thousand dollars, conditioned
for the faithful execution of the duties of his office. Which bond is ordered
to be recorded by the Clerk of this Court, who is also directed to transmit a
copy of said bond, and a copy of this order to the Auditor of Public Accounts.
And thereupon the said Joseph P. Logan took the several oaths required
by law.

A. Martin, Plff
vs
Jacob Ammon's Admr. Deft. } In Case.

This day came the parties by their Attorneys, and the defend-
ant filed his plea of non assumpsit, to which the Plaintiff replied gene-
rally, and thereupon it is considered by the Court that the office judg-
ment be set aside, and the trial of the issue is continued until next term.

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

James Kenney

At a County Court continued and held in and for the County
of Rockingham, on Saturday, December 7, 1872.

Present:- Hon. James Kenney, presiding.

Jonas A. Loewenbach, Appellant
vs
The Board of Supervisors of the County
of Rockingham Appellee } On an appeal from the action of
the said Board of Supervisors in decli-
ning to make an appropriation for
the Bond of Jonas A. Loewenbach.

This day came the parties by their Attorneys, who being fully
heard, and the evidence maturely considered, it seems to the Court that
there is error in said Board in so declinning to act, Therefore it is con-
sidered that said Board of Supervisors do allow the said Jonas A. Loe-
wenbach the amount due upon his said bond, and that the said
Jonas A. Loewenbach recover against the said Board of Supervisors
his costs by him expended in the prosecution of his appeal aforesaid
here.

Memo:- Upon the trial of this cause, the defendants excepted to the opinion and
action of the Court, and tendered their Bill of Exceptions, which they pray may
be signed sealed and enrolled, which is accordingly done, and which is as
in words of figures following to wit:- Jonas A. Loewenbach vs The Board of Super-
visors of Rockingham County Upon an appeal, &c, &c."

This day came W. S. Sunty, who alleges that he is aggrieved by an entry in the ~~Land~~ book, made by G. F. Mayhew Assessor of Harrisonburg Township for said county, in the year 1871, whereby he is charged with $1.63 Parish Levy $2.19 County School Tax and 21 cents Dist. School Tax, on 40 Acres of Land, whereupon the said W. S. Sunty moved the Court to exonerate him from the payment of said taxes so erroneously charged against him for said year, which motion was defended by John Paul, Atty. for the Commonwealth, and the Assessor examined as a witness touching the application. And it appearing to the Court that said Land being taxed for Corporation purposes within the Corporation of Harrisonburg, is not liable to be taxed for ~~these~~ County purposes, It is ordered by the Court that said taxes so erroneously assessed against him for the year 1871 ($4.03) be refunded him, it appearing that said tax has been paid to the Treasurer of this County.

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

James Kenney

Monday, December 16, 1872.

At a County Court held in and for the County of Rockingham on Monday, December 16, 1872.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows:-

Bargain & Sale,	Joseph Wilhite & wife,	to	The Valley Railroad Company,
"	" Samuel Bare,	"	same,
"	" James Alexander & wife,	"	Aaron Shuttes, Trustee,
"	" Joseph Saylman, &c,	"	Philip Saylman's Heirs,
"	" Geo. D. & H. Smith Broaddus & wife,	"	Jacob Sager,
"	" David Banks & wife,	"	Benjamin Farmer,
Trust Deed,	Robison Showalter & wife,	"	Mathias Showalter, Trustee,
"	" John A. Easler & wife,	"	A. F. Heironimus,
Bargain & Sale	G. W. Baughen & wife,	"	J. G. Maiden, &c,
"	" David R. Hopkins,	"	Samuel Long,
"	" Susan Gaudle,	"	Mrs. S. Armentrout,
"	" Amos Moore & wife,	"	Henry Moffett,
"	" John E. Roller, Commr.	"	Joseph Funkhouser,
Trust Deed,	Jacob Kagey,	"	John Foley, Trustee,
"	" Henry Early,	"	Chas. T. O'Ferrall, Trustee,
"	" A. D. Armentrout,	"	B. G. Patterson, Trustee,
Bargain & Sale,	P. Wenger's Exs.	"	P. H. Strayer,
"	" S. R. Allebaugh,	"	R. A. Stephens,
"	" James M. Dovel & wife,	"	John E. Dovel,
"	" R. A. Stephens & wife & R. J. Humbert,	"	John E. Dovel,
"	" W. D. F. Dovel & wife,	"	John E. Dovel,
"	" John E. Dovel,	"	R. A. Stephens,
Trust Deed,	Rawley Springs Company,	"	A. M. Newman, &c, Trustees,
"	" D. B. Hopkins,	"	John L. Woodson, Trustee,
Bargain & Sale,	Geo. J. Kisling & wife,	"	Gerard C. Hopkins,
"	" John M. Altaffer & wife,	"	Abraham Diehl,
"	" John A. Easler & wife,	"	John Zigler,
"	" Eli Long & wife,	"	Charles J. Brock,
"	" John Connell & wife,	"	Valley Railroad Company,
"	" John W. Bowman & wife	"	same,
Mortgage Deed,	The Shenandoah Valley Railroad Co.	"	J. Edgar Thomson, Trustee,
Bargain & Sale,	Jacob H. Zirkel & wife,	"	Ambrose Ballard,
"	" Abm. Niswander & wife,	"	Thomas M. Bite,
"	" Thomas M. Bite & wife,	"	J. W. F. Allemong,
"	" Samuel Sheets & wife & others,	"	Joseph Miller,
"	" Joseph Miller & wife,	"	Samuel F. Miller, Trustee,
"	" J. Samuel Harnsberger, Trustee,	"	John G. Delaney,
"	" F. A. Daingerfield & Commr.	"	Wm. C. Ruthieford,

Bargain & Sale,	John Shanahan	to	Valley Railroad Company,
"	Jacob Byerly & wife	"	Susannah Cool
"	A. L. Blakemore & wife	"	George L. Merica,
Lis Pendas,	A. Blosser's Admr.	"	Peter S. Roller,
Bargain & Sale,	Henry F. Green & Saml. G. Fleming & wives	"	George W. Dasher,
"	John E. Roller, &c, Commrs.	"	Wm. S. Berry,

The following settlements having been filed in the office the time prescribed by law, and no exceptions being taken thereto, It is ordered that the same be admitted to record, viz:-

J. R. Bowman,	Admr. of		Peter Good, dec'd,
Joseph Beery,	"	"	Samuel Flory, dec'd,
R. A. Stephens,	"	"	R. N. Kimmbert, dec'd
Martin Garber,	"	"	Daniel Garber, dec'd,
Abraham Bowman,	"	"	Noah Bowman, dec'd
Joseph N. Swank,	Exr.	"	Joseph Swank, dec'd,
A. E. Heneberger,	"	"	Peter Heneberger, dec'd,
Simon Bowman,	"	"	Samuel Bowman, dec'd,
Saml. Frain & J. L. Miller	"	"	Jacob Miller, dec'd
F. M. Erwine & D. R. Hopkins	"	"	John H. Campbell, dec'd,
E. H. Rinker	"	"	Mary Bradford, dec'd,
Geo. G. Grattan,	"	"	M. D. Grattan, dec'd
C. C. Strayer,	guardian	"	Joseph S. Strayer,

Commonwealth
&
Madison Snowden, } Felony.

By consent of the Attorney for the Commonwealth and the prisoner, by his counsel, this cause is continued until the next term.

On the application of Wm Life to Keep an Ordinary and to retail spirituous liquors, wines, &c, at his place of business in the town of McGaheysville, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and will probably keep such an house as the law requires, and that the place is a proper one, It is ordered that a certificate be granted him to obtain License to keep an Ordinary and also to retail spirituous Liquors, &c, under Merchants Retail Liquor License, at his place of business in McGaheysville until May 1, 1873.

Sp. On the motion of Rev John A. Kline, and it appearing to the Court that he is a regularly licensed minister in the German Baptist Church, he is duly authorized to celebrate the Rites of Matrimony, by the County Court of Rockingham County, and thereupon he appeared in Court, and together with Samuel Zigler, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1500 00 conditioned according to law, and qualified accordingly.

Edward S. Kemper, Charles A. Van Lear and Isaac Long this day presented in Court, as Commissioners appointed at the October Term last, their report of
ch. ct. assignment of Dower to Mrs. Margaret Saufley, in the lands of her deceased husband, Wm. Saufley, which was confirmed and ordered to be recorded.

On motion of C. Miller, Adm'r. of John T. Myers, dec'd, It is ordered that said Miller, Adm'r. pay to the General Receiver of this Court the sum of One Hundred and eighty-two dollars & fifty cents the amount it appears from the
copies report of A. M. Newman, Comm'r. of Accts. for Rockingham County of date October 14, 1872 is due the heirs of Emily Malleay, who was a sister of said John T. Myers, said heirs being non-residents of the State of Virginia, and it is further ordered that the said C. Miller, Adm'r. pay to the said General Receiver a like sum of $182.50, which amount it appears by the said Report of said Comm'r. is due the heirs of Eliza Swearengen, who was also a sister of said John T. Myers, said heirs being also non-residents of the State of Virginia.

Jacob A. Armentrout, Commissioner of Roads for Stonewall Township having this day returned to Court his report made in pursuance of an order made at a former term of this Court, requiring him to view
Issued 8 & 20 offices to 8 day, Oct. 1873 - sent the ground along the proposed road from Ammon's Mill to a point on the Rockingham Turnpike, near Montevideo, and it appearing from said Report that the Road as proposed and laid out on the plat returned and filed with the report of said Commissioner, will be of great advantage to the public, and will run through the lands of the following persons, viz:- Fannie Melhorn & J. W. Melhorn, Margaret Lewis & Wm. S. Lewis, Sallie Wolf, Cornelius Armentrout, Nicholas Kyger, Wm. Britt, Harriet Royer, widow of Samuel Royer, John Royer, —— Engle, (now in possession of Noah Royer,) Henry Sipe, Peter Royer's heirs, (now in possession of Noah Royer,) Addison Royer, Frederick Armentrout, Cornelius Armentrout, G. W. Mauzy, Peter Kyger, Jr., Bauserman, J. N. Mauzy and the heirs of A. G. Mauzy, now in possession of J. N. Mauzy, It is ordered that said parties be summoned to appear at the next term of this Court to show cause why said proposed Road should not be established and opened as a County Road.

Emanuel Sipe,	Pltff	Sug. & Nonmond,	M. Brenneman, for dc,	Pltff	Sug & Stephen Rosecrans
& John Haga,	Deft.		& Abm. Brenneman,	Deft.	
same,	Pltff	Sug. & Nonmond.	J. Wirsch & Son,	Pltff	Sug. & N. A. Rice
& same,	Deft.		& N. Dreyfous,	Deft.	
Abram Andes, Adm'r. of Geo. Andes, dec'd	Pltff	Att.	John McClure's Exor.	Pltff	Sug. & C. A. Yancey Adm'r. dc,
& Henry R. Lutz,	Deft.		& I. N. Bowman, surv.	Deft.	

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

Hugh B. Silly, Constable of Stonewall Township this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $11.00 for arresting George Madison & others, summoning witnesses & witnes attendance, 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.

Copied

Benj. Miner, Exor. of John McClure, dec'd, Plff,
vs
C. A. Yancey, Admr. of Wm B. Yancey, dec'd, Defts.

Upon a suggestion sued out by McClure's Exor. under an Execution against S. M. Bowman, surv. &c,

This day came the Plaintiff by his Attorney, and it appearing to the Court that the Plaintiff, by virtue of the lien of his writ of Fieri Facias sued out of the Clerk's Office of this Court on the 10th day of December 1872 has suggested that there is a liability on the Estate of Wm B. Yancey, dec'd, and it further appearing to the Court, from the examination of C. A. Yancey, Administrator of Wm B. Yancey, dec'd, that at the time of the service of the suggestion, the Estate of said Wm B. Yancey, was indebted to the Defendant Saml. M. Bowman, surv. &c, in the sum of $379.65 with interest thereon from the 21st day of December 1860, and that the amount of the Plaintiff's execution against the Defendant Bowman is more than the amount aforesaid, It is considered by the Court that the Plaintiff recover against C. A. Yancey, Adm. of Wm B. Yancey, dec'd, the sum of $379.65 with interest thereon from the 21st day of December 1860, out of the assets in his hands or to come to his hands as said Administrator.

Ordered That the Sheriff of this County do summon a special Grand Jury of 10 qualified voters to appear on the first day of January term next.

The writing purporting to be the last will and testament of John Garber, dec'd, was this day presented in Court, and being proven by the oaths of Daniel Kiser and Lewis Pence, two of the subscribing witnesses thereto, was thereupon admitted to probate.

It appearing to the Court that ~~Joel Garber & David J. Garber~~ Samuel Whitmore the Executors, named in the last will and testament of John Garber, dec'd, has declined to act as such, and the widow Elizabeth Garber, declining to act as Administratrix, on her motion, Joel Garber & George W. Shaver, who made oath thereto according to law, appeared in Court, and together with Abram Early, Daniel Kiser and David J. Garber, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $20,000, conditioned according to law, a certificate is granted them for obtaining letters of administration, with the will annexed, in due form, upon the Estate of said John Garber, dec'd.

And upon the ~~further~~ motion of Joel Garber and Geo. W. Shaver, Admrs. the Court doth appoint Daniel Kiser, Lewis Pence & Isaac Wright, to appraise the Estate of said John Garber, dec'd, after first being duly sworn.

On the motion of J. S. Runcle, who made oath thereto according to law, he appeared in Court and together with J. A. Hammen, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $250.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Jenetta Runcle, dec'd.

And upon the further motion of said J. S. Runcle, Adm. &c, the Court doth appoint E. R. Rush, J. D. Scott, J. A. Hammen, A. J. O. Bader and J. Littell to appraise the Estate of said Jenetta Runcle, any three of whom may act, after first being duly sworn.

Allen Brown Joseph orphan of Albert Joseph over 14 years of age, this day appeared in Court and made choice of Martin Propst as his guardian, and the Court doth appoint said Martin Propst guardian for Sarah Jane Joseph orphan child of said Albert Joseph, under 14 years of age, and thereupon said Martin Propst appeared in Court, and together with Henry Derrick, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $100.00 conditioned according to law, and qualified accordingly.

In the matter of Susan Huffman's Adm'x. & Elijah S. Huffman, the following submission and award was this day presented in Court:— Whereas there is now pending in the County Court of Rockingham County, two suits, both in the name of Susan Huffman's Administrator & Elijah S. Huffman, which by consent of parties entered at the Nov. Term of said Court in the year 1870, have been referred to arbitration for final settlement, Now it is hereby agreed by James D. Whitsell, Administrator of Susan Huffman, dec'd, and Elijah S. Huffman, that all matters of dispute between them in the said suits shall be submitted to Samuel Frank, P. M. Dice and Benj. M. Switzer for settlement and their decision and award shall be final decision of the matters of dispute in said suits, and it is further agreed that the said arbitrators shall meet for consultation and action at any time convenient to them after due notice of the time and place of meeting to the parties to said suits, & the award of said Arbitrators written & signed by them shall be entered up as the judgment of the County Court of Rockingham in said causes, at the next term after the delivery of the award to the Clerk of said Court, and no notice for that purpose shall be necessary. Witness our hands and seals this the 11th day of February 1871.

Jas. D. Whitsell, (Seal)

E. S. Huffman, (Seal)

We, Samuel Frank, P. M. Dice and B. M. Switzer, Arbitrators chosen for the settlement of the matters of dispute as set forth in the within Bond, having, after due notice to both parties, met on the 11th day of February 1871 at the House of Ephraim Bowman, and being duly sworn, & having heard the testimony of the witnesses of both parties, after they were sworn, & having examined all the papers offered in evidence by both parties, upon consultation after a full hearing

of the whole case, do decide that Elijah S. Huffman is due by bond to David Whitsell, Executor of Susan Huffman, dec'd, in the sum of 2780 dollars due the 9th day of May 1860, subject to the following credits, viz:- January 30th 1862 - $278.00 - January 30, 1863 = $166.80 May 5, 1864 - $1035.00 pitt. docketed. January 30th 1865 = $120.22 The balance due on above named bond of 2780 dollars, when ascertained, to be paid at the end of five years from the death of Mrs. Susan Huffman, in accordance with an article of agreement made and entered into by Elijah S. Huffman and the said Mrs. Susan Huffman, said article being in the hands of Peter S. Roller But the said Elijah S. Huffman is required to pay the interest annually on the ascertained balance. We also decide that Elijah S. Huffman pay the amount of a bond executed by him to Susan Huffman for 18 dollars due Jan. 13th 1865, with interest from date. Witness our signatures the day & date above mentioned Samuel Frank,

P. M. Dice

B. M. Switzer,

and there being no exceptions thereto is confirmed and entered as the judgment of the Court,

On motion of the Valley Railroad Company by counsel, the Court doth appoint Franklin Lickey, John S. Lewis, Wm. Rehard H. H. Whitaker and John Leedy, freeholders, any three of whom may act, as Commissioners, to go upon the lands of George E. Deneale and Susanna Deneale, wife of said George E. Deneale, on the 10th day of January 1873, for the purpose of ascertaining a just compensation for so much of the land in this county, of which they are tenants, and to which they are entitled, wanted for the purposes of said Valley Railroad Company, they and said Company being unable to agree upon terms of purchase of said land so wanted as aforesaid, and make report to the next term of this Court, it appearing to the Court that said George E. Deneale & wife have by counsel, acknowledged service of notice of this motion. sstpind.

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

James Kenney

At a County Court continued and held in and
for the County of Rockingham, on Tuesday, December 17, 1872.

Present:- Hon. James Kenney, presiding.

Gordon & Williams, Plff,
vs. } upon an attachment.
Jesse Young, Deft.

Ordered That this cause be placed upon the Courts Docket.

cs/pd. L. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $112.00 for diet, &c, Sandy Grant, Archie Oldew and Willis Gordon, charged with felony, 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.

Jonathan Miller, Samuel Goods and Reuben Kisling, appointed as viewers at the Nov. Term last of this Court, to view the ground and to report to Court upon a proposed change in the road leading from the public road that leads
1 & 7 cs/pd. from the Rockingham Turnpike at Montevideo, by Lynn Rence's to Ammon's Mill, this day presented in Court their Report, and on motion of Noah A. Royer, &c, petitioners, It is ordered that Noah A. Royer, Columbia Royer, John Royer, Wm Britt, Nicholas Ryger, Cornelius Armentrout and Lewin Mellhorn Sen, land owners along the route of said proposed change, be summoned to appear on the first day of next term of this Court to shew cause, if any they can, why said road shall not be established according to said report.

Ordered That Nathaniel Irvine be allowed to withdraw the bond in the common law suit of Peter Brennaman for use of A. G. Bryan & Geo. E. & W. H. Beery, in which there was an office judgment & Geo. E. Deneale at the Feby. Term, 1859 and a certified copy of said bond to be left with the papers in that cause.

On motion of Pendleton Bryan, heretofore appointed by the Governor of Virginia, a Notary Public in and for the County of Rockingham, is permitted to renew his bond as such, and thereupon he appeared in
c. cs/pd. Court, and together with Charles C. Haas, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court, a bond
✓ in the penalty of Five Hundred dollars, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Pendleton Bryan took the several oaths required by law.

This day came A. M. Newcomer, jr, who alleges that he is aggrieved by an
cs/pd. entry in the Land Book, made by Geo. F. Mayhew Assessor of Harrisonburg Township for said county, in the year 1872 whereby he is charged with $5.73
Parish Levy and County & District School Tax on 50 acres of Land, including buildings, valued at

the sum of $ 3100.00 which land lies within the Corporation of Harrisonburg, whereupon the said A. M. Newman, Jr, moved the Court to exonerate him from the payment of said taxes so erroneously charged against him for said year, which motion was defended by John Paul, Atty. for the Commonwealth, and the Assessor examined as a witness touching the application. And it appearing to the Court that said Land being taxed for Corporation purposes within the Corporation of Harrisonburg, is not liable to be taxed for these County purposes. It is ordered by the Court that said taxes so erroneously assessed against him for the year 1870 ($ 5.73) be refunded him, it appearing that said tax has been paid to the Treasurer of this County.

This day came Henry & John Ryger who allege that they are aggrieved by an entry in the Land book made by Geo. W. Bulvey in the year 1870, whereby they are charged with $ 85.25 taxes for the year 1870, on a tract of land containing 382 Acres, described as lying on Mill Creek; and thereupon the said Henry & John Ryger moved the Court to exonerate him from the payment of $ 14.73 part of the taxes so erroneously charged against him for said year to wit: $ 8.84 State Tax & $ 5.89 County Tax, which motion was defended by John Paul, Attorney for the Commonwealth for said county, and John E. Hopkins the successor of said Bulvey 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 ___ 1870 and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said Henry and John Ryger are charged with 46 Acres more land than they ought to be charged with in said tract of the value of $ 1768.00 and the Taxes went into the hands of the Sheriff for collection, on the 27th day of December, 1870. 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 Henry & John Ryger are erroneously charged on said book with taxes amounting to $ 14.73 whereupon it is ordered that the said Henry & John Ryger be exonerated from the payment of $ 14.73 ($ 8.84 State & $ 5.89 County Taxes.) taxes so erroneously charged, if not already paid, and if paid, that it be refunded to them.

This day came Mrs. M. M. E. Ott, who alleges That she is aggrieved by an entry in the Land book, made by Geo. F. Mayhew, Assessor of Harrisonburg Township, for said county, in the year 1872 whereby she is charged with $ 2.84 Parish Levy and $ 4.16 County & Dist. School tax on 115 Acres of Land valued at the sum of $ 3780, which land lies within the Corporation of Harrisonburg, whereupon the said M. M. E. Ott moved the Court to exonerate her from the payment of said taxes so erroneously charged against her for said year which motion was defended by John Paul, Atty. for the Commonwealth, and the Assessor examined as a witness touching the application. And it appearing to the Court that said Land being taxed for Corporation purposes, within the Corporation of Harrisonburg, is not liable to be taxed for these County purposes. It is ordered by the Court that said taxes so erroneously assessed against her for the year 1872 ($ 7.00) be refunded her, it appearing that said tax has been paid to the Treasurer of this County.

Ordered That the Treasurer of Rockingham County pay to John Paul, Attorney for the Commonwealth for Rockingham County, the sum of $41.66⅔ for his services in this Court for the month of December 1872.

cap'd.

Upon the application of David N. Sanders & others, for the opening of a Public road from the Hasan Springs Turnpike through the lands of Jonas Bloker, Abm. Kinepaugh, James White, George Hall & Alexander Logan to the Swift Run Gap road.

This day came the parties by their Attorneys, and the cause having been fully heard by the Court, It is considered by the Court that said petition be dismissed.

Ordered That the Estate of Wm McK. Hartmann, late Clerk of this Court be allowed the sum of $96.00 for public services from the 1st day of January 1872 to the 9th day of March 1872, and that the same be certified to the Treasurer of this County for payment.

cap'd

Ordered That F. T. Logan, Clerk of this Court be allowed the sum of $404.00 for public services from the 9th day of March 1872 to 31st day of December 1872, and that the same be certified to the Treasurer of this County for payment.

cap'd

On an application to establish a public road leading from Mrs. Leake's to the Swift Run Gap Road, the Commissioners of Roads Joseph Click having returned his Report into Court, It is ordered that the following land owners be summoned to the next term of this Court to shew cause against establishing said road. Geo. E. Deneale, Geo Bowman, Nancy Kinepaugh, David Sanders, J. Douglas, Jacob Bierly, Robert Painter, Mrs. Leake, E. H. Jones, Isaac Bowman, John Bowman, H. G. Way and James Brannaman,

1 & 13 cap'd.

I. Hirsch & Son, Pltff
vs
Herman Dreyfous, deft.
} Upon a sug. vs A. A. Wise.

This day came again the Plaintiff by his Attorney, and thereupon came A. A. Wise upon whom the suggestion has been returned executed, and it appearing to the Court that there is sufficient funds in the hands of said Wise due the deft. Dreyfous to pay the Plaintiff's claim, costs, &c, It is therefore considered by the Court that the Plaintiff recover of A. A. Wise the sum of $26.11 with interest thereon from 30th day of April 1870, and $13.14 costs, and his costs by him in this behalf expended.

Peter Walker, Pltff
vs
Reuben Walker, deft.
} Unlawful Detainer

This day came again the parties by their Attorneys and the Defendant having failed to pay the costs of the former trial, the Plaintiff moved the Court to enter up judgment against

the defendant, which motion the Court doth sustain, It is therefore considered by the Court that the Plaintiff recover against the Defendant possession of the premises described in the writ, and recover also his costs, by him in this behalf expended.

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

James Kenney

Virginia:— In Vacation:—

In the Clerk's office of the County Court of Rockingham County— December 30, 1872.

Joseph Crosmer's Adm'r. Pltff.
vs. In Debt.
George W. Hogan, deft.

This day the defendant George W. Hogan personally appeared in the Clerk's office aforesaid, and acknowledged the Plaintiff's action, and confessed a judgment for $15.00 with interest from July 18, 1864, till paid, and costs, It is therefore considered by that the Plaintiff recover against the Defendant the sum of $15.00 with interest thereon from the 18th. day of July 1864, till paid, and their costs by them in this behalf expended.

Monday, January 20, 1873.

At a County Court held in and for the County of Rockingham, on Monday, January 20, 1873.

Present:- Hon. James Kenney, Presiding.

The Clerk of this Court this day presented in Court, a List of Deeds, &c, received and admitted to record in the Clerk's office of this Court, at and since the last December Term, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows:-

Trust Deed.	Henry Harnsberger & wife	to	C. A. Yancey, Trustee,
Bargain & Sale.	George W. Berlin, Commr.	"	Welford Vaught,
" "	George W. Berlin, Commr.	"	Mary Jane Kibler,
" "	Charles Hedrick's Heirs,	"	Henry Bird,
" "	Jonas Bloker & wife,	"	John & Jonas W. Bloker,
" "	Henry Neff, Commr.	"	Samuel Hinegardner,
" "	Hutton & wife, Isick Gordon & Compton,	"	James L. Avis, Trustee, for &c,
" "	W. L. Lurty,	"	A. M. Newman & A. B. Isick,
" "	Wm. C. Harrison & wife,	"	A. M. Newman & A. B. Isick,
" "	Benj. F. Ralston & wife, &c,	"	John N. Ralston, (of D.)
" "	Jonas Bloker & wife,	"	Abraham Bloker,
" "	Wm. N. Haricofe & wife,	"	Abraham Bloker,
" "	Chesley Kinney, Prest. N. S. & N. I. Co.	"	A. B. Isick & P. Bradley,
" "	J. W. Bowen, Admr. of Jno. Allebaugh,	"	Mary Williams,
" "	G. W. Berlin, Commr.	"	Phebe Andes,
" "	Michael J. Zirkel & wife,	"	S. R. Allebaugh,
" "	G. W. Berlin, Commr.	"	M. J. Zirkel,
" "	Abraham Andes & wife	"	S. R. Allebaugh,
" "	J. W. Zirkel & wife,	"	E. L. Lambert,
Deed of Release.	Herring Chrisman,	"	Geo. W. Chrisman's Heirs,
Bargain & Sale.	Samuel Miller & others,	"	Charles A. Yancey,
" "	A. M. Newman & wife,	"	Adam Werner,
" "	David G. Shoono & wife,	"	Thomas J. Shoono,
Trust Deed.	John C. Casler,	"	Michael Bascom, Trustee,
Gift "	Noah Andes,	"	James Mauck, Brenner, &c, Trustees,
Power of Atty.	Auguste Loewner,	"	Samuel Loewner, Agent,
Trust Deed.	Abraham C. Simmes & wife,	"	B. G. Patterson, Trustee,
Bargain & Sale.	A. M. Monger & wife,	"	Patrick Shay,
" "	J. J. Miller & wife,	"	John Crousehorn,
" "	Robert G. Coakley & wife	"	Geo. W. Miller, Trustee, &c,
" "	Reuben Huffman & wife,	"	Valley Railroad Company,
" "	D. C. Jones & wife,	"	A. J. Wall,

Inventories of the following Estates, were this day returned into Court, and no exceptions being taken thereto, were ordered to be recorded, viz:-

Inventory of the Estate of Marietta J. Donovan,

" " " " " W. E. Niswander & of Lydia A. Niswander,

" " " " " Geo. P. Buttner, Trustee for Amanda J. Long,

" " " " " Sarah Allebaugh,

" " " " " Franklin E. Pence, &c,

The following settlements having been filed in the office the time prescribed by law, and no exceptions being taken thereto, It is ordered that the same be admitted to record, viz:-

Settlement of the Acts of John E. Roller, guard. of M. A. Pence &c,
" " " " J. P. Ralston, Admr, " John Fulk, dec'd.
" " " " Joseph Beery, " " Samuel Flory, dec'd.
" " " " Saml. G. Glick, " " Abram Glick, dec'd.

On motion of R. A. Gibbons, Wm. B. Yancey, J. H. Wetsel & J. N. Lantzing, It is ordered that the Commissioners of Roads for Stonewall Township, be directed to examine a route for a County Road from River Bank Bridge on the Shenandoah River to the Swift Run Gap road at some point on the lands of M. L. Miller, Esq., and also from said River Bank Bridge to a point on the Linnamons Gap Road, at or near the lands of R. A. Gibbons and M. E. Sipe, and said Comm'rs, is directed to make report according to law to the next term of this Court.

Eliza A. Homan, widow of John C. Homan, dec'd, having relinquished, in writing, to the Court, her right to administer upon the Estate of said Homan, on her motion, the said Estate is committed to James P. Ralston, Sheriff of this County, for administration.

And upon her motion, the Court doth appoint Martin Garber, M. F. Sandes, Jacob S. Yount, Lewis Hill and Peter Ritchie, to appraise the Estate of said John C. Homan, any three of whom may act, after first being duly sworn.

Wm. E. Roller, who has been appointed by the Judge of this Court a Constable for Ashby Township for the year ending June 30, 1873, this day appeared in Court, and took the oaths prescribed by law.

On the motion of Samuel H. Myers, and it appearing to the Court that he is a regularly ordained minister in the German Baptist Church, he is duly authorized to celebrate the Rites of Matrimony, by the County Court of Rockingham County, and thereupon he appeared in Court, and together with Jonas Early, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500 conditioned according to law, and qualified accordingly.

Frank, Pl'ff
vs
James Steele, &c, Defts
On 13 mo. Bond.
J. B. Eastham, Deputy Sheriff, for &c. Pl'ff
vs
J. C. & M. Miller & Lam & Bro. Defts
Sug. vs. W. Comm'th Est.

Lud. Chapman, Appellee,
vs
Commonwealth, Appellant.
Appeal
John Thomas, Appellee
vs
The Commonwealth, Appellant.
Appeal

Dunham & Kanfott, for &c, Pl'ff,
vs
J. P. Effinger, Defft.
Sug. vs James Steele.
Dunham & Kanfott, for &c, Pl'ff
vs
J. P. Effinger, Defft.
Sug. vs James Steele.

Ordered, That the foregoing causes be placed on the Court's Docket.

On the motion of John Leedy, who made oath thereto according to law, he appeared in Court, and together with James Steele, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Mrs. E. Webster, dec'd.

And on his further motion, the Court doth appoint Joseph B. Moyers, P. N. Whitlock and John Sites, to appraise the Estate of said Mrs. E. Webster, after first being duly sworn.

On motion of Harvey Lewis, It is ordered that the Estate of Martha Lewis, dec'd, be committed to James P. Ralston, Sheriff of this County, for administration, she being dead over three months.

On the motion of Philander Wenning, who was, on the 13th day of January 1873, appointed by the Governor of Virginia, a Notary Public in and for the County of Rockingham, he appeared in Court, and together with J. D. Logan, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $ Five Hundred Dollars, conditioned for the faithful execution of the duties of his office, Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Philander Wenning took the several oaths required by law.

On the motion of J. D. Logan, Clerk of this Court, Philander Wenning appeared in Court and qualified as Deputy Clerk.

The Grand Jury being called, only five of whom appeared, the Court ordered the Clerk to issue a Venire Facias, directing the Sheriff to summon four additional Grand Jurors, dispensing with the List, and thereupon came A. B. Driver, ~~J. F. Lewis~~, J. F. Level, George Brunk, John S. Heft, N. C. Heidrick, Daniel Click and Joshua Ritchie, who were sworn and impanneled 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 Peter Walker, for assault and battery, - a true bill." A. B. Driver, foreman. "An Indictment against Elizabeth Winegord, for Housebreaking - a true bill." A. B. Driver, foreman. "An Indictment against Elizabeth Winegord, for petit Larceny, a true bill." A. B. Driver, foreman. "An Indictment against Elizabeth Winegord, for burglary, a true bill." A. B. Driver, foreman. "An Indictment against D. A. Plecker, for public nuisance, a true bill." A. B. Driver, foreman. and having completed the business before them, they were discharged from further attendance upon this Court. And it is ordered that proper process do issue.

P. S. Roller, Pltff
vs
D. B. Roy, Deft.
On a motion,
J. A. Carson & Lucy E. Carson, Pltff
vs
Giles Devier, Deft.
Sug. & Rondcapi. Adm.

Ordered That the foregoing causes be placed upon the Courts docket.

S. B. Jennings. Plff
vs
C. Frye Harnsberger Deft. } Upon a Sug. & N. M. Argabright, Exr. of Elizabeth Miller.

This cause having been omitted to be docketed at the December Term, to which it was returnable, is on motion of the Plaintiff, placed on the Court's Docket now for then.

John Thomas, Appelle
vs
The Commonwealth, Appellant. } Upon an appeal from the judgment of a Justice of the Peace.

This cause having been docketed on motion of the Appellee, this day came again the parties by their Attorneys, and thereupon came a Jury, to wit: Meyer Hirsch, J. D. Price, Samuel Showalter, Joseph Sheets, John L. Thompson, Anthony Rhodes, George Liskey, Wesley Miller, Nelson Keyser, Geo. W. Showalter, D. W. Bolley, and Wm. Steele, who being elected tried and sworn, well and truly to try whether the Prisoner is guilty or not guilty as charged, 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 upon their oaths do say, "we the Jury find the Defendant "not guilty." And thereupon the Prisoner was discharged.

Thomas J. Sullivan, an infant over the age of 14 years, this day appeared in Court and made choice of Christian Yeakel as his guardian, and thereupon said Christian Yeakel appeared in Court, and together with Harvey F. Smith, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $50.00 conditioned according to law, and qualified accordingly.

Rules are awarded against Jacob E. Sluss and Lewis Slattenbuck, returnable to the first day of the next term, for their failure to appear as Grand Jurors to this term, when duly summoned.

E. Sipe, Plff
vs
Abs. Normond, Deft. } Upon a sug. ✓

E. Sipe Plff
vs
Abs. Normond, Deft. } Upon a Sug.

The plaintiff having sued out of the Clerk's Office of this Court, on the 12th day of November 1872, two writs of Fieri Facias against John Haga, one for the sum of $8.50 with interest from 28th day of August 1869, and $2.36 costs, the other for the sum of $9.47 with interest from Aug. 28, 1869 and $1.46 costs, and having suggested that by virtue of his writs of Fieri Facias, there is a liability on Abs. Normand of Page County, and the suggestions against said Normond having returned duly executed, and he having in a communication directed to the Clerk of this Court, admitted that he was indebted to said Haga in the sum of Fifty Dollars, It is therefore considered by the Court that the Plaintiff recover of the Defendant Abs. Normond, the sums of $8.50 with interest thereon from Aug. 28, 1869, till paid, and $2.36 costs, and $9.47 with interest thereon from Aug. 28, 1869, till paid and $1.46 costs, and also his costs by him in these two motions expended.

Joseph Rinnel, an infants over the age of 14 years this day appeared in Court, and made choice of his father, John D. Rinnel as his guardian, and thereupon said John D. Rinnel appeared in Court, and together with Jacob M. Rinnel, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $250 conditioned according to law, and qualified accordingly.

Matthew L. Glass, special Constable this day presented in Court an Account against the Commonwealth of Virginia, ~~County of Rockingham~~, amounting to the sum of $3.20 for arresting and conveying to Jail, Wm Hughes, a Lunatic and for summoning Physicians, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment

cs/ps/d.

Hamilton Easter & Son, Pltffs,
&
Wm Loeb, &c, Defts

Upon a ~~Forfeited~~ Forthcoming Bond, executed for the forthcoming of Property on day of Sale

Same, Pltffs,
&
same, Defts

Upon same

Seliger & Newman, Pltffs,
&
same, Defts.

Upon same.

James Miller, Pltff
&
Thomas J. Butler, &c, Defts.

Upon same.

On motion of the Plaintiffs, by their Attorneys, the defendants were solemnly called and came not, and the Notices being proved, It is considered by the Court that the Plaintiffs have judgment and execution against the Defendants, according to bonds and for costs.

M. Harvey Effinger & Bro & Ford, Pltff
&
Jno. G. Minfield & A. F. Branner, Defts.

Upon a Bond executed for the purchase of Property at Sheriff's sale, under Act of Assembly

This day came the Plaintiff by his Attorney, and the Defendants, though solemnly called came not, and the notice was proved, It is therefore considered by the Court that the Plaintiff recover of the Defendants the sum of $234.15 with interest thereon from the 17th day of August 1871, till paid, and his costs, by him in this behalf expended, subject to the credits as endorsed on bond by Plaintiff's Attorney.

Wm Eiler, Pltff,
&
E. G. Sanford & Wm Sigler, Defts.

Upon a Bond executed for the purchase of Property at Sheriff's sale, under Act of Assembly

This day came the Plaintiff by his Attorney, and the Defendants, though solemnly called, came not, and the Notice was proved, It is therefore considered by the Court that the Plaintiff recover of the Defendants

the sum of $85.96 with interest thereon from the 16th day of August 1871 till paid, and his costs by him in this behalf expended.

Deborah Bowman's Admr. Pltff.

vs

John G. Winfield & D. F. Banner, Defts. } Upon a bond executed for the purchase of Property, under an Act of Assembly at Sheriff's sale.

This day came the Plaintiff by his Attorney, and the Defendants, though solemnly called, came not, and the Notices were proved, It is therefore considered by the Court that the Plaintiff recover of the Defendants the sum of $75.12 with interest thereon from the 17th day of August 1871 till paid, and his costs by him in this behalf expended.

C. R. Rush, Pltff.

vs

R. G. Coakley late Depy. for G. C. Ammon, S.R.C. and his sureties } Upon a notice for money paid to A. St. C. Spinkey by Pltff. as the one of the sureties of G. C. Ammon, late Sheriff, by reason of the default of the Deft. R. G. Coakley

$2.58 costs pd ✓

It appearing to the Court that Ephraim Wenger, one of the sureties on the official bond of R. G. Coakley, late Deputy for G. C. Ammon, S.R.C., has had due notice of this motion, It is considered by the Court, on motion of the Plaintiff, that he recover of the said Ephraim Wenger, the sum of $53.50 with interest thereon from the 5th day of April 1872, till paid, and 5 per cent. damages, and his costs by him in this behalf expended.

B. L. Yancey, Pltff

vs

same & his sureties, Defts. } Upon same motion.

It appearing to the Court that James C. Keltzel, one of the sureties on the official bond of R. G. Coakley, late Deputy for G. C. Ammon, S.R.C., has had due notice of this motion, It is considered by the Court, on motion of the Plaintiff, that he recover of the said James C. Keltzel, the sum of $56.50 with interest thereon from the 5th day of April 1872 till paid, and 5 per cent. damages, and his costs by him in this behalf expended.

J. W. Weaver, Pltff.

vs

same & his sureties, Defts. } Upon same motion.

$2.58 costs pd. ✓

It appearing to the Court that Ephraim Wenger, one of the sureties on the official bond of R. G. Coakley, late Deputy for G. C. Ammon, S.R.C., has had due notice of this motion, It is considered by the Court, on motion of the Plaintiff, that he recover of the said Ephraim Wenger, the sum of $53.75 with interest thereon from the 24th day of April 1872, till paid, and 5 per cent. damages, and his costs by him, in this behalf expended.

J. D. Gilmore, Pltff.

vs

same & his sureties, Defts. } Upon same motion.

✓

It appearing to the Court that James C. Keltzel, one of the sureties on the official bond of R. G. Coakley late Deputy for G. C. Ammon, S.R.C., has had due notice of this motion, It is considered by the Court, on motion

of the Plaintiff, that he recover of said James C. Seltzel, the sum of $154.00 with interest thereon from the 4th day of May 1872, till paid and 5 per cent. damages, and his costs, by him in this behalf expended.

In the matter of the Valley Railroad Company, Pltff vs Lurenna Deneale and Geo. E. Deneale, Trustee,

Rockingham County, To-wit:

I, J. M. Irvine, a Justice of the Peace for the said County, do certify that Wm. Pickerel, Wm. N. Whittaker, John S. Lewis, John Leedy and Frank. Liskey, have this day made oath before me that they will faithfully and impartially ascertain what will be a just compensation for such of the land of the freehold whereof Lurena Deneale & George E. Deneale, Trustee of said Lurena Deneale are tenants, as is proposed to be taken by the Valley Railroad Company for its purposes, and will truly certify the same, Given under my hand this the 10th day of January 1873.

J. M. Irvine, J. P.

The Valley Railroad Company, Pltff
vs.
Lurenna Deneale & Geo. E. Deneale, Trustee, Defts. } Upon a Notice.

The Commissioners appointed at the last term of the Court, to ascertain and assess a just compensation to Lurenna Deneale and George E. Deneale, her Trustee, for so much of her land wanted by the Valley Railroad Company for its purposes, and for the damages to the residue of her tract of land, by reason of the construction of the Railroad through her property, having herewith returned their report in writing, subscribed by four of the five Commissioners, which is entered of record, and by agreement of parties the finding of said Commissioners is adopted and ratified in all respects, and it is ordered that said report be recorded in the Deed book of the Clerk's Office of this County, and that said Valley Railroad Company pay to the defendants the damages ascertained by the Commissioners in their said Report, viz:- Two Thousand Dollars, and it is further ordered that the defendants recover against the Plaintiffs, their costs by them about their defence, in this behalf expended, and that the said Valley Railroad Company be vested with all the rights given in said repeat, and be subject to all the requirements therein.

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

Madison Snowden, late of the County of Rockingham, who stands indicted for a felony by him committed on the day of October 1872, was this day again led to the bar in custody of the Jailor of this Court, and having at a former term of the Court been arraigned thereof, and pleaded not guilty, and the Veniremen summoned for his trial, being called, seventeen of whom appeared, viz:- Herod Homan, Moses Ewing, Jonas Early, Allen Fleming, Gideon Pence, Michael Brock, Jr. F. Spitzer, Jonathan Swain, Saml. N. Bowman, John Osebaugh, John Bowman, jr, Franklin Strickler, Milton Taylor, Wm. F. Landis, Strother May, Samuel Shank and John Pence, two of whom, viz:- Jonas Early and Samuel Shank were excused from

serving, with the consent of the prisoner's counsel, the Court ordered the Sheriff to summon one additional Venireman, to appear here forthwith and the Venireman so summoned, appeared, viz: Wm. Minnick, and being together with the other fifteen Veniremen, examined by the Court, and found to be duly qualified and free from exceptions, the panel of sixteen being complete, the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz: Abrod Bowman, Saml. M. Bowman, John Bowman, jr., and Wm. Minnick, the remaining twelve persons, viz:— Moses Fussing, Albert Flemming, Gideon Pence, Michael Brock, Jo^s. F. Spitzer, Jonathan Mason, John Ackaugh, Franklin Strickler, Milton Taylor, Wm. F. Landis, Strother May and John Pence, and not having time to conclude the cause, the Jury, without being sworn, were, with the consent of the prisoner adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Tuesday, January 21, 1873.

Present: Hon. James Kenney, presiding.

Abraham Andes, Admr. of Geo. Andes, decd. Pltff,
vs.
N. B. Lutz, Deft. } Upon an Attachment.

On motion of the Defendant, and for reasons appearing to the Court, It is ordered that the Attachment in this case be quashed, and that the Defendant recover from the Plaintiff his costs, in his defence, in this behalf expended.

Peter S. Roller, Pltff,
vs.
David B. Roff, Deft, } Upon a Notice for money paid to Mr. Shacklett, surv. partner of Shacklett & Gibbons, as surety for Defendant.

This day came the Plaintiff, by his Attorney, and it appearing to the Court that the Defendant has had due notice of this motion, on motion of the Plaintiff, It is considered by the Court that the Plaintiff recover of the Defendant, $104.22 the amount of Principal, Interest & costs, paid by said Plaintiff, with interest thereon from the 3d. day of January 1870 till paid, and 5 per centum damages on said amount, and also his costs by him, in this behalf expended.

Jacob W. Bowen,
vs.
Granville Eastham, } Upon a Notice to quash an Execution and correct a Judgment.

Upon the motion of J. W. Bowen and Andrew S. Denton, in pursuance of a Notice by J. W. Bowen executed, and the notice waived as to A. S. Denton, by G. Eastham, the Fieri Facias issued out of the Clerk's office of this Court on the 20th day of December in the year 1872, and placed in the hands of S. C. Bare, Deputy of J. T. Ralston, Sheriff of Rockingham County, Virginia, to be levied of the goods and chattels of Andrew S. Denton and J. W. Bowen, to satisfy a judgment in favor of Granville Eastham, of this Court, at its November Term in the year 1872, for $600, with interest thereon from the 15th day of September in the year 1872, till paid, at the rate of 12 per cent. per annum, and also for $2.38 charges of protest, with interest thereon at the rate of six per cent per annum from the same period till paid, and also for $8.50 costs, be and the same is hereby quashed, and the said judgment, the conditional judgment and judgment in the office had at Rules in said cause, are set aside, and this cause is remanded to Rules for further proceedings to be had therein. And it is ordered that the said J. W. Bowen recover of the said G. Eastham, his costs herein expended.

On the motion of John W. Orebaugh, Wm. D. Rodgers and various others, It is ordered that the Commissioners of Roads for Ashby Township be directed to examine a route for a Road beginning on the Roller's Mill road, and leaving through the lands of of S. A. & D. Intiviler to the North River, thence crossing the river at the old ford to the lands of John W. Orebaugh &

John Corbew, and on their line to the lands of Robert Futrilles, and through his lands to the lines of John Showalter & John Landes, and with their line to Wm Rodgers Land, and through his lands to his and A. Shenk's line, and with their line to Reubush & Shank's line and with said line and across a part of Reubush's and the lands of A. Forbaugh's Estate to the line between Reubush & A. Flory, and with said line to the lands of Daniel Huffman, and through his lands to the Friedens Church and Mt. Crawford Road, and said Commrs. is directed to make report according to law, to the next term of this Court,

Upon the petition of P. M. Dice & others, to establish a Road,

Joseph Belick, Road Commissioner for Ashby Township this day returned his report made in obedience to a former order in this case, by which he recommends the establishment of the Road asked for and also filed with his report a paper signed by all the land holders along the line of said Road by which they agree to release all damages for the establishment of said Road, and the Court, after examination of said Report and paper, and having all the evidence doth direct that a public Road be established by Ashby Township, leading from the Valley Turnpike along the line of P. S. Rollen & J. F. Brown and upon the land of said Brown to the line of Grattan & Rollen, then along that line on the Grattan land to G. F. Funkhouser's line, then on said Funkhouser's land to the line of Funkhouser & Grattan at the corner of a field on the Grattan land, known as the Cop Field, then on the line of Grattan & Funkhouser to the Augusta line, along the route described in the diagram accompanying the Commrs. Report. But the said Road shall not be opened over any land now in crop, until the same is harvested, without the consent of the owner of the crop,

cofrd. Dn. for 9.4.4.

Commonwealth,
vs.
Elizabeth Winegord,
} Upon an Indictment for Petit Larceny.

This day came the Attorney for the Commonwealth and entered a Nolle prosequi in this cause.

John M. Flory and Joel S. Flory infants over the age of 14 years, this day appeared in Court and made choice of their father John Flory as their guardian, and the Court doth appoint said John Flory guardian of his infants children Sam'l S., Mary C., Daniel S., and George W. Flory, infants under the age of 14 years, and thereupon said John Flory appeared in Court, and together with Joseph Bowman, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned according to law, and qualified accordingly.

Madison Snowden, late of the County of Rockingham, who stands indicted of a felony by him committed on the ___ day of October 1872, was this day again led to the bar in custody of the Jailor of this county, and the Jury selected for his trial appeared in Court, pursuant to their adjournment, viz:- Moses Lucas, Albert Fleming, Gideon Pence, Michael Brock,

Jos. F. Spitzer, Jonathan Mason, John Archaugh, Franklin Strickler, Milton Taylor, Wm. F. Landis, Strother May and John Pence, who being so elected, tried and sworn the truth of 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 oath do say "we the Jury find the prisoner guilty of petit larceny, and fix the term of imprisonment in the County jail at 12 months" Thereupon the Jury was discharged, and it being demanded 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 Madison Snowden be imprisoned in the jail of this County, for the period of twelve months, and thereupon the prisoner was remanded to jail.

Elizabeth Kinnegord, late of the County of Rockingham, who stands indicted for a felony by her committed on the day of 1872, was this day led to the bar in custody of the Jailor of this County, and being thereof arraigned, pleaded not guilty, and the prisoner demurred, by her counsel, to the Indictment, which demurrer the Court overruled, and the Veniremen summoned for her trial, being called, eighteen of whom appeared, and therefrom the following panel of sixteen were obtained, who were found to be duly qualified and free from exceptions, by the Court, viz:— Wm. H. Peterson, Daniel Garber, Joseph Keagy, Solomon Buntzen, Jacob Frank, John Early, John M. Bolton, Jacob Funkhouser, John L. Thompson, Eliphalet Johnson, St. Clair Detamore, Emanuel Cromer, Saml. M. Woods, Jacob B. Burns, B. F. Hughes and Wm. J. Myers, and the prisoner was furnished with a copy thereof, and having struck therefrom the names of four of the persons of said panel, viz:— Daniel Garber, Joseph Keagy, Solomon Buntzen and John Early,— the remaining twelve persons thereby constituting the Jury, viz:— Wm. H. Peterson, Jacob Frank, John M. Bolton, Jacob Funkhouser, John L. Thompson, Eliphalet Johnson, St. Clair Detamore, Emanuel Cromer, Saml. M. Woods, Jacob B. Burns, B. F. Hughes and Wm. J. Myers, who being so elected, tried and sworn the truth of 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 sometime returned into Court, and not having agreed upon a verdict, thereupon they were placed in charge of D. H. Ralston & S. C. Bare, Deputies for J. P. Ralston, Sheriff of this county, to whom was administered an oath that they would keep them together without communication with any person, that they would neither converse with them themselves, touching this trial, nor permit any other persons to do so, and would cause them to appear in Court to-morrow morning at 9 o'clock. And thereupon the prisoner was remanded to jail.

c/f. 2d C. Ordered That the following named Veniremen in case of the Commonwealth against Madison Snowden, charged with felony, be allowed the sum of One Dollar each, viz:— Moses Lucing, Albert Fleming, Gideon Lenca,

Michael Brock, Jo^s F. Spitzer, Jonathan Mason, John Crebaugh, Franklin Stricklen, Milton Taylor, Wm F. Landis, Struthers May & John Pence, & that the same be certified to the Auditor of Public accounts for payment.

John A. Noon Pltff
vs
D. H. Silcott, deft. } Am Debt.

For reasons appearing to the Court, the judgment at common law rendered at the November Term last of this Court, against the Defendant, is set aside.

Same, Pltff
vs
same, Deft, } Upon an Attachment.

This day came the Plaintiff, by his attorney, and the order of Publication in this cause having been duly executed, and it appearing to the Court that the Defendant is justly indebted to the Plaintiff in the sum of $56.20 with interest thereon from June 4, 1872, and J. G. Minor upon whom said Attachment has been served, appearing and answering, by counsel, that he is indebted to the Defendant in a sum sufficient to pay the Plaintiffs demand, interest and costs thereof, It is considered by the Court that the Plaintiff recover against the Defendant J. G. Minor, the sum of $56.20 with interest thereon from June 4, 1872, till paid, and his costs, by him in this behalf expended, and also his costs at common law.

Ordered That A. B. Driver, T. F. Level, George Brunk, John A. Hefs, W. C. Hedrick, Daniel Click and Joshua Ritchie, be each allowed the sum of One dollar for their services as Grand Jurors at this term of the Court, and that the same be certified to the Treasurer of this county for payment.

copied.

Ordered, That, Meyer Hirsch, J. D. Price, Saml. Showalter, Jo^s Sheets, Jno L. Thompson, Anthony Rhodes, George Liskey, Wesley Miller, Nelson Ketcham, Geo. W. Showalter, W. H. Roller and Wm. Steele, be each allowed one Dollar for their service at this term of the Court in trial of misdemeanor cases, and that the same be certified to the Auditor of Public Accounts for payment.

copied & cert. to Auditor.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Wednesday, January 22nd 1873.

Present:- Hon. James Kenney, Presiding.

The writing purporting to be the last will and testament of Mrs. Sarah R. Wartmann, was this day presented in Court, and being proved by the oaths of James Kavanaugh and Wm McK. Wartmann jr, the subscribing witnesses thereto, and was admitted to probate.

On motion of the heirs of William Davis, dec'd, in behalf of Warren H. Guthrie, and upon the introduction of evidence to the Court in open Court, this 22d day of January 1873, the said Court being a Court of Record of Probate jurisdiction for the county of Rockingham, State of Virginia, the said Court doth hereby certify that it has been proven to the satisfaction of said Court, in open Court, that said William Davis, the warrantee in the Bounty Land warrant No. 23,409 for 80 Acres, Act of September 28, 1850, bearing date 6th day of December A.D 1851, signed J.E. Heath, Commissioner, departed this life on the day of 1852, intestate, in the county of Rockingham, Virginia, leaving surviving him his widow Olly Davis, and five children, viz:- Robert Davis, William Davis, John Davis, Mary Davis and Elizabeth Davis, his only children and heirs at law, that said widow and children are the same identical parties who assigned said warrant on the back thereof, on the 18th day of March 1856, and on said last day acknowledged the same before Isaac Thomas, a Justice of the Peace for the County of Rockingham aforesaid, and that the said same parties did assign said warrant as thereon endorsed and acknowledged, that the said same parties, said widow & children are the heirs and only heirs at law of the said warrantee, William Davis, deceased, that said widow & children at the said date of said assignment were each and all of lawful age, over 21 years of age, and then living, and the female portion thereof unmarried, that said widow & children according to the law of Virginia, their domicil, had the right to so assign said warrant as aforesaid, that said warrant was in the possession of said warrantee in his lifetime, that as appears endorsed on said warrant, L. W. Gambill was Clerk of said County Court, and said Isaac Thomas was then an acting Justice of the Peace and their said endorsements on said warrant are entitled to full faith and credit, and are in due form of law as of their said date the 18th & 19th day of March 1856. Witness the following signature and seal. James Kenney. (Seal)

copied.

Elizabeth Winegord, late of the County of Rockingham, who stands indicted with a felony by her committed on the day of 1872, was this day again led to the bar in custody of the Jailor of this County, and thereupon came the Jury & room and impannelled on yesterday, pursuant to their adjournment, and again 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 not guilty. And thereupon the Jury was discharged. And there being other Indictments pending against the prisoner, she was remanded to Jail.

cop'd. & a.

Ordered, That Wm. K. Peterson, Jacob Frank, John M. Bolton, Jacob Funk-
-houser, John L. Thompson, Eliphalet Johnson, St. Clair Detamore, Emanuel
Cromer, Saml. M. Woods, Jacob B. Burns, B. F. Hughes and Wm. J. Myers,
be each allowed the sum of One dollar, for their services in case of the
Commwlth vs Elizabeth Vineyard, charged with felony, and that the same
be certified to the Auditor of Public Accounts.

cop'd.

G. W. Powell, Constable of Rockingham County, this day presented in Court
an Account against the Commonwealth of Virginia, amounting to the sum
of $23.02, for arresting John Thomas, for larceny, summoning witnesses, witnesses
attendance, &c, 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 Indict. No. 1.
cop'd.

Ordered That J. P. Effinger be allowed the sum of $12.00 for the
board of 12 Veniremen in case of Commonwealth vs Elizabeth Vineyard,
charged with felony, and that the same be certified to the Auditor of
Public Accounts for payment.

Abraham Funk, Pltff
vs
James Steele & J. N. Cowen, Defts. } Notice upon a Bond, due 12 months after date, un-
-der Act of Assembly, approved May 28, 1870.

This day came again the parties by their Attorneys, and
the cause was submitted to the Court, and having fully heard the same,
on the motion of the Plaintiff, It is considered by the Court that the
Plaintiff recover of the Defendants the sum of $167.70, with interest thereon
from the 17th day of July 1872, till paid, and the costs, by him in this be-
-half expended.

Memo:- Upon the trial of this motion, the Defendants excepted to an opin-
-ion of the Court given upon said trial and tendered this bill of exceptions,
which was signed, sealed and enrolled, and made part of the record in
this cause, and is in the words and figures, following, to-wit:- "Abraham
Funk vs. James Steele, &c."

issued.

Ordered That the Clerk of this Court issue a Venire Facias directed to
the Sheriff of this County, requiring him to summon 24 Veniremen
to appear here on to-morrow morning at 10 o'clock, for the trial of Eliza-
-beth Vineyard, charged with Burglary.

Wm. Chapman,
vs
The Commonwealth } Upon an appeal from the judgment of a Justice
of the Peace.

This day came again the Appellee by his counsel, as well
as the Attorney for the Commonwealth, and thereupon came a jury, to-wit:-
John L. May, W. K. Peterson, John L. Thompson, Samuel Showalter, Jacob Funk-
-houser, A. D. Armentrout, B. F. Hughes, E. N. B. Huffman, John Bowman, jr, N. P.
Propst, J. J. Frank & Wm. Ralston, who being elected, tried and sworn well and
truly to try whether the accused was guilty of the charge in the war-
-rant, from 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 Prisoner not guilty." And thereupon the Jury was discharged.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday, January 23, 1873.

Present:- Hon. James Kenney, presiding.

Geo. H. Kodrick, Plff
vs
R. G. Coakley, late Depy. for Y. C. Ammon, S.R.C. Defts

Upon a notice for money paid to A. St. C. Sprinkel, Plff as one of the sureties of Y. C. Ammon, late Sheriff by reason Coakley's default.

It appearing to the Court, that Ephraim Menger, one of the sureties on the official bond of R. G. Coakley, late Deputy for Y. C. Ammon, S.R.C., has had due notice of this motion, It is considered by the Court, on motion of the Plaintiff that he recover of the said Ephraim Menger, the sum of $53.10 with interest thereon from the 29th. day of May 1872, till paid, and 5 per cent. damages, and his costs by him in this behalf expended.

This day came A. E. Henebergen, Exor of the Estate of Peter Henebergen, dec'd, who alleges that he is aggrieved by an entry in the Property Book made by A. H. Brewer, Comm'r. of the Revenue for said county, in the year 1871, whereby he is charged with $25.34 Taxes for the year 1871 on $3670.00 Personal Estate; and thereupon the said A. E. Henebergen, Exr. moved the Court to exonerate him from the payment of $25.34 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 A. H. Brewer, the Commissioner, who made the assessment, was examined as a witness touching the application.

c/f. s.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 the ___ day of ___ 1871, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the indebtedness of said A. Henebergen's Estate was greater than this amount of Bonds & Personal Estate, to wit:- $3670:- and the indebtedness more than absorbed the whole of the personalty of said Estate:- and that said taxes had been paid by him. 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 A. E. Henebergen, Exor. &c, is erroneously charged on said book with taxes amounting to $25.34:- Whereupon it is ordered that the said A. E. Henebergen, Exor. &c, be exonerated from the payment of $18.35 State Tax $1.84 County Levy, $3.68 Railroad Tax and $1.47 County School Tax, taxes so erroneously charged, if not

already paid, and if paid, that it be refunded to him.

Peter Sheets, use of Burket, Pltff,
vs
George Dove, Deft. } On motion of Pltff. leave is given him to withdraw the bond in this suit, on leaving a certified copy with the papers.

F. C. Dunham, surv'g. partner, &c, for the use of Jno. B. Kearfott, Pltff
vs
James Steele, Deft. } Upon a suggestion suggested by the Pltff. under an Exn. vs J. P. Effinger,

This day came the parties by their attorneys, and it appearing to the Court from the evidence of James Steele, that he is indebted to the Defendant Jacob P. Effinger in the sum of $650- on which the Plaintiffs Execution is a lien, It is considered by the Court that the Plaintiff recover against said Steele, $208.80 & $2.73 charges of protest, with legal interest thereon from the 10th day of May 1868 & $10.17 costs, that being the amount of the Plaintiffs Execution against said J. P. Effinger.

Same, Pltff,
vs
Same, use of John P. Kearfott, Defts. } Upon same.

This day came the parties by their attorneys, and it appearing to the Court from the evidence of James Steele, that he is indebted to the Defendant, Jacob P. Effinger, in the sum of $650- on which the Plaintiffs Execution is a lien, It is considered by the Court that the Plaintiff recover against said Steele $208.80 & $2.83 charges of protest, with legal interest thereon from the 10th day of Nov. 1867 & $10.17 costs, that being the amount of the Plaintiffs Execution against said J. P. Effinger.

John Crouchhorn & others Pltffs,
vs
F. M. Erwine, Deft. } Upon a Road Petition.

For reasons appearing to the Court, this cause is continued until the next, and Rules awarded against Benj. Crouner, Jo. Selick, T. A. Jackson, D. Cupp & Peter Long, the Plaintiffs witnesses, returnable to February Term of this Court.

copied & certified.

Ordered That John L. May, Wm. H. Peterson, Jno. L. Thompson, Saml. Showalter, Jacob Funkhouser, A. D. Armentrout, B. F. Hughes, E. H. B. Huffman, John Bowman, jr., N. F. Propst, J. J. Frank & Wm. Ralston, be each allowed One dollar as jurors upon the trial of the appeal of Wm. Chapman from the judgment of a Justice of the Peace, and that the same be certified to the Auditor of Public accounts for payment.

Elizabeth Winegord, late of the County of Rockingham, who stands indicted of a felony by her committed on the day of December, 1872, 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 the Veniremen summoned for her trial being called, eighteen of whom appeared, and therefrom the following panel of sixteen were obtained, who were examined by the Court and found to be duly qualified and free from exceptions, viz:- A.S. Byrd, J.H. Andes, J.H. Ralston, of D., Martin Beery, B.F. Ralston, S.C. Bowers, D.H. Cowl, D.F. Linaweaver, John P. Good, A.D. Brunk, ~~Peter~~ Joseph Ritchie, David Brenneman, Abm. Geil, Adam Cowl, Thompson B. Miller and John Brown, and the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- A.S. Byrd, J.H. Ralston, of D., D.F. Linaweaver and Abraham Geil, the remaining twelve persons thereby constituting the Jury, viz:- J.H. Andes, Martin Beery, B.F. Ralston, S.C. Bowers, D.H. Cowl, John P. Good, John Brown, A.D. Brunk, Joseph Ritchie, David Brenneman, Adam Cowl and Thompson B. Miller, who being so elected, tried and sworn the truth of 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 not having agreed upon a verdict, thereupon they were placed in charge of D.H. Ralston & L.S. Byrd, Deputies for J.P. Ralston, Sheriff of this County, to whom was administered an oath, that they would keep them together without communication with any person, that they would neither converse with them themselves touching this trial, nor permit any other person to do so, and would 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.

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday, January 24, 1873.

Present:- Hon. James Kenney, presiding.

D. S. Routsah, Plff.
vs.
Michael Long, Deft. } Rule

Ordered That this cause be removed to the Circuit Court of this County.

Elizabeth Winegord, late of the County of Rockingham, was this day again led to the bar in custody of the Jailor of this County, and thereupon came the Jury sworn and empannuled on yesterday for the trial pursuant to their adjournment, and again retired to their room to consider of their verdict, and after sometime returned into Court, and upon their oath do say, "we the Jury find the Defendant guilty of Petit Larceny, and fix the term of her imprisonment in the County Jail at twelve months, and we find her not guilty of Burglary, and not guilty of housebreaking." And it being asked of the prisoner if anything for herself she had, or knew to say, why this 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 considered by the Court that the said Elizabeth Winegord be imprisoned in the Jail of this County for twelve months, (the period by the Jurors in their verdict ascertained.) And thereupon the prisoner was remanded to Jail and the Jury was discharged.

Ordered That J. H. Anders, Martin Beery, B. F. Ralston, S. C. Bowers, D. W. Good, John P. Good, John Brown, A. D. Brunk, Joseph Ritchie, David Brenneman, Adam Good and Thompson B. Miller, be each allowed the sum of Two dollars for two days services as Veniremen in case of The Commonwealth vs Elizabeth Winegord, charged with felony (No. 2)

cp $2.00 d.

Ordered That J. P. Effinger be allowed the sum of $12.00 for the board of 12 Veniremen one day, c/ each in case of the Commonwealth vs Elizabeth Winegord, charged with felony No. 2,

cp $1.00 d.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Saturday, January 25, 1873.

Present:- Hon. James Kenney, presiding.

issued. J. C. Braithwaite presented in Court an A/c against the County of Rockingham, amounting to $2.50 for platform erected in Ct. 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.

copied &d. It is ordered that the Treasurer of Rockingham County, pay to John Paul, Commonwealths Attorney for Rockingham County, the sum of $41.66⅔ for his services in this Court for the months of January 1873.

copied &d. It is ordered that it be certified to the Auditor of Public Accounts that John Paul, Commonwealths Attorney for Rockingham County is entitled to the sum of Twenty Dollars, for prosecuting two cases of Felony, at this term of the Court, to wit:- Commwlth vs Elizabeth Minegord, and Commwlth vs same.

Peachy Rice having presented his resignation as one of the Commissioners in Chancery in this Court, the Court doth appoint George F. Compton as Commissioner in his stead, and thereupon said G. F. Compton appeared in Court and qualified as such Commissioner.

Jones Bro's Pltff
vs
J. C. Swank, Deft. } Upon a warrant from a Justice of the Peace.

This day came the parties by their Attorneys, and the cause was submitted to the decision of the Court, at this term, by consent, and Court having fully heard the evidence and argument of counsel, It is considered by the Court that the Plaintiff recover from the Defendant the sum of $11.50 and costs before the Justice, but no costs on this motion.

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

James Kenney

Virginia,-

In the Clerk's office of the County Court of Rockingham County, January 31, 1873. In Vacation:-

John W. McLeod, use of Harvey Kyle, Pltff
vs
Philip Bamhart & John Holzel, Deft. } Am Debt.

This day the Defendant, Philip Bamhart, personally appeared in the Clerks office aforesaid and acknowledged the Plaintiffs action, and confessed a judgment for $139.33½ with interest thereon from 1st day of April 1869, till paid, (subject to credit of $8.35 April 1, 1870, and costs, It is therefore considered that the Plaintiff recover against the Defendant the sum of $139.33½ with interest thereon from 1st day of April 1869, till paid (subject to credit of $8.35 April 1, 1870) and his costs by him in this behalf expended.

Monday, February 17, 1873.

At a County Court held in and for the County of Rockingham, on Monday February 17, 1873.

Present:- Hon. Henry C. Allen, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	D. Hollar & wife	to J. A. Mitchell, Trustee, &c,
" "	W. D. Hopkins & wife,	" M. A. Heatwole,
" "	Wm. Fitzwaters & wife,	" Frederick Crider,
" "	Winfield & Liggett,	" John Zigler,
" "	John Zigler & wife & others,	" Mary May,
" "	A. S. Gray,	" M. Clay Miller,
" "	J. Barbour & wife,	" David Hollar,
" "	Reuben Samples,	" Jeremiah Dorman, (Cold Deed,)
" "	Charles E. Haas,	" Harrison B. Armentrout,
" "	same,	" Abm. B. Armentrout,
" "	Hess & Shumate,	" Wm. J. Myers,
" "	N. J. Henkel & wife,	" Franklin Wilson,
Mechanic's Lien.	L. J. Jones,	" Jones' Brothers,
Trust Deed,	Hugh A. Brunk & wife,	" D. A. Heatwole, Trustee,
Bargain & Sale,	Mary E. Jordan,	" Wm. P. Sites,
" "	Solomon Miller & wife,	" same,
" "	Benjamin Crawford,	" Samuel McDorman,
" "	Peter Dinkel & wife	" Mary E. Painter, &c,
" "	A. M. Neumann & wife & A. B. Strickler & wife,	" Wm. C. Harrison,
" "	M. A. Heller,	" Wm. M. Bickhimer,
" "	G. H. Shaver & wife,	" Isaac Wenger,
" "	Christian Brunk & wife,	" same,
" "	John M. Niswander & wife,	" George M. Shaver,
" "	R. Johnston, Commr.	" Catharine Bowman,
" "	J. M. Zirkel & wife,	" E. J. Feddon,
" "	Thomas Atchison & wife,	" Jasper Hawse,
" "	Harvey Alger & wife,	" Josiah Hulva,
" "	H. L. Leedy, Commr. &c,	" Wm. Ott,
" "	John E. Dovel,	" Wm. C. Summers,
" "	Solomon D. Henkel & wife,	" Sinan C. Henkel,
" "	George Smiley,	" Benjamin Greene
" "	Daniel Flory & wife, &c,	" Noah Flory,
" "	same,	" Mary Flory,
" "	Nathl. Flook & wife, &c,	" Reuben Sellers,
" "	Joseph Williams & wife,	" Mary Susan Williams,
" "	Rufus K. Delphenstein,	" Geo. F. & Saml. N. Mauck
Bill of Sale,	A. R. Whiskey,	" Peter Long,
Bargain & Sale,	Archibald Taylor & wife,	" Jo. Funkhouser, &c, Trustees,
" "	George K. Miller & wife,	" Wm. Munger,
" "	Thornton Greene & wife,	" John E. Roller, Trustee,

Article of Agreement,	Martin Miller	&	A. A. Hess,
Bargain & Sale,	Joseph Rhodes & wife,	to	James Baker, (old deed,)
Trust Deed,	Wm Beard,	"	B. G. Patterson, Trustee,
Bargain & Sale,	Jeremiah McCarty & wife, &c,	"	M. Loewenbach & Bro,
Lis Pendas,	A. B. Irick use of John Geary,	"	John S. Wood, Chas. K. Sowers, Margaret E. Sowers Elizabeth Sellers & Wm. M. Donnogh.
Bargain & Sale,	G. H. Mauck & wife	"	Samuel H. Mauck,
" "	J. N. Loewenbach & wife	"	Samuel H. Mauck,
" "	D. H. Andrews & wife,	"	Benjamin Miller,
" "	Casler & wife,	"	A. B. Slaymaker,

The Appraisement and Sale Bills of the Estate of James Whitmore, dec'd, was this day presented in Court, and no exceptions being taken thereto, are ordered to be recorded.

The following settlements having been filed in the office the time prescribed by law, and no exceptions being taken thereto, it is ordered that the same be admitted to record, viz:-

Settlement of the A/c of	R. Myers & E. H. Cromer,	Admrs. of	Joseph Cromer, dec'd,
" " " "	Jackson Knopp	" "	Nancy Holsinger, dec'd,
" " " "	Geo. P. Bentner	" "	Henry Keefe, dec'd,
" " " "	R. D. Hensley,	" "	Conrad Long, dec'd, No. 1.
" " " "	Elijah Dudley,	" "	Henry Reezel, dec'd,
" " " "	R. D. Hensley,	" "	Conrad Long, dec'd, No 2.
" " " "	David & Lewis Driver,	& Exrs. "	John Driver, dec'd,
" " " "	Wm G. Thompson,	" "	Alexander Holsinger, dec'd,

The Appraisement and Sale Bills of the Estate of Geo. Brenner, dec'd, and Inventory & Appraisement Bill of Estate of John N. Rice, dec'd, were this day presented in Court, and no exceptions being taken thereto, are ordered to be recorded.

S. R. Allebaugh, Admr. of P. Layman, dec'd,		Hirsch & Son,	
vs	Notice,	vs	Att,
Nathaniel Flook, &c,		N. Dreyfous,	
S. R. Allebaugh		N. Dreyfous,	N. Dreyfous,
vs	Notice	vs	Notice No. 1. vs Notice No. 2.
J. N. Mauzy, &c,		S. Hirsch & Son	S. Hirsch & Son
George Brill's Admr.		Robert M. Burk,	
vs	Scifa.	vs	Notice.
Geo. K. Gilmer.		Addison Royer, &c.	
S. M. Yost,			
vs	Unlawful detainer.		
Catharine Brightman, &c			

Ordered That the foregoing causes be placed on the Court Docket, on motion of the Plaintiffs.

On the motion of George Brunk, who made oath thereto according to law, he appeared in Court, and together with Abram Bloker and John Brunk, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1000. conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of John B. Zirkel, dec'd.

And upon his further motion, the Court doth appoint Jacob Neff, Jackson Horn, Harvey Alger and John P. Peacock to appraise the Estate of said John B. Zirkel, dec'd, any three of whom may act, after first being duly sworn.

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

Henry C. Allen

At a County Court continued and held in and for the County of Rockingham, on Tuesday, February 18, 1873.

Present:- Hon. Henry C. Allen, presiding.

The writing purporting to be the last will and testament of Mary Effinger, dec'd, was this day presented in Court, and being proven by the oaths of J. M. Irvine and D. M. Switzer, the subscribing witnesses thereto was admitted to probate.

On the motion of John S. Effinger, the Executor named in the will of Mary Effinger, dec'd. he appeared in Court, and entered into and acknowledged a bond in the penalty of $8000. conditioned according to law, (the will requiring no security from said Executor,) and qualified as such Executor.

And upon the further motion of said Executor, the Court doth appoint Henry Shacklett, G. C. Strayer and Andrew Lewis, to appraise the Estate of said Mary Effinger, after first being duly sworn.

On motion of J. W. Zirkel, It appearing to the Court that a Deed from Melchior Brenneman, to said J. W. Zirkle, has been filed in the Clerk's Office of this Court, having been duly executed and acknowledged, and the Clerk entertaining some doubt of his authority to record the same, It is ordered that the Clerk do certify and record the said Deed.

Joseph Detter, foreman, John W. Gaither, Israel Jones, F. W. Pirtley, D. B. Sites, Stansbury Rohr, Moses Ewing, A. W. Black, Wm. Gordon, John J. Eye, A. J. Bare, L. A. Gaither, Thomas Swanson, Patterson Greiner, Jacob N. Meacle and George W. Rehrd, 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 sometime returned into Court, and made the following presentments, viz:- An Indictment against Allen

Devier, for malicious stabbing, "a true bill," Jos. Dettor, foreman, An Indictment against John Morris, for unlawfully shooting at another in a street, "a true bill," Joseph Dettor, foreman, and having completed the business before them, they were discharged from further attendance upon this Court.

Commonwealth
&
John Morris. } Upon an Indictment for Misdemeanor.

This day the Defendant appeared in Court in discharge of his recognizance, and by counsel, pleaded not guilty to the Indictment, and the trial was continued until the next term.

Same,
&
Peter Walker, } Upon an Indictment for assault & battery.

This day came ~~as before~~ the Attorney for the Commonwealth, as the Defendant, by his attorney, who pleaded not guilty, and thereupon came a Jury, to-wit:- S. M. Ott, J. G. Sprinkel, John S. Davis, John P. Driver, Geo. Miller, E. K. B. Huffman, John L. May, S. A. Davis, B. F. Rick-ard, D. S. Harrison, R. M. Grubb and Archibald Taylor, who being elected, tried and sworn the truth to speak upon the issue joined and having fully heard the evidence and the 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 Defendant. And thereupon the Jury ~~were~~ discharged.

Same
&
D. N. Plecker. } Upon an Indictment

This day the Defendant by counsel, appeared in Court, and pleaded not guilty to the Indictment, and filed a demurrer thereto, and thereupon the trial was continued severally, until next term.

Mary L. Homan, widow of John R. Homan, dec'd, having announced her right to qualify as Admx. of her deceased husband, and requesting that Alexander Kerr, be permitted to qualify as such, (as evidenced by the certificate of Wm. S. Myers, a Notary Public, in and for the county of Augusta,) on his motion, the said Alexander Kerr appeared in Court, and together with Middle Sites, Isaac Coffman and James T. Kerr, his sureties, (by their attorney in fact, W. S. Sutty,) they having previously justified as to their sufficiency, entered into and acknowledged a bond in the penalty of $16000.- conditioned according to law, a certificate is granted him for obtaining letters of administration, d. b. n. in due form, upon the Estate of said John R. Homan, dec'd,

And upon the further motion of said Alexander Kerr, the Court doth appoint Henry Neff, A. F. Brannen

and John J. Bowman to appraise said Estate of John R. Homan, dec'd. after first being duly sworn.

On the motion of John W. Moore, Apeson for Ashley Township, the Court doth appoint A. M. Black, Assistant Apeson for said Township, and thereupon said A. M. Black appeared in Court, and qualified accordingly,

P. Herring, a Notary Public in and for this County having certified to the Court that Julia A. Wise, infant of Peter Wise, over the age of 14 years, has chosen Samuel Whitmer as her guardian, the Court doth appoint him as such, and thereupon he appeared in Court, and together with A. M. Wise, his surety, who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, and qualified accordingly.

R. W. Harrison, a Justice of the Peace for Limrick Township, having certified to the Court that Catharine Ammentrout, infant of Wm. W. Ammentrout over the age of 14 years, has chosen George M. Ammentrout, as her guardian, the Court doth appoint him as such, and thereupon he appeared in Court, and together with Adam V. Brewer, and James D. Sheets, his sureties (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1000 conditioned according to law, and qualified accordingly.

On the motion of Miram Muffuman, the Court doth appoint him as guardian of Laura E. Wise, Bettie E. Wise and Wm. Harvey Wise, infant children of Wm. H. Wise, under the age of 14 years, and thereupon the said Miram Muffuman appeared in Court, and together with Jacob Dagg, his surety in each bond, (who justified as to his sufficiency) entered into and acknowledged three separate bonds, each in the penalty of $500. conditioned according to law, and qualified accordingly,

Commonwealth		Commonwealth	
John A. Anderson Smith,	Indict. for Petit Larceny.	James B. Garrison	Indict. for L. A. B.
Same,			
Elizabeth Winegord.	Indictment for Petit Larceny.		

In the foregoing causes, this day came the Attorney for the Commonwealth and entered a Nolle-prosequi.

Commonwealth		Commonwealth,	
Henry Raines,	Indict. for Felony.	Jacob Acker,	Indict. for Felony.
Same		same,	
James Waters.	Indict. for Felony.	James Waters.	Indict. for Larceny.

Ordered, That the foregoing causes be continued.

J. M. Weaver, Pltff. | W. D., | John Carrier, Pltff. | Atty. | Sby. Foster, Pltff. | Notice.
D. F. Haynes, &c, Deft. | | Alonzo Dovel, Deft. | | John Scott's Admr. Deft.

M. J. Carrier, Pltff, | Atty. | Burkwood Rust, Pltff, | Atty. | D. Armentrout, Pltff. | Sug.
Jefse Carrier, Deft, | | John A. Sanders, Deft. | | A. W. Peale, Deft.

G. W. Stanley, Pltff | Atty. | Wm Locke, &c, Pltff, | Atty. | F. G. Way, Pltff | Atty.
Same, Deft, | | A. F. A. Pirkey, Deft. | | A. Vandeventy, Deft.

A. N. Yancey, Pltff | Atty. | E. P. N. Warren's Admr. Pltff | Atty. | G. G. Patterson &c, Pltffs, | Sug.
Same, Deft. | | Jacob R. Stevens, Deft. | | Maria Carrier, Deft.

John O. Brock, Pltff. | Atty. | N. F. Grimm, Pltff | Atty. | Wm. Minnick, Pltff | Atty.
Reuben Layman, Deft. | | Allen Carrier, Deft. | | Noah Millett, Deft.

A. W. Brewer, Pltff | Atty. | Abm. Canada, Pltff, | motion. | Sby. Shacklett, Pltff | Sug.
Nathl. Flook, Deft. | | Chas. Haws, Admr. Deft. | | Woodson Hampton, Defts.

Minor Jones, Pltff | Sug. | M. Blackburn, Pltff | notice. | Jacob Dinkel, Pltff | notice.
Woodson Hampton, Defts. | | John Williams, Deft. | | Wm. H. Rodeffer, Deft.

J. B. Eastham, Pltff, | motion.
H. L. W. & M. Company, Deft.

Ordered that the foregoing causes be continued generally until next Term.

J. O. Effinger, Pltff | sug. | John Hedrick, Pltff | sug. | Jacob Lincoln, Pltff, | Atty.
A. J. Warfield, Deft. | | John Schmidtt, Deft. | | Commonwealth, Deft.

S. R. Allebaugh, Pltff | Atty. | John Robinson, Pltff, | motion. | Jacob Dinkel, Pltff. | Atty.
Joseph Miller, Deft. | | Commonwealth, Deft. | | Isaac Whissen, Deft.

Julia A. Demor, Pltff | Atty. | Allen & Pool, Pltff | Atty. | Mrs. Strother's Admr. Pltff | Atty.
Richard Boyer, Deft. | | Frank & Rhodes, Defts. | | Frank & Rhodes, Deft.

Thos. L. Carson, &c, Pltff | Atty. | A. M. Long, Pltff. | Atty.
Allen Devier, Deft. | | John M. Dovel, Deft. | | Ordered that the foregoing causes be dismissed.

Wm. Saufley, Pltff,
&
N. H. Baughes, Deft. } Att.

Frederick Schaeffer, Pltff,
&
Allen Devier, Deft. } Att.

Same, Pltff
&
Le. S. Weaver, Deft. } Sug.

Franklin Whitmer, Pltff,
&
James McDonman, Deft. } Att.

Upon the calling of the foregoing causes, the death of the Plaintiffs was suggested and the trial of the causes continued generally.

Henry Shauer, Pltff
&
George M. Showalter, Deft. } Att.

Eli Anders, Pltff
&
Same, Deft. } Att.

Upon motion of the Plaintiffs, by their counsel, it is considered by the Court that these two causes be dismissed, and that the Plaintiffs recover against the Defendant, their costs by them in their behalf expended.

A. J. Warfield, Pltff,
&
S. G. Long, Deft. } M. D.,

Spinkel & Houck, Pltff
&
Wm. N. Geakel, Deft. } M. D.,

S. M. Yost, Pltff
&
Catharine Brightman, &c. } M. D.,

Ordered That the foregoing causes be dismissed.

Ordered, That Joseph Dettor, John M. Gaither, Isaac Jones, F. M. Kirtley, Stansbury Rohr, D. B. Sites, Moses Ensing, A. M. Black, Wm. Gordon, John J. Eye, A. J. Bare, L. F. Gaither, Thomas Swanson, Patterson Greiner, Jacob A. Meserole and George M. Reherd, be each allowed the sum of one Dollar, for their services at this term of the Court, and the same be certified to the Treasurer of this County, for payment.

Robert Runkle, Pltff
&
Addison Royer, Deft. } Motion on D. Bond

This day came the Plaintiff by his Attorney, and moved the Court for judgment on consideration whereof, the Court is of opinion that the Notice be quashed for insufficiency.

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

Henry C. Allen

At a County Court continued and held in and for the County of Rockingham County, on Wednesday, February 19, 1873.

Present:- Hon. Henry C. Allen, presiding.

The Committee appointed by the Bar of Harrisonburg, at a meeting held in the Court House, on the 17th inst., upon hearing of the death of Hon. John Kenney, who for many years presided over the Circuit Court of Rockingham, reported the following resolutions expressive of the profound regret of this Bar, at this afflictive dispensation of Providence, which were unanimously adopted:-

1. Resolved, That in the death of Judge John Kenney, the Bar and the Judiciary of the State of Virginia, have lost and honored member, and an upright representative.

2.- Resolved, That in the loss of the deceased, this Commonwealth is called upon to mourn an honored citizen, and Society a dignified gentleman.

3.- Resolved, That in the death of Judge Kenney, social and political integrity have lost a courageous champion, and a worthy example.

4.- Resolved, That we tender to the stricken family of the deceased, our earnest sympathy.

5.- Resolved, That these resolutions be spread upon the Records of the Court, and that a copy be given the bereaved family.

6th- Resolved, That the Court be requested now to adjourn that the Court and Bar may have an opportunity of paying the last tributes of respect to their departed brother.

F. A. Daingerfield,
Ro. Johnson,
A. M. Newman,
John C. Woodson,

It is ordered that the foregoing resolutions be spread upon the Minutes of the Court, and that the Court do now adjourn until to-morrow morning at 9 o'clock.

Henry C. Allen

At a County Court continued and held in and for the County of Rockingham, on Thursday, Feby. 20, 1873.

Present:- Hon. Henry C. Allen, presiding.

Henry C. Beery, Pltff
vs
C. R. Snell, &c, Defts. } In Covenant.

This day came the parties by their attorneys, and the Defendants filed their plea of covenant performed and covenant not broken, to which the Plaintiff replied generally, thereupon it is considered by the Court, that the office judgment be set aside, and the trial of the cause continued until the next term.

W. F. Denton, Pltff
vs
Worden & Hampton, Defts. } In Debt.

This day came again the parties by their attorneys, and thereupon came a Jury of seven, by consent, to-wit. Jacob A. Meserole, S. M. Ott, J. G. Sprinkel, John S. Davis, F. M. Flick, W. H. H. Messick and John P. Driver, who being elected, tried and sworn the truth to speak upon the issue joined, 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 the Jury find for the Defendants." It is therefore considered by the Court that the Defendants go hence without day, and recover of the Plaintiff, their costs by them in this behalf expended.

Wm. H. Bowcock & C. surviving partner of Bowcock & Brown, Pltffs
vs
C. Kygers Admr. Defts. } In Debt.

This day came again the parties by their attorneys, and by consent of parties, It is considered by the Court that the Plaintiffs recover of the Defendant the sum of $266.00 with interest thereon from the 2nd day of August 1862, till paid, and their costs by them in this behalf expended, to be levied of the goods and chattels of the intestate in the hands of his Administrator to be administered.

Lofland & Cowger, Pltff
vs
Joseph Kavanaugh, Deft. } In Debt.

Ordered That this cause be continued until the next term, and at the cost of the Plaintiffs.

J. R. Jones & Co, Pltff
vs
John R. Eastham, Deft. } In Debt.

Ordered, That this cause be continued until the next term, and at the cost of the Defendant.

Kephart & Darby, Plff		Jesse Moyers Plff		John C. Morrison, Plff
⊗		⊗		⊗
P A. Clarke, Deft.	In Case.	Wm Minnick, Deft.	F.A.B.	J. N. Buffy, Deft.	Case.
John C. Morrison, Plff		John C. Morrison, Plff		Coffmans & Buffy, Plff
⊗		⊗		⊗
S. A. Coffman, Deft.	In Case.	Coffmans & Buffy, Deft.	In Case.	John C. Morrison, Deft.	Case.

Ordered, That the foregoing causes be dismissed.

Linton & Lamott Plffs		M. N. Richcreek, Plff		R. M. Kyle's Adm. Plff
⊗		⊗		⊗
A. Paul & Sons, Defts.	In Case.	J. Z. Offutt, Deft.	In Case.	James Branham, Deft.	Case.
A. S. Rutherford's Adm. Plff		Aug. Vincennet, Plff		V. N. Lann, Plff
⊗		⊗		⊗
S. Carson Bowers, Deft.	In Debt.	Plunket Morris, Deft.	In Debt.	J. N. Coffmeyer, Deft.	Debt.
Jesse Carrier, Plff		M. S. Mefferly, Ly &c Plff		W. Loyd & Bro, Plff.
⊗		⊗		⊗
S. N. Carrier, Deft.	In Case.	J. B. Painter, Deft.	In Case.	Reuben Bonds, Deft.	Case.
John Reubush, Plff		Jacob Raines Adm. &c Plff		J. Mefferick's Adm. Plff
⊗		⊗		⊗
Saml. Funkhouser's Adm. Deft.	In Case.	Abbot Larew Lemon, Deft.	In Case.	Wm N. Vanpelt, Deft.	Debt.
Monroe & Allen, Plff.		W. H. Lee, Plff.		John Beam, Plff.
⊗		⊗		⊗
Gabriel Miter Adm. Deft.	In Debt.	Jackson Krupp, Deft.	In Case.	Jacob Bailey, Deft.	Debt.
Gray, Miller & Co, Plffs		D. D. Dovel's Exor. Plff		Jno. Applegate, Jr & c, Plff
⊗		⊗		⊗
Jesse Carrier, Deft.	Debt.	C. L. Weaver, Deft.	In Debt.	Moses Joseph, &c, Defts.	In Debt.
Jacob Sipe's Adm. Plff		Strayer, Kagey & Co. Plff		Peck & Stevens, Plff
⊗		⊗		⊗
Anthony Rhodes, &c, Deft.	Covt.	James M. Bell, Deft.	In Case.	Jesse Carrier, Deft.	In Case.
John Taylor, Plff		John H. Crouse, Plff		Jno. N. Saufley, Plff
⊗		⊗		⊗
Peter Rader, Deft.	In Debt.	Coffmans & Buffy, Deft.	Debt.	Wm Collier, Deft.	Case,
John Thomas, Plff		James M. Bell, Plff		N. Grayfoss, Plff
⊗		⊗		⊗
John G. Winfield, Deft.	In Case.	Henry Forrer, Deft.	Case.	Wm C. Harrison, Deft.	Case
King & Huffman, Plff		M. M. Poole, Plff		Polson, Bro. & Co, Plff
⊗		⊗		⊗
David Link, Deft.	Case.	Lincoln & Brewer, Defts	Debt.	A. Paul & Sons, Deft.	Case,

Ordered, That the foregoing causes be continued generally until next term.

Pennybacker, Penn & Bro, Plffs. | Delet. | Fletcher & Bro. for & Plff | Delet. | Jasper Shriver, Plff. | Lease,
Isaac Paul, Deft. | | R. B Ragan, Deft. | | Benj. Shrunk, Deft.

R. P. Fletcher & Co, Plff | Delet. | N. W. Slade & Co, Plff. | Lease,
Adam H. Brewer, Deft. | | Benj. Hoover, Deft.

N. L. Shoup, Plff | Lease. | Linton & Lamott, Plffs. | Lease.
Simmons, Deft. | | Coffmans & Ruffy, Defts.

Ordered that the foregoing causes be continued until the next term, generally.

N. Sprinkel & Co, Plff. | Due Lease,
James Steele, Deft.

This day came again the parties by their attorneys, and thereupon came a jury, to-wit: Jacob A. Mecorle, L. M. Att, P. J. Kiser, John L. Davis, F. M. Flick, W. H. R. Messick & John P. Driver, who being elected, tried and sworn the truth to speak upon the issue joined, and having fully heard the evidence and argument of counsel, retired from the bar to consider their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find for the Plaintiffs, and assess their damages at $60.31/100, with interest thereon from the 1st. day of January 1865, till paid, It is therefore considered by the Court that the Plaintiffs recover of the Defendant the sum of $60.31 with interest thereon from the 1st. day of January 1865, till paid, and their costs by them in this behalf expended, And on motion of the Defendant, leave is given him to withdraw his offers filed, upon leaving attested copies thereof in the papers.

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

Henry C. Allen

At a County Court continued and held in and for the County of Rockingham, on Friday, February 21st. 1873.

Present:- Hon. James Kenney, Presiding.

Thomas J. Butler, Pltff,
vs
Thomas Washington, &c, Defts } In Debt.

This day came again the parties by their Attorneys, and it appearing to the Court from satisfactory evidence, that one of the Defendants Julia A. Washington is a married woman, It is ordered that the cause abate as to her, and thereupon the deft. Thomas Washington withdrew his plea, saving equity, and It is considered by the Court that the Plaintiff recover of the Defendant Thomas Washington, the sum of $275.00 the debt in the declaration demanded, with interest thereon from the 20th. day of December, 1869, till paid, and his costs, by him in this behalf expended.

and admitted to record by order Wm. B. Compton Atty

On the motion of John Burket & Emeline Burket, It appearing to the Court that a deed from J. M. Lamb & others to said John Burket & Emeline Burket has been filed in the Clerk's office of this Court, having been executed and acknowledged, but not stamped, and the Clerk entertaining some doubt of his authority to record the same, It is ordered that the Clerk do certify and record the said Deed.

cmd

B. F. Cromer, Comm'r of Roads for Franklin Township this day presented in Court, an Account against the County of Rockingham, amounting to the sum of $12.00 for locating roads 6 days @ $2.00 per day, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

M. L. Mallonee &c, Pltffs,
vs
Geo. Bruffy's Adm'r. Deft. } In Debt.

By consent of parties, this cause is removed to the Circuit Court of Rockingham County.

Emanuel Royer, Pltff
vs
James Roadcap, Defts. } In Case.

J. C. Ayer &c, Pltff
vs
R. H. Palmer's Adm'r. Deft. } In Case.

A. L. Gray, for &c, Pltff,
vs
same Deft. } In Case.

R. P. Fletcher &c, Pltff,
vs
Martin Sibley, Deft. } In Debt.

Ordered, That the foregoing causes be continued until the next term, and at the costs of the defendants.

Woodson Hompton, Pltffs,
vs
Wm. Pickerd, Deft. } In Case.

Ordered That this cause be continued for award.

E. I. H. Warren's Admr. Pltff. vs Gideon Reed, Deft. } In Case.

By consent of parties, this cause is referred to the arbitrament of Dr. A. M. Newman, and continued until next term.

W. H. Lamm, Pltff. vs G. T. Hopkins, Deft. } In Case.

David Gorman, Pltff. vs Michael Carmon, Deft. } In Case.

Ordered, That the foregoing causes be continued until the next term, and at the costs of the Plaintiffs.

Andrew S. Heuston, Pltff. vs Mother Bright, Deft. } In Case.

Upon the calling of this cause, the Defendant's death was suggested,

Zeph. English, Pltff. vs Jonathan Peale, Deft. } In Case.

The Defendant by his attorney, entered a Rule for security for costs against the Plaintiff, his non-residence being suggested, whereupon Chas. A. Yancey appeared in Court, and acknowledged himself as security for costs for said Plaintiff.

Geo. Fawcett, Pltff. vs Coffmans & Bruffy, Defts. } In Case.

R. Glover's Admr. Pltff. vs G. M. Armentrout, Deft. } In Case.

D. Pennybacker, Pltff. vs Giles Devier, Deft. } Case,

G. W. Rogers, Pltff. vs A. H. Wilson, &c, Defts. } In Case.

Jonathan Peale, Pltff. vs Wm. P. McCleave, Deft. } In Debt.

J. W. Stewart, Pltff. vs D. Pennybacker, Deft. } Case,

Same, Pltff. vs Same, Defts. } In Case.

Same, Pltff. vs Same, Deft. } In Debt.

Coffmans & Bruffy for Pltffs. vs Pet. Carpenter, Deft. } Do.

John D. Wood, Pltff. vs Gabriel Wood's Admr. Deft. } In Case.

Wm. A. Harris, Pltff. vs Pet. Carpenter, Deft. } In Debt.

Ordered, That the foregoing cause be continued until the next Term of this Court, generally.

Charles A. Yancey, Admr. of Geo. Rice, dec'd Pltff. vs George K. Gilmer, Deft. } Upon a Scire Facias,

The Defendant having been duly warned and not appearing, on the motion of the Plaintiff, by his Attorney, it is considered by the Court that the Plaintiff may have execution against the Defendant for

the sum of $85.46 with interest on $32.30 part thereof from the 11th day of October 1846, and on $53.16 the residue thereof from the 3rd day of April 1853, till paid and $6.71 costs, in the writ aforesaid specified; and also that the Plaintiff recover against the said Defendant, his costs by him expended in suing forth and prosecuting this writ.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham on Saturday, February 22nd 1873.

Present:- Hon. James Kenney, Presiding.

Upon the application of the Valley Railroad Company for a change of the Swift Run Gap Road at its intersection with the Valley Railroad on the lands of Bunkholder, It is ordered that J. C. Click, Comm'r of Roads for Ashby Township view the said proposed change of location, and report the advantages and disadvantages of said change, and its probable cost, to the next term of this Court.

The writing purporting to be the last will and testament of David Kagey, dec'd was this day presented in Court, and being proven by the oaths of Geo. W. Salyards and Adam Rudes, two of the subscribing witnesses thereto, was admitted to probate.

On motion of James M. Saufley, heretofore commissioned a Notary Public in and for the County of Rockingham, he is permitted to renew his bond as such, and thereupon he appeared in Court, and together with R. A. Scott, his surety, (who is justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of Five Hundred Dollars, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said James M. Saufley took the several oaths required by law.

M. H. See, Plff,
vs
Henry Neff, Deft.

This day A. F. Brunner appeared in Court and entered as security for costs for the Plaintiff.

Thomas L. Richards, Pltff
vs
Henry Forrer, surv. &c, Deft. } In Case,

This day came again the parties by their Attorneys, and thereupon came a Jury, to-wit: (of whom, by consent, J. G. Sprinkel, S. M. Att, P. I. Kiser, John S. Davis, P. M. Flick, H. H. R. Mefick and John P. Driver, who being elected, tried and sworn the truth to speak upon the issue joined, and having fully heard the evidence and arguments 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 Monday morning next at 9 o'clock.

Ordered, That Court be adjourned until Monday morning at 9 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Monday, February 24, 1873.

Present:- Hon. James Kenney, Presiding.

On motion of the Franklin & Harrisonburg Turnpike Company, it is ordered that John Leedy, A. M. Newman, jr., Robert Liskey, Wm. Rebard and
M. Jacob A. Miesemle are appointed Commissioners to go upon the lands of the Misses Ewings on the 11th day of March 1873, and assess the damages to said land, and report to the next term of this Court.

It is ordered that P. S. Roller, Admr. of Geo. N. Shank, dec'd, be summoned to appear before this Court on the 1st day of the March term 1873, to show cause, if any he can, why he shall not be fined for failing to appear before the Commissioner of Accounts for Rockingham County, and settle his account as Admr. aforesaid.
rmd.

Thomas L. Richards, Pltff,
vs
Henry Forrer, surv. &c, Deft. } In Case,

This day came again the Jury sworn and impannelled on Saturday last, for the trial of this cause, pursuant to their adjournment, and again 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 for the Defendant."

John N. Rhodes, Pltff,
vs
Jacob P. Rhodes, Deft. } In Case.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to-wit:- J. G. Sprinkel, S. M. Att,

P. A. Risen, John S. Davis, Jacob A. Meserole, M. V. B. Mefick and John P. Driver, who being elected, tried and sworn the truth to speak upon the issue joined, 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 oath do say, "we the jury find for the Defendant." It is therefore considered by the Court that the Defendants go hence without day, and recover against the Plaintiff his costs by him in this behalf expended.

Anthony Rhodes, Pltff
vs
O. A. & M. Railroad Company, Deft. } Law Case.

This day came again the parties by their Attorneys, and by consent of the parties, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $75.00 damages, with interest thereon from the 24th day of February 1873, until paid, and his costs by him in this behalf expended.

J. W. Mills Admr. Pltff
vs
D. M. Huffman, Deft. } Law Case.

This day came again the parties by their Attorneys, and by the consent of parties, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $17.00 Damages, with interest thereon from the 24th day of February 1873 till paid, and his costs by him, in this behalf expended.

N. B. & A. L. O'Brien, Pltff;
vs
J. W. Winborough, Deft. } Trespass.

A Rule for security for costs having been awarded at the November Term last against the Plaintiff, and not being given, on motion of the Defendant, It is ordered that this cause be dismissed.

W. L. O. Houston's Admr. Pltff;
vs
J. W. C. Houston's Admr. Deft. } Law Case.

Ordered That this cause be continued for the award of F. D. Daingerfield.

Richard Thompson, Pltff;
vs
John C. Morrison, Deft. } Law Case.

Upon the calling of this cause, the non-residence of the Plaintiff was suggested, and on motion of the Defts a Rule is awarded against him for security for costs, and cause continued at Plaintiffs cost.

Greenfellow & Son, Pltff,
vs
F. B. Davis, Deft. } Law Case.

Ordered, That this cause be dismissed.

Mary J. Johnston, Pltff vs Jacob Gutshall, Deft.	In Debt.	J. A. Hammon, S. R. C. for use, Pltff, vs J. W. Conner, &c, Defts.
Adam Ludwig, Pltff, vs Isaac Funk, Deft.	Debt.	Case.
came, Pltff vs came, Deft.	In Debt,	Wm A Dean Exs, Pltff vs Rs. R. Douthat, Deft.
Israel B. Bunner, Pltff vs J. B. Eastburn, &c, Deft.	Debt.	Debt.
Jno. W. Stewart, Pltff vs Jefferson M. Garnett, Deft.	In Case,	W. A Leap, Pltff vs Z. D. Gilmore, Deft.
J. A. Wellen & wife, Pltff vs J. A. Carpenter, Defts.	Trespass.	Case.
J. A. Keller, Agt. for &c, Pltff, vs Peter alias S. O. Carpenter, Deft.	Case,	David Link, for &c, Pltff vs Peter Carpenter, Deft.
Jno. W. Stewart, Pltff vs J. C. Thompson's Adm, Deft.	Debt.	Debt,
John Engle, Pltff vs John Scanlon, Deft.	Case	Lucie E. Browning, Pltff vs James Steele, Deft.
A. S. Byrd, for &c, Pltff, vs Franklin Liskey, Deft.	Case.	Debt,
Coffman & Duffy, for &c, Pltff. vs Frank. alias Franklin Liskey, Deft.	In Debt.	Henry B. Jones, Pltff vs Henry C. Beery, Deft.
		In Debt.
Robt. White, Commr. Pltff vs Jno. C. Woodson, Deft.	Case.	D. M. Jordan's Adm. Pltff vs Peter Paul, sr. Deft.
W. F. Rippetoe, Pltff vs I. B. Lupton, Deft.	Debt.	Detinue
I. B. Lupton, Pltff vs W. F. Rippetoe, Deft.	Case.	A. S. Gray, for &c, Pltff, vs John Mefenly, Deft.
A. S. Gray, for &c, Pltff vs John Meredy, Deft.	Debt,	

Ordered, That the foregoing causes be continued generally until next term.

John N. Fishback, Pltff
vs
Saml. E. Long, Deft. } In Case,

Ordered, That this cause be dismissed for want of security for costs,

James Bolton, Pltff.
vs
F. N. Liggett, surv. Deft. } In Debt.

Ordered, That this cause be continued until next term, and at the costs of the Plaintiff

W. H. Crosby, Pltff
vs
John W. Burke, Deft. } In Case.

This day came again the parties by their attorneys, and thereupon came

a Jury, of seven, by consent, to wit: J. G. Sprinkel, S. M. Ott, P. I. Kiser, John S. Davis, Jacob A. Meserole, W. N. B. Messick and John P. Driver, who being elected, tried and sworn the truth to speak upon the issue joined, 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.

Ordered, That the Clerk of this Court issue a Venire Facias, directed to the Sheriff of this County, commanding him to summon a Venire in the case of the Commonwealth & Allen Devier, to appear on Friday next, July 28, 1873.

John N. Funk, Pltff
&
C. F. Dutrow, Deft. } In Case.

This day came again the Defendant, by his Attorney, and the Plaintiff though solemnly called came not, nor is his suit further prosecuted. Therefore, on the prayer of the said Defendant, It is considered by the Court, that he recover against the Plaintiff, $ damages according to law, and his costs, by him about his defence, in this behalf expended.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Tuesday, February 25, 1873.

Present:- Hon. James Kenney, presiding.

W. W. Cropp, Pltff.
&
J. H. Burke, Deft. } In Case.

This day came again the Jury sworn and impannelled on yesterday for the trial of this cause, pursuant to their adjournment, and 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 for the Plaintiff, and assess his damages at $31.$\frac{38}{100}$, with interest from January 1, 1868, till paid, It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $31.$\frac{38}{100}$, with interest thereon from the 1st day of January 1868, till paid, and his costs, by him, in this behalf expended.

N. M. Jordan's Admr. Pltff.
&
Speck & Altaffer, Deft. } In Debt.

This day came again the parties by their Attorneys, and by the consent of parties, It is considered by the Court that the Plaintiff recover of the Defendants, the sum of $50^{cc} with interest thereon from the 8th day of

May 1860, till paid, subject to a credit of $25.00 Dec. 4, 1868 and $25.00 Dec. 3d. 1868, and his costs by him in this behalf expended.

Gilleaud W. Talley, Pltff.
vs
Rich'd. H. Austew & M. F. Moyer Lessee, Defts. } Law Debt.

This day came again the parties, by their Attorneys, and neither party requiring a Jury, the cause was submitted to the decision of the Court, and having fully heard the evidence and argument of counsel, the Court is of opinion that there is no cause of action against the Defendants. It is therefore considered by the Court that the Defendants go hence without day, and recover against the Plaintiff their costs by them in this behalf expended.

Nichols & Shepherd, Pltff.
vs
John R. Jones & Les, deefts. } Law Case.

Ordered That this cause be continued for award.

Jacob Robis Adm'r. Pltff. vs Tho's. Harrison's Exor. Deft. } Case
P. R. Harrison's Adm'r. Pltff. vs J. H. Wartmann, exr. &c. Deft. } Debt.
Madison Mest. Pltff. vs Jackson Mantz, deft. } Trover.

A. C. Rohr, exr. &c. Pltff. vs same, Deft. } Case,
C. A. Sprinkel Les. Pltff. vs J. Bird Eastham, &c, Deft. } Debt.
Geo. Ruffin Adm'r. Pltff. vs Richards & Moore, Deft. } Debt.

J. J. & A. C. Rohr, Pltff. vs same, Deft. } Case,
Peter H. Roller, Pltff. vs Price, Willis Les, Deft. } Case,
Keen & Haggerty, Pltff. vs A. C. Lincoln, Deft. } Case,

Isaac Rush's Exor. Pltff. vs A. J. Johnson, Deft. } Debt.
John Kively, Pltff. vs Laban Prospt. Deft. } Debt.
Richard Robinson, Pltff. vs Isaac Minnick, Deft. } Case,

Ordered, That the foregoing causes be continued generally until next term.

Zachariah Lee, Pltff.
vs
William Beard, Deft. } Law Case.

Ordered, That this cause be dismissed agreed.

Thornton Thomas, Pltff.
vs
David Bowman, Exor. &c. } Upon a Notice.

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

Joseph McKey's Exor. Pltff.
vs
J. J. Roller Deft. }

Ordered, That this cause be continued until the next

term, and at the costs of the Defendant, and on motion of the Defendant Rules are awarded against Gumble, of Warren county, and S. Menifee & Aiden, of Augusta county, for their failure to appear at this term as witnesses in behalf of the Defendant.

Jacob Harnsbergers Exors Pltffs,
&
John R. Koogler's Admrs Defts. } Iss Debt.

This day came again the parties by their Attorneys, and the Court having been engaged as counsel, declined to sit upon the trial of this cause, and by agreement of counsel, Charles E. Haas, a practicing Attorney, was called to the Bench to preside upon the trial of the cause, and thereupon came a Jury of seven, by consent, to wit:— S.M. Ott, P. L. Rice, John S. Davis, Jacob A. Meserole, W.N.R. Mefurk, John P. Driver and J. M. Flick, who being elected, tried and sworn the truth to speak upon the issues joined, and having fully heard the evidence and arguments 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 for the Plaintiffs $1810.38 the debt in the declaration demanded, with compound interest on $603.45 part thereof from the 13th day of April 1857 till the 8th day of May 1863, and simple interest thereon from 8th May 1863, till paid, and with compound interest on $603.46 another part thereof from the said 13th day of April 1857 till the 8th day of May 1865, & simple interest on the same from said 8th of May 1865 till paid, and with compound interest on $603.45, the residue thereof from the said 13th April 1857, till the 10th May 1867, and simple interest thereon from said 10th May 1867 till paid and his costs, subject to the following credits, viz:— 1 year's interest paid April 15, 1858, one other year's interest and $180.37 paid November 10, 1860 as endorsed on the bond, also to the credit of $700 paid June 2d 1860, and to the sum of $542.21 with simple interest from November 10, 1860, the amount of a former judgment in the cause."

Williams & Bennett, Pltff
&
Benj F. Rickard, surv. &c, Deft. } Iss Case.

Ordered, That this cause be dismissed agreed.

Thos L. Richards, Pltffs
&
Henry Foxer, surv. &c, Defts. } Iss Case.

This day came again the parties by their Attorneys, and the Court proceeding to enter up a judgment upon a verdict rendered by the Jury upon the trial of this cause, on a former day of the term, it is considered by the Court that the Defendant go hence without day, and recover against the Plaintiff his costs by him in this behalf expended, and by consent of parties, it is ordered that L. D. O. Fenall, W. L. Scott & B. G. Patterson be released from all liability to the Defendant, Henry Foxer, for the costs by him expended in this defence.

Solomon Harman Pltff
vs
G. W. Berlin, Deft. } In Debt

and

Same Pltff
vs
Same, Deft } In Covenant,

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to-wit:- J. J. Sprinkel, J. L. May, Patterson Greiner, Isaac Lewis, I. F. Ritchie, Mansfield Marshall and Wm. M. Bilhimer, who being elected, tried and sworn the truth to speak upon the issues joined, and not having time fully to hear the causes, were adjourned until to-morrow morning at 9 o'clock.

James Kenney

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

At a County Court continued and held in and for the County of Rockingham, on Wednesday, February 26, 1873.

Present:- Hon. James Kenney, Presiding.

John E. Hopkins, Assessor of Stonewall Township, this day presented in Court an Account against the County of Rockingham, amounting to the sum of
cr. p. s. t. a. $30. for extending County & Parish Levy, Railroad Tax & School Tax on Land and Property Book for the year 1872, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

William Williams, Pltff,
vs
B. F. Lincoln's Admr. Deft } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, to-wit:- (by consent,) I. M. Ott, P. H. Kiser, Jno. S. Davis, Jacob Wesenle, W. H. R. Nefflick, John P. Dainer and F. W. Flick, who being elected, tried and sworn the truth to speak upon the issue joined, 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 for the Plaintiff Thirty-six Dollars the debt in the declaration demanded, with interest from July 18, 1859. It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $36.00, with interest thereon from the 18th day of July 1859 till paid, and his costs by him in this behalf expended, to be levied of the goods and chattels of the intestate, in the hands of his Administrators, to be administered.

Solomon Harman, Pltff
vs
G. W. Berlin, Deft. } In Debt.

This day came again the Jury sworn and impannelled 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 sometime returned into Court, and upon their oaths do say, "We the Jury find for the Plaintiff One Hundred and thirty-two dollars and 34 cents, part of the debt in the declaration mentioned, with interest thereon from July 1, 1865." It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $132.34, with interest thereon from July 1, 1865, till paid, and his costs, by him in this behalf expended.

Solomon Harman, Pltff,
vs
G. W. Berlin Deft. } In Covenant.

This day came again the Jury sworn and impannelled 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 sometime returned into Court, and upon their oaths do say, "We the Jury find for the Defendant, $32.62 with interest from the 1st. day of July 1865." It is therefore considered by the Court that the Defendant recover of the Plaintiff the sum of $32.62 with interest thereon from July 1, 1865, till paid and his costs, by him in this behalf expended.

Isaac G. Coffman's Extrs, Pltff
vs
Martin Liskey, Deft. } In Debt.

This day came again the parties by their attorneys, and by the consent of parties, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $28.33 with interest thereon from the 2nd. day of January 1859, till paid, subject to a credit of $17.00 as of date Jany. 1, 1862. and their costs, by them in this behalf expended.

W. H. See, Pltff
vs
Henry Neff, Deft. } In Case.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- J. G. Sprinkel, Mansfield Marshall, J. L. May, Patterson Greiner, Isaac Devers, A. F. Ritchie and Wm. M. Bikimer, who being elected, tried and sworn the truth to speak upon the issues joined, 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 for the Plaintiff, and assess his damages at $325.18 with legal interest thereon from April 14, 1868.

John C. Winfield, Pltff,
vs
John H. Thomas, Deft. }

Ordered, That this cause be dismissed at the Defendants cost.

J. N. Wills Admr. Pltff
vs
Peter Paul, Senr. Deft. } In Debt.

J. N. Wills Admr. Pltff
vs
Peter Paul, senr. Deft. } In Case.

Ordered That these causes be continued for award,

Walter A. Wood, Pltff
vs
Thomas Washington, Deft. } In Debt

Walter A. Wood, Pltff
vs
Thomas Washington's Exrs, Deft. } In Debt.

same, Pltff
vs
same, Deft. } In Debt.

same, Pltff
vs
same, Deft. } In Debt.

Ordered, That these causes be continued until next term at the costs of the Defendants and a Rule is awarded against R. M. Mooney, one of the Defendants witnesses for his failure to appear at this term of the Court, returnable to the next term,

James Williams, Pltff
vs
E. J. Sullivan, Deft. } In Case.

Ordered, That this cause be continued until next term, and at the cost of the Plaintiff,

Joseph Lannan, Pltff,
vs
O. A. & M. Railroad Compy, Deft. } In Case,

Peter Kile, Pltff
vs
Eli Lutinler's Admr. Deft. } Case.

Ordered, That this cause be continued until next term, and at the cost of the Defendants.

A. L. Wagner, Pltff
vs
M. F. Lewis, Deft. } In Debt.

Ordered, That this cause be dismissed.

J. C. Homan, Pltff
vs
B. F. Lincoln's Admr. Deft. } In Case,

Ordered, That this cause be revived in the name of J. P. Ralston, A. A. C, & as such Admr. of J. C. Homan, dec'd. and the trial of the cause continued until next term.

Daniel Stauffer, for &c, Pltff
vs
D. Pennybacker, Deft. } In Debt,

This day came the parties by their Attorneys, and the Defendant filed his plea of nil debit, to which the Plaintiff replies generally, and the trial of the cause continued until next term,

Thos. J. White for &c, Pltff	J. M. Hill's Adm'r, Pltff	Sultzman & Co, Pltff
vs	vs	vs
Jehula Ann Airey, Deft.	Redeem Bonds, Deft.	Wm. G. Shaver, &c, Deft.
Case,	**Case,**	**Debt,**
James Bolton, Pltff	S. M. Pollock, Pltff	A. S. Denton, for &c Pltff
vs	vs	vs
Nathl. Flook, &c, Deft.	J. M. Hill's Adm'r, Deft.	Jos. Sterne, &c, Defts.
Debt,	**Debt,**	**Debt,**
J. G. Winfield, Pltff	S. M. Jones & Co, Pltff	J. M. Stinson, Pltff
vs	vs	vs
Wm. F. Landis, Debt,	John F. Soule, &c, Deft.	A. Hackman, Deft.
Case,	**Case,**	**Case,**
John Lee, for &c, Pltff	M. G. Bausemen & Co, Pltff	J. L. Summers Adm'r, Pltff
vs	vs	vs
E. S. Huffman, Deft.	F. R. Davis, Deft.	Harrison Riddle, &c, Deft.
Debt,	**Debt,**	**Debt,**
Cyrus Rhodes, Pltff	John Detter, Pltff	Allen Lewis, Pltff
vs	vs	vs
A. M. Brown's Adm'r, Deft.	Joseph Detter, Deft.	D. L. Kougler, Deft.
Case,	**Case,**	**Case,**

Ordered, That the foregoing causes be continued severally until next Term,

James A. alias James N. Henderson, Pltff,
vs
Thomas M. Hite, Deft.
Ass Debt,

This day came again the parties by their Attorneys, and thereupon came a Jury to wit:— S. M. Att, P. L. Kiser, John S. Davis, Jacob A. Meserole, H. H. R. Messick, John P. Driver and F. M. Flick, who being elected, tried and sworn the truth to speak upon the issue joined, and not having time to hear the cause, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday, February 27, 1873.

Present:- Hon. James Kenney, presiding.

J. Hardesty, Pltff
&
E. H. B. Huffman, &c., Defts.
} Upon a Notice.

John Cook's Admrs. Pltff
&
John M. Piney, &c., Defts.
} Notice.

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

Jacob Harnsberger's Exors. Pltffs.
&
John R. Koogler's Admrs. Defts.
} Am. Debt.

This day came again the parties by their Attorneys, (and Charles E. Haas, the Attorney who presided upon the trial of the cause, was again called to the Bench,) and the Court proceeding to enter up a judgment upon a verdict rendered by the Jury upon the trial of this cause, on a former day of this term, It is considered by the Court that the Plaintiffs recover of the Defendants the sum of $1810.35 the debt in the declaration demanded, with compound interest on $603.45 part thereof from the 13th day of April 1857, till the 8th day of May 1863, and simple interest thereon from 8th May 1863, till paid, and with compound interest on $603.45 another part thereof from the said 13th day of April 1857 till the 8th day of May 1865 and simple interest on the same from said 8th of May 1865, till paid, and with compound interest on $603.45 the residue thereof from the said 13th April 1857 till the 10th May 1867, and simple interest thereon from said 10th May 1867 till paid, and his costs by him in this behalf expended, (subject to the credits of 1 years interest paid April 15, 1858 one other years interest and $180.37 paid November 10, 1860, as endorsed on the bond, also to the credit of $700 paid June 2, 1860, and to the sum of $542.91 with simple interest from November 10, 1860, the amount of a former judgment in the cause,) to be levied of the goods and chattels of the intestate in the hands of his Admrs. D. Silbert & Jacob Dundore, to be administered.

And on motion of the Defendants leave is given them to withdraw the offsets filed in said cause, viz:- the A/c of $25.84 and the first item of $5.00 in their bill of offsets, by leaving attested copies thereof in the papers of the cause.

Ord. On motion, It is ordered, that the Assessment of Taxes against G. B. & Jonas Reed levied on them for 226 acres of land charged to Elizabeth Reed, dec'd, and corrected as an erroneous assessment Sept. Court, 1871, be made or corrected for 1872, according to the order of 1871, in consonance with the quantity of the land therein set forth as really chargeable to them.

James A. alias James H. Henderson, Pltff,
&
Thomas M. Site, Defft.
} Am. Debt.

This day came again the Jury sworn and impannelled 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 for the Plaintiff the sum of $150.00 the debt in the declaration demanded, with interest thereon from the 8th day of October 1869, subject to a credit of $116.73 as of date Octo. 8, 1869" It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $150.00 with interest thereon from the 8th day of October 1869 till paid, (subject to a credit of $116.73 as of date Octo. 8, 1869,) and his costs by him in this behalf expended.

George Shunk, Pltff
vs
The Harrisonburg Lumber Manfg. & Imp. Company, Deft. } In Debt.

This day came again the parties by their attorneys, and thereupon came a Jury of seven, by consent, to wit:- J.G. Sprinkel, J.L. May, Patterson Greiner, J.H. Chandler, Strother Sheets, Thomas Beseick and A.C. Rohr, who being elected, tried and sworn the truth to speak upon the issue joined, 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 for the Plaintiff the debt in the declaration mentioned, to wit, $125.00 with interest thereon from the 31st day of October 1870 till paid, It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $125.00 with interest thereon from the 31st day of October 1870, till paid, and his costs by him in this behalf expended.

Same, Pltff,
vs
same, Deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- J.G. Sprinkel, J.L. May, Patterson Greiner, J.H. Chandler, Strother Sheets, Thomas Beseick and A.C. Rohr, who being elected, tried and sworn the truth to speak upon the issue joined, 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 for the Plaintiff the debt in the declaration mentioned, to wit, the sum of $101.00 with interest from the 15th day of August 1869 till paid, subject to a credit for $50.00 as of the 20th of November 1869; It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $101.00 with interest thereon from the 15th day of August 1869 till paid, subject to a credit for $50.00 as of the 20th of November 1869, and his costs by him in this behalf expended.

James Magalis Pltff
vs
O.P. Neffshenstine, Deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- S.M. Att, P.A. Kiser, John S. Davis, Jacob A. Miserole, W.H.H. McKinick, John P. Driver and D.M. Flick, who being elected, tried and sworn the truth to speak upon the issue joined, and having fully heard the evidence and argument of counsel, retired from the

Jury to consider of their verdict, and after sometime returned into Court, and upon their oaths do say "we the Jury find for the Plaintiff, and assess his damages at $6.35¢. It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $6.35¢ with interest thereon from the 27th day of February 1873, tic. paid.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday, February 28, 1873.

Present:- Hon James Kenney, presiding.

Wm D McCaee, Pltff
vs
D. Stinespring, &c, Defts. } In Debt.

This day came again the parties by their Attorneys, and neither party requiring a Jury, the decision of the cause was submitted to the Court, and having fully heard the cause, It is considered by the Court that the Plaintiff recover against the Defendants the sum of $39.00, the residue of the debt in the declaration demanded, with interest thereon from the 22d day of March 1870, till paid, and his costs by him in this behalf expended, since former judgment, and leave is given the parties to withdraw the affects filed by them, upon leaving attested copies thereof in the papers.

C. M. Peale, for &c, Pltff
vs
A. B. Irick, Deft. } In Debt.

This day came again the parties by their Attorneys, and neither party requiring a Jury, the decision of the cause was submitted to the Court and having fully heard the evidence and argument of counsel, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $89.20 the debt in the declaration demanded, with interest thereon from the 16th day of March 1860, tic. paid, and her costs by her in this behalf expended, subject to a credit of $26.50 as of date March 16, 1860.

Isaac Handesty, Pltff
vs
E. N. B. Huffman, late Constable of Harrisonburg Township & Augustine Armentrout, his security. } Upon Notice for failure to pay over money as Constable, according to law.

This day came the Plaintiff by his attorney, and the Defendants having been called and not appearing, moved the Court for judgment for the sum of $31.53 with interest thereon from the 22d day of Feby. 1861 & $1 costs, the amount of a Fifa in name of Richard Winfield use of I. Handesty against A. G. Solomon and Giles Devier, subject to a credit of $25.00 paid April 24, 1871, and having

heard the evidence, It is considered by the Court that the Plaintiff recover of the Defendants the sum of $31.53 with interest thereon from Feby. 22d. 1861, tice paid & $1 costs, subject to a credit of $25.00 paid April 24, 1871, and his costs by him in this behalf expended.

E. J. Armstrong, Pltff
vs
David Garber, Deft. } Sur Case.

This day came the Plaintiff by his Attorney, and on his motion the Court proceeded to execute the writ of Enquiry, and having heard the evidence, It is considered by the Court that the Plaintiff recover against the Defendants the sum of $108.74 with interest thereon from the 10th day of September 1871, tice paid and his costs by him in this behalf expended.

Geo. W. Crawford's Admr. &c., Pltff,
vs
J. G. Minor, Deft. } Sur Debt,

This day came again the parties by their attorneys, and thereupon came a Jury of seven, by consent, to wit:- S. M. Att, P. L. Rison, John S. Davis, Jacob A. Messerle, H. W. P. Messick, John P. Driver and F. G. Sprinkel, who being elected, tried and sworn the truth to speak upon the issue joined, 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 for the Plaintiff on the issues joined, Twenty five dollars, with interest from 1st. of January 1865," It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of $25.00 with interest thereon from the 1st day of January 1865, tice paid, and his costs by him in this behalf expended.

John R. Bowman, Assessor of Ashley Township this day presented in Court, an Account against the county of Rockingham, amounting to the sum of $30.00 for extending County Levies, Railroad Tax &c, on Land & Property Book for the year 1872, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

A. C. Rohr, Pltff,
vs
James T. Anthony, Deft, } Sur Case,

This day came again the parties by their Attorneys, and on motion of the Deft. a Rule is awarded against M. J. Zirkle an absent witness for his failure to appear at this term, returnable to the next term of the Court, and the trial of the cause continued until next term at the Defendants costs.

This day Allen Devier, late of the County of Rockingham, who stands indicted for a felony by him committed on the 20th. day of January 1873, 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

on the motion of the prisoner, by counsel, and for reasons appearing to the Court, the trial is continued until the next term of the Court.

John J. Eye, Wm. H. Blakemore, Wm. P. McCall, George McCall, John G. Minor, Nelson Andrew, A. J. Blakemore, Peter Kline, Wm. Struthers, col'd, and Harrison Shiflett, this day personally 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 and chattels, lands and tenements, yet upon this condition, that they make their personal appearance before the Judge of this Court on the first day of the March term next, as witnesses in behalf of the Commonwealth & Allen Derrick, charged with felony, and not depart thence without leave of the Court.

Julia Ann Derrick, Pltff,
vs
Struthers Sheets, &c, Defts } In Case.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, to-wit:- E. H. Lowman, A. C. Rohr, J. B. Beery, L. L. Wilkerson, J. H. Chandler, Patterson Greiner and F. M. Slick, who being elected, tried and sworn the truth to speak upon the issues joined, and, not having fully heard the cause, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Saturday, March 1, 1873.

Present:- Hon. James Kenney, presiding.

Julia Ann Derrick, Pltff,
vs
Struthers Sheets, &c, Defts. } Trespass.

This day came again the Jury sworn and impannelled 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 for the defendants." It is therefore considered by the Court that the defendants go hence without day, and recover of the Plaintiff their costs by them in this behalf expended.

copied. On his motion, it is ordered that a certificate be granted Robert K. Wilson a citizen of the County of Rockingham, State of Virginia, he having proven to the Court that he lost his arm in the late war between the United States and the Confederate States, and was, at the time he lost said arm

a citizen of Virginia, and belonged to the forces of Virginia, and has never received an artificial arm or pay in lieu thereof, from any source. This order is made in obedience to an act to amend and re-enact the first Section of an Act approved November 1, 1870, entitled an Act to provide artificial Legs for citizens of the Commonwealth, who lost their Legs during the late war, and approved March 25, 1872.

This day, L. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $240.30 for receiving, dieting, and clothes furnished prisoners to wit:- Sandy Grant, Madison Snowden, Wm Hughes, Jacob C. Yankey, jr., Peter Riggleman, Elizabeth Vinegord, Allen Devier, John Thomas, Henry White and Jackson Simms, 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.

L. S. Byrd, Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $8.60 for receiving, dieting nursing & releasing Wm. Hughes, a Lunatic, 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.

The said Byrd proved to the Court that immediately after the commitment, application was made to the Board of Directors of the Western Asylum, and as soon as said application was granted, said Lunatic was carried thereto.

John Bowman, Pltff
&
Thomas C. Bacchus &c, Defts. } In Debt.

This day came the parties by their Attorneys, and the defendants filed their plea of payment, to which the Plaintiff replied generally, whereupon it is considered by the Court that the office judgment be set aside, and by consent of the parties, this cause is removed to the Circuit Court of this County.

Eli Tutwiler's Admr. Pltff,
&
J. W. Hicks Admr. Deft. } In Case.

This day came the parties by their Attorneys, and the defendant filed his plea of non assumpsit and statute of limitations, to which the plaintiff replied generally, whereupon it is considered by the Court that the office judgment be set aside and the trial of the cause continued until the next term, and leave is given the Defendant to file additional pleas.

Polly Pitts, for &c, Pltff, } In Debt.
&
Reuben Sellers, Deft.

John E. Roller, Comm. Pltff } In Debt.
&
N. D. Washington, &c, Deft.

This day came the parties by their Attorneys, and the defendants to filed their pleas of payment, to which the Plaintiffs replied generally, and thereupon it is considered by the Court that the office judgments be set aside, and the trial of the issues continued until the next term, and leave is given the Defendants to file additional pleas.

J. H. Heizer, assignee, &c, Pltff
vs
Wm F. Hite, &c, Defts } In Covenant.

This day came the parties by their attorneys, and the defendant filed his plea of covenants not broken and covenants performed, to which the plaintiff replied generally, and thereupon it is considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term, and leave is given the defendant to file special pleas.

Benjamin E. Long, for &c, Pltff
vs
Jacob P. Effinger, Defts. } In Assumpsit.

This day came again the parties by their attorneys, and thereupon came a Jury of renew, by consent, to wit: E. N. Lowman, J. L. May, J. W. Beery, L. L. Wilkeson, J. W. Chandler, Patterson Greiner and F. M. Flick, who being elected, tried and sworn the truth to speak upon the issue joined, 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 Plaintiff, and assess his damages at Seventy eight Dollars, with interest thereon from the 29th. day of June 1871. It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $78.00 with interest thereon from the 29th day of June 1871, till paid, and his costs, by him, in this behalf expended.

David Stinespring Pltff
vs
John Stinespring, Deft. } In Assumpsit.

This day came the parties by their Attorneys, and the Defendant filed his plea of non-assumpsit, to which the Plaintiff replied generally, and thereupon it is considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

S. J. Soper &c, Pltffs.
vs
J. P. Effinger, Deft. } In Debt.

This day came again the parties by their Attorneys, and the cause submitted to the decision of the Court, and having heard the evidence It is considered by the Court that this cause be dismissed, and that the Plaintiff recover of the Defendant his costs by him in this behalf expended to May Court, 1872.

Wm Airey, Pltff,
vs
Jacob Byrd, &c, defts. } In Debt.

This day came the parties by their Attorneys, and on motion of the Plaintiff this cause is dismissed as to the Defendant Jacob Byrd.

Baldwin & Leo., Pltff
vs
Partlow, Hill & Leo., Defts. } In Debt.

This day came the parties by their Attorneys, and the Defendants file their plea of payment, to which the Plaintiffs replied generally, and thereupon it is considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term, and leave is given the Defendants to file special pleas within 30 days.

Commonwealth of Va. for &c., Pltff
vs
P. M. H. Pickering &c., Defts. } In Covenant.

This day came the parties by their Attorneys, and the Defendants filed their pleas of covenants performed and covenants not broken, and bankruptcy, to which the Plaintiff replied generally, and thereupon it is considered by the Court that the office judgment be set aside, and the trial of the issues continued until the next term.

Franklin Echard's Admr. Pltff
vs
Anthony Huffman's Admr. Deft. } In Debt.

This day came the parties by their Attorneys, and the Defendant filed his plea of payment, to which the Plaintiff replied generally, and thereupon it is considered by the Court that the office judgment be set aside, and the trial of the issues continued until the next term, and leave is given the Defendant to file additional pleas.

South Western Mut. Ins. Co. Pltff
vs
Joseph T. Williams, Deft. } In Debt.

Chas. Nicholas' Admr. Pltff
vs
John Eastham's Admr. Deft. } In Debt.

Peel & Stevens, Pltff
vs
S. J. Harnsberger's Comm. Deft. } In Case.

Jacob Holsinger, Pltff
vs
David Holsinger, Deft. } In Covt.

Ordered, That these causes be continued until the next term, and at the costs of the Plaintiffs.

A. Martin, Pltff
vs
Jacob Ammon's Admr. Deft } In Case.

On motion of the Plaintiff a Rule is awarded against John K. Melhorn an absent witness for failure to appear at this term of the Court, returnable to the next term, and the cause continued until next term at Pltff's costs.

D. A. Plasker, Pltff
vs
George Kiser, Deft. } In Case.

D. D. Dovel's Admr. Pltff
vs
John C. Walker &c, Defts. } In Debt.

Ordered That these causes be continued severally until next term

Geo. F. Funkhouser, Pltff. / Geo. K. Brigham, Defdt. } In Case, — N. N. Angenbright, for &c, Pltff. / Mary Nicholas, Defdt. } In Debt.

David Howard, Pltff., / David Hollar, Defdt. } In Case, — E. M. Pollard, for &c, Pltff. / Wm. Showalter, &c, Defts. } In Debt.

Ordered that the foregoing causes be continued until the next term at the cost of the Defendants.

Samuel Shacklett, Pltff / L. A. Long, Defdt. } In Debt. — John Rodeo, Pltff / Maggie L. Huston, Defdt. } In Debt.

Joseph Jackson, Pltff / C. F. Dutson, Defdt. } In Debt. — Mary E. Lucketa, Pltff. / G. W. Berlin, Defdt. } In Debt.

Wm Rehard, Pltff / John Leedy, Defdt. } In Case. — I. Rinehearts Admr. for &c, Pltff / Geo. I. Hewlett &c, Defts. } In Debt.

Wm H. Murnaw, Pltff / A. D. Miller, Defdt. } In Case. — David Zimmerman, Pltff / Wm T. McCall, Defdt. } In Debt.

Michael H. Lee, Pltff / Martin Garber, Defdt. } Trespass. — J. W. Gitt, Pltff / A. J. Warfield, Defdt. } In Case.

A. J. Warfield, Pltff / J. W. Gitt, Defdt. } In Case. — Jefse Mitchell, Pltff / David Freed, Defdt. } In Case.

O. C. Sterling, for &c, Pltff / James Steele, &c, Defts. } Covt. — Wm D. Jordan, for &c, Pltff / Joseph Miller's Admr. Defdt. } In Debt.

James Bolton, Pltff / Nathl. Flook, &c, Defts. } In Debt. — Wm P. McCall, Pltff. / R. H. Hines, &c, Defts. } Covt.

J. W. Bruffy, Pltff / J. W. F. Allemong, Defdt. } In Case, — Wm Carpenter's Admr. Pltff / Nelson Andrew, &c, Defts. } In Debt.

Ordered That the foregoing causes be continued generally until next term.

Ordered That Court be adjourned until Monday morning next at 9 o'clock

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Monday, March 3d. 1873.

Present:- Hon. James Kenney, presiding.

Gordon & Williams, Pltff
vs
Jessymus Young, Deft. } In Case.

Gordon & Williams, Pltff
vs
Jefsymus Young, Deft. } Att.

On motion of Plaintiff, by counsel, these causes are dismissed.

Mary A. Sprinkel, Pltff
vs
A. Sprinkel, surv'g &c, Deft. } In Debt.

This day came the parties by their attorneys, and the defendant filed his plea of payment, to which the Plaintiff replied generally, It is thereupon considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

C. E. Sprinkel, assignee, &c, Pltff
vs
Same, Deft. } In Debt.

This day came the parties by their Attorneys, and the Defendant filed his plea of payment and set-offs, to which the Plaintiff replied generally, It is thereupon considered by the Court that the office judgment be set aside, and the trial of the issues continued until the next term.

C. E. Sprinkel, Pltff
vs
Same, Deft. } In Debt.

This day came the parties by their attorneys, and the defendant filed his plea of payment, set-offs and statute of limitations, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issues continued until the next term.

Same, Pltff.
vs
A. Sprinkel, Deft. } In Case.

This day came the parties by their attorneys, and the Defendant filed his plea of non-assumpsit, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment be set aside, and the trial of the issue continued until the next term.

Commonwealth Pltff.
vs
Rushrod Henshaw, Deft. } Upon a Capias pro fine.

The Sheriff of this County this day brought before the Court the body of Rushrod Henshaw, who was taken in charge by virtue of a Capias

Ca. fine issued against Simms by the Commonwealth for a fine & costs recovered against Simms upon an Indictment for Trespass, at the August Term 1871 of this Court, and on motion of the Defendant for reasons appearing to the Court, It is ordered That the said Defendant Rushrod Renshaw be discharged from custody.

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, to be certified to the Treasurer of this County for payment, viz:-

S M Att,	$13.00 ✓	L D Davis,	$ 1.00 ✓	Patterson Greiner,	$ 5.00 ✓
J G Sprinkel,	13.00 ✓	B F Rickard,	1.00 ✓	Isaac Devers,	2.00 ✓
John S Davis,	13.00 ✓	L S Harrison,	1.00 ✓	A F Ritchie,	2.00 ✓
John P Davies,	13.00 ✓	R M Gaskle,	1.00 ✓	Mansfield Marshall,	2.00 ✓
F M Flick	13.00 ✓	Arch'd Taylor,	1.00 ✓	Wm M Bilkimer,	2.00 ✓
George Miller	1.00 ✓	Jacob A Neesole,	12.00 ✓	J N Chandler,	3.00 ✓
E M B Huffman	1.00 ✓	P J Risen,	12.00 ✓	Strother Sheets,	1.00 ✓
John L May	5.00 ✓	W N R Mefick,	12.00 ✓	Thomas Mefick,	1.00 ✓
A C Rohr,	3.00 ✓	E H Lowman,	3.00 ✓	J N Beery,	2.00 ✓
L L Wilkeson,	2.00 ✓				

The Sheriff of Rockingham, James P Ralston, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $16.20 for arresting & Beverly Ray indicted for bigamy, which being sworn to by J D Scott, his Deputy, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

ca/d.s.d.

F T Sheets & Co, Plff,

vs

The West Rockingham Mutual Fire Insurance Company, Defts. } Ins Case.

Ordered, That this cause be continued until next term and at the cost of the Defendant.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Tuesday, March 4th. 1873.

Present:- Hon. James Kenney, presiding.

The settlement of the Account of R. A. Stephens, Admr. of R. D. Mumbert, dec'd, also statements of A. M. Newman, Commissioner of Accounts for Rockingham County, showing the debts and demands against the Estate of said Mumbert, and showing the amount to which each creditor of said Estate is entitled, of the balance due from said Administrator were this day presented in Court, and the said settlements and statements having remained in the Commissioner's office for ten days after they were completed, and having been filed in the Clerk's office of this Court for one month, and no exceptions having been taken thereto, It is ordered that they be confirmed, and the said Administrator is directed to pay to the several creditors of said Estate, the amount each is entitled to as shown by said statements.

On the motion of Rev. John M. Brown, and it appearing to the Court that he is a regularly ordained Minister in the Christian Church, he is duly authorized to celebrate the Rites of Matrimony, by the County Court of Rockingham County, and thereupon he appeared in Court, and together with Abraham Liskey and Franklin Liskey, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, and qualified accordingly.

cpd'd.

D. N. Pollock, Pltff
vs
J. N. Mills Admr. Deft } In Case.

On motion of the Defendant, by counsel, leave is given to file his off-sets, which is accordingly done.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Wednesday, March 5, 1873.

Present:- Hon. James Kenney, presiding.

On an application to establish a public road from near where John Bell formerly lived to Dayton;-

cpd'd. It is ordered that the report heretofore made on said application, be re-committed to Joseph Click, Commr. of Roads for Ashby Township, with instructions to review the route heretofore reported on, and to view any other route between the above points, and report to this Court.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday, March 6, 1873.

Present:- Hon. James Kenney, presiding.

J. C. N. Mauzy, Deputy for S. C. Allebaugh, late Sheriff of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $41.55, charges for arrest, board, &c, of Addison Workman and Benny Berry, charged with felony, which being certified by the Justice of the Peace, W. L. McGaley, and having been sworn to by said Mauzy, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Michael K. Lee, Pltff,
vs
Henry Neff, Deft. } In Case.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict of the Jury rendered at a former day of this term, and grant him a new trial, which motion the Court, upon consideration doth overrule, and proceeding to enter up judgment upon the verdict of the Jury, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $325.18 damages, with interest thereon from the 14th day of April 1868, till paid, and his costs by him, in this behalf expended.

On the motion of H. C. Bright, who has heretofore been commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, he is permitted to renew his bond as such, and thereupon he appeared in Court, and together with A. J. Nicholas, his surety, (who is justified as to his sufficiency,) entered into and acknowledged in open Court a bond in the penalty of $500 conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said H. C. Bright took the several oaths required by law.

S. Wolfsheimer & Bro, Pltff
vs
Mayer Heinsch, Deft. } In Debt.

The non-residence of the Plaintiff being suggested and security for costs being required, R. Johnston appeared in Court and acknowledged himself as security for costs for the Plaintiffs, and the Defendant by counsel suggested the bankruptcy of the Plaintiffs, and thereupon the Court doth consider that the office judgment be set aside, and the trial of the cause continued until the next term.

J. P. Effinger having this day presented in Court the recommendation of the Common Council of the town of Harrisonburg applied for leave to carry on

the business of a Retail Liquor Merchant, and to Keep an Eating House with the privilege of selling ardent spirits to be drunk at the place of sale, to wit: The Effinger House in the town of Harrisonburg, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and will probably Keep such an House as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain License to Keep such Eating House, and to retail spirituous Liquors, &c. under Merchants Retail Liquor License, until May 1, 1873.

Jefse Ralston, jr., Admr. with the will annexed of Jefse Ralston, Sr. Plff,
&
Jacob Lincoln & Abraham Lincoln, partners trading under the style of Jacob Lincoln & Bro, Defts. } Case Debt,

This day came the parties by their counsel, and waiving a trial by jury, agreed to submit this cause to the decision of the Court, and having agreed upon and signed a statement of facts, submitted the case to the Court, upon consideration whereof the Court is of opinion that the law of the case is in favor of the Plaintiff. It is therefore considered by the Court that the Plaintiff recover of the Defendants as damages the sum of One hundred and forty-seven dollars and ninety-five cents, with interest thereon from the 1st day of September 1869, till paid, and his costs in this behalf expended.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday, March 7, 1873.

Present:- Hon. James Kenney, presiding.

Different persons having applied to this Court to have a road established, leading from Paul's Mill to Fulton's shop, and said Court having under said application directed Benj. F. Coomes, Commissioner of Roads for Franklin Township, to view the ground and report according to the law in such cases, and the said Comm'r having made his report which report lays down two routes, which are known in the report as No. 1 and No. 2. And route No. 2 having been established through inadvertence, and now at this Court the whole question coming up as to the establishing routes No. 1 or No. 2, they being conflicting routes, the Court doth appoint the Commissioners of Roads for Central, Stonewall & Linville Townships, to view the grounds on the line of the proposed road, from Paul's Mill to Fulton's shop, and the different competing or proposed routes, or any route they think proper, and make their report to this Court under and according to the road laws of this State.

cop'd for Comm's.

Margaret Braithwaites Admrx. Pltff
vs
S. M. Bowman, Survg &c, Deft } Sur Delit.

This day came again the parties by their Attorneys, and the parties waiving a trial by Jury, the decision of the cause was submitted to the Court, and having heard the evidence, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $166.66⅔ with interest thereon from the 22d day of August 1865 till paid, and his costs by him in this behalf expended.

A. Hirsch & Son, Pltff
vs
N. Dreyfous, Deft } Upon an Attachment issued by a Justice of the Peace, returned duly executed.

This day came the parties by their Attorneys, and the Plaintiffs having proven to the Court that the Defendant is justly indebted to them in the amount of $26.00 with legal interest thereon from the 30th April 1870 till paid, and that the said Defendant is not a resident of this State, and that the said defendant has removed his effects out of this State, It is therefore considered by the Court that the Plaintiffs recover of the Defendant $26. with legal interest thereon from 30th April 1870, till paid, and his costs, in this behalf expended. And thereupon A. A. Wise who was summoned as garnishee in this cause, appeared in Court and acknowledged that at the time the Attachment in this cause was served upon him, to wit on the 29th January 1873 he was indebted to the Defendant in the sum of $18.00. It is therefore considered by the Court that the Plaintiffs recover of said A. A. Wise $18.00 with legal interest thereon from January 29, 1873 till paid, to be applied to the credit of the Defendant on the judgment aforesaid, and leave is given the said Plaintiffs to execute an Execution vs said A. A. Wise therefor. But the Plaintiffs are not to have the benefit of this order, until they, or some one for them, execute before the Clerk of this Court, bond with good security, in the penalty of $36.00 conditioned to abide by such future order as may be made by the Court upon the appearance of the Defendant, and his making defence.

N. Dreifous Pltff } (No. 2.)
vs
A. Hirsch & Son, Deft } Upon a motion to vacate and set aside a judgment obtained against A. A. Wise, gar. of Pltff at the December Term 1872

This day came again the parties by their Attorneys, and the motion to vacate and set aside said judgment, having been considered by the Court, It is the opinion of the Court that said judgment be vacated and set aside, and that the Plaintiff recover of the Defendant his costs by him in this behalf expended.

Same Pltff
vs
Same, Deft } Upon motion to quash Executions.

Ordered by consent of parties, that this motion be continued until next term.

Adam H. Brewer, use of Strother Sheets, Plff
vs
John W. Denton & A. L. Denton, Defts.

On motion of the Defendants (service of notice having been waived by the Plaintiffs,) the judgment entered in this cause, at the November term of this Court, in the year 1872, and the Rules previously taken therein in the office of this Court are set aside and annulled and the execution that issued on said judgment on the 23rd day of December 1872, is quashed.

A. F. Skinner, Agt use &c Plff
vs
John W. Denton, A. L. Denton, &c, Defts.

On motion of J. W. Denton & A. L. Denton, (service of notice being waived by the plaintiff,) the judgment entered in this cause at the November term of this Court, in the year 1872, and the Rules previously taken therein in the office of this Court, are set aside and annulled, and the execution that issued on said judgment on the 23rd day of December 1872, is quashed.

George Shrunk, Plff.
vs
Harrisonburg Lumber M & M. Company. Defts.
In Debt. No. 1.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict rendered by the Jury and the judgment entered at a former day of this term, and grant a new trial, which motion, on consideration, the Court doth overrule.

Mem:- Upon the trial of this cause, the Defendant by counsel excepted to the opinions of the Court, and tendered his two bills of exceptions thereto, which are in the words and figures following, to-wit:- 1st "George Shrunk vs The Harrisonburg Lumber Manufacturing and Merchandize Company" and 2nd "George Shrunk vs The H. L. M & M. Company &c" which he prays may be signed, sealed and enrolled, which is accordingly done.

Same, Plff
vs
Same. Defts
In Debt. No. 2.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict rendered by the Jury and the judgment entered at a former day of this term and grant a new trial, which motion, on consideration, the Court doth overrule.

Mem:- Upon the trial of this cause, the Defendant by counsel excepted to the opinion of the Court, and tendered this bill of exceptions thereto, which are in the words and figures following, to-wit:- "George Shrunk vs The Harrisonburg Lumber Manufacturing & Merchandize Company" which he prays may be signed, sealed and enrolled, which is accordingly done.

John Cook's Admrs. Pltffs
vs
John W. Airey &c. Defts. } On motion on 12 months bond.

Ordered, on motion of Plaintiff by attorney, that this cause be dismissed.

Jesse Ralston's Admr. Pltff
vs
Jacob Lincoln & Bro. Defts. } On lease.

Upon the trial of this cause, the facts involved in the issue in this cause were agreed in the words and figures following to-wit- (here insert them,) and the facts so agreed were all the evidence in the cause, whereupon the Defendants demmured to the evidence as insufficient in law to sustain the Plaintiff's action aforesaid, in which demmurer the Plaintiff joined, and upon argument of counsel, the Court overruled the said demmurer and rendered judgment for the Plaintiff, to which ruling the Defendants excepted, and filed this their Bill of Exceptions, and prayed that the same be signed, sealed and enrolled, and made a part of the record, which is accordingly done. Given under my hand and seal this 7th day of March 1873.

James Kenney, (Seal)

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

James Kenney

At a County Court held in and for the County of Rockingham, on Monday, March 17, 1873

Present:- Hon. James Kenney, presiding.

The Clerk of this Court this day presented in Court a List of Deeds received and admitted to record in the Clerk's Office of this Court, at and since the last February Term, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	George W. Berlin	to	Joseph Byrd,
"	Abm. D. Weaver & wife	"	Jacob Brunk,
"	Thomas Lamptkins & wife,	"	Henry Mason,
"	Henry H. Rollen & wife,	"	Jeremiah Semple,
"	Abm. Archeart & wife,	"	John Knopp,
"	Melchior Brenneman & wife, &c,	"	Jacob W. Zinkle,
"	Catharine McNett, &c,	"	Mary Rodeffer,
Agreement,	Mathias M. Miller,	"	John Bowman, jr,
Bargain & Sale,	John D. Scott, Commr,	"	Philip Miller,
"	Thomas Lamptkins & wife,	"	Jacob Fifer,
"	Wm P. McCaleb & wife,	"	Anthony Senger & others,
"	David Barko & wife,	"	Benjamin Turner,
"	A. A. Argenbright, wife, &c,	"	G. Robert Eastham,
"	Samuel Kline & wife,	"	Daniel G. Mantz,
"	Edward S. Peale & wife,	"	A. M. F. Keefe,
Trust Deed,	James V. McGahey,	"	George W. Mauzy, Trustee,
Bargain & Sale,	Philip Liggett & wife,	"	Charles Longley,
"	John Sellers & wife,	"	Theodore M. Sellers,
"	John D. Harper & wife & others,	"	James Anderson,
"	John P. Swank & wife,	"	Thomas J. Atchison,
"	John B. Conguen & wife,	"	Conrad N. Long,
Trust Deed,	David Garber,	"	G. W. Berlin, Trustee,
Agreement,	James Fitzwater,	"	Wm H. Fitzwater,
Bargain & Sale,	A. Taylor & wife,	"	Peter C. Sutphin,
Assignment,	Henry C. L. Haubert,	"	Otho W. Eichelberger,
Bargain & Sale,	A. Taylor & wife,	"	John R. Bowman,
"	Frederick Rodes & wife	"	Valley Railroad Company,
"	Jacob W. Zinkle & wife,	"	John P. Swank & John Acker,
"	John W. Howe & wife,	"	Abram C. Long,
"	C. A. Yancey & wife & G. Sheing & wife,	"	Isaac Hardesty,
"	C. C. Strayer	"	Eliza Strayer,
Deed of Gift,	Isaac Hirsch	"	Meyer Hirsch, Jr. for Carrie Hirsch,

The following settlements having been filed in the office the time prescribed by law, and no exceptions being taken thereto, It is ordered that the same be admitted to record, viz:-

Settlement of the Acct of Wm Hottell, Admr, of George Rader, dec'd,

" " " " " Wm S. Showalter, " " Joseph Senger, dec'd,

" " " " " Eli Long " " George Long dec'd,

" " " " " S. K. Allebaugh, " " John M. Long, dec'd,

Settlement of the A.& of Wm. C. Flook, Admr of David Flook, decd

" " " " " George Chrisman, Exor. of George W. Chrisman, decd

" " " " B.F. & W. Armentrout, " " D. Armentrout, decd

" " " " Noah Nasty, " " Daniel Bazzel, decd

" " " " George Chrisman, Trustee for Henrietta Chrisman,

" " " " B.G. Patterson, " " Wm R. Long,

Inventory & Report of Sale of same, " " same,

On the motion of Dr. Wm. D. Hopkins, the Estate of John Kunne is committed to the Sheriff of this County, for administration.

On the motion of James P. Ralston, Sheriff of Rockingham County, and it appearing to the Court, that he is a man of honesty and good demeanor, D.W. Bear is permitted to qualify as his Deputy, and thereupon he appeared in Court, and took the oaths prescribed by law.

Jones & Bro. Pltff. | Att. | J.A. Heller, Pltff | Sug.
N. & F. Livingston, Defts. | | Cavins & Coderise, Defts.

Benj. F. Summers, Pltff. | Notice | same, Pltff | Sug.
N. F. Turner, Deft. | | same, Deft.

Wm. Sigler, Commr. Pltff | M. D.
Wm. J. Crawford, Defts.

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

Bettie E. Fishback, widow of Wm. Fishback, having renounced her right to administer on the Estate of her deceased husband, on her motion said Estate is committed to James P. Ralston, S.R.C., for administration, and the Court doth appoint David Stinespring, Daniel Bowman and Abraham Paul to appraise the said Estate after first being duly sworn.

R.H. Spindle, who was on the 2nd day of April 1879, commissioned by the Governor of Virginia, a Notary Public in and for the county of Rockingham, this day appeared in Court, and together with J.S. Hammerberger, his surety, entered into and acknowledged a bond in the penalty of Five Hundred dollars, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said R.H. Spindle took the several oaths required by law.

On the petition of Henry Bruce & others to have a public road established, leading from Bloomer Spring to the Rockingham Turnpike at a point near McGaheysville, It is ordered that Jacob A. Armentrout Road Commissioner for Stonewall Township do view the proposed route and report at the next term of this Court.

George Null, Pltff
vs
John Evers Admrs. Defts. } On a Notice.

Notice having been given to John Evers & Abraham Evers Admrs of John Evers, dec'd by George Null, their surety on their bond, as said Admrs that he would move the County Court of Rockingham on the 1st day of this term, to require them to give a new bond with security as said Admrs and release him, which notice being returned duly executed upon said Admrs, It is ordered that John Evers & Abraham Evers, Admrs of John Evers, do give a new bond before this Court as such Fiduciaries, by the 1st day of its next term, in the penalty of # with good personal security.

A writing purporting to be a copy of the will of Alfred Sprinkel, dec'd, which original will was heretofore probated in this Court, was this day presented in Court, and being proven to be a copy by the oaths of Samuel Shacklett and G. A. Gay, two of the subscribing witnesses thereto, it was, on the motion of J. G. Sprinkel, ordered to be recorded.

The writing purporting to be the last will and testament of W. A. R. Showalter, was this day presented in Court, and being proven by the oaths of M. Lindon and Peter Roller, the two subscribing witnesses thereto, it was admitted to probate, and thereupon, on the motion of John Brown Roller the Executor named in said will, he appeared in Court, and together with Peter Roller and Martin Ann Showalter, his sureties, who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of Three thousand Dollars, conditioned according to law, and qualified as the Executor of said W. A. R. Showalter, dec'd under the will.

And upon the further motion of John Brown Roller, Exor. the Court doth appoint M. Lindon, Henry Angenbright, Samuel Switzer and Aaron Shutters, to appraise the Estate of said Showalter, any three of whom may act, after first being duly sworn.

Sylvester Pence, Pltff
vs
Geo. W. Roller & Peter Roller, Defts. } Upon a Notice upon a 12 months bond executed for the purchase of property at Sheriff's sale under Act of Assembly passed May 28/1870, &c.

This day came the Plaintiff by his attorney, and moved the Court for judgment according to bond and for costs, and the Defendants being solemnly called, came not, the notice was proved, and it is considered by the Court that the Plaintiff recover of the Defendants the sum of $332.44 with interest thereon from the 15th day of February 1872, till paid, and his costs by him in this behalf expended.

Rushrod Rust, Pltff
vs
John N. Landis, Deft. } Attt.

On motion of the Plaintiff, this cause is dismissed.

Allen Devier, late of the County of Rockingham, who stands indicted of a felony by him committed on the 20th. day of January last, was this day again led to the bar in custody of the Jailer of this County, and the Veniremen summoned for his trial being called eighteen of whom appeared, and therefrom the following panel of sixteen were obtained, who were examined by the Court, and found to be duly qualified and free from exceptions, viz:- C. C. White, A. F. Moore, John R. Gray, Isaac B. McKeever, Peter A. Koontz, Noah Mauzy, Julius J. Mauzy, Wilson A. Koontz, Barnet R. Speck, Gilbert M. Williamson, Reuben F. Koontz, Michael Roller, Michael J. Mauzy, Peter P. Holsinger, Madison H. Thomas, and A. C. Lincoln, and the prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Isaac B. McKeever, Julius J. Mauzy, Barnet R. Speck, and Michael J. Mauzy, the remaining twelve persons thereby constituting the Jury, viz:- C. C. White, A. F. Moore, John R. Gray, Peter A. Koontz, Noah Mauzy, Wilson A. Koontz, G. M. Williamson, Reuben F. Koontz, Michael Roller, Peter P. Holsinger, Madison H. Thomas & A. C. Lincoln, who being so elected, tried and sworn the truth, of and upon the premises to speak, and not having time fully to hear the evidence, thereupon they were placed in charge of D. H. Ralston & S. C. Bare, Deputies for J. P. Ralston, Sheriff of Rockingham County, to whom was administered an oath that they would keep them together without communication with any person, that they they could neither converse with them themselves touching this trial, nor permit any other person to do so, and would cause them to appear in Court on to-morrow morning at 9 o'clock. And thereupon the prisoner was remanded to Jail.

The following Appraisement and Sale Bills were this day returned into Court, and no exceptions being taken thereto, were ordered to be recorded:-

Appraisement & Sale Bill of Henry Hinegardner, dec'd, Estate

" " " " " Henry H. Giles, dec'd, "

" " " " " Martha Lewis dec'd. "

" " " " " John R. Bowman dec'd. "

" of Notes of Estate of Noah Bowman, dec'd

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

James Kerney

At a County Court continued and held in and for the County of Rockingham, on Tuesday, March 18, 1873.

Present:- Hon. James Kenney, presiding.

John G. Ragan
@
A. J. Warfield } Upon sug. & S. G. Long.

E. S. Yancey,
@
A. J. Warfield, } Upon sug. & S. G. Long.

same,
@
same. } Upon sug & S. G. Long.

On motion of the Plaintiffs, the foregoing causes are dismissed.

Wm. Sigler, Commr. Pltff.
@
Wm. J. Crawford, Defts. } Unlawful Detainer.

This day came the Plaintiff, by his attorney, and the summons having been returned duly executed upon the Defendant, and he failing to appear and plead, the cause was submitted to the decision of the Court, and having fully heard the evidence, it is considered by the Court that the Defendant Wm. J. Crawford unlawfully withholds from the Plaintiff the possession of the premises described in the summons, and that the said Plaintiff shall recover possession of the premises, and his costs, by him in this behalf expended, and that a writ of Possession do issue to the Sheriff of this County, requiring him to place the Plaintiff in possession of said premises.

Writ of Poss'n issued.

On motion of Abraham Alger, it appearing to the Court that no representative has been appointed for the Estate of Elizabeth Harshbarger, dec'd, and that she has been dead more than six months, It is ordered that the said Estate be committed to J. P. Ralston, Sheriff of Rockingham County, for administration.

Allen Davis, late of the County of Rockingham, who stands indicted for a felony by him committed on the 25th day of January last, was this day again led to the bar of the Court, in custody of the Jailor of this County, and thereupon came also the Jury whom and impaneled 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 of 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 first count of the indictment, and ascertain the term of his imprisonment in the Penitentiary at one year, and we further find him not guilty under the second count in the indictment." And thereupon the Jury was discharged and the prisoner remanded to Jail.

Ordered, That C. C. White, A. F. Moore, John R. Gray, Peter A. Koontz, Noah Marty, Wilson A. Koontz, G. M. Williamson, Reuben F. Koontz, Michael Rollen, Peter P. Holsinger, Madison M. Thomas and A. G. Lincoln be allowed the sum of Two Dollars each, for their services at this term upon the trial of Allen Devier, charged with felony.

Thornton Thomas, Pltff
&
David Bowman, Deft
} Upon a Notice,

This day the Defendant David Bowman appeared in Court upon a Notice executed on him by Thornton Thomas the Plaintiff, one of the Defendant's securities in his bond as Executor of John Bowman, dec'd requiring him to show cause why the Defendant should not execute a new bond as such Executor, and having been required by the Court to execute such new bond, the said David Bowman appeared in Court, and together with Jacob W. Loomen and Evan Jones his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $30.000. conditioned according to law, and qualified as said Executor.

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

James Kenney

At a County Court ~~of Chancery~~ continued and held in and for the County of Rockingham on Wednesday, March 19, 1873.

Present:- Hon. James Kenney, presiding.

M. B. Childress, special Constable this day presented in Court an Account against the Commonwealth of Virginia, amounting to $2.65 for arresting and conveying to Jail, &c, Wm. Tolaver, which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts, for payment.

Spl.

M. B. Childress, special Constable, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $2.65 for arresting and conveying to Jail, &c, Wm. Walker, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

Spl.

The American Hotel presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.50 for board of 12 Veniremen two days, @ $.10 each per day, in case of the Commonwealth & Allen Devier 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.

Spl.

Upon the Petition of John W. Orebaugh & others.

This day came Joseph Click, Commissioner of Ashby Township, and filed his report, made in pursuance of an order entered at the January term 1873, of this Court, upon the petition of John W. Orebaugh and others, and it appearing to the Court, that the proposed road will be a decided benefit to that portion of the county, that no yard, garden or orchard, or any part thereof will have to be taken, and the land-owners along the line of this road have executed an Agreement relinquishing all damages to their lands, the Court is of opinion to establish the road as proposed, and accordingly doth order and decree that the township of Ashby in the county of Rockingham be directed to establish said road as proposed, as follows to-wit: commencing at the Rollen's mill road on the lands of Samuel and Richard Sutphen on the old road through their land to North River, crossing the same at the old ford to the land of John W. Orebaugh, thence along the line between his land and that of John Corbin and that of Robert Sutphen, thence through Orebaugh's land to line between him and Robert Sutphen, thence along the line between J. L. Miller and Sutphen, to John Showalter's corner, thence along line between J. L. Miller's land and that of Showalter to line of W. D. Rodgers land, thence through his land, to line between him and Abraham Shank, thence through Shank's land to Wm. Reubush's corner, thence along line, between Shank and Reubush, thence through lands of Reubush, upon the line of the old road to Susan Orebaugh's line, thence through her land to line between D. Flory and Reubush, thence along their line to D. Huffman's line, thence along line between him and J. P. Slusser to the Mount Crawford and Friedens Church road, and the Court doth designate Joseph Click, Commissioner of roads of said township as the Commissioner to establish said road. The costs of this application shall be paid by the County of Rockingham.

cpid.

W. G. Partlow & E. L. Lambert, partners doing business under the firm name of Partlow & Lambert

vs.

The Valley Railroad Company.

Upon a suggestion against them as debtors of G. Douglas Gray & Jouette Gray.

This day the Valley Railroad Company, by Hugh McSheffey, their Agent, appeared in Court in answer to a summons heretofore served upon them, and answered that if and when they enter upon the lands of the said N. Jouette Gray, in the construction of their Road, between the town of Harrisonburg and the town of Staunton, damages having been assessed for that purpose, they will be indebted to the said N. J. Gray, payable then, more than the amount of $547.68 with interest thereon to be computed at the rate of 12 per cent per annum, from the 29th day of September 1871 and $13.35 charges of protest, with interest thereon at the rate of 6 per cent. per annum, from said last mentioned date, and $6.40 costs, and the costs of this motion.

B. H. Lambert,

vs

The Valley Railroad Company. } Upon a suggestion against them as debtors of C. Douglas Gray and S. Jouette Gray.

This day the Valley Railroad Company, by Hugh W. Sheffey, their Agent, appeared in Court, in answer to the summons heretofore issued upon them, and answered that if and when they enter upon the lands of S. Jouette Gray, in the construction of their Road between the towns of Harrisonburg and Staunton, damages having been assessed for that purpose, they will be indebted to the said S. J. Gray, payable then, more than $666.66 with interest thereon at the rate of six per cent per annum from the 21st day of September 1869, and $8.16 costs, and the costs of this motion.

Commonwealth

vs

D. A. Plecker, } Upon an Indictment for a nuisance.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney and on motion of the Defendant the Court doth endorse Reuben A. Whitmer & Emanuel Rolles, jr. as prosecutors, and thereupon the demurrer to the Indictment entered at the February term of this Court was argued by counsel and overruled by the Court, thereupon came the following Jury, to wit:- J. K. Miller, Patterson Greiner, Wm. Catt, Warner Douthat, A. G. Rohr, E. Lowner, H. S. Cordell, A. J. Whitmer, Meyer Hirsch, B. F. Bilhimer John R. Gray and Isaac Vinegard, who being elected, tried and sworn the truth to speak upon the issue joined and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Thursday, March 20, 1873.

Present:- Hon. James Kenney, presiding.

Upon the Petition of the Valley Railroad Company, to alter the Swift Run Gap Road,

Joseph W. Click, Road Commissioner for Ashby Township this day returned his report, made in obedience to a former order in this case, by which he recommends a change in the Swift Run Gap Road, at its junction with the Valley Turnpike Road, about one mile & a half South of Harrisonburg, and also files with his report a paper signed by all the parties interested, by which they consent to the proposed change upon the conditions therein set forth, and the Court after examination of said Report, and hearing all the evidence, doth direct, that the said Swift Run Gap Road be turned to the right forty feet from the centre of

the Valley Railroad and run along and parallel with said Railroad, and forty feet from the centre thereof, four hundred feet, and then across said Railroad into the Turnpike road again. This change shall be made at the expense of the Valley Railroad Company, and the damages of fifty dollars allowed by the Commissioner shall be paid by the said Railroad Company to the parties, David H., Abraham B. & Catharine A. Burkholder, before any change in said Road is made, and the damages thus paid shall in no way affect or bar the claim of said parties for such damages as they may be entitled to recover against said Railroad Company for the establishment of said Railroad, and all costs of this application shall be paid by the Valley Railroad Company.

Ordered that Allen Devier, late of the County of Rockingham, who stands convicted of a felony by him committed, was this day again led to the bar in custody of the Jailor of this Court, and by counsel, moved the Court to set aside the verdict of the Jury and grant him a new trial, on consideration whereof, for reasons appearing to the Court, It is considered by the Court that the verdict of the Jury be set aside and a new trial granted him, and said trial is continued until the next term.

Commonwealth }
vs. } Upon an Indictment for a nuisance.
D. A. Plecker, }

This day came again the Jury sworn and impannelled 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." It is therefore considered by the Court that the Defendant go hence without day, and that he recover of Reuben A. Whitmore & Emanuel Roller jr. who were endorsed as Prosecutors in this cause, his costs, but only his costs attaching to the summoning and attendance of six witnesses in his behalf.

Ordered, That J. W. Miller, P. Greiner, Wm. Att, Warner Douthat, A. C. Roby, Emanuel Lowner, W. S. Cordel, A. J. Whitmore, Meyer Kirsch, B. F. Bilhimer, John R. Gray and Isaac Vinegord, be each allowed the sum of Two Dollars for their services at this term, in the trial of misdemeanor cases.

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

James Kenney

Virginia:—

In Vacation:— March 31, 1873.

I, James Kenney, Judge of the County Court of Rockingham County, do now, in vacation, give this my consent that John Huddleson, Collector for Central Township in Rockingham County may appoint A. N. Brewer, his Deputy. Given under my hand this 31st day of March 1873.

James Kenney

I, James Kenney, Judge of the County Court of Rockingham County do hereby certify that A. N. Brewer has this day taken the several oaths required by law, as Deputy for John Huddleson, Collector for Central Township in Rockingham County. Given under my hand this 31st day of March 1873.

James Kenney

At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, April 21, 1873.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	D. C. Rinehart & wife	to	A. R. Rinehart,
" "	Robt. Glattenbuck & wife,	"	James Sellers,
" "	Wm. Long & wife,	"	Henry G. Heatwole,
" "	Michael Wine & wife	"	Samuel Wine,
" "	Jos. S. Messerly & wife,	"	G. F. & S. W. Mauck,
" "	Geo. W. Skelton & wife,	"	John Foley & Jacob Kagey, Trustees,
Trust Deed,	James C. Weltzel & wife,	"	Wm. B. Compton, Trustee,
Bargain & Sale,	Wm. D. Hopkins & wife,	"	James C. Weltzel,
" "	Peachy Wine & wife,	"	Charles W. Tatum,
" "	Board of Supervisors of Rockingham Co,	"	Valley Railroad Company,
" "	Christian Hawse, Sr.	"	David Reedy,
Trust Deed,	Abram C. Simmers & wife,	"	P. W. Baugher, Trustee,
Bargain & Sale,	Jacob Hale & wife	"	Shem Bowman,
" "	Jacob Allebaugh,	"	James Bush,
Deed of Lease,	David Garber,	"	John S. Garber & Jas. M. Floyd,
Bargain & Sale,	Wm. B. Compton, Comm'r.	"	Samuel Shacklett,
" "	Theophilus Lawson & wife,	"	James A. Wilkerson,
" "	J. A. Wilkerson & wife	"	John R. Woods,
Deed of Release,	J. R. Madison, Trustee & Elliott's Son,	"	T. Lawson & wife,
Bargain & Sale,	John C. Miller & wife,	"	Saml. F. Miller,
" "	Saml. F. Miller & wife,	"	John C. Miller & wife,
" "	S. M. Wold,	"	C. A. Yancey,
" "	John Cover & wife,	"	E. Z. Sanford,
" "	same,	"	W. N. Cave,
" "	Peter Haynes & wife,	"	Jacob Johnson,
" "	Wm. H. Marshall,	"	Solomon Shiflett,
" "	J. J. Winfield & wife & J. M. Liggett,	"	James M. Burton,
" "	A. M. Newman, Comm'r.	"	Rockrod Rust,
Trust Deed,	J. N. Bruffy, Trustee, for &c,	"	John T. Harris, Trustee,
Bargain & Sale,	Wm. B. Compton, Comm'r.	"	N. L. Blakemore, &c,
Trust Deed,	F. R. Davis & wife,	"	Wm. B. Compton, Trustee,
Bargain & Sale,	E. T. W. Warren's Adm'r. (S. R. A.)	"	Reuben H. Harrison,
" "	John Howard & wife	"	same (old Deed.)
" "	Peter Walker,	"	John H. Kagey, Trustee, &c,
" "	Caleb Dean & wife,	"	Mary B. Johnson,
" "	George Miller, Adm'r. of D. Miller,	"	Isaac Long,
" "	John B. Earman & wife,	"	Robert Sutterley,
" "	Ephraim Wenger	"	John C. Wenger,
" "	F. H. Brunk & wife,	"	Wm. H. Hamrick,
" "	Mary Gray,	"	J. D. Halstead,
" "	S. H. Callender & wife,	"	Valley Railroad Company.

I James Kenney Judge of the County Court of Rockingham County do hereby in vacation give this my Consent that John Huddleson Collector for Central Township in Rockingham County may appoint A H Brewer his deputy Given under my hand this 31st day of March 1873

James Kenney

I James Kenney Judge of the County Court of Rockingham County do hereby certify that A H Brewer has this day taken the oath required by law as deputy for John Huddleson Collector for Central Township in Rockingham County Given under my hand this 31st day of March 1873

James Kenney

The Clerk will enter this as a vacation order

133A.

Bargain & Sale,	D. C. Rinehart & wife	to	Harrison Emswhiler,
" "	J. M. Foley & wife	"	Benjamin Bradford,
Mat & Agreement,	L. H. Att	&	Saml. R. Sterling,
Bargain & Sale,	G. F. Mauck & S. W. Mauck & wives	to	A. J. Wilkins, Trustee for &c,
" "	A. W. Perry, Commr.	"	Herbert Barlee,
Trust Deed,	Herbert Barlee	"	John W. Watson, Trustee,
Release Deed	M. N. Effinger,	"	Charles E. Haas,
Bargain & Sale,	John E. Roller, Commr.	"	John Young,
" "	John Young & wife	"	Jacob B. Garber,
Mechanics Lien,	Wm Rehard,	vs	James L. Avis,
Bargain & Sale,	S. M. Dold,	"	W. L. Lenty,
" "	Alexander J. Yancey & wife,	"	Harriet E. Pankey,
" "	Jacob W. Zirkel & wife	"	Sophia M. Beard,
" "	Louisa D. Bowman,	"	Joseph M. Bowman,

The following settlements having been filed in the office the time prescribed by law, and no exceptions being taken thereto, It is ordered that the same be admitted to record, viz:-

Settlement of the Adm of Jacob Brunk, guard. of Susannah Weaver,
" " " " " Gabriel Heatwole, Exor. " John Whitmore, dec'd,
" " " " " Eml. Beam, " " Nancy Kesinger, "
" " " " " Jacob & John Hershberger, " " John J. Hershberger, "
" " " " " W. S. Baughler, Adm. " Mary A. Baughler, "
" " " " " same, " " Saml. G. Baughler, "
" " " " " Henry Huffman " " Magdalene Thuma, "
" " " " " Enos Lindamood " " Samuel Lindamood, "
" " " " " Dewitt C. Rinehart " " Isaac Rinehart, "
" " " " " C. Miller, " " John F. Moyers, "
" " " " " Chas. A. VanLear, " " Wm. VanLear, "
" " " " " Henry Neff, " " Peter Shaver, "
" " " " " Henry & Wm. R. Sites, " " George Sites, "
" " " " " Benj. Hoover, Special Receiver of George Sites Estate,

The Appraisement Bill of Mrs. Mary Lord, dec'd was this day presented in Court and ordered to be recorded. Also, the Appraisement Bill & Sale Bill of the Estate of John B. Zirkel, dec'd, same order.

Ex-parte Noah A. Royer &c. Upon a road Petition

In this cause it being suggested by the petitioners themselves, that the report of the viewers appointed in this cause on the 28th. of November 1872, to view the proposed change of road is insufficient, and does not meet the requirements of the law, It is ordered that the same be quashed, and thereupon the Court doth appoint the same persons as viewers, and they are directed to view the proposed route again, and to make their report to this Court in accordance with Law to its next term.

It appearing to the Court that Jane Beeling has been dead more than three months on motion, It is ordered that her Estate be committed to Jas. P. Ralston, Sheriff of this County, for administration.

Ordered, That the following persons are selected and appointed Judges of Elections, for the term of one year from this date, April 21. 1873.

Stonewall Township:-

Conrads Store.- J. C. Walker, Wm. B. Yancey & J. N. Kite

McGaheysville.- C. R. Rush, A. J. O. Bader, & T. N. Sellers.

Port Republic.- G. W. Kemper, jr., John Harper & J. B. Nicholas,

Ashby Township.

Cross Keys- C. N. Tyler, M. N. Hooke & E. S. Kemper,

Mt. Crawford.- Cyrus Conley, George Kisen & Samuel Switzer,

Dayton.- Miriam Coffman, David Suter & J. J. Garber,

Bridgewater.- John Williamson, St. Clair Kyle & John Metzger,

Ottobine.- F. M. Erwine, Rudolph Moyers & Wm. Curry,

Central Township.

Keezletown.- Strother Sheets, John Wm. Huffman & P. Earthman,

Harrisonburg.- Wm. Ott, J. S. Effinger & A. Hockman,

Mt. Clinton.- Michael Whitmore, Simon Harman & B. D. Bowman,

Linville Township.

Melrose.- Peter Neff, Madison Moose & R. A. Stephens,

Edom.- D. M. Coffman, Peter Neff & John C. Brock,

Mitchells School House.- Jackson Horn, G. M. Reherd & James Funk,

Singers Glen.- Peter Swank, John B. Gaugner & G. W. Skelton,

Plains Township.

South Legion.- J. W. Cowen, Curtis Yates & D. G. Marty,

Timberville.- Martin Garber, W. H. West & Henry Neff,

Coote's Store.- A. W. Funk, Jacob Neff & Henry Whistler,

Mattigs Store.- Isaac Funk, Reuben Doyle & Wm. Fitzwaters,

And Wm. Ott, J. S. Effinger, A. Hockman, Miriam Coffman and J. M. Huffman are appointed Commissioners of Election.

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cpy. J. C. Braithwaite presented in Court an Account against the County of Rockingham for the sum of $5.00 for one gate in Court House, which being examined was allowed by the Court, and the same ordered to be certified to the Treasurer of this County for payment.

On application of Wm. Nighten & others, It is ordered that the Commissioners of Roads for Stonewall Township, view and report at the next term of this Court, on the propriety of establishing a public road, commencing near the Bridge at Port Republic, thence to Weaver's Mill, thence to some point on the Lawyer Road, near Erasmus Mayo, to pass through the lands of Bateman, Smith, Logan, Baugher, Grim, Rudlowe, Entzler, Kiger, Kemper, Harper & Thrayer, and said Commrs. may survey & report upon any other route between said points.

On motion of N. A. Rhodes, the Assessor of the Township being present, and the Attorney for the Commonwealth resisting, it appearing to the Court that Henry A. Rhodes is assessed in Franklin Township with $1.47 tax on 3 A. 3 R & 12 p. of land, and that the said parcel of land is included in the Assessment of Land made by the Assessor in Central Township, It is ordered that the said N. A. Rhodes be relieved from the payment of the Assessment of $1.47 on 3 A. 3 Roods & 12 poles in Franklin

Township, it appearing to the Court that the said Rhodes has paid the assessment on the same made in Central Township.

W. W. Crosby Pltff
vs
John Allen, garnee. Defdt. } Upon a sug. sued out under Fifa vs Edward Intiviler.

John Allen having been summoned to answer a garnishee summons sued out by Plaintiff under a Writ of Fieri Facias against Edward Intiviler, this day appeared in Court in obedience to said summons and answered that he is not now nor was he, at the time of the service of said summons indebted to said Intiviler, It is therefore considered by the Court that said summons be dismissed.

On motion of Otis F. Moore, Newton G. Moore and Thomas Moore, It is ordered that Jacob Mauzy, Gideon Rosenberger, Curtis Yates and Samuel Rolley, or any three of them, be and they are hereby appointed Commissioners to assign dower to Elizabeth Ann Moore, widow of John Moore, in a piece of timber land of 34 A. on the East side of the Mountain Valley Road, which belonged jointly to said John Moore and Thomas Moore, and to divide the residue between the proper parties,- the said Thomas Moore being entitled to one-half of the land,- and the other half belonging to the widow and heirs of said John Moore, dec'd,

Upon the Petition of R. A. Gibbons & others for a public road from River Bank Bridge to a point on Simmons' Gap road at or near the lands of R. A. Gibbons, &c,

Jacob A. Armentrout, Comm'r. of Roads for Stonewall Township this day presented in Court his report of the survey of the aforesaid road, and it appearing to the Court that the land-owners through whose land the said road passes, have given the right of way, It is considered by the Court that the said report of the Comm'r. be confirmed and the road established according to said report.

B. G. Patterson and Jacob Kaseman, sureties on official bond of John Huddleson, Collector of Central Township having produced in Court a notice duly executed upon said Huddleson to the first day of this term of the Court, requiring him to give additional security as such Collector, and he declining to give such security, on motion of said sureties, It is ordered that the powers of said Huddleson as Collector of said Central Township, be and the same are hereby revoked and annulled, and said Huddleson is ordered to turn over to his successor in office, hereafter to be appointed, all tax tickets and papers now in his hands as said Collector of Central Township.

Ordered, That Isaac Minnick be relieved from the payment of County and Parish Levies for the year 1872, on account of indigent circumstances.

B. G. Patterson, Comm'r &c, Pltff
vs
N. Bazzell, &c, Defdt. } Sug. On motion of the Plaintiff this cause is dismissed,

On motion, It is ordered to be certified that Wm. H. Robinson is a citizen of this State, that he lost his leg in the late war, and was a citizen of this State at the time of the lop of said leg; that he has been heretofore furnished an artificial leg under the provisions of an Act heretofore passed by the General Assembly of Virginia, but cannot use said artificial leg, that he was so disabled as aforesaid to such an extent that an artificial leg cannot be worn or used by him.

cof.

On application of B. F. Kemper, F. M. Layton & J. W. Palmer, surviving Trustees of the Methodist Episcopal Parsonage, situated in Port Republic in this county, It appears to the Court that the Real Estate of said Parsonage is used as and for a Parsonage, and that the same is exempt from taxation; and that said Parsonage is erroneously assessed with taxes for the years 1871 & 1872, and it further appearing to the Court that the Taxes for 1871 has been paid into the Treasury to the amount of $3.38, It is ordered that the same be refunded, and that said Parsonage be exonerated from the payment of any taxes for the year 1872. The Attorney for the Commonwealth appeared and defended the above application, and the Assessor making the above named assessments was examined as a witness touching said application.

c/d.

On motion of G. W. Berlin, his Mill Road, leading from the Centreville Road at John M. Miller's House to North River at said Berlin's Mills is hereby declared a public ~~road~~ highway from the said Centreville Road to the Northeast side of said River at said Mills, and the Commissioner of Roads for Ashby Township is ordered to keep the same in good repair.

Francis Stalling Pltff
&
Valley Railroad Compy. } Sug. Henry B. Jones, Pltff,
&
Lucy May, Deft. } W. D.

Jonas F. Daggy, Comm. Pltff
&
Henry Cowger & Reuben Bryan, Defts. } W. D. P. Layman's adm. Pltff
&
N. Flook, &c, Defts. } Notice ow 12 mos. Bond.

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

On the motion of Jesse Burkholder, who made oath thereto according to law, he appeared in Court, and together with Peter Shaver, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $4000. conditioned according to law, a certificate is granted him for obtaining letters of administration, in due form, upon the Estate of Hannah Shaver, dec'd.

And upon his further motion the Court doth appoint Ephraim Mitchell, Silas Beard & Samuel Bowman, to appraise the Estate of Hannah Shaver, dec'd, after first being duly sworn.

1 Dec. R.

On the motion of Henry C. Beery, Admr. the Court doth appoint C. Miller, A. W. May & Dr. Geo. H. Dinges, to appraise the Estate of Elizabeth Beery, dec'd, after first being duly sworn.

On application of H. D Bishop, the Court certifies that said Bishop is a citizen of the State of Virginia, and that he lost his leg in the late war, and that the artificial leg received by him under a former Act of Assembly is unfit for use, and therefore cannot be worn, and that by reason of poverty, he cannot purchase another.

David N. Landes and Michael J. Dinkel, who made oath thereto according to law, appeared in Court, and together with Samuel L. Slusser and Abraham Shank, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Nine Hundred dollars, conditioned according to law, a certificate is granted them for obtaining letters of administration in due form, upon the Estate of John Landes, dec'd.

And upon their further motion, the Court doth appoint Abraham Flory, Samuel Slusser, J. N. Eavmon & W. S. Slusser, to appraise the Estate of said John Landes, dec'd, any three of whom may act, after first being duly sworn.

Peter Wilhite, Pltff

vs

Albert Wilhite, Adm & Elizabeth J. Shank, Admx of Martin L. Shank, dec'd. } Upon a notice to execute new bond

On motion of the Plaintiff, one of their sureties on their official bond, this cause is docketed, and it appearing to the Court that the Defendants have had due notice of this motion, It is considered by the Court that unless they execute a new bond as Administrator & Administratrix of the Estate of said Martin L. Shank, on the 1st day of the next May Term of this Court, then their powers as said Administrator & Administratrix shall be revoked and annulled.

came, Pltff

vs

Albert Wilhite, guardian of William T. Shank & George L. Shank infant children of Martin L. Shank, dec'd. } Upon a notice to execute a new bond.

On motion of the Plaintiff, one of his sureties on his official bond, this cause is docketed, and it appearing to the Court that the Defendant has had due notice of this motion, and not appearing, It is considered by the Court that unless he execute a new bond as guardian of Wm T. Shank & George L. Shank, infant children of Martin L. Shank, dec'd, on the 1st day of the next May Term of this Court, that then his powers as said guardian shall be revoked and annulled,

Upon the Petition of R. A. Gilleland & others, for a public road from River Bank Bridge to Miller's on Swift Run Gap Road,

Jacob A. Armentrout, Commr of Roads for Stonewall Township this day presented in Court his survey of the route for said Road, and It is ordered by the Court that the Heirs of Henry

Hamsberger and Julia Winebrough be summoned to appear on the first day of the next term of this Court, to shew cause, if any they can, why the road should not be established through their lands, according to the report of said Commissioners.

John Geil & Jacob A. Dorrenthout, two of the Road Commissioners appointed at the Feby. Term last of this Court to view the grounds on the line of the proposed Road leading from Paul's Mill to Fulton's Shop and Henry Pulse the other Road Commissioner, appointed at the same term for same purpose, this day presented in Court, two several reports, which are ordered to be filed with the papers.

Upon the Petition of J. A. Shoemaker & others, (more than fifty of the qualified voters of Linville Township,) asking that the place of holding elections in said Township be changed from Mitchell's School House to Hoover's Cooper Shop, and it appearing to the Court that notices of this application has been posted for the time prescribed by law, and that said change would be a great convenience to a large number of the voters in said Township, It is ordered by the Court that the place of holding Elections be changed from Mitchell's School House to E. Hoover's Cooper Shop, and the Court doth appoint Stephen Fawley, Daniel Brenneman and Abraham Hoover, Judges of Election at said voting place.

It appearing to the Court that the sum of $96.47 in the hands of Wm. J. Chrisman, late Deputy Sheriff is claimed by A. N. Brewer, Collector of Central Township, and is also claimed by G. B. Samuels' Exr., It is ordered that said Chrisman pay said money into the hands of the General Receiver of this Court, and take his receipt therefor.

c/p and d. r/p.

It is ordered that the line between Central and Linville Townships, beginning at the Valley Turnpike, and running Eastward, be so changed as to start at Lofland's gate on said Turnpike, and run thence Eastward to Laird's Knob, crossing the Keezletown Road at Daniel Lewis'.

Jonas F. Daggy, Comm'r &c, Plff
&
Henry Lonsinger & Reuben Bryan, Defts.
} Unlawful Detainer,

This day came the parties by their Attorneys, and by consent the cause was submitted to the Court, and having fully heard the cause, It is considered by the Court that this action be dismissed as to the Defendant Henry Lonsinger, and it is further considered by the Court that the Defendant Reuben Bryan unlawfully withholds from the Plaintiff the possession of the premises described in the summons, and that the Plaintiff shall recover of the Defendant Reuben Bryan, possession of the premises, and his costs, by him in this behalf expended, and that a writ of Possession issue

directed to the Sheriff of this County, requiring him to place the Plaintiff in possession of said premises.

Henry B. Jones, Pltff,
vs
Lucy May, Deft. } Unlawful Detainer.

This day came the Plaintiff by his Attorney, and it appearing to the Court that the summons has been duly executed upon the Defendant and she failing to appear, the cause was submitted to the Court, and having fully heard the cause, it is considered by the Court that the Defendant unlawfully withholds from the Plaintiff the premises in the summons described, and that the Plaintiff recover from the Defendant possession of said premises, and his costs, by him in this behalf expended, and that a writ of Possession do issue directed to the Sheriff of this County, requiring him to place the Plaintiff in possession of said premises.

issued

George S. Christie & wife Pltff.
vs
Sallie Carpenter Deft. } Upon an Attachment sued out before a Justice of the Peace & executed upon John E. Roller,

John E. Roller having been served with this attachment this day appeared in Court and answered that there would be, if not already now in his hands, money belonging to the Defendant, sufficient to pay the amount of the Plaintiffs' demand, interest and costs, It is therefore considered by the Court that the Plaintiffs recover of the Defendant the sum of $35.29/100 with interest thereon from the 1st day of December 1869, and their costs in this behalf expended, it appearing to the Court that the claim is just, and that the said John E. Roller, out of the money in his hands do pay to the Plaintiffs the said sum of $35.29 with interest thereon from the 1st day of December 1869 till paid, and costs.

Martha Shands, Extx of E. A. Shands, dec'd, Pltff,
vs
Orange Alexandria & Manassas Railroad Company and John S. Barbour, Defts. } Upon a bond executed for the forthcoming of Property, on the day of Sale.

This day came the parties by their Attorneys and the Plaintiff moved the Court for judgment according to bond and for costs, and having fully heard the motion, It is considered by the Court that the Plaintiff recover of the defendants the sum of $589.58 to be discharged by the payment of $274.74/100 with interest thereon from the 7th day of December 1872, till paid, and her costs by her in this behalf expended.

E. A. Yancey, Pltff,
vs
Thomas Washington, N. Sprinkel & W. W. Washington, Defts. } Upon a bond executed for the forthcoming of Property on the day of sale.

This day came the Plaintiff by his Attorney, and the Defendants being solemnly called, came not, the Notices were proved,

and It is considered by the Court that the Plaintiff recover from the Defendants the sum of $493.28 to be discharged by the payment of $246.64 with interest thereon from the 19th day of August 1872 till paid, and his costs, by him in this behalf expended.

Saml. R. Allebaugh, late S. R. C. & as such Admr. of Philip Layman, dec'd. Pltff.
vs
Nathaniel Flook & Reuben Sellers Defts.
Upon a notice upon a bond executed for the purchase of Property at Sheriff's sale, under "Act of Assembly, passed May 28, 1870 &c."

This day came the Plaintiff by his attorney, and the Defendants being solemnly called came not, the notices were proved, and It is considered by the Court that the Plaintiff recover against the Defendant Reuben Sellers only, the sum of $100.- with interest thereon from the 18th day of December 1871 till paid, and his costs, by him in this behalf expended, and the motion is continued as to N. Flook.

Henry Rice, Pltff
vs
G. H. Mauzy & J. W. Winsborough, Defts.
Upon a Notice upon a bond executed for the purchase of Property at Sheriff's sale, under "Act of Assembly, passed May 28, 1870, &c."

This day came the Plaintiff by his attorney, and 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 $224.40, with interest thereon from the 18th day of March 1872 till paid, and his costs, by him in this behalf expended.

William R. Dowell, an infant over the age of 14 years this day appeared in Court and made choice of A. D. Armentrout as his guardian, and thereupon said A. D. Armentrout appeared in Court, and together with Martin Liskey, his surety, (who is justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500. conditioned according to law and qualified as said Guardian.

On motion of the following-named applicants, It appearing to the Court that they are men of good character, not addicted to drunkenness, and will probably Keep such Houses as the law requires, and that their places are proper ones, certificates are granted them for obtaining Licenses as Ordinary Keepers, with the privilege of retailing ardent spirits, wines, &c, at their respective places of business, viz:-

Reuben Bonds, at McGaheysville, William Minnick, at Broadway,
A. J. Sigler, " Port Republic, John G. Lootes at Lootes's Store,

On motion of the following-named applicants, It appearing to the Court that they are men of good character, not addicted to drunkenness, and will probably Keep such Houses as the law requires, and that their places are proper ones, certificates are granted them for obtaining Licenses as Ordinary Keepers, with the privilege of retailing ardent spirits, wines, &c, at their respective places of business, and also Merchants Retail Liquor License, viz:-

M. J. Moyerhoeffer at Moyerhoeffer's Store. (On his Retail Liquor License only.)
Robert L. Roberts, at Broadway, W. M. Dillard, at Grimesville,
Newman W. Leake, at Roadside,

J. P. Effinger having presented in Court this day the recommendation of the Common Council of the Town of Harrisonburg, applied for leave to Keep an Eating House with the privilege of selling ardent spirits to be
a/p'd. drank at the place where sold, and for Merchants Retail Liquor License, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, It is ordered that a certificate be granted him for obtaining License to Keep such Eating House at the Effinger House in the Town of Harrisonburg, and to retail ardent spirits, &c, under Merchants Retail Liquor License, until the 1st day of May 1874.

Francis M. Flick having presented in Court this day the recommendation
a/p'd & d to L. Ruppenthal of the Common Council of the Town of Harrisonburg, applied for leave to Keep an Eating House with the privilege of selling ardent spirits to be drank at the place where sold, and for Merchants Retail Liquor License, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, It is ordered that a certificate be granted him for obtaining License to Keep such Eating House at the Gilbert Building in the town of Harrisonburg, and to retail ardent spirits, &c, under Merchants Retail Liquor License, until the 1st day of May 1874.

A. J. Wall having presented in Court this day, the recommendation of the
a/p'd. Common Council of the Town of Harrisonburg, applied for leave to Keep an Ordinary, and for Merchants Retail Liquor License, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, It is ordered that a certificate be granted him for obtaining License to Keep such Ordinary in the basement of Jone's Agricultural Warehouse, in the town of Harrisonburg, and to retail ardent spirits, &c, under Merchants Retail Liquor License, until the 1st day of May 1874.

Derrick Cunnyhacker having presented in Court this day, the recommendation of the Common Council of the Town of Harrisonburg, applied for leave to Keep an Ordinary, and for Merchants Retail Liquor License, and it appearing to the Court that the applicant is a man of good ~~character~~ character, not addicted to drunkenness, and will probably Keep such an House as the law requires, It is ordered that a certificate be granted him for obtaining License to Keep such Ordinary at this grocery at the American Hotel in the town of Harrisonburg, and to retail ardent spirits, &c, under Merchants Retail Liquor License, until the 1st day of May 1874.

On motion, the Court doth appoint Adam N. Brewer, Collector of Central Township in the place of John Huddleson this day removed, to serve during the unexpired term of said Huddleson, and afterwards until his successor is qualified to enter upon the discharge

of the duties of his office), and thereupon he appeared in Court, and together with B. G. Patterson, John C. Woodson, Jacob Gassman, H. A. Dice, Joseph Thompson and Augustine Armentrout, his sureties, (who justified as to their sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of Twenty-seven Thousand Dollars, conditioned for the faithful execution of the duties of his office, And thereupon said A. M. Brewa took the several oaths required by law.

Wm. G. Thompson, who was on the 5th day of April 1873, commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, this day appeared in Court, and together with M. B. E. Cline his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said Wm. G. Thompson took the several oaths required by law.

J. H. Minnick, who was on the 28th day of March 1873, commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, this day appeared in Court, and together with Hugh Swope, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $500 conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said J. H. Minnick took the several oaths required by law.

The following named Notaries Public, in and for the County of Rockingham, who have heretofore been commissioned by the Governor of Virginia on their motion, have leave to renew their Bonds, under an Act of the General Assembly of Virginia, approved March 8, 1873 and thereupon George P. Bumtuer, together with Strother Sheets his surety, (who justified as to his sufficiency,) Jo. A. Mitchell, together with E. S. Mitchell, his surety, (who justified as to his sufficiency,) John Gangwer, together with John F. Crawn, his surety, (who justified as to his sufficiency,) Fredk. Speck, together with G. H. Berlin, his surety, (who justified as to his sufficiency,) M. Linden, together with John F. Crawn, his surety, (who justified as to his sufficiency,) John E. Walker, together with John E. Roller, his surety, (who justified as to his sufficiency,) and J. S. Kamerlenger, together with Geo. G. Grattan, his surety, (who justified as to his sufficiency,) appeared in Court and each entered into and acknowledged in open Court a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of their offices. Which bonds are ordered to be recorded by the Clerk of this Court, who is also directed to transmit copies of said bonds and a copy of this order to the Auditor of Public Accounts. And thereupon the said George P. Bumtuer, Jo. A. Mitchell, John Gangwer, Fredk Speck M.

Linden, John C. Walker and F. S. Hassenberger, took the several oaths prescribed by law.

S. F. Ritchie & wife,
vs
Martin Cromer & E. M. Shaver,

On the motion of the defendant, E. M. Shaver, by counsel, it is ordered that the Clerk do issue a Subpoena Duces Tecum against Rudolph Myers, one of the Executors of Joseph Cromer, dec'd, requiring said Myers to produce before Dr. A. M. Newman, Comm'r, at his office, in the town of Harrisonburg, on the 24th day of April 1873, several receipts executed by the children of Joseph Cromer to him as their guardian, &

On motion of Mrs. John Whitzell, and it appearing to the Court that she is erroneously assessed with taxes upon a tract of 67 Acres, 1 Rood and 26 poles of Land in Ashby Township for the year 1872, it is ordered that she be released from the taxes on said tract of land. The Attorney for the Commonwealth was present and defended this motion, and W. S. Miller, one of the Assessors who made the erroneous assessment was examined as a witness touching this application.

This day William S. Showalter complained to the Court that he was erroneously assessed with the sum of $26.66 upon a tract of 114 A. of Land in Ashby Township in said County for the year 1872. John Paul, Attorney for the Commonwealth defended said application for correcting said assessment and the Assessor who made said assessment was examined as a witness touching the application. It was proven that the said 114 A. of Land is a part of a tract of 238 A. 2 R. & 31 P. of which Abraham Diehl died seized in the year 1864, that under the will of said Diehl his Executors sold said land in two tracts one of 114 A. to said Wm. S. Showalter, and the residue to Christian Bartman but no Deed having been made the whole tract remains charged on the Assessor's Book to the Estate of Abraham Diehl, and it was an error to charge the 114 A. to said Wm. S. Showalter, as no Deed had been made by the Executor, and therefore no transfer should have been made to Showalter. It thus appearing to the Court that said 114 A. is twice charged on the Assessor's Book, and that the tax thereon for the year 1872 of $26.66 was improperly assessed against said Showalter and has been paid by him to the Collector, It is ordered that the said William S. Showalter be exonerated from the payment of said $26.66 tax, or if the same has been paid that the same be refunded to him. The Court further certifies that the said erroneous assessment was not caused by reason of the failure or refusal of said Showalter to furnish a List of his property to the Assessor on oath, as required by law.

Margaret Ann Frances Armentrout, infant over the age of 14 years appeared in Court and made choice of Riley Armentrout as her guardian, and the Court doth appoint said Riley Armentrout, guardian for Alice Ida

Ann Armentrout and Wm Henry Jackson Armentrout infant children of Wm. M. Armentrout, under the age of 14 years, and thereupon he appeared in Court, and together with Henry J. Deaver and M. D. Armentrout his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Five hundred dollars, conditioned according to law, and qualified as said guardian

This day came Mrs. C. A. Jones who alleges that she is aggrieved by an entry in the land book made G. F. Mayhew, Commissioned Assessor for Harrisonburg Township in the year 1872, whereby she is charged with $4.00 taxes for the year 1872, on a tract of land containing 8 Acres of Land lying within the corporate limits of the town of Harrisonburg; and thereupon the said Mrs. C. A. Jones moved the Court to exonerate her from the payment of $4.00 the taxes so erroneously charged against her for said year, which motion was defended by John Paul, Atty. for the Commonwealth for said County, and the Commissioner who made the Assessment, was examined as a witness touching the application.

And it appearing that said book, in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County, on the ___ day of ___ 1872, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said 8 Acres of Land was assessed to her twice once in the name of Mrs. C. A. Jones and once in the name of Mrs. D. C. Jones, she being the wife of D. C. Jones All which the Court certifies as facts proved upon the application aforesaid: On consideration whereof, and from such facts as proved, the Court is satisfied that the said Mrs. C. A. Jones is erroneously charged on said Book with taxes amounting to $4.; whereupon It is ordered that the said Mrs. C. A. Jones be exonerated from the payment of $4 taxes so erroneously charged, if not already paid, and if paid, that it be refunded her.

This day came Williams & Pugh, who allege that they are aggrieved by an entry in the land Book made by John M. Thomas Assessor for Plains Township, in the year 1872, whereby they are charged with $7.55 State and $6.56 County taxes for the year 1872, on a House & Lot in the
c.p.d. town of Broadway; and thereupon the said Williams & Pugh moved the Court to exonerate them from the payment of $14.11 the taxes so erroneously charged against them for said year, which motion was defended by John Paul, atty. for the Commonwealth for said County, and the Commissioner who made the Assessment was examined as a witness touching the application.

And it appearing that said book, in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County, on the ___ day of ___ 1872, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said House & Lot is the property of and in the use and occupancy of Linville Lodge No. 208 of Free & Accepted Masons, and is not liable to taxation, under the laws of the State All which the Court certifies as facts proved

upon the application aforesaid. Our consideration whereof, and from such facts so proved, the Court is satisfied that the said Williams & Pugh are erroneously charged on said book with taxes amounting to $14.11; whereupon it is ordered that Williams & Pugh be exonerated from the payment of $14.11 taxes so erroneously charged, if not already paid, and if paid that it be refunded to them, and that the Assessor mark said House & Lot as Glebe as property.

This day came the heirs of Jno. Mauzy, who allege that they are aggrieved by an entry in the land book made by Samuel Lindamood, Assessor for Stonewall township in the year 1871, whereby they are charged with $1.69 State and 99¢ County taxes for the year 1871, on a tract of land, containing 2 A. & 1 R. lying in the town of McGaheysville; and thereupon the said Jno. Mauzy's Heirs moved the Court to exonerate them from the payment of $2.68, the taxes so erroneously charged against them for said year; which motion was defended by John Paul, Attorney for the Commonwealth for said County, and John E. Hopkins the successor of the 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 ___ 187_, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the land has been sold to Robert D. Michael by Jno. Mauzy and is charged to Michael and Mauzy's Heirs both. All which the Court certifies as facts proved upon the application aforesaid. Our consideration whereof, and from such facts so proved, the Court is satisfied that the said Jno. Mauzy's Heirs are erroneously charged on said book with taxes amounting to $2.68; whereupon it is ordered that the said Jno. Mauzy's Heirs be exonerated from the payment of $2.68 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to them.

2 cop'is

This day came Peter Roller who alleges that he is aggrieved by an entry in the land book made by John H. Moore, Assessor for Franklin township in the year 1871, whereby he is charged with $5.89 taxes said to lie for the year 1871, on a tract of land, containing 40 acres, ~~lying~~ on Hook's Creek, and thereupon the said Peter Roller moved the Court to exonerate him from the payment of $5.89, the taxes so erroneously charged against him for said year; which motion was defended by John Paul, Atty. for the Commonwealth for said County, and John H. Moore the 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 ___ 187_, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that said Peter Roller never owned said 40 acres of Land. All which the Court certi-

fies as facts proved upon the application aforesaid:- On consideration whereof, and from such facts so proved, the Court is satisfied that the said Peter Roller is erroneously charged on said book with taxes amounting to $5.89, whereupon, It is ordered that the said Peter Roller be exonerated from the payment of $5.89 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

Same order for the year 1872 - for $5.89

Ordered That Court be adjourned until to-morrow ~~xxxxxxxxx~~ evening at 4 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on the 23rd day of April 1873.

Present:- Hon. James Kenney, presiding.

Jeremiah Armentrout
&
A. J. Johnson & J. M. Weaver, } Upon a notice upon a bond executed for the purchase of property at Sheriff's sale, under Act of Assembly, passed May 28, 1870.

This day came the Plaintiff, by his Attorney, and the Defendants being solemnly called, came not, the notice was proved, and thereupon, It is considered by the Court that the Plaintiff recover of the Defendants, the sum of $201.29 with interest thereon from the 18th day of ~~October~~ March 1872, till paid, and his costs, by him in this behalf expended.

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

James Kenney

Virginia,

In Vacation April 24. 1873

John M. Handy, Plff.
vs
Peter Paul, Deft. } In Debt.

On motion of the Plaintiff, leave is given him to withdraw the Bond and Notary Public's Notice in this cause, upon leaving attested copies thereof in the papers.

cop's d. to N.K. Trout Atty.

By the consent of A. H. Brewer, Collector of Central township, P. H. Strayer and J. W. Dwyer, personally appeared before me and severally took the several oaths required by law as Deputies of A. H. Brewer, Collector for Central township. Given under my hand this 24th. day of April 1873.

James Kenney, Judge of the County Court of Rockingham Coty.

To the Clerk of the County Court of Rockingham County, Va.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, May 19, 1873.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	Samuel Wheelbarger & wife,	to Daniel Gongwer,
" "	Noah Landes & wife,	" Wm. T. Carpenter & A. Bolton,
" "	John W. Dovel & wife,	" James W. Dovel,
" "	John M. Roff,	" Saml. W. Whitzel,
" "	Abner Canada & wife,	" Frances Bull,
" "	John McCaughis Admr.	" G. W. Brunk
" "	M. M. Mellhat & wife,	" R. L. Roberts,
" "	Erasmus Fletcher,	" Emanuel Sipe,
" "	J. N. Mauzy & others,	" G. D. Hopkins,
" "	Reuben Sellers & wife,	" Reuben Armentrout,
" "	B. G. Patterson, Commr.	" Jacob & A. B. Lincoln,
" "	Wm. D. Hopkins & wife,	" S. A. Finchaugh,
Trust Deed,	Maggie J. Mauzy, &c,	" John Paul, Trustee,
" "	Wm. Loeb & wife,	" Geo. G. Grattan, Trustee,
Bargain & Sale,	B. G. Patterson, Commr.	" Chas. A. Yancey,
" "	John Rinehart & wife,	" David Medinman,
" "	Frederick Wampler & wife,	" Josephs Wampler,
" "	B. Rust & wife,	" J. S. Thorpe,
" "	Noah Burkholder,	" Solomon Burkholder,
" "	D. R. Hopkins,	" Diannah Sellers,
" "	Geo. W. Dingess & wife,	" James M. Shinnick,
" "	Ann E. Engenbrights & others,	" Catharine Sipe,
" "	G. W. Berlin,	" Mary E. Swecker,
Homestead,	James H. Garland,	
Trust Deed,	Jeremiah Dorman,	" Peachy R. Redman, Trustee,
Bargain & Sale,	M. M. Effinger & wife,	" Thomas Basford,
Lis Pendas,	M. D. & A. K. Leake, Trustees, &c,	Jane E. Hoodson, in her own right & as Extrx &c,
Bargain & Sale,	John Bowman, Sr. & c,	to Blg. & Spg. Turnpike Company,
" "	A. M. Newman & wife,	" R. N. Pool,
Trust Deed,	David Garber & wife,	" J. W. F. Allemong, Trustee,
Bargain & Sale,	David J. Garber & wife,	" John Flory,
" "	John W. Flory & wife,	" George W. Dollar,
" "	John C. Heatwole & wife,	" Henry Moffett,
" "	Dorilas Driver,	" Wm. T. Price,
Trust Deed,	David Garber,	" J. W. F. Allemong, Trustee,
Bargain & Sale,	John Scheppk & wife, & Henry Schenck & wife	" John B. Wenger,
" "	Jacob C. Mantz, &c,	same, " Benj. H. Mantz,
Power of Atty,	Geo. G. Grattan, Commr.	" John Smith,
Bargain & Sale,	John Smith & wife,	" Susan Barber,
" "	Isaac P. Mantz,	" Margaret A. Grim,
Bill of Sale,		

To The Clerk of The Co Court
of Rockingham Co Va
By the Consent of A H Brewer Collector
Central Township P W Shaver and I H
Dwyer personally appeared before me
and severally took the several oaths
required by law as Deputies of A H Brewer
Collector for Central Township
Given under my hand this 24th day
of April 1873

James Keenan Judge
of the County Court of Rockingham Co

149 A.

Bargain & Sale,	Geo. S. Grattan, Commrs. &c,	to	Ottaway Savages,
" "	B. G. Patterson, Commr &c,	"	Cyrus Rhodes,
" "	N. Sprinkel & wife,	"	Charles Fields,
Trust Deed,	Ottaway Savage & wife	"	Chas. S. O'Ferrall, Trustee,
Bargain & Sale,	John P. Brock & wife,	"	Jacob D. Suter,
" "	Chas. S. O'Ferrall, Commr.	"	Robert Phillips,
" "	Benjamin Crawford,	"	Sarah Lindon,
" "	M. J. Gray & wife, &c,	"	Valley Railroad Company,
" "	James Magalis & wife,	"	Same,
" "	Charles Fields & wife,	"	same,
" "	Emanuel Rozen & wife,	"	same,
" "	Wm. S. Braithwaite, Trustee, &c,	"	same,
" "	Chas. A. Yancey & wife,	"	same,
" "	R. J. Detton & wife,	"	same,
" "	J. D. Logan, wife, &c,	"	same,
" "	J. D. Rohr's Executors,	"	same,
" "	Wm Rehrer & wife,	"	same,
" "	George Miller & wife,	"	same,
" "	Levi Brosmer & wife,	"	same,
" "	Mary VanPelt.	"	same,
" "	Wm. C. Harrison & wife,	"	same,
" "	Wm. A. Evans & wife,	"	same,
" "	A. P. Nesphenstein & wife,	"	same,
" "	Frances McQuade,	"	same,
" "	Andrew B. Arick & wife,	"	same,
" "	John Kenney's Executor,	"	same,
" "	Samuel Hartman & wife,	"	same,
" "	Abm. B. Burkholder, &c,	"	same,
" "	E. J. Sullivan & wife	"	Henry Johnson,
" "	Mary Pickering,	"	Timothy O'Roark,

The following settlements were this day presented in Court, and having in the office been filed the time prescribed by Law, and no exceptions being taken thereto, the same are admitted to record, viz:-

Settlement of the A/c of Joseph Deatwole, Exor. of John G. Deatwole,

" " " "	Abm. Blosser, Admr.	"	Abm. Blosser,
" " " "	Noah Arbaugh,	"	Andrew Arbaugh,
" " " "	Martin Garber,	"	Dan'l. Garber,
" " " "	Jno. N. Dennavant, guard.	"	W. J. Dennavant,
" " " "	Adam Andes,	"	John Bowers,
" " " "	Isaac Wenger,	"	Elizabeth Breneman,
" " " "	John F. Craun,	"	Leonard Unterkoefler Heirs

The Appraisement & Sale Bill of the Estate of Hannah Shaver, was this day presented in Court, and no exceptions being taken thereto, was admitted to record.

M. J. Moyerhoeffer, who was on the 8th day of May 1873, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham this day appeared in Court, and together with John H. Moyerhoeffer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond, in open Court, in the penalty of $500 conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said M. J. Moyerhoeffer took the several oaths required by law.

N. T. McGahey, who has heretofore been appointed by the Governor of Virginia, a Notary Public in and for the County of Rockingham, has leave to renew his bond, under an Act of Assembly of Virginia, approved March 8, 1873, and thereupon he appeared in Court, and together with Chas. A. Yancey, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $500, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said N. T. McGahey took the several oaths required by law.

On his motion, It is ordered by the Court, that the License Tax in the case of John B. Lupton Agent for the sale of Religious Books, be dispensed with.

B. A. Jones, &c. Pltff,		S. Roadcap Pltff,	
vs.	Sug.	vs.	Notice.
P. F. Eannon, &c, &an. Defts,		Abm. Ludwig, Defts.	
Commnwth by &c, Pltff		Commnwth of Va. by &c Pltff	
vs.	Notice.	vs.	Notice.
John Huddleson, &c, Defts.		J. B. Eastham, &c, Defts.	
same, by &c, Pltff		same, by &c, Pltff	
vs.	Notice.	vs.	Notice.
same, Defts.		same, Defts.	

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

G. B. Nicholas, an infant over the age of 19 years, this day appeared in Court, and made choice of Albert P. Eiler as his guardian, and thereupon said Albert P. Eiler appeared in Court, and together with David Eiler, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $2000 conditioned according to law, and qualified accordingly.

Eudora F. Deputy, an infant over the age of 14 years, this day appeared in Court, and made choice of John P. Good as her guardian, and thereupon the said John P. Good appeared in Court, and together with Emanuel Suter, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1000, conditioned according to law, and qualified accordingly.

On the motion of John A. Thomas, Assessor of Plains Township, George W. Fuek is permitted to qualify as his Assistant, and thereupon said Fuek appeared in Court, and took the oaths prescribed by Law.

On the motion of George F. Mayhew, Assessor of Central Township, N. A. Heatwole is permitted to qualify as his Assistant, and thereupon said Heatwole appeared in Court, and took the oaths prescribed by Law.

On application for change of Road from Wittig's Store to Overly place, on the motion of Jacob C. Dove, through whose land the proposed road will run, It is ordered that Benjamin Trimble, Frederick Crider and George W. Fuek be appointed viewers to view said proposed road, and report to Court the conveniences and inconveniences that will accrue to Jacob C. Dove, as well as to the public, if said road shall be established as proposed, and especially whether any yard, garden or orchard, or any part thereof, will have to be taken.

c/s Sd to Sheff, June 17/73.

On motion of Jacob Byerly, it appearing to the Court that he purchased a tract of 63 Acres of Land from the heirs of Samuel Rhodes in the year 1869, for which they executed to him a deed which was recorded in 1869, and a survey being made, it proved to contain about 84 Acres, including six acres which had been sold off of the same tract; and it appearing to the Court that the said Jacob Byerly has been assessed with taxes for 1872, upon the said 84 Acres of Land, which is situated in Ashby Township in Rockingham County, Virginia, and also that the estate of Samuel Rhodes has been assessed with taxes upon the said 63 Acres of Land in said Township for the year 1872, being the same as the said 84 Acres above-mentioned, and that the said Jacob Byerly has also paid the taxes upon the 84 acres charged against him, and upon the 63 Acres charged against the estate of Samuel Rhodes, It is ordered that the taxes upon the said 63 Acres of Land, charged against the estate of Samuel Rhodes, amounting to $1.14.80 be refunded to the said Jacob Byerly, who paid the same. The Commonwealth's Attorney defended this application, and the Commissioners who made the erroneous assessment was examined as a witness touching the application, and it appeared to the Court that the erroneous entry was not caused by reason of the refusal or failure of the applicant to furnish a list of his property real and personal, to the Assessor or Commissioner on oath.

c/pied.

On the petition of James D. Carrickhoff & others, It is ordered that the Commissioner of Roads for Stonewall Township view the present road leading from Ammon's Mill, crossing the River at a point opposite Wm. Eaton's, living on the land of George J. Kisling, thence with the River on the East Bank to the Island Ford road, and report the propriety of making the same a public road.

c/pd.

On motion, It is ordered that Wm. G. Thompson, Thomas Moore and John J. Bowman be appointed Commissioners to lay off and partition

c/pd.

to David Bolenger, nine undivided tenths in a tract of Land sold under a Decree of this Court, in case of Lam, &c., vs Wm Minnick, said tract contains about 22 Acres, and make report to the next term of this Court.

Town of Harrisonburg, vs Alexander Logan } Upon an Appeal.

Town of Harrisonburg, vs George Logan, } Upon an Appeal.

Ordered That these causes be dismissed agreed.

Stuart, Buchanan & Les, vs Board of Supervisors of Rockingham County, } Upon an Appeal.

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

Commonwealth vs Hank Dungeon, } Misdemeanor.

The Defendant appeared in discharge of his recognizance, and it is ordered that his sureties on said recognizance be released.

On motion of Reuben Bonds, and it appearing to the Court, that he is a man of good character, not addicted to drunkenness, and that he will keep such an House as the law requires, and that the place is a proper one, a certificate is granted him to obtain Merchants Retail Liquor Licence, at his place of business in the town of McGaheysville, until the 1st day of May 1864.

In obedience to an Order of this Court, entered at the last term requiring him to execute a new bond as guardian for the infant children of M. L. Shank, dec'd, Albert Wilhite this day appeared in Court, and together with E. Jane Shank, his surety, (who justified as to her sufficiency) entered into and acknowledged a bond in the penalty of Two Hundred Dollars, conditioned according to law, and qualified as guardian for Wm J. & George Luther infant children under 14 years of age, of M. L. Shank, dec'd.

In obedience to an order of this Court, entered at the last term requiring him to execute a new bond as Admr. of the Estate of M. L. Shank, dec'd. Albert Wilhite this day appeared in Court, and together with E. Jane Shank, his surety, (who justified as to her sufficiency,) entered into and acknowledged a bond in the penalty of One Hundred Dollars, conditioned according to law, a certificate is ~~granted~~

D. B. Lilly, Constable presented in Court, an Account against the Commonwealth, certified by Wm D. Maiden, a Justice of the Peace, for arresting John Morris, charged with felony, summoning witnesses, witness' attendance amounting to the sum of $12.20, which being examined by the Court, was allowed, and ordered to be certified to the Auditor of Public Accounts for payment.

N. B. Lilly, Constable, presented in Court an Account against the Commonwealth, certified by Wm. D. Maiden, a Justice of the Peace, for arresting George W. Baugher & James Bateman, charged with felony, summoning witnesses, witness attendance, & services of guard, amounting to the sum of $11.25 which being examined by the Court, was allowed, and ordered to be certified to the Auditor of Public Accounts for payment.

George Harlan, Deputy Sheriff of Augusta County, presented in Court an Account against the Commonwealth, certified by N. K. Trout, Mayor of Staunton, for arresting Allen Devier as an escaped convict from the Jail of this County, mileage, &c, of self and guard, amounting to the sum of $13.25, which being sworn to, was examined by the Court, was allowed and ordered to be certified to the Auditor of Public Accounts for payment.

c/d. r.d.

Franklin Rucker late Assessor of Elk Run Township, presented in Court, an Account against the County of Rockingham, amounting to the sum of $30.00 for Property & Land Books for County Clerk & County Treasurer, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

B. A. Jones & Als,

P. F. Earmon & J. B. Wilbo & Garnee. Wise. } Upon a gar. summs. sued out in favor of Fieri Facias vs M. N. K. Wise.

This day P. F. Earmon appeared in Court, in obedience to a garnishee summons executed upon him, and he answered upon oath that he was not indebted to the deft. M. N. K. Wise, and it is therefore considered that this cause be dismissed.

This day came Andrew Shaver, who alleges that he is aggrieved by an entry in the Property book made by Samuel Lindamood, late Commissioner of the Revenue for said County, in the year 1871, whereby he is charged with $23.70 taxes for the year 1871 on $3000. in bonds; and

c/d. r.d. for J. M.

thereupon the said Andrew Shaver moved the Court to exonerate him from the payment of $23.70 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 John E. Hopkins, the successor of the Commissioner who made the assessment, was examined as a witness touching the application. And it appearing that said book, in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County on the ___ day of ___ 1871, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that at the time the assessment was made the said Andrew Shaver was owing the sum of $6000, and failed to deduct this indebtedness. All which the Court certifies as facts proved upon the application aforesaid;

Our consideration whereof, and from such facts so proved, the Court is satisfied that the said Andrew Shaver is erroneously charged on said book with taxes amounting to $23.70/, whereupon, It is ordered that the said Andrew Shaver be exonerated from the payment of $15 State tax, $1.50 County Levy, $3.00 Parish Levy, $3.00 Railroad Tax and $1.20 School Tax, taxes so erroneously charged, if not already paid, and if paid, that it be refunded him.

This day came Peter W. Whitmer, who alleges that he is aggrieved by an entry in the land book made by John R. Bowman, Assessor for Ashley Township in said County in the year 1872, whereby he is charged with $12.96 taxes for the year 1872, on a tract of land containing 92 Acres, described as lying in said township, and thereupon the said Peter W. Whitmer moved the Court to exonerate him from the payment of $12.96 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 John R. Bowman, the 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 ___ 1873, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said 92 Acres belongs to the Estate of Ephraim Whitmer, dec'd, and is assessed to that Estate, and is also assessed against Peter W. Whitmer. All which the Court certifies as facts proved upon the application aforesaid. Our consideration whereof, and from such facts so proved, the Court is satisfied that the said Peter W. Whitmer is erroneously charged on said book with taxes amounting to $12.96/, whereupon, It is ordered that the said Peter W. Whitmer be exonerated from the payment of $6.96 State Tax and $6.00 County & Parish Levy &c taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

John N. Ralston, J.P., foreman, M. J. Marty, Wm. G. Marty, W. S. Cordel, Patterson Greiner, Thomas Swanson, Philip Keller, A. C. Walker, W. W. Hooke, David Bloser, John Crouse horn, Adam Crouse horn, B. F. Ralston, Wm. Messersmith, B. F. Hughes and James R. Dice, were sworn and impanneled 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 Charles Morton, for grand larceny, "a true bill," John N. Ralston, J.P., foreman.— An Indictment against Albert Harrison, alias Harris, for disturbing Religious congregation, "a true bill" John N. Ralston, J.P., foreman.— An Indictment against H. R. Davis, for assault and battery, "a true bill"— John N. Ralston, J.P., foreman, and having completed the

business before them, were discharged from further attendance upon this Court.

Commonwealth
vs
Albert Harrison, alias Harris } Upon an Indictment for disturbing Religious congregation.

This day came the Defendant, by his Attorney, and pleaded "not guilty" to the Indictment, and thereupon it is considered by the Court that he be discharged from custody.

Ordered, That John N. Ralston, J.D., D. G. Martz, M. J. Martz, H. S. Cordel, Patterson Greiner, Thomas Swanson, Philip Keller, A. C. Walker, W. W. Hooke, David Bloker, John Crouse horn, Adam Crouse horn, B. F. Ralston, William Messersmith, B. F. Hughes and James B. Dice, be each allowed the sum of One Dollar, for their services as Grand Jurors at this term of the Court.

Commonwealth	vs	Jackson Sims,	Indictments	for	Felony,
same,	"	H. Koontz & R. Roudabush	"	"	F. A. B.
same,	"	Jonathan Brenner	"	"	Misdr.
same,	"	Att & Shue,	"	"	Misdr. No. 2,
same,	"	same,	"	"	" 3,
same,	"	same,	"	"	" 4,
same,	"	same,	"	"	" 5,
same,	"	same,	"	"	" 6,
same,	"	same,	"	"	" 7,
same,	"	James L. Avis,	"	"	" 1,
same,	"	same,	"	"	" 2,
same,	"	same,	"	"	" 3,
same,	"	B. D. Avis,	"	"	" 1,
same,	"	same,	"	"	" 2,
same,	"	same,	"	"	" 3,
same,	"	same,	"	"	" 4,
same,	"	same,	"	"	" 5,
same,	"	same,	"	"	" 6,
same,	"	same,	"	"	" 7,
same,	"	same,	"	"	" 8,
same,	"	same,	"	"	" 9,
same,	"	same,	"	"	" 10,
same,	"	same	"	"	" 11,
same,	"	same,	"	"	" 12,

This day came again the Attorney for the Commonwealth, and entered a Nolle Prosequi in the foregoing 24 Indictments.

J. W. Weaver, Pltff,
vs } M. D.
D. F. Haynes, &c, Defts.

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

Ordered That the following Road Petitions be dismissed, viz:— Wm. P. Sites,— Rawley Springs Turnpike Company.— Ora & Annie D. Gray & J. W. Minnick, &c,— Geo. S. Crousehorn & others— and P. H. Dice & others.

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

James Kenney

At a County Court continued and held in and for the county of Rockingham, at the Court House thereof, on Tuesday, May 20, 1873.

Present:— Hon. James Kenney presiding.

John Geil, Jacob A. Armentrout & Henry Pulse, having made their report to the last term of this Court, in pursuance of a former order of the Court in regard to the proposed Road from Paul's Mill to Fulton's Blacksmith Shop, it is ordered that the following land holders be summoned to appear here on Saturday the 31st day of May, to shew cause if any they can, why the said road should not be established according to the report of said John Geil & Jacob A. Armentrout, viz:— Milton Ervine, John Harman, Peachy Kine, A. J. Whitmore, Mrs. Whitmore, P. H. Dice & Wm. L. Anderson,

Commonwealth
&
Allen Devier, } Upon an Indictment for Felony.

This day came again the Attorney for the Commonwealth, and Levi S. Byrd, Jailor of this County was examined as a witness, and it appeared that the Defendant was not in a condition to be brought into Court, It is therefore considered that the trial of the cause be continued until the next term, and thereupon the Ervine summoned for his trial, were discharged.

Commonwealth
&
John Huddleson, Collector of Central Township's his sureties. } Upon a Notice.

This cause is refered to F. A. Daingerfield, a Commissioner of this Court, to take an account of the amount of State and County taxes, which went into the hands of said Huddleson for the year 1872, and of the amount paid over by him as Collector aforesaid, to the Treasurer of Rockingham County, and report to a future day of this term of the Court.

John Stoner, Pltff,
&
G. M. Rodgers, Deft. } Upon a Rule.

This cause having been submitted to the Court, It is adjudged ordered and decreed, that the judgment rendered before a Magistrate of

Bath county, in the name of J. P. Biby, (for John Stoner,) vs G. M. Rodgers, amounting principal, interest and costs on the 3d of November 1871, after crediting the same with thirty-one dollars and fifty cents, (the amount for which the buggy levied upon was sold,) to sixteen dollars and seventy-seven cents, be set off against the judgment before a Magistrate of Rockingham county, in the name of G. M. Rodgers vs John Stoner, which amounted on the same date, principal, interest and costs to thirty dollars and fifty-seven cents, and that each party pay his own costs upon this rule. And thereupon, by consent of parties, the balance upon the judgment of Rodgers vs Stoner, amounting principal and interest November 1872, to fourteen dollars and sixty-two cents, be credited upon the Chancery execution for nineteen dollars and thirty-four cents, in the County Court of Rockingham in the name of John Stoner vs G. M. Rodgers, leaving a balance of four dollars and seventy-two cents due upon that execution to John Stoner,

---

S. Roadcap, Pltff
vs
Abm. Ludwig, Defts. } Upon a Notice,

This day came again the parties by their attorneys, and the cause submitted to the Court, and having heard the same, the Court considers that the Notice be dismissed, and that the Defendant recover of the Plaintiff his costs, by him in this behalf expended,

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In the matter of the widow & heirs of Alexander Kyger, deceased:—

Julia A. Kyger having this day produced in Court a paper purporting to be an award made between the widow, heirs and personal representative of Alexander Kyger, dec'd, dated April 8th 1873, by A. M. Newman and Chas. D. Yancey, pursuant to an order of this Court entered on the 5th day of September 1872, and having proved the genuineness of the signatures of said Newman and Yancey: on her motion a Rule is awarded her against Mrs. S. Kyger, as Admr. & as Heir of Jacob Kiger, dec'd, & M. Miller, Mary M, his wife, & Annie L. Kiger infant, heirs of Alexander Kyger, dec'd, to appear here on the 28th day of May 1873, to shew cause, if any they can, why said award shall not be entered up as the judgment of this Court, And upon further motion of said Julia A. Kyger, Joseph D. Logan, the Clerk of this Court is appointed guardian ad litem of said Anna L. Kyger,

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J. A. Loewenbach Pltff
vs
J. C. Robertson, late Shff. Page Co. Defts. } Upon a Rule,

Ordered that this Rule be discharged, and that the Plaintiff recover of the Defendant, his costs, by him in this behalf expended.

Geo. W. Yancey Pltff
vs
Isaac Paul Deft. } Upon a sug.

Ordered, That this cause be dismissed agreed.

Mandate dated May 31st/73
issued
1 + 3 cop'ies

Henry Foster vs John Leasts Admr. upon a Notice,
Frederick Shaeffer " Allen Lerrier " an Att.
Samuel McDorman, " Samuel Dinkel, " a Sug.
J. W. Bowen, " J. K. Mauzy, " a Sug.
Woodson Compton, " Margaret Kearney, " a Sug.
Jacob Shickel, " Foster & Bro, " an Att.
Commonwealth " C. Frye Hamsbeyer, " a Rule,
Joshua Jennings to correct an Erroneous Afsmt " a motion,
Commonwealth " A. J. Sigler, " a motion,
Valley Railroad Company, " James Magalis, " a Notice,
same, " Emanuel Royer, " " "
same, " Levi Bowman, " " "
same, " J. T. Rohrs Estate, " " "
same, " Conrad & Yancey, " " "
Wm. Rehard, " S. M. Bowman, surv. " " Sug,
Pattlow & Lambert, " Valley Railroad Company, " " "
B. W. Lambert, " same, " " "
J. T. Harris, " D. F. Linaweaver, " " motion,
Minor Jones, " M. G. Harman, gar, &c, " " Sug,
Benj. F. Spicer, " same, " " "
J. A. Heller, " Carson & Cochran, " " "
same, " same, " " "
Francis Stating, " Valley Railroad Company, " " "

Ordered, That the foregoing named causes be dismissed.

J. N. Lowenbach, Plff vs S. R. Allebaugh, Deft Upon a Notice,
same, " " same " " " "
same, " " same, " " " "
same, " " same, " " " "
J. W. Bowen, " " J. K. Mauzy, " " " "

Ordered That the foregoing causes be dismissed, and at the costs of the defendants.

Wm. C. Harrison, Exr. &c, Plff.
vs
John Scanlon, Deft. } Upon a Rule to shew cause why an award should not be entered up as the judgment of Court.

This day came the Plaintiff, by his Attorney, and the defendant failing to appear and shew cause why the award of M. G. Pattlow & Saml. Shacklett should not be entered up as the judgment of this Court, the Rule having been returned duly executed upon the Defendant, on motion of the Plaintiff the Court doth consider that the following award be entered up as the judgment of the Court in this cause, to-wit:

"The undersigned, a majority of the Arbitrators chosen to decide the matter in controversy between John Scanlon and William C. Harrison, having met in Harrisonburg, on the 3d day March 1871, together with S. S. Coffman, the 3d Arbitrator, and having fully heard the evidence submitted by both parties, and the argument of their counsel, after mature consideration of the several matters in controversy between said parties, do make and publish our award as follows: we find

John Scanlon is indebted to said Wm. C. Harrison as Executor of Jason & Thomas Harrison, dec'd, upon a full settlement between said Scanlon of the one part and William C. Harrison, as Executor of Jason and Thomas Harrison, dec'd. of the other part, in the sum of Thirty-one Dollars and twenty cents, ($31.20/100) with interest from 15th January 1864, till paid, we therefore award that said William C. Harrison recover of said John Scanlon $31.20 with interest from 15th January 1864 till paid, and the cost of this Arbitration, including five Dollars to be paid to each Arbitrator. Given under our hands and seals this 11th day of March 1871.

Samuel Shacklett, (Seal)

M. Y. Patton, (Seal)

and it is further considered by the Court that this Rule be dismissed at the Defendants costs.

Samuel R. Allebaugh, Collector of Taxes for the year 1870, of this County, this day presented in Court, a List of Delinquents for the non-payment of Capitation and Property Tax, and also of Real Estate Tax for the year 1870, with the oath of the said Collector at the foot thereof thereto subscribed, which said Lists after being examined and corrected by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts, by the Clerk of this Court.

Samuel R. Allebaugh, Treasurer of this County, this day presented in Court, a List of Delinquents for the non-payment of License Tax for the year 1872 & 3, in Stonewall Township, with the oath of the said Treasurer at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessor aforesaid touching the propriety of said List, and each case therein contained, verified by his oath thereto annexed, which said List after being examined by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

Henry S. Soule, Collector of Ashley Township, E. R. Neff, Collector of Plains Township and M. J. Zinkel, Collector of Sinville Township, in this county, this day presented in Court Lists of Delinquents for the non-payment of Capitation and Property Tax for the year 1872, and the two former Collectors Lists of Improper Assessment of Lands in said Townships, with the oaths of the said Collectors at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessors of said Townships, touching the propriety of said List, and each case therein contained, verified by their oaths thereto annexed, which said Lists after being examined & corrected by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court,

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Samuel R. Allebaugh, Treasurer of this County, this day presented in Court & Lists of Real Estate, delinquent for the non-payment of Taxes, for the year 1872, in Ashley, Plains & Sinville Townships, with the oath of the said Treasurer at the foot thereof thereto subscribed, and accom-

panied by the written opinions of the Assessors of said Townships, touching the propriety of such Lists, and each case therein contained, verified by their oaths thereto annexed, which said Lists, after being examined by the Court, and the Court being satisfied of the correctness of the same, doth order that a copy thereof be certified to the Auditor of Public Accounts, by the Clerk of this Court.

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

James Kenney.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on the 21st day of May 1873.

Present:- Hon. James Kenney, presiding.

Jonathan Peale, Pltff,
@
Kemper, Hollbrooks, Defts. } Upon a Notice.

This cause was submitted to the Court, on consideration whereof, the Court doth order the same to be dismissed at the Plaintiffs costs.

On his motion, the Court doth appoint Alexander Knopp, Committee for Helena Knopp, a person of unsound mind, and thereupon he appeared in Court, and together with Benjamin Hoover, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500. conditioned according to law, and qualified as such Committee.

On his motion, the Court doth appoint Samuel R. Hoover, guardian of Louella George Williams, David Patterson & Benjamin, infant children of Henry Sites, dec'd, and thereupon he appeared in Court, and together with Benjamin Hoover, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1000.00 conditioned according to law, and qualified as such guardian.

John F. Showalter's Admr. Pltff,
@
Joseph Randol, Deft. } Ac Debit.

This day came again the parties by their Attorneys, and the cause was submitted to the Court, and having heard the evidence, It is considered by the Court that the Plaintiff has no cause of action that the Defendant go hence without day, and recover of the Plaintiff his costs by him in this behalf expended.

Gefener Mefpicki's Admr. Plff
vs
Wm H. VanPelt. Defts. } Am Debt.

In dgo of this — This day came again the parties by their Attorneys, and the Court having been employed in the cause heretofore, by consent of parties, Col. Robert Johnston, a practicing Attorney in this Court was called to sit upon the trial of the cause, and having fully heard the evidence, It is considered by the Court that the Plaintiff recover of the Defendant, the sum of $160.00 with interest thereon from the 17th day of April 1869, and his costs, by him in this behalf expended, and the Defendant has leave to withdraw his offsets filed in the papers of the cause.

Wm N. See, Plff
vs
Jackson Knupp, Defts. } Am Case.

A Rule having been awarded requiring the Plaintiff to give security for costs, and he failing to do so, It is considered by the Court that this cause be dismissed.

Lofland & Cowgen, Plffs.
vs
Joseph Kavanaugh, Defts. } Am Debt.

Ordered, That this cause be continued until the next term, and at the Plaintiffs costs.

John Reubush, Plff
vs
Saml. Funkhouser's Admr. Defts. } Am Case.

James H. Bell, Plff
vs
Henry Foster, Defts. } Am Case.

Ordered that these causes be dismissed.

Linton & Lamott Plffs vs A. Paul & Sons, Defts Am Case.
Aug. Schneidewind " " Plunkett Morris. " Am Debt.
N. N. Lann, " " James H. Coffenoyer, " Am Debt.
Jesse Carrick, " " S. N. Carrier, " Am Case.
Frantz, Trout & Co., " " David Stinespring, " Am Cost.
M. A. Mefsely, by &c, " " J. B. Painter, " Am Case.
H. Loyd & Bro, " " Reuben Bonds, " Am Case.
Zach. Raines Admr &c, " " The Abbott Iron Co, " Am Case.
Gray, Miller & Co, " " Jesse Carrick, " Am Debt.
D. D. Dowell's Exrs " " C. S. Weaver, " Am Debt.
John Applegate, Jr &c, " " Moses Joseph, &c, " Am Debt.
Peel & Stevens, " " Jesse Carrier, " Am Case.
John Taylor, " " Peter Rader, " Am Debt.
Geo. Bruffy's Admr, " " J. M. Gordon, " Am Case.
John F. Crawn, " " Coffmans & Bruffy, " Am Debt.
John M. Saufley, " " Wm Leslie, " Am Case.
W. M. Pool, " " Lincoln & Brewer, " Am Debt.

Ordered, That the foregoing causes be continued generally until the next term.

Jacob Lipes Adm. Pltff.
@
Anthony Rhodes &c, Defts.
} In Debt. D. Pennybacker, Trustee, Pltff., In Case.
In Court. @ John P. Brock, Defts.

Ordered, That these causes be continued until the next term, and at the costs of the Defendants.

A. E. Heuchberger, who has heretofore been commissioned by the Governor of Virginia, a Notary Public, in and for the county of Rockingham, on his motion has leave to renew his bond, under an act of the General Assembly of Virginia, approved March 8, 1873, and thereupon he appeared in Court, and together with C. C. Strayer, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court a bond in the penalty of $500, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said A. E. Heuchberger took the several oaths required by law.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday, May 23d 1873.

Present:- Hon. James Kenney, Presiding.

On motion of John McKinney, he is relieved from the payment of the sum of $25.00 License Tax as a sample Merchant; John Paul, Attorney for the Commonwealth present and defending the motion, and James D. VanPelt the Asst. Assessor, who made the assessment, examined as a witness touching the application.

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John Beam, Pltff
@
Brewer & Bailey, Defts.
} In Debt.

Ordered That this cause be dismissed at Plaintiff's costs, except the Attorney's fee.

N. W. Slade, Pltff.
@
Benjamin Hoover, Deft.
} In Case.

A Rule having been awarded against the Plaintiff requiring him to give security for costs, and having failed to do so, It is considered that the cause be dismissed for want of security for costs.

George Fawcett, Pltff
@
N. C. Long &c, Defts.
} In Detinue.

Ordered That this cause be dismissed agreed.

Archibald Alden, Pltff,
vs
Jacob Meesole, Deft. } In Case,

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- John F. Long, M. J. Matz, Geo. D. Black, Thomas Swanson, Thomas A. Long, Alfred Messick and John M. Garber, who being elected, tried and sworn the truth to speak upon the issue joined, 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 oath do say, "we the Jury find for the Plaintiff, and assess his damages at $15.00"

Charlottesville National Bank, Pltffs,
vs
C. M. Kemper Exs. &c, Defts. } Judgt. May Ct. 1870.

It having been suggested by the Plaintiff, that the judgment heretofore rendered in this cause, is defective and erroneous, in having been taken against B. F. Kemper as a dormant Partner in the firm of C. M. Kemper Exs, the said B. F. Kemper not being a member of said firm, and it having been further suggested that the dormant Partner in said firm has recently been ascertained, it is ordered that the judgment against C. M. Kemper Exs, be reversed, and the cause remanded to Rules for the issuance and service of process against the said dormant partner.

J. R. Jones & Co, Pltff, vs John R. Eastham, Deft. In Debt.
Emanuel Royer, " " James Roadcap, Deft, In Case.
N. S. Grayson &c, " " same, Deft. In Case.

Upon the calling of these causes, the bankruptcy of the Defendants was suggested.

Granderson M. Rogers Pltff, vs A. N. Wilson, &c, Defts In Case,
same, " " same, " In Case,

Ordered, That these causes be continued until next term and at the cost of the Plaintiffs.

W. H. Effinger, Pltff, vs A. P. Delphenteine, Deft. In Debt,
A. P. Huffman, " " John Robinson, Jr, " In Case,
N. L. Shoup, " " Simmons, " In Case,
Linton & Lamott, " " Coffman & Duffy, " In Case,
Geo. A. Phares, Exr, " " J. A. & M. D. Coffman, " In Debt,
George Fawcett, " " Coffman & Duffy, " In Case,
Woodson Compton, " " Wm. Rebeck, " In Case,
J. C. Ayers Exs, " " R. H. Palmer's Adm, " In Case,
D. Pennybacker, " " Giles Devier, " In Case,
Jasper Shivers, " " Benjamin Shrunk, " In Case,

Ordered, That the foregoing causes be continued generally, until the next term of the Court.

V. N. Lam, Pltff.
vs
G. P. Hopkins, Deft. } In Assumpsit.

On motion of the Plaintiff, by counsel, It is ordered that this cause do proceed in the name of Wm. M. Dorrough, Assignee in Bankruptcy of V. N. Lam, and this day came again the parties, by their Attorneys, and thereupon came a Jury of seven, by consent, to-wit: M. E. Carrier, Chas. O. Black, B. F. Bibhimer, Jacob Mesenole, John S. Effinger, Emanuel Royer and John M. Huffman, who being elected, tried and sworn the truth to speak upon the issue joined, 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.

Archibald Rutherford's Admr. Pltff
vs
S. Carson Bowers, Deft. } In Debt.

This day came again the parties, by their Attorneys, and neither party requiring a jury, the cause was submitted to the Court, and having heard the same, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $1000.00 the debt in the declaration demanded, with interest thereon from March 26, 1862, till paid, and his costs, by him in this behalf expended.

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

James Kenney

At a County Court continued and held in and for the county of Rockingham, at the Court House thereof, on Saturday May 24, 1873

Present: Hon. James Kenney presiding.

Archibald Olden, Pltff.
vs
Jacob Mesenole, Deft. } In Case.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict of the Jury rendered in this cause, and grant him a new trial, on consideration whereof, the Court doth overrule said motion, and It is considered by the Court that the Plaintiff recover against the Defendant, the sum of $15.00 damages,

Wm. M. Dorrough, Assignee of V. N. Lam, Pltff.
vs
G. P. Hopkins, Deft. } In Assumpsit.

This day came again the Jury sworn and impannelled yesterday for the trial of this cause, and again retired to their rooms to

consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find for the Plaintiff the sum of $308.50 with interest thereon from the 20th day of October 1866." And on motion of the defendant by counsel, the Court doth set aside the verdict of the jury, and grant him a new trial, upon the payment of the costs of this trial.

On motion of W. J. Gray, by counsel, It is ordered that said Gray be relieved from the payment of $25.55 Taxes erroneously afsefsed against him on two tracts or parts of tracts of Land heretofore before the assessment of said Taxes, conveyed by said Gray & wife to S. A. Coffman, Guardian for Erasmus, Deuitt & Mary Rush Coffman, and to Erasmus Deuitt Coffman, jr. And it is further ordered that S. A. Coffman, Guardian, do pay to the Collector of Central Township in Rockingham County, the taxes afsefsed upon 105 Acres of said Land, conveyed by said Gray & wife to him; and that Erasmus Deuitt Coffman jr, do pay to said Collector the taxes afsefsed upon the 131 Acres, (more or less,) of said Land conveyed by said Gray & wife to him by Deed bearing date March 9th 1871.

Jonathan Peale, Plff vs Wm. P. McCaul, Defts. In Debt.
Same, " " same, " In Debt.
Giles Devier " " S. M. Yost, " In Case.

Ordered That these causes be continued until next term, and at the Plaintiff's costs.

Coffmans & Bruffy Pltff
vs
Pet. Carpenter, Deft. } In Debt.

On motion of the Deft. Rules are awarded against Dr. Thos. N. Brown & Elizabeth Brown, for their failure to appear at this term, and on motion of the Defendant, this cause is continued until term, and at her costs.

Edward Sullivan, Pltff,
vs
Thos. Harrison's Exr. Deft. } In Debt.

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- John S. Effinger, Thomas A. Long, Geo. D. Black, Thomas Swanson, Alfred Messick, John M. Garber and M. E. Carrier, who being elected, tried and sworn the truth to speak upon the issues joined, 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 for the Plaintiff, Ten Dollars, part of the debt in the declaration demanded, with interest from May 24, 1873. It is therefore considered by the Court that the Plaintiff recover of the Defendant, Ten Dollars, with interest thereon from May 24, 1873, till paid, the matter in controversy being more than twenty dollars, ~~it is further considered by the Court that the Plaintiff recover his costs by him in this behalf expended.~~

Andrew J. Denton, Pltff vs Stothen Bright, Deft. In Case.

Ordered, That this cause be dismissed.

John W. Stewart, Pleff. & D. Pennybacker, Defft. Inv Case.
John D. Wood, " " Gabriel Wood's Admr, " Inv Case
Wm A. Harris, " " Pet. Carpenter, " Inv Debt.
John W. Stewart, " " Jefse M. J. Carrier, " Inv Case.
Partlow & Lambert, " " John Bowman, jr, " Inv Debt.
John W. Stewart, " " J. C. Thompson's Admr. " Inv Debt

Ordered that the foregoing causes be continued generally until next term.

J. A. Yancey, S. R. C. for &c Pleff.
&
J. N. Cowen, &c, Defft. } Inv Debt.

On motion, a Rule is awarded against Hailstone & Judah Morris, for failure to attend at this term of the Court as witnesses for Pleff, and the cause continued until next term at Plaintiff's costs. And on motion of the Defft. a Rule is awarded against the Plaintiff to shew cause, if any he can, why his suit should not be dismissed for failure to prosecute the same.

Madison Meek, Pleff;
&
Jackson Mantz, Defft. } Trover.

Ordered That this cause be continued until next term, and at the Defendants costs.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday May 26, 1873.

Present:- Hon. James Kenney, presiding.

Jesh English Pleff
&
Jonathan Peale, Defft. } Inv Case.

This day came again the parties by their Attorneys, and the Judge of this Court having been engaged as counsel, T. N. Berlin, a practicing Attorney of this Court, was selected to sit upon the trial of this cause, and having fully heard the cause. It is considered by the Court that the Plaintiff recover of the Defendant the sum of $20.51 with interest thereon from Sept. 24, 1869 till paid, and his costs by him in this behalf expended.

M. D. Richcreek, Pleff
&
J. B. Offutt, Defft. } Inv Case.

This day came again the parties by their Attorneys, and the cause was submitted to the decision of the Court, and having fully heard the same, It is considered by the Court that the Plaintiff recover against

the Defendant the sum of $25.50 with interest thereon from the 1st day of September 1867, till paid, and his costs, by him in this behalf expended.

On his motion, It is ordered by the Court that Philip Miller be released from the payment of County and Parish Levies, for the year 1872, on account of indigent circumstances.

John N. Moore, who has heretofore been commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, on his motion has leave to renew his bond, under an Act of the General Assembly of Virginia, approved March 8, 1873, and thereupon he appeared in Court, and together with James F. Lowman, his surety, (who justified as to his sufficiency,) entered into in open Court and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office. Which bond is ordered to be ~~certified to~~ 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 John N. Moore took the several oaths required by law.

cop & fwd.

This day came Jacob Wine, who alleges that he is aggrieved by an entry in the land book made by John N. Moore, Assessor of Franklin Township for said county, in the year 1872, whereby he is charged with $71.40 taxes for the year 1872 on a tract of Land containing 200 Acres, described as lying on "Mossy Creek", and thereupon the said Jacob Wine moved the Court to exonerate him from the payment of $61.71 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 John N. Moore, the Assessor who made the Assessment, and Wm. A. Trigar, Assessor for North River Township in the county of Augusta, a township contiguous to Franklin Township in said county of Rockingham, was examined as witnesses 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 ___ 1872, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the farm of Jacob Wine containing 200 Acres lay partly in Augusta county and partly in Rockingham county, and that from the first assessment of the land in question, the same was assessed in Augusta county - that the Deed was recorded in Augusta County and not in Rockingham; that the greater portion of said farm lies in Augusta county, - that said Wine's residence on said farm is in Augusta County, - that he has voted and been treated as a citizen of that county, and that for the year 1872, for the first time, said farm was assessed in Rockingham County, and that the tax thereon, State & County ~~taxes included~~ for said year is $61.71, and it was further proven for said year 1872, the said Jacob Wine had paid the taxes in Augusta county on the same, State & County ~~taxes included~~.

All which the Court certifies as facts proved upon the application aforesaid; On consideration whereof, and from such facts so proved, the

Court is satisfied that the said Jacob Wine is erroneously charged on said book, with taxes amounting to $61.71; whereupon, it is ordered that the said Jacob Wine be exonerated from the payment of $61.71 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

Ordered, That the Overseer of the Poor for Central Township be allowed to bind Robert Johnson, an apprentice to Joseph D. Williams, to learn the trade of barber, until he arrives at the age of 21 years, upon condition that in addition to the requirements of the law as laid down in the Code of Va. he shall furnish said apprentice, at his full age, a full sett of tools of his trade, one chair, three cups & brushes, one pair of Razors, one looking glass, 22 by 30 inches, wash bowl & pitcher, and barber pole. Betsy Jane Johnson, the mother of said Robert Johnson appearing in Court, and consenting to this order.

Horace B. Burnes, Pltff, vs. J. Bird Eastham, &c, Defts. In Debt.

Upon the calling of this cause, the bankruptcy of the defendants was suggested, and the trial of the cause continued until the next term.

M. L. O. Houston's Admr. Pltff, vs. J. H. C. Houston's Admr. Deft. In Case.
James Bolton " " J. M. Liggett, surv. &c, " In Debt.
Peter H. Roller, " " Price, Willis & Co, " In Case.
Ordered, That these causes be continued until next term, for awards.

Joseph N. Manzy, Pltff, vs. J. A. Hammen, Deft. In Case.
Lucie E. Browning, " " James Steele, " In Case.
Ordered, That these causes be continued until next term, and at the costs of the Defendants.

Richard Thompson, Pltff, vs. John C. Mossiman, Deft. In Case.
Abraham Ludwig, " " Isaac Funk, " In Case.
Saml. M. Yost, " " J. N. Wartmann & Co, " In Case.
H. A. Leap, " " Z. D. Gilmore " In Trespass.
Peter Paul, " " John Robinson, " In Case.
John Engle, " " John Scanlon, " In Case.
Marquis & Kelly, " " John N. Wartmann, " In Case.
Coffman & Bruffy, for &c, " " Frank. alias Franklin Lickey, " In Debt.
A. L. Byrd, for &c, " " " cause, " In Debt.
P. R. Harrison's Admr. " " J. N. Wartmann, surv. &c, " In Debt.
C. A. Sprinkel & Co, " " J. Bird Eastham, &c, " In Debt.
Geo. Bruffy's Admr. " " Richards & Moore, " In Debt.
Henry B. Jones, " " Henry C. Beery, " In Debt.
Keen & Haggerty, " " A. C. Lincoln, " In Case.
Ordered, That the foregoing causes be continued generally until the next Term.

Commonwealth vs Allen Devier — Felony.

After the calling and continuance of this cause, the insanity of the prisoner was suggested to the Court, and thereupon

He was again led to the bar in custody of the Jailor of this Court, and the following named Jurors were summoned for the trial, viz:- John F. Long, Thos. N. Long, Geo. D. Black, Alfred Messick, John M. Garber, Chas. O. Black, Peter Guyer, George Miller, P. F. Hooke, Harrison Empsenhiler, Eli Summers and John L. Effinger, all of whom appeared, & are examined by the Court, and found to be duly qualified and free from exceptions, to whom was administered an oath that they would enquire and ascertain whether the accused is now sane or insane and if found now sane, to further enquire and ascertain whether he was insane at the time of the commission of the alleged offence, and not having time fully to hear the evidence, thereupon they were given in charge of Wm. H. Blakemore, and D. N. Bear, Deputies for J. C. Raleton, Sheriff of this County, to whom was administered an oath, that they shall keep the jury together, and not have any communication with them themselves, 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, and thereupon the prisoner was remanded to Jail.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday May 27, 1873.

Present:- Hon. James Kenney, presiding.

Whereas, in entering the order at the March Term 1873, of this Court, changing the lines between Central & Linville Townships, said order was erroneously entered, making Lofland's Gate the starting point, and whereas it was designed that the said starting point should be at David Flook's farm, lying on the Old Furnace road on west side of said farm, and east side of Cedar Ridge. Now, said order is corrected, so as to make said point of David Flook's farm the starting point, and the line of division between Linville & Central Townships from said starting point Eastward to be a line running from said point North east in East side of Jr. Armentrouts farm to the old line between Linville & Harrisonburg Township, and thence with said original lines between the old Linville & Harrisonburg Township "Laird's Knob", crossing the Keezletown road at Daniel Clem's.

And it having been proven to the satisfaction of the Court that all the requirements of the Statute had been fully complied with, by posting notices at the places prescribed by Law, It is therefore ordered that so much of the order entered at the March Term, repugnant to this order, be vacated, and this order entered and stand instead thereof, and the lines & boundaries of the above named Central & Linville Townships changed so as to conform to this order.

Monroe & Allen, Pltff.
vs
Gabriel Bitzer Admr. Deft. } In Debt.

This day came again the parties by their Attorneys, and the cause was submitted to the Court, and having heard the same, It is considered by the Court that the Plaintiff recover of the Defendant their costs by them in their behalf expended, since the rendition of the last judgment in this cause.

J. H. Wartmann, Pltff
vs
C. K. Davis' Exor. Deft. } In Case.

This day came again the parties by their Attorneys and on motion the cause was ordered to proceed in the name of John Faulk, assignee of the Moffin bankrupt, and the cause submitted to the Court, and having fully heard the same, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $172.00 with interest on $81.25 part thereof from 29th of May 1867, on $81.25 another part thereof from Dec. 19, 1867, on $11.00 another part thereof from Octo. 24, 1867, on $5.50 another part thereof from Nov. 14, 1867, and on $3.00 the residue thereof from Dec. 19, 1867, till paid, and his costs, by him in this behalf expended, to be levied of the goods and chattels of the Defendant in the hands of his Executor Andrew Reed, to be administered.

Thomas Washington, for Pltff, vs John K. Myers, Deft. Sug,
same, " " same, " "
Ordered That these causes be dismissed agreed.

It appearing to the Court that Wm. Life is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that his place is a proper place, on his motion, which it further appears was made and granted at the April Term last of this Court, and which was not entered up, a certificate is granted him for obtaining License to Keep an Ordinary at his Hotel in the town of McGalaysville in this county, with the privilege of retailing ardent spirits, wines, &c., at his place of business, and also granted Merchants Retail Liquor License until May 1, 1868, and it is further considered by the Court that this order shall have same effect as if it had been entered at said April Term last.

Commonwealth vs Allen Devier,

The accused was this day again led to the bar in custody of the Sheriff of this County, and thereupon came the Jury sworn and impannelled on yesterday for the 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 some time returned into Court, and upon their oaths do say, "We the Jury find the accused Allen Devier to be now sane," and thereupon the Jury was discharged and the prisoner remanded to Jail.
Ordered, That Court be adjourned until to-morrow morning at 9 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, May 28, 1873.

Present:- Hon. James Kenney, presiding.

In the matter of the widow & heirs of Alexander Kyger, dec'd.

Ordered that the Rule awarded to this day in this cause, be enlarged and the parties summoned to Saturday next, May 31st 1873.

Isaac Bunkis Exor. &c, Plff
vs
A. J. Johnson, Deft. } In Debt.

This day came again the parties by their Attorneys, and neither party requiring a jury the Court proceeded to try the cause and having heard the evidence, It is considered by the Court that the set-offs filed by the Defendant against Eliphalet Johnson, are sufficient to cover the entire amount of the said Eliphalet Johnson's interest in the bond on which the suit is brought, to wit: $70.00 with interest from March 1871, and it appearing that the balance due on the bond in suit is coming to B. F. Thomas, and that the Defendant has filed as an offset against the balance, a bond of $75.62 executed by B. F. Thomas to G. H. Mauzy on the 29th day of May 1861, payable one day after date, and that said bond is greater than the balance due on the bond in suit. It is considered by the Court that the Plaintiff take nothing further by this suit but that the Defendant recover of the Plff his costs expended since the former judgment rendered in this cause. And the Defendant is permitted to withdraw from the papers of this cause the said bond for $75.62 on B. F. Thomas, after placing thereon a credit for $9.00 as of date Sept. 4, 1871, upon leaving an attested copy thereof in the papers.

John Paul, Assignee of John N. Wartmann, Plff
vs
C. K. Davis' Extor. Deft.

Ordered that the judgment rendered in this cause at a former day of this term be set aside, a new trial granted and the cause continued until the next term.

On motion of C. D. Jennings, the Estate of John Hughes, dec'd, is committed to James P. Ralston, Sheriff of this County, for administration, he having been dead more than three months.

Henry B. Jones, Plff
vs
Henry C. Beery, Deft. } In Debt.

Ordered that this cause be dismissed, and it is considered by the Court that the Plaintiff recover of the Defendant his costs by him in this behalf expended.

M. D. C. Covington's Admrs. Pltff. vs. Jo. Randol, &c, Deft. - Ac Case.
Ordered, That this cause be dismissed agreed.

A. L. Gray for &c, Pltff. vs. John Mefeely, Deft. Ac Debit,
same, " " same, " Ac Case,
D. M. Jordan's Admrs, " " Peter Paul, &c, " Ac Debit,
M. Massey Effinger for &c, " " Jno. A. Hopkins Exor. " Ac Debit,
John Direly, " " Laban Probst, " Ac Debit,
Norvell Cobb, " " J. P. Effinger, " Ac Case,
G. M. Beeler for &c, " " James A. Mefeely, &c, " Ac Debit
same, " " same, " Ac Debit,
same, " " same, " Ac Debit,
John Cunningham, " " Sprinkel & Bowman, " Ac Case
James Bolton " " Nathl. Flook, " Ac Debit,
Ordered That the foregoing causes be continued generally until the next Term,

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

James Kenney.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday May 29, 1873.

Present:- Hon. James Kenney, presiding.

M. H. Lee, Pltff.
vs.
Jackson Kuppp, Deft. } In Detainer,

This cause having been dismissed at a former day of this term for want of security for costs, on motion of the Plaintiff, the Court doth set aside the order of dismission and orders this cause to be reinstated upon the docket, upon condition that he do now execute a bond for security for costs, whereupon L. W. Gaunliff, attorney in fact for J. F. Brenner executed and acknowledged in open Court a bond in the penalty of $100 conditioned according to law.

Alexander Holsinger, Pltff,
vs.
William Wharton, Deft. } In Detainer,

This day came the Plaintiff, by his attorney, and it appearing to the Court that the summons has been duly executed upon the Defendant, and he failing to appear, the cause was submitted to the Court, and having fully heard the cause, it is considered by the Court that the Defendant unlawfully withholds from the Plaintiff the premises in the summons described, and that the Plaintiff recover possession of said premises, and his costs, by him in this behalf expended, and that a writ of Possession do issue directed to the Sheriff of this County, requiring him to place the Plaintiff in possession of said premises.

J. H. Weizer, Assignee of Rebecca J. Sterrett, Pltff.
vs. } Covenant.
Thomas M. Kite, Deft.

This day came again the parties by their Attorneys, and the Defendant by counsel, withdrew his plea by him heretofore pleaded, It is therefore considered by the Court that the Plaintiff recover from the Defendant the sum of $702.37 in specie, with interest thereon from the 4th. day of December 1867, till paid, (which may be paid in currency at the value of currency when payment is made,) subject to a credit of $84.47 paid on the 6th day of June 1870, and $15.00 paid August 8th. 1872 = $23.00 paid Sept. 4, 1872, and $26.50 paid on the ___ day of ___ 18__, and his costs, by him in this behalf expended. (Execution to be stayed until Sept. 15, 1873.)

L. F. Lows, for &c, Pltff.
vs. } Upon a Notice,
G. M. Armentrout & Sheets, Defts.

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

David Dorman, Pltff.,
vs. } In Case.
Michael Earmon, Deft.

This day came again the parties by their attorneys, and thereupon came a Jury of seven, by consent, to-wit:- John F. Long, Thos. N. Long, Chas. A. Black, Geo. D. Black, Jno. M. Garber, John S. Effinger and Alfred Meeseke, who being elected, tried and sworn the truth to speak upon the issue joined, and having fully heard the evidence and argument of counsel, retired from the bar to consider their verdict, and after some time returned into Court, and upon their oath do say "we the Jury find for the Defendant."

J. S. Harnsberger, Adm. of J. N. Hice, dec'd Pltff.
vs. } In Debt.
Peter Paul, Jr. Deft.

&

Same, Pltff.,
vs. } In Assumpsit.
Same, Deft.

The following award is entered as the judgment of the Court in the foregoing named causes:-

We the undersigned Arbitrators to whom the matters in controversy in the two suits, the one an action of debt, the other of Assumpsit, in the name of J. Samuel Harnsberger, Adm. de bonis non with the will annexed of John N. Hice, dec'd, Plaintiff against Peter Paul, Jr. Defendant, pending in the County Court of Rockingham, have been submitted by the within written submission, having inspected the papers in the two suits referred to, and having fully heard the evidence of witnesses introduced by and on behalf of the Plaintiff and Defendant, touching all the matters in controversy, the Plaintiff and Defendant being present in person and by their Attorneys, and having maturely considered of our award, do award that the Plaintiff recover of the Defendant his costs up to the dismissal of his

said suits at the May Term 1873, of the County Court of Rockingham; and we do further award that the Defendant recover of the Plaintiff Three dollars and seventy five cents ($3.75) the excess of his offsets above the Plaintiffs demands or claims, with interest thereon from January 1, 1870, and the costs of Arbitration which we fix at $10.00 to be set off against or credited upon the costs of the suits above awarded the Plaintiff. In witness whereof, we have hereunto set our hands and affixed our seals this 12th day of March 1873.

Foxhall A. Daingerfield, (Seal)
John R. Jones, (Seal)

S. M. Jones & Bro, Pltff,
vs
John H. Soule, Deft. } In Case,

On motion of the Plaintiffs Rules are awarded against Perry Lowman & Abm. Paul, jr, two of their witnesses, for their failure to appear at this term of the Court, returnable to next term, and the trial of the cause continued until next term at their costs. And the non-residence of the Pltffs. being suggested, on motion of the Defendants, a Rule is awarded against them for security for costs.

J. C. Herman's Admr, Pltff vs B. F. Lincoln's Admr, Deft — In Case.

Ordered, That this cause be continued until next term, and at the costs of the Plaintiff.

It appearing that Jonas Reed had made an Executor who is under 21 years of age, by his last will and testament, and that he has been dead more than three months, It is ordered that the Sheriff of this county, James P. Raleton, take possession of said Estate and act as Administrator until the son of Jonas Reed, appointed as his Executor shall be 21 years of age.

Joseph Layman, Pltff,
vs
O. A. & M. Railroad Company, Defts. } In Assumpsit

This day came again the parties by their Attorneys, and thereupon came a Jury of seven, by consent, to wit:- John F. Long, Thos. A. Long, Chas. P. Black, Geo. D. Black, John M. Garber, John S. Effinger and Alfred Mossiah, who being elected tried and sworn the truth to speak upon the issue joined, 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 Plaintiff and assess his damages at One Hundred & fifty dollars and 75 cents, with interest from the 1st day of November 1868, It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $150.75/100 damages with interest thereon from the 1st day of November 1868, till paid, and his costs, by him in this behalf expended.

D. A. Plecker, Pltff, vs George Kiser, Deft. In Case.
Ordered, That this cause be dismissed agreed.

J. M. Stinson, Pltff vs A. Hockman, Deft In Case.
Ordered, That this cause be continued until next term, and at the Defendants costs.

John N. Hill's Admr. Pltff. vs Reuben Bonds, Deft. In Case.
Richard Robinson, " " Israel Minnick, " In Case.
James Williams, " " E. J. Sullivan, " In Case.
Walter A. Wood, " " Thomas Washington, " In Debt
same, " " same, " In Debt.
same, " " J. A. Washington's Trustee " In Debt
same, " " Thomas Washington, Trustee, " In Debt,
A. S. Henton, for &c, " " Joseph Sterne, &c, " In Debit,
J. Q. Mumfield, " " Wm. F. Landis, " In Case.
A. Rinehead's Admr. " " Geo. S. Newlett, &c, " In Debt.
Ordered, That the foregoing causes be continued generally until next term.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, May 30, 1873.

Present:- Hon. James Kenney, presiding.

H. B. Lilly, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $16.00 for arresting & conveying to Jail, &c, Albert Harrison alias Davis, charged with misdemeanor, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cont'd. This day came Philip Liggett, who alleges that he is aggrieved by an entry in the land book made by Geo. F. Mayhew, Assessor of Harrisonburg Township for said County, in the year 1872, whereby he is charged with $31.23 Parish Levy and County & District School Tax on two tracts of Land, one containing 239 A. 0 R. & 9 P. and one other tract containing 26½ Acres and $628 Personal Property, which land and personal property lies and is within the corporate limits of Harrisonburg, - whereupon the said Philip Liggett moved the Court to exonerate him from the payment of said taxes so erroneously charged against him for said year; which motion was defended by John Paul, Attorney for the Commonwealth, and the Assessor examined as a witness touching the application. And it appearing to the Court that said land and personal property being taxed for

Corporation purposes within the Corporation of Harrisonburg is not liable to be taxed for these County purposes; It is ordered by the Court that said taxes so erroneously affixed against him for the year 1872 - $31.23 be refunded to him, it appearing to the Court that said tax has been paid to the Treasurer of this County.

S. H. Pollock, Plff,
vs
J. N. Hill's Admr. Defts. } In Assumpsit.

This day came the parties by their Attorneys, and the Defendant filed his plea of statute of limitation, to which the Plaintiff replied generally.

Charles Morton, late of the County of Rockingham, who stands indicted of a felony by him committed, on or about the 1st day of May 1873, was this day led to the bar in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty," whereupon the prisoner, by counsel, demurred generally and specially to the indictment, which demurrers were overruled by the Court, and the Veniremen summoned for this trial being called, eighteen of whom appeared, and therefrom the following panel of sixteen were obtained, who were examined by the Court, and found to be duly qualified and free from exceptions, viz: N. D. Earmon, David Pence, Samuel Coiner, Phineas Stickley, George Rodeffer, James Rodgers, Jacob W. Cool, Peter W. Whitmer, John N. Cline, R. E. Painter, John R. Bowman, Geo. W. Bonto, S. H. Chandler, A. H. Kniseple, Jacob Showalter and Adam Koontz, and the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Samuel Coiner, Phineas Stickley, Jacob W. Cool and A. H. Knipple, the remaining twelve persons thereby constituting the Jury, viz:- N. D. Earmon, David Pence, George Rodeffer, James Rodgers, Peter W. Whitmer, John N. Cline, R. E. Painter, John R. Bowman, George W. Bonto, S. H. Chandler, Jacob Showalter and Adam Koontz, who being so elected, tried & sworn the truth of 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 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, in the first count thereof, and ascertain the term of his imprisonment in the Penitentiary at five years." And thereupon the Jury was discharged and the prisoner remanded to Jail.

Ordered, That the following-named Veniremen be each allowed the sum of One Dollar for their services & upon the trial of Charles Morton, charged with felony, viz:-

N. D. Earmon,	Peter W. Whitmer,	George W. Bonto,
David Pence,	John N. Cline,	S. H. Chandler,
George Rodeffer,	R. E. Painter,	Jacob Showalter,
James Rodgers,	John R. Bowman,	Adam Koontz

to be certified to the Auditor of Public Accounts for payment.

copied &c.

S. W. Pollock, Pltff.,
vs
J. W. Hill's Admr. Deft. } Ass Assumpsit.

This day came again the parties by their attorneys, and thereupon came a Jury, to wit: John F. Long, Thos. A. Long, Chas. A. Black, Geo. D. Black, John M. Garber, Alfred Messick, Riley Armentrout, Reuben Sellers, John Leedy, S. A. Firebaugh, J. H. Wood and Elijah Huffman, who being elected, tried and sworn the truth to speak upon the issue joined, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock.

E. W. Pollard, for &c, Pltff.,
vs
Wm. Showalter, &c, Deft. } Ass Debt,

This day came again the parties by their attorneys, and the Defendant filed his plea of non est factum, to which the Plaintiff replied generally, and thereupon the trial of the cause is continued until the next term.

Joseph Jackson, Pltff., vs C. F. Dettrow, Deft. Ass Debt,
Ordered, That this cause be dismissed agreed,

John Detter, Pltff., vs Joseph Detter, Deft. Ass Case,
Wm. H. Mumaw, " " A. D. Miller, " Ass Case,
Ordered, That these causes be continued generally until the next term,

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

James Kenney

At a County Court ~~of Chancery~~ continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, May 31, 1873.

Present:- Hon. James Kenney, presiding.

c of 0. vd.

Ordered, That the American Hotel be allowed the sum of $34.00 for board, lodging, &c, of 12 Veniremen for two days, @ $1.00 each on the trial of Allen Devier, on suggestion of insanity, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payments.

Jacob Armentrout, Admr. of Henry Angabright's Est Pltff,
vs
Peter D. Byerly, Jacob Byerly & Jonas A. Loewenbach, Defts. } Upon a notice on a 9 months bond executed for the purchase of property at Sheriff's sale, under an Act of Assembly, passed May 28, 1870.

This day came the Plaintiff by his attorney, and 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 $1780.92 with interest thereon from the 10th day of August 1872, till paid, and his costs, by him in this behalf expended.

cp. D. & d.

L. H. Ott Coroner of this County, this day presented in Court, an Account against the Commonwealth, amounting to $5.00 for holding an Inquest upon the body of an unknown infant, found within the limits of the town of Harrisonburg, which was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

B. F. Thomas, Pltff, vs A. J. Johnson, Deft. } Am Debt.

R. M. Kyle's Admr. Pltff, vs John C. Woodson, surv. Deft. } Am Debt.

This day came the parties by their Attorneys, and the Defendants filed their pleas of payment and set offs, to which the Plaintiffs replied generally, whereupon it is considered by the Court that the office judgments in these causes be set aside, and the trial of the issues continued until the next term.

Anna C. Baughe's Admr. Pltff, vs Alexander Kygee's Admr. Deft. } In Case.

Anthony Bockman, Pltff, vs John N. Hill's Admr. Deft. } In Case.

This day came the parties by their Attorneys, and the Defendants filed their pleas of non-assumpsit, to which the Plaintiffs replied generally, and leave given them to file additional pleas, whereupon it is considered by the Court that the office judgments in these causes be set aside, and the trial of the issues continued until the next term.

Jones & Bro, Pltff, vs M. & H. Livingston, Deft. } In Case.

G. W. B. Bartlett, Pltff, vs J. Caplinger, Deft. } In Case.

Jacob B. Murray, Pltff, vs Jacob P. Effinger, Deft. } In Case.

Kohn, Adler & Co, Pltff, vs M. Hirsh, Deft. } In Case.

Phil's Bradley &c, Trustees, Pltff, vs I. B. Lupton, Deft. } In Case.

This day came again the parties by their Attorneys, and the Defendants filed their pleas of non-assumpsit, to which the Plaintiffs replied generally, whereupon it is considered by the Court that the office judgments in these causes be set aside, and the trial of the issues continued until the next term.

Peter Long, Pltff, vs Wm. M. Bilhimer, Deft. } Upon a rug.

On motion of the Plaintiff, this cause is dismissed.

Alex. Kyger's Widow. vs Alex. Kyger's Heirs, &c, upon a Rule.

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

A. T. Skinner, Assignee, Pltff; vs A. S. Heuston, &c, Defts; } In Debt.

M. A. Wood Reaper & Mowerley, Pltff; vs A. S. Heuston, &c, Defts. } Debt.

This day came again the parties by their Attorneys, and on motion of the Plaintiffs, leave is given them to amend their declarations in these causes, and the causes continued until next term.

James L. Avis, for &c, Pltff; vs J. C. Homan's Admr, Defts. } In Debt.

This day came again the parties by their Attorneys, and the Defendant filed his plea of no assets, to which the Plaintiff replied generally. It is thereupon considered by the Court that the Plaintiff recover of the Defendant the sum of $116.16/100, with interest thereon from the 10th day of April 1872, at the rate of 12 per centum per annum, till paid, and his costs by him in this behalf expended, to be levied of the goods and chattels of the decedent in the hands of his administrator to be administered, (when assets.)

S. W. Pollock, Pltff. vs J. W. Hill's Admr. Defts. } In Assumpsit.

This day came again the Jury sworn and impanneled on yesterday for the trial of this cause, pursuant to their adjournment, and not having fully heard the evidence and argument of counsel, were adjourned until Monday morning next at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham County, on Monday, June 3d 1873, at the Court House thereof,

Present:- Hon. James Kenney, presiding.

copied

On an application to establish a public road, leading from the Port Republic road, near Mrs. Leake's to the Swift Run Gap road, at Jacob Bierly's Mill. = It appearing to the Court that the land owners along said proposed road have been duly served with notice to show cause why said road should not be established according to the report of the Comm'rs. of Roads for Ashby Township, and they having failed to show cause, and having consented in writing to the same, It is ordered that said road be established as follows, to-wit: Commencing on the Port-Republic Road at a point near Mrs. S. J. Leake's, thence along her line, to Geo. Bowman's land, thence on the line to the lands of Mrs. Nancy Kinegarner and George E. Deneale, thence along their line, to Painter & Deneale's line, thence with Painter's & Deneale's line, thence along the

present road to Jacob Bierly's Mill. The Comm'rs. of Roads for Ashby Township is hereby ordered to open said road.

c&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 $10.00 for prosecuting at this term of the Court, in one case of felony, to-wit: that of Commonwealth vs. Charles Morton.

David Dorman, Pltff,
vs
Michael Earmon, Deft. } Det

This day came again the parties by their Attorneys, and the Plaintiff by counsel, moved the Court to set aside the verdict of the Jury rendered in this cause, at a former day of this term, and grant him a new trial, On consideration whereof the Court doth overrule said motion. It is therefore considered by the Court that the Defendant go hence without day, and that he recover against the Plaintiff his costs by him in this behalf expended.

On their motion, the following-named Notaries Public, in and for the County of Rockingham, who have heretofore been commissioned by the Governor of Virginia, have leave to renew their bonds as such, under Act of the General Assembly passed March 8, 1873, and thereupon Wm. B. Warren, together with F. M. Erwine, his surety, (who justified as to his sufficiency,) and Chas. A. Yancey, together with J. S. Harnsberger, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court bonds, each in the penalty of $500 conditioned according to law for the faithful execution of the duties of their offices, Which bonds are ordered to be recorded by the Clerk of this Court, who is also directed to transmit copies thereof to the Auditor of Public Accounts. And thereupon the said Wm. B. Warren and Chas. A. Yancey took the several oaths required by law.

L. L. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $181.05 dieting &c, the following named prisoners, to-wit: Allen Devries, Jacob C. Yankey, Hanch Dungeon, Albert Harris, Peter Roggleman, Elizabeth Winegord, Madison Snowden, and Sandy Grant, which was sworn to in open Court, examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.
c&d

Ault man & Co., Pltff,
vs
Wm. G. Shaver & Co., Deft. } In Debt.

Ordered, That this cause be continued until next term at the costs of the Plaintiffs.

David Howard, Pltff,
vs
David Kollar, Deft. } In Assumpsit.

Ordered, That this cause be continued until next term at Defendants costs.

S. W. Pollock, Pltff
vs
J. W. Hill's Admr. Deft. } In Assumpsit.

This day came again the Jury sworn and impannelled on Friday last for the trial of this cause, pursuant to adjournment, and not having time fully to hear the cause, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday June 3rd 1873.

Present: Hon. James Kenney, presiding.

Shields, Preston & Co., Pltff,
vs
Lunsfield Lee, Deft. } In Covenant.

This day came the Plaintiffs, by counsel, and the Court proceeded to execute the Writ of Enquiry, and having heard the cause, It is considered by the Court that the Plaintiffs recover of the Defendant the sum of $200 with interest on $100 part thereof from Oct. 17, 1865, and on $100 the residue thereof, from Jany. 1, 1872, till paid, subject to credits of $8.00 paid Dec. 30, 1871 and $25.00 paid Nov. 29, 1871, and their costs, by them, in this behalf expended.

Morgan, Young, Attorneys & Co., Pltff,
vs
William Loeb, Deft. } In Assumpsit.

This day came the plaintiff by their Attorneys, and the Court proceeded to execute the writ of Enquiry, and having heard the cause, It is considered by the Court that the Plaintiffs recover of the Defendant the sum of $294.71 damages, with interest thereon from Feby. 17, 1873, till paid, and their costs, by them in this behalf expended.

Robert Bryan, Pltff,
vs
B. F. Thomas, & Co., Defts, } In Debt.

This day came the parties, by their Attorneys, and the Defendants filed their plea of payment, set-off and nil debit, to which the Plaintiffs replied generally, whereupon It is considered by the Court that the office judgment in this cause be set aside and the trial of the issues continued until the next term.

Joseph Leonnei's Admrs. Pltff,
vs
Martin Leonnei, Defft. } In Case.

This day came the parties by their Attorneys, and the Defendant filed his plea of Bankruptcy, to which the Plaintiff replied generally, whereupon it is considered by the Court that the office judgment in this cause be set aside, and the trial of the issue continued until the next term.

Abraham Algen & wife, Pltff,
vs
Elizabeth Harshbergei's Admrs. Defft. } In Case.

This day came the parties by their Attorneys, and the Defendant filed his plea of non-assumpsit and Statute of Limitations, to which the Plaintiffs replied generally, whereupon it is considered by the Court that the office judgment in this cause be set aside, and the trial of the issue continued until the next term.

George G. Grattan, Commr. Pltff,
vs
George W. Berlin, &c, Defft. } In Debt.

This day came the parties by their Attorneys, and by consent of parties, It is considered by the Court that the Plaintiff recover of the Defendants, the sum of $1087.50 with interest thereon from the 31st day of March 1871, till paid, and his costs by him in this behalf expended. (The first bond named in the declaration having been paid and withdrawn.)

Commonwealth use of &c Pltff,
vs
Jno. N. VanPelt, &c, Defts. } In Debt.

This day came the parties, by their Attorneys, and Jury being waived, the Court proceeded to try the cause, thereupon it is considered by the Court that the Plaintiff recover of the Defendants, the sum of $125.00 the penalty of the bond sued on, to be discharged by the payment of $27.89 and his costs by him in this behalf expended.

Commonwealth, use of Wm Eiler, Pltff,
vs
Philip Koontz Defft. } In Debt.

This day came the Plaintiff by his Attorney and the Defendant being solemnly called came not, and thereupon it is considered by the Court that the Plaintiff recover of the defendant $75.00 the penalty of the bond sued on, to be discharged by the payment of $7.25 with interest at the rate of 6 per cent. per annum from 18th day of April 1856, to 18th day of November 1857, and then interest at the rate of 15 per cent. per annum from said 18th day of November 1857, till paid, and $17.24 costs, together with his costs in this behalf expended.

Theodor Frick, Pltff,
vs. } In Assumpsit,
J. P. Effinger, Deft.

This day came again the parties by their Attorneys, and the Defendant filed his plea of payment, to which the Plaintiff replied generally and thereupon came a Jury of seven, by consent, to wit:- A. C. Rohr, A. S. Byrd, M. J. Marty, Geo. G. Hall, James T. Anthony, A. J. Myers and Peter Guyer, who being elected, tried and sworn the truth to speak upon the issues joined, 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 Plaintiff Forty four dollars and twenty nine cents, with interest from 13th Sept. 1870. It is therefore considered by the Court that the Plaintiff recover of the Defendant $44.29 with interest thereon from the 13th day of September 1870, till paid, and his costs by him in this behalf expended.

A. C. Rohr, Pltff
vs. } In Assumpsit,
James T. Anthony, Deft.

This day came again the parties, by their attorneys and neither party requiring a Jury, the cause was submitted to the Court, and having heard the cause, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $84.86 with interest on $78.09 part thereof from the 10th day of January 1871, till paid, and his costs by him in this behalf expended.

S. W. Pollock, Pltff,
vs. } In Assumpsit.
John W. Hill's Admr. Deft.

This day came again the Jury sworn and impannelled on Friday last, 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 sometime returned into Court, and upon their oaths do say, "we the Jury find for the Plaintiff, and assess his damages at two hundred and sixty-two dollars and thirty-two cents, It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $262.32 his damages, with interest thereon from the 3d day of June 1873, till paid, and his costs by him in this behalf expended, to be levied of the goods & chattels of the Testator in the hands of his Administrator to be administered,

John Lee, for &c, Pltff
vs. } In Debt.
E. S. Huffman, Deft.

This day came again the parties by their Attorneys, and leave is given the Plaintiff to amend his declaration, and the Defendant by counsel, gave notice of set offs, and thereupon It is considered by the Court that the trial of the cause be continued until the next Term,

Allen Devier, Pltff,
vs
Dewitt C. Koogler, Defdt. } In Case.

Ordered, That this cause be dismissed for want of security for costs,

Samuel Shacklett, Pltff vs S. N. Long, Defdt, In Debt,
J. M. Bruffy, " " J. H. Fallenstein, " In Case,
Ordered, That these causes be dismissed on motion of Plaintiffs.

Peter Kile, Pltff
vs
Eli Entsminger's Admrs. Defts. } In Case,

On motion of the Plaintiff, Rules are awarded against his absent witnesses, upon whom process has been duly executed for failure to appear at this term, and the cause is continued until next term at his costs,

Abram Judy, Pltff,
vs
Jacob L. Fry, &c, Defts. } In Covt,

Ordered, That this cause be dismissed agreed,

W. G. Bansemer & Co., Pltff
vs
F. R. Davis, Defdt. } In Debt,

H. C. Ammon's Admr. Pltff
vs
Harrison Riddle, &c. Defdt } In Debt,

Cyrus Rhodes, Pltff vs A. W. Brown's Adms. Defdt In Case,
Geo. F. Trunkhouser, " " Geo. K. Brigham, " In Case,
D. D. Dovel's Admr. " " John C. Walker, &c, " In Debt,
John Rodes, " " Maggie L. Kuestow, " In Debt,
John Entsminger's Admr. " " A. C. Bryan's Admr. " In Debt,
Josiah W. Gitt, " " A. J. Warfield, " In Case,
A. J. Warfield " " J. N. Gitt, " In Case,
Jake Mitchell " " David Freed, " In Case,
A. C. Sterling, for &c, " " James Steele, &c, " In Covt,
Jacob Holsinger, for &c, " " David Holsinger, " In Covt,
Ordered, That these causes be continued generally until next term,

Michael N. See, Pltff,
vs
Martin Garber, Defdt. } Trespass,

L. W. Gandiee, atty in fact for A. F. Brenneman, having entered into and acknowledged a bond in the penalty of $100 as security for costs for the Plaintiff in this action, on motion the trial of this cause is continued until next Term,

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, June 4, 1873.

Present:- Hon. James Kenney, presiding.

John D. Thomas, Committee for &c., Pltff,
vs
Christopher Keyser's Exor, Defts. } In Debt.

This day came again the parties by their Attorneys and neither party requiring a Jury the cause was submitted to the Court, and having heard the cause, It is considered by the Court that the Plaintiff has no cause of action against the Defendants - that the Defendant go hence without day, and recover against the Plaintiff his costs by him in this behalf expended.

W. S. Downs, Pltff,
vs
John Keyton, Deft. } In Debt.

Gordon & Williams, Pltff,
vs
Eli Kesan, Deft. } In Debt.

A. N. Brener, for &c., Pltff
vs
A. S. Newton, &c, Deft. } In Debt.

Peachy Rice & others, for &c, Pltff,
vs
I. B. Lupton, &c, Deft. } In Debt.

This day came the parties, by their Attorneys, and the Defendants to by counsel, filed their pleas of payment and set off, to which the Plaintiffs replied generally, whereupon it is considered by the Court that the office judgments in these causes be set aside, and the trial of the issues continued until the next Term.

D. D. Dovel's Admrs. Pltff,
vs
N. W. Cave, &c, Deft. } Upon Scifa to revive a judgment.

The Defendants having been duly warned and not appearing, on motion of the Plaintiff, Noah W. Shuler, Admr. d. b. n. with the will annexed of D. D. Dovel, dec'd, by his attorney, It is considered by the Court that the Plaintiff, Noah W. Shuler, admr, may have execution against the Defendants, N. W. Cave, & J. B. Walker, for the sum of $107.2½ the damages with interest thereon from June 13, 1868, till paid, and $7.01 the costs in the writ aforesaid specified, and also that the Plaintiff recover against the said Defendants, his costs by him expended in suing forth and prosecuting this writ.

On motion of Philander Bessing, he has leave to renew his bond as Notary Public in and for the County of Rockingham, under an Act of General Assembly approved March 8, 1873, and thereupon he appeared in Court, and together with J. T. Logan, his surety, (who justified as to his sufficiency) entered into and acknowledged in open Court a bond in the penalty of $500 - conditioned for the faithful execution of the duties of his office, which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof to the Auditor of Public

Accounts. And thereupon the said Philander Deering took the oaths prescribed by law.

P. P. Sheets & Co., Pltff

vs. } In Assumpsit.

West Rockingham Mutual Fire Insurance Company, Deft.

This day came again the parties by their attorneys and the Plaintiffs joined in the demurrer heretofore filed by the Defendants to their declaration which demurrer being argued by counsel and the Defendants offered to file several pleas to which the Plaintiffs objected and being argued before the Court, the Court overruled the objections of the Defendants, and permitted the pleas to be filed to which ruling the Plaintiffs excepted. The demurrer was overruled by the Court, and thereupon came a jury to wit: Geo. Hall, James D. Anthony, A. J. Myers, Peter Guyer, M. S. Janney, J. N. Miller, H. A. Dice, H. H. Washington, John S. Effinger, George Miller, Joseph Detter and D. S. Harrison, who being elected, tried and sworn the truth to speak upon the issue joined, and not having time to hear the evidence, were adjourned until to-morrow evening at 2 o'clock.

Ordered, That Court be adjourned until to-morrow evening at 2 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, June 5, 1873.

Present: Hon. James Kenney, presiding.

Mary E. Sweeker, Pltff.

vs. } In Debt.

George W. Berlin, Deft.

Ordered, That this cause be dismissed at the costs of the Plaintiff, in pursuance of her receipt in full for principal, interest and costs, filed with the papers in this cause.

P. P. Sheets & Co., Pltffs.

vs. } In Assumpsit.

West Rock. Mut. F. Ins. Co. Defts.

This day came again the jury sworn and impannelled on yesterday for the trial of this cause, pursuant to adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday June 6. 1873.

Present:- Hon. James Kenney, presiding.

N. Dreyfous, Pltff.
vs
Wm C. Harrison, Deft. } In Assumpsit.

This day came again the parties by their Attorneys, and neither party requiring a Jury, the cause was submitted to the decision of the Court, and having heard the cause, It is considered by the Court that the Plaintiff recover of the Defendant, the sum of $20.25 damages, with interest thereon from the 16th day of April 1869, till paid, and his costs, by him in this behalf expended.

Ordered, That James D. Raleton, Sheriff of Rockingham County, and as such Administrator of Wm. McK. Wartmann, decd, late Clerk of this Court do pay to Joseph A. Logan, the successor of the said Wartmann, decd, the sum of Four Hundred Dollars, for services required and rendered by the said J. A. Logan, as provided for, under the 21st and 22nd Sections of Chapter 184 Code of Va. 1860.

copied

F. D. Sheets & Co, Pltff,
vs
Mesh Rock. Mutual Fire Ins. Co. Deft } In Assumpsit.

This day came again the Jury sworn and impannaled on Wednesday last, for the trial of this cause pursuant to their adjournment, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday June 7. 1873.

Present:- Hon. James Kenney, presiding.

copied for C.A.Y.

This day came J. W. Zirkel, who alleges that he is aggrieved by an entry in the Land Book made by Geo. F. Mayhew, Assessor for Harrisonburg Township for said County, in the year 1872, whereby he is charged with $36.20 Taxes for the year 1872, on a tract of land containing 18 A. 0 R. 20 P. described as lying near the town of Harrisonburg; and thereupon the said J. W. Zirkle moved the Court to exonerate him from the payment of $32.68 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 Geo. F. Mayhew, the Commissioner who made the assessment, was examined as a witness touching the application. And it appearing that said book, in which said alleged erroneous entry has been made,

was certified by the Clerk of the County Court of this County on the ___ day of ___, 1872, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that Zirkle had sold and conveyed all the land contained in said tract, except 2¼ Acres before the 31st day of December 1871. 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 J.F. Zirkle is erroneously charged on said book with Taxes amounting to $32.68, whereupon it is ordered that the said J.F. Zirkle be exonerated from the payment of $32.68 so erroneously charged, if not already paid, and if paid, that it be refunded to him.

F. I. Sheets & Co, Pltff
vs
W. R. Mut. Fire Ins. Co, Defts
} In Assumpsit.

This day came again the Jury sworn and impannelled on Wednesday last, for the trial of this cause, and not having time fully to hear the same, were adjourned until Monday morning next at 9 o'clock.

Ordered that Court be adjourned until Monday morning next at 9 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday June 9, 1873

Present:- Hon. James Kenney, presiding.

Lillie Ann Reed, infant of Jonas Reed, over 14 years of age, having before A. L. Benton a Justice of the Peace for Rockingham County made choice of D. H. Rolston as her guardian, on her motion the Court
cpl. pd. doth appoint said D. H. Rolston as her guardian; and thereupon the said D. H. Rolston appeared in Court, and together with B. F. Rolston, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Three Thousand Dollars, conditioned according to law, and thereupon said D. H. Rolston took the oath prescribed by law as such guardian.

On motion of Samuel Coiner, It is ordered, That the Estate of John Mulvey, dec'd, be committed to the Sheriff of Rockingham County, for administration, it appearing he has been dead for more than three months.

F. I. Sheets & Co, Pltff
vs
West Rockingham Mut. Fire Ins. Co, Defts.
} In Assumpsit

This day came again the Jury sworn and impannelled on Wednesday last for the trial of this cause, pursuant to their

adjournment, and not having time fully to hear the cause, were adjourned until to-morrow morning at 9 o'clock.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, June 10, 1873.

Present:- Hon. James Kenney, presiding.

On motion of Adam D. Brewer, Collector of Central Township, A. A. Kelp appeared in Court, and qualified as his Deputy.

Daniel Stauffer, for &c, Pltff.,
vs
J. H. Zirkel, Deft. } In Assumpsit.

This day came the Plaintiff by his attorney, and the Defendant not appearing, and no Jury being required, the Court proceeded to execute the writ of Enquiry, and having heard the cause, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $47.00 damages, with interest thereon from the 21st day of October 1871, till paid, and his costs by him in this behalf expended, subject to a credit of $20.00 paid August 9, 1871

On motion of the Defendants, It is ordered That the case of the Commonwealth, by &c, vs John Huddleson, Collector of Central Township, be recommitted to Comm'rs. F. A. Daingerfield, to take an Account and report what amount of Taxes, State, County, & School Tax, if any, against parties in other Townships of the County, are in the hands of John Huddleson, and the Clerk will issue a Rule against John Huddleson.

Commonwealth of Va. by &c, Pltff
vs
P. N. & Pickering, John N. C. Pickering & Jos. N. Manzy, Defts. } In Covenant

This day came again the parties, by their attorneys, and the death of P. N. & Pickering, one of the Defendants was suggested, and neither party requiring a Jury, the cause was submitted to the Court, and having heard the cause, It is considered by the Court that the Plaintiff recover of the surviving Defendants, John N. C. Pickering & Jos. N. Manzy, the sum of $200 the penalty of the bond in the declaration mentioned, to be discharged by the payment of $82.37 with interest thereon from the 27th day of August 1868, until the 18th day of Sept. 1871, and then from the 11th day of October 1872, until paid, and $46.17 damages, and the costs expended in this suit

S. Wolfsheimer & Bro, Pltffs,
&
Meyer Hirsch Defts, } In Debit,

This day came again the parties by their Attorneys, and the Defendant waived his plea by him heretofore pleaded, and it is therefore considered by the Court that the Plaintiffs recover of the Defendant the sum of $87.14 with interest thereon from the 25th day of April 1871, till paid, and their costs by them in this behalf expended.

A. Martin, Pltff & Jacob Ammon's Admr. Defft.

Ordered, That this cause be continued until next term, and at Plaintiffs costs.

Wm. M. Jordan for &c, Pltff & Joseph Miller's Admr. Defft. In Debit,
James Bolton, " " Nathl. Hook, &c, " " "
Wm. Carpenter's Admr. " " Nelson Andrew, &c, " " "
David Stinespring, " " John Stinespring, " In Case
Baldwin & Co, " Partlow, Rice & Co, " In Debit,
Mary A. Sprinkel " " N. Sprinkel, surv'g, &c, " " "
C. E. Sprinkel Adg'r " " same, " " "
C. E. Sprinkel " " same, " " "
same, " " N. Sprinkel " In Case,
Henry C. Beery, " " C. R. Snell, &c, " In Cont,
Polly Pitte, for &c, " " Reuben Sellers, " In Debit,
John E. Roller, Comm'r, " " W. N. Washington, &c, " In Debit,
Eli Futrell's Admr. " " J. N. Dill's Admr, " In Case,
Franklin Echard's Admr. " " Anthony Hoffman's Admr. " In Debit,
M. L. Zirkel, for &c, " " Emanuel Sipe, &c, " In Case,
J. A. Heller, Agt, " " J. M. Liggett " Wait,

Ordered, That the foregoing causes be continued generally until the next term.

Jacob Climenhaga, &c, Pltff,
&
Malinda Kite, &c, Defts. } In Debit,

This day came the parties, by their Attorneys, and the Defendants filed their plea of payment, set-offs and mil debit, to which the Plaintiff replied generally, It is thereupon considered by the Court that the office judgment in this cause, be set aside, and the trial of the issues continued until the next term,

Thomas M. Kite, Pltff,
&
Peter Long, &c, Defts. } In Debit,

This day came the parties, by their Attorneys, and the Defendants filed their plea of Mesne, to which the Plaintiff replied generally, It is thereupon considered by the Court that the office judgment in this cause, be set aside, and the trial of the issue continued until next term,

W. A. Leap, Pltff
vs
Jenetta Runckle's Admr. Defts. } In Case

This day came the parties, by their Attorneys, and the Defendant filed his plea of non assumpsit, to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment in this cause be set aside, and the trial of the issue continued until the next term,

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L. D. Dovel's Admr. Pltff
vs
E. S. Yancey, &c, Defts. } Upon a Sci fa,
&
same, Pltff
vs
same, Defts. } Same,

Ordered That these causes be continued until next Term, generally,

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Ordered, That the following named persons be allowed the sum of Two Dollars each, for services at this term of the Court, upon the trial of Allen Bevier, who was suspected to be insane, and that the same be certified to the Auditor of Public Accounts, for payment, viz:— copied.
Jno. F. Long, Geo. D. Black, Alfred Meskick, Thomas A. Long, John M. Garber, Chas. A. Black, John S. Effinger, Peter Guyer, George Miller, Peachy R. Hooke, Harrison Empsenhiller, & Eli Summers,

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Ordered, That the following named persons be allowed the sums opposite their names, for services at this term of the Court, to be certified to the Treasurer of this County, for payment, viz:—

John F. Long,	$11.00 ✓	Geo. D. Black,	$11.00 ✓	Thomas Swanson,	$5.00 ✓
Alfred Meskick	11.00 ✓	Thos. A. Long,	11.00 ✓	John M. Garber,	11.00
M. J. Marty ✓,	2.00 ✓	M. E. Garner,	2.00 ✓	Chas. A. Black,	8.00 ✓
B. F. Billmire,	2.00 ✓	Jacob Meserole,	2.00 ✓	John S. Effinger,	14.00 ✓
Emanuel Royer,	2.00 ✓	Jno. M. Kauffman	2.00 ✓	George Miller,	6.00 ✓
Riley Armentrout,	4.00 ✓	Reuben Sellers,	4.00 ✓	John Leedy	4.00 ✓
S. A. Finebaugh,	4.00 ✓	J. H. Cool,	4.00 ✓	Elijah Kauffman,	4.00 ✓
A. C. Rohr,	1.00 ✓	A. S. Byrd,	1.00 ✓	Geo. G. Hall,	7.00 ✓
James D. Anthony	7.00 ✓	A. J. Myers,	7.00 ✓	Peter Guyer,	7.00 ✓
W. L. Janney,	6.00 ✓	J. H. Miller,	6.00 ✓	F. B. Lee,	6.00 ✓
W. W. Washington,	6.00 ✓	Joseph Setter	6.00 ✓	D. S. Harrison,	6.00 ✓

Granville Eastham, Pltff
vs
A. S. Benton & J. M. Loomen, Defts. } In Debt,

This day came the parties by their Attorneys, and the Defendant J. M. Loomen filed his plea of nil debit to which the Plaintiff replied generally, It is therefore considered by the Court that the office judgment as to said Loomen be set aside, and the trial of the issue continued until the next term; and leave given Plaintiff to amend his declaration, and it is further considered by the

* On motion of the Board of Directors of the County of Tucker it is ordered that a certificate issue to Wm. Black of Tucker County for keeping an Ordinary at his house in said County, and it appearing to the Court that he has entered into bond, with security, and taken the oath prescribed by law, it is therefore considered that a certificate issue to Wm. Black as aforesaid to keep an Ordinary at his house in said County, until the first day of May 1873, and that he pay the State Levies, and County, and Parish Levies, as assessed by the Board of Directors of said County, at the present session thereof. copied.

Court, on motion of the Plaintiff that he recover against the Defendant A.D. Weinton, the amount of his debit in the declaration demanded, with interest, &c, and his costs by him in this behalf expended.

F.T. Sheets & Co., Plff
&
West Rock M.F. Mfg. Co, Defts. } Ass Assumpsit.

This day came again the Jury sworn and empannelled on Wednesday last, 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 sometime returned into Court, and upon their oaths do say, "we the Jury find for the Plaintiffs, and assess their damages at $4.930.44 with interest from 7th day of September 1872, until paid." And thereupon the Defendant, by Counsel, moved the Court to set aside the verdict of the Jury and grant it a new trial on consideration whereof the Court doth overrule said motion of the Defendant, It is therefore considered by the Court that the Plaintiffs recover of the Defendant the sum of $4.930.44 damages, with interest thereon from the 7th day of September 1872, until paid, and their costs by them in their behalf expended.

Memo:- On the trial of the last cause, the Defendant, by its Attorneys, excepted to opinions of the Court given upon the said trial, and tendered its three several bills of exceptions, which were received, signed, sealed by the Court, and ordered to be made part of the record in the said cause, and are in the words & figures following, to wit:-

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

James Kenney

At a County Court continued and held in and for the county of Rockingham, at the Court House thereof, on Wednesday June 11, 1873.

Present:- Hon. James Kenney, presiding.

Wm J. Chrisman having paid into the hands of the General Receiver of this Court $96.47 under a former order of this Court made at April term 1873, which money was claimed by A.D. Brenner, Collector of Central Township and also by S.B. Samuels, Exor. under an Execution lien against Derrick Pennybacker, this day came said claimants by their Attorneys, and the Court having heard the evidence and argument of counsel, doth consider that the said money is liable to the said Execution creditor, It is therefore ordered that the General Receiver of this Court pay over to said Wm J. Chrisman Deputy Sheriff, the said sum of $96.47 less his commissions, and that said Chrisman pay the same over to said Execution creditor, after paying any costs by him incurred in this motion, including the fee of the Attorneys representing said Execution creditor therein.

Collected & pd

Commonwealth, by &c, Plff,
vs
J. A. Hammers &c, Deft. } In Covenant.

This day came the parties, by their attorneys, and the defendants filed their pleas of covenant not broken and covenants performed, to which the Plaintiff replied generally. It is therefore considered by the Court that the office judgment in this cause be set aside, and the trial of the issues continued until the next term.

Commonwealth,
vs
F. C. Davis, } Upon an Indictment for Assault & Battery.

This day came the defendant by counsel, entered his appearance, and filed a general demurrer to the indictment.

Hannah Cromer, Plff,
vs
Martin Cromer, Deft. } In Debt.

This day came the parties, by their attorneys, and the Defendants filed his plea of payment and bankruptcy, to which the Plaintiff replied generally. It is therefore considered by the Court that the office judgment in this cause be set aside, and the trial of the issues continued until the next term.

Joseph M. Kayo Adams Plff
vs
John J. Roller, Deft. } In Debt.

On motion of the Plaintiffs, the six several pleas of the defendant, numbered from 1 to 6 inclusive, filed at a former term of this Court, in this cause, were rejected and stricken out, and thereupon the defendant offered to file nine other special pleas, numbered from 7 to 15 inclusive, to the filing of which, and each of which, the Plaintiffs objected, and the Court sustained the objections of the plaintiffs to pleas numbered 8-9-12-13-14 & 15 and refused to permit them to be filed, but overruled the plaintiffs objection to the filing of the pleas numbered 7-10 & 11, and permitted them to be filed, to which several pleas, except No ten, the plaintiffs replied generally that they were not true, and issues were thereupon joined, and as to No 10 the plaintiffs put themselves upon the country as the defendant has done, and on motion of the defendant he has leave to file another special plea within sixty days; And on motion of the Defendant the trial of the issues in this cause is continued at the Defendants costs.

Memo:- That in this cause the defendant excepted to the action and opinions of the Court rendered in the cause, and tendered his first and second bill of exceptions, in the words & figures following to-wit:- which he prayed to be signed, sealed and enrolled, and made part of the record, and the same was done accordingly.

This day came S. Miller, J. R. Miller & G. G. Snoddy, who allege that they are aggrieved by an entry in the Land book made by G. A. Mayhew, Assessor of Harrisonburg Township for said county in the year 1872, whereby he is charged with $10.67 Parish Levy, County & District School Tax on a tract of 95 Acres of Land, lying within the corporate limits of the town of Harrisonburg, whereupon the said S. Miller, J. R. Miller & G. G. Snoddy moved the Court to exonerate them from the payment of said Taxes so erroneously charged against them for said year, which motion was defended by John Paul, Attorney for the Commonwealth and the Assessor examined as a witness touching the application. And it appearing to the Court that said land being taxed for Corporation purposes within the Corporation of Harrisonburg, is not liable to be taxed for these County purposes; It is ordered by the Court that said Millers & Snoddy be exonerated from the payment of said taxes so erroneously assessed against them for the year 1872 $10.67

Charles Morton, late of the County of Rockingham, who at a former day of this term, was convicted of a felony by him committed, was this day again led to the bar in custody of the Jailor of this County, and it being demanded 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 Charles Morton be imprisoned in the Public jail and Penitentiary House of this Commonwealth for the term of five 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 Charles Morton 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.

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

James Kenney

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, June 16, 1873.

Present:- Hon. James Kenney 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	John G. Winfield & wife, &c, to	P. H. Pugh,
"	" John A. Maclean & wife,	" P. H. Pugh,
"	" John C. Homan & wife,	" P. H. Pugh,
"	" John G. Winfield & wife &c,	" J. C. Homan,
"	" Eliza Rogers,	" Wm. Sellers,
"	" Daniel B. Wright & wife,	" Robert Wright,
"	" G. G. Grattan, Trustee & others,	" J. H. F. Allemong, Trustee,
"	" B. G. Patterson, Comm'r,	" Jacob S. Miller,
"	" E. D. Gilmore & wife,	" G. N. Hopkins,
"	" Susannah C. Weaver,	" John Brunk,
"	" John J. Smoddy & wife, &c,	" Valley Railroad Company,
Deed of Trust,	Abm. Whitmer & wife,	" Geo. P. Benton, Trustee, &c,
Bargain & Sale,	M. Harvey Effinger & wife,	" Valley Railroad Company,
"	" Simon L. Harman, Ex'r &c,	" Same,
"	" Thomas H. Basford & wife,	" Same,
"	" Daniel Forney's Heirs,	" Daniel Ewers,
Deed of Release,	S. K. Lewis & wife,	" S. M. Callender,
Bargain & Sale,	Mary Long,	" Valley Railroad Company,
"	" W. B. Jones & wife,	" Andrew Nelmes,
"	" Jane Walker,	" Frederick Kilyard, Jr,
"	" John Bloser & wife, &c,	" Abm. Bloser,
"	" John T. Harris & wife,	" Valley Railroad Company,
Deed of Trust,	Reynolds & Vandeford,	" John Paul, Trustee,
Bargain & Sale,	Jacob Senger, &c,	" John J. Miller,
"	" G. W. Berlin,	" D. B. Brock,
"	" Henry Neff, &c,	" John Rickert,
"	" Benj. F. Strickler & wife,	" John W. Strickler,
"	" John Lawson & wife,	" Adam Kenley,
"	" John L. Price, &c,	" John W. Strickler,
"	" Chas. E. Haas, Trustee,	" Isaac Baker,
"	" Wm. Carpenter's Heirs	" Geo. Sanfley, &c - (old Deed.)
"	" John F. Craiun & wife,	" Pleasant A. Rives,
"	" John J. Rollen & wife,	" Valley Railroad Company,
"	" Elizabeth Grove & David Grove Trustees	" Jacob Senger,
"	" Emanuel Rollen & wife,	" Emanuel Rollen, Jr,
"	" Wm. L. Ralston	" David N. Ralston,
"	" Robert Johnston, Comm'r,	" George G. Hall,
"	" Jacob Peterfish & wife,	" John W. Strickler,
"	" Hannah Bear,	" M. H. Effinger,
"	" G. W. Berlin & G. G. Grattan, Comm'rs.	" Valley Railroad Company,

Deed of Trust,	W. C. D. M. & G. L. Railroad Co. to	D. H. Miller & others, Trustees,
Bargain & Sale,	Evelyn Jones,	Valley Railroad Company.
" "	J. S. Hamsbergen, Sp. C. Comm'r.	B. F. Armentrout
" "	C. A. Yancey & wife,	Diana S. Conrad,
" "	S. M. & G. F. Mauck & wives	Jonetta Conrad,

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

Settlement of the Adm of S. R. Allebaugh, Adm. of Philip Layman, dec'd,
" " " " " Wm. M. McAtee " " George Ireland, dec'd,
" " " " " Geo. P. Buttner " " Henry Keefe, "
" " " " " Abraham Shank, " " Jo. J. Showalter, "
" " " " " David Bowman, Exr. " John Bowman, "
" " " " " Elizabeth Shoemaker " " John Shoemaker, "
" " " " " Jacob S. Sellers, guard. " P. M. Shaver,
" " " " " E. P. Huff, " Harvey Handley,
" " " " " Abm. Shank, " Elizabeth Showalter, &c,

The following Appraisement & Sale Bills were this day presented in Court, and no exceptions being taken thereto, were admitted to record, viz:-

Appraisement & Sale Bill of the Estate of Sarah Kahn, dec'd,
" " " " " " Wm. A. R. Showalter, dec'd,
" " " " " " Wm. Sanfley, dec'd No. 2,

N. M. Newman, Comm'r. of Accounts this day presented in Court the settlement of the Account of N. B. Strickler, General Receiver of this Court, and there being no exceptions thereto, the same is ordered to be recorded,

On an application to establish a public road from James C. Heltzel's Mill to Whitmer's Blacksmith shop, It is ordered that the order heretofore entered on said application establishing said road be modified as follows:- where said road passes through the lands of Abm. Spitzer and Joseph Spitzer, the said Spitzers to give a good turn on Joseph Spitzer's corner and to give sufficient room on Abm. Spitzer's corner to make a good turn and make the grade better, said Spitzers also to give or widen the old road between the two corners, and to haul all the stones necessary to make the road, free of charges, or damages, It is further ordered that the order heretofore entered in this cause suspending the order establishing said road be dissolved, and this cause stricken from the docket.

The settlement of the Account of Emanuel Hoover, Adm'r. of Elizabeth Chapman was presented to the Court, and it appearing from said settlement that there is money in the hands of the said Adm'r. due Tho's Chapman and James Chapman, two of the distributees of said Estate, and it further appearing that the said Thomas Chapman & James Chapman are non-residents of the State of Virginia, on motion of said Adm'r. It is ordered that he pay the amounts in his hands due said distributees to the General Receiver of this Court.

Oct 10 1893

On motion of Wm. Shands, the Court doth certify as to his good character, with a view of procuring license to practice law in the Courts of this Commonwealth.

cafsed.

The writing purporting to be the last will and testament of Anthony Showalter, dec'd, was this day presented in Court, and being proven by the oaths of John J. Bowman and John G. Kling, two of the subscribing witnesses thereto, was admitted to probate, and thereupon, on his motion, Henry A. Showalter, the Executor therein named, who made oath thereto according to law, appeared in Court, and together with John Swartz, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $4000.00 conditioned according to law, and qualified as such Executor under the will of said Anthony Showalter.

And upon the further motion of said Henry A. Showalter, Exor. the Court doth appoint John J. Bowman, Jacob Rhodes, Jacob Moyers and John B. Cline, to appraise said Estate of Anthony Showalter, after first being duly sworn.

The writing purporting to be the last will and testament of Mary E. Bonto was this day presented in Court, and being proven by the oaths of J.C. B. Webb, James Begoone and Benjamin F. Kisling, the subscribing witnesses thereto, was admitted to probate, and thereupon on his motion, Reuben Kisling, who made oath thereto according to law, appeared in Court, and together with J.C. B. Webb & James Begoone his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1000 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the estate of Mary E. Bonto, dec'd, with the will annexed.

This day Margaret C. Bonto, an infant over the age of 14 years, appeared in Court and made choice of Reuben Kisling as her guardian, and thereupon said Reuben Kisling appeared in Court, and together with J.C. B. Webb and James Begoone, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1000. conditioned according to law, and qualified as such guardian.

On motion of John C. Miller, one of the securities of Francis M. Shipman in his official bond as Administrator de bonis non with the will annexed of David Steele, dec'd, given on the 19th day of April 1858 for the sum of $20.000, with James Steele, Isaac Steele, Wm. Steele, Robert Steele and Samuel Cox as his co-sureties, It appearing to the Court that the said John C. Miller has given the said Francis M. Shipman, reasonable notice of his motion to be relieved as said security in said official bond, and that he would be required to give a new bond with security, on the first day of the June Term 1873 of this Court, It is ordered that the said John C. Miller be relieved from said surety-ship, and that a Rule be issued against the said Francis M. Shipman, returnable to the first day of the July Term of this Court, to show cause why he should not give a new bond with security as such Administrator.

Ordered That a Rule be awarded against Jacob Armentrout, Commissioner of Roads for Stonewall Township, returnable to next term of this Court, to show cause why he should not be fined and attached for his failure to report as to the propriety of establishing a public road commencing at Port-Republic Bridge and running to Erasmus Mays, at the Lawyers Road.

Ordered That Rule be awarded, returnable to next term of the Court, against Benj. Inmbs, Frederick Leider & Geo. W. Fuck, who were appointed at the last term of this Court, Commissioners to view the proposed change in the public road from Wittig's Store to Overly Place, to show cause why they should not be fined for failing to report.

On motion of Polly Sandy, a person of unsound mind, who appears in Court, by Reuben Huffman her next friend, John E. Roller is appointed Committee for the estate of the said Polly Sandy, and thereupon the said John E. Roller appeared in Court, and together with P. S. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $3000- conditioned according to law, and qualified as said Committee,

M. Virginia Hahn, an infant over 14 years of age having nominated to the Court by affidavit before M. Lindon, a Notary Public for this County, John E. Roller as her guardian, the Court doth appoint him, and thereupon, on his motion, the said John E. Roller appeared in Court, and together with P. S. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1000- conditioned according to law, and qualified as such guardian,

J. C. Raleton, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.80 for arresting B. H. Henshaw, under a Capias pro fine, and traveling 32 miles going to & returning from the Jail of said County, @ 10¢ per mile, which being sworn to by J. D. Scott, his Deputy, was examined & allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

Upon the petition of R. A. Gibbons & others for the establishment of a Road from Riber Bank to Millers, on Swift Run Gap Road,

On motion of the petitioners, it appearing that the summons has been executed upon Henry Harnsberger's Heirs & Julia Harnsborough, the land-owners, and they failing to appear or make objection thereto, It is considered by the Court that said Road be established in accordance with the Report of Jacob A. Armentrout, Comm'r. of Roads for Stonewall Township,

Articles of Apprenticeship between W. F. Gaines & Sarah Dees was this day presented in Court, whereby Beauregard, son of Sarah Dees is apprenticed to said Gaines, until he arrives at the

age of 21 years, according to the provisions of Sect 5. Chapter 120 Code of Va. 1860, which Articles of Apprenticeship are ordered to be recorded.

Commonwealth
&
Allen Davies, } Upon an Indictment for felony.

On motion of the Defendant, the trial of this cause is continued until the next term.

Samuel Barley, Pltff
&
Philip Barnhart, Deft. } Upon a Leg.

On motion of the Plaintiff this cause is dismissed.

Daniel G. Mantz, for Plains Township, L. C. Whitescarver for Ashby Township, Jacob Funkhouser for Central Township and David Silcox for Stonewall Township, who were, on the 22nd day of May last duly elected by the qualified voters of their respective Townships Justices of the Peace for the term of three years, commencing on the 1st day of July 1873, this day personally appeared in Court, and qualified as such Justices of the Peace, by taking the oaths prescribed by law.

On motion of John G. Cootes, Henry Clay Bright, Saml. R. Sterling and Saml. C. Williams, who have heretofore been commissioned by the Governor of Virginia, Notaries Public in and for the County of Rockingham, leave is given them to renew their Bonds under Act of the General Assembly approved March 8, 1873, and thereupon the said John G. Cootes, together with Isaac Shirk, his surety, (who justified as to his sufficiency,) Henry Clay Bright, together with A. J. Nicholas, his surety, (who justified as to his sufficiency,) Saml. R. Sterling, together with Saml. R. Allebaugh, (who justified as to his sufficiency,) and Saml. C. Williams, together with J. F. Brunner, his surety, (who justified as to his sufficiency,) appeared in Court, and each entered into and acknowledged in open Court, a bond in the penalty of $500 conditioned for the faithful execution of the duties of their offices. Which bonds are ordered to be recorded by the Clerk of this Court, who is also directed to transmit copies of said bonds and copies of this order to the Auditor of Public Accounts. And thereupon the said John G. Cootes, Henry Clay Bright, Samuel R. Sterling & Samuel C. Williams took the several oaths prescribed by law.

Thomas Moore, who was, on the 22nd day of May 1873, duly elected Supervisor of Plains Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with John D. Thomas his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said Thomas Moore took the several oaths prescribed by law.

G. H. Mauzy, who was, on the 22nd day of May 1873, duly elected Superviser for Stoneval Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Nicholas Mygey, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said G. H. Mauzy took the several oaths prescribed by law.

J. P. Swank, who was on the 22nd day of May 1873, duly elected Supervisor for Linville Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Benj. Pulse, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000, conditioned for the faithful execution of the duties of his office. And thereupon the said J. P. Swank took the several oaths prescribed by law.

Wm. D. Hopkins, who was, on the 22nd day of May 1873, duly elected Supervisor for Central Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Benj. D. Bowman & John N. Rolston, jr., his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2000, conditioned for the faithful execution of the duties of his office. And thereupon the said Wm. D. Hopkins took the several oaths prescribed by law.

Cyrus Wise, who was, on the 22nd day of May 1873 duly elected Overseer of the Poor for Linville Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Madison Wise, 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. And thereupon the said Cyrus Wise took the several oaths prescribed by law.

J. J. Miller, who was, on the 22nd day of May 1873, duly elected Overseer of the Poor for Central Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Wm. Williams, 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. And thereupon the said J. J. Miller took the several oaths prescribed by law.

John R. Thomas, who was, on the 22nd day of May, 1873 duly elected Assessor for Plains Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day 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 $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said John R. Thomas took the several oaths prescribed by law.

entitled

N. W. Beery, who was, on the 22nd day of May, 1873 duly elected Assessor for Linville Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with S. B. Allebaugh and Henry Pulse, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said N. W. Beery, took the several oaths prescribed by law.

certified

Joseph W. Rhodes, who was, on the 22nd day of May, 1873 duly elected Assessor for Ashby Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with John Swartz and Jacob Shickel, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said Joseph W. Rhodes took the several oaths prescribed by law.

certified

John R. Jones, who was, on the 22nd day of May, 1873 duly elected Assessor for Central Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with S. M. Jones, Trustee for Sarah L. Jones, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000, conditioned for the faithful execution of the duties of his office. And thereupon the said John R. Jones, took the several oaths prescribed by law.

certified

George W. Hedrick, who was, on the 22nd day of May, 1873 duly elected Assessor for Stonewall Township, in Rockingham County to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with J. B. Eastham, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000, conditioned for the faithful execution of the duties of his office. And thereupon the said George W. Hedrick took the several oaths prescribed by law.

certified.

Isaac N. Miller, who was, on the 22nd day of May, 1873, duly elected Clerk for Linville Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with John D. Miller his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said Isaac N. Miller took the several oaths prescribed by law.

Samuel N. Bowman, who was, on the 22nd day of May 1873, duly elected Clerk for Plains Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards, until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with John J. Bowman, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000, conditioned for the faithful execution of the duties of his office. And thereupon the said Saml N. Bowman took the several oaths prescribed by law.

Wm N. Dinkel, who was, on the 22nd day of May 1873, duly elected Clerk for Ashley Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with J. H. Eastman, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000 conditioned for the faithful execution of the duties of his office. And thereupon the said Wm N. Dinkel took the several oaths prescribed by law.

Henry M. Roller, who was, on the 22nd day of May 1873, duly elected Road Commissioner for Ashley Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Emanuel Rolar, 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. And thereupon the said Henry M. Roller took the several oaths prescribed by law.

Abed Roman, who was, on the 22nd day of May 1873, duly elected Road Commissioner for Plains Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards, until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Jacob Lincoln, 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. And thereupon the said Abed Roman took the several oaths prescribed by law.

Henry Pulse, who was, on the 22nd day of May 1873, duly elected Road Commissioner for Linville Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards, until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with N. N. Beery, 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. And thereupon the said Henry Pulse took the several oaths prescribed by law.

James C. Kettzel, who was on the 22nd day of May 1873 duly elected Road Commissioner for Central Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards, until his successor is qualified to enter upon the discharge of the duties thereof, this day 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 $500, conditioned for the faithful execution of the duties of his office. And thereupon the said James C. Kettzel took the several oaths prescribed by law.

W. N. Cave, who was on the 22nd day of May 1873, duly elected Road Commissioner for Stonewall Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards, until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Joseph Bean, Thomas F. Powell & W. L. McGahey, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $500, conditioned for the faithful execution of the duties of his office. And thereupon the said W. N. Cave took the several oaths prescribed by law.

Henry L. Soule, who was on the 22nd day of May 1873, duly elected Collector for Dolley Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards, until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with John T. Soule, Abm. Glick, Rudolph Myers and Thos. A. Jackson, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $20.000 cc, conditioned for the faithful execution of the duties of his office. And thereupon the said Henry L. Soule took the several oaths prescribed by law.

George W. Powell, who was on the 22nd day of May 1873, duly elected Collector for Stonewall Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Moses F. Powell, N. N. Cave, Chapman Powell, M. B. Silly, D. L. Dovel and Thomas Powell, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Twelve Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said George W. Powell took the several oaths prescribed by law.

M. J. Zinkle, who was, on the 22nd day of May 1873, duly elected Collector for Linville Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with W. N. Berry, M. L. Zinkle, S. B. Sterling, J. C. Good and J. H. Zinkle, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $12,000.00, conditioned for the faithful execution of the duties of his office. And thereupon the said M. J. Zinkle took the several oaths prescribed by law.

Erasmus R. Neff, who was, on the 22nd day of May 1873, duly elected Collector for Plains Township, in Rockingham County, to serve as such for the term of one year, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Henry Neff, John P. Pence, Moses Meadow and Jacob Kinegardner, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $12000.00, conditioned for the faithful execution of the duties of his office. And thereupon the said Erasmus R. Neff took the several oaths required by law.

Thomas Powell, who was, on the 22nd day of May 1873, duly elected Constable for Stonewall Township, in Rockingham County, to serve as such for the term of three years, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Moses F. Powell and Chapman Powell, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said Thomas Powell took the several oaths required by law.

On the motion of N. B. Lilly, who was, on the 23d day of May 1873, duly elected Constable for Stonewall Township in Rockingham County, to serve as such for the term of three years, commencing on the 1st day of July 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, and who did qualify as said Constable at the term of this Court, when a bond was required under the law, has leave to execute a bond as Constable of said Township, under the provisions of the Act of Assembly passed at the Session of 1872 & 3, and thereupon the said N. B. Lilly appeared in Court this day, and together with Moses F. Powell, John Burkett and D. L. Doud, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said N. B. Lilly took the several oaths required by law.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, June 18, 1873.

Present:— Hon. James Kenney, presiding.

On the motion of A. C. Bright, the Estate of Reuben Coffman is committed to Jas. P. Ralston, Sheriff of this county, for administration, it appearing he has been dead more than three months.

Newkirman, Jackson & Phelps, Pltff.
&
A. C. Hite, J. P. Effinger & J. N. B. Hite, Defts. } Upon a Notice on D. Bond.

This day came the Plaintiffs by their Attorney, and the Defendants though solemnly called came not, the Notices were proved, and it is considered by the Court that the Plaintiffs have judgment, and execution against the Defendants according to bond and for costs.

Jonas Lowman, Wm. E. Bell and James D. Shrieve, partners under the firm name of Jonas Lowman & Co., having produced to the Court, the recommendation of the Common Council of the town of Harrisonburg, applied for License to conduct the business of Wholesale & Retail Liquor Dealers, at their place of business in the town of Harrisonburg, the Store House of Mrs. S. G. Dold on the corner of West Market st. & the Public Square and it appearing to the Court said applicants are men of good character, not addicted to drunkenness, and will probably Keep such an House as the law requires, and the place a proper one, It is ordered that a certificate be granted them for obtaining License to conduct the business of Wholesale & Retail Liquor Merchants, at their said place of business, until the 1st. day of May 1874.

Reuben W. Harrison, who was, on the 22d. day of May 1873, duly elected a Justice of the Peace for Linville Township, for the term of three years, commencing on the 1st. day of July 1873, this day appeared in Court and qualified as such, by taking the oath prescribed by law.

A notice to Thomas M. Hite, Dr. Harvey Kyle, Fred'k. Speck, Mrs. Ann Speck, Mrs. Mary B. Brown, Joseph Byrd, John E. Bryan, Benj. F. Bryan & R. N. Pool, from D. M. Clay that he would move the County Court at its June Term, 1873, to appoint Commissioners to assess the damages that will accrue from and accrue to each of them, from the construction of the North River Railroad through their lands severally, and to assess the value of the lands taken from them severally for the purposes of said Road, having been returned into Court duly acknowledged by said Hite, &c., waiving objections as to time, on the motion of the said D. M. Clay, the Court doth appoint Geo. F. Funkhouser, James D. Lowman, Jacob Shickle, B. M. Rice & Joseph Click, as Commissioners to meet at Bridgewater on the lands in question on Saturday June 28, 1873, and assess the damages that will accrue from and accrue to each of said land owners above named, from the construction of said North

River Railroad through their said lands severally, and to assess the value of the lands taken from them severally for the purposes of said road, and report to this Court.

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

James Kenney

In Vacation. June 23d. 1873.

I James Kenney, Judge of the County Court of Rockingham County, do hereby appoint John Hess a Justice of the Peace for Linville Township in said County, to serve as such for his unexpired term, to which he was elected, but failed to qualify, to wit, to June 30, 1874, and thereupon he took the oaths prescribed by law. Given under my hand this the 23d. day of June 1873.

James Kenney, Judge of the County Court of Rockingham County,

To Clerk of County Court.

In Vacation - June 30, 1873.

To the Clerk of the County Court of Rockingham County,

This day S. M. Hammen, personally appeared before me, and took the several oaths required by law, as Clerk of Stonewall Township, and executed bond herewith returned, with Wm. B. Yancey as his surety, who justified before me.

James Kenney, Judge of the County Court of Rockingham Co.

June 30, 1873.

I, James Kenney do certify that this day A. B. Brewer appeared before me and qualified as Collector of Central Township, for the term of one year, by taking the several oaths prescribed by law, and by executing bond in the penalty of $1400.00 with John C. Woodson, Strother Sheets, Eli Keran, Granville Eastham & Wm. M. Silcott, as his sureties, who justified as to their responsibility - the said Woodson, Eastham & Silcott in person, and the others by John C. Woodson, their Atty. in fact. Given under my hand this the 30th. day of June 1873.

James Kenney, Judge of the County Court of Rockingham County.

I do hereby certify that Pendleton Bryan has this day personally appeared before me, and qualified as Clerk of Central Township by taking the oath required by law, and executing bond in the penalty of $2000 with John C. Woodson, as his surety, who justified as to his ability to pay the amount. Given under my hand this 30th. day of June 1873.

James Kenney, Judge of the County Court of Rockingham County

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday July 21. 1873, at the Court House thereof,

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	Solomon Shiflett & wife	to	Alfred Shiflett,
" "	Geo. W. Grady & wife	"	Rebecca A. Grady,
" "	George Nicholas' Extrs.	"	A. P. Eiler,
" "	Samuel Wampler, Sr.	"	George Moyers,
" "	Geo. W. Grady & wife,	"	Elizabeth Coakley,
" "	Solomon Shiflett & wife,	"	Smith Roach,
Agreement.	John S. Long & wife & others,	"	Peter Whitmore, &c.,
Bargain & Sale,	Jeremiah Parrott & wife,	"	G. P. Hopkins,
" "	John A. Switzer & wife,	"	D. A. Flecker,
" "	Isaac Fink & wife,	"	Lydia Fink,
" "	Lydia Fink,	"	Isaac Fink,
" "	John A. Casler & wife,	"	Mary F. & Rose M. Casler,
Article of Agr't.	Wm. F. Gaines & D. C. Jones	&	Sarah Lees,
Map			3 Addition to Harrison-
Bargain & Sale,	Wm. Mewsley & wife,	"	burg, Va. Stephen Mewsley,
" "	same,	"	Wm. C. Mewsley,
" "	Levi Hillert & wife,	"	Martin Wampler & wife,
" "	Saml. D. Wampler & wife,	"	Martin Wampler,
Deed of Trust.	S. C. Lindsay	"	G. M. Effinger, Trustee,
Bargain & Sale,	O'Ferrall & Stickley,	"	Zea & Pirkey,
Report & Decree,	E. S. Kemper, &c,	re	Fannie Kemper, &c,
Bargain & Sale,	Mary A. Ryan,	to	David N. Ralston,
" "	Stephens Ralston & wife,	"	same,
" "	John Cover & wife,	"	C. H. Harnsberger, &c,
" "	Wm. L. Ralston & wife,	"	D. N. Ralston,
" "	Joseph Loosh,	"	Saml. W. Scoggs,
" "	same,	"	Andrew Loosh,
Deed of Trust.	A. N. Brewer & wife,	"	Wm. B. Compton, Trustee,
Bargain & Sale,	S. Gradwohl & wife,	"	Trustees M. E. Church South Parsonage,
" "	D. C. Jones & wife,	"	A. J. Wall,
" "	Gideon Kratzer & wife,	"	George Kratzer,
Lis Pendens,	John M. Huffman, Admr of Wm. P.	&	Harriet Koontz, John Koontz, Elizabeth
	Nicholas, for Minors, &c,	re	Seal, Barbara Scott, Mary Nicholas & Arch'd Taylor
Bargain & Sale,	S. N. Mauck & wife,	to	C. E. Haas, Trustee, &c,
" "	J. C. Hill, H. C. Hill & J. A. B. Hill	"	J. C. Effinger,
" "	Harriet Warren,	"	B. E. Long,
Deed of Release,	Daniel Landes & wife,	"	Valley Railroad Company,
" " "	David N. Landes & wife,	"	same,
" " "	Abm. B. Burkholder & wife,	"	same,
Bargain & Sale,	The Shen. Iron, Lumber Mf'g Comp'y	"	John M. Jollette, John B. Monger, &c, Trustees,
" "	George Nicholas' Estate,	"	James R. Eiler,
" "	David Hartman's wife,	"	Rosanna Bligh,

The following settlements were 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 are ordered to be recorded, viz:-

Settlement of the Adm of J. N. Bloce, Exor. of Jacob Bloce, dec'd,
" " " " " David Blosser, Admr. of Anna Blosser, dec'd.
" " " " " Noah Wenger, Guard. of D. K. Burkholder,
" " " " " same, " " Alvin B. Burkholder,
" " " " " same, " " Catharine Burkholder,
" " " " " James M. Chapman " " John W. Chapman, &c,
" " " " " Dan'l Bowman, " " Rebecca Cromer,
" " " " " same " " Joseph Miller's Heirs,
" " " " " Sam'l. Kline Comm. " Mary Yount,
" " " " " Jesse Burkholder & Peter Shaver, Trustees with John E. Shaver,

The Appraisement & Sale Bill of the Property of John Sanders, dec'd, was this day presented in Court, and no exceptions thereto, were ordered to be recorded.

On his motion, William Shands, a regularly licensed Attorney, this day appeared in Court, and qualified to practice in this Court, by taking the oaths prescribed by law.

The Court directs L. S. Byrd, Jailor of this County, to discharge Sandy Grant convicted of a felony, from further imprisonment in the Jail of this County.

It appearing to the Court that Anthony Burkholder has in his hands $21.75 belonging to Martin V. Burkholder, a non-resident, and that it is claimed by S. B. Good, under an Attachment & by George Bruffy's Adm'r, under an Execution, It is ordered that said Burkholder pay over said money to the General Receiver of this Court, after deducting the costs attending this motion. Said Receiver to receipt for the same and loan it out, subject to the further order of the Court.

cap. & fu. fa.

S. R. Allebaugh Plff,
J. N. Manzy &c, Defts. } Notice.
vs
N. W. Cave, Plff
The Commonwealth, } upon an appeal from a Justice's judgment

Reuben Bonds, Appellee,
The Commonwealth, Appellant. } upon an appeal from a Justice's judgment,
vs
Geo. W. Shuler, Plff.,
D. D. Dovel's Adm'r, Deft. } notice.

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

Alvin Paul, jr, Plff,
Benj. F. McLaughlin, Deft. } W. D.
vs

Ordered, That this cause be placed upon the Court's docket, and on motion of the Defendant, the trial of the same is continued at his costs, until the next term of the Court.

J. W. F. Samuels, who was on the 3d day of July 1873, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham this day appeared in Court, and together with N. H. Shuler, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $500. conditioned for the faithful execution of the duties of his office, Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said J. W. F. Samuels took the several oaths prescribed by law.

The Court doth appoint J. H. F. Allemong, Supervisor for Ashby Township in the place of J. H. F. Allemong who failed to qualify before the 1st day of July 1873, to serve as such for the term of one year from July 1, 1873, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, and thereupon he appeared in Court, and together with Barney Ryle, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000. conditioned for the faithful execution of the duties of his office, And thereupon the said J. H. F. Allemong took the several oaths prescribed by law.

On the motion of Henry McDorman, who was on the 23rd day of May 1872, duly elected Constable for Ashby Township, to serve as such for the term of three years, commencing on the 1st day of July 1872, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office, and who did qualify at the ____ term of this Court as said Constable, when no bond was required under the law, has leave to execute a Bond as said Constable, under the provisions of the Act of Assembly, passed at the Session of 1872-3, and thereupon the said Henry McDorman this day appeared in Court, and together with Samuel McDorman & John C. Woodson, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office, And thereupon the said Henry McDorman took the several oaths prescribed by law.

On his motion the Court doth appoint Samuel Kline as Committee for Maria Yount, a person of feeble mind, and thereupon the said Samuel Kline appeared in Court, and together with W. B. E. Kline, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500, conditioned according to law and qualified as said Committee.

On the motion of J. Bird Eastham, who made oath thereto according to law, he appeared in Court, and together with George W. Hedrick, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400, conditioned according to law, a certificate is granted him for obtaining letters of administration in due

form, upon the Estate of P. W. H. Pickering, dec'd.

And upon his further motion, the Court doth appoint Jacob Mcast, John Werner & John Lilly to appraise the Estate of said P. W. H. Pickering, after first being duly sworn.

On motion of Robert G. Deputy, the Estate of John N. Deputy, dec'd, is committed to the Sheriff of this County, James P. Ralston, for administration, it appearing to the Court that he has been dead more than three months.

* Daniel Bowman, one of the Executors named in the will of John Bowman, dec'd, this day appeared in Court and renounced his right to qualify under said will, and on motion of Joseph B. Bowman the other Executor therein named, who made oath thereto according to law, appeared in Court and together with Daniel Bowman and Benjamin Bowman his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $16000 conditioned according to law a certificate is granted him for obtaining letters of administration in due form, with the will annexed, upon the Estate of the said John Bowman.

And upon his further motion the Court doth appoint Saml. Hartman, James L. Cool, Geo. G. Hall & John B. Reish, to appraise the Estate of said John Bowman, 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 Bowman, dec'd, was this day presented in Court, and being proven by the oaths of Samuel Shacklett and John C. Woodson, two of the subscribing witnesses thereto, was thereupon admitted to probate.

In obedience to a Rule awarded at the last term of the Court, requiring F. H. Shipman to execute a new bond as the Administrator of David Steele, dec'd, the said Shipman this day appeared in Court, and together with James Steele, William Steele and John Leedy, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $10,000 conditioned according to law, and re-qualified as said Administrator de bonis non with the will annexed.

copia On motion of W. S. Slusser & others, petitioners, for the establishment of a Public Road, commencing at Spader's Church, and intersecting the Valley Turnpike at or near Lander's Mill, It is ordered that Henry Pulse, Henry H. Roller and W. H. Lane, Road Commissioners, view and report at the next term of this Court the propriety of establishing the road as asked for.

issued 1 x 1 On motion of George W. Baugher, surety of Rebecca Lawson in her fiduciary bond as Administratrix of Moses Lawson, dec'd, executed before the County Court of Rockingham on the 18th. day of December 1871, in the penalty of $4000, a Rule is awarded against said Re-

Mecca Lawson, returnable to the 1st. day of the August Term next of this Court, to shew cause, if any she has, why her powers as said Administratrix should not be revoked and annulled and why the said George W. Baugher should not be relieved as her suretyon said bond.

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On an application for a public road from, at or near Bloomers Springs, Rockingham County, to some point on the Rockingham Turnpike at or near McGaheysville.

S. W. Cave, Commissioner of Roads for Stonewall Township, having this day returned into Court his report with a survey of said proposed road, recommending the establishment of said Road. It is ordered that the following land holders be summoned to this or the next term of this Court to shew cause why said Road should not be established as recommended by said Commissioner, viz:- Henry Johnston, Wm. Haynes, Joseph Michael, G. H. Grim, W. W. Hedrick, Mathias Snyders Estate, Jno. Hannan, occupant, & P. R. McGaheys Estate,

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Geo. W. Green Pltff
J. P. Effinger & al. Defts } Upon notice on a Bond executed for the forthcomming of Property on day of sale,

First National Bank of Harrisonburg, Pltff,
Joseph N. Mauzy, Thomas G. Mauzy, A. P. Nicholas & G. H. Mauzy, Defts. } Upon same

David Flook's Admrs. Pltffs,
G. H. Kitley & St. Clair Kitley, Defts. } Upon same,

B. E. Long for use of A. W. Cummins, Pltff,
J. P. Effinger & A. C. Hill, Defts. } Upon same,

&

First National Bank of Harrisonburg, Pltff,
A. C. Hill, John Paul & J. P. Effinger Defts. } Upon same,

This day came the Plaintiffs, by their Attorneys, in the foregoing causes, and the Defendants therein, being solemnly came not, on motion of the Plaintiffs, It is considered by the Court that they have judgments and executions against said Defendants according to the bonds and for costs,

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Geo. W. Shuler, &c, Pltff
D. D. Dovel's Admr. Defts. } Upon a notice.

copied.

This day came again the parties by their attorneys, and on consideration the Court doth refer the same to Dr. A. M. Newman,

Commr. of Accounts for this Court, to be reported upon in accordance with the provisions of the 10th. Section, 132nd. Chapter of the Code of Va. 1860,

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

James Kenney

At a County Court continued and held in and for the county of Rockingham, at the Court House thereof, on Tuesday July 22, 1873.

Present:- Hon. James Kenney, presiding.

copied & pd

The settlement of C. Miller, Admr. of Jno. D. Myers being presented to Court, and it appearing from that settlement that there is in the hands of said Administrator for the Heirs of Eliza Swearingen the sum of $595.00 and for the Heirs of Emily Mallory, the sum of $595.00, and it appearing to the Court that the said Heirs are non-residents of the State of Virginia, It is ordered that the said Admr. pay to the Receiver of this Court, the above-named sums for the benefit of said Heirs.

copied

It is ordered that the Treasurer of Rockingham County pay to John Paul, Atty. for the Commonwealth, the sum of $135.00 for his services in this Court for the months of February, March and April, 1873.

copied.

It is ordered that the Treasurer of Rockingham County pay to John Paul, Atty. for the Commonwealth, for said County, the sum of $83.33 1/3 for his services in this Court for the months of May & June 1873.

1

Madison Moore, Peter Neff and James Baker, Commrs. appointed at a former term of this Court, to lay off and assign to Rebecca J. Hamblet, widow of Reuben D. Hamblet, dec'd, her Dower in the Real Estate of said Reuben D. Hamblet, this day returned their report into Court, which report was approved and confirmed by the Court, and ordered to be recorded in Deed Book of this County.

no fee - c'pd

Ordered, That Mrs. Blain, widow of John Blain be relieved from the payment of County & Parish Taxes for the year 1872 (72$) on account of indigent circumstances.

On the motion of Philander Herring, and it appearing to the Court from the evidence introduced that he is improperly assessed on the land books for Ashby Township, with 10 acres of Land, near Bridgewater, which he had conveyed by Deed in the year 1870 to Dr. Harvey Kyle, (with which said Kyle is charged on the Land books,) and also with one acre of Land which he does not own, on North River, It is ordered that said 10 acres and 1 Acre improperly assessed against him be stricken from the Land books of said Township by the Assessor, John

Paul, Atty. for the Commonwealth being present defending this application, and John N. Moore, the Assessor of said Township examined as a witness touching said application.

On motion of P. B. Borst, President of the Washington, Cincinnati & St. Louis Narrow Guage Railroad, it appearing to the Court that a legal and sufficient notice has been executed upon each of the parties hereinafter named, of the time and purposes of this motion (and that all of the said parties have agreed upon the following Commissioners,) It is ordered that A. M. Newman, jr., Emanuel Roller, Reuben Huffman, Wm. N. Kay and J. M. Irvine, who are hereby apponited Commissioners for that purpose, do, upon the 2nd day of August 1873, go upon the lands of G. G. Gattan and B. G. Patterson, D. M. Sutzer and Benjamin Menger and ascertain what will be a just compensation for so much of the lands of the said several parties along and upon the location of the Washington, Cincinnatti & St. Louis Narrow Guage Railroad as will be taken for the purposes of said road, and for the damages to the residue of the said several lands aforesaid, beyond the peculiar benefits to be derived in respect to such residue by the construction of said road; And that if the said Commissioners cannot execute this order on the day aforesaid, then they shall adjourn from time to time as may be necessary, until the same is executed.

On the motion of P. B. Borst, President of the Washington, Cincinnatti & St. Louis Narrow Guage Railroad, it appearing to the Court that a legal and sufficient notice has been executed upon each of the parties hereinafter named of the time and purposes of this motion, It is ordered that Geo. F. Funkhouser, Joseph Glick, B. M. Rice, James F. Lowman and Jacob Shickel, who are hereby appointed Commissioners for that purpose, do on the 28th day of July 1873 go upon the lands of John N. Bowman, Abraham Bineganduer, Josephine C. A. Coffman, Hiram Coffman, John A. Miller, Abraham Binegander, Mary Kagey, Abraham Miller, Clement Ervine, F. N. Shipman, J. C. Miller, G. W. Rodgers, Martin M. Brunk, Samuel F. Miller, James D. White, Abraham Meaner and Joseph Bowman, and ascertain what will be a just compensation for so much of the lands of the said several parties along and upon the location of the Washington, Cincinnatti & St. Louis Narrow Guage Railroad, as will be taken for the purposes of said road, and for the damages to the residue of said several lands aforesaid, beyond the peculiar benefits to be received in respect to such residue by the construction of said Road; And that if the said Commissioners cannot execute this order on the day aforesaid, then they shall adjourn from time to time as may be necessary until the same is executed.

M. J. McCloskey, Plff.,
&
John O. Brook, Deft. } Upon a notice to quash Venditioni Exponas & Fieri Facias.

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

J. B. Eastham, Collector of Stonewall Township, in this County, this day presented in Court a List of Delinquents for the non-payment of Capitation & Property Tax for the year 1872, in said Township, with the oath of the said Collector at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessor of said Township, touching the propriety of said List, and each case therein contained, verified by his oath thereto annexed, which said List after being examined & corrected by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

Samuel R. Allebaugh, Treasurer of this County, this day presented in Court a List of Real Estate delinquent for the non-payment of Taxes for the year 1872, in Stonewall Township, with the oath of the said Treasurer at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessor of said Township, touching the propriety of said List, and each case therein contained, verified by his oath thereto annexed, which said List, after being examined by the Court, and the Court being satisfied of the correctness of the same, doth order that a copy thereof be certified to the Auditor of Public Accounts, by the Clerk of this Court.

L. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $45.85 for dieting &c, Charles Morton, charged with felony, Sandy Grant, convicted of misdemeanor, John N. Ragan & F. M. Flick, for breach of Peace, 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.

copied.

L. S. Byrd, Jailor of this County, this day presented in Court an account against the County of Rockingham amounting to $24.00 for furnishing & chopping 6 Loads of wood 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.

copied.

The settlement of the Account of J. N. Lacemeach Trustee of John Hedrick, was this day presented in Court and ordered to be recorded, and said Trustee is directed to pay out to the Trust creditors the amount in his hands $492.14 which will be 16½ per cent on the indebtedness of said John Hedrick,

Allen Devier, late of the County of Rockingham, who stands indicted of a felony by him committed on the 20th day of January 1873, was this day again led to the bar in custody of the Jailor of this county, and the Jurymen summoned for his trial being called, thirteen of whom appeared and were found to duly qualified and free from exceptions, and there were viz: B. F. Wellbert, David E. Kline, M. V. B. McClintic, Adam Rader, Wm. K. Abbott, John Kneppe, R. A. Scott, Harrison Bateman,

Thomas J. Weaver, J. M. C. Harnsberger, A. J. Bauglen, Levi Pirkey and Wm. A. Maupin, and thereupon the Court directed the Sheriff to summon four additional veniremen three of whom, appeared, and were found to be duly qualified and free from exceptions, viz:- John J. Long, Wm. Steele and D. D. Washington, the panel of sixteen being complete, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Wm. K. Abbott, J. M. C. Harnsberger, Levi Pirkey and John J. Long, the remainning twelve persons thereby constituting the Jury, viz:- B. F. Wellert, David C. Bliss, M. V. B. McClintuff, Adam Andes, John Knupp, R. A. Scott, Harrison Bateman, Thomas J. Weaver, A. J. Bauglen, Wm. A. Maupin, Wm. Steele & D. D. Washington, who being so elected, tried and sworn the truth of and upon the premises to speak, and not having time fully to hear the evidence, thereupon they were placed in charge of D. N. Ralston & D. M. Bear, Deputies for J. P. Ralston, Sheriff of Rockingham county, to whom was administered an oath that they would keep them together without communication with any person, that they would neither converse with them themselves touching this trial, nor permit any other person to do so, and would 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.

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, July 23, 1873.

Present:- Hon. James Kenney, presiding.

On the motion of Abraham Shank and others, heirs of John Shank, dec'd, the Court doth appoint P. S. Roller, Peter Pleaker and Elijah S. Huffman, Commissioners to assign widow's Dower.

On the motion of Robert B. Ragan, a regularly licensed Attorney at Law, he this day appeared in Court and qualified to practice in this Court, by taking the oaths prescribed by law.

Ex-parte,

Wm. Knighten, &c., Uphonia Road Petition.

This day Jacob A. Armentrout, late Commr. of Roads for Stonewall Township, returned into Court his report in said cause, together with a diagram of the route approved by him, and thereupon the Court awarded process against Harrison Bateman, Mitchell Crawford, Allen Bateman, Polly Bateman, James Smith, Thomas G. Logan, Matthew Michael,

A. J. Baugher, Elias Grim, Eli Hudlowe, Julia Kyger, Jacob Kyger, Frank Kyger, Derack Miller and Annie his wife, and Annie Kyger, (infant) G. M. Kemper, John Harper, John L. Strayer, Crawford C. Strayer, Annie E. M. Strayer, Clara Strayer, Eliza Strayer and Addie Strayer, returnable to the 1st day of the next term of this Court, to shew cause, if any they have, against the establishment of the Road, upon the route and on the terms indicated in said report.

1 & 24 copies issued.

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Allen Devier, late of the County of Rockingham, who stands indicted of a felony by him committed on the 20th day of January 1873, was this day again led to the bar, in custody of the Jailor of this Court, 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 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 prisoner not guilty." And thereupon the Jury was dismissed and the prisoner discharged from custody.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, on Friday July 25, 1873.

Present:- Hon. James Kenney, presiding.

On the petition of James A. Carrickhoff & others for the establishment of a Road leading from Ammon's mill to the Leland Ford:-

Jacob A. Armentrout Commr. of Roads this day presented in Court, in obedience to an order of this Court at the last May term thereof, his report together with a diagram of said Road, and it appearing to the Court that the land-owners along the proposed route of said road, have, in writing, waived all damages and consenting to the establishment of said Road, It is ordered that said Road be established according to the Report of Jacob A. Armentrout Commr. of Roads for Stonewall Township

copied.

On the motion of John E. Roller, the Estate of Sarah Hamm heretofore committed to James P. Ralston, Sheriff of this County, for administration,

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, July 26, 1873.

Present:- Hon. James Kenney, presiding.

On her motion, Eliza Blain, who made oath thereto according to law, appeared in Court and together with F. M. Erwine, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Fifty Dollars, conditioned according to law; a certificate is granted her for obtaining letters of administration in due form, upon the Estate of her deceased husband, John Blain,

cap. no fee

Samuel R. Alleaugh, late Shff. of Rockingham Co., Pltff.

vs. (20)

J. W. Manzy late Deputy Sheriff, and G. H. Manzy, Wm. B. Yancey, T. M. Sellers, D. G. Manzy and C. A. Yancey, sureties for said J. W. Manzy. Defts.

Upon a motion

This day came again the parties by their Attorneys, and it appearing to the Court that the Defendants have had legal notice of this motion, and being solemnly called and not appearing, on motion of the Plaintiff, It is considered by the Court that he recover against the Defendants the sum of $250.00 with interest thereon from Jany. 1, 1866, till paid, & $10.14 Costs and $5.51 Costs of motion in Circuit Court, subject to the following credits, March 21, 1866 by $1.00 Sept. 21, 1867, by $27.60, Octo. 20, 1867, by $58.00 Feby. 1, 1869, by $60.00 and Nov. 1, 1869, by $30.00 for money which ought to have been received by said J. W. Manzy as the Deputy of said S. R. Alleaugh, under a writ of Fieri Facias in favor of James A. Patterson, Admr. of Ann Ochseltree, and also his costs by him in this behalf expended.

Ordered, That Court be adjourned until Monday morning at 9 o-clock.

James Kenney

At a County Court continued and held in and for the county of Rockingham, at the Court House thereof, on Monday, July 28, 1873

Present:- Hon. James Kenney, presiding.

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

James Kenney

Virginia, ff.

In Vacation. — August 1. 1873.

Pursuant to An Act of the General Assembly of Virginia, passed April 2nd. 1873, the papers in the following named Common Law causes (Issues) pending in the County Court of Rockingham County, on the 31st. day of July 1873, are turned over to the Clerk of the Circuit Court of said County, viz:—

1.	Linton & Lamott,	Pltff	vs	A. Paul & Sons,	Defts.	Case.
2.	Lofland & Cowger	"	"	Joseph Kavanaugh,	"	Debt.
3.	R. M. Kyle's Adm'r.	"	"	James Branham,	"	Case.
4.	Aug. Clinedinst,	"	"	Plunket Morris,	"	Debt.
5.	R. H. Lam,	"	"	James H. Lofflemoyer	"	Debt.
6.	Jefe Carrier	"	"	J. H. Carrier,	"	Case.
7.	Frantz, Trout & Co,	"	"	David Stinespring,	"	Covt.
8.	M. L. Mefeely, Ly & Co,	"	"	J. B. Painter,	"	Case.
9.	H. Loyd & Bro,	"	"	Reuben Bonds,	"	Case.
10.	Jacb. Raine's Adm'r. for &c,	"	"	The Abbott Iron Company,	"	Case.
11.	Gray, Miller & Co,	"	"	Jefe Carrier,	"	Debt.
12.	D. D. Dovel's Exor.	"	"	C. S. Weaver,	"	Debt.
13.	John Applegate, for &c,	"	"	Moses Joseph, &c,	"	Debt.
14.	Jacob Sipe's Adm'r.	"	"	Anthony Rhodes, &c,	"	Covt.
15.	Strayer, Kagey & Co,	"	"	James H. Bell,	"	Case.
16.	Peel & Stevens,	"	"	Jefe Carrier,	"	Case.
17.	John Taylor,	"	"	Peter Rader,	"	Debt.
18.	Geo. Bruffy's Adm'r.	"	"	J. N. Gordon,	"	Case.
19.	Rho. J. Ritter,	"	"	R. H. Smith's Adm'r,	"	Case.
20.	John F. Brown,	"	"	Coffman & Bruffy,	"	Debt.
21.	John N. Saufley	"	"	Wm. Collier	"	Case.
22.	King & Huffman,	"	"	David Link,	"	Case.
23.	H. M. Pool,	"	"	Lincoln & Brewer,	"	Debt.
24.	D. Pennybacker, Trustee,	"	"	John P. Brock,	"	Case.
25.	Polson, Bro. & Co,	"	"	A. Paul & Sons,	"	Case.
26.	Pennybacker, Perry & Bro,	"	"	Isaac Paul,	"	Debt.
27.	Joseph Sipe,	"	"	R. N. Mooney,	"	Case.
28.	J. R. Jones & Co,	"	"	John R. Eastham,	"	Debt.
29.	First National Bank of Harrisonburg,	"	"	David Link, &c,	"	Debt.
30.	same,	"	"	same,	"	Debt.
31.	Peter Long,	"	"	D. C. Anderson & Co,	"	Debt.
32.	Fletcher & Bro, for &c,	"	"	R. B. Ragan,	"	Debt.
33.	Jasper Shriver,	"	"	Benjamin Shenk,	"	Case.
34.	Clotworthy & Co,	"	"	Miller & Co,	"	Case.
35.	Robert Cook, surv'g. Adm'r,	"	"	John C. Walker,	"	Debt.
36.	R. P. Fletcher & Co,	"	"	Adam H. Brewer	"	Debt.
37.	G. W. Miller's Adm'r,	"	"	S. M. Bowman,	"	Debt.
38.	M. N. Effinger,	"	"	A. P. Rosenstein,	"	Debt.
39.	A. P. Huffman,	"	"	John Robinson, jr.,	"	Case.
40.	H. L. Thomp	"	"	Simmons,	"	Case.
41.	Linton & Lamott,	"	"	Coffman & Bruffy,	"	Case.

42.	Geo. N. Phares, for &c,	Plff.	vs.	S. N. & W. D. Coffman,	Defts.	Debt,
43.	George Fawcett,	"	"	Coffmans & Buffy,	"	Case,
44.	R. Glover's Admx.	"	"	G. W. Armentrout	"	Case,
45.	J. P. Brock,	"	"	J. W. Ruffy,	"	Case,
46.	Samuel Stewart,	"	"	J. D. Price,	"	Debt,
47.	Emanuel Royer,	"	"	James Roadcap	"	Case,
48.	N. S. Gray, for &c,	"	"	same,	"	Case,
49.	Woodson & Compton,	"	"	Wm. Rehard,	"	Case,
50.	Granderson M. Rogers,	"	"	A. W. Wilson, &c,	"	Case,
51.	same,	"	"	same,	"	Case,
52.	J. C. Ayer & Co,	"	"	R. H. Palmer's Admr,	"	Case,
53.	D. Pennybacker,	"	"	Giles Devier,	"	Case,
54.	U. K. Lam's Assignee,	"	"	G. D. Hopkins,	"	Case,
55.	E. D. A. Warren's Admx,	"	"	Gideon Reed,	"	Case,
56.	Jonathan Peale,	"	"	Wm. P. McCall,	"	Debt,
57.	same,	"	"	same,	"	Debt,
58.	Giles Devier,	"	"	S. M. Yost,	"	Case,
59.	John P. Brock,	"	"	Nelson Sprinkel,	"	Case,
60.	R. P. Fletcher & Bro,	"	"	Martin Liskey,	"	Debt,
61.	John Paul, Assignee of J. W. Bartmann,	"	"	C. K. Davis' Exor.	"	Case,
62.	Joseph Dinkel,	"	"	N. R. Lantz,	"	Case,
63.	John W. Stewart,	"	"	D. Pennybacker,	"	Case,
64.	Saml. E. Long, for &c,	"	"	James F. Bowman,	"	Debt,
65.	Coffmans & Buffy, for &c,	"	"	Pet. Carpenter,	"	Debt,
66.	John D. Wood,	"	"	Gabriel Wood's Admx.	"	Case,
67.	Wm. A. Davis,	"	"	Pet. Carpenter,	"	Debt,
68.	Mary P. Johnston,	"	"	Jacob Gutshall,	"	Debt,
69.	same,	"	"	same,	"	Debt,
70.	J. N. Hammers, S. R. C, for &c,	"	"	J. W. Bowers, &c,	"	Debt,
71.	Richard Thompson,	"	"	John C. Morrison,	"	Case,
72.	Abraham Ludwig,	"	"	Isaac Fulk,	"	Case,
73.	Wm. A. Dean & Co,	"	"	Rg. B. Douthat,	"	Debt,
74.	Israel B. Burner,	"	"	J. Bird Eastham, &c,	"	Debt,
75.	W. L. D. Houston's Admr,	"	"	J. W. C. Houston's Admr.	"	Case,
76.	John W. Stewart,	"	"	Jesse & M. J. Carrier,	"	Case,
77.	Partlow & Lambert,	"	"	John Bowman, jr.,	"	Debt,
78.	Samuel M. Yost,	"	"	J. N. Wartmann & Co,	"	Case,
79.	W. A. Leap,	"	"	Z. D. Gilmore,	"	Trespass,
80.	Joseph N. Mauzy,	"	"	J. & A. Hammers,	"	Case,
81.	Jonas A. Keller & wife,	"	"	John W. Carpenter,	"	Case,
82.	David Link, for &c,	"	"	Pet. Carpenter,	"	Debt,
83.	John W. Stewart,	"	"	J. C. Skoupe's Admr.	"	Debt,
84.	J. A. Keller, Agt. for &c,	"	"	Pet. alias S. P. Carpenter,	"	Case,
85.	Peter Paul,	"	"	John Robinson,	"	Case,
86.	Dawson, Love & Co,	"	"	Nelson Andrew,	"	Case,
87.	John Engle,	"	"	John Scanlon,	"	Case,
88.	Marquis & Kelly,	"	"	John N. Wartmann,	"	Case,
89.	Coffmans & Buffy, for &c,	"	"	Frank. alias Franklin Liskey	"	Debt,
90.	A. L. Byrd, for &c,	"	"	same,	"	Debt,

91.	Lucie E. Browning,	Pltff.	vs.	James Steele, Deft.	Lease.
92.	James Bolton,	"	"	J. N. Liggett, survg. &c, "	Debt.
93.	P. R. Harrison's Admr,	"	"	J. N. Wartmann, survg. &c, "	Debt.
94.	Jacob Rohr's Admr,	"	"	Thomas Harrison's Exor. "	Lease.
95.	A. C. Rohr, survg. &c,	"	"	Same, "	Lease.
96.	J. D. & A. C. Rohr,	"	"	Same, "	Lease.
97.	Madison West	"	"	Jackson Maltz, "	Dower.
98.	C. A. Spinkel & Co,	"	"	J. Bird Eastham, &c, "	Debt.
99.	Geo. Buffy's Admr.	"	"	Richards & Moore, "	Debt.
100.	Henry B. Jones,	"	"	Henry C. Berry, "	Debt.
101.	Peter W. Roller,	"	"	Price, Willis & Co, "	Lease.
102.	Nichols & Shephard,	"	"	John R. Jones & Co, "	Lease.
103.	Robert White, Comm.	"	"	John C. Woodson, "	Lease.
104.	Keen & Haggerty,	"	"	A. C. Lincoln, "	Lease.
105.	Walter A. Wood,	"	"	Wm. W. West, "	Debt.
106.	A. S. Gray, for &c,	"	"	John Messerley, "	Debt.
107.	Same,	"	"	Same, "	Debt.
108.	N. M. Jordan's Admr.	"	"	Samuel E. Long, "	Debt.
109.	Same,	"	"	Peter Paul, Jr. "	Debt.
110.	W. F. Rippetoe,	"	"	S. B. Lupton, "	Detinue
111.	S. B. Lupton & Co,	"	"	W. F. Rippetoe, "	Lease.
112.	S. R. Allebaugh,	"	"	J. N. Mauzy, &c, "	Lease.
113.	W. Harvey Effinger, for &c,	"	"	John W. Hopkins' Exor. "	Debt.
114.	John Hively,	"	"	Laban Propst, "	Debt.
115.	Joseph McKay's Exor.	"	"	John F. Roller, "	Debt.
116.	Rhv. J. White, for &c,	"	"	Jehiel Ann Airey, "	Lease.
117.	Norvell Cobb,	"	"	J. P. Effinger, "	Lease.
118.	G. W. Berlin, for &c,	"	"	James A. Messerly, &c, "	Debt.
119.	Same,	"	"	Same, "	Debt.
120.	C. M. Duff, assignee,	"	"	John M. Hill's Admr. "	Debt.
121.	John M. Hill's Admr.	"	"	Reuben Bonds, "	Lease.
122.	Richard Robinson,	"	"	Israel Minnick, "	Lease
123.	James Williams,	"	"	E. J. Sullivan, "	Lease.
124.	G. W. Berlin, Trustee, &c,	"	"	James A. Messerly, &c, "	Debt.
125.	John Cunningham,	"	"	Spinkel & Bowman, "	Case.
126.	Sultman & Co,	"	"	Wm. G. Shaver, &c, "	Debt.
127.	Britton & Co,	"	"	Saml. A. Coffman, "	Lease.
128.	James Bolton,	"	"	Nathaniel Flook, "	Debt.
129.	Walter A. Wood,	"	"	Thomas Washington, "	Debt.
130.	Same,	"	"	J. A. Washington's Trustee, "	Debt.
131.	Same,	"	"	Thomas Washington, "	Debt.
132.	A. S. Newton, for &c,	"	"	Joseph Sterne, &c, "	Debt.
133.	J. G. Winfield,	"	"	Wm. H. Landis "	Case.
134.	D. Stouffer, for &c,	"	"	D. Pennybacker, "	Debt
135.	S. M. Jones & Bro,	"	"	John F. Soule, "	Case.
136.	Walter A. Wood,	"	"	Thomas Washington, Trustee, "	Debt.
137.	J. C. Homan's Admr	"	"	B. F. Lincoln's Admr. "	Case.
138.	J. M. Stinson,	"	"	A. Hockman, "	Case.
139.	John Lee, for &c,	"	"	E. S. Huffman, "	Debt.

140.	Southern Mut. Ins. Company, Pltff,	⊗	Jos. S. Williams,	Defft.	Debt.
141.	W. G. Bausemer & Co.,	"	"	F. R. Davis,	"	Debt.
142.	John Fulk's Admr.	"	"	George Roadcap,	"	Covt.
143.	Y. C. Ammon's Admr.	"	"	Harrison Riddle, &c,	"	Debt.
144.	Cyrus Rhodes,	"	"	A. H. Brown's Admr.	"	Case,
145.	John Detton,	"	"	Joseph Detton,	"	Case,
146.	Geo. F. Funkhouser,	"	"	Geo. K. Brigham,	"	Case,
147.	D. D. Dovel's Admr.	"	"	John C. Walker, &c,	"	Debt
148.	Peter Kile,	"	"	Eli Tutwiler's Admr.	"	Case,
149.	Chas. Nicholas Admr. for &c,	"	"	John Earthman's Admr.	"	Debt,
150.	Peel & Stevens,	"	"	S. J. Harnsbergers Comm.	"	Case,
151.	John Rodes	"	"	Maggie L. Hunton,	"	Debt
152.	John Cromer's Admr.	"	"	A. C. Bryan's Admr.	"	Debt,
153.	A. A. Argenbright, for &c,	"	"	Mary Nicholas,	"	Debt,
154.	Wm. Rehard,	"	"	John Leedy	"	Case,
155.	A. Rinehearts Admr.	"	"	Geo. S. Hewlett, &c,	"	Debt,
156.	Wm. N. Mumaw,	"	"	N. D. Miley	"	Case,
157.	David Zimmerman,	"	"	Wm. P. McCall,	"	Debt,
158.	Michael N. See,	"	"	Martin Garber,	"	Trespass,
159.	Josiah W. Gitt,	"	"	N. J. Warfield,	"	Case,
160.	N. J. Warfield,	"	"	Josiah W. Gitt,	"	Case,
161.	David Howard,	"	"	David Hollar,	"	Case,
162.	Jesse Mitchell,	"	"	David Freed,	"	Case,
163.	E. W. Pollard, for &c,	"	"	Wm. Showalter, &c,	"	Debt,
164.	O. C. Sterling, for &c,	"	"	James Steele, &c,	"	Covt,
165.	Wm. N. Jordan, for &c,	"	"	Joseph Miller's admr.	"	Debt,
166.	Jacob Holsinger, for &c,	"	"	David Holsinger,	"	Covt,
167.	James Bolton,	"	"	Nathl. Flook, &c,	"	Debt,
168.	Wm. P. McCall,	"	"	Robert Hines, &c,	"	Covt,
169.	A. Martin,	"	"	Jacob Ammon's Admr.	"	Case,
170.	Wm. Carpenter's admr.	"	"	Nelson Andrew, &c,	"	Debt,
171.	David Stinespring,	"	"	John Stinespring	"	Case,
172.	Baldwin & Co.,	"	"	Partlow, Hill & Co.	"	Debt,
173.	Mary A. Sprinkel,	"	"	N. Sprinkel, surv'g, &c,	"	Debt,
174.	C. E. Sprinkle, Assignee	"	"	same,	"	Debt,
175.	C. E. Sprinkle,	"	"	same,	"	Debt,
176.	same,	"	"	N. Sprinkel,	"	Case,
177.	Henry C. Beery,	"	"	C. R. Small, &c,	"	Covt,
178.	Polly Pitte, for &c,	"	"	Reuben Sellers,	"	Debt,
179.	John E. Roller, Comm'r.	"	"	N. N. Washington, &c,	"	Debt,
180.	Eli Tutwiler's Admr.	"	"	J. N. Hill's Admr.	"	Case,
181.	Franklin Echard's admr.	"	"	Anthony Huffman's admr.	"	Debt
182.	M. L. Zirkle, for &c,	"	"	Emanuel Sipe, &c,	"	Case,
183.	I. B. Lupton & Co.,	"	"	J. D. Price,	"	Mait,
184.	A. N. Brewer,	"	"	A. St. C. Sprinkel's Admr.	"	Mait,
185.	J. A. Heller, Agent,	"	"	J. W. Liggett,	"	Mait,
186.	Wm. L. Downs,	"	"	John Keyton,	"	Debt,
187.	B. F. Thomas,	"	"	A. J. Johnson,	"	Debt,
188.	Jacob Kline dinst, &c,	"	"	Malinda Kite, &c,	"	Debt,

189.	Gordon & Williams,	Plff.	vs	Eli Kerau,	Defft.	Debt.
190.	Anna C. Baughes's Admr,	"	"	Alex. Kyger's Admr.	"	Case.
191.	Hannah Coomes,	"	"	Martin Coomes,	"	Debt.
192.	Commwlth. of Va. by &c,	"	"	J. A. Hammack, &c,	"	Covts.
193.	Robert Kyger,	"	"	B. F. Thomas, &c,	"	Debt.
194.	Jones & Bro,	"	"	H. & F. Livingston,	"	Case.
195.	Anthony Hockman,	"	"	J. N. Hill's Admr,	"	Case,
196.	Granville Earthman,	"	"	A. S. Heuston, &c,	"	Debt,
197.	A. M. Brewer, for &c,	"	"	A. S. Heuston, &c,	"	Debt,
198.	A. J. Skinner, Assignee,	"	"	A. S. Heuston, &c,	"	Debt,
199.	Joseph Coomes's Admr,	"	"	Martin Coomes,	"	Case,
200.	Abraham Alger & wife,	"	"	Elizabeth Haushberger's Admr.	"	Case,
201.	G. W. B. Bartlett,	"	"	J. Caplinger,	"	Case,
202.	M. A. Wood Mower & R. Co.,	"	"	A. S. Heuston, &c,	"	Debt.
203.	Thomas M. Site,	"	"	Peter Long, &c,	"	Debt.
204.	Jacob B. Murray,	"	"	Jacob P. Effinger,	"	Case,
205.	R. M. Kyle's Admr,	"	"	John C. Woodson, surv. &c,	"	Debt,
206.	Wm. A. Leap,	"	"	Jonetta Runcle's Admr,	"	Case,
207.	Peachy Rice & Thes, for &c,	"	"	A. B. Lupton, &c,	"	Debt.
208.	Philo Bradley, &c, Trustees,	"	"	A. B. Lupton,	"	Case.
209.	Kohn, Adler & Co.,	"	"	M. Hirsch,	"	Case,
210.	Timberlake & Young,	"	"	C. E. Harwood, &c,	"	Case.
211.	Greenbaum & Sons,	"	"	Same,	"	Case,
212.	Winchester Boot & Shoe Comp'y	"	"	Same,	"	Case,
213.	D. D. Dovel's Admr,	"	"	E. P. Yancey, &c,	"	Debt & Sfa.
214.	Same,	"	"	Same,	"	Debt.

And the following causes on office Judgment Docket:-

1.	Boyd, Pearse & Co,	Plff	vs	A. T. Walden,	Defft.	Debt.
2.	Jacob Sinion,	"	"	George Hogshead,	"	Debt.
3.	Jane E. Brewer, by &c,	"	"	Giles Jackson,	"	Detinue.
4.	Charlottesville Nat. Bank,	"	"	G. W. Kemper,	"	Debt.
5.	Bank of Rockingham	"	"	John C. Woodson,	"	Debt & Sfa.

And further all motions, orders and rules pending on the motion Docket in the foregoing causes are also removed to the Circuit Court.

County: Rockingham CO, VA

Book: Minute Book 3, 1872-1874

Page Number/s: 225-226

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KOFILE TECHNOLOGIES, INC

County: Rockingham CO, VA

Book: Minute Book 3, 1872-1874

Page Number/s: 225-226

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KOFILE TECHNOLOGIES, INC

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, August 18, 1873.

Present: Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	A. K. Trout, Comm'r,	to Mathias Diehl,
" "	Mary B. Johnson,	" John A. & Mary K. O'Neil,
Deed of Trust,	Archibald Hopkins, jr.,	" Wm. B. Compton, Trustee, &c,
Bargain & Sale,	States Wilkins & wife,	" Abbott Iron Company,
" "	Joseph Funkhouser & wife,	" John M. Cline,
" "	Cyrus Rhodes & wife,	" Milton Grant,
" "	same,	" Jacob M. Rhodes,
" "	Solomon Maxey & wife,	" Charles J. Brock,
" "	Peter Wilhite & wife, &c,	" Samuel Whitsel,
" "	Peter Wilhite & wife,	" Sam'l M. Whitsel,
" "	Elizabeth A. Long,	" Jacob M. Fisher,
" "	G. W. Berlin, &c,	" Charlotte Niswander,
" "	Jacob M. Fisher & wife,	" Abraham Niswander,
" "	James M. Coffman & wife,	" Thomas J. Dovel,
" "	Isaac Bowman & wife,	" David Burkholder,
" "	same,	" Martin M. Brunk,
" "	Eli Andes & wife,	" Silas Keaton,
" "	Charles A. Yancey & wife,	" Valley Railroad Company,
" "	Wm. Keasley & wife,	" James Keasley, (of James),
" "	John Wyant & wife,	" Daniel Wyant,
" "	A. M. Thomas & wife,	" D. A. Bleeker,
" "	Henry B. Jones & wife,	" same,
" "	Geo. G. Grattan, Comm'r,	" Samuel M. Ott,
" "	Madison Michael & wife,	" Geo. N. Beeler,
" "	Elias Grim & wife, &c,	" same,
" "	Larkin McCauley & wife,	" same,
" "	R. M. Shelley & wife,	" Rebecca Whitmore,
Deed of Trust,	Willis B. Moffett,	" S. M. Gitzle, Trustee,
Bargain & Sale,	Magdalene Shank & others,	" David Hartman, &c, Trustees,
Power of Attorney,	Alice K. & Nellie V. Butler,	" J. Sandie Craig,
Bargain & Sale,	Wm. C. Heblinger & wife,	" Amanda J. Eddins, &c,
" "	Eli Long & wife,	" Thomas W. Willis,
" "	George Brunk & wife, &c,	" Wm. N. Frank,
" "	E. Reubush & wife,	" G. A. Keiffer,

The orders entered in vacation were inspected by the Court, and approved,

The following settlements were 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 are ordered to be recorded, viz:-

Settlement of the A/c of John Zigler, Admr. of Frederick Carr, dec'd.
" " " R. A. Scott, " " Wm. Saufley, dec'd,
" " " Geo. P. Buntner " " E. Dudley, dec'd
" " " Solomon Garber, Exor. " " Susannah Miller, dec'd,
" " " J. B. Bunner & Wm. Bill, " " Isaac Bill, dec'd,
" " " Michael Joseph Kline " " Frederick Kline, dec'd
" " " Joel Flory, " " Henry Kingardner, dec'd,
" " " Simon S. Hamman, " " Martha Foster, dec'd,
" " " John Zigler, " " John Kleine, dec'd,
" " " John Zigler, " " John D. Kelva, dec'd,
" " " Abm. Sager, guard. " Mary C. Niswander,
" " " Cane, Comm. " Lydia L. Niswander,
" " " John Geil guard. " Susannah Brenneman,
" " " John Linaweaver, " Endora Deputy,
" " " John P. Good, " " Jacob W. Deputy,
" " " John Long, " " Annie Ryger,
" " " Sallie C. Shoup former guard. & Isaac Acker
present guard. of, Caroline C. Shoup,
" " " Geo. P. Buntner, Trustee for Amanda J. Long

The Appraisement & Sale Bills of the Estate (Personal Property,) of Jenetta Runcle, dec'd, were this day presented in Court, and no exceptions thereto, were ordered to be recorded,

L. F. Loux, for &c, } Notice, } Geo. W. Shuler &c, Offs } On a notice to them cause
G. M. Arnentrout, &c } } D. D. Dovel's Adm. Defts } why the Defts should not
execute a new bond as Admrs.

On motion of the Plaintiffs, these causes are dismissed.

On motion of the Washington, Cincinnatti and St. Louis Railroad Company, a rule is awarded against each of the following-named parties, to-wit:- Hiram Hoffman, Mary Kagy, Joseph Bowman, Abraham Kingardner, James H. White, and Charles Brock, Josephine R. A. Hoffman, Daniel Bowman, Isaac Bowman, Abraham Sager, B. F. Moorman, John Bowman and Abraham Weaver, to appear before this Court, on the first day of the next term, to shew cause, if any they can, why the several reports of assessments made in their behalf by Geo. F. Funkhouser, Jr. Click, Jacob Shickel and B. M. Rice, Commissioners appointed for that purpose, at the last term of this Court, should not be confirmed, And it is further ordered that the said Company have leave to pay over to the Receiver of this Court, the several amounts assessed by said Commissioners in favor of said several land-owners, to-wit: to Hiram Hoffman, $200- to Mary Kagy, $200- to Joseph Bowman, $600- to Abraham Kingardner, $350- to White & Brock $400- to Joseph R. A. Hoffman, $300- to Daniel Bowman $300 to Isaac Bowman $175- to Abraham Sager, $300- to B. F. Moorman $300- to John Bowman, $100- and to Abraham Weaver, $50- until the questions arising upon the confirmation of said several reports to be decided.

1 Encl. & 13 Copies mailed

On motion of Joseph Bare, Q. of Coor for Stonewall Township, the Court doth direct him to bind out to R.A. Gibbons, until they arrive at 21 years of age John aged 18 years and William aged 7 years, children of Sophia Timmons (Col'd.) to learn the farming business, said Gibbons to give to each of them when they arrive at the age of 21 years, a freedom suit and Fifty Dollars.

John Kelly, Pltff
vs
John Enright, Deft. } Upon Attachment.

The papers in this cause having been returned to the 1st. day of the last term, and a motion made to docket the cause, which was omitted to be done, It is ordered that this cause be now placed upon the Court Docket for them.

Geo. W. Baugher, Pltff
vs
Moses Lawson's Admx. Deft. } Rule to give new security.

John Runkhead, Pltff,
vs
D.D. Dowell's Adm. Deft. } upon a note to give new security for Adm.

Saml. Shacklett Pltff.,
vs
Wm Williams, } upon a sug. as a debtor of Wm Robinson, Deft.

Ordered, That these causes be placed upon the Court Dockets

Noah N. Shriver Pltff
vs
Wm E. Roller, &c, Defts. } upon a sug.

On motion of the Plaintiff, this cause is dismissed.

The writing purporting to be the will of Elizabeth Taylor, dec'd, was this day presented in Court and was proven by the oath of Samuel R. Allebaugh one of the subscribing witnesses thereto, and the hand writing of H.A. Chrisman, the other subscribing witness thereto was proven by the said Samuel R. Allebaugh, and thereupon the said will of Elizabeth Taylor is admitted to probate.

Geo. W. Baugher, Pltff.
vs
Moses Lawson's Admx. Deft. } Upon a motion to be relieved as surety on the Defendants official bond.

This day came again the Plaintiff, by his attorney and for reasons appearing to the Court, the said George W. Baugher is relieved as surety upon the official bond of Rebecca Lawson, Admx of Moses Lawson, dec'd,

On the motion of Rebecca Lawson, she has leave to execute a new bond as the Admx of Moses Lawson, dec'd, and thereupon she appeared in Court, and together with John Lesser, her surety, who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of Four hundred dollars, conditioned according to law, and qualified accordingly.

On the motion of Cynthia Lee, who made oath thereto according to law, she appeared in Court, and together with James A. Lantkins, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $50, conditioned according to law, a certificate is granted her for obtaining letters of administration in due form, upon the estate of her husband, James Lee, dec'd.

On the motion of Mathias Showalter, who made oath thereto according to law, he appeared in Court, and together with Joseph M. Miller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $50.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Wm. S. Showalter, dec'd.

Joseph Click, Commissioner of Roads for Ashby Township this day presented in Court an Account against the County of Rockingham amounting to the sum of $12.0 for viewing sundry roads under orders of the Court, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

On the motion of Cynthia Lee, Admx. of James Lee, dec'd, the Court doth appoint D. T. Sellers, Emanuel Sellers and John P. Sellers to appraise the Estate of said James Lee, dec'd, after first being duly sworn.

John T. Eastham having presented in Court this day the recommendation of the Common Council of the Town of Harrisonburg, applied for leave to Keep an Ordinary, with Merchants Retail Liquor License, in the town of Harrisonburg at the Virginia House, and it appearing to the Court that the applicant is a man of good character, not addicted to drunkenness, and that the place is a proper place, and will probably keep such an House as the law requires, It is ordered that a certificate be granted him for obtaining License to keep such Ordinary at the Virginia House in the town of Harrisonburg, and to retail ardent spirits &c under Merchants Retail Liquor License until May 1, 1874.

On the motion of M. L. K. Gray, and it appearing to the Court that he is a man of good character, not addicted to drunkenness, and that the place is a proper place, and will probably keep such an House as the law requires, It is ordered that a certificate be granted him for obtaining License to retail ardent spirits, &c, under Merchants Retail Liquor License, in the town of Port Republic, until May 1, 1874.

Commonwealth
vs
Thomas W. Smith. } Bastardy.

This day came as well the Attorney for the Commonwealth as the defendant by his Attorney, whereupon the cause was partially heard by the Court, and continued until Wednesday next,

Ordered that Henry B. Hamsbergen, Foreman, Conrad Long, Wm. Wittig, Oliver Dove, Samuel Hockman, John Coover and P. F. Hooks, be allowed one dollar each for their services as Grand Jurors at this term of the Court.

Henry B. Hamsbergen, Foreman, Conrad Long, Wm. Wittig, Oliver Dove, Samuel Hockman, John Coover and P. F. Hooks, were sworn and impannelled 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 William Bull for assault and battery (a true bill) Henry B. Hamsbergen Foreman; also An indictment against Allen Nash for Burglary "a true bill," Henry B. Hamsbergen, Foreman, which latter indictment is ordered to be certified to the Clerk of the Circuit Court of this County.

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

James Kenney

At a County Court, continued and held in and for the County of Rockingham on Tuesday August 19, 1873.

Present:— Hon. James Kenney, Presiding.

John Burkhead, Sheff
vs
D. D. Dovel's Admr. Deft.

Upon a motion to require the Defendant to execute new bond as Admr.

This day came the parties by their Attorneys, and the Defendant moved to quash the notice upon the ground of insufficiency of the grounds set forth in the notice, and upon consideration whereof the Court doth sustain said motion to quash, and it is considered by the Court that the Defendant recover his costs by him in this behalf expended.

On the motion of Pendleton Bryan, who was, on the 14th day of August 1873, duly commissioned a Notary Public in and for the County of Rockingham by the Governor of Virginia, this day appeared in Court, and together with Charles E. Haas, his surety, (who justified as to his sufficiency,) entered into and acknowledged in open Court a bond in the penalty of Five Hundred Dollars, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts, and thereupon the said Pendleton Bryan took the several oaths required by law.

The writing purporting to be the will of George B. Shaver, dec'd, was this day presented in Court, and being proven by the oaths of Michael B. E. Cline and Eli Spitzer, two of the subscribing witnesses thereto, was admitted to probate.

And on the motion of Wm. G. Thompson the Executor therein named, he appeared in Court, and together with Saml. H. Myers, John Zigler and Michael B. E. Cline, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Twenty Thousand Dollars,

conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of George B. Shaver, dec'd, under his last will and testament, and thereupon he qualified accordingly.

And upon his further motion, the Court doth appoint Samuel Shank, Eli Spitzer, Abraham Shank & Joseph Bowman to appraise the Estate of said George B. Shaver, dec'd, any three of whom may act, after first being duly sworn.

James A. Wilkinson,
@
Elijah Davis,
} Upon a warrant in Assumpsit removed from a Justice of the Peace.

This day came the parties, and neither party requiring a jury, and their evidence being heard by the Court, it is considered that the defendant recover of the Plaintiff $123.26 with interest thereon from the 25th day of November 1869 the amount of his set off, less $11.04 the amount of the Plaintiff's demand, and it is further considered that the plaintiff recover from the defendant his costs herein expended.

Commonwealth
@
A. J. Wall,
} Upon an Indictment for a Misdemeanor.

&

Same,
@
Same
} Upon same.

This day came the defendant by his attorney, and confessed a judgment for one cent and costs in each case, & it is therefore considered by the Court that the Commonwealth recover against A. J. Wall the defendant one cent and the costs expended by her in each of above named Indictments.

Abraham Paul, jr. Executor Pltff
vs
Benj. F. McLaughlin, Deft.
} Unlawful detainer.

Ordered that this cause be dismissed.

A. F. Workman, S. W. Leane and Reuben Rondo recognized to appear at this term of the Court, to answer Indictments by the Grand Jury, appeared in discharge of their recognizances and no Indictment being found against either of them, it is considered by the Court that their several recognizances be discharged.

On the motion of Gideon Rosenberger, who made oath thereto according to law, he appeared in Court, and together with John L. Wise, A. S. Rosenberger and Wilson A. Bazzle, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4000.00 conditioned according to law a certificate is granted him for obtaining letters of administration in due form upon the Estate of Fannie Zettee, dec'd

And upon the further motion of Gideon Rosen-

berger, Admr. &c., the Court doth appoint Emanuel Driver, E. P. Hoof, James O'Roark & John Harrison to appraise the Estate of said Fanny Zottee, dec'd, any three of whom may act after first being duly sworn.

m/s.

On the motion of Abraham Bibhimer, the Estate of Wm. Jones is committed to the Sheriff of Rockingham County, James P. Ralston, for administration.

✓

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, August 20, 1873.

Present: Hon. James Kenney, presiding.

Upon the Report of Commissioner James C. Wetzel, Commr. of Roads for Central Township, who has viewed two proposed changes in the Old Furnace & Keezletown Roads on the lands of Strother Sheets & Samuel Sheets, near the point of intersection of said Roads, a summons is directed to issue against said Strother Sheets & Samuel Sheets, returnable to the next term of this Court, to shew cause why said proposed changes should not be made.

1 & 2 c/p.

L. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $40 60 for dieting &c, Allen Devier & Harry Green, 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/fwd.

On motion of Wm. Shands, the Estate of James Payne is committed to the Sheriff of Rockingham County, James P. Ralston for administration.

✓

John Crouse & others,
@
F. M. Ervine & others,

Upon a Petition for a Road.

The petitioners, John Crouse & others, having heretofore applied to this Court to open a public road from Fulton's Blacksmith Shop to Paul's Mill, in Ashby Township, in Rockingham County and the Court, at its last February Term having appointed the Road Commissioners of Linville, Central & Stonewall Townships, to view and report the respective advantages of the two routes laid down as No. 1 & No. 2 in the report of Road Commissioners, Crouse, filed in this cause, who made their report to the last April Term of this Court, when an order was made to summon the land owners to shew cause against the said Report which summons was duly issued and served and the parties appear-

issued.

iving in Court, witnesses were examined, therefore the opinion of the Court not being against the establishment of Route No. 1, It is ordered that a writ of Ad quod dammum be awarded according to law, to be executed on Saturday the 6th day of September next, at the house of F. M. Ervine.

Commonwealth
vs
Thomas W. Smith. } Bastardy.

The proceedings had before David Gilmer, a Justice of the Peace for this County, on the complaint of Jane Beasley, a single woman, charging Thomas W. Smith with being the father of her bastard child, having been returned and docketed in this Court on Monday last, the first day of this term and partially heard, and after hearing fully the evidence this day, the Court doth adjudge the said Thomas W. Smith, to be the father of said bastard child, and that said child is likely to become chargeable to this County; therefore, It is ordered, that said Thomas W. Smith be charged with the annual payment of $20, to the Board of Overseers of the Poor of this County, for seven years from the birth of said child, to-wit: For seven years from the 12th day of March 1873, provided said child live so long.

And thereupon, the said Thomas W. Smith, with Madison Smith his surety, jointly and severally acknowledged themselves indebted to the Commonwealth of Virginia, in the sum of $200, to be levied of their respective goods and chattels, lands and tenements, for the use of the said Board of Overseers of said county, but to be void if said Thomas W. Smith shall promptly observe and perform the requirements of this order.

It appearing to the Court that the order made at the July term last of this Court on the motion of P. B. Borst, Prest. of the W. C. & St. Louis Narrow Gauge Railroad directing Commissioners to go upon the lands of G. G. Grattan, D. M. Switzer B. G. Patterson & Benjamin Wenger, and ascertain what will be a just compensation, &c. &c. be amended, so as to read, was erroneous, It is ordered that said order be amended, so as to read as follows:—

On motion of P. B. Borst, President of the Washington, Cincinnatti & St. Louis Narrow Gauge Railroad, It appearing to the Court that a legal and sufficient notice has been executed upon each of the parties hereinafter named, of the time and purposes of this motion. It is ordered that A. M. Newman jr, Emanuel Roller, Reuben Huffman, Wm. M. Gay & J. M. Ervine, who are hereby appointed Commissioners for that purpose, do, upon the 2nd day of August 1873, go upon the lands of G. G. Grattan, and B. G. Patterson, D. M. Switzer and Benjamin Wenger, and ascertain what will be a just compensation for so much of the lands of the said several parties along and upon the location of the Washington, Cincinnatti & St. Louis Narrow Gauge Railroad, as will be taken for the purposes of said Road, and for the damages to the residue of the said several lands aforesaid, beyond the peculiar benefits to be derived in respect to such residue by the construction of said road. And that if said Commissioners cannot execute this order on the day aforesaid, then they shall adjourn from time to time as may be necessary until the same is executed.

c/pd + d. to Sh. Publication

Ordered, That J. P. Effinger be allowed $24.00 for distg &c 12 Deni-
-zenen 2 days. @ $1 each per day in case of Comm^th &
Allen Devier, charged with felony, tried at July Term, 1873.

Ordered That B. F. Hulbert, David G. Cline, M. V. B. McClintuff, Adam Anders, John
Knupp, R. A. Scott, Harrison Bateman, Thomas J. Weaver, A. J. Bayliss, Wm. A. Maupin,
Wm. Steele & S. H. Washington be each allowed the sum of Two Dollars for their
services as Veniremen at the July Term last of this Court, in the trial of
Allen Devier, charged with felony.

Ordered, That it be certified to the Auditor of Public Accounts that
John Paul, Attorney for the Commonwealth for this County, be allowed
the sum of Ten dollars for prosecuting in one case of felony, at the July
Term last of this Court, to wit: Commonwealth vs. Allen Devier.

c/pd.

Ordered, That the Treasurer of Rockingham County pay to John Paul, Atty. for
the Commonwealth for Rockingham County, the sum of $14.66⅔ for his servi-
ces in this Court for the month of ~~August~~ July 1873.

c/pd.

Ordered, That G. W. Grim and ___ Snyder, tenant of Mathias Snyder's Estate be sum-
moned to the next term of this Court, to show cause why a public road should
not be established from Bloomer Springs to the Rockingham Turnpike, in
accordance with the report of Comm^rs. of Roads for Stonewall Township.

1 + 2 c/pd.

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

James Kenney

At a County Court held in and for the County of Rockingham, on Monday, September 15, 1873, at the Court House thereof,

Present: Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows:-

viz:- Bargain & Sale,	Emanuel Roller & wife	to Henry W. Roller,
" "	Chas. S. Thrasher & Jno. Moore & wife	" Isaac Yeager,
" "	Joseph M. Bowman & wife,	" Michael Showalter,
" "	D. A. Flecker,	" George W. Thomas Trustee,
" "	A. J. Rosenberger, Admr. of J. Handley,	" James O'Roark,
" "	Samuel Cootes,	" John G. Cootes,
" "	Wm. D. Huffman & wife,	" Valley Railroad Company,
Deed of Trust,	D. A. Flecker,	" M. Lindon, Trustee,
" " "	George W. Kratzer & wife,	" Wm. S. Cooper, Trustee, &c,
Bargain & Sale,	Isaac Bowman & wife,	" Samuel Godfrey Bowman,
" "	Same,	" Isaac Bowman,
" "	W. S. Lusty, Commr,	" First National Bank of Harrisonburg,
" "	Abraham Bloser & wife,	" Noah Bloser,
" "	Zachariah McCoy & wife	" Marion Long,
" "	John Harman, Senr. & wife,	" Jacob Simmers & Jno. McLaughlin,
" "	James Mousley & wife,	" Meredith Nighton,
Power of Attorney,	Thomas Chapman,	" Charles E. Haas,
Bargain Sale	Wm. H. Stines Spring,	" Wm. J. Miller,
" "	James B. Harper, &c,	" James W. Fitzwater,
" "	Pierce Peery,	" Thomas J. Peery,
" "	G. A. Berlin, Commr.	" John W. Palmer,
" "	D. C. Jones & wife,	" Malinda Rice,
" "	Emanuel Suter & wife & others,	" John R. Swope,
" "	G. W. Berlin & Philip Hartman,	" G. W. Rodgers,
Deed of Trust,	E. S. Peale,	" G. P. Bruther, Trustee,
Bargain & Sale,	Jackson Caplinger,	" George May,
" "	Wm. B. Compton, Commr.	" Valley Railroad Company,
" "	Samuel Kline & wife,	" John W. Kline,
" "	John W. Bowman & wife,	" Wm. Erwine,
" "	Wm. Irvine & wife,	" Mary Lauck,
" "	D. Pennybacker & wife,	" George Dove,
" "	Peter Shaver & wife,	" Wm. J. Chrisman,
" "	Philip Phares & wife,	" George A. Phares,
" "	G. W. Berlin,	" Daniel W. Byerly,

The Court doth appoint Isaason Turner, Registrar for Hoover's Cooper's Shop Precinct, in Linville Township in this County.

The following settlements were 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 are ordered to be recorded, viz:-

Settlement of the Acts of Barbara Bowman, Exx. of Alexander Bowman, dec'd,
" " " " P. K. Armentrout, guard. of Quincy Dovel, &c,
" " " " Aby. Bunkholder, " " John B. Shank, &c,
" " " " Elijah Armentrout, Adm. " James Whitmore, dec'd
" " " " David B. Armentrout, " " Geo. Armentrout, dec'd,
" " " " D. J. Garber & Tho. J. Dovel Adms. " Sandy Dovel, dec'd,
" " " " Jacob Thomas, Adm. " Daniel Thomas, dec'd,
" " " " Jesse Bunkholder, Adm. " Hannah Shaver, dec'd,
" " " " Benj. Herlin, " " C. C. Garber, dec'd,

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

Appraisement & Sale Bill of the Estate of John Shuttlers, dec'd,
" " " " " " " " Fanny Zetty, dec'd,
" " " " " " " " George Kisey, dec'd,

It being suggested to the Court that the Bond executed by George W. Powell, as Collector of Stonewall Township, at the June Term last of this Court, is insufficient, It is ordered that a Rule be issued against said George W. Powell, returnable to the first day of the October Term next, to shew cause, if any he can, why he should not be required to execute a new bond with additional security as said Collector.

1st issued.

On the motion of the Administrator of Jonas Reed's Estate, A. S. Heaton, Michael J. Martz & Julia J. Martz are appointed to appraise the Estate of the said Jonas Reed, after first being duly sworn.

✓

Upon the motion of the Shenandoah Valley Railroad Company, for the appointment of five disinterested freeholders, in accordance with Sect. 17, of Chapter 56, of the Code of Virginia, to ascertain a just compensation to the owners of land upon the line of the Shenandoah Valley Railroad, within the county of Rockingham, for such of the said lands as are proposed to be taken by the said Company for its purposes, notice of said motion having been given by publication for 4 weeks in Rockingham Register, previous to this term, and by posting copy of notice for four weeks at front door of Courts House, previous to this term, said motion is ordered to be docketed.

Capias.

On the motion of Peter Bonds and Lydia his wife, one of the heirs of George Whitsell, dec'd, the Court doth appoint Lewis Aspalaught, Mon. D. Kyle, Jacob Byerly & George J. Kisling to assign dower to Susan A. Whitsell, widow of George Whitsell, dec'd, any three of whom may act,

Capias issued.

It is ordered that the Treasurer of Rockingham County, pay to John Paul, Attorney for the Commonwealth for Rockingham County, the sum of $83.33⅓ for his services in this Court for the months of August and September 1873.

John Crouse Plff.
vs
F. M. Erwin, &c, Defts
Upon Petition for Road

The Report of the Jury summoned under a Writ of Ad quod damnum awarded at the last term of this Court, was this day returned ~~to Court~~ to Court, which is ordered to be placed upon the Court's dockets

Henry Pulse, Comm'r of Roads, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $9.00 for surveying Road No. 1 & 2 from Paul's Mill to Fulton's Shop & making report (2 days @ $5.00) and for surveying Road from Sander's Mill to Spader's Church, (2 days @ $4.00) which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.
copied d.

On motion of , the Estate A. J. L. Coleman was committed to James P. Roleston Sheriff of this County, for administration and Simon Symmers, Abr. Swicord & Eli Longacre appointed to appraise the Estate of said Cole, after first being duly sworn

Wm. Davison & Co. Plff
vs
O. C. Sterling, late V. R. C. & his executrix, Defts.
Upon a motion,

Ordered, That this cause be placed upon the Courts Docket.

Isaac Runkle's Exor. Plff,
vs
N. J. Johnson, Defft.

On motion of N. J. Johnson, he has leave to withdraw from the papers in this cause, a bond for $75 executed by B. F. Thomas to G. W. Mauzy upon leaving an attested copy thereof in the papers.
copied.

It is ordered that the Commissioners of Roads for Ashby Township, view the route for a proposed public road, leading from or near the lands of James Philips in Rockingham County to the Augusta County line, and report to the next term of this Court, in accordance with the provisions of the Road laws, as prescribed in the Acts of the General Assembly,
copied "

Washington, C. & St. Louis R. R. Co.,	Upon Report of Commrs.	Washington, C. & St. Louis R. R. Co.,
vs		vs
Miram Coffman.		Charles Brock
same	same	same,
vs		vs
Mary Keagy,		Josephine R. A. Coffman,
same	same	same
vs		vs
Joseph Bowman,		Daniel Bowman,
same,	same,	same,
vs		vs
Abm. Kindfadden		Isaac Bowman,
same,	same,	same
vs		vs
James M. White,		Abraham Sager,
same,	same,	same,
vs		vs
		B. F. Mooman, John Bowman & Abm. Beaver,

The Commissioners appointed at the last term

of this Court to assess damages upon the line of the W. C. & St. Louis Railroad, this day returned into Court their reports in the foregoing named cases, which are ordered to be placed upon the Courts Docket.

On motion of O. B. Bost, President of the Washington, Cincinnati & St. Louis Railroad Company, it appearing to the Court that Martin W. Brunk has agreed to accept the damages assessed in his favor upon the line of the said Railroad by Commissioners Joseph Selick, George Frankhouser & Jacob Shickel, appointed for that purpose by this Court, It is ordered that the report of the said Commissioners as to his land, be hereby confirmed.

On motion of O. B. Bost, President of the Washington, Cincinnati & St. Louis Railroad Company, it appearing to the Court that Benjamin F. Brannan, by his Agent in fact, Daniel Brannan, has agreed to accept the damages assessed in his favor upon the line of the said Railroad, by Commissioners, Joseph Selick, George Frankhouser and Jacob Shickel, appointed for that purpose, by this Court, It is ordered that the report of the said Commissioners as to his land, be hereby confirmed.

Peter Paul,
Jacob Byrd, } Upon motion to revoke Powers of Jacob Byrd, as Admr. of Isaac Brown, dec'd,

Ordered, That this cause be placed upon the Courts Docket.

Samuel R. Allebaugh
Cyrus W. Killian, } Upon a sug. sued out and issued Fifa & J. N. Many, Thos. G. Many & others,

Ordered, That this cause be placed upon the Courts Docket.

A notice was this day produced in Court from Andrew (this name) to John P. Pence, Admr. of John Shutters, dec'd, duly acknowledged by said Pence, requiring him to execute a new bond as said Admr, and said Pence appeared in Court and declined to execute a new bond, It is therefore considered by the Court that the powers of the said John P. Pence as Admr of John Shutters, be and the same are hereby revoked and annulled.

On the motion of Thomas K. Hammeyer, who made oath thereto according to law, he appeared in Court, and together with John P. Brock and Charles J. Brock, his securities, who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $8000.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Robert L. Yancey, dec'd, it appearing to the Court that the widow of said Yancey relinquished her right to administer on said Estate.

And upon the further motion of said Admr. the Court doth appoint N. E. Sipe, D. W. Sellers, B. P. Teel and Wm. B. Yancey & John Bishop to appraise the Estate of said R. L. Yancey, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of Mahaley Ann Shiflett, was this day presented in Court and was proven by the oaths of A. J. O. Bader and R. B. Hedrick, the two subscribing witnesses thereto, and ordered to be admitted to probate, and on the motion of Theodore N. Sellers, the Executor therein named, who made oath thereto according to law, he 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 $200, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the will of said Mahaley Ann Shiflett, dec'd.

And on the further motion of the said Executor, the Court doth appoint A. J. O. Bader, Z. D. Gilmore, Aug. Wyant, J. E. Rimmel & J. A. Hammer, to appraise the Estate of said Mahaley Ann Shiflett, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of Elizabeth Pulse, (together with the codicil thereto attached) was this day presented in Court and was proven by the oaths of Wm. M. Kay and J. G. Sprenkel, two of the subscribing witnesses thereto, and ordered to be admitted to probate, and on the motion of Henry Pulse the Executor therein named, who made oath thereto according to law, he appeared in Court, and together with Silburn Sellers 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, a certificate is granted him for obtaining letters of administration in due form, under the will of said Elizabeth Pulse,

On the motion of Henry Pulse, Exor of Henry Pulse, dec'd, E. Emanuel Rhodes, Isaac Stone, John N. Beery & John S. Fridley are appointed appraisers of the Estate of said Henry Pulse, deceased, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of W. S. Baughey, was this day presented in Court, and being proven by the oaths of Thomas J. Weaver and G. W. Kemper, two of the subscribing witnesses thereto, and thereupon it was admitted to probate.

On the motion of Wm. P. McCall who has been appointed as Trustee for Caroline Risner, he this day appeared in Court, and together with Benjamin F. Cromer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600 Con- ditioned according to law, and qualified accordingly.

On the motion of John Swartz, who in the year 1863 or 1864, executed a bond as guardian of Simon Denton, which bond is alleged to have been destroyed or lost, he has leave to execute a new bond as the guardian of said Simon Denton, he thereupon appeared in Court, and to- gether with Peachy Kime and Peter Long his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the

penalty of Six hundred dollars, conditioned according to law, and qualified as said guardians.

entitled.

On motion of John N. Rolston, jr, who was, on the 14th day of August 1873, duly commissioned a Notary Public in and for the County of Rockingham, by the Governor of Virginia, he this day appeared in Court, and together with David N. Rolston, 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. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts, and thereupon the said John N. Rolston, jr, took the several oaths prescribed by law.

Ordered, That Court be adjourned until to-morrow morning at 8 o'clock.

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday the 16th day of September 1873.

Present:- Hon. James Kenney, presiding.

On motion of Wm P. McCall, it appearing to the Court that he is a man of good character, not addicted to drunkenness, a certificate is granted him to obtain License as a Retail Liquor merchant at his residence near Singersville in Rockingham County.

on printed order

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

James Kenney

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, October 20, 1873.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	Peter Wilhite & wife,	to James Riddle,
" "	Josiah Hulva & wife	" Eve Hulva,
Trust Deed,	D. A. Plecker,	" M. Lindon, Trustee,
Bargain & Sale,	Emanuel Suter & others	" Abraham Swartz,
" "	G. J. Bowman & wife,	" George B. Shaver,
" "	G. W. F. Allemong, &c Trustees Eureka Lodge,	" F. W. F. Allemong, &c, Trustees N. W. E. Off's.
" "	Abner Canada & wife	" Jacob Spitzer,
Trust Deed,	D. A. Plecker,	" M. Lindon, Trustee,
Bargain & Sale,	Robt. E. Painter, &c,	" Peter Dinkel,
" "	Geo. W. Shaver & wife,	" John W. Niswander,
" "	John D. Harris & wife,	" Catharine M. Miller,
" "	George May & wife	" Silas May,
" "	John Matchford & wife	" Hugh Caplinger,
" "	Jeremiah Dove, Exr. of Jacob Leaty	" Harvey Dove,
Commrs. Rept. & Plat,	Dower Land of	Mrs. Amanda Pirkey,
Bargain & Sale,	G. F. Compton, Commr	" M. Harvey Effinger,
" "	John C. Woodson & wife	" J. G. Spinkel,
Mechanic's Lien,	John W. Woods,	" River Bank & Bridge Company,
Bargain & Sale,	N. M. Jordan & wife, &c,	" John McDorman,
Trust Deed,	John G. Cootes,	" N. M. Newman, trustee,
Mechanic's Lien,	A. J. O'Bader & A. L. Bader	Stonewall Township Dist School House
" "	Felix Davis	Port Republic Bridge Company,
Bargain & Sale,	Charles Smyth & wife	" James Cameron,
" "	Mary C. Conrad,	" B. F. Samuels,
" "	Thomas Breese,	" Sallie Beery, &c,
" "	B. G. Patterson, Commr.	" Steven A. Thacker,
" "	J. A. Loewenbach & wife,	" John H. Dovel,
" "	E. A. Shands Exrs.	" Geo. W. Effinger,
" "	L. N. Gambill, Trustee & Commr.	" Andrew Bertram,
" "	Emanuel Sipe & wife,	" J. C. Williams, &c, Trustees,
Plat of Land,	J. R. Stevens & wife,	" Frances McQuaide,
Bargain & Sale,	G. W. Mauzy & wife,	" Mary E. Keezle,
" "	Jr. Frankhouser & wife	" Robert Davis,
" "	M. L. Leaty, Commr.	" Agney Ewing, &c,
Trust Deed.	John H. Beery & wife,	" Jasper Kauzer, trustee,
Bargain & Sale.	Joseph F. Wampler & wife,	" John P. Zigler, &c, Trustees.
" "	Wm J. Rogers & wife,	" Anderson Argabright,

The following settlements were 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 are ordered to be recorded, viz:-

Settlement of the A/c of Geo. Miller, Adm.r D.B.N. of Daniel Miller, dec.d

" " " " same, same,
" " " " Harvey Wise " " Peter Wise "
" " " " John R. Keagy, " " T. Linder, "
" " " " Jacob Showalter, Exor. " Jacob Baker, "
" " " " Joseph Heatwole, " John G. Heatwole, "
" " " " John E. Roller, guard. " Mattie A. Pence,
" " " " C. C. Strayer " Jos. S. Strayer,
" " " " Lewis Driver " Susan C. Driver,
" " " " Jno. R. Keagy " Jacob W. Stinebuck, &c,
" " " " John L. Wise " Rushrod & Lydia Layman,
" " " " John Bowman, Trustee " B. & L. Bowman & Statement of debts
" " " " Samuel Shank, " Catharine Brenneman,
" " " " Silas Heaton, Comm. " Henry Rudes,
" " " " Samuel M. Evey, " Susannah C. Evey,

The Appraisement & Sale Bills of the Estate of Moses Lawson, dec.d, and the Appraisement Bill of the Estate of Geo. B. Shaver, dec.d, were this day presented in Court, and no exceptions being taken thereto, were ordered to be recorded.

J. M. Weaver, Pltff, vs Shaver & Roberts, Defts. } Leg. I. B. Lupton, Pltff, vs Addison Royer, Defts. } Lecture

Wm. N. Dinkel, Pltff, vs P. H. Maphis, &c, Defts. } M. D. Commonwealth Pltff, vs Geo. W. Powell, Defts. } Rule

Susan A. Whitsell, Pltff, vs B. M. Rice, Defts. } M. D. John H. Taylor, Pltff, vs J. M. Lam, Defts. } M. D.

Ordered, That the foregoing causes be placed on the Court's Docket.

On motion of Peter B. Borst, President of the Washington City, Cincinnati and St. Louis Railroad Company, it appearing to the Court that Wm. P. McLean has accepted legal service of a notice of said motion, and has waived all objections as to sufficiency of said notice, It is ordered that Benjamin Kerlin, J. W. Ralston, James F. Bowman, Jacob Shickel and Peter Paul, five disinterested freeholders of Rockingham County, Virginia, in which the land hereafter mentioned lies, shall, on the 28th day of October 1873, enter upon the lands of the said Wm. P. McLean, for the purpose of ascertaining a just compensation for so much of his lands as may be taken for the purposes of the said Railroad upon the present location, and for the damage to the residue of the tract beyond the peculiar benefits to be received in respect to such

residue, from the work to be constructed, and make their report to the next term of this Court.

L. S. Rynd, Jailor of this County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $140.00 for boarding, &c, Elizabeth Winegord, Madison Snowden & Allen Nash & furnishing clothes to Allen Nash, 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

On motion of George W. Airey, it appearing to the Court that he is a man of good character, not addicted to drunkenness, a certificate is granted him to obtain License as a Retail Liquor Merchant at his House on Dry River from the 1st day of November 1873, until May 1, 1874.

Henry M. Rahter Plff
vs
A. C. Rice & J. P. Effinger, Defts. } Upon a Forthcoming Bond.

This day came the Plaintiff, by his Attorney, and the Defendants being solemnly called came not and the notice was proved, and It is considered by the Court that the Plaintiff have judgment and execution against the Defendants according to bond and for costs,

issued

Lewis Argabright, Wm. P. Kyle, Jacob Byerly and George J. Kisling, Commissioners appointed by this Court, to lay off and assign dower to Mrs. Susan Whitsel, widow of Geo. Whitsel, dec'd, having this day returned their report into Court, on motion It is ordered that B. M. Rice be summoned to appear on the first day of the next term of this Court, to shew cause, if any he can, why said Report & award of said Commissioners shall not be confirmed,

On the motion of Wm. Minnick, it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, It is ordered that, in addition to his License as an Ordinary Keeper at Broadway in this County, a certificate be granted him to obtain Merchants Retail Liquor License, until May 1, 1874.

c/ricd. ✓

On the motion of John M. Huffman, who made oath thereto according to law, he appeared in Court and together with Jonas A. Sowenbach, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Alexander Shannon, dec'd. And upon his further motion, the Court doth appoint Joseph Funkhouser, John Wright, Robert Cox & Abm. Whitmore to appraise the Estate of said Alexander Shannon, any three of whom may act, after first being duly sworn,

c/d.

On motion of Elizabeth Miller, who made oath thereto according to law, she appeared in Court and together with John M. Miller Joel B. Miller and Hiram G. Miller, her sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4,000, conditioned according to law, a certificate is granted her for obtaining letters of administration in due form upon the Estate of Joseph Miller, dec'd.

And upon her further motion the Court doth appoint Solomon Garber, John M. Miller, Emanuel Wine and Samuel F. Miller to appraise the Estate of said Joseph Miller, any three of whom may act, after first being duly sworn.

On the motion of Wm. A. Kouff, who made oath thereto according to law, he appeared in Court, and together with John Albright & Samuel Sheets, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3000. conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the estate of Elizabeth Albright, dec'd,

And upon his further motion, the Court doth appoint Noah Argabright, John S. Bowman, David Dundore and E. F. Jones to appraise the Estate of said Elizabeth Albright, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of John Harman, Sr. dec'd, was this day presented in Court and being proven by the oaths of Philip H. Lee and John Paul, two of the subscribing witnesses thereto, was admitted to probate.

It is ordered by the Court, under the provisions of 4th Sect. Chap. 37 of the Code of Virginia, that Daniel R. Allebaugh, Treasurer of the County, do advertise according to law, in the Rockingham Register, the Delinquent Lists for non-payment of taxes for the years 1865, 1866, 1867, 1868, 1869, 1870 and 1871, ordered to be sold at December Court next.

On the motion of Rev. J. H. Roseboro, and it appearing to the Court that he is a regularly ordained minister in the Presbyterian Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with F. M. Erwine, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500, conditioned according to law, and qualified accordingly.

On the motion of Rev. D. J. Ralston, and it appearing to the Court that he is a regularly ordained Minister in the Christian Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with D. H. Ralston, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500, conditioned according to law, and qualified accordingly.

On motion, It is ordered that the Assessment of Taxes against G. B. & Jones Reed, levied on them for 226 acres of Land charged to Elizabeth Reed,

dec'd, and corrected as an erroneous assessment Sept. let. 1871, be
copied. made or corrected for the year 1873, according to the order of 1871, in con-
formance with the quantity of land therein set forth, as really chargeable
to them,

On motion of Erasmus Leffman jr, It is ordered that the Treasurer of
this County do refund to him the sum of $9.68 tax on 121 Acres
of Land for the year 1872, erroneously paid by him; it appearing
to the Court that at May term last of this Court, in an order cor-
recting and adjusting the taxes assessed against H. J. Gray that
he was required under order of the Court to pay the tax for said
copied. year on said tract of Land, which had been charged to said Gray,
and which was also assessed against said Erasmus Leffman, jr,

Joseph Ney, aged 23 years and 6 months, a native of Germany, and owing
allegiance to Charles, ~~Emperor~~ King of ~~Germany~~ Wintemberg, appeared in Court and
copied & p'd. made application to be admitted a citizen of the United States; and it ap-
pearing to the satisfaction of the Court that he resided in the United States
three years next preceding his arriving at the age of 21 years, and has
continued to reside therein for five years, including the three years of
his minority, and during that time he has behaved as a man of good
moral character, attached to the principles of the Constitution of the Uni-
ted States and well disposed to the good order and happiness of the
same; and further declared on oath and proved to the satisfaction of
the Court, that for three years next preceding, it has been the bona-fide
intention of the said Joseph Ney to become a citizen of the United States.
It is therefore ordered by the Court that the said Joseph Ney be ad-
mitted a citizen of the United States upon his taking the oaths pre-
scribed by the laws in regard to naturalization. And, thereupon, the
said Joseph Ney declared on oath that he will support the Constitu-
tion of the United States, and that he doth absolutely and entirely
renounce and abjure all allegiance and fidelity to every foreign
prince, potentate, State or sovereignty, and particularly Charles, ~~Em-~~
King of Wintemberg
~~peror~~ of ~~Germany~~, and that he will support the Constitution of
Virginia.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, October 21, 1873.

Present:- Hon. James Kenney, Presiding.

cd/road — On the Petition of Cyrus Rhodes and others, for a change in the location of the Public Road, leading from Cyrus Rhodes' old House to Armentrouts Mill, It is ordered that Henry Pulse, Comm'r. of Roads for Linville Township, view said Road, and report to this Court, at its next term, what changes, if any, are necessary, between the points above designated.

On an application for a change in the location of the Public Road, leading from Mittig's Store to the "Overly Place," It is ordered that Benjamin Trumbo, Frederick Crider and Geo. W. Fulk heretofore appointed viewers on said Road, be directed to review said Road and the proposed changes therein, to have the same surveyed by a competent Surveyor, and make a diagram of the different routes proposed and changes suggested, and return the same with their report, the report of said Commissioners heretofore returned being too meagre and imperfect to enable the Court to judge of the propriety of establishing any of the proposed routes or changes.

cap'd — Ordered, That the Treasurer of Rockingham County pay to John Paul, Attorney for the Commonwealth for Rockingham County, the sum of $41.66⅔, for his services in this Court for the month of October, 1873.

On the motion of William Life, it appearing to the Court that he is a man of good character, not addicted to dissipation, and will probably keep such an House as the law requires, It is ordered that, in addition to his License as an Ordinary Keeper at McGaheysville, in this County, a certificate be granted him to obtain Merchants Retail Liquor License, until May 1, 1874.

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

James Kenney

At a County Court of Rockingham County, continued and held at the Court House thereof, on Wednesday October 23d. 1873.

Present: Hon. James Kenney, presiding.

F. R. Davis, Agt. Appellant
&
John Harper & W. A. Maupin, Trustees of North Division, Appellees
} Upon an appeal from a judgment of W. D. Maiden & L. C. Whites carver, Justices of the Peace, upon a writ of unlawful detainer, sued out before the said Justices by the Appellees against the appellant to recover the possession of a certain building, containing a store house and Division room, in Port Republic, in this County.

This day came the parties by their Attorneys, who being fully heard, and it appearing to the Court that the said Justices on the 23d. day of July 1873, heard the said cause and rendered judgment in favor of the appellees against the appellant, for the said building & for $2.75 costs; and that the appellant did not appeal from the said judgment until the 6th. day of August 1873, which was more than ten days after the rendition of said judgment, It is considered by the Court that the said appeal be dismissed, that the said judgment be affirmed and that the appellees recover against the appellant their costs by them, in this behalf expended, including the $2.75 aforesaid; that the appellees Harper & Maupin recover against the appellant F. R. Davis, possession of the tenement aforesaid, and a writ of possession is awarded to cause the said appellees to have such possession.

Wm. F. Dinkle
&
P. H. Maphis, &c.
} Upon a writ of Unlawful Detainer.

This day came the parties by their Attorneys, whereupon the Defendants moved to quash the Plaintiff's writ in this cause, and the said motion to quash having been argued, It is considered by the Court that the same be overruled. And the Defendants now desiring to plead to issue they are allowed to do so; whereupon they filed a special plea in abatement to the jurisdiction of this Court in this cause, to which plea the Plaintiff demurred, and the said demurrer having been argued, it is considered by the Court that the same be overruled, whereupon the Plaintiff replied generally, to said plea, and issue is thereupon joined, neither party desiring a Jury, and the Court having heard the evidence & the argument of Counsel, It is considered by the Court that the matters complained of by the Plaintiff, in his said writ, are involved in the Chancery suit of J. C. Herring, &c, vs. D. B. Devier, &c, now pending in the Circuit Court of this County, and that this Court has no jurisdiction over the said matters so complained of, finds for the defendants, on the issue joined, and thereupon it is further considered by the Court that this cause be dismissed, and that the Defendants recover against the Plaintiff their costs herein expended.

Memorandum.- On the trial of this cause, the Plaintiff, by his Attorney, excepted to the opinion of the Court given upon the said trial, and

tendered his bill of exceptions, which was received, signed & sealed by the Court, and ordered to be made part of the record in the cause.

Abraham Bloker presented in Court an account against the County of Rockingham, amounting to $3.25 for surveying road and plat of same from Public Road near Kennedys house to a Public road at Spades Church, which being sworn to in Court, was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payments.

copied

John Cronenhorn, &c., Plff,
vs
F. M. Erwine, Deft. } Upon a writ of Ad quod damnum.

This day came again the parties, by their Attorneys, and on motion, and for reasons appearing to the Court, the verdict of the Jury and report made to a former term of this Court, is set aside, and the writ of Ad quod damnum heretofore awarded is quashed and a new writ of Ad quod damnum is awarded according to law, to be executed on the 8th day of November 1873, which writ shall command the Sheriff to summon and impannel a jury of twelve qualified Freeholders of the vicinage, not related to either party, to meet on the lands of Wm Anderson, at his residence; on the lands of Peachy Kline, at the dwelling on said land; on the lands of Mrs. Whitmore, at her residence; on the lands of John Harman, at his residence, and on the lands of F. M. Erwine, at his residence, and ascertain what will be a just compensation to each proprietor and tenant so named, for the land of his proposed to be taken for the proposed road from Paul's Mill to Fulton's Blacksmith shop, to be twenty feet wide, on the route known as route No. 1, in the Report of B. F. Kenney, Commissioner of Roads, filed in this cause, and for the damage to the residue of each tract, beyond the peculiar benefits, which will be derived in respect to such residue from the road.

issued

John W. Taylor, Plff,
vs
J. M. Lam, Deft. } Upon a writ of Unlawful Detainer.

This day came the Defendants and confessed judgment; and therefore It is considered by the Court that the Plaintiff have possession of the premises in the writ described, and that he recover against the Defendant his costs by him in this behalf expended, and that a writ of Possession do issue directed to the Sheriff of this County, requiring him to place the Plaintiff in possession of said premises.

I

On motion of Gordon & Williamson, the Estate of Melinda Mauck, dec'd, is committed to J. P. Ralston, Sheriff of this County, for administration.

David Rodeffer, &c Plff,
vs
Alexander Bowman's Extx. } On a Rule.

copied

It appearing to the Court that Commr. Newman, A. M., to whom was referred the matters involved in this Rule, has not reported, and that he has doubt as to the scope of the inquiry directed to be made

ly Swin, the Court doth order that said Commr. make settlement of the accounts of Barbara Bowman, Extx. of Alexander Bowman, dec'd, ascertain whether any devastavit has been committed by said personal representative, either by a failure to appropriate collections made by her to the payment of the debts of the Estate, or by misappropriating the same in making disbursement thereof; also, that he enquire and report whether security ought to be required of said Executrix, who has been permitted to qualify as such, without giving bond, or whether, by reason of incapacity, misconduct or other cause, it is improper to permit the Estate of the decedent to remain under her control. Said Commr. is also instructed to report an account of the debts & assets of said Estate, and any other special matter, which he may deem pertinent, or any party interested may desire, with a view to enable the Court to determine whether said Executrix ought to be required to give bond & security, or in the event of failure to do so, be removed from her said office of Executrix.

F. R. Davis, Agt Appellant,
vs. } Upon an Appeal, &c.
John Harper & W. A. Maupin, Trustees 10th Division, Appellees

Memo:— Upon the trial of this cause, the Appellant, by counsel, excepted to an opinion of the Court, given upon the trial of this cause, and tendered his bill of Exceptions, thereto, which were signed, sealed and enrolled, and made a part of the record in this cause.

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

James Kenney

In Vacation:—

I, James Kenney, Judge of the County Court of Rockingham County, do hereby appoint Rau. D. Cushen and Wm. P. Grove Judges of Election at Harris-onburg Precinct, Central Township, instead of Jno. L. Effinger and Wm. Att. who decline to act, "and also to act as Commissioners of Election" Given under my hand this 30th. day of October 1873.

James Kenney, Judge of the County Court.

Test J. T. Logan, Clerk of the County Court.

Virginia,—

At a Superior Court of Appeals continued and held at the Court House of Augusta County, at Staunton, on Wednesday, the 8th day of October 1873,

Henry Forrer, Plaintiff
against
Magdaline McD. Coffman & Charles Clippinger, defts. } In Case,

Upon a Writ of Error and Supersedias to a judgment of the Circuit Court of Rockingham County, rendered on the 11th day of October 1872, upon the petition of Henry Forrer, denying a Supersedias to a judgment of the County Court of Rockingham County, rendered at the July term 1872, upon an award made by the Arbitrators under an agreement of submission entered into between Henry Forrer and Magdalene McD. Coffman, in an action of Assumpsit, then depending in said County Court, in which said Magdaline McD. Coffman was Plaintiff and Forrer and Clippinger were Defendants.

This day came again the parties by their Attorneys, and the Court having maturely considered the transcript of the record of the judgment aforesaid, and the argument of Counsel, is of opinion, for reasons stated in writing and filed with the record, that there is no error in said judgment, Therefore, it is adjudged and ordered that the same be affirmed, and that the Plaintiff in Error pay to the Defendant in Error, thirty dollars, ($30) damages, and five costs by him about his defence, in this behalf expended, which is ordered to be certified to the Circuit Court of Rockingham County,

A copy,
Teste,
John Parris, Clerk.

Magdaline McD. Coffman's costs including Plff. Forrer's printing fees paid by said Coffman — $58.55
Damages, — 30.00
Clerk of Circuit Court, mileage — 90.25

A copy, Teste,
L. F. Gambill, D.C.C.C.R.C.

Virginia,—

At a Superior Court of Appeals continued and held at the Court House of Augusta County, at Staunton, on Saturday, the 13th day of September, 1873.

The Board of Supervisors of Rockingham County, Appellant } Upon an appeal
against } from a vacation
Jonas A. Locuenbach, Appellee } order of the Judge
of the Circuit Court of Rockingham County, bearing date the 17th day of May 1873, denying an appeal from the judgment of the County Court of said County, rendered on the 7th day of December 1872, upon an appeal from the action of said Board in declining to make a certain appropriation in favor of Jonas A. Locuenbach in which said Locuenbach was Appellant and said Board of Supervisors, Appellees.} This day came the parties by counsel, and by consent, It is ordered that this suit be dismissed agreed, which is ordered to be certified to the said Circuit Court of Rockingham County

A true copy, Attest,
P. F. Compton, D.C.C.C.

A copy, Teste,
John Parris, Clerk.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday November 17, 1873.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:-

Bargain & Sale,	Chas. C. Haas, Comm'r.	to	Wm S. Miller,
" "	Saml. Sheets & wife & others	"	Christian Sheets,
" "	A.B. Strickler & wife,	"	J.N. Loewenbach, Trustee, for &c,
" "	Christena Gibbons & others,	"	same,
" "	M.S. Lucky, Comm'r.	"	Fanny West,
" "	John Flory & wife,	"	Samuel Whitmore,
Homestead,	I.B. Lupton,		
Bargain & Sale,	Isaac N. Beery & wife	"	Algernon Brown,
" "	N. Sprinkel & others	"	Heirs of N. St. C. Sprinkel, dec'd,
" "	Levi Minnick & wife	"	Joseph Kuppe,
" "	Henry Neff, Comm'r.	"	Isaac Ford,
" "	Nathl. Hook & wife,	"	Madison Wise, Exor. &c,
" "	Joseph F. Kline & wife,	"	John F. Kline,
" "	B.B. Botts, Coll'r. 6th Dist. Va.	"	United States of America,
" "	H.M. Argabright & others,	"	Susan E. Cave,
Deed of Trust,	N.N. Washington, &c,	"	John E. Roller,
Bargain & Sale,	J.S. Duckwall & wife,	"	B.H. Catlett, Trustee, for &c,
" "	William Eiler,	"	Saml. H. Wampler,
" "	J.N. Loewenbach & wife,	"	Lewis Gettrick,
Certificate,	George Chrisman,	"	Jacob Byerly, &c,
Bargain & Sale,	Ephraim Wenger,	"	Benj. D. Wenger,
" "	Jacob Kline dec'd & wife,	"	Sidney P. Kite,
" "	John A. Wise & wife	"	G.W. Berlin,
" "	Samuel Dinkel & wife	"	same,
" "	G.W. Berlin, Comm'r.	"	Samuel Dinkel,
" "	John W.F. Allemong & wife	"	Mary Keagy,
" "	Harrison Brenner & wife	"	Peter Sauder,

The following settlements were 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 are ordered to be recorded, viz:-

Settlement of the Adm of John J. Bowman, guard. of D.P. Wm D & L.P. Bowman,

" " " " " Wm F. Ryger, Adm'r. of Alex. Ryger, dec'd.

" " " " " J.K. & Henry Wamsley, Adm'rs. of Jno. Wamsley, dec'd

" " " " " same, " " same,

" " " " " same, " " same,

The following Appraisement and Sale Bills were this day presented in Court, and no exceptions being taken thereto, were ordered to be recorded, viz:-
Appraisement & Sale Bill of Estate of P. N. K. Pickering, dec'd.
" " " " " " David Flook, dec'd.

On motion of Henry Petry, the Estate of Thomas P. Cassidy is committed to J. P. Ralston, Sheriff of this County, for administration.

On the motion of Wm. M. Stinespring, the Estate of David Stinespring is committed to J. P. Ralston, Sheriff of this County, for administration.

On motion of John E. Roller, Comm. for Polly Sandy, the Estate of Jonathan B. Shaver is committed to J. P. Ralston, Sheriff of this County, for administration.

On motion of John P. Pence, the Estate of John Shutters, is committed to J. P. Ralston, Sheriff of this County, for administration.

Peter P. Reed, Plff.
&
Wm. W. Carpenter, Deft. } Unlawful Detainer.

Ordered That this cause be placed upon the Courts Docket.

The Washington, Cincinnatti & St. Louis Railroad Company,
&
D. M. Switzer, } Upon a motion.

Whereas Emanuel Roller, Reuben Huffman, A. M. Newman, Wm. N. Gay & J. M. Irvine, the Commissioners appointed at a former term of this Court to ascertain what will be a just compensation for such of the land of the freehold whereof D. M. Switzer is tenant, as is proposed to be taken by the Plaintiffs for their purposes, and for the damages to the residue of the tract, have made & returned their report as required by law in such cases; from which Report it appears that the said Commissioners ascertained the said compensation & damages to be $1250. Thereupon the said Plaintiffs this day moved this Court to award a Rule against the said D. M. Switzer, returnable to the next term of this Court to shew cause why said Report and assessment should not be set aside upon the ground that the said assessment is excessive, and why other Commissioners should not be appointed to make said assessment.

Whereupon the said Switzer, by counsel, appeared in Court and waived said Rule, and entered his appearance to said motion, and thereupon, upon motion of the Plaintiffs, the further hearing of said motion is continued until the next term of this Court. And it appearing to the Court that the Plaintiffs, on the 30th day of October 1873, paid the said sum of $1250 over to the Receiver of this Court, (A. B. Arick,) the said payment is approved, and the said Receiver is ordered to hold the said money subject to the future order of this Court.

issued. On motion of A. J. Baugher & others, It is ordered that the Report of Jacob M. Armentrout, Comm. of Roads, for Stonewall Township, in

pursuance of law order heretofore made, directing him to view and report as to the propriety of locating a road, commencing near the Bridge at Port Republic, thence to Weaver's Mill, thence to some point on the Lawyer Road, near Erasmus Mayo, be re-committed to the Commissioners of Roads for Ashby, Stonewall and Central Townships, with directions to review the routes heretofore reported on and any other route they may think proper, and report the route or routes they may deem best, not exceeding two, to the next term of this Court, said Report, in all other respects to conform to the requirements of the Road Law of Virginia.

2nd Adv. On motion of Robert Deputy, the Estate of John N. Deputy is committed to J. P. Ralston, Sheriff of this County, for administration.

A. S. Byrd, Foreman, John S. Effinger, Elijah Matheny, J. F. Bowers, Jno. M. Bowman, David Wimmick, B. F. Dove, J. B. Sheets, F. D. Kildow, John C. Miller, James L. Cooke, Hugh S. Tanney, Nelson Keyser, Saml. Showalter, Wm. N. Sheehart, B. F. Rickard and P. H. Dice, were sworn and impanneled a Grand Jury in and for the body of the County of Rockingham, and having received their charge from the Court, retired from the Court to their room to consider of their Presentments, and after some time returned into Court, and made the following Presentments, viz:— An Indictment against Joseph Fultz, for Assault & battery, "a true bill", A. S. Byrd, foreman; An Indictment against Henry McDonman for assault & battery, "a true bill, A.S. Byrd, foreman; An Indictment against E. J. Johnson for selling ardent spirits without license "a true bill" A. S. Byrd, foreman; An Indictment against E. J. Johnson, "a true bill" A. S. Byrd, foreman; An Indictment against E. J. Johnson, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill" A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill" A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against E. J. Johnson, for selling ardent spirits without license, "a true bill," A. S. Byrd, foreman; An Indictment against Minnor Dean and David Alexander for trespass, "a true bill," A. S. Byrd, foreman; and having completed the business before them, were discharged from further attendance upon this Court.

A. S. Byrd, Jno. S. Effinger, Elijah Matheny, J. F. Bowers, Jo. M. Bowman,

David Winnick, B. F. Dove, J. W. Sheets, F. D. Kidson, John C. Miller, James L. Hooke, Hugh L. Janney, Nelson Keyser, Saml. Showalter, Wm. H. Brehearit, B. F. Rickard & P. H. Dice, were each allowed the sum of One dollar, for their services as Grand Jurors at this term of the Court, to be certified to the Treasurer of the County, for payment.

J. F. Lacenellach, for the use of Annie D. Gray & Annie D. Gray, trustee for Oma N. Laughone (2) William Williams & J. W. Gordon, } On a motion on a 12 months bond executed for the purchase of property at Sheriff's sale, "under Act of Assembly, approved May 28, 1870"

This day came the Plaintiff by his Attorney, and the Defendants being solemnly called came not, the Notice was proved, and it is considered by the Court that the Plaintiff have judgment and execution against the Defendants for the sum of $557.46 with interest thereon from the 15th day of September 1872 till paid, and costs of this motion.

Wm. Devries, Christian Devries, Wm. K. Devries, Solomon Kinnell, & George E. Ducker, doing business under the name & style of Wm. Devries & Co, (2) D. C. Sterling, Sheriff of Rockingham County, and L. W. Gamble, Nelson Spinkel, John Scanlon, B. F. Armentrout, Jno. H. Wartmann, S. R. Allebaugh, Franklin Liskey, Samuel R. Sterling, Henry Neff, J. W. Mauzy & Wm. H. Rodiffer, sureties on the official bond of said Sterling, } Upon a Notice.

issued.

On motion of the Plaintiffs doing business under the style of Wm. Devries & Co, judgment is awarded and entered against L. W. Gamble, John Scanlon, B. F. Armentrout, John H. Wartmann, S. R. Allebaugh, Franklin Liskey, Samuel R. Sterling, Nelson Spinkel, and Henry Neff, upon whom notice of the submission of said motion has been regularly executed, that the said Plaintiffs recover of them the sum of $533.32/100, with interest at the rate of 6 per cent. per annum on $266.66/100 part thereof from the 8th day of February 1869, and on $266.66/100 the balance thereof with interest from the 10th day of March 1869, and $6.47 Costs, as also the costs on this suit subject to a credit of $300 of the date of October 1870. Claimed as paid to Wm H. Effinger, Atty. by Jno. N. Mauzy as Deputy Sheriff for D. C. Sterling, Sheff. R. Co.

Jonas A. Keller having presented in Court this day, the recommendation of the Common Council of the Town of Harrisonburg, applied for leave to Keep an Eating House, with the privilege of selling Lager Beer, and it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, It is ordered that a certificate be granted him for obtainning License to Keep an Eating House at his room in the building at present occupied by Jno. G. Effinger, on East Market Street in said Town of Harrisonburg, with the privilege of selling Lager Beer until May 1, 1874.

(1 ct. + dy).

On the motion of Peter Kiley and it appearing to the Court that he is a man of good character, not addicted to drunkenness, a certificate is

granted him for obtaining License as a Retail Liquor Merchant at his place of business, at or near Cross Keys in Rockingham County.

On the motion of Jacob Life, the Court doth appoint him as Guardian for Eleanor Florence V. Pickering, infant child of P. W. & Pickering under the age of 14 years, and thereupon he appeared in Court, and together with William Life, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, and qualified accordingly.

On the motion of G. W. Mauzy, who made oath thereto according to law, he appeared in Court, and together with B. F. Thomas & James M. Weaver, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Peter Boyer, dec'd.

And upon the further motion of G. W. Mauzy, Adm. of Peter Boyer, dec'd, the Court doth appoint Joshua Pence, Albert P. Nicholas & Reuben Kisling to appraise the Estate of said Peter Boyer, dec'd after first being duly sworn.

It appearing to the Court that Jacob B. Nicholas, one of the Executors named in the last will and testament of W. S. Baugher, probated at a former term of this Court, declined to act; on the motion of Lewis H. Raylor the other Executor therein named, who made oath thereto according to law, he appeared in Court, and together with Addison Boyer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $8000.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, under the last will and testament of said W. S. Baugher, dec'd.

And upon the further motion of Lewis H. Raylor, Exor. of W. S. Baugher, the Court doth appoint Henry B. Hannaberger, Saml. N. Lewis and Dr. Geo. W. Kemper to appraise the Estate of said W. S. Baugher, after first being duly sworn.

The writing purporting to be the last will and testament of Joseph Cline, dec'd, was this day presented in Court, and being proven by the oaths of Adam Lichliter and David Zigler, two of the subscribing witnesses thereto was admitted to record, and thereupon Joel Cline, 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 $10,000.00, conditioned according to law, (said will providing that no security be required of said Executor,) a certificate is granted him for obtaining letters of administration in due form under the will of the said Joseph Cline, dec'd.

And upon the further motion of said Joel Cline, Executor of Joseph Cline, dec'd, the Court doth appoint Samuel Myers, Emanuel Hoover & John M. Driver to appraise the Estate of said Joseph Cline, after first being duly sworn.

On the motion of Mary C. Brady, the Estate of George C. Eamon is committed to J. P. Ralston, Sheriff of this County, for administration.

A. J. Nicholas, Sergeant of the town of Harrisonburg, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of Three dollars for summoning a Jury of Inquest upon the body of a child found in Black's Run in Harrisonburg, 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.

cert'd.

Ex parte, Emanuel Roller, jr. &c
Petitioners,
} Upon a Road Petition.

cert'd for Petitioners

This Cause came on to be heard this 17th day of November 1873 upon the petition of Emanuel Roller, jr. and others, the evidence introduced and the argument of Counsel. On consideration whereof, it appearing to the Court that the owners of the lands upon which said road is proposed to be established by the change, are willing, and have consented in open Court, to give the right of way, for said said change, and that the various parties interested propose to open the said road without cost to the County or township, and that the change will be of very great advantage to the public generally, and that the rights of no person will be violated thereby, and that no person interested, so far as is known, makes any objection, the Court doth change said road, and establish the same as follows, to-wit:- to change the road leading from Mount Crawford to Roller's Stone Mills, so as to run upon a route following the line between the lands of Emanuel Roller jr. and Reuben A. Whitmore to the lands of John J. Roller, and through his lands to the public road leading from Wanter's Shop by Roller's Stone Mills, so as to make a direct road from Mount Crawford to Roller's Stone Mills. The road which leads from Wanter's Shop to Shermann's Mills is to be changed so as to leave the old road just above the barn of Emanuel Rolar, jr. nearly at right angles, and run straight through his lands, above or back of his residence to the new road as established above, and it is provided that when this new route is open and in passable condition for travel, the old road, which runs around the field of E. Rolar, jr., may be closed; the costs of this application to be paid out of the County Treasury, as provided by Law.

Upon the Petition of Cyrus Rhodes & others for change in Road leading from Cyrus Rhodes old House to Armentrout's Mill.

issued.

This day Henry Pulse, Commr. of Roads for Linville Township, presented his report upon change in said Road, with diagram thereof, and a summons is awarded against Joseph Armentrout through whose land said Road passes, to appear on the 1st day of the next term of this Court, to shew cause, if any he can, why said change shall not be made, according to the report of said Commr. of Roads.

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

This day came the defendant, and confessed judgment in open Court for the sum of One cent and Costs; It is therefore considered by the Court that the Commonwealth recover of the Defendant one cent, and her costs by her in this behalf expended,

Susan A. Whitsel, Pltff
vs
B. M. Rice, Deft. } Unlawful Detainer.

Ordered That this cause be dismissed agreed,

The following report and award of the Commissioners appointed at the September Term of the Court, (on the motion of Peter Bonds one of the heirs of George Whitsell, dec'd, to assign Dower to Susan A. Whitsell, widow of the said Geo. Whitsell, dec'd,) is, by the consent of parties, entered up as the judgment of the Court, viz:-

"Pursuant to an order of the County Court of Rockingham County, rendered at the September Term of said Court in the year 1873, appointing the undersigned as Commissioners, to lay off and assign to Mrs. Susan Whitsel, the widow of George Whitsel, dec'd, her dower interest, your Commissioners met upon the premises on the 4th. day of October 1873, and after having the order shown to us, we proceeded to make an investigation of the whole matter, and after consulting with Peter Bonds as Agent for widow Susan Whitsel, also consulting with Bramwell M. Rice, who was the purchaser of the two thirds of the Land Estate belonging to said George Whitsell, dec'd, we found we could effect a compromise between all the parties concerned; and in place of laying off the Dower interest in the land to said Mrs. Susan Whitsel, we have agreed that the said Bramwell M. Rice shall pay over to the said Susan Whitsel, or her authorized Agent, the sum of Fifty Dollars annually, as a fair compensation for her Dower interest; the said sum of Fifty Dollars annually to be paid over to said Mrs. Susan Whitsel, or her authorized Agent, at the end of each year, during the natural life of the said Susan Whitsel; the time to be counted from the date of this report; the first payment of Fifty Dollars to fall due on the 4th. day of October 1874, and if said Mrs. Susan Whitsel should die during the year, any fractional part of a year to count the same as a whole year after the first. The said Peter Bonds as Agent for Mrs. Susan Whitsel, is to have the privilege of moving off the land which had heretofore been assigned to Mrs. Whitsel, as her dower, sound corn, apples, cabbage, &c; after that has been removed then the said Bramwell M. Rice, in consideration of his paying the said sum of Fifty Dollars, p. ann. the said Bramwell M. Rice is to have full and entire possession of the said Land, including Dwelling House, Barn, out-buildings, Orchards, gardens &c, &c, Said Rice is to pay the entire

amount of Taxes on the said Land; said Rice is to execute his Bond with good personal security for the said Fifty Dollars p. ann. and as further security a Lien shall be retained on said Lower Land.

All of which is respectfully submitted,

Lewis Argabright,
Wm P. Hyde
Jacob Byerly
George J. Kisling
} Commissioners

Road withdrawn by J. E. Rollo, Atty. &c Nov. 21/73

And on motion of Peter Bonds Agent for Mrs. Susan Whitsel, leave is given him to withdraw the bond of $50 due Octo. 4, 1874, executed by B. M. Rice & Lewis Argabright, to said Bonds as said Agent, filed with the foregoing Award of Commissioners.

Commonwealth
vs
Geo. W. Powell, Collector of Stonewall Township.
} Upon a Rule executed upon the Defts. requiring him to shew cause why he should not execute a new Bond as said Collector.

This day came as well the Atty. for the Commonwealth as the Defendant by his Attorney, and the Court having fully heard the evidence, on consideration whereof is fully of the opinion that the Bond of said Powell as Collector of said Stonewall Township is insufficient, and grants him until the December Term of this Court to execute a new Bond.

Knighten, &c,
vs
A. J. Baughey, &c,
} Upon a Road Petition.

Ordered That this cause be continued until next term at the Defendants costs.

John Crouchson &c,
vs
F. McErvine, &c,
} Upon cause

The Report of the Jury of Inquest ordered at the last term of this Court, was presented in Court, ordered to be docketed and continued until the next term.

Commonwealth
vs
Eli Armentrout,
} Bastardy. Upon a Recognizance.

issued

Upon the calling of this cause the Defendant failed to appear, and thereupon the said Eli Armentrout and Elijah Armentrout his surety were solemnly called and not appearing, It is ordered that a Rule be awarded against them returnable to the 1st. day of the next term of this Court, to shew cause, if any they can, why a Scire Facias shall not be issued upon their said Recognizance.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday November 18, 1873,

Present:- Hon. James Kenney, presiding.

On motion of George W. Grim, It is ordered that the report of the Commissioner of Roads for Stonewall Township, locating a Road commencing near McGaheysville, and running to Bloomer Springs, made under a former order of this Court, be re-committed to N. W. Cave, Commissioner of Roads for said Township, with instructions to review said route, and also, to examine any other route that may be suggested to Grim, and report said routes, (not to exceed two,) to the next term of this Court. The said Commissioner, in all respects, to be governed by the laws in force now in Virginia.

J. H. Lementbach for &c
(N)
Wm. Williams & J. N. Gordon. } On a 12 months Bond.

On motion of the defendants, by counsel, and it appearing to the Court that the Notice was insufficient, It is ordered that the judgment and award of Execution, made in this cause on yesterday, be set aside,

On motion of Reuben Shirley, the Estate of Franklin Whitmer is committed to J. P. Ralston, Sheriff of this County, for administration.

Robert Koontz
(N)
W. N. Elburn, } Upon an Attachment.

It appearing to the Court that Jos. S. Rice has paid all the purchase money due on his purchase of the House & Lot sold under a former order made in this cause, It is ordered that A. A. Hess do make to the said Rice a deed with special warranty for said house and lot, and deliver the same to said Rice,

Ordered That B. H. McKeever, A. R. Berry, Geo. W. Gray, J. C. Staples, Silum Selley, Absn. Layman, John M. Parker, Thos. J. Nair, John A. Murray & A. T. Wilkins, be each allowed the sum of One Dollar for services at this term of the Court to be certified to the Treasurer of this County for payment.

Commonwealth (N) A. Fentonhausen Mnds.
same, " E. D. Sullivan, "
same " Key & Wise " 10 cases,
same, " Albert Wise " 5 cases
Ordered That the foregoing causes be continued until next term of the Court at the Defendants' costs.

J. W. Zirkle &c (N) J. M. Irvine, & Notice.
Ordered That the Plaintiff have judgment for his costs by him in this behalf expended,

J.L. Libert	&	J.G. Mason,	notice,
L.S. Reed,	"	A.C. Sterling	Attt.
Jacob Dinkel's Admr,	"	J.W. Glover,	Attt,
Parthena Speck,	"	B.B. Ewing's admr.	Sug.
Sug. Armentrout	"	S.R. Allebaugh,	notice,
Ces. Sanfley Adm.	"	J.S. Rollen's admr.	Sug.
King & Kuffman	"	Franklin Pence,	Attt.
M.W. Bowman,	"	John Hill,	Attt.
Mary Vanpelts Petition,			Pets.
Evelin Echard's	"		"
Sug. Armentrout	"	A.W. Peale,	Sug.
Wm Locker,	"	A.F.A. Pirkey,	Attt.
Wm. Sanfley	"	C.S. Weaver,	Sug.
J.B. Lupton	"	Addison Royer,	Detinue,

Ordered, That the foregoing causes be dismissed.

Franklin Whitmer & James McBowman, Notice.

On motion of Plff. this cause is revived in name of J.P. Ralston, Adm. of Franklin Whitmer, dec'd & continued

C.F. Mayo Ces,
& } Sug.
James F. Bowman,

The non-residence of the Plaintiffs were suggested and a Rule for security for costs awarded against them.

The settlement of the Account of John Bowman, Trustee of B. & S. Bowman, accompanied with a statement showing the balance due from Simon Bowman, also statements showing the outstanding debts against B. & S. Bowman, having been returned to the Clerk's Office of this Court, by A.M. Newman, Comm. of Accts. for more than thirty days, and no exceptions having been filed thereto, the same is confirmed. And it appearing to the Court from said statements that the balance due from Simon Bowman is sufficient to discharge all the debts and demands against B. & S. Bowman named in the Deed of Trust from B. & S. Bowman to John Bowman, Trustee, that were to be fully paid; that this balance is further sufficient to indemnify all securities of the said B. & S. Bowman and that there will remain of this balance a sufficient amount to pay 23½ per centum of the liabilities of said B. & S. Bowman due by them as principals, and it further appearing to the Court that the balance due from John Bowman, Trustee, as shown by said settlement, will pay 14¾ per centum of the legal liabilities of B. & S. Bowman due by them as principals, It is ordered that Simon Bowman pay the costs of these statements and settlement & other costs that he pay the debts in full embraced in sd. statements Nos. 1 & 2, and that he pay on the debts embraced in statement No. 3, 23½ per centum of their amounts. And it is further ordered that John Bowman, Trustee pay on the debts embraced in sd. statement No. 3, 14¾ per centum of their amounts.

Ordered, That the Treasurer of Rockingham County pay to John Paul, Commonwealths Attorney for Rockingham County, the sum of $44.66⅔ for his services in this Court for the month of November, 1873.

exp'd.

Ordered, That Court be adjourned until the 1st day of next term,

James Kenney

At a County Court, held in and for the County of Rockingham, at the Court-House thereof, on Monday, December 15, 1873.

Present:- Hon. James Kenney, 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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows:- viz,-

Bargain & Sale	Mathias Showalter & wife	to Elizabeth Forbaugh,
" "	C. A. Yancey, Comm'r.	" G. T. Hopkins,
" "	Peter Roller & wife, &c,	" Wm. H. Munger,
" "	Emanuel Roller & wife,	" R. A. Whitmore,
" "	John E. Roller, Comm'r &c,	" Jno M. Saufley,
" "	D. H. Rolston, Comm'r &c,	" Wm. G. Thompson,
" "	J. H. Lindsay & wife,	" John Stover,
" "	John S. Heatwole's Heirs,	" John S. Coffman,
" "	J. W. Finkle & wife,	" Jane E. Brewer,
" "	Nancy B. Ewing & others,	" David Hartman,
" "	George F. Bent & others,	" John J. Bent,
" "	J. J. Bent,	" Elicous Michael
" "	Isaac N. Beery & wife,	" Franklin Brown,
" "	C. T. O'Ferrall, Trustee,	" Shem Bowman,
" "	Moses Mason & wife, &c,	" John C. Roman,
" "	G. W. Berlin, Comm'r.	" Cyrus W. Brown,
" "	John Evers & wife,	" Wm. M. & Mrs. B. Evers,
" "	Frederick Rodes & wife, &c,	" Wm. D. Heatwole,
" "	Jacob Kiblinger,	" Annanias Davidson, &c, Trustees, &c,
" "	James T. Dovel & wife,	" John M. Argabright,
" "	Manson Step & wife,	" James E. Rush,
" "	Jacob K. Manzy & wife,	" Abner Canada,
" "	Harriet Warner,	" John T. Harris,
" "	Jacob Driver & wife	" Martin Blosser,
" "	Stephen Hensley & wife,	" Solomon Dean,
" "	J. A. Herring & wife,	" J. W. & A. L. Lindsay,
" "	W. L. Autry, Comm'r.	" same,
" "	J. D. Price, &c,	" J. F. Long,
" "	Mary J. Lupton, &c,	" C. E. Heaton,
" "	Mary Ann Losh,	" Martha Ann Price,
Deed of Trust	A. W. Pinchcant	" Henry Shacklett, Trustee,
Bargain & Sale	B. G. Patterson, Comm'r. &c,	" Nelson Sprinkel,
" "	B. G. Patterson, Comm'r.	" Henry Sites,
" "	A. S. Gray	" H. F. Gray,
" "	Nelson Sprinkel & wife	" Right Rev. James Gibbons,
" "	Sallie M. Stevens,	" Z. T. Samuels,
" "	Susan Alexander,	" Edgar M. Williamson,
Trust Deed,	Charles R. Brannen,	" John J. Brannen, Trustee,
Bargain & Sale	John B. Pickle's Heirs,	" Barbara Ann Shewandeis's Heirs,
" "	John F. Long & wife,	" M. M. Silcott,
" "	J. T. Logan, Comm'r. &c,	" Patrick County,
" "	Jeremiah Fusing & wife, &c, Caroline T. Campbell	" J. G. Winfield & &c, Elizabeth Ann Campbell

The following settlements were 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 are ordered to be recorded, viz:-

Settlement of the Account of Geo. Ichniman, Trustee for Mrs. M. A. Buckley,
" " " " " Geo. Ichniman, Exor. of Geo. W. Ichniman, dec'd.
" " " " " Geo. Ichniman, Trustee for Mrs. Henrietta Ichniman,
" " " " " Benjamin Bowman, Admr. of Henry Riswanger, d.
" " " " " Jacob Lago, Exor. of Andrew Lago, dec'd,
" " " " " Milton Taylor, Exor. of Christopher Keyer, dec'd,

The following Appraisement and Sale Bills were this day presented in Court, and no exceptions being taken thereto, were ordered to be recorded, viz:- Appraisement & Sale Bill of Estate of Anthony Showalter, dec'd,
Appraisement Bill of Estate of Joseph Miller, dec'd,
Inventory of Estate of R. Altaffer, dec'd,

July 1. 910. The Report of the Commissioners appointed to partition the land belonging to the Estate of Geo. Nicholas, dec'd, was this day returned into Court, and there being no exceptions thereto, the same is ordered to be recorded.

J. H. Hardesty & Son, Pltff
J. H. Longo Admr. Defts. } Notice.

J. N. Loeuenbach, Jr. & Co, Pltff
Wm. Williams & J. N. Gordon, Defts. } Notice

David Stinespring's Admr. Pltff
John Maphis & Mary his wife, Defts. } Upon a Sci. fa.

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

Commonwealth
Joseph Fultz, } Indict. for A. & B.

Commonwealth
Henry M. Dorman, } Indict. for A. & B.

This day came the Defendants, by their Attorneys, and entered their pleas of not guilty, and thereupon it is considered by the Court that the trial of the causes be continued until the next term.

Commonwealth
Minor Dean, } Upon an Indict. for trespass.

This day came the Defendant and confessed judgment in favor of the Court for One cent & costs. It is therefore considered by the Court that the Commonwealth recover of the Defendant the sum of One Cent and her costs, by her in this behalf expended.

Same,
David Alexander, } Upon same

This day came the Defendant, and confessed judgment in

open Court for one cent and costs. It is therefore considered by the Court that the Commonwealth recover of the defendant the sum of One Cent and her costs by her in this behalf expended.

James M. Weaver, Pltff.
vs. Unlawful Detainer,
D. F. Haynes & C. Defts.

Ordered, That this cause be dismissed.

Charles T. O'Ferrall, who was elected at the last session of the General Assembly of Virginia, Judge of the County Court of this County, for the term of six years from the first day of January 1874, this day appeared in Court, and qualified by taking the several oaths prescribed by Law.

On motion of Gorgonio Williams, the Estate of David N. Ralston is committed to James P. Ralston, Sheriff of this County, for administration.

Samuel R. Alleaugh, who was, on the 4th day of November 1873, duly elected Treasurer of the County of Rockingham, to serve as such for the term of three years, commencing on the first day of January 1874, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day
entered
appeared in Court, and together with Samuel R. Sterling, Abraham Ruder, Wm. C. Harrison, Jonas A. Sowerbach, Jacob Moyers and Henry Neff, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of One Hundred and eighty thousand dollars, conditioned for the faithful execution of the duties of his office, Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said Samuel R. Alleaugh took the several oaths required by Law.

David N. Ralston, who was, on the 4th day of November 1873, duly elected Sheriff of the County of Rockingham, to serve as such for the term of three years, commencing on the first day of January 1874, and afterwards until his successor is qualified to enter upon the discharge
entered
of the duties thereof, this day appeared in Court, and together with B. F. Ralston, Sr. by his Atty. J. W. Ralston jr. Archibald Hopkins, jr., John N. Ralston, & D., John N. Ralston, jr., Lewis C. Hopkins, Jesse Ralston and B. F. Ralston, jr., his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Fifty thousand Dollars, conditioned for the faithful execution of the duties of his office, Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said David N. Ralston took the several oaths prescribed by Law.

Robert Cox, who was, on the 4th day of November 1873, duly elected
entered

Superintendent of the Poor of the County of Rockingham, to serve as such for the term of three years, commencing on the first day of January 1874, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with John Leedy, Abraham Miller, Silas Benton, Robert Rowdy and James Steele, his sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty Thousand dollars, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said Robert took the several oaths required by law.

On the motion of Samuel R. McDaugh, Treasurer of this County, and it appearing to the Court that he is a man of honesty and good demeanor, Samuel R. Sterling is permitted to qualify as his Deputy, by taking the several oaths prescribed by law.

On the motion of David H. Roleston, Sheriff of this County, and it appearing to the Court that they are men of honesty and good demeanor, Wm. H. Blakemore, John D. Scott, Christopher Miller, John A. Switzer D. N. Bear, Sam'l S. Bowman, and L. S. Byrd are permitted to qualify as his Deputies, by taking the several oaths prescribed by law.

On the motion of Joseph Heatwole, who made oath thereto according to law, he appeared in Court this day, and together with Peter S. Heatwole, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1200.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Henry G. Heatwole, dec'd.

And upon the further motion of Joseph Heatwole, Admr. &c, the Court doth appoint Christian Good, David S. Heatwole Jacob Brunk and Peter Swope to appraise the Estate of said Henry G. Heatwole, any three of whom may act, after first being duly sworn.

On motion of Crawford Zirkel, the Court doth appoint him Committee for Delilah Zirkel, a person of unsound mind, and thereupon he appeared in Court this day, and together with Martin G. Kline, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, and qualified accordingly.

On the motion of Peter Swank, who made oath thereto according to law, he appeared in Court this day, and together with John P. Swank and John Acker, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Peter Acker, dec'd.

And upon the further motion of Peter Swank, Admr. the

Court doth appoint Dewitt Coffman, Jacob Moyers, Jacob Neff and Isaac Allen to appraise the Estate of said Peter Acker dec'd, any three of whom may act, after first being duly sworn.

It appearing to the Court from the certificate of W. T. McGahey a Justice of the Peace for this County that Noah W. J. Boyers, Columbia L. J. Boyers and John J. H. Boyers, infants children of Jacob Boyers, dec'd, hath made choice of Joshua Pence as their guardian, they being over the age of 14 years, the Court doth appoint him as their guardian and also as the guardian of Beauregard T. J. Boyers and Robert M. L. Boyers, infant children of said Jacob Boyers, dec'd, under the age of 14 years; and thereupon the said Joshua Pence this day appeared in Court, and together with Reuben Kisling, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $2,000 cc, conditioned according to law, and qualified accordingly.

entitled.

On the motion of William Beard, who was on the 7th day of November 1873, duly commissioned a Notary Public in and for the County of Rockingham, by the Governor of Virginia, he this day appeared in Court, and together with Miram Coffman, his surety, (who justified as to his sufficiency) entered into and acknowledged in open Court, a bond in the penalty of $500 cc conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said William Beard took the several oaths required by laws.

On the motion of Pierson Wetzel, the Court doth appoint him as Committee for Mary Wetzel, a person of weak and infirm mind, and thereupon he appeared in Court this day, and together with Isaac Funk 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, and qualified accordingly.

A. M. Newman having moved before this Court to be relieved of security ship in the bond of W. S. Lusty executed in this Court, as Administrator of Estate of S. M. Dold, deceased, and reasonable notice having been acknowledged of said motion, and failure made by W. S. Lusty to execute new bond, he, the said W. S. Lusty is from as administrator is revoked, and he is removed from the office of Administrator of said Estate.

Jacob L. Silcott, Foreman, John Howard, John B. Kline, Adam Thomas, Jacob B. Burns, John E. Koontz and Wm. S. Downs, were sworn and empanneled 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 not having concluded the business before them, were adjourned until to-morrow morning at 9 o'clock.

Joseph Smith Sheriff of Greene County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $15.00 for arresting Thomas Bunce charged with felony, and mileage of self & services & mileage of guard in conveying Prisoner into the custody of Thomas Powell, Constable of Stonewall Township in this County, &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,

c'f'd.

Thomas Powell, Constable of Stonewall Township, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $15.80 for executing search warrant, summoning witnesses & Thomas Bunce, charged with felony, mileage of self and services of guard, & board of Prisoner, which was certified to by the Justices of the Peace, and 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'f'd.

Joseph W. Baughan this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.65 for services as guard one day & night and mileage in conveying Prisoner to the Jail of this County of Rockbridge, 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'f'd.

J. P. Rolston, Sheriff of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.85 for arresting Allen Devier charged with felony, mileage, &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,

c'f'd

J. P. Rolston, Sheriff of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $3.32 for arresting Allen Devier, charged with misdemeanor, mileage, &c, 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.

Andrew S. Newman this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.35 assisting Sheriff of this County in arresting Allen Devier charged with felony, and mileage, 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'f'd.

On motion of Pierson Metzel, and it appearing to the Court that Mary Metzel, a Pensioner under an Act of Congress approved July 1871, is a person of weak and infirm mind, It is ordered that the said Pierson Metzel be appointed Committee of the said Mary Metzel, and that his said appointment be certified to the United States Pension Agent, at Richmond, Va.

Upon the Petition of R. G. Hopkins & others,

It is ordered that W. M. Laws, Road Commissioner for Stone-
cap. wall Township do view and report according to law, upon the propriety of
making "The old Mill Road, now in general use, and running from the McCahey-
ville Methodist Church by Snyder's Mill, intersecting with the mill road opposite or
near Wm. Hain's lane, a public road.

Gordon & Williams for use J. A. Loewenbach
&
Jacob P. Effinger, A. C. Heil & John N. Beery } Upon a motion upon a 12 months bond executed for property purchased at Sheriff's sale, under act of Assembly approved May 28, 1870.

This day came the Plaintiff by his attorney, and the Defendants
✓ being solemnly called came not, on the motion of the Plaintiff's counsel it is
considered by the Court that the Plaintiff's recover of the Defendants the sum
of $253.48 with interest thereon from 21st day of October 1872 tice paid and their
costs by them in this behalf expended.

J. W. Heil's Adm. Pltff
&
P. Liggett, Deft. } Upon a Sci fa. to revive a judgment.

✓ The Defendant having been duly warned and not appearing, on
motion of J. S. Hansberger, Adm. with the will annexed of J. W. Heil, dec'd, by his
Attorney, It is considered by the Court that the Plaintiff J. S. Hansberger, Adm. of
said J. W. Heil, dec'd may have Execution against the Defendant P. Liggett, for the
sum of $185.37½, with interest on $50 part thereof from June 9, 1855 and on $50.00
another part thereof from June 8, 1855, and on $85.37½ the residue thereof
from March 19, 1857 till paid, & $7.76 costs specified in said writ, and
also that the Plaintiff recover of the Defendant his costs by him expended,
in suing forth and prosecuting this writ.

The Common Council of the Town of Harrisonburg having recom-
mended the same, It is ordered by the Court that the certificate
granted Jno. Heller at the last term, to obtain License to keep an
Eating House, with the privilege of selling Lager Beer, be so amended
as to allow Mr. Heller to conduct said business in the room at the
Southern end of the brick building on Main Street, between the A-
merican & Effinger Hotels.

On the motion of Jones' Brothers, and it appearing to the Court that
they have been erroneously assessed with a license tax as Com-
mission Merchants, amounting to the sum of $40.00 for the year 1873,
cap. the Court having heard the evidence and being satisfied that they
were not engaged in the business of Commission Merchants, It is
considered by the Court that they be exonerated from the payment
of said erroneous assessment of $40.00 The assessor of Central
Township, who made the assessment was examined as a
witness touching this application, and the Attorney for the Com-
monwealth being present and defending the motion.

Jos. Byrd, surviving partner of Bonno & Byrd,
vs
Jos. A. Hammen late Shff. R.C. & his sureties. } On a motion for failure to return a Fifa.

This day came the parties, by their Attorneys, who being fully heard, It is considered by the Court, that the Defendant be fined $30 cts to the use of the said Jos. Byrd, surviving partner, for not returning according to law, an execution sued out of this Court by the Plaintiff against Jacob Dinkel and George W. Fraley, which it appears was delivered to the Defendant, to execute, and also, that the Plaintiff recover against the Defendants his his costs by him in this behalf expended.

J. C. Ayers & Co.,
vs
same, &c. } Upon same motion.

This day came the parties, by their Attorneys, who being fully heard, It is considered by the Court, that the Defendant be fined $30 cts to the use of said J. C. Ayers & Co, for not returning according to law, an execution sued out of this Court by the Plaintiff against Joseph Byrd, which it appears was delivered to the Defendant to execute, and also that the Plaintiffs recover against the Defendants their costs by them in this behalf expended.

Sarah Allebaugh, Pltff.
vs
G. W. Rodgers, &c., Deft. } Sug.

Ordered, That this cause be dismissed agreed.

This day came Harvey Kyle, who alleges that he is aggrieved by an entry in the land book made by John W. Moore, Assessor of the Revenue for said County, in the years 1871, 1872 & 1873 whereby he is charged with $2.15 Taxes for each of said years on a tract of Land containing 3 Acres, known as Lots No. 8, 9 & 10, described as lying on North River in said County, Franklin now Ashley Township, and thereupon the said Harvey Kyle moved the Court to exonerate him from the payment of $16.45 the taxes so erroneously assessed against him for said years 1871, 1872 & 1873, which motion was defended by by John Paul, the Attorney for the Commonwealth, and the said John W. Moore 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 were made, were certified by the Clerk of the County Court of this County on the ___ day of ___ 1871, 1872 & 1873, and that application for redress against the erroneous entries was made on this day for the first time; and it appearing that said Kyle is charged with said lands, and that the same land is charged to John Dinkel's Estate, and that he has been paying the taxes assessed against both himself and said Dinkel's Estate on said tract of Land, 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 Harvey Kyle is erroneously assessed on said books with taxes amounting to $6.45 taxes so erroneously charged if not already paid, and if paid, that it be refunded to him, and also that the land be stricken off the Commissioner's book, in the name of John Dinkel's Estate, as it is already properly charged to said Harvey Kyle.

On the application of Harvey Kyle, and it appearing to the Court that Daniel Dinkel is charged upon the Commissioner's Books in Ashley Township with a tract of 2 Acres of Land, which belongs to and is also charged to said Harvey Kyle, it is considered by the Court that said tract of Land be stricken from the Commissioner's Book in the name of said Daniel Dinkel, as the Court is satisfied that said tract is included in the lands charged said Kyle. The Attorney for the Commonwealth appeared and defended the motion and John D. Moore, the former Assessor examined as a witness touching this application.

This day A. M. Newman, jr., who alleges that he is aggrieved by an entry in the land book made by Geo. F. Mayhew, Assessor of Central Township, in the year 1873, whereby he is charged with $12.54 taxes for said year on new building erected, and thereupon the said A. M. Newman, jr., moved the Court to exonerate him from the payment of $12.54 the taxes so erroneously charged against him for said year, which motion was defended by John Paul, Attorney for the Commonwealth.

cap'd, ot'd.

And it appearing that said book, in which said alleged erroneous entry was made, was certified by the Clerk of the County Court of this County on the day of 1873, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that said new building was not erected until the summer of 1873, and consequently not taxable for said year, 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 A. M. Newman is erroneously charged on said book with taxes amounting to $12.54; whereupon it is ordered that the said A. M. Newman be exonerated from the payment of $7.50 State and $5.04 County taxes so erroneously charged, if not already paid, and if paid, that it be refunded him.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday December 16, 1873.

Present:- Hon. James Kenney, Presiding.

On motion of Wm. S. Miller, a Rule is awarded against Robert B. Cook returnable to the 1st. day of the next term of this Court to shew cause, if any he has, why he, as guardian of his children, should not be required to give a new bond as guardian of said children, and why the said Wm. S. Miller should not be relieved as the surety of said Robert B. Cook in said Cook's fiduciary bond as guardian of said Cook's children, executed on the 20th. Augt. 1862 for $5.000.00 before the County Court of Rockingham County.

issued

John Geil, Commr. of Roads for Central Township, this day presented in Court an Account against the County of Rockingham for viewing road from Fulton's Blacksmith Shop to Attoline 2 days @ $2 per day ($4.00) which was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

issued

Jacob A. Armentrout, Commr. of Roads for Stonewall Township this day presented in Court an Account against the County of Rockingham for viewing road from Fulton's Blacksmith shop to Attoline 2 days @ $2 per day, ($5.00) which was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

Isaac Hardesty & Son, Pltff,
vs
James P. Ralston, Sheriff of Rockingham County, and as such Admr. d.b.n. of J. S. Long dec'd, who was one of the sureties of Wm. H. Rodeffer, late Constable of said County.

Upon a notice for failure to pay over money collected by said Wm. H. Rodeffer as Constable, to said Plaintiffs.

J

This day came the Plaintiffs by their attorney, and it appearing that the Defendant has had legal notice of this motion, thereupon the cause being fully heard, It is considered by the Court that Plaintiff recover against the Defendant the sum of $32.63 with interest at 6 per cent. per annum from December 22, 1858 till October 20, 1862, and damages at the rate of 15 per cent. per annum from said 20th. day of October 1862 until paid, and their costs by them in this behalf expended.

This day came again the Grand Jury sworn and impannaled on yesterday in and for the body of this County, pursuant to their adjournment and again retired to their room to consider of their presentments, and after sometime returned into Court, and made the following presentments, viz:- An Indictment against John Eye (sued) for assault and battery, "a true bill, J. L. Silbert, foreman, - An Indictment against A. J. Paufler (sued) for carrying concealed weapon, "a true bill," J. L. Silbert, foreman, - An Indictment against Thomas Bruce (with) for Housebreaking, "a true bill," J. L. Silbert, foreman, - An Indictment against Geo. Neff Hull (with) for obtaining property under false pretences. "a true bill," J. L. Silbert, foreman, An Indictment against James

with Dove, for forgery, and for uttering forged order, "a true bill," J. L. Silbert, foreman, and having concluded all the business before them, were discharged from further attendance upon said Court. And the foregoing Indictments, except the two first named are ordered to be certified to the Circuit Court.

Commonwealth
@
James Dove, } Upon an Indictment for Forgery and uttering forged order.

This day the prisoner was led to the bar of this Court in custody of the Jailor of this Court, and by his counsel, demurred to each count of the Indictment, which demurrer was overruled by the Court, and thereupon the prisoner was arraigned and pleaded not guilty, and thereupon the prisoner was remanded to Jail and the Indictment ordered to be certified to the Circuit Court.

This day came Wm. H. Ritenour, G. S. Christie, Philo Bradley, N. Tillman and L. H. Gambill, trustees of the Masonic Hall, who allege that they are aggrieved by an assessment made by Jas. H. Daupert, Asst. Assessor for Harrisonburg Township in the year 1872, whereby they are charged with Twenty Dollars License tax for renting second room of said Masonic Hall for Public Exhibitions, and also by same assessment for same privilege, made by John R. Jones Assessor of Central Township in the year 1873, whereby they are charged with same tax of Twenty Dollars; and thereupon the said Trustees moved the Court to exonerate them from the payment of $40.00 the amount of said License tax for the years 1872-1873, which motion was defended by John Paul, Atty. for the Commonwealth for this County, and the said John R. Jones the present Assessor & successor in office of James H. Daupert, the former Assessor, was examined; And it appearing that the real estate upon which these taxes were assessed belongs to the Masons, and that the profits arising from the use of Masonic Hall referred to in said Licenses are applied to charitable and benevolent purposes. 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 Trustees of said Masonic Hall are erroneously charged with License tax amounting to $40.00, whereupon it is ordered that the said Trustees be exonerated from the payment of $40.00 the License taxes so erroneously charged, if not already paid, and if paid that it be refunded to them.

John Paul, who was, on the 4th day of November 1873, duly elected Attorney for the Commonwealth of this County, to serve as such for the term of three years commencing on the 1st day of January 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his said office, this day appeared in Court, and qualified as such, by taking the oath prescribed by Law.

Ordered That Jacob L. Silbert, John Howard, John B. Kline, Adam Thomas, Jacob B. Burns, John E. Koontz and Wm. S. Downs, are allowed One Dollar each for their services as Grand Jurors during this term of the Court.

This day came Samuel Sandy, who alleges that he is aggrieved by an entry in the Land Book, made by John M. Moore, Assessor of Franklin now Ashby Township in the years 1872 & 1873, whereby he is charged with $4.30 taxes for the years 1872 & 1873, on a tract of land containing about 6 Acres of Land, lying in said Township, and thereupon the said Samuel Sandy moved the Court to exonerate him from the payment of $4.30 the taxes so erroneously charged against him for said years, which motion was seconded by John Paul, the Attorney for the Commonwealth for said County, and the said John M. Moore 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 1872 & 1873 and that application for redress against the erroneous entries was made on this day for the first time; and it appearing that the taxes above named were paid by Samuel Sandy on said tract of land erroneously assessed against him, the same land being assessed on the books against Daniel Bowman, trustee for ~~Mary~~ Mary Sandy & the taxes paid in that name, 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 Samuel Sandy is erroneously charged on said books, (with taxes) for the years 1872 & 1873, amounting to $4.30; whereupon it is ordered that the said Samuel Sandy be exonerated from the payment of $3.00 State tax and $1.30 County tax so erroneously charged if not already paid, and if paid, that it be refunded to him.

Jesse D. Bucher, who was, on the 4th day of November 1873 duly elected Surveyor of this County for the term of three years, commencing on the 1st day of January 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of said office, this day appeared in Court, and qualified as such by taking the oath prescribed by Law.

Commonwealth
&
Thomas Bruce. } Indictment for Housebreaking.

The prisoner was this day led to the bar in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty" and thereupon he was remanded to Jail, and it is ordered that the Indictment be certified to the Circuit Court.

The Judge of this Court this day issued a warrant from the Bench directed to the Sheriff of Rockingham County, commanding him to apprehend Geo. W. S. Hull and commit him to the Jail of said County, there to remain until the offence for which he was presented on the 16th day of December 1873, shall be further examined into, and until he shall be thence discharged according to law and which is ordered to be certified to the Circuit Court.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, Decbr. 17, 1873.

Present:— Hon. James Kenney, Presiding.

On motion of Franklin Tankersley, who made oath thereto according to law, he appeared in Court, and together with John L. Woodson, his surety, (who is justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, a certificate is granted him for obtaining Letters of administration in due form, upon the Estate of Diana Tankersley.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, December 18, 1873.

Present:— Hon. James Kenney, Presiding.

Jacob Mescole
&
Archibald Alden

Upon a motion to quash an Execution issued from the Clerk's Office of this Court on the 25th day of June 1873, returnable to 3rd Monday in August 1873, in favor of Archibald Alden & Jacob Mescole for $15.00 Damages and $21.25 Costs.

This day came the parties by their Attorneys, and the Defendant waiving further notice of this motion, by consent of parties, the same is submitted to the Court, and thereupon the Court doth order that the Execution aforesaid be quashed as to the costs, and that the Plaintiff Mescole recover of the Defendant his costs by him in this motion expended, which is to be set off against the $15.00 Damages.

On motion of John Harman, the Estate of John Harman, Jr. dec'd. is committed to James P. Ralston, Sheriff of Rockingham County, for administration.

The Court doth allow John Paul, atty. for the Commonwealth $41.66⅔ for public services for the month of Dec. 1873, being the balance in full of $500 allowed for the year ending Dec 31, 1873, to be paid by the Treasurer.

The Court doth allow J. S. Logan, Clerk of this Court the sum of Five Hundred dollars for public services for the year ending Dec. 31, 1873, which is ordered to be certified to the Treasurer of this County for payment.

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

James Kenney

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, December 19, 1873.

Present:- Hon. James Kenney, presiding.

Sam'l R. Allebaugh, late S. R. C.,
vs
C. H. Killian,
} As garnishee of J. N. Mauzy, &c.

On motion of the Plaintiff, a Rule is awarded against C. H. Killian, returnable to 1st day of the next term, for his failure to appear at this term to answer the garnishee summons returned executed upon him in case of Sam'l R. Allebaugh, Pltff vs J. N. Mauzy, &c.

On motion of John E. Roller, who made oath thereto according to law, he appeared in Court, and together with Peter S. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond, in the penalty of $600.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of William Sipe dec'd,

And upon the further motion of said John E. Roller, the Court doth appoint George G. Grattan, B. G. Patterson, Ransom D. Bushen & L. H. Gamble to appraise the Estate of the said William Sipe, dec'd, any three of whom may act, after first being duly sworn.

John Crousehorn, &c.,
vs
F. M. Erwine, &c.,
} Upon a Petition to open a County Road.

This day came the parties by their Attorneys, and the Sheriff of this County, having, at the last term of this Court, in pursuance of a writ in the nature of a writ of Ad quod damnum, returned an Inquisition taken and signed on the 8th day of November 1873, in the words and figures following, to-wit:- (Here insert it,) the Court proceeded to hear the case upon said Inquisition and the verdict of the Jury, together with the report of the Commissioners appointed to view the competing routes laid down as Routes No 1 and No 2, on the plat and report of Wm. Beard accompanying the report of Road Commissioner Kromer, and the testimony of divers witnesses, who were sworn and examined, and all circumstances being weighed, It is ordered that a County Road be established and opened from Fulton's Blacksmith Shop on Howell's Branch in Rockingham, to Paul's Mill on Beaver Creek, commencing at the Mountain Road thence through the lands of Wm. L. Anderson, Beachy Kline, Mrs. Whitmore, John Harman, P. W. Dice, John Harman, F. M. Erwine and Peter Paul, according to the survey and location of Wm. Beard, accompanying the Report of B. F. Kromer and filed with the papers of this cause. But if the said F. M. Erwine desires it, the Road may be changed from a point nearly opposite his house to the Brock's Gap Road according to the Report of Commissioners Geil and Armentrout, filed in this cause. It is further ordered that Henry W.

Road Commissioner of Ashley Township open and establish said Road, and that the said Wm. L. Anderson be allowed the sum of $2.50 Peachy Wine, the sum of $6.50 John Harman, the sum of $11.25, F. M. Ervine the sum of Seven Hundred Dollars, for the damages to their respective lands as ascertained by the verdict of the Jury, in consequence of establishing said Road, to be levied by the Township Board of Ashley Township at its next annual meeting in July 1874, after deducting from said several sums of money, the ratable portion to each of them of the sum of Three Hundred and forty dollars paid into Court, which the Clerk is directed to pay to them & take their receipt therefor, which Township is to open said Road, and also levy the special road tax prescribed by the 36th Section of Chapter 160, of the Acts of March 19th 1872, in relation to Roads - said Road to be twenty feet wide.

It is further ordered that the costs of this application, including the costs of the Inquest be paid by the County, and the order establishing a Road on Route No. 2, is annulled and set aside.

(Vacating order read and approved.)

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

James Kenney

In Vacation.

In the County Court of Rockingham County, this 8th day of January 1874.

It appearing to the Judge of this Court, that a vacancy exists in the office of Constable of Stonewall Township, Reuben Bonds is hereby appointed Constable of said Township, until his successor shall have been elected and qualified. And thereupon, the said Reuben Bonds appeared and qualified by taking the several oaths required by law, and together with J. Bird Eastham, as his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2.000.00, conditioned for the faithful discharge of his duties. All of which is hereby certified to the Clerk of this Court, who is directed to spread the same on the Order Book, as a vacation order.

Chas. T. O'Ferrall
Judge of the County Court of Rockingham.

In Vacation.

In the County Court of Rockingham County, this 13th. day of January 1874.

George W. Powell, Collector of Stonewall Township having this day tendered his resignation to the Judge of this Court, James B. Eastham is hereby appointed to fill the vacancy occasioned by the said resignation. And thereupon the said James B. Eastham appeared and qualified by taking the several oaths required by law, and together with George S. Strayer, George W. Wedwick, Benayman F. Loker and Robert F. Weaver, as his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Fourteen Thousand dollars ($14,000.00) conditioned as the law directs.

And it appearing to the said Judge, by the certificate of S. A. Allebaugh, Treasurer of this County, "that the greater part of the Levy of the Township has been paid at the Treasurers Office, and that the remainder is made up principally of small taxes which are always troublesome and hard to collect", It is ordered that the said Treasurer pay to the said James B. Eastham, Collector aforesaid, ten per centum, (which includes the five per cent. added by the said Treasurer,) on the amount actually collected and paid to the Treasurer, by said Collector.

All of which is hereby certified to the Clerk of this Court, who is directed to spread the same upon the Order Book of said Court, as a vacation order,

Chas. F. O'Ferrall,
Judge of the County Courts of Rockingham.

Monday January 19, 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, January 19, 1874.

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, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, which is as follows, viz:—

Trust Deed,	George Foltz &c.	to James Huffman,
Bargain & Sale.	Jacob Riggleman & wife, &c,	" Isaac Fink,
" "	Jacob Dundore & wife,	" Wm. H. Foley,
" "	John M. Keyes,	" George Dunnavan,
" "	Samuel Carpenter & wife,	" Wm. D. Sheary,
" "	J. W. F. Allemong & wife	" Wm. D. Weaver,
" "	Elizabeth A. Hook & others,	" Eve Cherryholmes,
" "	W. B. Foster & wife,	" St. Clair Poindexter,
" "	George W. Adams & wife,	" James Miller,
" "	Mary Clark,	" Wm. H. Barley,
" "	Henry Zirkle & wife,	" H. N. Beery,
" "	Sarah Ann Logan & A. G. Logan,	" Samuel Hartsman,
" "	J. A. Lowenbach & wife,	" W. M. Shaver,
" "	John Paul, Commr.	" Annie D. Gray, &c,
Mechanic's Lien	Wm. Koontz,	" J. B. Lupton & Mary C. Lupton,
Bargain & Sale.	Conrad Custer & wife & others,	" Berryman Custer,
" "	Joseph C. Smith,	" Daniel H. Smith,
" "	J. A. Lowenbach & wife, &c,	" L. H. Ott, &c, Trustees R. B. Association.
" "	N. M. Argabright & wife,	" Reuben Backs,
" "	Nelson Sprinkle & wife, &c,	" Wm. N. Gay,
" "	Charles E. Haas, Commr.	" Thaddeus Judson,
" "	same,	" same,
" "	Levi D. Moyers & wife,	" Isaac Barton,
" "	Nathaniel Howard, &c,	" John Howard,
Deed of Release.	J. A. Lowenbach,	" C. E. Haas, trustee for &c,
Bargain & Sale.	John J. Roller & wife,	" Isaac Showalter,
" "	David Hollar & wife,	" James A. Burnes,
" "	J. A. Lowenbach & wife,	" George Lewis,
" "	Frederick W. Bauserk & wife,	" Wm. H. Hammack,
" "	John F. Miller & wife,	" Benj. F. Roliston, Sr.
" "	Nancy B. Ewing,	" Silvenus Miller,
" "	Benj. F. Roliston, Sr.	" John J. Miller,
" "	Nancy B. Ewing & others,	" Rosanna Bleigh & children,
Trust Deed,	John McAfee	" James Huffman, trustee,
Bargain & Sale.	Daniel Bazzle's Exor, (A. Martz,)	" Mary Jane Layman,
" "	Henry Otts Adm. (A. M. Newman,)	" Anthony Hockman,
" "	Jacob Bear,	" Decatur B. Bear,
" "	same,	" Henry N. Bear,

Bargain & Sale	Jacob Bear,	to J. Asbury Bear,
" "	G. D. Barlow & wife	" John Stover,
" "	F. A. Berlin, Commr.	" G. D. Barlow,
" "	J. N. Sevenbach & wife,	" Forest Moten,
Trust Deed.	C. A. Sprinkel & wife, &c,	" A. M. Newman, trustee,
Lis Pendens.	Edward J. Sullivan,	" James F. Payne & Benj. A. Hawkins,
Bargain & Sale	Benj. F. Spicer & wife,	" S. P. Sheets,
" "	W. J. Gray & wife,	" John E. Roller,
Apptmt in Bkruptcy	W. M. Forbes, Reg. in Bankruptcy	" Jacob Cohn, Assignee of Jno. Diehard,
Bargain & Sale	Jacob Cohn, Assignee &c,	" H. Lorette Gray,
" "	John E. Roller,	" same,
" "	Peter Hahn & wife,	" Martin Garber,
" "	John M. Hopkins' Exor & Exrx	" David M. Ralston,
" "	Samuel Sheets, &c,	" George W. Bruster,
" "	Saml. R. Allebaugh, Commr.	" Joseph T. Williams,
" "	M. M. Argabright & wife,	" Eneasmus Stewart,
Trust Deed.	James O'Brian,	" Elizabeth M. Ritter, Trustee,
Mechanic's Lien.	Emanuel Royer,	" Cytherea A. Jones,
Bargain & Sale.	Samuel H. Estep,	" Amos Estep,
" "	John Kenney's Exor. (James Kenney)	" Charles E. Haas,
Trust Deed.	John S. Lewis & wife,	" Charles E. Haas, Trustee,
Bargain & Sale	John A. Easler & wife,	" H. W. Heironimus,
" "	Peter Hendlemyer's Exor.	" J. T. Rohr, J. M. Rohr & S. C. Rohr,
" "	J. M. Rohr & S. C. Rohr,	" J. T. Rohr,
" "	J. Hoover & wife & Jr. Hoover & wife,	" B. F. Kirkpatrick,

The following settlements were 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 are ordered to be recorded, viz:—

Settlement of the Adm of Henri Bowman, Adm. of William Eamon,
" " " " " Michael Zigler, " " Henry Sites,
" " " " " Adam Anders guardian of John Bowers,
" " " " " John Zigler, " " Saml. Hoover,
" " " " " same, " " Geo. Hoover,
" " " " " Ky. A. Rhodes, " " Cornelius & Mary F. Gilmer,

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

Appraisement & Sale Bill of Elizabeth Albrights Estate,
" " " " Peter Boyer's "
" " " " Jas. M. Lee's "
" " " " John Bowman's "
" " " " Wm. McK. Wadsman's "
" " " " R. L. Yancey's "

The orders made in vacation were inspected and approved by the Court.

The Court doth appoint Dr. A. M. Newman, F. A. Daingerfield and G. F. Compton, Commissioners of this Court, and designates Dr. A. M. Newman, Commissioner of Accounts, and thereupon they appeared in Court and qualified as such, by taking the several oaths prescribed by Law.

On motion of J. A. Hammond, S.D.C., and as such Admr. of S. C. Bryan, dec'd, the Estate of John S. Heatwole, dec'd, is committed to David H. Ralston, Sheriff of this County, for administration.

On motion of Peter S. Rolles, a Rule is awarded him against John W. Carpenter, guardian of Peter S. Carpenter, infant under age of 21 years, returnable to the 1st day of the March term 1874, of this Court, to shew cause, why he should not be required to execute a new bond as guardian for said infant, with other & sufficient security, & in the event of his failure to execute such bond to have his powers revoked; and it being suggested that John W. Carpenter is a non-resident of the Commonwealth, It is ordered that service of said Rule, be by order of publication, as prescribed in Sec. 2d of Chap. 167 of the Code of 1860.

On motion of Wm. S. Miller, and in pursuance of a Rule issued against Robert B. Cook, guardian of Nancy J. Cook, Sarah M. Cook, George W. Cook, Jacob H. Cook, Louisa E. Cook, John R. Cook & Eliza A. Cook, children of Robert B. Cook, which said Rule has been duly executed, the Court doth order that Robert B. Cook, as guardian aforesaid do give a new bond as such guardian, with new security, in the penalty of $5000.00 before this Court on or before the 1st day of the next Term of this Court, and that, unless such bond be given as aforesaid, within the said prescribed time, then the powers of said Robert B. Cook, as such guardian, are hereby annulled & revoked.

On motion of David H. Ralston, who made oath thereto according to law, he appeared in Court, and together with David Minnick, Samuel Minnick & Wm. Minnick, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $800.00, conditioned according to law, a certificate is granted him, for obtaining letters of administration in due form, upon the Estate of Christena Minnick, dec'd.

And, upon the further motion of D. H. Ralston, Admr. of said Estate, the Court doth appoint Wm. M. West, Jacob Crist, Samuel Hoover and Christian White, to appraise the Estate of said Christena Minnick, any three of whom may act, after being first duly sworn.

John Scanlon, Plff
v.
George R. Brigham, Deft. } W. E. & D.

On motion of the Plaintiff, this cause is ordered to be placed upon the Court's Docket; and the Defendant by counsel filed his plea of "not guilty" and plea of puis abatement to the action and also filed demurrers as to form, and as to sufficiency of notice.

Wm. Loeb, Agt. for &c. Plff. } Sug. } Rule
v
S. R. Allebaugh, late Shff &c, Plff
@
Bowyer & Long, Defts.
@
C. W. Kulkarni, Deft

James Thompson, Appellee } Writ } M. E. & D.
v
Ambrose Spitzer, Plff.
@
The Commonwealth, Appellants
@
David Depoy, Defts.

Wm. Spitzer, use of &c Plff } Notice.
v
@
Zebulon D. Gilmore, Deft.

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

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 Jany. 1, 1874, viz:

Plains Township.-

Pimbersville - Henry Rife, Coote's Store, - John G. Cootes,
Tenth Legion - Jackson Mantz Mittig's Store, - George Mittig,

Linville's Creek Township.

Melrose - Erasmus P. Myers Hoover's Shop - Isaac on Turner,
Edom, - Wm. R. McKeever, Zinger's Glen, - Solomon Funk,

Central Township.

Harrisonburg, Rau. D. Cusher, Mt. Clinton, Saml. N. Fickbaugh,
Keezletown, - Geo. P. Buntner,

Ashby Township.

Cross Keys - Jos. B. Webb Bridgewater, - John M. Jacobs,
Mt. Crawford, George D. F. Sheets, Attobine, - Shem S. Heatwole,
Dayton, Stephen J. Funk, Mayerhoffer's Store, - Isaac Long,

Stonewall Township.

Conrad's Store, Joseph H. Kite, Port Republic, - John M. Lee
McGaheysville - Jos. N. Hammon,

Corporations:-

Harrisonburg, Rau. D. Cusher, Bridgewater, Henry Smals.

Peter P. Reed, Plff. } M. E. & D.
v
@
William Carpenter, Deft.

This day came again the parties by their Attorneys, and neither party requiring a Jury, the decision of the cause was submitted to the Court, and having fully heard the cause and argument of counsel, It is considered by the Court that the Defendant did not unlawfully withhold the possession of the premises in the writ mentioned from the Plaintiff; and that the Defendant recover of the Plaintiff, his costs by him in this behalf expended.

Ambrose Spitzer, Plff
vs
David Depoy, Deft. } W. E. & D.

This day came again the parties by their Attorneys, and neither party requiring a Jury, the decision of the cause was submitted to the Court, and having fully heard the cause, It is considered by the Court that the Defendant unlawfully withholds from the Plaintiff, possession of the premises described in the writ, and that the Plaintiff shall recover possession of the said premises, and also his costs, by him, in this behalf expended, and that a writ of possession do issue directed to the Sheriff of this County, requiring him to place the Plaintiff in possession of said premises.

It appearing to the Court that many cases now pending on the Docket of this Court, have been pending for more than seven years, in which there have been no orders or proceedings, but to continue them, It is ordered that all such cases be struck from the Docket, at the next term, unless the same shall then be prosecuted with a view to their final determination.

The writing purporting to be the last will and testament of Isaac N. Ryan, was this day presented in Court, and was proven by the oaths of G. H. Berlin & D. L. Pool, the two subscribing witnesses thereto, & was admitted to probate.

Henry McDorman, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.40 which was certified by Jacob Funkhouser, Justice of the Peace, for arresting, &c, Herring Graves, charged with Petit Larceny, 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.

W. B. Lilly, Constable of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $2.—, which was certified by W. J. McGahey Justice of the Peace, for ~~arrests~~ executing search warrants on the premises of Henry Ford, 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.

Upon application of Henry B. Harnsberger, J. H. Palmer & other citizens of the vicinity of Port Republic, and the Court having heard the testimony of sundry witnesses as to the necessity of the early completion of the Bridge over North River at Port Republic, and the inability of the citizens to complete the same, without additional aid from the County at large, It is ordered by the Court, that the sum of Six Hundred dollars be appropriated for the purpose of the completion of said Bridge, and that the Board of Supervisors of this County, do include said amount in their Levy for the year 1874.

This day came Barbara Bowman, who alleges that she is aggrieved by an apeisment of License Tax against her, by G. F. Mayhew, Apeisor of Central Township, for the year ending May 1, 1874, amounting to the sum of $8.00 License tax for the whole of said year, for the privilege of Keeping a boarding House in the Town of Harrisonburg, and thereupon the said Barbara Bowman moved the Court to exonerate her from the payment of $2.00 part of the taxes so erroneously chayed against her for said year, which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said Apeisor of Central Township, was examined as a witness touching the application.

And it appearing that application for redress against this erroneous apeisment, was made on this day for the first time, and that the applicant did not commence the business of a boarding House Keeper until the 1st day of August 1873, 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 Barbara Bowman is erroneously charged with taxes amounting to $2.00 whereupon, It is ordered that the said Barbara Bowman, be exonerated from the payment of $2.00 taxes so erroneously chayed, if not already paid, and if paid, that it be refunded to her.

John Scanlon, Pltff
vs
Geo K. Brigham, Deft. } M.E. & D.

This day came again the parties by their Attorneys, and the Defendant by counsel, having filed his plea of "not guilty", and demurrer of plea in abatement to the action, to which plea of abatement, the Pltff demurred, & which demurrer was sustained by the Court to the plea of "not guilty" and to the entire discovery of matter set out in the plea, the plaintiff replied generally; and thereupon came a Jury, to wit: L. D. Price, J. M. Suttron, James Steele, A. J. Whitmer, J. G. Whitmer, M. G. Jones, A. S. Byrd, D. C. Secrist, S. C. Miller, E. M. Shaver, J. H. Bixler, George G. Thayer, who being elected, tried and sworn the truth to speak upon the issue joined, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 8 o'clock.

Ordered, That Court be adjourned until to-morrow morning at 8 o'clock.

Chas. T. O'Ferrall.

Tuesday, January 20, 1874.

At a County Court continued and held in and for the County of Rockingham, on Tuesday, January 20. 1874, at the Court House thereof,

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

copied. L. S. Byrd, Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $69.25 for dieting, &c., sundry 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.

copied. Ordered, That the Treasurer of this County pay to John Paul, Attorney for the Commonwealth, the sum of $11.66⅔ for his services in this Court for the month of January 1874.

John Dellinger, for &c, Pltff
vs
John P. Pence, surviving obligor of himself & John L. Homan, dec'd, Defts. } Upon a motion upon a bond executed for the purchase of property at Sheriff's sale under Act of Assembly, approved May 28, 1870, entitled "An Act, &c",

This day came the Plaintiff, by his Attorney, and the Defendant being solemnly called, came not, the notice was proved, and it is considered by the Court that the Plaintiff recover of the defendant the sum of $65.92 with interest thereon from the 26th day of September 1873, till paid, and his costs by him in this behalf expended.

Amanda Mantz, Pltff,
vs
P. S. Roller & J. N. Bowen, Defts. } Upon a motion upon a 12 months' bond executed for the purchase of property at Sheriff's sale, under Act of Assembly, approved May 28, 1870, entitled "An Act &c",

This day came the Plaintiff, by her Attorney, and 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 $297.94/100 with interest thereon at the rate of 6 per cent. per annum, from the 22nd day of September 1873, till paid, and her costs, by her, in this behalf expended.

W. C. & St. Louis R. R. Railroad Company, Pltff
vs
D. M. Switzer, Deft } Upon Repat of Commo.

For reasons appearing to the Court, this cause is continued generally, until the next term of the Court.

1st & 2d pl. view. On an application for a public road from Bloomer Springs to the Rockingham Turnpike, Newman M. Cave, Comm'r. of Roads for Stonewall Township, having made his report, with a accompanying diagram and survey: It is ordered that the following land-owners and tenants along the proposed route, be summoned to the next term of this Court, to show cause, if any they can, why said road should not be established according to said report, viz:- Henry Bird,

W. H. Law, Wm. Haynes, Joseph Michael, Wm. McKedrick, Henry Johnson, John Snyder, tenant of Snyder land, and J. V. McGahey.

On the application of William Ruebush and others, It is ordered that Henry W. Roller, Commissioner of Roads for Ashby Township, James C. Keltzel, Commr. of Roads for Central Township and Henry Pulse, Commr. of Roads for Linville Township, view and report to this Court, the propriety of changing the location of a public road leading from the Roller Mill Road in Rockingham County, to the Friedens Church Road in said County, which said road was established by an order of this Court, entered at its March Term, 1873, and that said Commissioners make & return with their report a diagram & survey of said road as now established, and of any other route, or routes they may view.

On the motion of D. H. Ralston, Sheriff of this County, and it appearing to the Court that he is a man of honesty and good demeanor, Wm. J. Chrismman appeared in Court and qualified as his Deputy, by taking the several oaths prescribed by law.

John Kenney, guardian of the infant Plff
Heirs of Andrew P. Beirne
vs
Peter S. Roller & Emanuel Roller, Defts.
} On motion to revive a judgment.

On motion of James Kenney, Executor of John Kenney, dec'd, and the defendants Peter S. Roller & Emanuel Roller appearing in Court, and waiving the award of a Scire facias and the notice thereon, It is ordered that said cause be revived and proceed in the name of James Kenney, Executor of John Kenney, dec'd, Plff, and It is considered by the Court that the Plaintiff may have execution against the Defendants for the sum of $2000.00 debt, with interest thereon from Jany. 16, 1850 till paid, and $10.88 Costs of Judgment, subject to the following credits, viz:- May 9, 1851, by $120.00 June 21, 1852, by $130.00 dct. by $1300.00 paid to James Kenney, say Jany. 3, 1853 by $48.94 Feby. 9, 1854 by $43.65 Jany. 15, 1855 by $48.94 Dec. 31, 1855 by $48.94 Jany. 12, 1857 by $48.94 Dec. 28, 1857 by $48.94 Jany. 3, 1859 by $48.94 Jany. 2, 1860 by $48.94 Jany. 1, 1861 by $214.00 the price of 20 bushels of wheat at $1.20 per bush. Aug. 26, 1861 by $16.98 Jany. 1, 1862, per Grattan, by $48.94 Jany. 1, 1863, by $140.00 pd. John Kenney, jr. on dct. Feby. 23, 1867 by $5.00 June 21, 1869 as dct. by Note due 1st July 1869, for $143.00 dct. due to date June 21, 1869; and also, that the Plaintiff recover against the said Defendants his costs by him expended in this motion.

John Scanlon, Plff
vs
Geo. K. Brigham, Deft.
} W. & D.

This day came again the Jury sworn and impannelled on yesterday, for the trial of this cause, pursuant to 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 that the Defendant unlawfully withholds from the Plaintiff

the possession of the premises in question, to wit: The Ten Pin Alley & two rooms described in the Plaintiff's writ in this cause." Therefore, It is considered by the Court, that the Plaintiff recover against the Defendant the possession of the premises aforesaid, and his costs by him in this behalf expended, and that a writ of possession do issue according to law.

c/p.o.d. Ordered, That J. D. Price, J. M. Dutrow, James Steele, A. J. Whitmore, M. G. Jones, J. G. Whitmore, A. S. Bird, D. C. Secrist, I. C. Miller, E. M. Shaver, J. H. Bixler & Geo. G. Strayer, be each allowed the sum of $2.00 for services at this term of the Court, as Petit Jurors, to be paid by the County, out of Levy of 1874.

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

Chas. T. O'Ferrall.

Wednesday, January 21, 1874.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, January 21, 1874.

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

The County School Board of this County, at its Annual meeting in 1873, having fixed the allowance of the County Superintendent of Public Free Schools, at the sum of Three Hundred and fifty dollars, and it appearing that the same is not in excess of the allowance received from the State by said Superintendent, and that it is just and proper, the said allowance is hereby ratified and approved by the Court.

George N. Nicholas
&
Lewis Randall, } Upon an attachment.

It appearing to this Court that this attachment should have been docketed at the November Term of this Court 1873, It is now ordered that the same be docketed, which is accordingly done.

C Same,
&
Same. } Upon an attachment.

On motion of the Defendant, it appearing to the Court that the levy under this attachment made upon "one box and contents at Adams' Express Office, at Harrisonburg, Va." on the 14th day of January 1874, by A. J. Nicholas, Sergt. of the town of Harrisonburg, Va. was made after the return day of said Attachment, which return day was the first day of the November Term 1873, of said Court, and therefore It is ordered that said levy be released.

Ordered That Court be adjourned until to-morrow morning at 8½ o'clock.

Chas. T. O'Ferrall.

Thursday January 22d 1874.

At a County Court continued and held in and for the County of Rockingham, on Thursday January 22d 1874.

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

5 On motion of the Atty. for the Commonwealth a Rule is awarded against Benj. Trumbo, Frederick Leider & Geo. W. Fulk, Comm'rs. appointed at the Octo Term last of this Court, for failure to 1+3 cap. issued
show cause if any they can why they have not returned to this Court, to review the location of the proposed public road from Mitty's Store to the County Place, and the proposed changes therein, to have the same surveyed by a competent Surveyor, and make a diagram of the different routes proposed and changes suggested, and return the same with their report, returnable to the 1st day of the next term of this Court.

John Scanlon, Plff
&
Geo. K. Brigham, Deft. } W. E. & D.

This day came again the defendant, by counsel, and moved the Court to set aside the verdict of the Jury in this case and grant him a new trial, which motion, on consideration, the Court doth overrule.

Wm. Spitzer, for the use of M. M. Silect
&
Zebulon D. Gilmore, C. R. Rush, James M. Weaver, Henry Neff, W. A. Kite & Geo. W. Wedrick, sureties upon the official bond of Y. C. Ammon, late Sheriff of Rockingham County. } Upon Motice for failure of Y. C. Ammon to pay over money collected by him as said Sheriff.

This day came again the Plaintiff by his attorney, and it appearing to the Court that the Defendants have had due notice of this motion, and they failing to appear, on motion of the Plaintiff, It is considered by the Court that he recover against the said Defendants as sureties for said Y. C. Ammon, late Sh'ff of this County, the sum of $119.43 with interest at the rate of 6 per cent. per annum from the 2d day of March 1869, till paid and $7.27 costs, it being for money collected by said Ammon as Sheriff under virtue of a Fieri Facias in the name of S. J. Hamsbergen for the use of Wm. Spitzer, which he failed to pay over, and also his costs, by him in this behalf expended. The Court being also of opinion that under this Notice, the Plaintiff is not entitled to recover the 15 per cent. damages claimed in said Notice.

Ordered That Court be adjourned until first day of next Term.

Chas. T. O'Ferrall.

In Vacation:—

Before the Judge of the County Court of Rockingham, on the 9th. day of February 1874:—

Ex-parte Jackson Sims

Levi S. Byrd, Jailor of the County of Rockingham, and Deputy for D. M. Ralston, Sheriff of said County, in obedience to the writ of Habeas Corpus awarded this day, and directed to the Sheriff of said County, brought before me, Jackson Sims, in the said writ named, and certified that the cause of the detention of the said Jackson Sims, was appear by a Schedule annexed to the said writ, which is being inspected by me, and after hearing the evidence and the arguments of counsel, as well in behalf of the said Jackson Sims upon his petition, as in opposition thereto, I am of opinion that the said Jackson Sims ought to be admitted to bail, and I hereby fix the amount of his bail at One Hundred dollars for himself and One Hundred dollars for his surety, conditioned for the appearance of him the said Jackson Sims, before the County Court of said County, on the 1st. day of the next term, to answer the charge of felony referred to in the Schedule aforesaid, and not to depart thence without the leave of said Court.

And, thereupon, the said Jackson Sims and Thomas Hughes, severally and respectively acknowledged themselves before me to be indebted to the Commonwealth of Virginia, each in the sum of One Hundred dollars, conditioned as aforesaid and as required by law.

It is therefore, ordered that the said Jackson Sims be discharged from the custody of the said Levi S. Byrd, Jailor as aforesaid. All of which proceedings this Court had before me in vacation, are hereby certified to the Clerk of said County Court, who is ordered to enter the same on the order Book of said Court.

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

Monday, February 16, 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, February 16, 1874.

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

The Clerk of this Court, this day presented in Court, a List of Deeds, &c, received & admitted to record in the Clerk's Office of this Court, at and since the last January term, which List being seen and examined by the Court, is ordered to be spread upon the Minutes & is as follows:-

Bargain & Sale,	Samuel Frank, trustee of D. Garber	to Samuel H. Miller,
" "	Emanuel Roller, jr & wife,	" Peter Roller, Sr & Mary M. Roller, trustees,
" "	J. N. Loewen & wife,	" John B. Smith,
" "	Samuel Cline's Exors	" Harvey Evers & Martin Heatwole,
" "	Braxton O'Roark & wife,	" Erasmus R. Neff,
Article of Agreement.	Widow & Heirs of Joseph Cline, dec'd,	
Bargain & Sale,	M. L. Suntz, Special Commr.	" J. B. Lupton, trustee, &c,
" "	Mary J. Lupton, &c,	" Hunter H. Boyd,
Deed of Release.	T. D. Collins,	" H. B. Ironmonger,
Bargain & Sale.	John Paul, Commr. &c,	" Abraham Paul, trustee,
Trust Deed.	Dianah F. McDonaldson,	" J. A. Berlin, trustee,
Bargain & Sale.	P. Herring & wife,	" John E. Roller, trustee, &c,
" "	Samuel H. Moyers & wife,	" George & Wm. Kirkpatrick,
" "	J. N. Loewenbach & wife,	" Samuel Upp,
" "	Joseph Bowman & wife,	" S. J. Leake,
" "	J. W. Berlin, Commr.	" Daniel Hurley,
" "	Otis Moore & wife,	" Daniel Beazley,
" "	Benj. A. Garlinger & wife,	" F. D. Price,
" "	F. D. Price & wife,	" Joseph B. Loose,
" "	Abel M. Dove & wife,	" Daniel H. Funk,
" "	J. W. Gambill Trustee Commr.	" Andrew Bertram,
" "	Joseph B. Loose & wife,	" J. A. Loewenbach,
" "	B. G. Patterson, Exor. of Wm Davidson,	" Maggie J. Lewis,
" "	B. G. Patterson, Commr.	" Wm. H. Bailey,
" "	Saml. G. Glick & Joel Glick & others,	" Benj. Bowman & Jacob M. Miller,
" "	Wm. B. Compton, Commr.	" Daniel Zenger,
Trust Deed,	Adam M. Wise,	" Geo. G. Grattan, trustee,
Bargain & Sale.	A. J. Blakemore & wife,	" Richard H. Chandler,
" "	Francis Devier & A. J. Blakemore,	" Richard H. Chandler,
" "	John G. Mitchell & wife & J. W. Liggatt,	" B. L. Roberts,
" "	C. J. Yancey, Commr. & F. P. Long & wife,	" Thomas Rutherford,
" "	Smith Sampson & wife,	" John Carson,
" "	Wm. B. Compton, Commr.	" William Dolin,
" "	George Miller & wife,	" Harvey Algar,
" "	Daniel Miller & wife,	" George Dickson,
" "	Elizabeth Wetsel & others,	" A. L. Bader,
" "	Samuel Sanders,	" George G. Hall,
" "	Peter Shaver & wife,	" Elizabeth F. Brenneman,
" "	J. H. Zirkle & wife,	" George Messersmith,
" "	John B. Wenger & wife,	" John Adam Foulk,
" "	John W. Gordon & wife,	" Jonas A. Loewenbach,

The following Settlements were 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 are ordered to be confirmed, viz:-

Settlement of the A/c of J. S. Hamsbeerger, Admr. of John M. Keile, dec'd,
" " " " Lewis Strickler, " " A. J. Strickler, "
" " " " J. P. Ralston, Sh'ff. as such " " Mrs. Margaret L. Braithwaite
" " " " Jno. E. Roller, guard, " Mattie A. Pence, &c,
" " " " Wm. K. Hamrick, " " Ida A. Minnander,
" " " " Jacob & Christian Shank, Exors " Jacob Shank, dec'd,

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

Appraisement & Sale Bill of the Est of Wm. Mclister, dec'd
" " " " " " Henry Pulse, dec'd & Elizabeth Pulse, d.c.d
" " " " " " Henry Pulse,
" " " " " " Elizabeth Pulse,
" " " " " " Elizabeth Andes,
Inventory of the Bonds of the Estate of Elizabeth Pulse, dec'd,

On the motion of D. H. Ralston, Sheriff of this County, it appearing to the Court that he is a man of honesty and good demeanor, Joseph H. Kelley appeared in Court and qualified as his Deputy.

On motion of G. W. Berlin, It is ordered that Henry M. Roller, Commissioner of Roads of Ashby Township, do proceed to view & locate a public road from the Bridgewater & Mt. Crawford road, at or near J. E. Bryan's Spring drain down the River to intersect the public road at or near Henry M. Argenbright's House & thence by the nearest & most practicable route to the Valley Turnpike, at or near the Baptist Church at the North end of Mt. Crawford, and report to this Court without delay.

J. W. Manzy & wife, Plff's, } W. E. & D. } J. C. Ayer, &c, Plff } Upon a notice,
Allen Morris, Deft. } } J. A. Hammen, S. R. C. &c, Defts. }
Ordered, That these causes be placed upon the Court Docket,

On the application of John Seedy & others, for the establishment of a public road, commencing at the corner of D. S. Reed's orchard, on the old Swift Run Gap Road, one mile South east of Harrisonburg, and running in the direction of Port Republic, through the Chestnut Ridge, intersecting the present road leading from the Valley Turnpike to Port Republic, at or near Mt. Pleasant Church, It is ordered that the Commissioner of Roads for Central Township view the route of said proposed road and any other road he may deem expedient, and report to this Court, at its next term, the propriety of establishing said road,

On motion of Charles T. Acker, on behalf of himself and the other heirs of Peter Acker, Isaac Menger, Dewitt Coffman, Jacob F. Steff and A. L.

Mauzy ~~Executor~~, or any three of them, are appointed Commissioners to lay off and asign to Ann Aiken, widow of said Peter Aiken, her Dower in the real estate of her late husband,

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On motion of James Philips, a Rule is awarded against Jacob A. Armentrout, Exor. of Henry Argenbright, dec'd, returnable to the first day of the
cp'd. March Court next, to shew cause, if any he can, why the penalty of his bond as said Executor should not be increased.

On motion of J. P. Ralston, late D. R. C. & as such Admr. of the Estate of
Henry Pirkey, dec'd, A. P. Nicholas, Joseph Good, Allison Breeden, John
cp'd. Dunnavan & Wm. Koontz are appointed to appraise the Estate of
said Henry Pirkey, any three of whom may act, after first being
duly sworn.

On the motion of Jacob Shank, the Estate of Peter Rhoder, dec'd is committed to D. R. Ralston, Sheriff of this County, for administration.

On the motion of J. P. O'Ferrall, who has been commissioned by the
Governor of Virginia, a Notary Public, in and for the County of Rockingham,
certified to Auditor. he this day appeared in Court, and together with C. 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, which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said J. P. O'Ferrall, took the several oaths prescribed by Law.

Daniel Stouffer, for use of James C. Keltzel,
vs.
Wm. B. Compton, gar. of J. W. Zirkle } Sug. of Pltff.

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

John P. Brock
vs.
Wm. T. McGahey, W. W. Hedrick & G. W. Mauzy } Upon a Notice on a forthcoming Bond.

This day came the parties by their Attorneys, and the Plaintiff moved the Court for judgment and execution according to bond for costs, whereupon the Defendant filed his plea of set-offs, and upon motion of the Defendant, this cause is continued until the next term at the costs of the Defendants.

On the motion of Jasper Hawse, who made oath as to costs according to law, he appeared in Court, and together with John C. Beery and Wm. S. Zirkle, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3.000, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of John Baldwin, dec'd.

And upon the further motion of Jasper Hawse, Admr. of

of said John Baldwin, the Court doth appoint Jesse Buckholder, Wm. J. Chrisman and Isaac Mauger to appraise said Estate, any three of whom may act, after first being duly sworn.

On the motion of Charles A. VanDear, who made oath thereto according to law, he appeared in Court, and together with Joseph B. Webb, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1600.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Theodore A. VanDear, dec'd.

And upon the further motion of Chas. A. VanDear, Admr. of said Theodore A. VanDear, the Court doth appoint W. J. Moyerhoeffer, W. M. Keaton, John L. Moyerhoeffer & Peter Keil to appraise said Estate, any three of whom may act, after first being duly sworn.

On the motion of Wm. H. Arehart, who made oath thereto according to law, he appeared in Court, and together with George Arehart & Emanuel Roller, Jr., his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $2800.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of John Arehart, dec'd.

And upon the further motion of Wm. H. Arehart, Admr. of said John Arehart, the Court doth appoint Henry Heff, Lewis Mill and Milton Taylor to appraise said Estate, after first being duly sworn.

On the motion of parties interested, the Court doth appoint W. M. Cave Curator of the Estate of St. Clair Shiflett, dec'd, and thereupon said W. M. Cave appeared in Court and together with St. C. D. Kirtley, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law, and qualified as Curator of said St. Clair Shiflett's Estate.

And upon the motion of said Curator the Court doth appoint Joseph H. Kite, Wm. Marshall and F. Rucker, to appraise the Estate of said St. Clair Shiflett, after first being duly sworn.

A notice from P. S. Roller, surety upon the official bond of John E. Roller as guardian of M. Virginia Kahler, requiring him to execute a new bond as said guardian, with other and sufficient surety, (service of which notice being duly acknowledged by said John E. Roller,) having been returned into Court, the said John E. Roller appearing in Court and declining to execute said new bond, It is considered by the Court that his powers as said guardian be, and the same are hereby revoked.

It appearing to the Court from the certificate of Chas. A. Bledsoe, a Notary Public in and for the County of Augusta, that M. Virginia Kahler, an infant over the age of 14 years had nominated George F. Sherman as her guardian, the Court doth appoint him as such, and thereupon the said George F. Sherman appeared in Court, and together with Henry

W. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00 conditioned according to law, and qualified accordingly.

On the motion of Henry W. Roller, the Court doth appoint him as guardian of John R. Pence, an infant under the age of 14 years, and thereupon the said Henry W. Roller appeared in Court, and together with E. Rolar, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $2300.00 conditioned according to law, and qualified accordingly.

Frederick Crider, Geo. W. Fulk and Benjamin Swadley, viewers appointed at a former term of this Court to view and report upon the changes necessary to be made, (together with a diagram thereof,) in the road from Mattie Stone to Overly Place, this day returned their report into Court, and the Court doth re-commit said Report for diagram of changes &c, and the Rule awarded against them and which is returned executed, is continued.

Dr. Thos. H. B. Brown, J. H. Neff & L. G. Heneberger (all sworn) presented in Court each an Account of $1.00 against the Commonwealth of Virginia, for autopsy on body of infant child of Elizabeth Higgins, found in Bridgewater, and for attendance before Coroner's Jury, 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,

Philo Bradley, foreman, G. S. Ward, S. M. Ott, J. J. Sittell, John B. Roller, Wm. C. Whitmore, R. E. Hopkins, E. H. B. Huffman, Wm. F. Bowers and Jacob Heindgardner, were sworn and empannelled 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 Jackson Sims, (for maliciously shooting,) "Not a true bill" P. Bradley, foreman; An Indictment against David A. Plecker, for public nuisance, "A true bill," Philo Bradley, foreman, An Indictment against Margaret Bonds, for attempt to murder, "A true bill," Philo Bradley, foreman; An Indictment against Elizabeth Higgins, for murder, "A true bill," Philo Bradley, foreman; and having completed the business before them, were discharged from further attendance upon this Court,

Ordered, That Philo Bradley, G. S. Ward, S. M. Ott, J. J. Sittell, John B. Roller, Wm. C. Whitmore, R. E. Hopkins, E. H. B. Huffman, Wm. F. Bowers and Jacob Heindgardner, be each allowed the sum of One dollar for their services as Grand Jurors at this term of the Court, which is ordered to be certified to the Treasurer of this County, for payment,

cap.ed. Elizabeth Reed is charged with 226 Acres of Land on the Assessor's Books of Plains Township. She is dead and the Taxes each year come out against her Estate, which have been paid by Gideon B. Reed, also a part by Miriam Marty's Estate and Jonas Reed and Isaac Reed's Executor. The Land, after Mrs. Reed's death, was divided into four parts, according to the interests of parties, by Cyprus Rhodes, P. P. County & Dorilas Marty. The two last are dead, but Cyprus Rhodes is living, who remembers them of the Division:- Daniel Reed got 44 Acres, Isaac Reed 39 Acres, Jonas 90, also the interest of Gideon B. Reed in a House & 4 Acres of Land bought of B. F. Reed, Gideon 91 Acres. This Land having run out more than the original survey. The 44 Acres of Daniel Reed was purchased by Miriam Marty and Jackson Marty is now the owner. It is decreed to have the Assessor's book corrected to correspond to this Division, so that Taxes are not made out against the Estate of Elizabeth Reed for 226 Acres, the same to be struck Row from his Book, and against the several part owners of the said land, the changes to be made. Daniel Reed got 44 off South-east end of the farm, adjoining Miriam Marty, next, parallel, Gideon 91 - Next Jonas 90 Next, Isaac Reed, the north end of it. The Assessor of Plains Township being examined as a witness and John Paul, Atty. for the Commonwealth appearing upon this application. And this order is directed to be entered by the Court.

This day, J. N. Loevenbach, Saml. R. Sterling, Jacob Troyer, Henry Steff, Wm. L. Harrison and Abraham Anders, sureties upon the official bond of Saml. R. Allebaugh, Treasurer of this County, executed at December Term, 1873, personally appeared in Court, signed and acknowledged a paper writing, under the provisions of An Act of the General Assembly of Virginia, entitled "a Joint Resolution extending the time for the collection of Taxes and County and Township Levies for the year 1873, approved Jany. 23, 1874, consenting that the said Treasurer be allowed until the 20th day of May, 1874, to make his final settlement with the Auditor of Public Accounts, and until the 10th day of May, 1874, to make his final settlement with the several Collectors of this County, and it is ordered that a copy of said writing, and a copy of this order be certified to the Auditor of Public Accounts.

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certified John F. Soule, J. A. Jackson, A. Glick & Rudolph Troyer, sureties upon the official bond of Henry F. Soule, Collector of Ashby Township, executed at the June Term 1873, this day personally appeared in Court, signed and acknowledged a paper writing, under the provisions of a Joint Resolution of the General Assembly of Virginia, entitled "a Joint Resolution extending the time for the collection of Taxes and County and Township Levies for the year 1873, approved Jany. 23, 1874, consenting that the said Collector be allowed until the 1st day of May, 1874, instead of the 1st day of March 1874, as now provided by law, to proceed with and close up his several collections, and it is ordered that a copy of said writing and a copy of this order be certified to the Auditor of Public Accounts.

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certified D. W. Beery, F. W. Zirkle, John C. Good, Saml. R. Sterling and M. S. Zirkel, sureties upon the official bond of M. J. Zirkle, Collector of Linville

Township, executed at the June Term, 1873, this day personally appeared in Court, signed and acknowledged a paper writing, made under the provisions of a Joint Resolution of the General Assembly of Virginia, entitled a Joint Resolution extending the time for the collection of Taxes and County and Township Levies for the year 1873, approved Jany. 23, 1874, consenting that the said Collector be allowed until the 1st. day of May 1874, instead of the 1st. day of March 1874, as now provided by law, to proceed with, and close up his several collections; And it is ordered that a copy of said writing and a copy of this order, be certified to the Auditor of Public Accounts.

It is ordered that the following Report, made by the Grand Jury, at this Session, in regard to the condition of the Court House, be spread upon the Minutes, viz:-

"The Grand Jury having taken the evidence of Builders and other gentlemen from different parts of the County, and having themselves examined the Court House, are of the opinion that said Court House is unsafe.

S. P. Bradley,
J. J. Littell,
R. E. Hopkins,
Saml. M. Ott,
Jas. B. Roller,
E. H. B. Huffman,
Wm. F. Bowers,
Wm. C. Whitmer,
Jacob Ringgardner,
G. S. Ward.

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, Feby. 17, 1874.

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

It is ordered That Rules be awarded against G. W. Tabb, Wm. N. Wacaster, & J. S. Pennybacker, returnable to next term of the Court, for their failure to appear at this Term, (when duly summoned,) before the Grand Jury at this Term.

The writing purporting to be the last will and testament of Catharine Harpine, was this day presented in Court, and being proven by the oaths of Thos. Ott & Mollie G. Ott, two of the subscribing witnesses thereto, was admitted to probate.

John R. Jones, having produced in Court the receipt of the Treasurer of this County for $10.40 License Tax for the privilege of conducting the business of Real Estate Agent in the town of Harrisonburg, from Dec. 1873 to May 1874, on his motion, it is ordered that a certificate be granted him for obtaining said License.

On motion of Peter N. Showalter, it appearing to the Court, that he has been erroneously assessed with taxes and County and Township Levies, upon bonds to the amount of four hundred and fifty dollars ($450.00). It is ordered that the same be released, as follows, to-wit: State Tax $2.25 County Levies $2.07 Township Levies $. The Commonwealth's Attorney was present in Court during said application, and defended the same; and the Assessor who made the erroneous assessment was examined as a witness touching said application.

On motion of Wm. N. Conrad, it appearing to Court that in the year 1872, the said Wm. N. Conrad, then temporarily residing in Franklin Township, in Rockingham County, was assessed with taxes, County and Township levies, upon one tithable, three horses, valued at $225. and three cattle valued at $18, all of which belonged to his father, John Conrad of Augusta County, and were removed into said Franklin Township, subsequent to the 1st day of February 1872, and were assessed with taxes and levies in said County of Augusta, which were paid in said County. And the said tithable was also assessed in said County of Augusta, being a resident thereof on the said 1st day of February 1872, therefore It is ordered that the said Wm. N. Conrad be released from the payment of State Taxes, county and township levies upon said subjects in said County of Rockingham, as follows, to-wit: State tax on person & property $2.70, County and township levies $2.04. The Commonwealth's Attorney was present in Court during said application, and defended the same; and the Assessor who made the erroneous assessment was examined as a witness touching said application.

Whereas it having been certified to this Court, by the Circuit Court of this County, that a Committee appointed by the said Circuit Court, at its last Term, to examine the condition of the Court House of this County, reported to said Circuit Court, that the said Court House is in such a dilapidated condition that it cannot be repaired so as to make it safe, substantial and comfortable without in a great measure, taking it down, and re-building its walls, and whereas, the Grand Jury of this County, by their true report made to this Court now yesterday, have declared that in their opinion, the said Court House is unsafe; and whereas, it is provided by Law that this Court shall provide, and keep in good order, a Court House for this County, Our consideration whereof this Court is of the opinion that the safety of the people, the increasing population of the County, and rigid economy, demand the construction of a new and more commodious Court House, It is therefore ordered, that the Board of Supervisors of this County be, and they are respectfully directed to take such action as may be necessary to secure, at the earliest possible moment, the construction of a building, which in their judgment may be sufficient to meet the exigencies of the occasion, and comply with the requirements of the County.

c.n.p'd & d. L. H. Ott, Coroner of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.00 (for services $5.00 & Horse hire, $1.00) for holding Inquest upon the body of a colored infant child found in the Town of Staunton floating, which holding proven to his open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts.

James Thompson, }
vs } Upon an Appeal from a Warrant of Justice,
The Commonwealth }

This day came the parties by their Attorneys, and for reasons appearing to the Court the trial is continued until next Term, and on motion of Counsel Rules are awarded against the Appellee's witnesses, viz:- issued. G. W. Mauzy, G. T. Hopkins, David Gilmer and G. W. Kedrick, and also against the Appellant's witnesses, viz: Saml. Life, Geo. W. Earman, & Reuben Bonds, returnable to next Term of this Court, for failure to appear as witnesses this day in this cause, when duly summoned.

Commonwealth } vs John Morris Mis'dr.
came, " Albert Harrison, alias Harris mis'dr.
Ordered That these causes be continued until the next Term.

Commonwealth, } vs G. R. Davis, V. A. B.
came, " Joseph Fultz, V. A. B.
came, " Henry McDorman, V. A. B.
came, " John J. Eye V. A. B.
This day came the Attorney for the Commonwealth, and entered

a Nolle Prosequi, in each of the foregoing named Indictments.

Commonwealth, vs E. J. Johnson, Misdr. — No. 1.
Same, " Same, " " 2.
Same, " Same, " " 3.
Same, " Same, " " 4.
Same, " Same, " " 5.
Same, " Same, " " 6.
Same, " Same, " " 7.
Same, " Same, " " 8.
Same, " Same, " " 9.
Same, " Same, " " 10.
Same, " Same, " " 11.
Same, " Same, " " 12.
Same, " Same, " " 13.
Same, " Same, " " 14.

This day came the Attorney for the Commonwealth, and entered a Nolle prosequi in each of the foregoing named Indictments.

W. C. & St. Louis Railroad Company
vs
D. M. Switzer, } Upon Report of Comrs.

For reasons appearing to the Court, on the motion of the Plaintiff, this cause is continued until the next term at his costs, and a Rule is awarded against J. A. Loewenbach, one of the Plaintiffs witnesses, returnable to next term of the Court, for failure to appear at this term, when duly summoned.

ioned.

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

Chas. F. O'Ferrall.

At a County Court, continued and held in and for the County of Rockingham, on Wednesday, Feby. 18, 1874.

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

On the application of Wm. P. Byrd & others, to establish a public road, leading from the Hopkins Mill Road to the Bowman's Mill Road, James L. Keltzel, Commissioner of Roads for Central Township, having reported in favor of establishing the road as prayed for in the Petition & the Land owners along the route of said road, having by a writing signed and filed in the papers of this cause, waived all claims for damages, and of notice, it is ordered that said Road be established, as follows, to-wit:- Beginning on the land of Emanuel Suter on the Hopkins Mill road, at or near the point where the present road now runs through the lands of Sylvenus Miller, following the road as it now runs to the lands of B. F. Ralston & John Miller, on their dividing line to the lands of John Keil, thence through said Keil's land to said Keil's land, following the present road to intersect the Bowman's Mill Road at or near David Miller's house, The Commissioner of Roads for Central Township is directed to open said road, the same to be twenty five feet wide, and it is further ordered that Central Township pay Sylvenus Miller the sum of $10.00 damages allowed him in the report of James L. Keltzel, Comm. of Roads.

Commonwealth
vs
A. J. Baugher,
} Upon Indictment for carrying concealed weapon

This day came the parties by their attorneys, and the Defendant by counsel, demurred to the Indictment, and demurrer being argued by counsel, on consideration whereof, the Court doth sustain said demurrer, and it is considered by the Court that the Defendant go hence without day.

J. N. Mauzy & wife
vs
Allen Morrise.
} Upon M. & D.

This day came the Plaintiffs by their attorney, and the Defendant not appearing and making no defence, the trial of the cause was submitted to the Court, and having fully heard the evidence, It is considered by the Court that the Defendant unlawfully withholds the property in the writ mentioned, and that they do recover possession of the same, and their costs by them in this behalf expended. And it is further ordered that a writ of Possession do issue against the Defendant, directed to the Sheriff of this county.

Writ issued.

J. C. Ayer Exs.,
vs
J. N. Hammen, &c.
} Upon a Notice.

This day came the parties by their attorneys, who being fully

heard, It is considered by the Court, that the Defendants be fined $20.00 to the use of said J. C. Ayers &c, for not returning according to law, an Execution issued out of this Court by the Plaintiff against Joseph Byrd, which it appears was delivered to the Defendant to execute, and also that the Plaintiffs recover against the Defendants, their costs by them in this behalf expended.

J. corrected

I. A. Hammer

J. W. Dinkle, &c.,
vs
Robert E. Painter, &c., } Upon an Award,

This day came J. W. Dinkle, C. W. Dinkle, Elizabeth S. Dinkle, Benjamin F. Dinkle and William B. Quillen and Martha C, his wife, by their Attorney, and Robert E. Painter and Mary E, his wife, in person, and thereupon by consent of parties, the award between the parties aforesaid, having been returned into Court, is entered up as the judgment of this Court, (and is as follows, viz.)

"Whereas, Robert E. Painter & Mary E, his wife, of the County of Rockingham and State of Va, John W. Dinkle of Sullivan County, Tennessee, Calvin W. Dinkle of Sullivan County, Tennessee, in his own right and as acting Agent for Elizabeth S. Dinkle, of Shawnee County, Kansas, Benjamin F. Dinkle of Sedgewick County, Kansas, William B. Quillen and Martha C, his wife, of Scott County, Va., having a farm in Rockingham County, Virginia, lying on both sides of Pleasant Run, part of which was bequeathed to them by Mary Lora, and part conveyed to them by Peter Dinkle, containing two hundred and twenty-five and one half acres in the division whereof the parties R. E. Painter, J. W. Dinkle and C. W. Dinkle, Agent, could not agree, did on the 14th day of February 1874, by agreement, enter into a bond, the penalty of which is $500, and refer to us for final arbitration & award, concerning said R. E. Painter's interest in the above named tract of land, we, the said Arbitrators find as follows, to wit:- First, that there are two parcels of Land, and that the said R. E. Painter is to have his shares all together in one boundary. Secondly, that the said R. E. Painter is to have his shares on the North side of Pleasant Run, containing fifty-six acres, and bounded as follows:- Beginning at a stone, on the top of a Hill, and running thence N. 16½° W. 56 poles to a stone, in the old patent line, Deneale's corner, and with his line S. 55 3/8° W. 43½ poles to a stone, thence N. 15½° E 19¼ poles to a stone, S. 54¼° W. 51½ poles to a stone, thence S. 34½° E 14½ poles to a stone, thence S. 9¼° E. 66 poles to a stone in an old lane, thence S. 39° E. 28½ poles, crossing the creek to a stone, near a Mulberry, thence up the creek N. 80½° E 37 poles and 8 links to a stone on the South bank of said creek, and thence crossing said creek, and running up the same N. 35° E 67¼ poles to a stone, in the old line and with the said line, N. 49½° W 26 poles to the beginning, containing 56 Acres. Thirdly, the said R. E. Painter is to pay to the aforesaid heirs J. W. Dinkle, C. W. Dinkle, E. S. Dinkle, B. F. Dinkle and W. B. Quillen and M. C, his wife, One Hundred Dollars twelve months after the date of this award. Fourthly, the said Painter is to have a right of way through the farm as an outlet, and if there is to be a gate in the line fence, the said Painter is to be at the expense of said gate. We further find that the said Painter is to have the right

to pipe the water from the westfall spring to his own land.
Witness, our signatures and seals, February 14, 1874.

Jacob Byerly, (Seal)
George Bowman, (Seal)
John F. Raudorf, (Seal)

The Court doth enter up a Fine of Twenty Five Dollars against J. W. Liggett, for contempt offered by him to the Court.

The Court doth enter up a Fine of Ten Dollars against John Paul, for contempt offered by him to the Court, which amount was paid by said Paul to the Clerk of this Court, in open Court.

William Saufley Pltff.	vs	A. J. Baughen, Deft	Attachment.
John Garner "	"	Abm. Dovel "	"
E. T. H. Warner's Admr. "	"	Jacob R. Stevens "	"
Adam Layman "	"	Charles Taylor "	"
Wm. C. Simmons "	"	Geo. W. Yancey "	Award.
G. W. Stanley Exs. "	"	J. W. Shifflett "	Attachment.
John C. Williams "	"	Noah H. Beery "	Suggestion.
M. J. Burke "	"	Jo. F. Johnson "	Attachment.
James N. Campbell "	"	Samuel Frank "	"
Peter Long "	"	Jacob Phares &c. "	"
Abraham Canada "	"	Chas. Heavi Admr. "	Motion.
Robert Grayo Exr. "	"	Henry Nicewander "	Suggestion.
Samuel Baker "	"	H. J. Eddins "	Warrant
John P. Brock "	"	Irwin Hile & others "	Suggestion
Harrison Riddle "	"	J. F. Showalter's Admr. "	Notice.
George Effinger "	"	John Wingood "	Motion.
J. B. Eastham "	"	H. L. M. & M. Company "	"

Ordered, That the foregoing causes be dismissed.

Commonwealth
vs
Albert Wise
} Upon Indictment No. 2, for retailing ardent spirits without license.

This day came as well the Attorney for the Commonwealth, as the Defendant by counsel, and thereupon came a jury, to-wit: Wm. M. Scott, D. C. Brenneman, James N. Henderson, A. R. Moyers, Phineas Stickley, Henry C. Beery, Wm. S. Brown, John F. Shaver, Thos. J. Perry, S. B. Good, Thomas Hopkins and A. S. Byrd, who being elected, tried and sworn the truth to speak upon the issue joined, 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", and thereupon it is considered by the Court that the defendant go hence without day, &c.

Ordered, That the following named persons be each allowed the sum

opposite their names for services at this Term of the Court as Petit Jurors, viz:-

Wm. M. Scott,	$2.00	Henry C. Beery,	$2.00
D. C. Brememan,	2.00	Wm G. Brown,	2.00
Sam'l A. Henderson,	2.00	John F. Shaver,	2.00
I. R. Moyers,	2.00	Thos J. Perry,	2.00
Phineas Stickley	2.00	L. B. Good,	2.00
Thomas Hopkins,	1.00	A. S. Byrd,	1.00
R. C. Paul,	1.00		

c/pied.

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, on Thursday February 19, 1874.

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

c/p'd. & d.

Dr. Wm. C. Jones presented in Court an Account of $10.00 against the Commonwealth of Virginia, for autopsy on body of infant child of Elizabeth Higgins, found in Bridgewater, and for attendance before Coroner's Jury, which being sworn to before Fredk. Speck, Notary Public, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public accounts.

c/p'd.

On the application of Jeremiah Harnsberger, of the County of Rockingham, State of Virginia, to be released from any further payment to the Western Lunatic Asylum, on the account of board and all other

c/p'd.

✓

expense whatever, now created and that may henceforth be created, of his daughter Elizabeth C. Harnsberger, a Lunatic, an inmate of and patient in said asylum, the Court is of opinion, and doth certify, that in its judgment it is proper to grant such release, based upon the following facts, to-wit:- That the said applicant is old & infirm, that he needs what means he has to support himself, and family, and cannot make any further payments, on said account to said institution, without material injury to himself, and pecuniary oppression in his declining days, that he has no estate in his hands of said Lunatic, that he has already paid out to said Asylum for the board & other expense of said daughter at said institution, more than he will be able to give his other children at his death. The Attorney for the Commonwealth appeared and defended this application. The Clerk is ordered to certify a copy of this order to the Board of the Western Lunatic Asylum, at Staunton, Virginia.

It appearing to the Court that the Registration Books for Harrisonburg Precinct in Central Township of this County, are in a bad condition,

It is ordered that Ran D. Cushen, Registrar of said Precinct, be directed to procure new Books, and to transcribe in alphabetical order, the names of all voters appearing upon the present books, and every other entry that may appear upon them. The said books to be so procured to contain not less than forty pages each, so as to allow the addition of the names of such voters as may hereafter apply to be registered in alphabetical order.

When said books shall have been so transcribed, the said Cushen shall submit the same to John Paul, John E. Roller and Joseph T. Logan, (who are hereby appointed a committee for the purpose,) for their examination, and they are hereby directed to append at the foot of each of said books a certificate of correctness or incorrectness, and return the same to this Court.

On an application to establish a public road leading from or near Bloomer's Springs to the Rockingham Turnpike at McGaheysville, the report with diagram and survey of the Commissioner of Roads for Stonewall Township on said Road, having been returned and notice served on, or service acknowledged by the land owners along the route of said road, and no objection being made to the establishment of said Road, It is ordered that said road be established as follows, to-wit: commencing at, or near Bloomer's Springs on the lands of Henry Bill, and running as follows:- S. 61 W. 15 poles, thence S 15 W. 28 poles, thence W. 14 poles to the line of the Naylor line, thence N. 87 W. 88 poles, thence N. 80 W 46 poles, thence N. 73 W 32 poles to Johnson's line, thence N. 73 W 22 poles, thence S 54 W. 80 poles through Henry Johnson's land to Wm. Haynes's line, and through his lands S 54 W 24 poles, S. 85 W. 44 poles, thence S. 8 W 26 poles to Haynes & Kenshaw's corner, and with their line S. 48 W. 10 poles, thence S 46 W 21 poles, thence S 33 E. 14 poles, thence 41 E 43 poles, through Wm. Haynes's land Quails Run, thence S 18 W. 30 poles, thence S 17 W 28 poles, thence S 20 W 18 poles, thence S 41 W. 10 poles, thence S. 7 W. 16 poles, thence S 37 W 10 poles, thence W. 14 poles, thence S 55 W. 16 poles, thence S. 25 W 56 poles, thence S 30 W 78½ poles to Michael's and Meade's corner, thence S. 79 W 54 poles, thence S. 68 W 30 poles, thence S 88 W. 11 poles to Kedrick's line, and through his lands S 65 W. 14 poles, S. 53 W. 10 poles, S. 47 W. 16 poles, S. 38 W. 7 poles, S. 49 W. 8 poles, S 60 W 32 poles, S 55 W. 41 poles, to Snyder's line, and with this line between Snyder and Kedrick, on old road S 30 E. 129 poles to McGahey's line, and with McGahey's & Snyder's line S. 35 W. 117 poles, thence S 67 W 30 poles, thence with Snyder's line to the Rockingham Turnpike S 28 W. 134 poles. The Commissioner of Roads for Stonewall Township is directed to open said road. The Court further orders that the sum of $10.00 be paid by Stonewall Township to Joseph Michael, this being the amount of damages allowed him by reason of the establishment of said road.

April. On the Petition of Wm. P. Sites & others, for a partial change in the location of a public road leading from a point in the Attobine & Briery Branch Road, near John Wine's to a point on the Augusta line, near

Saugersville, established by an order of this Court, at its November term 1871, It is ordered that Henry M. Roller, Commissioner of Roads for Ashby Township, view said road and report what changes, if any, are necessary in the location of said road as established by the said order of the November term 1871, and report to this Court.

J. D. Price,
vs
N. L. M. & M. Company } Upon a warrant,

This day came again the parties by their Attorneys, and it is ordered that this cause be revived and proceed in the name of F. A. Daingerfield, Assignee of J. D. Price, in Bankruptcy, Pltff. Thereupon the cause was submitted to the Court, and having considered the same, the Court is of opinion that the Plaintiff recover against the Defendant, the sum of $102.21 with interest thereon from 11th day of July 1869 till paid, subject to credit of $39.07 Nov. 20th 1869 and $25.00 of same date, and his costs by him in this behalf expended.

issued.

Overseers of Poor of Rockingham County
vs
Richard Black & Thornton Thomas. } Upon a motion on a Bond,

This day came the Plaintiff and moved the Court for judgment upon the Bond executed by the Defendants. And it appearing to the Court that the notice has been returned duly executed upon the Defendant Thornton Thomas, and he not appearing, It is considered by the Court that the Plaintiffs recover against the Defendant Thornton Thomas the sum of $150.00 penalty of the Bond, to be discharged by the payment of $30.00 with interest thereon from the 10th day of Feby. 1870, and their costs by them in this behalf expended.

issued

Commonwealth, vs A. Teutchenberger — Misdr.
Same " E. D. Sullivan, "
Same, " Albert Wise " Nos. 1-3-4-5
Same " Ney & Wise " " 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10

This day came the Attorney for the Commonwealth, and entered a Nolle Prosequi in each of the foregoing-named Indictments.

Franklin Whitmer's Adm,
vs
James McDorman, } Upon an Attachment.

On motion of the Plaintiff, the Court doth award Rules against John Archart of Augusta County & Wm. P. Call, returnable to next term of this Court, for their failure to answer the Attachment returned in this cause, duly executed upon them.

issued

J. A. Hammen,
vs
James Steele, } Upon a Notice.

Ordered that this cause be continued at the Defendants cost.

David Stinespring for use of Wm. H. Stinespring
vs
Mary Leffman, } Upon a Sci fa. to revive a judgment

On motion of the Plaintiff, and it appearing to the Court that
issued the summons has been returned duly executed upon John Maplis who has
intermarried with Mary Leffman, and upon Mary Leffman now
Mary Maplis, and they failing to appear, It is considered by the
Court that this cause be revived and proceed in the name of James P.
Ralston, Adm. of David Stinespring, dec'd for use of Wm. H. Stinespring,
against John Maplis & Mary Maplis his wife, and that the Plain-
tiff may have execution against them for $194.88 with interest on $115.74
part thereof from Feby. 15, 1855 and on $79.14 from July 18, 1855 till paid, and
$5.81 costs, and also that the Pltff recover from the said Defendants
John & Mary Maplis his costs by him in this behalf expended.

S. B. Jennings
vs
Adam Harnsberger's Adm'r } Upon a suggestion.

This day came the parties by their Attorneys, and thereupon
c/d for D.E.R. it appearing to the Court that the execution debtor Le. Fry Harnsberger
has a probable interest in the personal estate of Adam Harnsberger, dec'd,
and that there is a liability on Henry Harnsberger, administrator
of said Adam Harnsberger, dec'd, to the extent of such interest,
by reason of the lien of the writ of fieri facias of the Plaintiff, and
it appearing that John E. Roller is the assignee and owner of the
judgment aforesaid, the Court doth order the said Administrator, out of any assets in his hands, to
pay to John E. Roller, the costs of this suggestion, out of said debtors
interest in said estate, and to pay the remainder of said interest
to John E. Roller, upon the judgment and execution aforesaid.

S. B. Jennings
vs
Elizabeth Miller's Ex'r. } Upon a suggestion.
c/d & fa. D.E.R. Same order.

Peter Paul,
vs
Jacob Byrd, Adm'r of Isaac Burner } Upon a notice to require the Defdt. to exe-
-cute new bond.

It appearing to the Court that the Defendant has had due
notice of this motion, and he still failing to appear and execute a
new bond as Adm'r aforesaid, It is ordered by the Court that
his powers as the Adm'r of said Isaac Burner, dec'd be and the same
are hereby revoked.

S. R. Allebaugh,
vs
Le. M. Killian, } Upon a Rule.

issued It appearing to the Court that the Rule awarded at last term a-
gainst the Defdt has been returned duly executed, on motion of the
Plaintiff an attachment is awarded against him, returnable to next term.

J. D. Price, ⊗ Benjamin Shrunk, — Attachment.
Absalom Dovel, " Geo. H. Tutwiler, &c — notice,
J. P. Effinger to correct Erroneous Afft — motion
Wash. & Jacob Ginn " W. D. C. Covington, — notice,
R. M. Kyle's Admr. " Geo. Nicholas Admr. — Scifa.
Jeremiah Dorman, " James Taylor, Guardian, motion
Commonwealth " Geo. W. Powell, — Rule.
J. P. Byrd " A. Fentsclenberger, — Suggestion.
Joseph Ginn " G. F. Frye, appeal
Ordered that the foregoing causes be dismissed at Pltff's costs.

Jonathan Peale ⊗ Jno. W. Earman, Trustee, } Upon a suggestion,
Ord. motion of the Pltff. a Rule is awarded against the Defendant returnable to next term, for failure to answer said Suggestion.

Commonwealth ⊗ John Huddleson, &c, } Upon a Notice
&
Same ⊗ Same. } Upon a Notice.
Ord. motion of the Defendants, these causes are continued until next term of the Court at their costs, and Rules are awarded against Defts witnesses returnable to next term, for their failure to appear at this term.

Commonwealth ⊗ Eli H. Armentrout. } Bastardy.
Ord. motion of the Commonwealths Attorney Rules are awarded against the Defendants witnesses for their failure to appear at this term, returnable to the next term of the Court.

Wm. Loeb, Agt for &c, ⊗ Bowyer & Long, } Upon a Suggestion
Ord. motion of the Plaintiff, Rules are awarded, returnable to the next term of the Court, against the Defendants for their failure to answer said suggestion

Ordered, That Peter Paul be and he is hereby appointed Commissioner on the part of Rockingham County, to superintend the Turnpike Road leading from Skidmore's Fork in the County of Rockingham to the South Fork in the County of Pendleton.

Geo. N. Nicholas ⊗ Lewis Randall, Attachment.
Ord. motion of Defts a Rule is awarded against the Pltff. returnable to next term, to prosecute this cause.

Ordered, That John Paul, Attorney for the Commonwealth be allowed the sum of $41.66⅔ for his services in this Court for the month of February 1874, and that the same be certified to the Treasurer of this County, for payment.

cp.

Philip Barnhart vs John Hedrick, jr. — Appeal.

Ordered, That this cause be dismissed agreed.

Nancy McDorman vs R. M. Kyle's Adm. } Appeal.

Ordered that this cause be continued, and on motion of the Defendant a Rule is awarded against Plff. for additional security.

issued

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 Friday, Feby. 20, 1874.

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

Samuel R. Allebaugh, Treasurer of this County this day presented in Court Lists of Delinquent Lands sold by him on the 15th Dec. 1873, (Court day,) and also a List of Lands and Lists of Land purchased by Commonwealth in property returned for sale, which being duly sworn to, was examined and found correct by the Court, and the Clerk of this Court is directed to certify copies thereof to the Auditor of Public Accounts.

certified to Auditor.

It appearing to the Court that no contempt was intended on the part of Mrs. J. W. Liggett and John Paul, on consideration, the Court doth remit the fines imposed on Wednesday last, viz: $25 against J. W. Liggett and $10 against John Paul.

Emanuel Sipe, vs David Howard, } Upon an Attachment.

This cause came on this the 20th day of Feby. 1874, to be heard, and on motion of the Plff, It is ordered that the Sheriff of this County be directed to make sale of the personal property levied on in this attachment, and hold the proceeds subject to the future order of this Court.

copied.

Commonwealth
vs
J.B. Eastham, &c. } Notice

came by &c,
vs
came, } Notice

This day came again the parties by their Attorneys, and the Judge of this Court having been engaged as counsel for the defendants, by consent, B.G. Patterson, a practicing Attorney in this Court, was chosen to preside; and having heard the cause, It is considered by the Court that these causes be dismissed at the cost of the Defendant and his sureties upto extension of time by the General Assembly

inno

Commonwealth
vs
J.B. Eastham &c } Notice,

came, by &c,
vs
came. }

This day came again the parties by their Attorneys, and the Judge of this Court having been engaged as counsel for the defendants, by consent, B.G. Patterson, a practicing Attorney in this Court, was chosen to preside, and having heard the cause, It is considered by the Court that these causes be dismissed at the cost of the Defendant, J.B. Eastham,

inno

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

Chas. F. O'Ferrall

J.T. Logan Clerk of this Court this day Feby 20, 1874, paid to John Paul, the fine of $10 paid by him into Court on Wednesday last, the Court having this day remitted the same.

In Vacation.

certified

Know all men by these Presents, that we, William C. Harrison, Jacob N. Cowen, Abraham Andes, Jacob Moyers, Henry Neff and John Kerlin, sureties of Samuel R. Allebaugh, late Treasurer of the County of Rockingham, Virginia, in his official bond for $180.000.00 executed on the 26th day of December 1870, do hereby give our consent that the said Samuel R. Allebaugh, late Treasurer aforesaid, may be allowed until the 10th day of May 1874, to make his final settlement with the respective collectors in his said County, and we further consent that the said late Treasurer may be allowed until the 20th day of May 1874, to make his final settlement with the Auditor of Public Accounts. All of which is authorized and provided for by Joint Resolution of General Assembly of Virginia, entitled "Joint Resolution extending the time for the collection of Taxes, and County and Township Levies for the year 1873" approved January 23d 1874.

Given under our hands and seals this 23d day of February 1874.

Wm. C. Harrison, (Seal)
J. N. Cowen, (Seal)
Abraham Andes, (Seal)
Jacob Moyers, (Seal)
Henry Neff, (Seal)
John Kerlin, (Seal)

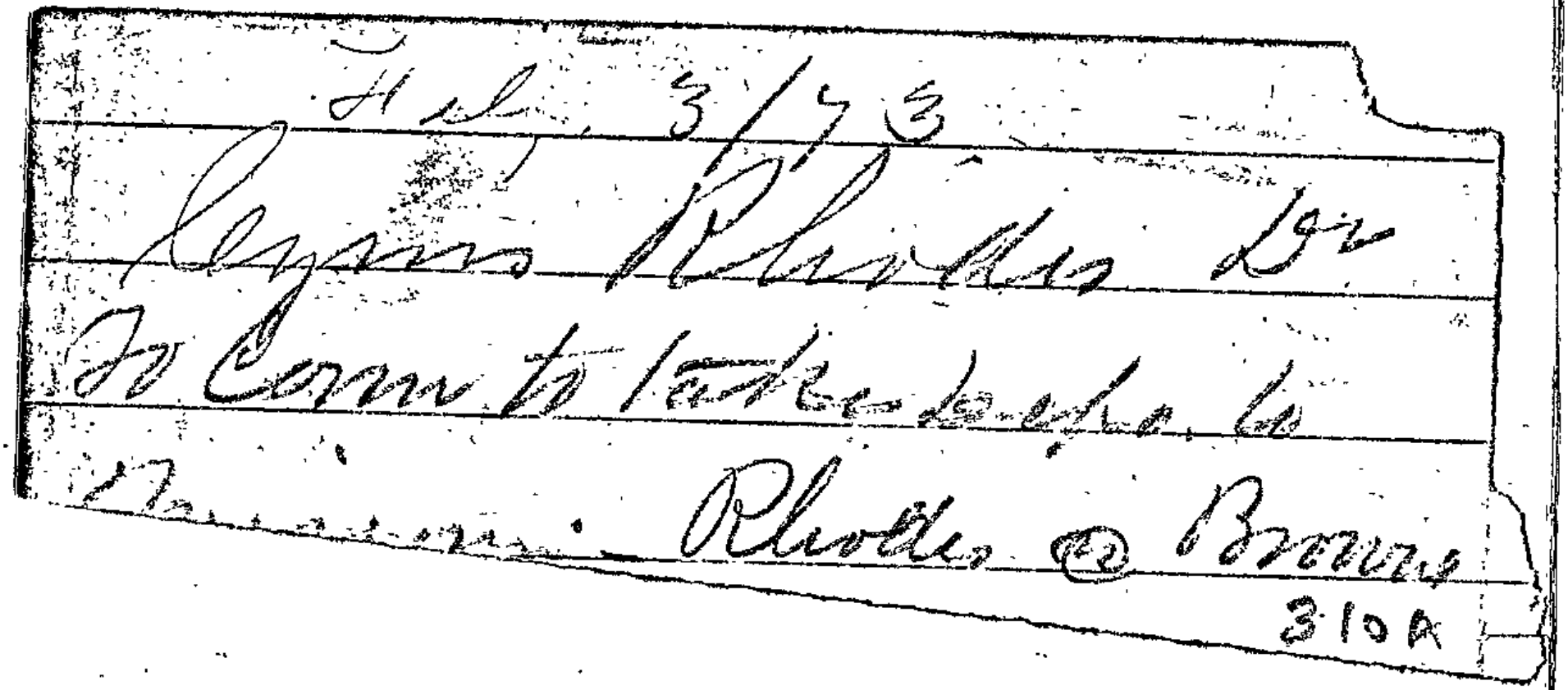
Virginia
Rockingham County, to-wit:

I, Charles T. O'Ferrall, Judge of the County Court of said County, do hereby certify that on the 23d day of February 1874, William C. Harrison and Jacob N. Cowen, on the 27th day of February 1874 John Kerlin, on the 28th day of February 1874, Abraham Andes, and on the 1st day of March 1874 Jacob Moyers and Henry Neff, sureties in the official bond of Samuel R. Allebaugh, late Treasurer of said County, executed on the 26th day of December, 1870, personally appeared before me in said County in vacation, and acknowledged the foregoing writing, giving their consent to the extension of time within which said Treasurer is required by law to make his final settlements with the Collectors of said County and Auditor of Public Accounts, as set forth in said writing. Given under my hand and seal this 1st day of March 1874.

Chas T. O'Ferrall, (Seal)
Judge of the County Court of Rockingham.

certified.

Know all men by these presents, that we, M. M. Sibert, Jacob N. Cowen, Eli Kenan, Strother Steele, Granville Eastham, John C. Woodson and Jane E. Brewer, sureties of Adam D. Brewer, Collector of Central Township in the County of Rockingham, Virginia, in his official bond for $15.000. executed in the County Court of Rockingham, on the 30th day of June A. D. 1873, do hereby give our consent to the extension of the time within which said Collector is required by law to proceed with and close up his collections for the year 1873, until the first day of May 1874, accord-



ing to the provisions of the statute for that purpose, passed by the Genral Assembly of Virginia, and approved on the 23d. of January 1874. Given under our hands and seals Feb. 23d. 1874.

John L. Woodson, Seal
Jane E. Brewer, Seal
Strother Sheets, Seal
Eli Kerran, Seal
Granville Eastham, Seal
M. M. Silcott, Seal
J. W. Bowen, Seal

Virginia,
Rockingham County, to-wit:

I, Charles T. O'Ferrall, Judge of the County Court of said County, do hereby certify that John L. Woodson, Jane E. Brewer, Strother Sheets, Eli Kerran, Granville Eastham, M. M. Silcott and J. W. Bowen, sureties in the official bond of Adam H. Brewer, Collector of Central Township, in said County, executed in the said County Court on the 30th day of June 1873, this day personally appeared before me in said County, in vacation, and acknowledged the foregoing writing giving their consent to the extension of time within which said Collector is required by law to proceed with and close up his collections for the year 1873, as set forth in said writing. Given under my hand and seal this 23d. day of February 1874.

Chas. T. O'Ferrall, Seal
Judge of the County Court of Rockingham.

certified

Know all men by these Presents, that we, George G. Strayer, George W. Kedrick, Benjamin F. Looker and Robert F. Weaver, sureties of J. Byrd Eastham, Collector of Stonewall Township, in the County of Rockingham, State of Virginia, in his official Bond for $14,000.00 executed before the Judge of the County Court of said County, in vacation on the 13th. day of January 1874, do hereby give our consent to the extension of the time within which said Collector is required by law to proceed with and close up his collections for the year 1873, until the 1st. day of May 1874, according to the provisions of a Joint Resolution of the General Assembly of Virginia entitled "Joint Resolution extending the time for the collection of Taxes and County and Township Levies for the year 1873", approved January 23d. 1874. Given under our hands and seals this 28th. day of February 1874.

Geo. G. Strayer, Seal
George W. Kedrick, Seal
B. F. Looker, Seal
Robt. F. Weaver, Seal

Virginia,
Rockingham County, to-wit:

I, Charles T. O'Ferrall, Judge of the County Court of said County, do hereby certify that George G. Strayer, George W. Kedrick, Benjamin F. Looker, and Robert F. Weaver, sureties in the official Bond of J. Byrd Eastham, Collector of,

Stonewall Township in said County, executed on the 13th day of January 1874, this day personally appeared before me in said County in Vacation, and acknowledged the foregoing writing, giving their consent to the extension of time within which said Collector is required by law to proceed with and close up his collections for the year 1873, as set forth in said writing.

Given under my hand and seal this 28th day of February 1874.

Chas. T. O'Ferrall, (Seal)
Judge of the County Court of Rockingham.

To the Judge of the County Court of Rockingham:—

We, the undersigned, sureties in the official bond of E. R. Neff, Collector of Plains Township in the said county, executed at the June Term 1873, of the County Court of said County, do hereby consent that the said E. R. Neff, Collector as aforesaid, may be allowed until the 1st day of May 1874, instead of the 1st day of March 1874, instead of the 1st day of March 1874, as now provided by law, to proceed with and close up his several collections. All of which is authorized and provided for by Joint Resolution of the General Assembly of Virginia, approved "January 23d 1874, entitled Joint Resolution extending the time for the collection of Taxes and County and Township Levies for the year eighteen hundred and seventy-three". Witness the following signatures and seals this 16th day of February 1874.

Certified.

Henry Neff, (Seal)
Jacob Hinegardner, (Seal)
Moses Mason, (Seal)
John P. Pence (Seal)

Virginia,
To Rockingham County, to wit:—

I, Charles T. O'Ferrall, Judge of the County Court of said County, do hereby certify that on the 26th day of February 1874, Moses Mason, on the 28th day of February 1874, John P. Pence, on the 2nd day of March 1874, Henry Neff and on the 4th day of March 1874, Jacob Hinegardner, sureties in the official bond of E. R. Neff, Collector of Plains Township, in said county, executed at the June Term 1873, of the County Court of said County, personally appeared before me in the said County in Vacation, and acknowledged the foregoing writing, giving their consent to the extension of time within which the said Collector is required to proceed with and close up his collections, as set forth in said writing.

Given under my hand and seal this 4th day of March 1874.

Chas. T. O'Ferrall, (Seal)
Judge of the County Court of Rockingham.

In Vacation:— Before the Judge of the County Court of Rockingham, this 5th day of March 1874,

Ex parte William Hosler and Jeke Jones.

Levi S. Byrd, Jailor of the said County, in obedience to the writ of Habeas Corpus, this day awarded, and to him directed, brought before me, Judge as aforesaid, William Hosler and Jeke Jones in the said writ named and certified that the cause of the detention of the said William Hosler and Jeke Jones would appear by a Schedule annexed to the said writ: which being inspected, and after hearing and considering the arguments of counsel, as well in behalf of the said William Hosler and Jeke Jones upon their petition, as in opposition thereto, I am of opinion that the said William Hosler and Jeke Jones are illegally detained in the custody of the said Jailor. It is therefore ordered that they be discharged therefrom.

All of which is hereby certified to the Clerk of said Court, who is ordered to record the same on the Order Book of said Court as a vacation order.

Chas. J. O'Ferrall,
Judge of the County Court of Rockingham.

Monday, March 16, 1874.

At a County Court held in and for the County of Rockingham at the Court House thereof, on Monday March 16, 1874.

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 February Term, which List being seen and examined by the Court, is ordered to be spread upon the Minutes & is as follows:-

Bargain & Sale,	Harrison Brenner & wife,	to	Reuben Smoots,
"	"	L. R. Kieffer & wife,	" Hannah Bayer,
"	"	John E. Bryan & wife,	" Joel Garber & John Flory,
"	"	G. W. Berlin,	" Wm. Pence,
"	"	Wm. Frank & wife,	" John J. Bowman,
"	"	John B. Frank,	" John D. McMullen,
"	"	Abraham Paul, Commr.	" D. A. Plecker,
Assignt. in Bankruptcy,	C. D. Gray, Register		" John Paul, Assignee,
Bargain & Sale,	John Paul, Assignee of Dy. McDorman,		" Samuel McDorman,
"	"	Mary & Nancy Kisey	" Daniel Miller,
"	"	Cythena A. Jones & D. C. Jones,	" Warren S. Linty,
"	"	N. Keller's Estate &c,	" A. & D. Wise,
Power of Attorney,	Eliza Inman & John A. Inman,		" Jesse Mitchell,
Bargain & Sale,	Sam'l. Swank & wife,		" Wm. P. & Thos. H. Showalter,
Homestead,	James Smith,		
Bargain & Sale,	Christopher Mohr,		" Thomas Johnston, trustee
"	"	N. S. Linty & wife & A. M. Newman, &c,	" C. A. Jones, wife of D. C. Jones,
"	"	Daniel Landes & wife,	" Noah Landes, trustee,
"	"	John E. Roller,	" F. S. Daingerfield,
"	"	John E. Roller, Commr.	" Abraham Buckholder,
"	"	Joseph Baugher & wife,	" Trustees M. E. Church, South & M. B. Church,
"	"	John J. Bowman & wife,	" Wm. Frank,
"	"	Reuben Coffman & wife,	" Melton Switzer,
"	"	Christian Hartman & wife,	" Wm. A. Hudlow,
"	"	Wm. A. Hudlow & wife,	" A. M. & Wm. B. Evers,
"	"	Elizabeth F. Brenneman,	" E. S. Mitchell,
"	"	Harvey Kyle & wife	" Delgert A. Wise,
"	"	Geo. G. Hall & wife,	" Abraham Bridgewater,
"	"	Geo. G. Hall & wife,	" James L. Cook,
"	"	George Haynes,	" Alexander Michael,
"	"	John E. Roller, Commr.	" Cythena Funkhouser, &c,
"	"	Harvey F. Smith & wife,	" John Andrew,
"	"	George McKeremith, Commr.	" Henry Linhof,
"	"	David A. Plecker,	" Jacob A. Holmes,
"	"	Chas. A. Yancey, Commr.	" Harvey Lipkey,
"	"	Asher Waterman & wife,	" Moses Joseph
Agreement,	Aug. Waterman	&	Samuel Middleton,
Bargain & Sale,	Moses Joseph & Mo. Paul, Assignee &c,		" Rawley Springs Co. Company,
"	"	J. A. Loewenbach & wife,	" Annie D. Gray & same, Trustee, &c,
"	"	Arthur Groton & wife,	" Jacob B. Shue Spring,

Trust Deed,	Isaac Paul &c, Trustees Emmanuel Wine	to N. S. Lusty, trustee,
Bargain & Sale,	E. West, S. C. Williams Sumner &c,	" George B. Kline,
" "	Samuel Slaughter & wife,	" John K. Miller,
" "	Helen F. Furman	" Thomas B. Furman,
" "	John T. Hannick & wife,	" John Swartz (dec'd dead)
Mechanic's Lien,	Wm. C. McAlister	" Henry Forrer,
Land Partition,	George Moffett's Lands,	
Bargain & Sale,	John B. Hoover & wife, &c,	" Isaac Hoover,
Lis Pendens,	Jonas A. Keller,	" Samuel M. Bowman,

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

Settlement of the Adm of J. L. Runckle, Admr. of Wm. M. Maiden, dec'd,

" " " " " D. H. B. Brown, " " Wm. Carpenter, dec'd,

Report " " " " John Keller & wife & Geo. Shaver's Estate,

Vacation orders examined and approved by the Court.

On motion of Samuel Cool, the Estate of Isaac Burner, dec'd, was committed to D. H. Ralston S. R. C, for administration.

On motion of Bettie M. Bear, the Estate of John N. Bear, was committed to D. H. Ralston, S. R. C, for administration.

On motion of John W. Hutchinson, the Estate of David Keagy was committed to D. H. Ralston, S. R. C. for administration.

It appearing that the order made this day committing the Estate of Isaac Burner to the Sheriff of this County for administration, was premature, the same is hereby revoked.

certified, On the motion of R. N. Harrison, who was, on the 13th day of February 1874, duly commissioned a Notary Public in and for the County of Rockingham by the Governor of Virginia, he this day appeared in Court, and together with Daniel K. Allebaugh & Wm. C. Simmers, his sureties (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $500. conditioned for the faithful execution of the duties of his office, which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond and a copy of this order to the Auditor of Public Accounts. And thereupon the said R. N. Harrison took the several oaths required by law.

On the motion of John E. Roller, he has leave to renew his bond as guardian of Henrietta Pence, infant child of John Pence, dec'd, he thereupon appeared in Court, and together with L. S. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2200.00 conditioned according to law, and qualified accordingly.

On the motion of Levi S. Byrd, who made oath thereto according to Law, he appeared in Court, and together with Emanuel H. Brouner, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $2000.00 conditioned according to Law, a certificate is granted him for obtaining letters of administration de bonis non, with the will annexed, upon the Estate of Isaac Brouner, dec'd.

James Thompson, ads, The Commonwealth } On appeal from Warrant of Justice of the Peace.

issued. For reasons appearing to the Court, the trial of this cause is continued until the next term, and on motion of the Attorney for the Commonwealth, an Attachment is awarded against Wm. Life, a witness for the Commonwealth for his failure to appear at this term of the Court under a Rule awarded at the last term, returnable to the first day of next term of the Court.

Commonwealth @ D. A. Fleckes, misdr.
same, " John Morris
same, " Albert Harrison alias Harris.

For reasons appearing to the Court, the trial of these causes are continued until the next terms of the Court.

It appearing to the Court that Ann Moyerhoeffer, the widow, and the Heirs of Lewis F. Moyerhoeffer, dec'd, have renounced their right to administer upon said Estate, on the motion of Joseph Beery, who made oath thereto according to Law, he appeared in Court, and together with George Begone, James Begone, Peter Reid and John Moyerhoeffer, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2.000 cs conditioned according to Law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of the said Lewis F. Moyerhoeffer, dec'd.

And upon the further motion of Joseph Beery, Adm. the Court doth appoint Chas. A. Raudeay, Harvey Wise, John Sanfley and Joseph Althoffer to appraise the Estate of said Moyerhoeffer, any three of whom may act, after first being duly sworn.

Isaac Wenger, Jacob F. Hoff, D. M. Hoffman and A. L. Maupin appointed Commissioners at the last term of the Court to lay off and assign Dower to Mrs. Ann Acker, widow of Peter Acker, dec'd, in the Real Estate of her deceased husband, this day returned their report into Court, which is confirmed and ordered to be recorded.

On the motion of David Worrell, he is relieved from the payment of County and Township Levies on account of indigent circumstances.

Issued to May Ct. 1865.

10 Sept. It is ordered that Daniel Miller, Henry Andrew, Wm. P. Ites

Joseph Miller and David Miller, land owners on the route of the proposed road, leading from a point in the Attoline & Briery Branch Road, near John Mines to a point on the Augusta line, near Saugerville, be summoned to appear at the next term of the Court, to shew cause, if any they can, why said Road shall not be established according to the Report of Henry W. Roller, Commnr. of Roads for Ashley Township, this day returned into Court.

Upon the Petition of Jane Beckone & others, to establish a Road running from the farm of Mrs. Jane Begoone along the line fences of Jr. N. Mauzy & Jonathan Miller South-east to the McGaheysville Public Road, a distance of 500 yards more or less.

It is ordered that N. W. Leave, Commnr. of Roads for Stonewall Township, do view the proposed route for a public road, and report to this Court, upon the propriety of establishing the same, according to law.

Jonathan Seale
vs
John W. Earmon, trustee, } Upon a sug. as garnishee of Wm. Peters,

This day John W. Earmon, trustee, appeared in Court, and filed his answer as garnishee in the above named cause, which is ordered to be filed in the papers, and the Rule awarded against him at the last term is discharged.

S. R. Allebaugh, Pltff
vs
C. W. Killian, Deft } Sug. as garnishee of Thos. G. Mauzy.

In obedience to an attachment awarded against the Defendant at the last term, returned executed, he appeared in Court and also the Plaintiff by his Attorney, and the Defendant C. W. Killian acknowledged his indebtedness to the said Thos. G. Mauzy at the time of the service of said suggestion, to an amount not exceeding forty Dollars, and having heard the cause it is considered by the Court, that the Plaintiff, by reason of his writ of Fieri Facias, has a lien upon said amt. in the hands of said Defendant, and that said Plaintiff recover against the Defendant the said sum of Ten dollars.

The writing purporting to be the last will and testament of Samuel Vene, was this day presented in Court and being proven by the oaths of Uriel Vaughan and George D. Fetzer, two of the subscribing witnesses thereto, was admitted to probate.

On motion of Wm. G. Thompson, who made oath thereto according to law, he appeared in Court, and together with Uriel Vaughan, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1600.00, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, with the will annexed, upon the Estate of Samuel

Vene, decd. And upon the further motion of said Wm. G. Thompson, the Court doth appoint David Sigler, Lewis Wise, William McInturff and Daniel Zigler, to appraise the Estate of said Samuel Vene, decd, any three of whom may act, after first being duly sworn; it appearing to the Court that the widow relinquished her right to administer upon said Estate.

The writing purporting to be the last will and testament of Melinda Layman, was this day presented in Court, and being proven by the oaths of William Lindaugh and John T. Rinnel, two of the subscribing witnesses thereto, was admitted to probate; and thereupon Philip F. Layman, the Executor therein named, appeared in Court, and together with George W. Rinnel and Laymus Wise, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1000. conditioned according to law, and qualified as the Executor of said Layman, under his will. And upon the further motion of said Executor the Court doth appoint John T. Rinnel, John Strickler, Preston Rhodes and Laymus Rhodes to appraise the Estate of said Melinda Layman, decd, any three of whom may act, after first being duly sworn.

James Philips Pltff.
vs.
Jacob A. Armentrout Defdt. } Upon a Rule.

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

Wm. Loeb, Agt for use of D. M. Huffman Pltff
vs.
Margaret Bowyer & Peter Long, Defts. } Sug. as garnishees of J. A. Campbell.

In obedience to a Rule awarded at the last term against the Defendants, the Defendant Peter Long appeared in Court, and answered that neither himself nor Margaret Bowyer are indebted to the Defendant J. A. Campbell, in any amount, and thereupon on consideration the Court doth dismiss this cause, and the Rule awarded against the Defendants discharged.

Levi S Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $93.00 for receiving, dieting and releasing, &c, Elizabeth Winegord, Thomas Bruce alias Thomas Shiflett and Jackson Sims, 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.

certified. Ordered That John C. Rhodes, Wm. M. Martz, Elias Empenhiser, George A. Harrison, B. F. Stover, Benj. K. Berry, Wm. J. Carpenter, D. Driver, & Jacob F. Neff, be each allowed the sum of One Dollar for services as Jurors at this term of the Court, in criminal and of Commonwealth cases, to be certified to the Auditor of Public Accounts for payment.

certified to Auditor.

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

Chas. L. O'Brien

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday March 17, 1874.

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

On motion of Wm. H. Woodson, the Estate of Mary M. Baugher, dec'd, is committed to D. H. Ralston, S. R. C, for administration.

Henry M. Clay, motion to correct an Erroneous Assessment.

Ordered that this cause be placed upon the Court's Docket, and continued until next Term.

Commonwealth
&
John Huddleson & ux } Notice

Commonwealth, by &c,
&
John Huddleson, &c, } Notices.

On motion and for reasons appearing to the Court, this cause is continued until next term of the Court at the Defendants' costs, and a Rule is awarded against A. A. Kelp, a witness for defendants, for his failure to appear at this term of the Court, returnable to next term.

On the petition of W. A. Heatwole & others, for the establishment of a Public road to commence at the terminus of a public highway at James C. Heltzel's Mill, and running thence 1½ or 2 miles to a point on the Hopkins Mill road, running through the lands of Abraham Layman, William Buntner, Lewis Driver, David R. Hopkins, and the lands belonging to the Estate of John D. Hopkins, dec'd, It is ordered that James C. Heltzel, Commr of Roads for Central, Henry M. Roller, Commr of Roads for Ashby & Henry Pulse, Commrs of Roads for Linville Townships, view & report to this Court the propriety of establishing said Roads as prayed for.

James Phillips Pltff.
&
Henry Argenbright's Exor. Defts. } Upon a Rule to shew cause why he should not execute new bond.

This day came the parties by their Attorneys, and the Court having fully heard the cause, on consideration, It is ordered that Jacob A. Armentrout Executor of Henry Argenbright, dec'd, do appear before the County Court of Rockingham on the first day of the April term next of said Court, and execute bond as Executor of said Henry Argenbright in the penalty of $6.000. with good and sufficient security.

Geo. M. Fuller, Benj. Yancey & Frederick Swisher, Commrs appointed to report upon the different routes proposed for public road from Mt. Crawford to Overly Place, this day returned their report together with a diagram, which is ordered to be filed in the papers of the cause.

In the case of the Road commencing near the Blue Ridge at Port Republic, Rockingham County, Va, thence to Weaver's Mill, thence to some point on the Lacey Road, near Evansons Mays,

1 & 18 copies

It appearing to the Court that in pursuance of an Order of this

Court, rendered at the November Term 1873, of this Court, Newman W. Cave, Commissioner of Roads of Stonewall Township, Henry N. Roller, Commr. of Roads of Ashby Township, and James L. Heltzel, Commr. of Roads of Central Township, have made their report to this Court, that they have re-viewed the route heretofore reported on, and with some slight variations, recommend the same. From which report it appears that the said road passes through the lands of Harrison Bateman, James Hooks, A. L. Hooks, Giles Moyerhoeffer, George Baker, A. J. Baugher, Mary Riger, Elias Hudlow, Jacob Grim, Elias Grim, George W. Kemper, John Harper, John Strayer, L. C. Strayer, Annie Strayer, Eliza Strayer, Lelara Strayer & Addie Strayer. It ordered therefore that the said Harrison Bateman, James Hooks, A. L. Hooks, Giles Moyerhoffer, George Baker, A. J. Baugher, Mary Riger, Elias Hudlow, Jacob Grim, Silas Grim, George W. Kemper, John Harper, John Strayer, L. C. Strayer, L. C. Strayer, Annie Strayer, Eliza Strayer, Lelara Strayer and Addie Strayer, be summoned to appear at the next term of this Court to show cause, if any they have, why the said route should not be adopted and the said Road established.

Reuben Bonds Constable of Stonewall Township, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.60 for costs, &c in case of Commonwealth vs Allen Gentry, which was certified by W. T. McGaley J. of P, and 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. rd.

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, March 18, 1874.

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

Ran. D. Cushen, this day in pursuance of an order of the County Court at its February term last, presented in Court the Registration Books for Harrisonburg, Precinct, which were by him transcribed under said order, with a certificate of the correctness of the same, attached thereto, signed by J. P. Logan, John Paul, Paul and John E. Roller Commissioners appointed to examine the same, and it is thereupon ordered that said Ran. D. Cushen be allowed the sum of $25.00 for his said services, and that the same be certified to the Treasurer of this County for payment out of the Levy for 1874.

certified. rd.

On the application of John Leedy & others, for the establishment of a public road, commencing at the corner of L. L. Reed's orchard on the old Swift Run Gap Road, one mile South-east of Harrison-

burg, and running in the directions of Port Republic, through the Chesnut Ridge, intersecting the present road leading from the Valley Turnpike to Port Republic, at or near Mount Pleasant Church; and asks for the establishment of a public road, commencing on the Rockingham Turnpike, near Fair View Church, and intersecting the above first named proposed road, near Garret Kings, and for the discontinuance of the present public road from Reed's orchard to where the same connects with the Rockingham Turnpike at Wm. Rice's. It is ordered that the Commissioners of Roads for Centreal Township, view said routes and any other they may deem expedient, and report the propriety of establishing said roads, and of closing the present road from Reed's orchard to the Rockingham Turnpike.

Upon the petition of R. G. Hopkins & others, to make "the old Mill Road now in general use, and running from the McGaheysville Methodist Church by Snyder's Mill, intersecting with the mill road opposite or near Wm. Haines's lane, a public road,

A. M. Cave, Commr. of Roads for Stonewall Township this day presented his Report in Court in pursuance of an order at the Dec Term 1873, and it appearing to the Court that there are no objections to said report, and that the land owners along said route, claim no damages; It is considered that said Report be confirmed, and that said road be opened as a public road, provided that said road shall be opened and worked without expense to the County or Township.

On motion of D. A. Flecker, It is ordered that Henry W. Roller, Commr of Roads for Ashby Township, & James L. Weitzel, Commr of Roads for Centreal Township do proceed to view and relocate the old road from the South-
continued. west abutment of the old Bridge across North River at Mrs. Crawford, down the River to its intersection with the public road where it now crosses said River, making such changes as the great flood of 1870, may have rendered necessary. This Road to supersede the road crossing the River below said abutments as soon as said Bridge is rebuilt by said Flecker. And that they report upon the expediency of so changing or altering said location.

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 Thursday, March 19, 1874.

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

Ordered, That an appropriation of Two Hundred Dollars be made on the part of the County towards re-building the Bridge across Shenandoah River, at Rives Bank in this County. Provided, that said appropriation shall not be paid until the said Bridge is repaired, nor then until G. T. Hopkins, J. H. Kite and W. S. Miller, who are hereby appointed a Committee for that purpose, shall have examined the said Bridge and certified the same, in their opinion, to be a good substantial Bridge. Upon presentation of said certificate to the Treasurer of the County, he is directed to pay over to the contractor or contractors the amount of this appropriation.

On motion of the Heirs of Samuel Stewart, dec'd, it appearing to the Court that he has been dead more than three months, and an administration had upon his Estate, It is ordered that the Estate of said decedent be committed to D. H. Roleton, S. R. C., for administration.

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 Friday, March 20, 1874.

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

Superintendent of the Poor of Rockingham County
vs.
Eli H. Armentrout } Bastardy.

This day came again the Defendant by counsel, as well as the Attorney for the Commonwealth, and the Court proceeded to try the case; and having fully heard the evidence and argument of counsel, on consideration, the Court doth adjudge the said defendant, Eli H. Armentrout, to be the father of a female bastard child of Barbara Ann Hosier, an unmarried woman; therefore it is considered by the Court that said Eli H. Armentrout be charged with the annual payments of $20.00 to the Superintendent of the Poor of said County, for seven years from the birth of said child, to-wit: seven years from the 21st day of April 1873, unless it sooner die.

Whereupon, said Eli Armentrout being solemnly called and appearing not, on the motion of the Attorney for the Commonwealth, a writ of Capias ad audiendum is awarded against the Defendant, to be directed to the Sheriff of this County, commanding him

to take the said Defendants, if he be found within his bailiwick, and him safely keep so as to have him before the Court, on the 1st day of the next term, to shew, if anything he hath to say, why the Court there should not proceed to pronounce judgment against him, according to law.

It appearing to the Court, that there are a number of settlements, appraisement & Sale bills, which were filed in the Clerk's office, previous to the year 1871, and which were not recorded at the proper time, It is ordered that the Clerk of this Court do now record the same, and charge the fees to the various fiduciaries.

Ordered, That Newman W. Lane, Commissioner of Roads for Stonewall Township, James L. Keltzel, Commissioner of Roads for Central Township and Henry W. Roller, Commissioner of Roads for Ashby Township, do examine the Bridge across Shenandoah River at Rives Bank, and report upon the expediency of repairing said Bridge. Said Commissioners are directed to make report thereof to the next term of this Court.

Ord. d.

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

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 23, 1874.

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

Washington, Cincinnati and St. Louis Railroad Company, Pl'ff.
vs.
D. M. Switzer. Def't.

Upon a motion to set aside the Report of Commissioners appointed to ascertain & take off the damages of defendant occasioned by the construction and passage of the Railroad of said Company, through his lands, upon the grounds specified in a former order in this cause.

This day came the parties by their Attorneys, and the evidence offered by both parties, and their counsel, being fully heard, the Court doth consider that no cause has been shewn why the said report should be set aside, and new Commissioners appointed, and doth therefore confirm the same and order it to be recorded. And it appearing by a former order of this Court that the damages assessed by said Commissioners have been paid to the General Receiver of this Court, It is further ordered that the said Receiver do pay the same to the defendant D. M. Switzer, and that the said defendant do recover his costs here expended, of the Plaintiff, the W. C. & St. Louis Railroad Company.

H. B. Lilly, Constable of Stonewall Township, this day presented
in Court an account vs The Commonwealth, amounting to the sum
c/p'd & d. of $10.65 for executing search warrant, arresting James Thompson and
George Madison, summoning witnesses, pay of guards, &c., which being cer-
tified by W. T. McGaley, J. P. and sworn to in open Court was examined
and allowed by the Court, and ordered to be certified to the Auditor of Pub-
lic Accounts for payment.

H. B. Lilly, Constable of Stonewall Township, this day presented in Court,
three accts vs The Commonwealth, viz: $2.30 for executing summons upon W. Co,
Dave and summoning witnesses, $2.10 for same service upon Wm. Life,
c/p'd & d. and $1.80 same service upon Reuben Bonds, which being certified
by J. C. Walker, J. P., and sworn to in open Court, were examined and
allowed by the Court, and ordered to be certified to the Auditor of Public
Accounts, for payment.

It appearing to the Court that Elizabeth Bertram, the widow, and also
the Heirs of Andrew Bertram, dec'd have renounced their right to admin-
ister upon the Estate of said decedent, on the motion of Peachy R. Ber-
tram, who made oath thereto according to law, he appeared in Court,
and together with Peter M. Armentrout, George P. Bantum and Joseph
Funkhouser, his sureties, (who justified as to their sufficiency,) en-
tered into and acknowledged a bond in the penalty of $1.500.00, condi-
tioned according to law, a certificate is granted him for obtaining
letters of administration in due form upon the Estate of said
Andrew Bertram.

And the Court doth appoint George P. Bantum, Peter M.
Armentrout and Joseph Funkhouser to appraise the Estate of
said Andrew Bertram, after first being duly sworn.

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

Chas. F. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday March 24, 1874.

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

Washington, Cincinnati and St. Louis Railroad Co. @ D. M. Switzer. } Ex parte motion

The Plaintiff stating that it thinks itself aggrieved by the order rendered in this cause at its present term, and that it desires to obtain a supersedeas and appeal therefrom from the Circuit Court of this County, and intends to apply for the same, the Court doth fix 30 days as the time within which the Plaintiff may apply for such appeal, and orders that execution of said order be suspended for that time, provided the Plaintiff or some one for it, enter into bond with sufficient security, in the penalty of $2.500, with conditions according to law, whereupon J. L. Elliott entered into such Bond with J. A. Lowenbach as his security, and execution of said order is suspended for thirty days.

Washington, Cincinnati and St. Louis Railroad Co, @ D. M. Switzer. } Upon motion.

Memorandum: On the trial of this cause, the Plaintiff by its Attorney, excepted to two opinions of the Court, given upon the said trial, and tendered his Bills of Exceptions, which were received, signed and sealed by the Court, and ordered to be made a part of the record in the cause, and are in the words and figures, following to wit:— "Washington, Cincinnati and St. Louis Railroad Co @ D. M. Switzer" &c. &c. &c."

Julia A. Kyger, @ Wm. F. Kyger, Admr. of A. Kyger, and others Heirs of Aled. Kyger, } Upon an award,

This day came the parties by their Attorneys, and by the consent of parties, judgment is entered for the Plaintiff against the Defendants for the sum of $459.90 with interest thereon from the 5th day of September 1872, as specified in the award of A. M. Keenan & Richard A. Yancey, Arbitrators, to whom this case was referred, and $20, the costs of the Award incurred before the Arbitrators, and for the costs here expended by the Plaintiff. But this judgment is to be credited with the sum of $68.50 as set forth in said award, and the further sum of $338.15 as of the date of 5th September 1872, as shewn in Exhibit ("B") filed with the papers in this cause.

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

Chas. T. O'Ferrall.

Monday, April 20, 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, April 20, 1874.

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 March Term, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes and is as follows:-

Bargain & Sale.	Wm. G. Thompson,	to Ulrick Mitting,
" "	Simeon Beatwole & wife,	" Rebecca Beatwole,
" "	Jacob Keagy,	" John Foley, trustee, &c,
" "	Henry F. Propst & wife,	" Samantha J. Harlin & Amanda Moyers,
Quit Claim.	Jos. D. Price,	" Christian Long,
Bargain & Sale.	Benj. A. Harlinger & wife,	" same,
" "	Wm. B. Compton, Commr,	" Elizabeth A. Long,
" "	Daniel Garber's Heirs,	" Daniel Garber, jr,
" "	Samuel Carpenter & wife,	" Philip Archeter,
" "	Samuel Upp & wife,	" Henry Power,
" "	John P. Swank & wife,	" John Acker,
Art. of Agreement, &c.	Heirs of Andrew Bertsun,	
Trust Deed.	Wm. G. Simmons,	" B. G. Patterson, Trustee, &c,
Mechanic's Lien.	Peter Geyer,	vs Henry Power,
Bargain & Sale,	Frederick Rodeo & wife,	to Warren W. Shawen,
" "	M. Clay Miller,	" Wm. M. Rutherford,
" "	William Berry,	" Geo. W. Miller,
" "	J. S. Harnsberger, Commr,	" William Smith,
" "	John W. Dinkel & others,	" Robert E. Painter, &c,
" "	Robert E. Painter & wife,	" John W. Dinkel, &c,
" "	Henry M. Clay,	" Shen. Valley & Ohio Railroad Company,
" "	Samuel Whitmore,	" John Flory,
" "	Samuel Grabill & wife,	" Samuel Root,
" "	Michael Flory & wife,	" George W. Heller,
" "	A. B. Davis & wife,	" Frank L. Harris,
" "	Abbott Iron Company & Balto,	" Henry C. Wyeth,
Trust Deed,	Henry C. Wyeth,	" John S. Gilkeson, trustee, &c,
Bargain & Sale,	John Easterson & wife,	" John W. Heil,
" "	George W. Gaither,	" John W. Gaither,
" "	George S. Christie & wife,	" Philo Bradley & L. C. Sterling,
" "	Jacob Hosler,	" Peachy Miller,
" "	same,	" Simeon Miller & R. M. Gamble,
" "	Daniel Bazzel's Exrs,	" Simeon Miller,
" "	John W. Glover & wife & others,	" Wm. G. Simmons & Andrew Bazzle,
" "	Harriet Warren,	" John D. Grady,
" "	John H. Grady & wife, &c,	" L. W. Gambrill, Trustee for Frances Wisewander,
" "	Henry Neff,	" Ellenora Neff,
" "	same,	" Henry Neff & Elizabeth Neff,
" "	same	" Michael Neff,

	Trust Deed.	Henry Neff	to	Henry S. Beery trustee, for &c,
	Power of Atty.	Legrey Tempelman	"	Jacobs Tempelman,
	Bargain & Sale.	James Templeman,	"	Jeremiah Ritchie,
	" "	Daniel Layman,	"	Lawson Wright,
	" "	Charles Fields & wife,	"	Emanuel Royer,
	" "	John M. Locke & wife by Jno. E. Colley, trustee	"	George J. Kisling,
	" "	Wm. Locke & wife by J. A. Zeevenbach & wife,	"	Joseph P. Hyde,
	Trust Deed,	C. R. Hilliard,	"	Thomas Easton, Trustee, for &c,
	Bargain & Sale,	A. B. Lupton & wife,	"	John W. Houston,
	" "	Henry Beery & wife,	"	Anthony Bankhalder,
	" "	Jacob Beaver & wife,	"	Reuben Dove, jr,
	" "	Barbara Yount & Wm. B. Lupton, Comm.	"	Johan Zeigler,
	" "	Thos. G. Manzy & wife & Others,	"	Benjamin F. Reeds,
	Art. of Agreement,	E. H. Brenner,	"	John Hampsher,
	Lis Pendens,	Walter Coles, Admr. of Gabriel Jordan, dec'd,	vs	Wm. A. Pence, Admr. of Geo. Brenner, dec'd & Others,
	Bargain & Sale,	Otis Moore & wife	to	John M. O'Roark,
	" "	John Gatewood, Trustee	"	Henry Forrer,
	" "	Henry Forrer,	"	Jane P. Gatewood's Trustee,
	" "	A. F. Brenner & wife, &c,	"	Christian Wine,

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 ordered to be recorded, viz:-

Settlement of the Account of Elizabeth Franck, Admx. of Daniel Franck,
" " " " " L. H. Taylor, Admr. of J. H. Taylor,
" " " " " Abm. Shank, " Jo. Shewalter as Guard. of Wm.
" " " " " A. C. Long one of the " David Flook,
" " " " " Jasper Hause, Admr. " Abm. Wenger,
" " " " " Dy. Carpenter " " John Pence,
" " " " " Geo. Brant, " " J. B. Zaikle,
" " " " " J. C. Ralston Sheff & " " A. M. Kyle & Co.
" " " " " E. F. Rinker, Exor. " Mary Broffard,
" " " " " E. F. Rinker, Exor. " Elizabeth Brook,
" " " " " B. F. & D. Armentrout Exors " David Armentrout,
" " " " " Adam Anders Exor. " Wm. Anders,
" " " " " Wm. A. Pence, " John Hingardner,
" " " " " Wm. A. Pence, " George Brenner,
" " " " " Daniel Wenger, Guard. " Sarah A. Wenger,
" " " " " Daniel Yount " " Louisa D. Bowman,

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

Appraisement & Sale Bill of Peter Acker, dec'd,
" " " " " Jonas Reed, "
" " " " " H. S. Baughen, "
" " " " " Henry Spitzer, "

A. J. Rader, Pltff, vs Martha E. Shands, Deft. = Sug,
Coffman & Duffy for &c, " " 1st Nat. Bk. of Bbg. & R. B. Douthat " Sug.
Israel Mongold, " " John Lewis, " M. E. & D.
Supt. of the Poor, " " Alexander Pixley " Bastardy,

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

c "/?
"

Drs. Wm. A. Hill and John K. Neff this day presented in Court, each an account of $10.00 against the Commonwealth of Virginia, for examination of Albert Twyman, a Lunatic, and post-mortem examination of Thos. O'Connor, 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.

1 & 3 cop. #

On an application for a public road, leading from James Philips' to Augusta County line, the Commissioners of Roads for Ashby Township, having viewed and reported on said road, It is ordered that the following land-owners be summoned to the next term of this Court, to shew cause against the establishment of said road, to-wit:- Henry Philips, Henry Andrew & James Kelly.

O'Roark & Thomas, Appellant
@
J. N. Bowen, Appellee,
} Upon an appeal.

On motion of the Appellee, It is ordered that the Appellants do file their account, by the next term of this Court.

10 1 cop. #

On an application to establish a public road from John Bell's to Dayton. The report of Joseph Glick, Commissioner of Roads for Ashby Township, having been returned into Court, and it appearing from said report that the only person objecting to the establishment of said road, according to said report is Thomas Looker, It is ordered that said Looker be summoned to the next term of this Court, to shew cause against the establishment of said road, if any he can.

✓

On motion of P. S. Roller the surety of John H. Carpenter as guardian of Peter S. Carpenter, against whom a Rule was entered at the last term of the Court, requiring him to execute new bond as said guardian, having failed and declined to execute said new bond, It is ordered that the powers of said John H. Carpenter as guardian of the said Peter S. Carpenter be and the same are hereby revoked.

On the motion of E. P. Wolff, he appeared in Court, and together with A. S. Rosenberger, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $600 conditioned according to law, and qualified as the Committee of Harvey Handley, a person of weak mind, he having heretofore been acting as guardian of said Harvey Handley.

✓

Catharine Knupp,
@
Samuel B. Harshbergen & H. G. Finkle
} Upon a notice upon a 12 months bond for the purchase of property at Sheriff's sale under act of Assembly, approved May 28, 1870, &c.

This day came the Plaintiff by her Attorney, and the Defendants were solemnly called and not appearing, the notice was proved and on her motion, It is considered by the Court that the Plaintiff recover against the Defendants the

sum of $362.50 with interest thereon from the 5th day of March 1873, and her costs by her in this behalf expended.

On the motion of Matthew Ireland, who made oath thereto according to law, he appeared in Court, and together with R.M. May and Saml. C. Switzer, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond, in the penalty of $1000 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Leynus G. Tinsley, dec'd, and upon his further motion, the Court doth appoint Chris. Miller, M. Shiplett and Saml. C. Switzer to appraise the Estate of said Leynus G. Tinsley, after first being duly sworn.

L. C. Whitescarver, who was, on the 27th day of March 1874, commissioned by the Governor of Virginia, a Notary Public, in and for the County of Rockingham, this day appeared in Court, and together with R.M. May and John J. Roller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged (Seal) in open Court, a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order, to the Auditor of Public Accounts. And thereupon the said L. C. Whitescarver took the several oaths required by law.

Wm. E. Roller, Constable of this County, this day presented in Court an Account against the Commonwealth amounting to the sum of $8.85 for arresting & conveying to Jail, &c., George Shepherd and John Brigham, charged with felony, and also an Account of $3.35 for services of guard &c., in making said arrests &c., which being sworn to before Wm. D. Maiden, Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

Samuel Life a witness in behalf of the Commonwealth at the suit of James Thompson, appeared in Court and acknowledged himself to be indebted to the Commonwealth of Virginia, in the sum of $50.00 to be levied of his goods and chattels, lands and tenements, yet upon this condition that he do make his personal appearance before the Judge of this Court, at the May Term next as a witness in behalf of the Commonwealth ads. James Thompson, and the attachment awarded against him at last term is dismissed.

D. Rodeffer &c.,
&
Alex. Bowman's Adm'x.
} Upon a Rule.

This day came the parties by their attorneys, and the Report of Commr. Newman having been filed, and the parties being fully heard by the Court, It considered by the Court that unless Barbara Bowman, Adm'x of Alexander Bowman, appears at the first day of the next term, and shows cause against the revocation of her powers as said Executor, or executes a new bond, in the penalty of $1000.00, with sufficient surety, then her powers as said Executrix shall be revoked.

Road Commissioners, Henry H. Roller & James L. Kattzel, having made their report in reference to the location of the Road from the Southwest abutment of the old Bridge at Mt. Crawford to intersect with the present public road now open across North River below said abutment, and having reported in favor of locating said road and assessed the damages resulting to Jackson Rhodes from the opening of said road at $25.00 he being the only land holder on said location, On motion of D. A. Plecker, It is ordered that the said Jackson Rhodes be summoned to appear before this Court at the next term thereof, to shew cause if any he can why said road shall not be established, as located by the said Commissioners at the assessment so made by them, and also why said road so located when finished, and the said Bridge is re-built, shall not supersede the present road across said River below said Bridge.

1 + 1 cop. #

George W. Nicholas, Pltff.
vs.
Lewis Randol, Deft. } Upon an attachment.

It appearing to the Court that a Rule has been awarded against the Plaintiff in this Attachment to show cause why said Attachment should not be dismissed for his failure to prosecute the same, and that said Rule has been duly executed, and that no cause has been shown against the dismissal of said Attachment, therefore, It is ordered that the said Attachment be dismissed, and that the Defendant recover his costs in this behalf expended.

A. J. Rader, Pltff.
vs.
Martha E. Shands, Deft. } Upon a Suggestion.

This day came again the Defendant, by her Attorney, and suggested the non residence of the Plaintiff, and asked a Rule for security for costs, and the cause continued until next term, without the Court determining the right of the Defendant to require security for costs.

On motion of the following named applicants, It appearing to the Court that they are men of good character, not addicted to drunkenness, and will probably keep such Houses as the law requires, and that their places are proper places, It is ordered that certificates be granted them for obtaining Licenses as Ordinary Keepers, with the privilege of selling ardent spirits, wines, &c, to be drunk at the places where sold, viz:—
John G. Coates, at Coates' Store and N. H. Lane, Roadside, from May 1. 1874 until April 30, 1875.

On motion of the following named applicants, It appearing to the Court that they are men of good character, not addicted to drunkenness, and will probably keep such Houses as the law requires, and that their places are proper places, It is ordered that certificates be granted them for obtaining Licenses as Ordinary Keepers to gether with Merchants Retail Liquor License, from May 1. 1874 until April 30, 1875. viz:—
Wm. Mionnick at Broadway, cop'd & issued M. M. Millett at Timberville,
cop'd. & issued R. L. Roberts " do.

On motion of Samuel M. Pollock, It appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably Keep such an House as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain License to Keep an Eating House at his place of business on Water St. in the Town of Harrisonburg, with the privilege of retailing Spirituous Liquors, &c, to be drunk at the place before sold together with Merchants Retail Liquor License, from 1st. day of May 1874, until April 30, 1875.

This License is not to take effect until the usual certificate of the Town Council of Harrisonburg, is filed with the Clerk of this Court.

On motion of the applicants, they having produced to the Court the usual certificate from the Town Council of Harrisonburg, It appearing to the Court that they are men of good character, not addicted to drunkenness, and will probably Keep such Houses as the law requires, and that the places are proper places, It is ordered that certificates be granted them to obtain Merchants Retail Liquor Licenses, at their respective places of business in the town of Harrisonburg, viz:-

J. M. Flick in the "Gilbert Building & A. J. Wall in basement of Jones' Bro. Agricultural Warehouse.

On motion of Benjamin F. Bondo, It appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably Keep such an House as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain Merchants Retail Liquor License at his place of business in the Town of McGaheysville, viz:- on Lot so recently purchased of the Estate of Mathias Snyder, dec'd, from 1st May 1874 until April 30, 1875

Supt. of the Poor of Rockingham County,
vs
Thomas M. Smith & Madison Smith. } Upon notice upon a recognizance &c, as fathers of the bastard child of Jane Hensley,

This day came the Plaintiff by his attorney, and the defendants were solemnly called, came not, the notice was proved, and on the Plaintiff's motion, It is considered by the Court that he recover against the Defendants the sum of $20.00, with interest thereon from the 12th day of March 1874, till paid, and his costs, by him in this behalf expended.

On the application for the establishment of a public road from Port Republic down the River on the North side thereof to the Langen Road:-

This day came again the parties by their attorneys, and on the motion of Madison Bateman, John Strayer, E. C. Strayer, Annie Strayer, Eliza Strayer, Elana Strayer and Addie Strayer, It is ordered that a Writ of Ad quod damnum, be awarded them as according to law to be executed on the 9th day of May next, and that the same, with the Inquest to be made in pursuance thereof, be returned to the first day of the next Term of this Court.

writ issued

Ordered, That this Court be adjourned until to-morrow morning at 8 o'clock M.

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 21, 1874,

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

cap. F. M. Flick is granted Eating-House License, with privilege of selling by retail, to be drunk where sold at the Silent Buildings, wine, and cent. spirits, &c., subject however to the condition that before commencing the use of such License, the said Flick must add to his present rooms a commodious Dining Room & Kitchen.

Ordered, That A. J. Wall be allowed the same License, at his present place of business, as above granted to F. M. Flick, he however first to have a certificate from the Town Council of Harrisonburg, agreeing to the same.

N. W. Leave, James D. Heatwole & Henry W. Roller, Comm'rs. of Roads appointed at last term of this Court to examine and report upon the expediency of repairing the River Bank Bridge, this day returned their report into Court, which was ordered to be docketed and continued until the next term of the Court.

The Court doth appoint the following named persons to act as Judges of Election at the respective Voting Places, for the term of one year from this date, April 21, 1874, viz:

Stonewall Township.

Conrads Store.— Jno. D. Walker, E. D. Kite & W. W. Leave,

McGaheysville.— C. R. Rush, A. J. O. Baden & David Gilmore,

Port Republic.— G. H. Kemper, jr., J. B. Nicholas & Samuel H. Lewis,

Ashby Township.—

Mt. Pleasant.— E. S. Kemper, W. W. Hooke & Joseph Beery,

Mt. Crawford.— Saml. C. Switzer, Aaron Shuttee & Samuel Wampler,

Dayton.— Abram Coffman, David Suter & J. F. Garber,

Bridgewater.— John W. Williamson, St. Clair Kyle & N. S. Lindsay,

Otterbein.— F. M. Erwine, W. H. Berry & Wm. S. Anderson,

Mayer Pfeiffer's Store.— Samuel Reubush, Hagey Wine & Chas. A. Vanlear,

Central Township.

Keezletown.— Jno. M. Huffman, Strother Sheets, Aug. Ammentrout,

Harrisonburg.— Wm. N. Gay, Phil. Bradley & Wm. P. Crone,

Mt. Clinton.— Michael Whitmore, Simeon Hannah & Martin Beery,

Linville Township.

Melrose.— Peter Neff, Madison Moore & James Baker,

Edom.— D. M. Coffman, Jno. P. Brock & Henry Beery,

Hoover's Shop.— Stephen Fawley, Dl. Brenneman & Allen Hoover,

Singer's Glen.— Peter Swank, G. W. Shelton & Solomon Funk,

Plains Township

Fourth Legion:- J. W. Conner, Curtis Yates & John Harrison,
Pimlerville:- Martin Garber, Henry Hoff & M. Vaughey,
Coote's Store:- A. H. Fuck, Jacob Neff & Henry Whisler,
Wittig's Store:- Reuben Dove, Isaac Finks & Josiah Sanders,
And Philo Bradley, Hiram Coffman, Wm. P. Grove, John M. Coffman and Wm. N. Gay are appointed Commrs. of Election.
And for the following Corporations, viz:-
Harrisonburg:- Wm. Ott, Jno. S. Effinger & George Miller,
Bridgewater:- John Detaffer, St. Clair Kyle & A. L. Lindsay,

On motion of Derrick Pennybacker, he having produced to the Court the usual certificate of the Town Councie of Harrisonburg, it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, It is ordered that he be granted a certificate as Ordinary Keeper together with Merchants' Retail Liquor License at the "American" Hotel in Harrisonburg, from the 1st day of May 1874, until 30th day of April 1875.

On the motion of Lowman & Co., they having produced to the Court, the usual certificate of the Town Council of Harrisonburg, it appearing to the Court that they are men of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, It is ordered that they be granted a certificate to obtain a License to Keep an Eating House at their place of business opposite the store of J. A. Loewenbach in the town of Harrisonburg, with the privilege of retailing Spirituous Liquors to be drunk at the place where sold, together with Merchants' Retail Liquor License, from 1st day of May 1874 until 30th day of April 1875, upon conditions that they will add to their present place of business another room, so that they will have three rooms in which said business shall be conducted.

On the motion of Jonas A. Keller, it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, It is ordered that he be granted a certificate to obtain a License to Keep an Eating House at his place of business in the town of Harrisonburg, in the South room of the buildings between American & Effinger Hotels on the 1st floor and in the two South rooms on 2nd floor of said buildings, said rooms to be connected with a stairway, with the privilege of retailing Lager Beer from 1st day of May 1874 until April 30 1875. This License is not to take effect until the usual certificate of the Town Council of Harrisonburg is deposited with the Clerk of this Court, and until the above-named connection of his rooms is actually made.

Ordered That John Paul, Attorney for the Commonwealth be allowed
cont'd. the sum of $83.33 1/3 for his services in this Court for the months of
March and April 1874, and that the same be certified to the Treasurer
of this County for payment.

Ordered That Court be adjourned until to-morrow evening
at 4 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 22, 1874.

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

Chrisman R. Brammer
&
M. M. Hulbert. } An appeal from Justice of the Peace,

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

Ordered, That 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, on Thursday, April 23, 1874, at the Court House thereof.

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

On motion, It is ordered to be certified that Levi S. Byrd is a citizen of
this State, that he lost a leg in the late war, and was a citizen of this
State at the time of the lop of said leg; that he received an artifi-
cont'd. cial leg under the provisions of an Act approved November 1st
1870, entitled an Act to provide Artificial Legs for citizens
of this Commonwealth who lost their legs during the late war,
but that said artificial leg is now unfit for use.

Ordered That 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, April 24, 1874.

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

Granville Eastham, Deputy for Jas. P. Ralston, S.R.C., vs Samuel B. Good } Upon a suspending Bond given under the 6th Sect. of Chapter 149, of the Code of 1873, upon an execution in the name of Granville Eastham D.S. for Jas. P. Ralston, S.R.C. vs I. B. Lupton, &c.

An execution having issued from the Clerk's Office of the County Court of Rockingham, on the 20th Sept. 1872, in favor of Granville Eastham, Deputy for James P. Ralston, Sheriff of Rockingham County, against I. B. Lupton, Margaret D. Huston, D. Pennybacker & A. L. Mauzy for $548.64 with legal interest thereon from 15th September 1871. till paid and $19.66 costs, returnable to the 3d Monday in November 1872, and having been placed in the hands of D. H. Rolston, Deputy for Jas. P. Ralston, S.R.C., on the 7th day of October 1872, and said D. H. Rolston, Deputy for J. P. Ralston, S.R.C., having levied the same on One Omnibus as the property of I. B. Lupton & Margaret D. Huston, and a doubt having arisen whether said property is liable to such levy, the said Sheriff gave notice to the Plaintiff that an indemnifying bond was required, Thereupon, A. L. Mauzy, one of the Defendants, having executed an indemnifying bond, with Mary E. Pennybacker as his surety, Samuel B. Good the claimant and purchaser of said Omnibus delivered to said officer a bond in a penalty double the value of said Omnibus, with D. C. Kibler, as his surety, conditioned to pay all persons who may be injured by suspending the sale thereof, until the claim thereto could be adjusted such damages as they may sustain by such suspension. And thereupon on the motion of said Samuel B. Good, it is ordered that the said Granville Eastham, & Samuel B. Good appear before this Court to contest their claim to said property. And the said parties this day appeared in Court, and having waived a Jury, the whole matter was submitted to the Court, and the Court having heard the evidence and argument of counsel, is of opinion that the said Omnibus is liable to the lien of said Execution, and that the said Samuel B. Good has no title thereto; It is therefore ordered that the said Granville Eastham recover of the said Samuel B. Good his costs in this behalf expended, and that said Sheriff proceed to sell the said Omnibus.

Memorandum:— On the trial of this motion, and after the same was decided by the Court, the defendant, by his counsel, excepted to the opinion of the Court on said trial, and tendered his Bill of exceptions, which contain the facts proven upon said trial, which he prayed might be sealed & enrolled by the Court, and the same is accordingly done.

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

Chas. T. O'Ferrall,

In Vacation.

Know all men by these Presents, that we, William L. Harrison, Jacob N. Lowman, Abraham Anders, Jacob Moyers, Henry Neff and John Kerlin, sureties of Samuel R. Allebaugh, late Treasurer of the County of Rockingham, Virginia, in his official Bond for $180.000 executed on the 26th day of December 1870, do hereby give our consent that the said Samuel R. Allebaugh, late Treasurer as aforesaid, may be allowed until the 10th day of June 1874, to make his final settlement with the respective Collectors in his said County; — and we further consent that the said late Treasurer may be allowed until the 20th day of June 1874 to make his final settlement with the Auditor of Public Accounts, — all of which is authorized and provided for by Joint Resolution of General Assembly of Virginia, entitled Joint Resolution extending the time for the collection of Taxes and County and Township Levies for the year 1873, approved April 15, 1874.

Given under our Hands and seals this 21st day April 1874.

Wm. L. Harrison, (seal)
J. N. Lowman, (seal)
Abraham Anders, (seal)
Jacob Moyers, (seal)
Henry Neff, (seal)
John Kerlin, (seal)

Virginia,
Rockingham County, to-wit:

I Charles T. O'Ferrall, Judge of the County Court of said County do hereby certify that on the 21st day of April 1874, William L. Harrison; on the 24th day of April 1874, Abraham Anders and Henry Neff, on the 28th day of April 1874 Jacob Moyers, and on the 29th day of April 1874 J. N. Lowman and John Kerlin, sureties in the official Bond of Samuel R. Allebaugh, as late Treasurer of said County, executed on the 26th day of December 1870, personally appeared before me in said County, in Vacation, and acknowledged the foregoing writing bearing date on the 21st day of April 1874.

Given under my Hand and seal this 29th day of April 1874.

Chas. T. O'Ferrall, (LS)
Judge of the County Courts of Rockingham,

Know all men, by these Presents, that we, N. W. Silcott, Jacob N. Conway, Eli Keenan, Thothan Sheets, Granville Eastham, John L. Woodson and Jane E. Brewer, securities of Adam N. Brewer, Collector of Central Township in the County of Rockingham, Va. in his official bond for Fifteen Thousand Dollars in the County Court of Rockingham on the 31st day of June A.D. 1873, do hereby give our consent to the extension of the time within which said Collector is required by law, to proceed with and close up his collections, for the year 1873, until the first day of June 1874, according to the provisions of the statute for that purpose passed by the General Assembly of Virginia, and approved on the 15th day of April 1874. Given

under our hands and seals, April 29, 1874.

Jane E. Brewer, (Seal)
J. N. Loewen, (Seal)
Strother Sheets, (Seal)
Granville Eastham, (Seal)
M. M. Silbert, (Seal)
John C. Woodson, (Seal)
Eli Keenan, (Seal)

Virginia,
Rockingham County, to-wit: 3

I, Charles T. O'Ferrall, Judge of the County Court of said County, do Hereby certify that on the 29th. day of April 1874 J. N. Loewen, on the 5th. day of May 1874 Strother Sheets, Granville Eastham, M. M. Silbert and John C. Woodson, and on the 8th. day of May 1874, Jane E. Brewer and Eli Keenan, sureties in the Official Bond of Adam C. Brewer, Collector of Central Township in said County, executed on the 30th. day of June 1873, personally appeared before me in said County, in vacation, and acknowledged the foregoing writing bearing date on the 29th. day of April 1874. Given under my hand and seal, this 8th. day of May 1874.

Chas. T. O'Ferrall, (Seal)
Judge of the County Court of Rockingham.

To the Judge of the County Court of Rockingham:

We, the undersigned, sureties in the Official Bond of Henry S. Soule, Collector of Ashby Township, in the said County, executed at the June Term, 1873, of the County Court of said County, do hereby consent that the said Henry S. Soule, Collector as aforesaid, may be allowed until the 1st. day of June 1874, instead of the 1st. day of May 1874, as now provided by law, to proceed with and close up his current collections. All of which is authorized and provided for by Joint Resolution of the General Assembly of Virginia, approved April 15, 1874, entitled ---------- extending the time for the collection of Taxes and County and Township Levies for the year eighteen hundred and seventy three. Witness, the following signatures and seals this 28th. day of April 1874.

John F. Soule, (Seal)
T. A. Jackson, (Seal)
A. Click, (Seal)
Rudolph Myers, (Seal)

Virginia
Rockingham County, to-wit: 3

I, Charles T. O'Ferrall Judge of the County Court of said County, do Hereby certify that on the 28th. day of April 1874, John F. Soule, T. A. Jackson, A. Click & Rudolph Myers, sureties in the Official Bond of Henry S. Soule, Collector of Ashby Township in said County, executed at the June Term 1873, of said County Court, this day personally appeared before me in said County, in vacation, and acknowledged the foregoing writing, bearing date on the 28th. day of April 1874. Given under my hand and seal this 28th. day of April 1874.

Chas. T. O'Ferrall,

Monday, May 18, 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, April 20, 1874.

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 April Term, which List being read and inspected by the Court, is ordered to be spread on the Minutes, and is as follows, viz:-

Bargain & Sale,	Simon P. Summers & wife	to	Joseph R. K. Summers,
"	Reuben Bonds & wife,	"	Frederick Harris,
"	Daniel Shank & wife,	"	John Swartz,
"	Edward S. Kemper	"	Simon Whitsel,
"	G. H. Berlin, Commr.	"	Charles W. Story,
"	Solon M. Bowman & wife	"	Isaac Airhart,
"	Mary Airhart,	"	George & Wm. Airhart,
"	Geo. & Isaac Airhart & wives, &c,	"	Josiah Brammer,
"	Isaac Airhart & wife, &c,	"	Geo. & Wm. Airhart,
"	Geo. & Wm. Airhart & wives, &c,	"	Isaac Airhart,
"	Mary Airhart, &c,	"	Geo. Isaac & Wm. Airhart,
"	George Airhart & wife, &c,	"	Solon M. Bowman,
"	same,	"	Michael Fitzgerald,
"	John H. Long & wife,	"	Andrew N. Long,
"	M. Harvey Effinger & wife	"	S. J. Jones,
"	Chas. T. O'Ferrall, sole Trustee,	"	Martin Lickey,
"	Benjamin Berlin, Commr.	"	Elijah Eammon,
"	Elijah Eammon & wife,	"	Isabella B. Thacker,
"	James & Henry Layman & wives,	"	Eliza Layman,
Homestead,	Erasmus Taylor		
Bargain & Sale,	A. B. Burkholder & wife,	"	Samuel Hartman,
"	Annie, Elizabeth & Mary Lander,	"	same,
"	M. A. Whitaker,	"	D. M. Switzer,
"	Mary E. Pennybacker, J. D. Pennybacker &c,	"	William Chapman,
"	C. M. Dinkel & wife, &c,	"	Elijah Huffman,
"	Fred'k. Cline & wife, &c,	"	Hugh Swope,
"	Thomas M. Pitts & wife,	"	Silvanus G. Dinkel,
"	S. G. Dinkel,	"	Samuel T. Finkbeiner,
"	Jacob Beahm & wife,	"	Hy. A. Refo & John Minnick,
"	Wm. H. Bowman & wife,	"	Elijah Huffman,
"	John H. Rondabush,	"	John W. Rondabush, &c,
Mechanic's Lien,	T. M. & S. E. Rohr,	"	Thomas Rutherford,
Bargain & Sale,	Chas. T. O'Ferrall,	"	James Layman,
"	Wm. B. Compton, Commr.	"	same,
"	Robert Johnston, Commr.	"	John Beam,
"	Emanuel Armentrout, Commr.	"	Joseph W. Mauzy,
"	J. W. Mauzy & wife,	"	Patrick Murphy,
"	Abm. B. Burkholder & wife,	"	David B. Burkholder,
"	Martin M. Brunk & wife,	"	same,

Bargain & Sale,	George Campbell,	to	Almeda M. Campbell,
" "	George Campbell's wife	"	same,
" "	Nancy Davies	"	John Swartz,
" "	Solomon Bustenes wife,	"	George P. Bustenes,
Agreement.	P. S. Roller	&	John E. Roller,
Bargain & Sale,	Samuel Swank & wife	to	Wm. Lamb & Solomon Shoemaker,
" "	M. Davey Effinger & wife,	"	Pendleton Bryan, trustee, &c.,
" "	John Leedy & wife,	"	John M. Huffman, guard. &c.,

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 Adm of Martin Conley, Admr. of Daniel Conley, dec'd,
" " " Abm. Bloser, " " Abm & Anna Bloser, dec'd,
" " " J. K. & My. Hamsberger, " " John Hamsberger, dec'd,
" " " Chas. A. Vanlear, " " Wm. Vanlear, dec'd,
" " " My. & Sarah E. Moffett " " George Moffett, dec'd,
" " " Jefse Ralston " " Jefse Ralston, dec'd,
" " " Jno. A. Swank, Exr. " " Joseph Swank, dec'd,
" " " Samuel Swank, guard. " " Lydia F. & Lorina V. Swank,
" " " same, " " same,
" " " same, " " same,

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

Appraisement & Sale Bill of Joseph Cline, dec'd, (Estate,)
" Bill of Andrew Bertram, dec'd, (")
" " John Aishart, dec'd, (Per. Property,)

C. C. Shoemaker, who was on the 2nd day of May 1874 commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from the date thereof, this day appeared in Court, and together with John A. Showalter, his surety, (who is justified as to his sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $500 &c, conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said C. C. Shoemaker took the several oaths required by law,

certified to and.

On motion of John Kephart, he is exempted from the payment of County and Parish Levies, on account of indigent circumstances.

sup.

In case of the Commonwealth vs Albert Harris alias Harrison, a Rule is awarded against John M. Palmer, a witness for the Commonwealth, for his failure to attend at this Term, returnable to next Term of the Court.

issued.

John G. Coiner having been granted Ordinary License at his place of business at Coiner's Store, at the last Term of the Court, on his motion, in addition thereto, a certificate is granted him for obtaining

License as Retail Liquor Merchants, at this said place of business, from May 1, 1874, until April 30, 1875.

On the motion of M. Ann Showalter, the Estates of Margaret Showalter and Amanda J. Roller, are committed to D. H. Roleton, Sheriff of this county, for administration,

Ordered that a Rule be awarded against Jonas A. Keller, returnable to the 3d. day of this Term, to show cause, if any he can, why he should not be fined for contempt of this Court, in proceeding to carry on business as an Eating House Keeper, in the Town of Harrisonburg, without first complying with the conditions of the order granting the certificate required by law to obtain a License to Keep an Eating House, and in addition thereto, to sell Lager Beer.

In arrangements having been made with the proper authorities for the use of the United States Court House, while the new Court House of this County is being constructed, It is ordered that after this term of this Court, and until otherwise ordered, that the County and Circuit Courts of this County do meet, in the United States Court House in Harrisonburg, and that the same shall be regarded as the Court House of Rockingham County, at which place all parties summoned to appear before either the said County or Circuit Courts, or having business in either of said Courts, are hereby required to attend.

Ordered further that a copy of this order be certified to the Clerk of the Circuit Court of this County, and that another copy be published in the "Rockingham Register" and "Old Commonwealth," for two weeks.

On motion of Bettie Brown, Admx. of B. S. Brown, it appearing to the Court that a tract of eight Acres of land, lying near Bridgewater, has been improperly assessed with State taxes for the year 1873, to the amount of $1.60 and County Levies, &c, to the amount of $1.66 against the Estate of said B. S. Brown, the same land having been assessed with taxes against Geo. Barnes, to whom the said land belongs, and who has paid the taxes thereon for the year 1873, therefore it is ordered that the said Betty Brown, Admx. aforesaid be released from the payments of said taxes and County levies, &c, and that the tax tickets therefor be cancelled, and that the proper corrections be made upon the Assessor's Books.

The Commonwealth's Attorney was present in Court and defended this motion, and the Assessor who made the said assessment was examined as a witness touching the application.

Ordered, That Palser McCreary be released from working on the public highway, on account of his crippled and deformed condition.

On the motion of George M. Airey, it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an house as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain Licence to keep an Ordinary at his residence on the Rawley Springs Road in this County.

cap'd d. On the motion of James Kavanaugh, he having produced in Court the usual certificate of the Common Council of the Town of Harrisonburg, and it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain Licence to keep an Ordinary at the Virginia House in the Town of Harrisonburg, and also Merchants Retail Liquor Licence from the 1st day of May 1874 until April 30, 1875.

John M. Altaffer, Pltff			Elizabeth Deputy, Pltff,	
vs	W & D.		vs	W. & D.
Hiram H. Devier, Deft.			Mary C. Deputy, Defts,	
Elias Grim, Pltff			Samuel Bailey, Pltff	
vs	W & D.		vs	Upon a Sug.
Madison Michael, &c, Defts			J. N. Loewenbach, &c Defts	as assn. of E. H. Bowman
			&	
Henry Devier, Pltff			same, Pltff	
vs	Notice.		vs	Upon same.
Martin Harper Deft.			same, Deft,	

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

On the motion of the Sheriff of this County, by his Deputy Wm. H. Blakemore, the Court doth appoint Daniel Bowman, A. Paul, Sr, Benj. Kulin and Emanuel Brunner, to appraise the Estate of Elizabeth Harnsberger, dec'd, any three of whom may act, after first being duly sworn.

issued Ordered, That Rules be awarded against Julius J. Maty, Morgan Layton and Wesley A. Cave, returnable to 1st day of next term, for their failure to appear as Jurors at this Term of the Court, when duly summoned.

The writing purporting to be the last will and testament of Rev. Isaac Soule, dec'd, was this day presented in Court, and being proven by the oaths of Ellen Dice and Mary Soule, the two subscribing witnesses thereto, was admitted to probate; and thereupon on the motion of Henry L. Soule, the Executor therein named, he appeared in Court, and together with John F. Soule, his surety, (who is qualified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $700.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of said Isaac Soule, with the will annexed, and thereupon he qualified accordingly.

The writing purporting to be the last will and testament of Lydia Myers was this day presented in Court, and being proven by the oath of G. N. Dinges, one of the subscribing witnesses thereto, and the hand-writing of C. G. Burley, the other subscribing witness thereto, (he having departed this life) being proven in Court, was admitted to probate. And on the motion of C. Miller, the Executor therein named, he appeared in Court and together with Thomas Burke, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $4,000, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Lydia Myers, dec'd, with the will annexed; and thereupon he qualified accordingly,

And on the further motion of C. Miller Esq. aforesaid, the Court doth appoint M. Shipplett, Dr. G. N. Dinges and Jackson Rhodes, to appraise the Estate of the said Lydia Myers, after first being duly sworn, any three of whom may act.

On the motion of Peter Beery, who made oath thereto according to law, he appeared in Court, and together with John N. Rolston, (of David,) and Wm. H. Rutherford, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1,600, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Margaret Beery, dec'd, ~~And upon his further motion, etc etc etc~~

On the motion of W. W. Bane, who made oath thereto according to law, he appeared in Court, and together with G. W. Manzy, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $200 00, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Sarah A. Hammer, dec'd. And upon his further motion, the Court doth appoint Moses Powell, Jolin Beesley and Jackson Wyant, to appraise the Estate of said Sarah A. Hammer, after first being duly sworn.

On the motion of Miletus G. Jones who made oath thereto according to law, he appeared in Court, and together with Eli Keenan and Ella M. Shipman, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Francis M. Shipman, dec'd, the widow having relinquished her right to administer on said Estate.

And, upon his further motion, the Court doth appoint Harry Wyant, John Miller and Isaac Glick, to appraise the Estate of said F. M. Shipman, after first being duly sworn.

On the motion of Jacob L. Harrison, who made oath thereto according to law, he appeared in Court, and together with R. W. Harrison, his surety, (who justified as to his sufficiency,) entered into and ac-

knowledged a bond in the penalty of $1000.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Eliza B. Haines,

And upon his further motion, the Court doth appoint Charles E. Haas, G. G. Grattan and F. A. Daingerfield to appraise the Estate of said Eliza B. Haines, after first being duly qualified.

On the motion of Rev. Wm. H. Buntrey, it appearing to the Court that he is a regularly ordained minister in the Church of the United Brethren in Christ, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with George P. Buntrey, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, and qualified accordingly.

On the motion of Rev. Lafayette Fox, it appearing to the Court that he is a regularly ordained minister in the Methodist Episcopal Church, South, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with John E. Rollen and J. A. Hammen, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, and qualified accordingly.

Henry McDorman, Constable of Ashby Township, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $4.25 for arresting, conveying to Jail, John Burns, charged with felony, and summoning witnesses, which, being sworn to in open Court, was examined and allowed by the Court, (said A/c being certified by the Justice,) and ordered to be certified to the Auditor of Public Accounts for payment.

James Thompson
vs
The Commonwealth.

Upon an appeal from the judgment of a Justice of the Peace.

This day came James Thompson, as well as the Attorney for the Commonwealth, and thereupon came a jury, to-wit: Robert Deputy, E. V. B. Huffman, Samuel Showalter, Ebenezer Rinicely, R. M. Gribb, Albert Long, Joseph Ritchie, S. B. Shiplett, Jacob A. Spitzer, Abraham Hoover, H. S. Ward & E. P. Myers, who being elected, tried and sworn the truth to speak upon the issue joined, 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 Deft. James Thompson guilty of the larceny charged in the warrant, and ascertain the term of his imprisonment in the County Jail at twenty-five days."

And thereupon, the Deft. by counsel, moved the Court for arrest of judgment, and the Defendant together with G. W. Hedrick, his surety appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $200.00 to be levied of their respective goods, lands and tenements, for the use of the Commonwealth, yet upon this condition, that the said James

Thompson do make his personal appearance before this Court on to-morrow morning at 10 o'clock, and not depart thence without leave of the Court,

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 Tuesday May 19, 1874.

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

c/m'd. On motion of John Higgins, he is relieved from the payment of County and Parish Levies, on account of indigent circumstances.

Ex-parte

Wm. D. Estes & others, - Upon a Road Petition

In this cause, upon the motion of Daniel Miller and Henry Andrew, land owners along the line of the proposed route, they are made parties defendant, and thereupon they submitted a motion to quash the report heretofore made by Henry N. Roller, c/m'd. Commissioner of Roads for Ashby Township, and filed at the March term 1874, of this Court, which motion the Court doth sustain; and for reasons appearing to the Court, said report is quashed,

Thereupon, on motion of the plaintiffs the said Commissioner of Roads is directed to examine the proposed route again, and to make his report to this Court in accordance with law, on the third day of this term, or as soon thereafter as practicable,

John Coven Appellant

E. G. Sanford, Appellee } Upon an appeal from a judgt. of a J. P.

This day came again the appellant by his attorney and it appearing to the Court that the appellee has had due notice that this cause would be called for trial on this day, and he not appearing, the cause was submitted to the Court and having fully heard the cause, the Court doth affirm the judgment of the Justice of the Peace, and therefore it is considered by the Court that the appellant recover of the appellee John Coven, the sum of $33.26 with interest thereon from the 9th day of December 1873, until paid, and $1.00 costs before the Justice of the Peace; and also his costs by him in this behalf expended,

On the motion of Wm. D. Dudlowe, it appearing to the Court that a tract of 40 Acres of land, lying on Mill Creek, Ashby Township, has been improperly assessed with State taxes for the year 1873, to the amount c/m'd.

of $5.00 County School tax, $1.30 District School tax 10¢, County Tax, 80¢ & Parish 90¢ & Railroad tax, $1.50 against said Wm. H. Hudlowe, the same Land having been assessed with taxes against Samuel Baker, to whom said Land belongs, and who has paid the taxes thereon for the year 1873. Therefore it is ordered that said Wm. H. Hudlowe be released from the payment of said taxes amounting to the sum of $9.60, and that the tax tickets therefor be cancelled, and that the proper corrections be made upon the Assessor's Books.

The Commonwealths Attorney was present in Court and defended this motion, and the Assessor who made the said erroneous Assessment was examined as a witness touching the application.

Commonwealth
vs
John Scanlon,
} Upon an Indictment for misdemeanor.

This day came the Defendant by counsel, and filed his plea of not guilty, and on his motion the trial of the cause is continued until next Term, at his costs.

Commonwealth
vs
John Morris.
} Indictment for misdr.

Commonwealth
vs
Albert Harris alias Harrison
} Indictment for misdr.

Ordered that the trial of these causes be continued until next term.

For reasons appearing to the Court, the Report of Henry M. Roller & James L. Keltzel, Commissioners of Roads, upon the petition of D. N. Plecker & the former order of this Court, to view and relocate the old road from the South west abutment of the old Bridge across North River at Mt. Crawford down the River to the present public road is accommitted to the said Roller & Keltzel, Commissioners aforesaid and Henry Pulse, Comnr. of Roads for Linville Township, with instructions to report more fully as required by Sections 230 & 24 of Chapter 52 of the Code of Va. of 1873, including Map or Diagram. But before viewing and locating said old road they shall give reasonable notice to said Plecker & Jackson Rhodes, of the time & place of their meeting on said road.

c/d.

It appearing to the Court that at the March Term 1873 of this Court, in an order made establishing changes in the location of the road leading from Shirkel's School House to Otterbein, or Paul's Mill, an error was made by the Clerk in entering said order in this: that said order as entered reads thus: "and Rudolph Myers was willing to reduce the grade of the hill on his land to 15 degrees for the sum of $75.00" whereas said order as should have been entered reads "and Rudolph Myers was willing to reduce the grade of the hill on his land to 5 degrees for the sum of $75.00", which order as entered at said March Term is hereby corrected in said particular, and made to conform with the original order as filed with the papers.

Commonwealth
vs
D. N. Plecker,
} Upon an Indictment for a Nuisance.

This day came as well the attorney for

the Commonwealth as the Defendant by his Attorney, and the Defendant tendered his plea of "not guilty" and "Autrefois acquit", to which "last-named" plea the Attorney for the Commonwealth demurred, which demurrer being argued by counsel, was overruled by the Court, and thereupon the Attorney for the Commonwealth entered a Nolle Prosequi.

John M. Altaffer, Pltff.
vs
Hiram K. Devier Defts. } W & D.

Elias Grim, Pltff
vs
Madison Michael, &c, Defts. } W. & D.

This day came the parties by their Attorneys, and the Defendants filed their plea of not guilty, and on motion of the Defendants the trial of the causes is continued until next term.

Israel Mongold, Pltff.
vs
John Lewis, Defts. } W & D.

This day came the parties by their Attorneys, and the Defendant filed his plea of "not guilty," whereupon the Plaintiff by counsel, says he will not further prosecute his suit, Therefore on the prayer of the Defendant it is considered by the Court that non-suit be entered, and that the Defendant recover against the Plaintiff, $5.00 damages according to law, and his costs, by him about his defence in this behalf expended,

Mary C. Deputy Pltff.
vs
Elizabeth Deputy Defts. } W & D.

This day came the parties by their Attorneys, and the Defendant filed her plea of not guilty, to which the Plaintiff replied generally, and thereupon came a jury to wit: E. H. B. Huffman, Albert Long, Joseph Ritchie, S. B. Shiplett, Jacob A. Spitzer, Abm. Hoover, G. S. Ward, E. P. Myers, Wm. Beard, Patterson Riemer, D. A. Pleasant, Wm. Lickey, who being elected tried and sworn the truth to speak as between the Defendants unlawfully withholds from the Plaintiff possession of the premises in the suit described, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 10 o'clock.

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

Chas. F. O'Neall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, May 20, 1874.

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

c a/d. Wm. Beard this day presented in Court, an Account against the County of Rockingham, amounting to the sum of $2.50 for surveying changes of Road through the lands of James Philips, and on road from Mines to Sangerville, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

On motion of John Strayer, C. C. Strayer, Annie Strayer, Eliza Strayer, Lelana Strayer and Addie Strayer, it appearing to the Court that the report of the Jury, under the writ of ad quod damnum awarded at the last term of this Court, in the case of the Road commencing at the Bridge at Port Republic and intersecting with the Lawyer road, near Erasmus Mayo's, is erroneous, in that they do not award to John Strayer, C. C. Strayer, Annie Strayer, Eliza Strayer, Lelana Strayer and Addie Strayer, the value of their land taken by said road; ✓ Therefore, it is ordered, that a new writ of ad quod damnum be awarded them according to law, to be executed on the 6th. day of June 1874, and that the same, with the inquest to be made in pursuance thereof, be returned to the first day of the next term of this Court. And the Jury summoned under the said writ of ad quod damnum are instructed, after being duly sworn by the Sheriff, to view the lands of the said parties, 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, beyond the peculiar benefits which will be derived in respect to such residue from the road. c a/d.

Jacob A. Armentrout, who has heretofore entered into bond and qualified as Executor of the Estate of Henry Argabright, dec'd, and who was, at the March term of this Court, on the motion of James Philips, was required to execute a new Bond as said Executor in the penalty of $5000.00 this day appeared in Court, and together with Nicholas Miller, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $5000.00 conditioned according to law, and qualified as said Executor.

James Thompson, }
&c. } Upon an appeal from a judgment of a Justice.
The Commonwealth, }

The appellant, James Thompson, having, on Monday last, moved the Court to arrest the judgment in this cause, 1st. Because the Search warrant on which he was tried by the Justice, did not specify the value of the goods charged to have been stolen. 2nd. Because the said warrant does not state the ownership of the goods alleged to have been stolen, and 3rd. Because the act allowing a Justice to try a man for petit larceny, is unconstitutional;

And the matters of law arising upon

the said plea in arrest of judgment upon the verdict of the Jury in this cause, having argued, it seems to the Court, that upon the first ground submitted in arrest of judgment, no judgment ought to be given on the said verdict, And it is ordered that the same be set aside, and the appellant discharged.

Ordered That Robert Deputy, E.W.B. Huffman, Samuel Showalter, Ebenezer Knicely, R. M. Grubb, Albert Long, Joseph Ritchie, S.B. Shiplett, Jacob A. Spitzer, Abraham Hoover, G.S. Wand and E.P. Myers, be each allowed the sum of One Dollar for their services at this Session of the Court, upon the trial of an Appeal of James Thompson & The Commonwealth from the judgment of a Justice of the Peace to be certified to the Auditor of Public Accounts for payment.

cpd.

certified to Aud. of Pub. Accts.

Jonas A. Keller this day appeared in Court in obedience to a Rule awarded against him on the first day of this Term, to answer a contempt by him offered to the Court in proceeding to conduct an Eating House and to sell Lager Beer, without first complying with the requirements of an order entered at the last Term of the Court, and the Court having fully heard the cause doth consider him the said J.A. Keller in contempt of the order of the Court, and doth impose a Fine on said J.A. Keller of $5.00 together with the costs of this Rule.

On the motion of Geo. W. Yancey, it appearing to the Court that a tract of 40 Acres of Land &c lying in Linville Township has been assessed with the following taxes against him for the year 1873, viz: State tax $3.40 Parish 43¢ Railroad 72¢ County School 62¢ District School 5¢ and County tax 38¢ - total $4.60 and that the same tract is charged in Central Township to Jacob L. Snyder, erroneously, he owning no such land, against whom the said taxes have been assessed for the same year, and paid by the said George W. Yancey, It is therefore ordered that the said sum of $4.60 be refunded to said George W. Yancey, and that the entry in the Land Book of Central Township as against Jacob L. Snyder, be stricken therefrom.

cancelled & ref'd.

The Commonwealth's Attorney was present in Court, and defended this motion, and the Assessor who made the said erroneous assessment, was examined as a witness touching the application.

D. L. Byrd, Jailor of this County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $35.85 for receiving dieting &c George Shepherd & John Brigham, charged with felony, and John L. May, a Lunatic, which being known to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cpd.

On the petition of Adam Ritchie and others, for a change in the present location of the Road leading from Dry River in Brocks Gap to Hopkins Gap, Henry Pulse, Comm'r. of Roads for Linville Township having returned into Court his report with a diagram on the proposed change, and it appearing to the Court that Abraham Ritchie is

issued

is the only land owner affected by the proposed change, if made, It is ordered that said Abraham Ritchie be summoned to the next term of this Court, to shew cause, if any he can, against change

C. & P. On application of George Miller, Overseer of the Poor for Rockingham County, It is ordered that Ella Martin, aged 8 years and Ada Martin aged 4 years, both colored, and children of Eliza Martin, colored, be bound as Apprentices to Miss Annie D. Gray, until they each arrive at the age of eighteen years, and said Overseer is directed to deliver said children to the said Annie D. Gray.

Mary C. Deputy, Plff
vs
Elizabeth Deputy, Defts. } Unlawful Entry & Detainer.

This day came again the parties by their attorneys, and thereupon came the Jury sworn and impannuled 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 sometime returned into Court, and upon their oaths do say "we the Jury find that the Defendant at the date of the issuing of the writ in this cause, unlawfully detained from the Plaintiff the Mansion House described in the writ, with the curtilage, including about one fourth of an acre, and we therefore find for the Plaintiff the premises aforesaid, containing about 1/4 of an acre," It is therefore considered by the Court that the Plaintiff recover from the Defendant the possession of the premises described in the writ, containing about 1/4 of an acre, and also recover of said Defendant her costs by her in this behalf expended. And it is further ordered that a writ of possession for said premises, do issue, directed to the Sheriff of this County.

Commonwealth
vs
John Huddleson, &c., } Upon a Notice.

Commonwealth, by &c.,
vs
John Huddleson, &c.) Upon a notice.

This day came again the parties by their Attorneys, and on motion of the Plaintiff the Defendants are required to file their pleas and special grounds of defence, within twenty days from the rising of this Court, and the trial of the causes continued until next term.

Ordered That the following named persons be allowed the sums opposite their names for services at this term of the Court, to be certified to the Treasurer of this County for payment, viz:

E. N. B. Huffman,	$2.00	G. L. Wand,	$2.00
Albert Long,	2.00	E. P. Myers,	2.00
Joseph Ritchie	2.00	William Reed	3.00
L. B. Shiplett,	2.00	Patterson Greiner	2.00
Jacob A. Spitzer,	2.00	D. A. Plecker,	2.00
Abraham Hoover,	2.00	William Dickey,	2.00

On the application for the establishment of a public road from near where John Bell formerly lived, (near Rushville) to Dayton. The report of Joseph Click, Commissioner of Roads, having been returned

into Court, and notice having been served on Thomas Looten to show cause against said Report, and he failing to appear and show cause against the same, It is ordered that said road be established according to said report, said Road to commence on the "Plum Pike" road and terminate at Daniel Bowman's Mill, and to be twenty feet wide, and the Overseer of Roads for the District in which said road is located, is ordered to open the same.

On an application for a public road, commencing at Spader's Church, and terminating on the Valley Turnpike, near D.H. Lander's Mill,

The report of Henry W. Roller, Henry Pulse and W.W. Deane, Road Commissioners appointed to view and report on said road, having been returned into Court, It is ordered that the following land owners be summoned to the next term of this Court, to show cause if any they can, why said Road should not be established according to said report, to wit: T. Kennedy, D.H. Lander, H.G. Way, Geo. E. Deneale, Samuel Dundore, widow Brannum, Robert Painter, Mrs. Swank, V. Bolton, J. Bierly and John Rowhoff,

issued 1 & 11 cap.

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 Thursday, May 21, 1874.

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

It appearing to the Court that Martin Propst, guard. of Allen B. Joseph & Sarah J. Joseph has had due notice executed upon him to the 1st day of this term of the Court, by Henry Devier, his surety, requiring him to give additional surety as said guardian, and said Propst having failed to execute new bond with additional surety, on the motion of said Henry Devier, by counsel, It is ordered by the Court that the powers of said Martin Propst as guardian of said Allen B. Joseph & Sarah J. Joseph, be and the same are hereby revoked.

John M. Altaffer,
&
Hiram K. Devier } W. E & D

On motion of the parties by counsel, the order made at a former day of this term, continuing this cause, is set aside, and the cause dismissed agreed.

On the motion of D.H. Rolston, Sheriff of Rockingham County, the powers of Jo. H. Kelly, his Deputy, are hereby revoked.

David Rodeffer, &c, Pltff
vs
Barbara Bowman, Extx of Alexander Bowman, decd } On a Rule,

The Defendant Barbara Bowman, Extx. of Alexander Bowman, decd, having failed to appear and give security, and has failed as well to show cause why her powers as Executrix of Alexander Bowman, decd, should not be revoked, as required of her at the last term of this Court,

It is ordered that her power and authority as Extx. aforesaid be revoked and annulled.

Mary C. Deputy, Pltff,
vs
Elizabeth Deputy, Deft. } W D & D.

This day came again the parties by their Attorneys, and the Defendant moved the Court to set aside the verdict of the Jury rendered and the judgment entered in this cause on yesterday, and grant her a new trial, which motion being argued by counsel, on consideration the Court doth sustain said motion, It is therefore considered that the verdict of the Jury and the judgment entered in this cause be set aside and the Defendant is granted a new trial, upon payment of the costs of this trial.

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cop'd. d'd. Ordered, That John Paul, Attorney for the Commonwealth be allowed the sum of $41.66 2/3 for his services in this Court for the month of May 1874, and that the same be certified to the Treasurer of this County, for payment, out of the Levy for 1874.

R. A. Gray, use of W. G. Guthrie, Pltff,
vs
John C. Woodson & Wm. B. Compton, Defts. } Upon a notice upon a 12 months bond executed for the purchase of property at Sheriff's sale made vs act of Assembly, approved May 3d 1870.

This day came the Plaintiff by counsel and moved the Court for judgment and execution according to bond and for costs; whereupon the Defendants being solemnly called, came not, the notice was proved, and it is considered by the Court that the Plaintiff recover from the Defendants the sum of $139.70 with interest thereon at 6 per cent. per annum, from the 29th day of April 1873, until paid, and his costs, by him in this behalf expended.

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cop'd & del'd. On motion of Thomas K. Hamsbergen & Henry Hamsbergen, Admrs of John Hamsbergen, decd, it appearing by the report of A. M. Newman, Commissioner, of date the 29th day of January 1874, duly filed and confirmed, that there is a balance due from said Administrators to the heirs of John Hamsbergen, decd to the amount of Two hundred and twenty-five 89/100 dollars ($225.89/100,) subject to the future costs of administration; that upon evidence before the Court, the heirs of Jacob Swingle & Mary his wife, & the heirs of Jacob Hamsbergen & Catharine his wife, are unknown, It is ordered that said Administrators pay over to R. B. Strick, General Receiver of this Court, the proportionate interest of said unknown heirs in said balance in the hands of said Administrators, and the said General Receiver is ordered to loan out the same upon good and sufficient security, subject to the further order of the Court.

John P. Brock, Pltff

vs

W. T. McGahey, W. W. Hedrick & G. W. Mauzy, Defts. } Upon a motion on a bond ta. Kew for the forthcoming of property.

This day came the parties by their attorneys, and the Court having heard the evidence and argument of counsel, is of the opinion that the Plaintiff is not entitled to recover upon the evidence adduced by him, which evidence consisted of the notice and parol testimony tending to prove the los of the forthcoming bond, upon which this motion is made and the contents thereof, therefore it is considered by the Court that the Defendants recover from the Plaintiff their costs by them in this behalf expended.

J. N. Morrison, Pltff.

vs

E. Coffman, D. W. Coffman & E. Coffman, jr, } Upon a motion on a bond taken for the forthcomming of property.

It appearing to the Court that this motion ought to have been docketed on the 1st. day of this term, it is ordered that this motion be docketed nunc pro tunc; thereupon came the parties by their Attorneys, and the Plaintiff moved the Court for judgment + execution according to bond and for costs, and after the argument of counsel, It is considered by the Court that the Plaintiff recover from the Defendants to the sum of $1784.$^{54}/_{100}$ the penalty of the Bond, to be discharged by the payment of $892.^{27} with interest on $720.^{00} part thereof from 19th. day of Sept 1872, till paid at the rate of 12 per cent. per annum and on $72.^{38} another part at the rate of 6 per cent from the 19th. day of Sept. 1872, and on $169.^{89} the residue thereof from the 28th. day of March 1874, at the rate of 6 per cent. per annum, until paid, and his costs, by him in this behalf expended.

Same, Pltff

vs

Same, Defts. } Upon a motion on a bond taken for the forthcomming of property.

It appearing to the Court that this motion ought to have been docketed on the 1st. day of this term, it is ordered that this motion be docketed nunc pro tunc; thereupon came the parties by their Attorneys, and the Plaintiff moved the Court for judgment + execution according to bond and for costs, and after argument of counsel, It is considered by the Court that the Plaintiff recover from the Defendants the sum of $679.$^{74}/_{100}$ the penalty of the bond, to be discharged by the payment of $339.^{74} with interest on $286.^{96} part thereof, at the rate of 12 per cent. per annum from the 25th. day of April 1873, and on $53.^{78} the residue thereof from the 28th. day of March 1874 till paid at the rate of 6 per cent. per annum, until paid, and his costs by him, in this behalf expended.

On the motion of A. B. Iriek, President of the Rawley Springs Company, it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, It

is ordered that a certificate be granted him to obtain a Licence to Keep an Ordinary at their place of business in this County, Rawley Springs until April 30, 1875,

J. P. Brock Pltff.
vs
W. D. McGahey, &c, Defts. } Motion to quash a forthcoming Bond.

Ordered that this cause be placed upon the Agents Docket, and continued until next Term.

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 25th. day of May 1874.

E. L. Lambert, in obedience to the writ of Habeas Corpus awarded on the 23d. day of May 1874, and to him directed, brought before me, Judge as aforesaid, Ella Martin, in the said writ named & certified the cause of detention (See return on writ) and after inspecting the same, and hearing the arguments of counsel, as well on behalf of the petitioner Annie D. Gray, as in opposition thereto, without passing upon any other question raised, I am of opinion that the petitioner Annie D. Gray, not having entered into an Indenture with George Miller, Overseer of the Poor for the Corporation of the Town of Harrisonburg, for the binding of the said Ella Martin as an Apprentice, she the said Annie D. Gray cannot contest the right of the defendant to the custody of the said Ella Martin.

It is therefore ordered that the writ of Habeas Corpus awarded as aforesaid, be quashed, but under the peculiar circumstances of the case, without costs.

It is further ordered, that this order be certified to the Clerk of the said County Court, who is hereby directed to enter the same on the Order Book of the said Court as a vacation order.

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

Monday June 15, 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday June 15, 1874.

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 May Term, which List being seen and inspected by the Court, is ordered to be spread on the Minutes, and is as follows, viz:-

Bargain & Sale,	Jacob Turner	to	Hugh Keplinger,
" "	Abraham Shank	"	N. W. T. Rhodes,
Art. of Agreement,	St. Clair Shifflett's Heirs,		
Bargain & Sale,	Susannah Kline	"	Israel Mongold,
Trust Deed,	James McGuire,	"	T. S. Hopewell, Trustee,
Homestead,	John H. Draper,		
Art. of Agreement,	John Airhart's Heirs,		
Bargain & Sale;	John W. Miller & wife	"	Bridgewater Manfg. Company,
" "	George Roogler,	"	John Miller,
" "	Joseph Economic & dmr.	"	John H. Raleston, of D.
" "	P. Herring & B. G. Patterson, Commr.	"	P. M. D. Hatfield,
" "	John D. Bowman & wife,	"	Silas R. Good,
" "	Isaac Paul & wife,	"	Chas. A. Yancey,
" "	J. W. G. Smith,	"	Revel Rogers & B. F. Moorman,
Quit Claim,	J. A. Loewenbach,	"	Sarah Eger,
Release,	Rockingham Building Association,	"	Leonard Eger, Trustee for Sarah Eger,
Bargain & Sale,	M. S. Huston,	"	William Eiler,
" "	James Layman & wife,	"	George Deedo,
" "	J. W. Zirkle, & c.,	"	Geo. G. Grattan, Trustee, &c,
" "	S. M. Bowman & wife,	"	J. A. Loewenbach,
" "	Wm. W. West & wife, & c.,	"	John P. Brock,
" "	Jacob Linaweaver & wife,	"	James A. Linaweaver,
Deed of Gift,	Alfred Thomson,	"	S. H. Thomson, Trustee,
Bargain & Sale,	Jacob Senger & wife,	"	John H. Paine's Heirs,
" "	John L. Long & wife, & c.,	"	Michael J. Kinkel,
" "	George W. Hamsberger & wife,	"	Abraham Rinker,
" "	Wm. C. Harrison & wife,	"	Theodore S. H. Jordan,
" "	Benjamin Berlin, Commr.	"	Joseph M. Farmer,
" "	John Atkins & wife,	"	Alexander Strickler,
" "	Walter Newman & wife,	"	Catharine Sommers, &c,
" "	John Swartz & wife,	"	Joel Click,
" "	J. W. F. Allemong & wife,	"	Wm. Bundy,

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

Appraisement & Sale Bill of C. G. Dunlap's Estate,

" " " " " Lydia Myer's Estate,

Sale Bill of the Real Estate of Anthony Showalter, 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 & ordered to be recorded, viz:-
Settlement of the Account of Danl. A. Wine, Admr. of Samuel Lambert, decd,
" " " " John A. & L. L. Lewis, Exors. " Samuel K. Lewis, decd,
" " " " John F. Lewis " " Mary Lewis, decd,
" " " " same " " Samuel K. Lewis, decd,
" " " " Joseph H. Heatwole Guard. " Eva R. Wenger,

c. & d. W. T. McGahey this day presented in Court an Account against the County of Rockingham, amounting to $2.50 for surveying Road from Bloomers Spring to McGaheysville, which being sworn to was examined & allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of Levy for 1873.

c. & d. On this motion, it is ordered that George W. Kep, a person disabled, be relieved from working on the roads of this County, and that the same be certified to P. C. Heltzel, Commr. of Roads for Central Township.

On motion of Jacob B. Myers, he is relieved from working on the Public roads for twelve months from this date, on account of physical disability.

✓ On motion of J. P. Raleton, late S. R. C., & who sole Admr. of John Hannah, decd, the Court doth appoint T. D. Jackson, F. M. Erwine & Peter Paul & Elijah Lee Johnson to appraise the Estate of John Hannah, any three of whom may act, after first being duly sworn

✓ On the motion of James M. Vanpelt & others, the Estate of A. J. VanPelt is committed to D. K. Raleton, Sheriff of Rockingham County, for administration

✓ same order on motion of same, as to Estate of Benjamin VanPelt, decd.

c. & d. On motion of James Huffman, it is ordered that Henry W. Roller, Road Commissioner of Ashby Township, do view & report upon the propriety & expediency of changing the public highway leading from Adam Pifer's to J. D. Roller's (now Peter Roller's) Mill, so as to run a ✓ straight line from the said road at or near Pifer's & Huffman's line to the forks of the road at the North end of the woodland, or to intersect the road leading from said Mill to J. R. Keagy's at some other point South or South-east of the said forks of the road, if deemed advisable or necessary by said Commissioner. All of which is to be done at the cost of said Huffman

c. & d. On the motion of Silas W. Taylor he is exempted from the payment of County and Parish Levies for the years 1872 & 1873, on account of physical disability.

On the motion of John R. Jones, Asepor of Central Township, Henry A. Heatwole this day appeared in Court, and qualified as his Assistant, by taking the oaths prescribed by Law.

Upon the application of Samuel D. Wampler, who has been a citizen of the United States for more than two years, to sell Religious Books, newspapers, pamphlets or periodicals, without taking out license as a book agent, and it appearing to the Court that he is a man of good character, and is a proper person, It is ordered that the Commissioners do grant him a license without the usual tax.

cpld.

Ordered, That A. W. Rolley, Henry Pulse and James C. Heltzel, the Road Commissioners appointed at the last term to view and report more fully in regard to the Road from the S. W. abutment at the old Bridge at Mt. Crawford, down the River to the present Road view and report prior to the 1st day of July next, ready to be returned to this Court at its next term, and that the Sheriff serve a copy of this order, immediately after the adjournment of Court on each of said Commissioners.

issued.

On the application of Abram Ritchie to have, for a change in the location of the present public road leading from Dry River in Rockingham Gap, to Hopkins Gap, where the same runs through the lands of Abram F. Ritchie. — Abraham F. Ritchie having appeared in Court in obedience to a summons ordered at the last term of this Court to show cause against the change in said road, and consented to said change in writing, waiving all claim to damages, It is ordered that said change be made in accordance with the report of Henry Pulse, Commissioner of Roads for Linville Township and the diagram accompanying said report, and the Commissioner of Roads for Linville Township open said Road accordingly.

On the motion of J. S. Harnsberger, who made oath thereto according to law, he appeared in Court and together with Henry B. Harnsberger, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Four thousand dollars, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Stephen Harnsberger, dec'd.

And upon his further motion, the Court doth appoint Wm. A. Maupin, R. W. Palmer and Amos Scott, after first being duly sworn, to appraise the Estate of said Stephen Harnsberger, dec'd.

It appearing to the Court from the certificate of J. P. Byrd a Justice of the Peace, that Susan & Jack Miller infant children over the age of 14 years have chosen their father Samuel Miller as their guardian, on the motion of said Samuel Miller, he appeared in Court, and together with John Miller, his surety, who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, and qualified as the Guardian of said Susan Miller and Jack Miller.

cpld.

On the motion of S. D. Moffett, the Court doth appoint him guardian of Saml. Moffett, a non-resident minor; and thereupon he appeared in Court, and together with Wm. M. West, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500 cc, conditioned according to law, and qualified as said Guardian.

On the motion of Charles J. Brock, and it appearing to the Court that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, it is ordered that a certificate be granted him for obtaining License to keep an Ordinary at Yellow Massanutten Springs, in this county, with the privilege of selling ardent spirits &c. to be drank at the place where sold, for three months.

c/d.

On motion of Dennick Pennybacker, leave is given him to transfer his certificate to obtain an Ordinary & Retail Liquor Merchants' License, granted to him at the April Term. last of this Court, to C. E. Bailey, & Co. consisting of C. E. Bailey, B. A. Richardson & Wm. H. Waesche, they having produced in Court the certificate of the Town Council of Harrisonburg, recommending said transfer.

Washington, Cincinnati & St. Louis Railroad Company &c. — Benj. Wenger — Notice
same, — " R. T. Harris — same,
same, — " Miriam Coffman, — same.
same, — " Josephine Coffman, & c, — same.
Bettie Dovel, — " Noah Shiffler, guard. &c, — same
Road Petition of F. M. Kirtley & others, — Petition.
Ordered that the foregoing named causes be placed upon the Court's Docket.

On the application of F. M. Kirtley & others, the Commissioners of Roads for Stonewall Township is ordered to view the ground and report to the Court the convenience and inconvenience that will accrue to individuals as well as to the public, if a Road shall be established running from at or near Elizabeth J. Hagy's to the Bridge at the intersection of the Shenandoah River & the Rockingham Turnpike, and especially whether any yard, garden, orchard or any part thereof, will, in such case, have to be taken.

issued.

On the application for the establishment of a Road from Spader's Church to the Valley Turnpike, on the motion of F. G. Gray, Thomas Kennedy & R. E. Painter & wife, It is ordered that a writ of ad quod damnum do issue, directed to the Sheriff of this County, to be executed on the lands of said parties, on the 26th day of June 1874, the jury to be summoned of persons not residing in the vicinity laid off, and that the same, with the inquest to be made in pursuance thereof, be returned to the 1st day of the next term of this Court. And the jury so summoned & sworn duly sworn by the Sheriff to view the lands of the said parties, shall ascertain what will be a just compensation to each proprietor aforesaid, for the land proposed to be taken, and for the damages to the residue of the tract, beyond the peculiar advantages which will be derived in respect to such residue from the road.

Jacob May and Henry C. Shickel for Plains Township, B. P. Lee for Stonewall Township and B. M. Rice for Ashley Township, in this County, who were severally elected as Justices of the Peace for their respective Townships, on the 28th. day of May last, to serve as such from the 1st. day of July 1874, for the term of three years each, or until their successors are duly elected and qualified, this day appeared in Court and qualified by taking the oaths prescribed by law.

J. W. F. Allemong who was, on the 28th day of May, 1874 duly elected Supervisor of Ashley Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, 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 $2000.00 conditioned for the faithful execution of the duties of his office. And thereupon the said J. W. F. Allemong took the several oaths prescribed by law.

Thomas Moore, who was, on the 28th. day of May 1874, elected Supervisor of Plains Township, in this County, to serve as such for the term of one year commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with John A. Thomas, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000.00, conditioned for the faithful execution of the duties of his office. And thereupon the said Thomas Moore took the several oaths prescribed by law.

Samuel L. Slusser who was on the 28th day of May 1874, elected Collector for Ashley Township, in this County, to serve as such for the term of one year commencing on the 1st. day of July 1874 and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Jo. B. Webb, Edward S. Kenfer and Samuel Slusser, his sureties, (who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of $20.000.00 conditioned for the faithful execution of the duties of his office. And thereupon the said Samuel L. Slusser took the several oaths prescribed by law.

E. R. Neff, who was, on the 28th. day of May 1874, elected Collector for Plains Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874 and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Henry Neff, Moses Mason Jacob Vinegardner and Samuel Miller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the

penalty of $12.000 00 conditioned for the faithful execution of the duties of his office. And thereupon the said E. D. Jeff took the several oaths prescribed by law.

W. F. Finkle, who was, on the 28th day of May 1874, elected Collector for Juniville Township, in this County, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with W. S. Finkle, Wm. C. Harrison, John C. Good and B. F. Beery, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $12.000 00 conditioned for the faithful execution of the duties of his office. And thereupon the said W. F. Finkle took the several oaths prescribed by law.

B. F. Beery who was, on the 28th day of May 1874, elected Assessor for Juniville Township, in this County, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Henry Pulse and D. W. Miller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said B. F. Beery took the several oaths prescribed by law.

John D. Thomas, who was, on the 28th day of May 1874, elected Assessor for Plains Township, in this county, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day 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 Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said John D. Thomas, took the several oaths prescribed by law.

John E. Hopkins, who was on the 28th day of May 1874, elected Assessor for Stonewall Township, in this county, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with J. L. Runcle, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said John E. Hopkins took the several oaths prescribed by laws.

certified

Joseph M. Rhodes, who was, on the 28th. day of May 1874, elected Assessor for Ashley Township, in this county, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with B. M. Rice and Jacob Shickel, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office, And thereupon the said Joseph M. Rhodes took the several oaths prescribed by law,

S. H. Bowman, who was, on the 28th. day of May 1874, elected Clerk for Plains Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with D. A. Roleton and Moses Mason, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said S. H. Bowman took the several oaths prescribed by law,

J. S. Runcle, who was, on the 28th. day of May 1874, elected Clerk for Stonewall Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with John C. Hopkins, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office, And thereupon the said J. S. Runcle took the several oaths prescribed by law.

S. W. Miller, who was, on the 28th. day of May 1874, elected Clerk for Lineville Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with John D. Miller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000.00 Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said S. W. Miller took the several oaths prescribed by law.

Wm. F. Dinkel, who was, on the 28th. day of May 1874, elected Clerk for Ashby Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with J. W. Earmon, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000.00 conditioned for the faithful execution of the duties of his office. And thereupon the said Wm. F. Dinkel took the several oaths prescribed by law.

Herod Homan, who was, on the 28th day of May 1874, elected Road Commissioner for Plains Township, to serve as such for the term of one year, commencing on the the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Benjamin Tumbo 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, And thereupon, the said Herod Homan took the several oaths prescribed by law.

Henry Pulse, who was, on the 28th day of May 1874, elected Road Commissioner for Linville Township, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with H. W. Beery, 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, And thereupon the said Henry Pulse took the several oaths prescribed by law.

C. S. Wise, who was on the 28th day of May 1874, elected Overseer of the Poor for Linville Township, to serve as such for the term of one year, commencing on the 1st day of July 1874 and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Philip St. Layman, 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. And thereupon the said C. S. Wise, took the several oaths prescribed by law.

Joseph Bare, who was, on the 28th day of May 1874, elected Overseer of the Poor for Stonewall Township, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with James A. Lashley, 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. And thereupon the said Joseph Bare, took the several oaths prescribed by law.

Samuel Miller, who was, on the 28th day of May 1874, elected Overseer of the Poor for Plains Township, in this county, to serve as such for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with E. B. Seff, 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, And thereupon, the said Samuel Miller, took the several oaths prescribed by law.

George W. Shaver who was, on the 28th day of May 1874, elected Constable for Linville Township, in this County, to serve as such for the term of three years, and commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Geo. W. Shoumaker, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said Geo. W. Shaver took the several oaths prescribed by law,

Andrew Gordon who was, on the 28th day of May 1874, elected Constable for Plains Township, in this County, to serve as such for the term of three years, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with Israel Jones, David L. Coates & William H. Bowers, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said Andrew Gordon took the several oaths prescribed by law,

The Court doth hereby appoint Thompson Steele as Constable for Central Township, in this County, to fill a vacancy in said Township, "to serve as such until his successor is elected and qualified to enter upon the discharge of the duties of his office" and thereupon the said Thompson Steele appeared in Court, and together with James Steele, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said Thompson Steele took the several oaths prescribed by law,

J. J. Brock,

vs. } Upon a Notice for a Forthcoming
W. F. McCahey, M. M. Sedwick & H. M. Mauzy, } Bond,

On motion of the Plaintiff, by counsel, this cause is placed upon the Court's Docket.

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

Chas. F. O'Donnell,

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, June 16, 1874.

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

issued

On an application by Wm. P. Sites & others, for a partial change in the location of a public road leading from a point on the Piney Branch road, near John Wine's, to a point on the Augusta line, near Bangeunice, & Henry W. Roller, Commr. of Roads for Ashby Township, having in pursuance of an order made at the last term of this Court, viewed the route of said proposed change, and returned his report to this Court, It is ordered that the following land owners be summoned to appear at the next term of this Court, to show cause, if any they can, why said proposed change should not be made, to-wit:- David Miller, Daniel Miller Joseph Miller and Henry Andrew.

c/pied.

Ordered, That Jackson Rhodes, A. J. Blakemore, J. C. Brightman, M. D. Eavenson, John W. Melhorn, Henry C. Shickel, J. D. Shipe, Robert L. Roberts, J. W. Bowers, J. M. Wellman & J. H. Long, be allowed each the sum of One dollar, for services at this Term of the Court as Petit Jurors, to be certified to the Treasurer of this County for payment.

On the application of Robert Gibbons & others, for the repairing of the Bridge, across the Shenandoah River at Riner's Bank in this County.

It is ordered that James C. Keltzer, Commr. of Roads for Central Township, be and he is hereby directed to receive proposals for repairing said Bridge. But before receiving said proposals he shall publish in one of the newspapers published in this County, for four weeks, that proposals for such work will be received in writing on the 1st. day of the next term of this Court. Said notices shall describe the work to be done, and require such specifications to be made in the proposals as the said Commissioner may determine on.

c/pied.

The proposals which may be received shall all be returned to this Court on the 2nd. day of the next term, for its action. The Court, at this time, not intending to determine definitely whether or not it will direct the said Bridge to be so repaired, but holding that question in reserve, to be determined after such proposals are received.

This Court doth hereby certify that it appears by sufficient evidence, that Philip D. Rodeffer is a citizen of this State, that he lost his leg in the late war, and was a citizen of this State at the time of the loss of said leg & that he has never received an artificial leg from any other State, the United States, or was under any act to furnish artificial limbs for the citizens of this State, nor has he, at any time received any money in lieu of said leg.

c/pied.

And the Court doth further certify that it appears upon sufficient evidence that said Rodeffer is so disabled that an artificial limb cannot be worn by him.

The Washington, Cincinnati & St Louis Railroad Company,
&
Benjamin Wenger, } Upon a Notice,

On motion of the said Railroad Company, and in pursuance of Notice docketed on yesterday, and continued till to-day, It is ordered that Edward S. Kemper, J. Hopkins Polston, William Eiler, Samuel A. Long & G. W. Manzy &c be appointed Commissioners for the purpose of viewing the tract of land upon which the said Benjamin Wenger now resides, near Dayton, in this County, on Wednesday 1st day of July 1874, and ascertain what will be a just compensation for such of the land of said Wenger as is proposed to be taken by the said Railroad Company for its purposes, and for the damage to the residue of said tract, beyond the peculiar benefits to be derived in respect to such residue from the work to be constructed by said Company.

cancelled.

Same,
&
R. G. Harris. } Upon a notice,

Same order,

cancelled.

Same,
&
Hiram Coffman } Upon a notice,

Same order,

cancelled.

Same,
&
Josephine Coffman, Vc. } Upon a Notice,

Same order,

Henry M. Boller, Commr of Roads for Ashby Township, this day presented in Court, three several accounts, amounting to the sum of $110.00 viz:- For services on Road from Attsline & Briery Branch to Augusta County line, 2 days $4.00 - For services on Road Rines Bank Bridge, 2 days $4.00 and for services on Road from James Philips to Augusta County line, 1 day $3.00 which 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 1873.

copied.

J. J. Miller, who was, on the 28th day of May 1874, elected Overseer of the Poor for Central Township, in this County, to serve for the term of one year, commencing on the 1st day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with J. W. Gordon, 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. And thereupon the said J. J. Miller took the several oaths prescribed by Law.

W. D. Hopkins, who was, on the 28th. day of May 1874, elected Supervisor for Central Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with G. W. Mauzy, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2000.00 conditioned for the faithful execution of the duties of his office. And thereupon the said W. D. Hopkins took the several oaths prescribed by law.

G. W. Mauzy, who was, on the 28th. day of May 1874, elected Supervisor for Stonewall Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with W. D. Hopkins and Benj. F. Wheeler, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2.000.00 conditioned for the faithful execution of the duties of his office. And thereupon the said G. W. Mauzy took the several oaths prescribed by law.

John R. Jones, who was, on the 28th. day of May 1874, elected Assessor for Central Township, in this county, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with D. M. Jones, Trustee for Mrs. L. L. Jones, his surety, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2.000.00 conditioned for the faithful execution of the duties of his office. And thereupon the said John R. Jones took the several oaths prescribed by law.

J. B. Eastham, who was on the 28th. day of May 1874 elected Collector of Stonewall Township, in this County, to serve as such for the term of one year, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with J. D. Shipp, Geo. G. Strayer and B. F. Loker, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Fourteen Thousand Dollars, conditioned for the faithful execution of the duties of his office, And thereupon, the said J. B. Eastham took the several oaths prescribed by law.

Commonwealth } Upon a Notice.
vs.
John Ruddleson, &c. }

Commonwealth, &c., } Upon a Notice.
vs.
John Ruddleson, &c. }

Ordered, That the foregoing causes be continued generally until the next term of the Court.

In the matter of the Road, commencing near the Bridge, at Port Republic, Rockingham County, Virginia, thence to Mcavers Mill,

thence to some point on the Sawyer Road, near Erasmus Mayo;—
It appearing to the Court from the Report of Newman W. Leave, Commissioner of Roads of Stonewall Township, Henry M. Roller, Comm'r. of Roads of Ashby Township and James C. Deltzel, Comm'r. of Roads of Central Township, to whom the said matter was referred for a review of the Route reported upon by Jacob A. Arrowsmith, a former Comm'r. of Roads of Stonewall Township, and the writ of ad quod damnum legally executed on the 9th. day of May 1874, and properly returned, and a second writ of ad quod damnum, legally executed on the 6th. day of June 1874, and properly returned, that the said road should be established on the route designated in said Report. And it appearing to the Court that all the land-owners, along the line of said road, through whose land the said road passes, have been duly summoned to show cause why the said road should not be established, and no cause having been shown against the establishment of the same, And evidence having been heard, the Court considers that said road be established pursuant to the Report of the said Commissioners, and to the finding of the juries, under the said writs of ad quod damnum.

The said Road shall begin on the Harrisonburg and Port Republic road, at the mouth of a present road, or lane, on a line running between the lands of Harrison Bateman and James L. & A. J. Cooke, N. 7 1/4 E 81 poles to a scrub white oak, thence with a lane on the lands of said Bateman & Cooke, N. 26 1/2 W. 5 poles to a hickory, and thence through the lands of said Bateman, 45 1/2 poles to a stone, corner of said Bateman, under a cedar bush, & thence on a line with said Bateman's fencing, and line running between said Bateman and others as follows: (leaving according to their several papers) 104 1/2 poles through said Bateman's land, to a pine corner to said Bateman and Miles Moyerhoeffer, 27 1/2 poles on line of said Moyerhoeffer & Bateman, and thence with said line between said Bateman & George Baker, 31 poles to Bateman's and A. J. Baugher's corner, thence between said Baugher & said Baker 13 3/4 poles, thence on same line between said Baugher & Mary Kiger, 39 poles to Elias Hudlow's line, & with said Hudlow's line & Baugher's line, S 60° E 19 poles to a corner to Baugher & Hudlow, and on Ginn's & Hudlow's line, Jacob Ginn's thence with said Ginn's and Hudlow's line N. 29 3/4 E 69 poles & link to corner of said Hudlow & Kyger, passing Elias Ginn, thence with Kyger's & Ginn's line 16 1/2 poles to Dr. Kemper's corner, thence on the line between said Kemper and Kyger's lands to Harper's corner, thence with Harper's & said Dr. Kemper's line, N. 59° E. 66 poles, & thence through the lands of the several Strayers Nine N 60° E 32 1/2 poles to the Sawyer road, between the mouth of Strayer's lane and Erasmus Mayo, 67 poles from the mouth of said lane. And it is ordered that Stonewall Township in which said road wholly lies, shall establish the same, and shall pay to Ed. Harrison Bateman, fifty five dollars, to John Strayer, twenty dollars; to L. C. Strayer, twenty five dollars, and to Annie, Eliza, Lelia and Addie Strayer, thirty dollars, who are proprietors of lands through which said Road will be located, to

be paid out of the next levy of said Township. And it is further ordered that the costs of the application for said road shall be paid by the County of Rockingham, and that the Commissioners of Roads for Stonewall Township open said road as herein established.

c.s.d.

G. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $11.49.85 for receiving, dieting &c, and releasing Albert Twyman, a Lunatic, which was sworn to in open Court, examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

The said Byrd moved to the Court that, immediately after the commitment of the said Lunatic, application was made to the Board of Directors of all the Asylums in the State, and every two months thereafter application was made to the Board of Directors of the Eastern Asylum, which applications were refused for want of room. The applications to the Western & Eastern Asylums were not continued because they refused the application, because the patient was a colored man.

Julia A. Sprinkel Appellant
&
Bettie E & M. N. Mauck, Appellees
} Upon an Appeal from a judgment of a Justice of the Peace.

This day came again the parties by their Attorneys and the Court having fully heard the evidence and argument of counsel, is of opinion that the judgment of the Justice of the Peace should be reversed; and thereupon the Court doth reverse said judgment, and considers that the Appellant recover from the Appellees her costs by her in this behalf expended.

On the motion of Mariah Dovel, It is ordered that Benny Fond be substituted as Trustee in the Deed of Daniel D. Dovel to L. F. Gaither Trustee for said Mariah Dovel, instead of said L. F. Gaither, who resigned at a former term of this Court.

Mary C. Deputy, Pltff,
&
Elizabeth Deputy, Deft.
} Unlawful Entry & Detainer.

At the last term of the Court on the motion of the Defendant, the verdict of the Jury and the judgment entered up on said verdict, were set aside, and she granted a new trial, upon the payment of the costs of the former trial; and it appearing to the Court that the costs aforesaid have not been paid by her nor by any one else for her, on motion of the Plaintiff by counsel, the Court doth now proceed to enter up judgment on said Verdict then rendered by the Jury, "It is therefore considered by the Court that the Plaintiff recover from the Defendant the possession of the premises described in the writ, containing about 1/4 of an Acre, including the Mansion House and curtilage, and also recover of said Defendant her costs by her, in this behalf expended; and that a writ of Possession do issue directed to the Sheriff of this County.

J. P. Brooks,
vs.
W. T. McGahey, &c. } Upon a motion to quash a forthcoming Bond,

Ordered That this cause be continued until next term.

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, June 17, 1874.

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

M. M. Silcott, who was, on the 28th. day of May 1874, duly elected Justice of the Peace for Central Township, to serve as such for the term of three years, commencing on the 1st. day of July 1874, and afterwards until his successor is elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and qualified by taking the several oaths prescribed by law.

Wm. M. Bickmore, Pltff.
vs.
O. C. Sterling, Deft } Upon an Attachment.

Ordered That this cause, on Plaintiff's motion, be dismissed.

On motion of B. F. Flick, a creditor under a Assignment, viz a Deed of Trust executed by Jane Belin, now deceased to E. A. Blackshere, Trustee, recorded in the Clerk's Office of the County Court of Rockingham County, & appearing to the Court that the said E. A. Blackshere, Trustee aforesaid, has removed beyond the limits of the State of Virginia, with the assent of James C. Raleton, late Sheriff of Rockingham County, and as such Administrator of the said Jane Belin, dec'd, the Court doth appoint Timothy Garrisan of said County, Trustee in said Deed of Trust, in the place of the said E. A. Blackshere, removed as aforesaid.

Wm. Coffman, Pltff.
vs.
Baltimore & Ohio Railroad Company } Upon a warrant removed from a Justice of the Peace.

This day came again the parties by their attorneys, and the cause submitted to the decision of the Court, and having fully heard the evidence and argument of counsel, the Court doth consider that the Plaintiff recover against the Defendant the sum of $42.65 with interest thereon from the 20th. day of May 1874, till paid, and his costs by him in this behalf expended.

Memo:- Upon the trial of this cause, the Defendant excepted to

the action of the Court in refusing to allow the Defendants offsets, and tendered his Bill of Exceptions thereto, which he prays may be signed, sealed and enrolled, which is accordingly done, and is in the words & figures following, to-wit:- "Wm. Coffman vs Balto. & Ohio R. R. Co" &c."

Ordered, That John L. Paul, Attorney for the Commonwealth, be allowed the sum of $4.16½ for his services in this Court for the month of June 1874, to be certified to the Treasurer of this County, to be paid out of the Levy for 1874.

For reasons appearing to the Court, allowances made to following named persons against the Commonwealth of Virginia are rehearde, viz:-

To Dr. John A. Neff,	April Term,	1874,	$10.00
" L. H. Ott	Febuary "	"	6.00
" H. B. Lilly	March "	"	2.10
" same,	"	"	2.30
" same,	"	"	4.80
" same	"	"	10.65
" L. L. Byrd	May "	"	35.85

Dr. John A. Neff this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00 for examination of Albert Twyman, 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.

Dr. John A. Neff, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00 for post mortem examination of Thomas O'Connor, which being sworn to in open Court, was examined and and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Luther H. Ott Coroner of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00 for holding Inquest upon the body of a colored infant found in the town of Bridgewater, 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.

H. B. Lilly, Constable, of Rockingham County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $4.20 for summoning witnesses in case of the Commonwealth vs Reuben Rood, which being certified by J. C. Walker, J. P., and 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.

H. B. Lilly, Constable of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.00 for summoning witnesses in case of the Commonwealth vs N. W. Keane, which being certified by J. C. Walker, J. P., and

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,

W. B. Lilly, Constable of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $1.80 for summoning witness per in case of the
c.p.d. Commonwealth vs Wm Life, which being certified by J. C. Walker, J. P., and 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,

W. B. Lilly, Constable of Rockingham County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum
c.p.d. of $16.20 for arresting, &c, James Thompson & George Madison, which being certified by W. F. McGahey, J. P., and 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.

L. L. Byrd, Jailor of this County, this day presented in Court two accounts against the Commonwealth, one for the sum of $33.20 for re-
c.p.d. ceiving, &c, George Shepherd & John Bridgham charged with felony, and one for the sum of $1.95 for receiving, &c, John L May, a Lunatic, which being sworn to in open Court, were examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

On the motion of J. T. Logan, Clerk of this Court, who will be necessarily absent for one month, G. F. Compton and F. S. Mosely are appointed and qualified as his Deputies, by taking the oaths prescribed by law.

Ordered, That this 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 this 20th day of June 1874

S.P.O. Miller who was on the 28th day of May 1874 duly Elected Road Commissioner of Stonewall Township in said County to Serve as such for the term of One Year Commencing on the 1st day of July 1874 and after the said term of Office Shall have expired until his Successor is qualified to enter upon the discharge of the duties of said Office. This day appeared before me in said County and together with William McMarshall his Surety (who justified as to his Sufficiency) entered into and Acknowledged a bond in the penalty of $500.00/100, Conditioned for the faithful execution of the duties of his office and thereupon took the Several Oaths prescribed by Law. All of which is Hereby Certified to the Clerk of the County Court aforesaid, who is directed to Spread the Same upon the Order Book of said Court

Chas T. O'Ferrall
Judge of the County Court of Rockingham

In Vacation

Before the Judge of the County Court of Rockingham, this 22d day of June 1874.

E.H. Cromer who was on the 28th day of May 1874 duly elected Road Commissioner of Ashby Township in said County to Serve as such for the term of one Year Commencing on the 1st day of July 1874. and after the Said Term of Office Shall have expired until his Successor is qualified to enter upon the discharge of the duties of said office. This day appeared before me in Said County and together with Levi S. Byrd his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00/100, Conditioned for the faithful execution of the duties of his Office. And Thereupon took the Several Oaths prescribed by law. All of which is Hereby Certified to the Clerk of the County Court aforesaid. who is directed to Spread the Same upon the Order Book of Said Court.

Chas T. O'Ferrall
Judge of the County Court of Rockingham

In Vacation

Before the Judge of the County Court of Rockingham this 22d day of June 1874.

J.W. Kettrell who was on the 28th day of May 1874 Elected Road Commissioner of Central Township in said County to Serve as such for the term of One Year. Commencing on the 1st day of July 1874 and after the said term of Office Shall have expired until his Succesor is qualified to enter upon the discharge of the duties of said office. this day appeared before me in said County, and together with William D. Hopkins his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00/100, Conditioned for the faithful execution of the duties of his office and thereupon took the Several Oaths prescribed by law. All of which is Hereby Certified to the Clerk of the County Court aforesaid who is directed to Spread the Same upon the Order Book of said Court

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

In Vacation

Before the Judge of the County Court of Rockingham this 22d day of June 1874.

Pendleton Bryan. Who was on the 28th day of May 1874 duly elected Clerk of Central Township in said County to Serve as such for the term of One Year Commencing on the 1st day of July 1874 and after the said term of Office shall have expired until his Successor is qualified to enter upon the discharge of the duties of said Office, this day appeared before me in said County, and together with John C. Moore on his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of Two Thousand Dollars Conditioned for the faithful execution of the duties of the Office, and thereupon took the Several Oaths prescribed by Law.

All of which is hereby Certified to the Clerk of the County Court aforesaid who is directed to Spread the Same upon the Order Book of said County.

Chas. T. O'Ferrall

Judge of the Co: Ct of Rockingham

In Vacation

Before the Judge of the County Court of Rockingham. This 30th day of June 1874

David Sites who was on the 28th day of May 1874 duly elected Overseer of the Poor for Ashby Township in Said County to Serve as such for the term of one Year Commencing on the 1st day of July 1874 and after the Said Term of office shall have expired until his Successor is qualified to enter upon the discharge of the duties of Said Office. this day appeared before me in Said County and together with D. M. Switzer his Surety (who justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $500.00 Five Conditioned for the faithful execution of the duties of his office, and thereupon took the Several oaths prescribed by law. All of which is Hereby Certified to the Clerk of the County Court aforesaid who is directed to Spread the Same on the Order Book of Said County

Chas. T. O'Ferrall

Judge of the Co: Ct of Rockingham

Ex parte

Polly Entzler and Adeline Entzler

In Vacation

Before the Judge of the County Court of Rockingham on Saturday the 11th day of July 1874.

Levi S. Byrd Jailor of Rockingham County, in Obedience to the writ of Habeas Corpus Yesterday awarded, and to him directed, brought before me Polly Entzler and Adeline Entzler in the said writ named and Certified that the Cause of the detention of the Said Polly Entzler and Adeline Entzler (alias Grim) would appear by a Schedule annexed to the said writ; which being inspected by me, and after hearing the evidence and the arguments of Counsel as well in behalf of the said parties upon their petition as in opposition thereto, for reasons appearing to me the further Consideration of the petition of the said parties is postponed until Monday next, the 13th day of July 1874 at 10 o'clock.

And it is ordered that the Said Polly Entzler and Adeline Entzler

(Alias Grim) be Continued in the Custody of the said Jailor until further ordered. All of which is hereby certified to the Clerk of the County Court aforesaid who is directed to Spread the Same upon the Order Book of Said County. As a Vacation order.

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

Ex parte Polly Entzler & Adeline Entzler
In Vacation

Before the Judge of the County Court of Rockingham. On Monday the 13th day of July 1874. Polly Entzler and Adeline Entzler (alias Grim) were this day brought before me by Levi D Byrd Jailor of Rockingham County and having Considered the evidence and the arguments of Counsel Submitted on Saturday last the 11th day of July 1874. I am of the opinion that the said Polly Entzler and Adeline Entzler (Alias Grim) are Illegally detained in the Cutody of the said Jailor. It is therefore ordered that they be discharged therefrom.

All of which is hereby Certified to the Clerk of the County Court aforesaid who is directed to Spread the Same upon the Order Book of Said Court as a Vacation Order.

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

In Vacation.

Cop

Before the Judge of the County Court of Rockingham County this 16th day of July 1874. W. E. Miskimon having produced before me Satisfatory evidence that he is a person of good Character and a proper person in whom to Confide the trust of Selling the Bible and other religious books, I hereby direct the assessor of Central Township to grant him a licence to sell the Same upon the payment of a tax of one Cent. All of which is hereby Certified to the Clerk of the County Court of Said County who is directed to Spread the Same upon the Order Book of Said Court as a Vacation Order.

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

Monday, July 20. 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday July 20, 1874.

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 June Term, which List being seen and examined by the Court, is ordered to be spread upon the Minutes and is as follows, viz:-

Bargain & Sale,	Charles E. Haas, Comm'r.	to	D. M. Switzer,
" "	D. M. Switzer & wife,	"	Fannie Patterson,
" "	James M. Chapman & wife,	"	John L. Grove,
" "	A. J. Blakemore & wife,	"	McLaughlin & Dinkel,
" "	Jonas H. Bloser & wife, &c,	"	John Bloser,
" "	John Bloser & wife,	"	Jonas H. Bloser & Mgt. Bloser,
" "	Henry Kisling & wife, &c,	"	George F. Kisling,
" "	Daniel Bowman & wife	"	William Silbert,
" "	John H. Dovel & wife,	"	James Huffman & wife,
" "	Abraham Dechli's Exor's.	"	Christian Hartman,
Deed of Trust,	Christian Hartman & wife,	"	George W. Showalter,
Bargain & Sale.	Daniel Kline & wife	"	John Beam,
" "	Philip H. Rinnel,	"	Jacob H. Rinnel,
" "	Jacob Rinnel's Heirs	"	Jacob H. Rinnel,
" "	George Bowers & wife	"	Timothy Funk,
" "	Joseph E. Niswander & wife,	"	Timothy Funk,
" "	Benjamin R. Walker & wife	"	Timothy Funk,
" "	George W. Berlin, Comm.	"	Wm. E. Bowman,
" "	John H. Long & wife,	"	W. M. Silbert,
" "	John G. Heatwole's Heirs	"	Joseph S. Rice,
" "	A. A. Hess,	"	Joseph S. Rice,
" "	James A. Shipp & wife,	"	Moses H. Powell,
" "	Isaac W. Bare & wife,	"	Jackson Knopp,
" "	H. Jouette Gray & wife,	"	The Valley Railroad Company,
" "	John Long Jr. & wife	"	Samuel Funk, Trustee, &c,
" "	Manson Smith & wife,	"	Benjamin Smith,
" "	Joseph B. Loose & wife, &c,	"	Emily Hollingsworth
" "	Emily Hollingsworth, &c,	"	Joseph B. Loose, &c,
" "	Stephen Coulter & others	"	Saunders Lewis, Trustee,
Power of Attorney.	John Shaver,	"	Joseph E. Shaver,
" "	Lavena Ellen Hamilton	"	same,
" "	Joseph T. Hamilton, &c,	"	same,
" "	Michael H. Harshberger	"	same,
Bargain & Sale,	Christian R. Brunner,	"	David B. Kline,
" "	George W. Berlin	"	Emanuel Sipe
" "	J. S. Harnsberger, Comm.	"	Virginia M. Wright.
" "	Timothy Grindau, sub trustee,	"	B. F. Flick,
" "	same,	"	John S. Fridley

Bargain & Sale,	Isaac Lowry & wife,	to Henry K. Flemmings,
" "	Abraham Bushong & wife,	" Same,
" "	J. A. Loeuenbach & wife,	" John Walker,
" "	George F. Risling & wife,	" Jeremiah Armentrout
" "	John A. Seline & wife,	" Martin Garber,
Mechanic's Lien,	Wm. C. McAlister	" Joseph Battenbeck,

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 A/c of Geo. P. Bantzer, Admr. of E. Dudley,
" " " " Same, " " Hy. Keezle,
" " " " Wm. H. Kiger, " " Allen Kiger,
" " " " Benj. Kerlin " " C. C. Garber,
" " " " J. P. Ralston, " " Adam Shank,
" " " " Benj. Wenger, Exr. " Benj. Wenger,
" " " " Noah Marty " " Danl. Bazzell,
" " " " John C. Bowman, " " John C. Bowman,
" " " " Jacob S. Sellers, guard. of " P. M. Shaver,
" " " " E. P. Duff, " " Harvey Bulvey,
" " " " C. C. Strayer " " Jo. S. Strayer,
" " " " Geo. P. Bantzer, trustee of " Amanda J. Long,
" " " " Saml. Frank " " David Garber,
" " " " Samuel Shank, " " Catharine Brenneman,

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

Appraisement & Sale Bill of Hardin A. VanSear's Estate,
Report of Sale of Jo. Andrews property, by Wm. B. Compton, trustee,
" " " H. R. Davis' " " Same, "
Appraisement & Sale Bill of John Baldwin's Estate,

Harris & Harris
&
Valley R. R. Co. garnishee of John W. Showalter, } upon a rug.

Geo. M. Nicholas,
&
C. Mohr, &c., } upon a writ.

S. L. Stoops
&
J. P. Brock, } upon an appeal.

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

Lw P.

On motion of Samuel Shank, who was one of the securities of Abraham Frank, Comt. & Trustee of Jemima Bowman, a Rule is granted against Abraham Frank, to show cause why he should not be required to execute a new bond as such Commissioner and Trustee.

1+3 cap's

On motion of F. M. Irvine, and on his complaint, a Rule is awarded against the Township Board of Ashley Township, to shew cause why they shall not be compelled to levy a sufficient tax to keep the Public Road running from Fulton's Shop to Paul's Mills, over the land of said F. M. Irvine, in order.

Bettie Dowd
vs.
Noah M. Shuler, guard. &c. } Notice.

Ordered, That this cause be dismissed.

cd'd 1+d.

Ordered, That M. T. McGahey be allowed the sum of $7.50 for services in surveying Road from Port Republic to Lawyer Road, and that the same be certified to the Treasurer of this County for payment.

Washington, Cincinnati & St. Louis Railroad Company
vs.
Benjamin Menger,

The Commissioners appointed at the last term of this Court to view the tract of land upon which the said Benjamin Menger now resides, near Dayton, in this County, on Wednesday the 1st day of July 1874, and ascertain what will be a just compensation for such of the land of said Menger as is proposed to be taken by the said Railroad Company for its purposes, and for the damage to the residue of the tract beyond the peculiar benefits to be derived in respect to such residue from the work to be constructed by said Company, returned their Report as such Commissioners to the Clerk's office of this Court on the 2nd day of July 1874, in which Report they have assessed the said compensation in favor of said Menger at $450.00 And the said Menger having this day appeared in Court objected to the confirmation of said Report and waived a Rule against him to shew cause why said Report should not be confirmed, and neither party being ready to try the issues arising upon the confirmation of said Report on motion, this cause is continued until the next term of this Court, and it is further ordered that the said Railroad Company do pay the said sum of Four hundred and fifty dollars so assessed as aforesaid, to the General Receiver of this Court, subject to the further order of said Court.

Commonwealth of Virginia,
vs.
J. B. Easthams, &c. } Notice

Commonwealth of Virginia, by &c.
vs.
J. B. Easthams, &c. } Notice.

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

The Court doth appoint J. P. Swank as Supervisor of Linville Township in this County, to fill a vacancy occasioned by the failure of said J. P. Swank to qualify within the time prescribed by law, to serve as such until his successor is elected and qualified to enter upon the discharge of the duties of his office, and thereupon the said J. P.

Swank appeared in Court, and together with John Acker, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2.000 conditioned for the faithful execution of the duties of his office. And thereupon the said John P. Swank took the several oaths prescribed by laws.

George G. Strayer is this day appointed by the Court as Constable for Stonewall Township in this County, to fill a vacancy in said Township occasioned by the failure of F. Keaton to qualify within the time prescribed by Law, to serve as such until his successor is elected and qualified to enter upon the discharge of the duties of his office; and thereupon the said George G. Strayer appeared in Court, and together with J. Bird Eastham, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2.000 conditioned for the faithful execution of the duties of his office. And thereupon the said George G. Strayer took the several oaths prescribed by Laws.

In the matter of the Road leading from Adam Pifer's to J. Roller's (now Peter Roller's) Mill,

It appearing to the Court that at the June Term 1874 on the motion of James Huffman, it was ordered by said Court, that Henry W. Roller, Commissioner of Ashley Township, do view and report upon the propriety and expediency of changing the said public highway; and it appearing to the Court that the said Henry W. Roller has viewed and reported upon said road, and reports that the said change will be a convenience to said James Huffman, giving him a straight road running through his farm in place of an elbow; that said change will not be an inconvenience to any person or the public, the grade being the same as the old road, and the distance a few poles shorter; that there will not be taken any yard, orchard or garden, or any part thereof; and it appearing to the Court that the said road as changed will not pass through the lands of any one except the said Huffman, and that the said Huffman has offered to pay all the costs of this proceeding; therefore it is ordered that the said public highway leading from Adam Pifer's to J. Roller's (now Peter Roller's) Mill, be so changed as to run a straight line from the said road at or near Pifer's to Huffman's line to the forks of the road, at the north end of the woodland according to the diagram accompanying the report of said Commissioner; said road to be at least twenty feet wide. And it is further ordered that the said James Huffman do at some early day alter the said road as hereinbefore designated, and pay the costs of this proceeding, as well as the costs incurred in the alteration of said road, including the fees of the said Commissioner of Roads.

David A. Blecher
vs
Jackson Rhodes.
} Upon a motion to re-open the public road on the South side of the old Bridge at Mt. Crawford.

The Report of the Road Commissioners Weltzel, Pulse & Roller having been returned into Court, It is ordered that Jackson Rhodes be summoned to appear before this Court on the 1st. day of the next term to shew cause against said Repots, if any he can and why the said road shall not be opened as prayed for, and why the present road croping said River below said old bridge or the abutments thereof, shall not be discontinued and closed when the said bridge shall have been rebuilt and finished & said new road opened.

The Court doth this day appoint A. H. Brenner as Collector of Central Township in this County, to fill a vacancy occasioned by the failure of said A. H. Brenner to qualify within the time prescribed by law, to serve as such until his successor is ~~elected and~~ qualified to enter upon the discharge of the duties of his office, and thereupon the said A. H. Brenner appeared in Court, and together with Granville Eastham, S. H. Moffett, J. N. Bowen, John W. Woodson, M. M. Silbert and Eli Keenan, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Fourteen Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said A. H. Brenner took the several oaths prescribed by law.

On the motion of Nancy Crawford, a Rule is awarded against J. H. T. Samuels & W. W. Shuler, returnable to first day of the next term, to shew cause if any they can, why they shall not produce in Court for probate the will of St. Clair Shifflett, now in their custody.

Commonwealth
vs
John Scanlon.
} Upon an Indictment for Keeping a disorderly House.

This day came again as well the attorney for the Commonwealth as the Defendant by his attorney, whereupon the Defendant by counsel demurred to the Indictment, which demurrer was overruled by the Court; and thereupon came a jury to wit: Elijhalet Johnson, Philip Keller, Otis F. Moore, Daniel Click, Henry W. Argabright, Lewis W. Taylor, Samuel F. Yates, Joseph H. Law, Wm. P. Sites Anthony Dockman, Joseph Smith & Jo. H. Sheets, 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 sometime 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 Five Dollars."

cop.

This Court doth Hereby certify that it appears by satisfactory evidence that Samuel B. Jordan is a citizen of this State, that he lost his leg in the late war, and was a citizen of this State at the time of the loss of said leg, and that he has never received an artificial leg from any other State, the United States, or under any act to provide artificial limbs for the citizens of this State, nor has he, at any time, received any money in lieu of said leg.

And the Court doth further certify that it appears upon sufficient evidence that said Samuel B. Jordan is so disabled that an artificial limb cannot be worn by him.

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cop. & pun. pd.

On motion of B. F. Bond, and it appearing to the Court that he is a man of good character, not addicted to drunkenness, and that he will peaceably keep such an House as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain License to keep an Ordinary at his residence in the Town of McGaheysville in this county, until the 30th. day of April 1875.

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cop.

On the motion of Lorenzo D. Caldwell, It appearing to the Court that he is a regularly ordained Minister in the German Baptist Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, by his attorney in fact, Samuel Kline, and together with Samuel Kline and Noah Rhodes, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $15.00 cts conditioned according to law, and qualified accordingly.

The writing purporting to be the last will and testament of Jacob Allebaugh, dec'd, was this day presented in Court and proven by the oath of Jackson Koon, one of the subscribing witnesses thereto, and the hand writing of the other subscribing witness thereto, C. F. Koon was proven in Court, and said will admitted to probate, and thereupon Samuel R. Allebaugh, the Executor therein named, appeared in Court, and together with Wm. C. Harrison, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $20.000 cts conditioned according to law, and qualified as Executor of the Estate of said Jacob Allebaugh, dec'd, under his will.

cop.

And on the further motion of said Executor the Court doth appoint Madison Moore, B. F. Armentrout, Peter Neff, R. A. Stevens and R. M. Harrison to appraise the Estate of said Jacob Allebaugh, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of Eve Michael, dec'd, was this day presented in Court, and proven by the oaths of John W. Mathews and J. A. Bowman, the two subscribing witnesses thereto, and admitted to probate.

The writing purporting to be the last will and testament of Eli Andes, dec'd, was this day presented in Court, and proven by the oaths of Samuel Miswander and Joseph Burkholder, two of the subscribing witnesses thereto, and admitted to probate; and on the motion of John H. Andes, the Executor therein named, he appeared in Court, and entered into and acknowledged a bond in the penalty of $8.000.00 conditioned according to law, (the will providing that no security should be required of him,) and qualified as the Executor of the Estate of Eli Andes, dec'd, under his will;

And upon the further motion of John H. Andes Ex'r. the Court doth appoint Wm. P. Byrd, A. L. Byrd, Adam Gowl & Samuel Miswander to appraise the Estate of said Eli Andes, dec'd, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of Joseph Beery, dec'd, was this day presented in Court and proven by the oaths of David Pence and Samuel Petry, two of the subscribing witnesses thereto and admitted to probate; and on the motion of Geo. M. Showalter, one of the Executors therein named, (the other Executor John W. Wampler appearing in Court and renouncing his right to qualify,) he appeared in Court and together with Henry J. Showalter and John W. Wampler, his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Fifteen Thousand Dollars, conditioned according to law, and qualified as the Executor of the Estate of Joseph Beery, dec'd, under his will;

And upon the further motion of Geo. M. Showalter, Ex'r. the Court doth appoint David Pence, Blamey Wise and John Dawley to appraise the Estate of said Joseph Beery, dec'd, after first being duly sworn.

The writing purporting to be the last will and testament of Henry S. Showalter, dec'd, was this day presented in Court and proven by the oaths of Henry A. Heatwole and Abraham Lahrman, two of the subscribing witnesses thereto, and admitted to probate; and on the motion of Wm. J. Myers one of the Executors therein named, (the other Executor J. R. Myers appearing in Court and renouncing his right to qualify,) he appeared in Court and together with James C. Keltzer and J. R. Myers, 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, and qualified as the Executor of the Estate of Henry S. Showalter, dec'd, under his will;

And upon the further motion of Wm. J. Myers, Ex'r. the Court doth appoint Henry A. Heatwole, S. A. Fiedelaugh, Joseph Driver & Wm. H. Bunters to appraise the Estate of said Henry S. Showalter, any three of whom may act, after first being duly sworn.

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 Tuesday July 21. 1874.

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

A. J. Rader
@
E. A. Shandi Extr. } Upon a suggestion.

This cause was submitted to the decision of the Court, and the Court having fully heard the evidence and argument of counsel, is of opinion that the Plaintiff has no right to recover against the Defendant under this action, and considers that the same be dismissed, and that the Defendant recover from the Plaintiff her costs, by her in this behalf expended.

David Kisey, }
@ }
James T. Clarke } Exor. of the Estate of George Kisey. } Upon a motion to require Defts. to execute bond with security as-

This day came the parties by their Attorneys and the cause submitted to the decision of the Court, and having fully heard the evidence and argument of counsel, the Court considers that bond and security should not be required of the Defts. as they Exors. of the Estate of George Kisey, dec'd., *and that the Defts. recover from the Plaintiff his costs, by him in this behalf expended. *that Plaintiff's motion be dismissed

Upon the application of F. M. Kirtley & others for Road from Mrs. Elizabeth J. Bagby to the intersection of Shenandoah River and the Rockingham Turnpike & the Report of N. M. Leave, Comnr. filed. It appearing to the Court that said Report is incomplete, thereupon James A. Keltzel, Comnr. of Roads for Central Township, is ordered to make a further Report in pursuance of Section 24 Chapter 52 Code 1873, and such other Report as he may deem essential, in pursuance of the original order in this cause.

N. M. Leave late Comnr. of Roads for Stonewall Township, this day presented in Court an account against the County of Rockingham, amounting to the sum of $22.00 for services in viewing the following Roads from McGaheysville to Bloomer Springs, (2 days) from McGaheysville to Hopkins Springs (1 day,) at River Bank Bridge, (2 days,) from Port Republic to Lawyer road (3 days) in Ashby Township, (2 days) from Lickford road to Bridge on Rockingham Turnpike, (1 day,) @ $2 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.

Washington, Cincinnati & St. Louis Railroad Company }
@ }
Hiram Coffman, }

This cause came on this 21st day of July 1874, to be heard upon the Report of Commissioners Leick, Shickel & G. H. Funkhouser

returned to this Court on the 15th day of September 1873, and after hearing the evidence adduced and argument of counsel, the Court is of opinion that the Report aforesaid should be set aside upon the ground that one of the Commissioners aforesaid was a Stockholder in said Company, which is accordingly done. And it further appearing that the Commissioners appointed in said cause at the last term of this Court were improperly appointed while the Rule upon the Report aforesaid of the former Commissioners was pending and undisposed of, It is ordered that the order appointing Commissioners at the last term as aforesaid be rescinded. And thereupon it is ordered that Edward L. Kemper, Ulmer, Eiler, John Hopkins Ralston, Samuel A. Long & G. H. Mauzy, who are now hereby appointed Commissioners for that purpose, do proceed on the 1st day of August 1874. to view the tract of Land upon which said Miriam Coffman now resides, near Dayton in this County, and ascertain what will be a just compensation for such of the land of said Coffman as is proposed to be taken by the said Railroad Company for its purposes and for the damage to the residue of said tract beyond the peculiar benefits to be derived in respect to such residue from the work to be constructed by said Company. And it is further ordered that the said Miriam Coffman recover of the Plaintiffs, his costs by him in this behalf expended.

The Washington, Cincinnati & St. Louis Railroad Company,

vs.

Josephine Coffman & others,

The Commissioners appointed at the last term of this Court to view the tract of Land on which Defendants reside, and ascertain what will be a just compensation for such of said land as is proposed to be taken by said Railroad Company for its purposes and for damages to the residue of the land from the work to be constructed by said Company, returned their Report as such Commissioners to the Clerk's Office of this Court on the 2nd day of July 1874. in which Report they have assessed the said compensation in favor of the Defendants at Two Hundred and seven Dollars, and there being no exceptions taken to said Report, It is ordered that the said Report be confirmed, and it appearing that there is some doubt as to whether the said assessment of $207.00 should be paid to Defendants or to Jonathan Shaver, a recent purchaser of said land, it is further ordered that the said sum of $207.00 shall be paid over by said Railroad Company to the General Receiver of this Court, subject to its future order.

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cl'k's. ✓

This day came Isaac Vandesty, who alleges that he is aggrieved by an entry in the land book made by G. H. Mayhew, Assessor of Central Township, in this County, in the year 1873, whereby he is charged with $2.80 described as taxes for the year 1873 on 1 lot, lying in the town of Harrisonburg; and thereupon the said Isaac Vandesty moved the Court to exonerate him from the payment of $2.80 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 J. R. Jones the successor of said G. F. Mayhew, 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 1873, 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 said lot of land, but that it was sold and conveyed by deed in 1863 to one A. V. Johnson, and since sold by Johnson to E. K. Zirkle, and now charged on the Assessor Books to said Zirkle. All which the Court certifies as facts proved upon the application aforesaid. On consideration whereof, and from such facts as proved, the Court is satisfied that the said Isaac Hardesty is erroneously charged on said book with taxes amounting to $2.80; whereupon It is ordered that the said Isaac Hardesty be exonerated from the payment of $2.80 (viz: $1.75 State Tax & $1.05 Railroad Tax) taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

This day James L. Maupin, trustee for Jane L. Mo. L. M. Miller, who alleges that he is aggrieved by an entry in the land book made by G. F. Mayhew, Assessor of Central Township, in this County, in the year 1873, whereby he is charged with $15.72 taxes for the year 1873, on 2 lots described as lying in the town of Harrisonburg; and thereupon the said James L. Maupin, trustee for Mo. L. M. Miller moved the Court to exonerate him from the payment of $15.72 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 J. R. Jones, the successor of said G. F. Mayhew, 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 1873, 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 said lots of land, but is owned by and charged to John T. Harris, &c.

which the Court certifies as facts proved upon the application aforesaid. On consideration whereof, and from such facts as proved, the Court is satisfied that the said James L. Maupin, trustee for Mo. L. M. Miller is erroneously charged on said book with taxes amounting to $15.72; whereupon It is ordered that the said James L. Maupin, trustee for Mo. L. M. Miller be exonerated from the payment of $15.72 (viz: $10.25 State tax - $1.64 County Levy - $3.08 Railroad Tax and 75¢ Penalty) taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

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, July 22, 1874.

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

On the motion of John W. Swope, the Estate of Reuben Swope, dec'd, is committed to D. A. Rolston Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months.

Ordered.

Henry Pulse, Comm'r of Roads for Linville Township, this day presented in Court an account against the County of Rockingham, amounting to the sum of $13.00 for services in viewing &c Roads from Octo. 27, 1873 to June 25, 1874, inclusive, which being sworn to in Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

Commonwealth
vs
John Morris
} Upon an Indictment.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and for reasons appearing to the Court this cause is continued until the next term of the Court, and on motion of the Attorney for the Commonwealth Rules are awarded against John Eutzler of G. W., G. W. Baugher, of A. J., G. W. Eutsler and A. J. Baugher for their failure to attend at this term of the Court, when duly summoned, returnable to first day of the next term. (Cont'd.)

On motion of J. P. Effinger, it appearing to the Court that he has been erroneously assessed for the year 1872 with Parish Levy to the amount of Six dollars and thirty-seven cents, County School Tax to the amount of Eight dollars & fifty cents and District School Tax to the amount of eighty-five cents, upon a tract of eighty-five acres of Land, situated in the town of Harrisonburg, Va., upon which the said Effinger pays a corporation tax in lieu of the taxes and levies above-mentioned. And it appearing to the Court that the said taxes and levies for the year 1872 have been paid by the said Effinger, It is ordered that the Treasurer of Rockingham County do refund to the said Effinger the said Parish Levy of $6.37/100 - County School Tax of $8.50/100 and District School Tax of 85¢ so erroneously assessed, and that A. H. Brewer, the Collector of Central Township, who collected said levies and taxes so erroneously assessed, do refund to said Effinger the sum of seventy-eight cents his commissions upon said erroneous assessment collected by him. The Attorney for the Commonwealth was present in Court, and defended this motion, and the Assessor who made the said erroneous assessment was examined as a witness touching this application.

On motion of J. P. Effinger, it appearing to the Court that he has been erroneously assessed for the year 1873, with Parish Levy to the

amount of Seven dollars and sixty five cents - with County School tax to the amount of Eleven dollars and five cents, and with District School tax to the amount of eighty five cents, upon a tract of Eighty five acres of land, situated within the Corporation of the town of Harrisonburg, Va. upon which the said Effinger has paid Corporation taxes in lieu of said taxes and levies. Therefore It is ordered that the said Effinger be released from the payment of said taxes and levies so erroneously asked, and the commissions thereon of ninety-eight cents. The Attorney for the Commonwealth was present in Court and defended this motion, and the Assessor who made the erroneous assessment was examined as a witness touching this application.

Commonwealth
vs
John Scanlon,

Upon an Indictment for Keeping a disorderly House.

The Jury sworn and empanneled on the first day of this term of the Court, for the trial of this cause, having rendered the following verdict, "we the Jury find the Defendant guilty in manner and form as charged in the Indictment, and assess his punishment at Five Dollars;" It is therefore considered by the Court that the Commonwealth of Virginia recover from John Scanlon the sum of Five Dollars Fine, and her costs by her in this behalf expended.

cr Pd

Henry M. Roller, Commr of Roads for Ashby Township, this day presented in Court an account against the County of Rockingham, amounting to the sum of $12.00, for 3 days on Road from Sander's Mill to Spades's Church and 3 days on Road from Port Republic to Erasmus Hays (@ $2 per day,) which being sworn to in open Court, was examined and allowed by the Court and ordered to be certified to the Treasurer of this County for payment.

cr Pd certified to Aud. of Pub. Accts.

Ordered, That the following named persons be allowed the sums opposite their names, for their services in the trial of misdemeanor causes at this term of the Court, to be certified to the Auditor of Public Accounts for payment, viz:-

Eliphalet Johnson,	$2.00	Philip Keller,	$2.00	Otis F. Moore,	$2.00
Daniel Lelick,	2.00	Hy. M. Argabright,	2.00	Lewis M. Naylor,	2.00
Samuel J. Yates,	2.00	Joseph H. Lam,	2.00	Anthony Bockman,	2.00
Joseph Smith	2.00	Joseph A. Sheets,	2.00	Wm. P. Sites,	1.00
Nevil Rodgers,	1.00				

cr Pd & d.

L. L. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $124.25 for dieting &c, the following named prisoners, viz:- Edward Minnick, William (alias Dyer) Newman, Robert Faulkner, John Burns, Mary Entsler and Adelaide Grimm, 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.

Upon the motion of Wm. M. Dorrough, Assignee in Bankruptcy of D. F. Propst, the Clerk of this Court is directed to deliver to the Clerk of the Circuit Court of this County, copies of all memoranda, rules and orders, or record of any sort, and a statement of the costs incurred by each party in a certain cause which was pending upon the issued docket of this Court, upon its common law side, prior to and during the late war in the name of D. F. Propst versus Joseph Bird, together with a certificate that as far as the records of this Court go, they show that no conclusion of said cause was ever reached, and that the same cause was still pending undetermined in 1862, when ~~it~~ ^as^ was shown to this Court, all the papers ^afterwards by suit in June 1864.^ were destroyed, and that the said cause is hereby removed to the Circuit Court for trial; and a copy of this order be served upon Joseph Bird if living, and if dead, upon his personal representative.

Wm. P. Sites & others
vs
Daniel Miller & others.

Upon a Petition for a change in the Road leading from the Attoline & Briery Branch Road, near John Wine's to a point on the Augusta line near Sangerville.

The summons awarded at the former term against Daniel Miller & Henry Andrew, David Miller & Joseph Miller, to shew cause why the proposed change should not be made in the road leading from the Attoline & Briery Branch Road, near John Wine's to the Augusta line near Sangerville, according to the route laid down in the report of Commissioner Henry W. Roller filed at the former term of this Court and the accompanying survey made by Allen Beard, having returned executed upon said parties. And the parties Daniel Miller & Henry Andrew appearing by counsel and objecting to the proposed change as set forth in the report of said Commissioner H. W. Roller, and the Court having heard the evidence and arguments of Counsel, and being of opinion that the proposed change should be made, and the road be established according to said Report and survey. And the said Daniel Miller & Henry Andrew not being willing to accept such compensation as the Court may deem just, It is ordered that a writ of ad quod damnum be awarded, commanding the Sheriff to summon and impannel a Jury of twelve qualified jurors of the vicinage, not related to either party to meet on the lands of said Daniel Miller and Henry Andrew on Wednesday the 12th day of August 1874 of which notice shall be given said Proprietors, and after being duly sworn by the Sheriff, shall view the lands of said Daniel Miller and Henry Andrew, and ascertain what will be a just compensation to each of them for the land of each proposed to be taken, and for the damage to the residue of each tract, beyond the peculiar benefits which will be derived in respect to such residue from said road.

writ issued

Upon the motion of Daniel Miller and Henry Andrew, who think themselves aggrieved by an order of this Court at this term, in a certain controversy pending in said Court between William P. Sites and others, Plaintiffs and the said Daniel Miller and Henry Andrew, defendants, concerning a change in the location of a roadway

leading from the Attobine and Briery Branch Gap road to a point on the County line near Dengensville, an appeal of right is allowed them, the said defendants having this day executed an appeal bond in the penalty of $200 conditioned according to law, with John Y. Long as their surety, who justified as to his sufficiency.

Ordered, That Court be adjourned until 9 o'clock on Friday morning next

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, July 24, 1874.

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

P. E. Witts this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $12.00 for
c.p.c. expenses incurred in going and returning to Winchester, Va., under an order of J. W. Irvine, late Justice of the Peace, for the purpose of arresting one John A. Nash, 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.

On motion of Edward S. Conrad, it appearing to the Court that he has
c.p.c. resided in this County for one year next preceding this application, that he is a person of honest demeanor and is over twenty one years of age, a certificate is granted him for obtaining License to practice Law in the Courts of this Commonwealth.

On application of George Miller, Overseer of the Poor for the Town of Harrisonburg, It is ordered that Ella Martin, aged eight years, colored, and child of Eliza Martin, colored, be bound as apprentice to E. S. Lambert, until she arrives at the age of eighteen years.

On the application for the establishment of a Public Road leading from Keltzel's Mill to Whitmer's Blacksmith Shop, It is ordered that
issued. Jacob Dundore, one of the 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 he can, why said road should not be established according to a report heretofore made by the Commissioners of Roads for Central Township, and acted upon by this Court.

It is ordered that the Commissioners of Roads for Ashby & Central Townships, view and report to the next term of this Court as to the
c.p.c. propriety of establishing a public road leading from Jasper Keltzel's Mill to the Hopkins Mill road.

Ordered, That the County Treasurer pay to John Paul, attorney for the
ord. Commonwealth for Rockingham County, the sum of $44.66⅔ for his
services in this Court for the months of July 1874.

Ordered, That it be certified to the Auditor of Publics Accounts that
John Paul, Commonwealths Attorney for Rockingham County is enti-
ord. tled to the sum of Ten Dollars for prosecuting to conviction at this
term of the Court, in two cases of misdemeanor, to wit: Commonwealth
vs. John Scanlon and Commonwealth vs. Albert Harrison, alias Albert
Harris.

Commonwealth of Virginia,
vs.
John Huddleson, &c., his securities. } Upon a Notice.

same for County of Rockingham
vs.
same, &c., } Upon a Notice

same for Central Township,
vs.
same, } Upon a Notice.

On motion of the Plaintiff in these causes the defendants are re-
quired to file specifications of the grounds of their defence therein;
thereupon the defendants file five several particulars of such grounds,
which it is agreed shall have the same effect as if formally pleaded
and thereupon formal issues in fact were taken thereon, and thereupon
the Plaintiff demurred to the said specifications as bad in substance,
in which demurrers the defendants joined, and the Court proceeded
to hear the evidence, reserving all questions of law and fact arising
therein, and not having time fully to hear the cause, by consent of parties,
its further hearing is continued until the next term.

Commonwealth
vs.
Albert Harrison alias Harris. } Upon an Indictment for disturbing
a religious congregation.

The Jury sworn and impanneled on the third day of this term
of the Court, for the trial of this cause, having rendered the following
verdict, viz: "We the Jury find the defendant guilty in manner and form
as charged in the Indictment, and assess his punishment at One
dollar, and fix the time of his confinement in the County Jail
at one hour." It is therefore considered by the Court that the defendant
be confined in the Jail of this County for one hour, and that the Com-
monwealth recover of the defendant the sum of One Dollar fine
and her costs by her in this behalf expended.

pro confesso

And the said defendant not being present in Court, It is
ordered that process do issue to the Sheriff and Keeper of the
Jail of this County commanding him the said Sheriff forthwith
to arrest the said defendant and to convey and deliver him

into the custody of the Keeper of the said Jail, together with the process aforesaid, and require him the said Keeper of the said Jail to receive the said defendant into his Jail and custody, and him there safely Keep for the term of one hour.

cp[d.] no fee.

On the application of Ambrose Cramer, it appearing to the Court that he is a person of good character and a proper person in whom to confide the trust of selling religious books, It is ordered that the Assessor of either of the Townships of this County to whom he may apply, be, and he is hereby directed to grant him the said Ambrose Cramer, License to sell such books upon the payment of a tax of One cent.

cp[d.] a. to Treas.

On the motion of John Robinson, (through his Agent, J. C. Holmes) permission is given him to erect Bill-boards around the Court House square, not to remain longer than thirty days from this date, upon condition that he pay to the Treasurer of this County, for the use of the County, on or before the 19th day of August next, the sum of Fifteen dollars, and upon the further condition that any damages which may accrue to the fencing around said Court House square, by reason of the erection of said Bill-Boards shall be paid by the said John Robinson. It is further ordered that a copy of this order be delivered to J. C. Allebaugh, Treasurer of this County, who is directed to receive the said sum of $15.00, and in default of payment to enforce the same by such proceedings as may be necessary.

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On motion of J. M. Stevens, Adm'r. of Wm. G. Stevens, dec'd the Estate of Peachy Harrison is committed to D. H. Ralston, Sheriff, of this County, for administration, it appearing to the Court that said Estate has been without administration for more than three months.

Ordered: That this 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, this 31st. day of July 1874.

On the application of Rev. Jno. M. Brown, who is a regularly ordained Minister of the "Christian Church," and it appearing from such facts that he is a gentleman of good character, and a proper person in whom to confide the trust of selling and distributing religious books, charts, periodicals, &c, it is ordered that the Assessor of either of the Townships of this County, do issue him License to sell and distribute said religious books, charts, periodicals, &c, upon the payment of a tax of one cent. All of which is hereby certified to the Clerk of said Court who is directed to spread the same upon the Order Book of this said Court, as a vacation order.

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

Monday, August 17. 1874.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday August 17, 1874.

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 July Term, which List being seen and examined by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	Adam C. Bear & wife, to	Howard Brady,
"	Christian Sites & wife,	" Jacob S. Rhodes,
"	Benjamin Crawford,	" Robert Rice, &c, trustees,
"	Hugh Caplinger & wife	" Jacob Turner,
"	J. J. Woodard	" David J. Driver, &c,
"	J. P. Brock & wife,	" M. B. Moffett,
"	John D. Hugh & wife,	" Thomas A. Long,
Trust Deed,	Annanias Dovenan & wife,	" John T. Pirtle, Trustee, for &c,
Mechanic's Lien.	Gatewood & Brady,	" G. A. Jackson,
Bargain & Sale,	John D. Campbell's Exor.	" William Lilly,
Trust Deed,	Joseph Harner	" Geo. W. Thackery, trustee for &c,
"	Frances Newman &c,	" M. B. Lundy, trustee for &c,
Bargain & Sale	Peter Wilhoit & wife,	" Wm. B. Chapman,
"	Joseph Intrieler & wife,	" James K. P. Intrieler,
"	Jacob Intrieler & wife,	" same,
"	Joseph Randol & wife,	" Wm. F. Cosler,
"	John M. Altaffer & wife,	" Joseph Altaffer,
"	same,	" Martin J. Altaffer,
"	Wm. B. Compton,	" John W. F. Allemong,
"	John J. Bowman & wife,	" David Kline & John W. Driver,
Deed of Release	Charles T. O'Ferrall & J. L. Gilbert	" Stephen Hughes,
Mortgage Deed.	Timothy McCuddy & wife	" William Russo, &c,
Bargain Sale	Samuel McDowman & wife,	" Henry McDowman,
"	Rushrod Rust & wife	" Reuben M. Moore,
Deed of Release,	Wm. B. Ewing, &c,	" Nazzay B. Ewing, &c,
Bargain & Sale,	Henry Keezle's Admr.	" Levi Sipe,
Deed of Trust,	Maggie L. Heuston,	" G. M. Effinger, trustee, for &c,
Bargain & Sale,	B. F. Walker, Comm. (2 deeds)	" George W. Heuston, (old deed)
"	Abraham Smith & wife	" Williams Williams,
"	John M. Good & wife,	" Anthony Good,
Quit Claim,	Amanda J. Eversdiing,	" same,
Bargain & Sale,	B. R. Mayers & wife	" Joseph B. Mayers,
Lis Pendens.	John M. Graze,	" Timothy McCuddy, &c,
Bargain & Sale,	James M. Dovel & wife	" F. M. Rufner & Co,
"	Samuel Miller & wife,	" James A. Campbell,
"	Samuel Carpenter & wife,	" Daniel H. Wise,
"	Samuel Carpenter & wife,	" Peter Pleasant,
"	Jacob Miller,	" Joseph Somers,
"	Joseph M. Kibler,	" Wm. S. Perry,

c/p. Ordered, That James L. Fisher, Adam Pifer, A. J. Baugher, R. A. Scott, Wm. J. Mantz & A. A. T. Rhodes, be each allowed the sum of One Dollar, for services as Petit Jurors, during this term of the Court, to be certified to the Treasurer of this County for payment.

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 B. Myers & E. H. Cromer, Admrs. of Joseph Cromer, decd,
" " " " " A. H. Wilson, " " " Jesse Rogers, "
" " " " " John B. Roller, Exor. " H. A. R. Shoemaker, "
" " " " " Abm. Sager, guard. of M. E. Miswander & com. for L. Miswander,
" " " " " John Long " " Annal Kiger,
" " " " " A. P. Eiler, " " Geo. A. Nicholas,
" " " " " John E. Roller, " " M. Virginia Baker,
" " " " " John Keil " " Susannah Brenneman,
" " " " " Daniel Bowman, " " Hiram, Elizabeth & Joseph Miller,

An additional Inventory of the Estate of Anthony Shoemaker, decd, was presented in Court, and no exceptions being taken thereto, the same is ordered to be recorded.

Jasper Mauze, who was, on the 8th day of August 1874, 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 Henry Pulse and Jacob Shank, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Jasper Mauze took the several oaths required by law.

cert. to Aud.

The writing purporting to be the last will and testament of James Magalis, decd, was this day presented in Court and being proven by the oaths of John W. Cordell and James A. Hutchinson, two of the subscribing witnesses thereto, was admitted to probate; and thereupon Ellen E. Magalis, the Executrix therein named appeared in Court and together with Richard Magalis and Wm. H. Magalis, her sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand dollars, conditioned according to law, and qualified as the Executrix of the Estate of her husband, James Magalis, decd, under his will.

And upon the further motion of Ellen E. Magalis, the Court doth appoint Emanuel Rogers, J. W. Cordell & James A. Hutchinson to appraise the Estate of said James Magalis, decd, after first being duly sworn.

On the motion of James O. A. Blair, the Estate of Frances Delany is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that she has been dead more than three months, without any administration being had on said Estate.

On the motion of Mary Adaline Koontz, same order as to Estate of Josphine Cowan, decd.

On the motion of Harriet Sipe, same order as to Estate of Jacob Sipe, decd.

Samuel Shank,
&
Abraham Frank. } Upon a Rule.

On motion of Samuel Shank, and it appearing to the Court, by the answer of Abraham Frank, to the said Rule, that he declines to give a new bond as Trustee for Jemima Bowman, it is ordered that his powers as such fiduciary be and they are hereby revoked. And it further appearing that the said Abraham Frank, as such fiduciary, has in his hands Eight Hundred and twenty-five 39/100 Dollars, It is ordered that he pay the same over to the General Receiver of this Court, and that he do settle before one of the Commissioners of this Court, his accounts as such fiduciary.

The writing purporting to be the last will and testament of Mary Bryan, was this day presented in Court, and being proven by the oaths of G. W. Berlin and G. W. Robertson, the two subscribing witnesses thereto, was admitted to probate; and thereupon John E. Bryan, the Executor therein named, appeared in Court, and together with John Longnecker, 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, and qualified as the Executor of said Mary Bryan, dec'd under her will.

And upon the motion of said John E. Bryan, Exr. the Court doth appoint R. C. Johnston, John Dale and Joel Garber, to appraise the Estate of said Mary Bryan, dec'd, after first being duly sworn.

J. W. T. Samuels and W. M. Shuler, in obedience to a Rule awarded at last term of this Court against them, on the motion of Nancy Leonard, this day produced in Court a certain writing purporting to be the last will and testament of St. Clair Shufflett, for probate, and by consent of counsel for the parties, the probate of said will is continued until next term of this Court.

Commonwealth
&
John Morris. } Upon an Attachment.

On motion of the Atty. for the Commonwealth, Attachments are awarded against G. W. Coutzler & John Coutzler, of G. W., and Rules are awarded against G. F. Berlin and Harry Bateman, witnesses for the Commonwealth, for their failure to appear at this term of the Court, (not duly summoned, returnable to 1st day of the next term of this Court, and thereupon cause now continued until the next term.

c/p'd & mailed to Sheff.

Wm. D. Rice, Sheriff of Shenandoah County, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $11.05 for arresting, conveying to the Sheriff of this County, &c, one Eli Armentrout, charged with bastardy, 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 1874.

c/p'd & d.

This day, Thomas Powell, Constable of this County, presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $1.30 for summoning John Flaneary for misdemeanor, under the warrant of B. P. Teel, a Justice of the Peace for this County, and for summoning 6 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.

James L. Heltzel, Comm. of Roads for Central Township, this day returns his Report upon application of A. M. Kirtley & others for the establishment of a public road from Mrs. Hagey's to Rockingham Turnpike, which is ordered to be placed upon the Court's Docket.

John M. Woods,
vs
Wm. B. Yancey & R. A. Gibbons, Gar. of Sanders & Wallace } Upon a Sug.

John Arehart's Adm.
vs
James W. Messick } Scifa
John Leedy, Road Overseer, 5th Dist. Central Township, Petition to discontinue a Road.

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

It appearing to the Court that John M. Hagey, Adm. of David M. Hagey, dec'd, having permanently removed from this State, and that it is necessary there should be a personal representative in this State, It is therefore ordered that his powers be, and the same are hereby revoked, and thereupon on the motion of J. B. Hagey, who appeared in Court, and made oath thereto according to law, and together with D. McCammon, his security, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1,000.00, conditioned according to law, a certificate is granted him for obtaining letters of administration de bonis non upon the Estate of David M. Hagey, dec'd,

On the motion of I. N. Pattwiler, who has made oath thereto according to law, he appeared in Court and together with P. M. Dice and Geo. F. Sherman, his securities, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2400.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Delilah Pattwiler, dec'd.

On motion of N. L. Shoup, the Court doth appoint him guardian of his children, J. C. Shoup, J. R. Shoup, Bessie Shoup & Frank Shoup, infants under 14 years of age, in relation to their interest in the Estate of Elizabeth Gochenour, dec'd, and thereupon he appeared in Court, and together with Jacob Lincoln, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1200.00, conditioned according to law, and qualified accordingly.

It appearing to the Court that Elizabeth Frank, Admx. of Daniel Frank, dec'd, has acknowledged service of notice requiring her to give additional surety as said Admx. to the 1st day of this term of the Court, or have her powers revoked, she appeared in Court and declined to give such additional surety, and on the motion of _____ her surety. It is considered by the Court that her powers as such Admx. be and the same are hereby revoked.

And upon the motion of Timothy Frank, who made oath thereto according to law, he appeared in Court, and together with Elizabeth Frank, his surety, (who justified as to her sufficiency,) entered into and acknowledged a bond in the penalty of $400.00 conditioned according to law, a certificate is granted him for obtaining letters of administration, de bonis non, in due form, upon the Estate of said Daniel Frank, dec'd.

On the application of James C. Keltzel & others, for the establishment of a public road, leading from J. C. Keltzel's Mill to the Hopkins Mill Road.

On an order made at the last term of this Court, directing the Commissioners of Roads for Ashby & Centre Townships, to view and report the propriety of establishing said road, the said Commissioners, James C. Keltzel and Emanuel N. Conner, having this day returned into Court their report, recommending the establishment of said road, It is ordered that the following land owners, along said proposed road be summoned to appear before this Court at its next term, to show cause, if any they can, why said road should not be established according to said report, to wit: J. C. Keltzel, N. H. Payne, E. N. Rhodes, B. F. Stover, Shem Weaver, William Buttner, Lewis Driver, D. C. Hopkins, Mrs. Eliz. Hopkins, A. Layman & Henry Shaw-alters. Heirs

issued 1st 11 ct/13

Ex parte—
Wm. Snowden, Petition for writ of Habeas Corpus.

On the petition of William Snowden, stating that he is illegally detained in custody by Levi L Byrd, Jailor of this County, a Writ of Habeas Corpus ad. Subjiciendum is granted him, directed to the said Jailor commanding him to have the body of the petitioner before this Court to-day at 4 o'clock, P. M, together with the day and cause of his caption and detention.

Vacation orders seen inspected, and approved by the Court.

Levi L. Byrd, Jailor of this County, in obedience to the writ of Habeas Corpus this day awarded and to him directed, brought before the Court, William Snowden in the said writ named, and certified that the cause of the detention of the said William Snowden, would appear by a Schedule annexed to the said writ; which being inspected by the Court, and after hearing the evidence and the arguments of counsel as well in behalf of said party upon his petition as in opposition thereto for reasons appearing to the Court the further consideration of the said petition is continued until to-morrow. And it is further ordered that the said William Snowden be continued in the custody of the said Jailor until further ordered.

Supt. of the Poor of Rockingham County,
vs
Eli Armentrout,
} Upon a Capias.

The Defendant, who was adjuged at the March Term last of this Court to be the father of a female bastard child of one Barbara Ann Hosler, was this day delivered in Court by the Sheriff of Shenandoah County, under a writ of Capias ad. audiendum to him directed, and upon being required to execute bond in the penalty of $300.00 with good security, conditioned for the performance of the order aforesaid adjudging him to be the father of said bastard child, and failing to execute said bond, It is ordered that he be committed to the Jail of this County until such bond be given in Court or filed in the Clerk's Office of said Court, or he be otherwise legally discharged.

Ordered That 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, August 18, 1874.

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

On motion of D. A. Plecker, It is ordered that James C. Keltzel, Road Commissioner of Central Township and Emanuel Cromer, Road Commissioner of Ashby Township, or either of them, shall proceed to view and locate a road from the Valley Turnpike at or near said Plecker's Mills at Mt. Crawford, crossing Cook's Creek, at or near said Mills, and running thence to the road leading from Mt. Crawford to the Valley Railroad Depot at Roller's Stone Mill, on the East side of said Creek and report as required by law in such cases.

ismd.

James C. Keltzel, Comm'r. of Roads for Central Township, this day presented in Court an account against the County of Rockingham, amounting to the sum of $25.00 for services rendered in viewing and locating various roads from July 1, 1873 to July 22d. 1874, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

cert'd.

J. P. Effinger,
&
I. C. Hill,

Upon a Notice for money paid as surety in judgment of Heckelman, Jackson & Phelps & Hill, I. C. & Co. vs. D. Bond.

This day came again the plaintiff by his attorney, and the defendant having been called and not appearing, the Notice was proved, and it is considered by the Court that the Plaintiff recover from the Defendant the sum of $126.81 with interest thereon from the 23d day of October 1873, till paid, and 5 per centum damages on said amount, and his costs, by him in this behalf expended.

Josephine Hoffman,
&
The M. C. & St. Louis R. Road Co.

Motion to set aside an order of Court.

The Plaintiff, this day appeared in Court, and moved to set aside the order entered at the last term of this Court, confirming the Report of the Commissioners assessing the damages to the Plaintiff's land on the line of the said Company's Railroad, Whereupon, by consent of parties this motion is docketed and continued unto the next term of this Court.

On the motion of John Bishop and E. O. Peale, who made oath thereto according to law, they appeared in Court and together with A. W. Peale and Margaret M. Peale and Sallie L. Peale, their sureties, (the two latter Margaret M. Peale and Sallie L. Peale, by their Atty. in fact (Wm. Shands,) (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $6.000 00 conditioned according to law, a certificate is granted them for obtaining letters of administration in due form upon the Estate of said Jonathan Peale, dec'd. And upon the further motion of said Administrators the Court doth appoint Wm. Eiler, David Eiler, G. W.

Mauzy & E. S. Kemper to appraise the Estate of said Jonathan Peale, any three of whom may act, after first being duly sworn.

On the motion of A. W. Peale, the Court doth appoint Wm. Exiley, David Exiley, G. W. Mauzy & E. S. Kemper, as Commissioners to assign Dower to the widow of Jonathan Peale, dec'd in his Estate, and make report to this Court.

Allen M. Brown, Mary Brown & Joseph Byrd, late partners under the style of Brown & Byrd
&
George F. Dinkel,
Upon a Sci fa to revive a Judgment.

On motion of the Plaintiffs by counsel, and it appearing to the Court that the summons has been returned duly executed upon the Defendant, George F. Dinkel, and he failing to appear, It is considered by the Court that this cause be revived and proceed in the name of Mary Brown & Joseph Byrd, surviving partners of late firm of Allen M. Brown, Mary Brown & Joseph Byrd, partners in trade under firm name of Brown & Byrd, and that the Plaintiff may have execution against the Defendant for $180.13 Debt, with interest thereon from the 30th day of November 1860 till paid, and $ ____ Costs, subject to the following credits, as endorsed upon writ by Plaintiffs counsel, viz:- By $10.80 Feby. 8, 1868 - $10.80 Feby. 8, 1869 and $259.25 August 15, 1874, and their costs by them in this behalf expended.

Ex parte,
William Snowden - Petition for writ of Habeas Corpus.

The petitioner, William Snowden, was again brought into Court this day in custody of the Jailor of this County, and the Court having fully considered the cause, is of opinion that the said William Snowden is illegally detained in the custody of the said Jailor. It is therefore ordered that he be discharged therefrom.

J. W. Bowen
&
Thomas F. O'Roark,
Upon an appeal from a Justice.

By consent of parties, this cause is removed to the Circuit Court of this County.

F. W. Erwine,
&
Township Board of Ashley Township.
Upon a Rule to require Ashley Township to levy additional tax, &c.

This day came the parties by their attorneys, and the Court having heard the cause is of opinion that the Rule awarded at the instance of the Plaintiff ought to be dismissed, It is therefore considered by the Court that said Rule be dismissed, and that the Defendant recover against the Plaintiff its costs by it in this behalf expended.

E. S. Peale, Appellant
&
Wm. M. Bailey, Appellee
Upon an Appeal.

This day came the parties by their attorneys, and on motion

issued.

of the Defendant, and for reasons appearing to the Court the trial of this cause is continued until the next term at the Defendant's cost, and Rules are awarded against Wm. Timbers and Elizabeth Mahan, witnesses for Appellee and against E.P. Myers, Chas. P. Brock, R.A. Stephens and Henry Burkholder, witnesses for the Appellant, for their failure to appear at this term of the Court, when duly summoned, returnable to the next term of this Court.

C. R. Brannen, Appellant
&
M. M. Millett, Appellee. } Upon an appeal,

Ordered that this cause be dismissed agreed.

Edward S. Conrad, who has been regularly licensed to practice Law in the Courts of this Commonwealth, appeared in Court and qualified to practice in this Court, by taking the oaths prescribed by law.

Ordered, That 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, Aug. 19th. 1874.

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

Ordered, That 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 Thursday, August 20, 1874.

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

Henry M. Roller, late Road Commissioner of Ashby Township this day presented in Court an Account against the County of Rockingham, amounting to the sum of $4.00 for viewing Road on application of D. A. Peckenpaugh, and for Diagram of Route of Road, which being entered in said Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

c/p'd.

Ordered, That 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, August 21. 1874.

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

On motion of Elizabeth N. Dearien, who presented in Court an attested copy of the last will and testament of James N. Darling, dec'd, together with the certificate of Probate thereof in the Supreme Court of the District of Columbia, the same was admitted to record, and she, the said Elizabeth N. Dearien, nominated as the Executrix of the will of said James N. Darling, in said will, and being the sole devisee, and legatee thereof, is, under direction of said will, permitted to qualify as said Executrix without security. Thereupon, she the said Elizabeth N. Dearien, appeared in Court, and entered into and acknowledged a bond in the penalty of $300 00 (without security, as provided in said will), conditioned according to law, and qualified as the Executrix of the Estate of James N. Darling, dec'd, under his will.

On the motion of Joseph P. Hyde, who made oath thereto, according to law, he appeared in Court, and together with A. J. Nicholas, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500 00, conditioned according to law, a certificate is granted him for obtaining Letters of administration in due form, upon the Estate of Fielding S. Ragan, dec'd.

Superintendent of Poor of Rockingham County,
vs.
James N. Ranicofe,
} Bastardy.

This day came again the parties by their Attorneys, and the Court having fully heard the evidence and argument of counsel, adjourned the further consideration of the cause until Monday morning next.

Ordered, That Court be adjourned until Monday morning next 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 August 2d 1874.

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

On the motion of David Roadcap's Admr. &c., the Estate of Alexander Bowman, dec'd, with the will annexed, is committed to D. M. Rolston, Sheriff of this County, for administration.

Wm. P. Sites and others,
to
Daniel Miller and Henry Andrew } upon a Petition for a Road.

In this cause, it appearing to the Court by a written agreement filed in the papers, signed by the parties to this controversy, that they have compromised the said controversy, and have agreed upon a route for the said road, which is specified in said agreement, and it further appearing that the land owners along said new route, viz:- Joseph A. Miller and David Miller agree that the route as indicated therein may be run through their lands without any damages for land or otherwise, and that they waive any further notice of this proceeding, and it appearing further that said route has been examined by E. N. Coover, Road Commissioner of Ashby Township, and surveyed under his direction, and that he has reported in favor of said route, It is ordered that said route be established as follows, to wit:- Commencing at this point on the line of Daniel Miller and David Miller, known as in the diagram accompanying the report of Commissioner Henry M. Roller, which has been or will be filed in this cause, thence with their line S 58½ W 14 poles to a stake, a point in said line on a bank, thence through a corner of said David Miller's land, S. 10¼ W. 8 poles to a point on another line between Daniel and David Miller, thence S. 18½ W 71¼ poles with their line to a stake, thence leaving their line and running through the lands of Daniel Miller, S. 18¾ W. 2.33 poles to Joseph Miller's line, thence through his land with same bearing to the Augusta line, and it is ordered that the costs of this application and proceedings be paid by the County, except that it is adjudged and ordered that Wm. P. Sites account of Daniel Miller and Henry Andrew, any costs, by him, in this behalf expended,

W. C. & St. Louis Railroad Company,
to
Hiram Coffman,

It appearing to the Court that the Reports of Commissioners Wm. Eiler, Edward S. Kemper & John M. Rolston, who were appointed to ascertain the value of the lands of Hiram Coffman which said Company proposes to take for its purposes, and the damages to the residue of the tract, filed in the Clerk's Office of this Court on the 13th day of August 1874, from which Reports it appears that the said Commissioners ascertained that $1450.00 will be a just

compensation for the land proposed to be taken for said Railroad, and for damages to the residue of the tract on one of the lines located through said Coffman's land, and that $850, will be a just compensation for the land proposed to be taken for said Railroad & for damages to the residue of the said Coffman's lands on the other line located through said Coffman's lands by said Company for said Railroad. And the Plaintiff, this day moved the confirmation of said Reports, whereupon the Defendant Coffman appeared and entered his defence to said motions, and neither party being ready to try the said issues, these causes are continued to the next term of this Court. And therefore the said Railroad Company is authorized to pay over to the General Receiver of this Court the said compensation so as ascertained and affixed as aforesaid, on such of said lines as said Company may accept and adopt before work thereon is commenced, subject to the future order of this Court.

D. A. Pleckers upon a Petition for the location of a public road from the S.W. abutment of the old Bridge at Mrs. Crawford to the public Highway below said abutment.

Jackson Rhodes,

This day came again the parties by their Attorneys, and the Court having fully heard the evidence and argument of counsel, is of opinion that the petition should not be granted, it is therefore considered by the Court that said Petition be dismissed, and that the Defendant recover from the Plaintiffs his costs, by him in this behalf expended.

Superintendent of the Poor of Rockingham County,

James A. Ranicofe,

Bastardy.

In this case, it appearing to the Court that Sophronia Shiflett, the mother of said bastard child, has not resided in this County for one year next preceding the commencement of proceedings in this case, the Court, without deciding on the merits of the case, dismisses the same for want of jurisdiction, and considers that the said defendant recover of the Plaintiffs his costs, by him in this behalf expended.

In the matter of the River Bank Bridge:-

It appearing to the Court that it is necessary for the convenience and use of the citizens of the County generally, that the Bridge over the Shenandoah River in this County, at "River Bank," which was partially destroyed by high water, some months since should be repaired: And whereas, by and order of this Court, at the June Term last, James C. Keltzel, Commissioner of Roads for Central Township, in this County, was directed to view and examine the said Bridge and has reported that in his opinion, the said Bridge can be repaired so as to make a good and substantial structure upon the specifications set forth in his said Report, and whereas the said Commissioner was further directed to advertise for proposals for repairing the same, giving specifications, and whereas the said Commissioner did advertise in the Rockingham Register for said proposals giving

specifications, and various bids have been received by Saine and reported to the Court, and upon inspection, the Court doth find that the bid of John M. Woods is the lowest, to wit: Seven hundred and thirteen dollars; and it appearing to the Court that the said Woods is a good workman and responsible man, the Court doth accept the bid of the said Woods, and doth authorize S. P. H. Miller, Road Commissioner of Stonewall Township and James C. Keltzel, Road Commissioner of Central Township to reduce to writing a contract between the County of Rockingham and the said John M. Woods, for the repair of the said Bridge upon the bid of the said Woods, to wit: Seven Hundred and thirteen dollars, and upon the specifications as advertised by the said Keltzel, Road Comrs, as aforesaid, in the "Rockingham Register," and the work to be completed on or before the 1st day of Jany. 1875. $200. of the said money to be paid out of the Levy for the present year, as soon as that proportion of the work shall be reported to the County Treasurer by Comm'rs. Miller, as having been done, and the balance out of the levy for the year 1875. The said Commissioners are further authorized and required to take from the said Woods, Contractor as aforesaid, bond with good and sufficient sureties, in the penalty of $1500.00, with condition for the faithful performance of the contract. And the said Road Commissioners are directed, as soon as said contract and bond shall have been executed to return the same to this Court for ratification or rejection. And this Court, in order to meet the requirements of this order, doth hereby appropriate the sum of $513. in addition to the sum of $200. heretofore appropriated, for the purposes of repairing said Bridge.

M. & St. Louis Railroad Company,
vs
Benjamin Menger,
} Upon Report of Comm'rs.

Upon the motion of Benjamin Menger, and for good cause shown, other than insufficiency of compensation, It is ordered that the Report of Comm'rs Eiler, Kemper & Ralston, returned in this cause on the 2nd day of July 1874, be set aside, and the question as to costs upon this motion is reserved for future decision; and it is further ordered that Jacob W. Cowan, J. P. Swank, Thomas Moore Abraham Lincoln & Michael Whitmore, who are hereby appointed Commissioners for that purpose, do proceed, on the 4th day of September 1874, to ascertain what will be a just compensation for such of the land of the freehold whereof Benjamin Menger is tenant, as is proposed to be taken by the Washington, Cincinnati & St. Louis Railroad for its purposes, and the damages to the residue of the tract beyond the peculiar benefits to be received in respect to such residue from the work to be constructed, and that they report their proceedings herein to this Court.

issued.

It appearing to the Court that a great number of cases are now pending on the motion docket of this Court, in which no orders have been made, except continuances, for a long time, and whereas it is believed that the parties to many of these motions have lost sight of them, and costs are continually accruing; the Court, in justice to them, as well as with a view of reducing its heavy docket, doth order that Rules be issued against the parties, plaintiffs and defendants, in all cases now pending, from No 1 to No ___ of the present docket returnable to the 2nd day of the October term next, to prosecute the same, or show cause why the same should not be stricken from the Docket. The costs of the Rules to be paid by the parties against whom they are severally issued.

Ordered, That John Paul, atty. for the Commonwealth for this County, be allowed the sum of $41.66⅔ for his services in this Court for the month of August 1874, and that the same be certified to the Treasurer of this County for payment, out of the levy for 1874.

cop'd & d

Ordered, That J. T. Logan, Clerk of the County Court be allowed the sum of Two hundred & fifty dollars for public services from Jany 1, 1874, to July 1, 1874, and that the same be certified to the Treasurer of this County for payment, out of the levy for 1874.

cop'd & d.

Ordered That 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, August 25th 1874.

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

Commonwealth,
@
John Huddleson, &c, } Upon a Notice

Commonwealth for use of Rockingham County,
@
same, &c, } Upon a Notice,
&
Commonwealth for use of Central Township,
@
same, &c, } Upon a Notice,

This day came as well the Commonwealth's Attorney as the Defendants, by their attorneys, and the whole matters in-

volved in these several suits being submitted to the Court, and the evidence adduced by the parties being heard, on consideration whereof, and after argument of counsel, the Court is of opinion that at the sureties of the said John Huddleson, late Collector of Central Township in this County, in his official bond, executed at the June Term 1872, were discharged from all liability on account of their said suretyship so far as the State Taxes, County and Township Levies are concerned, by the Joint Resolution of the General Assembly of Virginia, approved Jany. 22, 1873, extending the time for the collectors of this Commonwealth to proceed with and close up their several collections to the 1st day of May 1873, instead of the 1st day of March 1873. It is therefore considered by the Court that the said sureties to-wit:- B. G. Patterson, Augustine Armentrout, John C. Woodson, Joseph Funkhouser, Wm. D. Rice, Jacob Gasscoman and A. N. Brenner, be, and they are hereby discharged as aforesaid, and go thereof without day.

And it is further considered by the Court that the Commonwealth of Virginia recover of the Defendant, John Huddleson, late Collector of Central Township, in this County, on account of State Taxes placed in his hands the sum of $612.36, with interest thereon from May 1, 1873 till paid, and her costs by her in this behalf expended.

It is further considered by the Court, that the Commonwealth of Virginia, for the use of the County of Rockingham recover of the Defendant, John Huddleson, late Collector as aforesaid, the sum of $400.27 with interest thereon from May 1, 1873 till paid, and her costs by her in this behalf expended.

And it is further considered by the Court that the Commonwealth, for the use of Central Township in this County, recover of the Defendant, John Huddleson, late Collector aforesaid, the sum of $453.96, with interest thereon from May 1, 1873, till paid, and her costs by her in this behalf expended.

Memo. Upon the trials of these causes the Attorney for the Plaintiffs tendered his several bills of Exceptions to the judgments of the Court, which he prays may be signed, sealed and enrolled, and made a part of the record in these causes, which is accordingly done, and are in the words & figures following, to-wit:- "Commwlth. & John Huddleson, &c. Commwlth. for &c. & same, &c. & Commwlth for &c. & same."

N. B. Silly, Constable in Stonewall Township having resigned, the Court doth appoint Reuben Rhodes to fill the vacancy occasioned by said resignation.

Ordered, That 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, Aug. 26, 1874.

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

Eli Armentrout, who was, at the March Term 1874 of this Court adjudged to be the father of a female bastard child of one Barbara Ann Hosler, and who was on the 17th day of August 1874, (it being the first day of the August Term 1874,) committed to the Jail of this County, for failing to execute bond as required by order of the Court, this day appeared in Court, and together with Jacob W. Rhodes and Reuben Sellers, his sureties, (who qualified as to their sufficiency, waiving the Homestead exemptions as to this obligation,) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law in such cases, and thereupon the Defendant was discharged from custody.

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

Chas. T. O'Ferrall,

In Vacation.

Before the Judge of the County Court of Rockingham County, this 1st. day of September 1874.

Reuben Bonds, who was, at the August Term 1874, of said Court, appointed Constable for Stonewall Township in said County in place of H. B. Lilly resigned, to serve as such until his successor is qualified to enter upon the discharge of the duties of said office, this day appeared before me in said County, and together with Peter Bonds, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Thousand dollars, conditioned for the faithful discharge of the duties of his said office according to law, and thereupon took the several oaths prescribed by law.

All of which is hereby certified, (together with the bond aforesaid,) to the Clerk of the County Court aforesaid, who is directed to spread the same upon the order Book of said Court, and to record the bond as required by law.

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

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, September 21, 1874.

Present:- Hon. Charles F. 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, which List being received and examined by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Trust Deed	Geo. D. Anthony & wife,	to Wm. B. Lenty, Trustee for J. C. Marquis,
Bargain & Sale	Milton Taylor & wife,	" Adam Miller,
" "	Catharine Sommers, &c,	" John P. Brock,
" "	S. B. Good, Commr.	" Lewis B & Michael Turner,
" "	D. R. Hopkins, &c,	" George W. Linaweaver,
" "	Jonathan Shafer & wife,	" Gideon Kratzer, (in lieu of old deed)
" "	Milton Taylor & wife,	" Alfred Mefferick,
" "	same,	" Nathaniel Mefferick,
" "	J. N. Loewenbach, Trustee, &c,	" Coleman Brown,
" "	Samuel G. Strickler & wife,	" John W. Strickler,
" "	B. N. Davis Exrs	" Joseph A. Whitmore,
" "	Thomas N. Beck's,	" George N. Baker,
Power of Attorney	George W. Wise, guard. for &c,	" Cornelius Gilmore,
Bargain & Sale	George N. Beck's & others,	" Newton B. Saufley,
" "	Dorilas Maxey & others,	" Zachariah McCoy (old deed)
" "	John G. Heatwole's Heirs,	" Daniel Switzer,
" "	G. W. Berlin, Commr.	" Samuel A. Alleshaugh,
" "	David Showalter's Extx.	" Samuel Smith,
" "	B. F. Strickler & wife,	" John Strickler,
" "	James Rayner & wife,	" Manley Springe Company,
" "	John J. Roller & wife,	" Valley Railroad Company,
Trust Deed,	George W. Kratzer,	" Wm. L. Cooper, Trustee,
Bargain & Sale	Thomas Hoard & wife,	" David Rodes,
" "	E. J. Sullivan & wife,	" Harry Johnson,
" "	J. D. Price & wife & others,	" A. L. M. & M. Company,
" "	Wm. N. Kavanaugh & wife	" George W. Skelton,
" "	A. D. Almond & wife,	" Henry Foster,
" "	Silas R. Good & wife & others,	" Anthony Good,
" "	same,	" Sallie E. Good,
" "	Anthony Good, &c,	" Mary F. Good,
" "	same,	" Silas R. Good,
" "	same,	" J. F. Good,
" "	same,	" James W. Stinespring,
Bill of Sale,	John D. Draper,	" Amos Scott,
Bargain & Sale,	Levi Coffelt & wife,	" Micajah Shiflett,
" "	John Brunk & wife,	" James W. Sharp,
Trust Deed,	A. N. Brewer & wife,	" Granville Eastham, Trustee
Bargain & Sale,	George W. Effinger, & wife,	" Samuel A. Long, (old deed)
" "	John K. Benton's Admr. &c,	" same, (" ")

Bargain & Sale,	Wm. J. Chrisman, &c,	to	N. M. Beeny,
" "	W. B. Marshall, &c,	"	Wm. E. Marshall,
" "	Andrew J. Long & wife,	"	Isaac Price, Comm. for Mgt. Jane Price,
" "	Mary Ann Losh,	"	Maria Jane Boundyshell,
" "	Jacob Clinedinst & wife et al Heirs,	"	Jo. B. Wolf, trustee for Salina R. Shipp,
" "	George W. Airey & wife, &c,	"	Mary Ann Frank,
" "	Josiah Turner & wife,	"	Daniel Turner,
" "	Archibald Hopkins & wife,	"	H. G. John B. & Wm. W. Hopkins,
" "	John M. Sisler & wife,	"	Henry Mittig,
" "	Benjamin Tombs, Atty. for Jacob Custer,	"	Benjamin Custer,
" "	Jonathan Breedemier & Heirs,	"	Morgan Dean,
" "	John Spader & wife,	"	Selah F. & James M. Denton,
" "	David Sample & wife,	"	Michael L. Sellers,
" "	James M. Dimmick & wife,	"	M. B. Blaikley,
" "	M. J. Carrier,	"	Jennie E. Carrier,
" "	John D. Dennison & wife,	"	Reuben Risling & Jacob R. Good,
" "	Henry Neff, Comm'r,	"	Elizabeth Cornell,
" "	Jacob Gettemacher & wife,	"	A. P. Horn & P. J. White,
" "	Wm. B. Compton, Comm'r,	"	Charles E. Haas,
" "	Wm. Beard, Comm'r,	"	Wm. P. Denton,
" "	Philo Bradley & wife,	"	Joshua Milton,
" "	George W. Airey, &c,	"	Robert G. Coakley,

The appraisement Bill of the Estate of Henry L. Showalter was presented in Court, and no exceptions being taken thereto, the same is ordered to be recorded.

Ordered, That Simeon Smith, on motion of the Attorney for the Commonwealth, be appointed Registrar at Edom, in place of Wm. R. McKeever, resigned.

Whereas, an election Precinct has been established by the Township Board of Stonewall Township at Furnace No. 2 in said Township in this county, It is ordered on the motion of the Attorney for the Commonwealth that James M. Blain be appointed Registrar and Jackson Garrison, Sebastian Propes and Stephen Bousley be appointed Judges of Election at said Precinct.

On motion of Geo. Roadcap, the estate of Isaac Ritchie is committed to the Sheriff of this County, D. N. Rolston, for administration.

On application of Elizabeth Landes, the Overseer of the Poor for Decatur Township is directed to bind as an apprentice to said Elizabeth Landes, Laura C. Grier, until the said Laura C. becomes eighteen years of age, it appearing to the Court that said child is likely to become chargeable to the County, said Elizabeth Landes shall teach said apprentice the business of housekeeping, shall furnish her food and clothing during her apprenticeship, and teach her reading, writing and common arithmetic, including the rule of three.

c/d, m/d.

On motion of James O. Ralston, S. R. C., and as such Admr. of George W. Miller, dec'd, the Court doth appoint C. W. Harnsberger, Wm. H. Marshall, Henry Shipp, T. K. Miller and Jacob Bear to appraise the Estate of said Geo. W. Miller, dec'd, any three of whom may act, after first being duly sworn.

On the petition of C. L. Saunders, through his counsel, the wife of the said Saunders is allowed to visit him in his cell in the Jail of Rockingham County, the precaution of examination of Mrs. Saunders being first made to ascertain if she has any instrument about her which would assist the prisoner in an attempt to escape - said examination to be made by a female. Said visits to be allowed once every week, till further orders, made either in term or vacation.

The writing purporting to be the last will and testament of Michael Wine, dec'd, was this day presented in Court, and being proven by the oaths of George W. Wine and Andrew J. Long, two of the subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Isaac Reedy, dec'd, was this day presented in Court, and being proven by the oaths of John Hess and Isaac Shoemaker, the two subscribing witnesses thereto, was admitted to probate.

The Court doth order that the Rules which were directed to issue against the parties Plaintiff and Defendant on the motion Docket, to the October Term next, be made returnable to the November Term instead of the said October Term next.

On the motion of John Funk, who was, on the 4th day of September 1874, duly commissioned a Notary Public in and for the County of Rockingham, by the Governor of Virginia, he this day appeared in Court and together with Solomon Funk, his surety, who protified as to his sufficiency, entered into and acknowledged a bond in the penalty of $500. conditioned as the law directs for the faithful execution of the duties of his office. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said John Funk took the several oaths prescribed by law.

Henry E. Sipe, Plaintiff
&
E. L. Lambert son of Jenkins & Harlow, Garnishees
vs.
Commonwealth
&
Geo. W. Entzler, &c., Defendants
Attachment.

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

This day appeared in Court George W. Entzler and John Entzler, and the said George W. Entzler for himself and the said John Entzler acknowledged himself to be indebted to the Commonwealth of Virginia in the sum of $50 to be levied of his respective goods and

chattels, Lands and tenements, yet upon this condition that he the said George M. and John Entzler, do make their personal appearance before the Judge of this Court on the 1st day of the November Term next, as witnesses in behalf of the Commonwealth against John Morris.

c.p.d. & d.

Dr. H. C. Weade this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.00 for holding a post-mortem examination, near Mt. Crawford, on the body of an unknown infant, which was sworn to in open Court, examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.p.d.

L. L. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $73.00 for receiving, boarding and releasing sundry prisoners, named therein, which was sworn to in open Court, examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c.p.d.

L. L. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.30 for receiving, boarding and releasing George Hammer, a Lunatic, which was sworn to in open Court, examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Keltzel's Mill Road to Whitmore's Blacksmith Shop.

The Defendant Jacob Dundore having been summoned to shew cause why said Road should not be established, and having this day appeared in Court in response to said summons, and it appearing to the Court from the evidence adduced that said Dundore had never been summoned before to shew cause against said Road, and that he never consented to its establishment, on his motion, a writ of ad quod damnum is awarded to him according to law, to be executed by the Sheriff of this County, on the 9th day of October 1874.

The Court doth this day appoint Wm. E. Roller a Constable to fill a vacancy existing in Ashby Township, in this County, to serve as such until his successor is qualified to enter upon the discharge of the duties of his office, and thereupon the said Wm. E. Roller appeared in Court, and together with Peter Roller, his surety, (who justified as to his sufficiency) entered into and acknowledged in open Court, a bond in the penalty of Two Thousand Dollars, conditioned for the faithful execution of the duties of his office. And thereupon the said Wm. E. Roller took the several oaths prescribed by law.

The writing purporting to be the last will and testament of Jacob M. Fisher, deceased, together with a codicil thereto attached, was this day presented in Court and being proved by the oaths of J. W. Jacobs, & J. D. Bucher, and Frederick Speck, three of the subscribing witnesses thereto, was admitted to probate; and on motion of Malinda Jane Fisher, she ap-

peared in Court, and together with B. F. Long, Sen. surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law, a certificate is granted her for obtaining letters of administration in due form upon the Estate of said Jacob W. Fisher, with the will annexed, and made oath thereto according to law.

And the Court doth appoint J. D. Bucher, F. K. Speck & G. T. Backer to appraise the Estate of said Jacob W. Fisher, after first being duly sworn.

On the motion of Henry Moffett the Executor therein named, who presented in Court an attested copy of the last will and testament of Sarah E. Moffett, dec'd, together with the certificate of Probate thereof in the Circuit Court of Suwannee County Florida, the same is admitted to probate, and thereupon the said Henry Moffett appeared in Court and together with N. M. Newman, 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, and qualified as Executor under said will.

And the Court doth appoint Thornton Thomas, Emanuel Hoover, Benjamin Hoover and Walter Newman to appraise the Estate of said Sarah E. Moffett, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of John A. Rolston, sen'r. dec'd, together with a codicil thereto, was this day presented in Court, and the will bearing proven by the oaths of Archd. Hopkins jr, Jacob S. Bowen and George Lehmonman, the subscribing witnesses thereto, and the codicil by the oaths of George Foltz and John P. Miller, two of the subscribing witnesses thereto, were admitted to probate.

Wm. Eiler, Edward L. Kempfer, D. Eiler & G. W. Mauzy, Comm'rs appointed at the last term of the Court to lay off and assign Dower to Margaret M. Peale, widow of Jonathan Peale, this day presented their Report in Court, which is ordered to be placed on the Court's Docket

John Archart's Adm'x,

vs

Mathias M. McMullen & James N. McKick. } Upon a Scire facias to revive a judgment.

On motion of the Plaintiff, by counsel, and it appearing to the Court that the process has been returned duly executed upon James N. McKick, one of the defendants, and he failing to appear, It is considered by the Court that this cause be revived and proceed in the name of Wm. A. Archart, Adm'x of John Archart, dec'd, and that the Plaintiff may have Execution against the Defendant James N. McKick for the sum of $100.00 with interest thereon from March 19, 1855 till paid, and $7.31 Costs, together with his costs in this behalf expended, subject to credits of $42.50 May 8, 1869, & by $12.00 May 24, 1869 & by $45.00 April 1, 1871.

James A. Harding, use of G. W. Berlin, } Upon a Sug.
vs.
Valentine Bolton, gar. of A. W. Knipple. }

This day Valentine Bolton, in obedience to a summons returned executed upon him, appeared in Court, and acknowledged his indebtedness to the Defendant A. W. Knipple, in a sum sufficient to pay the Plaintiff's debt, interest and costs, It is therefore considered by the Court that the Plaintiff recover of the Defendant Valentine Bolton the sum of $13.06 with interest thereon from June 7, 1867, till paid, and $4.96 Costs, and his costs by him in this behalf expended.

A. T. Skinner } Upon a Notice.
vs.
James P. Poleton, late Sheriff of Rockingham County. }

The Defendant having acknowledged service of this Notice, on motion of the Plaintiff, It is considered by the Court that the Plaintiff recover of the defendant the sum of $187.25 debt and $2.15 costs of Protest, with legal interest thereon from 15th day of Nov. 1871, till paid, $19.56 costs to the amount of $ collected by S. C. Bare, late Deputy for said Sheriff by virtue of an Execution issued from the Clerk's office of this Court on the 31st day of March 1873, in favor of the Plaintiff against J. W. West, Elizabeth West &c., which said Deputy failed to pay over to the Plaintiff, and also his costs by him in this behalf expended.

Henry S Soule, Collector of Ashby Township, J. B. Earthman, Collector of Stonewall Township, M. J. Zinkle, Collector of Linville Township, E. R. Neff, Collector of Plains Township and A. W. Brewer, Collector of Central Township, this day presented in Court Lists of Delinquents for the non-payment of Capitation & Property Tax, and Lists of Improper Assessments of Lands in said Townships for the year 1873, with the oaths of the said Collectors at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessors of said Townships, touching the propriety of said Lists, and each case therein contained, verified by their oaths thereto annexed, which said Lists after being examined by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

Daniel R Allebaugh, Assessor of this County, this day presented in Court Lists of Real Estate delinquent for the non-payment of Taxes for the year 1873, in Ashby, Plains, Linville, Stonewall and Central Townships, with the oath of the said Assessor at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessors of said Townships, touching the Impropriety of such Lists, and each case therein contained, verified by their oaths thereto attached, which said Lists, after being examined by the Court, and the Court being satisfied of the correctness of the same, doth order that a copy thereof be certified to the Auditor of Public Accounts, by the Clerk of this Court.

Elias Grimm,
vs
Madison Michael, &c. } Unlawful E & D.

Ordered, That this cause be dismissed agreed.

On motion of Silas N. Taylor, and it appearing to the Court that at a former
e.p.d.o.d. term of the Court, an order was entered exempting him from the payment of
County & Parish Levies for the years 1872 & 1873, on account of his indigent cir-
cumstances, and it appearing that the same has been handed it is or-
dered that said Levies be refunded to him.

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

Chas. J. O'Finnall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, Sept. 22, 1874.

Present: Hon. Charles J. O'Finnall, presiding.

Ordered, That Court be adjourned until to-morrow morning at 8 o'clock.

Chas. J. O'Finnall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday September 23, 1874.

Present: Hon. Charles J. O'Finnall, presiding.

A. St. C. Sprinkel's Adm'x.
vs
Sam'l C. Allebaugh, late Sh'ff Rockingham Co. &c. } Upon a Notice.

The Defendant having acknowledged service of notice, on motion of the plaintiff, by counsel, It is considered by the Court that she recover of the Defendant the sum of $580.17 with damages in lieu of interest at the rate of 8 per centum per annum on $206.87 part thereof from the 15th December 1866 & on $373.30 the residue thereof from the 15th December 1867 till paid, subject to the following credits, viz: $25.00 June 18, 1866, $14.43 July 9, 1866 - $39.52 July 31, 1867 & $75.00 Jany. 6, 1868, & continued as to residue of the amount claimed in the notice, being for fees delivered to R. G. Coakley, a deputy of the Defendant, and unaccounted for by said Deputy, and her costs by her in this behalf expended.

George G. Strayer, Constable of Stonewall Township tendered his resignation on this day, which is accepted, and the Court declines to fill the vacancy at this term.

S. P. H. Miller, Commr. of Roads for Stonewall Township and James C. Wetzel, Commr. of Roads for Central Township having this day returned to this Court, a bond xxxx xxx in the penalty of $1500 executed by John W. Woods, with Joseph N. Ruley as his security for the faithful performance of the contract entered into between said Road Commrs. on behalf of the County and the said Woods for the repairing of the Bridge across Shenandoah River at Riner Bank, and also the contract entered into by said Commrs. on behalf of the County with the said John W. Woods for the repairing of said Bridge, as directed by an order entered at last term of the Court, which said bond and contract being examined by the Court, are approved and satisfied, and they are hereby directed to be filed in the Clerk's office of this Court.

M. & St. Louis R. R. Co,
vs
Benjamin Mauger,
} Upon Report of Commrs.

This day came the parties by their Attorneys, and the Report of the Commissioners appointed at the last term of this Court, together with the certificate of the Notary Public who administered the required oath to said Commissioners, being returned to Court, and it appearing to the Court from the report of the said Commrs. appointed as aforesaid, to ascertain what will be a just compensation for such part of the land of the freehold whereof Benjamin Mauger is tenant, as is proposed to be taken by the M. & St. Louis R. R. Co. for its purposes, and those being that the amount of damages which the said Mauger will sustain and which will be a just compensation to him, will be Eight Hundred dollars; and there being no cause shown against said Report by either party the same is confirmed, and ordered to be recorded, and the Court doth order that the General Receiver of this Court do pay over to the said Benjamin Mauger the sum of $450 cts the amount of compensation as ascertained by the report of former Commrs. appointed in this case, and now in the hands of said Receiver, and it further appearing to the Court that the amount ascertained by the last report, and this day returned as aforesaid exceeds the sum ascertained in the former report in the sum of $350 cts. It is considered by the Court that said Mauger do recover of said M. & St. Louis Railroad Company the said sum of $350 00 and also his costs, occasioned by this and former applications for Commissioners.

Ordered, That John Paul Lee allowed the sum of $41.66⅔ for his services in this Court as Commissioner as this attorney for month of September 1874.

Ordered That Court be adjourned until the first day of 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, October 19, 1874:

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, ste and since the last September Term, which List being seen and examined by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	Peter Beery & Mary his wife, &c,	to Benjamin Mowbray,
Trust Deed,	George Mull,	" M. J. Meyerhoeffer, trustee, &c,
Deed of Gift,	Fry Overton,	" Nancy Overton,
Bargain & Sale,	John M. Dinkle & others,	" Wm. Rehard,
"	" Wm. B. Compton, Commr.	" L. L. Reed,
"	" Wm. B. Abbott,	" Zachariah Raines, (Old deed)
"	" Ro. F. Dettor & wife,	" A. J. Chase,
"	" Robert Black,	" John Bowman,
Agmt. in Bankptcy,	G. D. Gray, Reg in Bankruptcy,	" F. A. Berlin, trustee,
Bargain & Sale,	Sarah Fry & others,	" Jacob S. Fry,
"	" Reuben Bottinger,	" Jacob Yancey,
"	" John Koontz & wife,	" Wm. F. Dinkel,
"	" Daniel Bowman & wife,	" Solomon Thomas Denton,
"	" Harvey Liskey & wife,	" Andrew D. Shufflett,
"	" Peter Showalter, Sr. & wife,	" Peter Showalter, jr,
"	" Wm. B. Compton, Commr.	" James R. Eiler,
"	" L. Eger & wife,	" Mrs. A. L. Jordan,
Deed of Homestead,	James Kelly,	
Bargain & Sale,	J. N. J. Funkhouser & wife,	" Joel Funkhouser,
Deed of Release,	John D. Funkhouser's Heirs,	" John D. Funkhouser's Admr,
Agreement, &c,	Christena Funkhouser's Heirs,	
Power of Attorney,	Joel Funkhouser & others	" Jacob Funkhouser,
Bargain & Sale,	John Paul, Commr.	" Rebecca J. Gray,
"	" B. G. Patterson, Commr.	" A. M. Newman, jr,
"	" T. J. Butler & wife & others,	" C. D. & A. D. Gray, trustees for Mrs. M. P. Gray,
"	" C. D. Gray & A. D. Gray, trustees for Mrs. M. P. Gray, &c,	" A. M. Newman, jr,
Deed of Homestead,	John D. Hopkins,	
Bargain & Sale,	John Runnels & wife	" Wm. G. Brown,
"	" Christena Green	" same,
Trust Deed,	Robert D. Spindle & wife, &c,	" J. C. Walker, trustee, for &c,
Bargain & Sale,	" Wm. Sigler,	" Dennis M. Barker,
"	" James D. Freeze & wife	" Elvira C. Freeze,
"	" Susan Sandlert,	" Elias Horn,

An Appraisement & Sale Bill of Personal Property belonging to Estate of R. L. Yancey, dec'd, was this day presented in Court, and no exceptions thereto, the same is ordered to be recorded.

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 Accounts of Jacob C. Shank, Ex'or. of Jacob Shank, dec'd,
" " " " " E. F. Rinker, " " Mary Bufford, dec'd,
" " " " " J. C. Dingledine " " Balser Dingledine, dec'd,
" " " " " Jesse Ralston, Adm'r. D. B. N. Jesse Ralston, dec'd,
" " " " " Benjamine Hoover, guard. of Helena Knopp,

N. F. Girton, vs. Allen Devier, ---- Attachment,
G. C. Patterson, &c., " Maria Devier, - - - Sug,
Wm. Minnick, " Noah Billeat, - - - Att.
J. G. Mansfield, " Thomas Atchison, - - Sug,
S. G. Long, for &c., " B. F. Thomas, - - Sug,
James M. Lowman, " James McDorman, - - Att,
Woodson & Compton, " same, - - - - Att.
George Sites Adam, " Anthony Rhoden jr., Sug,
J. B. Doran " George Kiser, - - - Sug,
George Dugdale, " C. P. Knapp & Co, - - Sug
James C. Weltzel, " Daniel Stouffer, - Att,
same, " L. G. Hopkins, &c, & an. &c, - Att.
Samuel Early, " R. M. Baker, - - - Capias
Joseph Beery, " John E. Massey - - Sug,
S. G. Long, for &c, " same, - - - - Sug,
same, " same, - - - - Sug,
D. Stouffer, for &c, " Wm. B. Compton, - Sug,

On motion of Plaintiffs, by counsel, it is ordered that the foregoing seventeen causes on the motion docket be dismissed.

On motion of D. M. Rolston, Sheriff of this County, George W. Fulk, George Hawley and Samuel Miller, are appointed to appraise the Estate of Isaac Ritchie, dec'd, after first being duly sworn.

On application of Joseph Bear, Overseer of Poor for Stoneman Township, It is ordered that said Overseer of Poor bind as an apprentice to Wm. C. Patterson of Rockingham County, Joseph Hinton, infant son of Sarah Hinton, aged eight years, until he the said Joseph Hinton becomes twenty one years of age, the business which said Apprentice is to be taught is that of farming. The said Wm. C. Patterson shall maintain said apprentice, teach him reading, writing and arithmetic as far as the Rule of Three, and also pay to said Apprentice at the end of his 21st year, the sum of One hundred Dollars, for which payment bond shall be taken by said Overseer of the Poor.

John A. Armentrout, the surety of Peter W. Armentrout, the guardian of the infant children of Philip and Margaret A. Horlen, having produced in Court, a notice, service of which was acknowledged by said Peter W. Armentrout, requiring him to execute new bond as said guardian, and the said Peter W. Armentrout, appearing in Court, by counsel, and declining to

execute said new bond, It is considered by the Court that his powers as said guardian be and the same are hereby revoked.

Commonwealth
vs
John M. Glaf. } Upon an Indictment.

This day the Defendant John M. Glaf appeared in Court and confessed judgment for the sum of One Cent and costs. It is thereupon considered by the Court that the Commonwealth recover of the Defendant the sum of One Cent and her costs by her in this behalf expended.

This day John Hartman, charged with being implicated in a felony, was led to the bar of the Court, in custody of the Sheriff of this County, and on his motion, by counsel, was admitted to bail; and thereupon the said John Hartman, together with Stephen Roadcap and George Hoover, his sureties, (who justified as to their sufficiency,) acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of Two Hundred Dollars, 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 John Hartman do make his personal appearance before the Judge of the Circuit Court of Rockingham County, at its next January Term on the first day thereof, to answer an Indictment of the Grand Jury.

Wall, Kirkpatrick & Co.,
vs
M. A. Crabill & M. G. Harman, } Upon a Notice upon a Forthcoming Bond for delivery of Property upon the day of sale.

This day came the Plaintiffs, by their Attorney, and the Defendants being solemnly called came not, the Notice was proved, and it is considered by the Court that Plaintiffs have judgment & Execution against the Defendants according to bond and for costs.

Jack Brown this day appeared in Court, under a recognizance entered into before W. M. Sibert, a Justice of the Peace of this county, upon a charge of bastardy, and on his motion, by counsel, the Court doth quash the said recognizance for reasons appearing to the Court, and the cause dismissed.

cfpd. On motion of John Dodson, he is relieved from the payment of County and Parish Levies for the years 1873 and 1874, on account of said indigent circumstances.

Supt. of the Poor,
vs
Reuben May, } Upon a Recognizance on charge of Bastardy.

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

L. N. Ott, Coroner of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.00 for holding
c/d. Inquest upon the body of an unknown infant in the Town of Mt. Crawford, 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.

Drs. J. H. Neff and Geo. D. Dinges this day presented in Court, each an Acct.
c/d. against the Commonwealth of Virginia, amounting to the sum of $10. for services upon the examination of the dead body of an unknown infant, at Coroner's Inquests, held in the town of Mt. Crawford, which being sworn to in open Court, were examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

On motion of A. C. Long, who made oath thereto according to law, he appeared in Court, and together with Silvius Sellers, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Jesse Garrier, dec'd, it appearing by certified evidence to the Court that the widow of said Garrier, Mrs. Hannah Garrier has renounced her right to administer upon said Estate.

And the Court doth appoint Simon P. Cummings, Eli Long, James Stern & A. B. Swicely, to appraise said Estate of Jesse Garrier, any three of whom may act, after first being duly sworn.

On the motion of John N. Roleston and J. P. Roleston, the Executors named in the will of John N. Roleston Sr. probated at the last term of the Court, this day appeared in Court and entered into and acknowledged a bond in the penalty of One Thousand dollars, conditioned according to law, (without security as the will provides,) and qualified as the Executors of the last will and testament of the said John N. Roleston, dec'd.

The order made at the last term of this Court, on the motion of Jacob Dundore awarding a writ of ad quod damnum, to be executed upon his premises is hereby revoked, and on his motion the Court doth appoint J. P. Roleston, D. A. Beatwole, Michael Whitmore, George
issued Airey and Peachy Wine as Commissioners to go upon the land of said Jacob Dundore on the 10th day of Novbr. 1874, and view the tract of land upon which he now resides, in this County, and ascertain what will be a just compensation for such of the land of said Dundore as is proposed to be taken by the Road from Keltzels Mill to Whitmore's Blacksmith Shop for its purposes and for the damage to the residue of said tract beyond the peculiar advantages to be derived in respect to such residue from the road to be so constructed, and report to this Court.

Emanuel Sipe, for &c, vs D D Pennybacker, --- Sug.
Emanuel Sipe, " Davis Howard, --- Att.
R. B. Jones, " Daniel Stouffer, --- Att.
Wm S. Rodeffer, " Long & Eversole, --- notice,
Henry Strowander, " Lydia Strowander --- Att.
M. S. Firkle, " Linville Township, --- notice,
C. F. Mayor & Bro, " James F. Bowman, --- Sug.

On motion of the Plaintiffs, by counsel, It is ordered that the foregoing causes be dismissed.

Commonwealth vs John Morris — Indictment.

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

Commonwealth
vs
George Clark, } Petit Larceny.

This day came the Defendant, by his attorney, and filed his plea of not guilty, and thereupon it is considered by the Court that the trial of this cause be continued until the next term.

On an application to establish a public road leading from the old Swift Run Gap Road to the widow Leake's, the Comm'rs of Roads for Central Township, James L. Heltzel, having this day returned into Court his report on a view of said proposed Road, It is ordered that the following land owners be summoned to the next term of this Court, to shew cause why the said road should not be established according to said report, to-wit: L. S. Reed, (exc'o on David Wright, if Reed not found,) Robert Cunningham, First National Bank of Harrisonburg, Garrett King, William Conrad, Calvin Miller, Robert Smith's Heirs — Kelly, Alfred Thompson, Jefferson Freese, Daniel Bierly & Mrs. Sarah Leake, (widow.)

issued 1 & 2 c'ps.

Ordered, That John Paul, Atty. for the Commonwealth for Rockingham County, be allowed the sum of $41.66⅔ for his services in this Court for the month of October, 1874. and that the same be certified to the Treasurer of this County for payment.

c'f'd 1d.

Peter M. Whitmore, who made oath thereto according to law, appeared in Court, and together with John H. Craven and James H. Plecker, his sureties, (who justified as to their qualifications) entered into and acknowledged a bond in the penalty of $2,300 cc conditioned according to law, a certificate is granted him for obtaining letters of administration, in due form, upon the Estate of Peter Plecker, dec'd,

c'f'd.

And the Court doth appoint Samuel Frank, Peter S. Roller, John Showalter & P. M. Dice, to appraise the Estate of said Peter Plecker, any three of whom may act after first being duly sworn.

Leo. Mise, who has heretofore in this Court, declared his intention to become a citizen of the United States of America, this day appeared in Court, and renounced his allegiance to every foreign Prince, potentate state, sovereignty or other Power, and especially to Emperor Joseph of the Empire of Austria, and thereupon took the oath to support the Constitution of the United States and fidelity to the Government thereof, and all other necessary oaths, and was thereupon admitted a citizen of the United States of America, with all the rights and privileges accorded to citizens thereof.

Abm. Bloser this day presented in Court an Account against the County of Rockingham, amounting to the sum of $3.80 for surveying road from old Harrisonburg & Swift Run Gap road to Port Republic road, and making plat thereof, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment.

R. A. Scott, &c. Jacob N. Grim. } Upon a warrant removed from a Justice.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, It is considered by the Court that the Plaintiff recover from the Defendant the sum of $34.02 with interest thereon from the 1st day of May 1872, and his costs, by him, in this behalf expended.

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

Chas. T. O'Ferrall.

In Vacation.

By the Judge of the County Court of Rockingham, this 30th. day of October 1874.

James Baker, who was appointed at the April Term last of said Court, one of the Commissioners of Election for Melrose Precinct in said County, having declined to act and failed to qualify, Lilburn Sellers is hereby appointed in his stead, as one of the Commissioners of Election for said Precinct.

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

Chas. T. O'Ferrall,
Judge of the 16th Jud. Dist. of Rockingham.

In Vacation:- Before the Judge of the County Court of Rockingham County, State of Virginia, this 24th. day of October 1874.

On the petition of John Kenan representing that he has been arrested, and is unlawfully detained in the custody of Levi S. Byrd, Jailor of said County, upon an alleged charge of Burglary; that there is no reasonable or probable cause to believe him guilty of the charge aforesaid, and that he is entitled to bail, a writ of Habeas Corpus is awarded the said John Kenan, to the said Levi S. Byrd, Jailor as aforesaid to be directed, commanding him to have the body of the said John Kenan before me, on Tuesday morning next, the 27th. day of October 1874. at 10 o'clock, together with the cause of his detention.

Chas. T. O'Ferrall,
Judge Co. Ct. Ro. Co.

In Vacation:- Before the Judge of the County Court of Rockingham County, State of Virginia, this 24th. day of October 1874.-

On the petition of Charles Bamlet, representing that he has been arrested, and is unlawfully detained in the custody of Levi S. Byrd, Jailor of said County, upon an alleged charge of Burglary; that there is no reasonable or probable cause to believe him guilty of the charge aforesaid, and that he is entitled to bail, a writ of Habeas Corpus is awarded the said Charles Bamlet, to the said Levi S. Byrd, Jailor as aforesaid, to be directed, commanding him to have the body of the said Charles Bamlet before me on Tuesday morning next, the 27th. day of October 1874, at 10 o'clock, together with the cause of his detention

Chas. T. O'Ferrall,
Judge Ro. Co. Ct.

In Vacation:- Before the Judge of the County Court of Rockingham County, this 27th. day of October 1874.

Ex-Parte,
John Kenan.

Levi S. Byrd, Jailor of the County of Rockingham, in obedience to the writ of Habeas Corpus awarded on the 24th. day of October 1874, and to him directed, brought before me, Judge of the said Court, John Kenan, in the said writ named, and certified that the cause of the detention of the said John Kenan, would appear by a Schedule annexed to the said writ: And thereupon, on motion of the attorney for the Commonwealth, the hearing of this matter is continued until Saturday next, Octo. 31st. 1874, at 10 o'clock, and it is ordered that the said Kenan be continued in the custody of the said Jailor.

All of which is hereby certified to the Clerk of the said Court, who is directed to record the same in the order Book of this Court, as a vacation order.

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

In Vacation:- Before the Judge of the County Court of Rockingham County, this 27th. day of Octo. 1874:

Ex-Parte,
Charles Bamber,

Levi S. Byrd, Jailor of the County of Rockingham, in obedience to the writ of Habeas Corpus, awarded on the 24th. day of Octo. 1874, and to him directed, brought before me, Judge of the said Court, Charles Bamber, in the said writ named, and certified that the cause of the detention of the said Charles Bamber would appear by a Schedule annexed to the said writ: And, thereupon, on motion of the Attorney for the Commonwealth, the hearing of this matter is continued until Saturday next, Octo. 31st. 1874, at 10 o'clock, and it is ordered that the said Bamber be continued in the custody of the said Jailor.

All of which is hereby certified to the Clerk of said Court, who is hereby directed to record the same in the Order Book of this Court, as a vacation order.

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

In Vacation:- Before the Judge of the County Court of Rockingham, this 31st. day of October 1874:

Ex-parte
John Kenan,

John Kenan, was this day again brought before me, Judge of the said Court, in pursuance of the order made on the 27th. inst, and, thereupon the Attorney for the said Kenan waived his application for the writ of Habeas Corpus together with the said writ, and declined to further prosecute the same. It is therefore, ordered that the said Kenan be remanded to and remain in the custody of Levi S. Byrd, Jailor of said County, until discharged by due course of law.

All of which is hereby certified to the Clerk of said Court, who is directed to record the same in the Order Book of this said Court, as a vacation order.

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

In Vacation:- Before the Judge of the County Court of Rockingham, this 31st. day of October 1874:-

Ex-parte
Charles Bamber.

Charles Bamber was this day again brought before me, Judge of the said Court, in pursuance of the order made on the 27th. inst, and, thereupon, the Attorney for the said Bamber waived his application for the writ of Habeas Corpus, together with the writ, and declined to prosecute for the same. It is therefore ordered that the said Charles Bamber be remanded to and remain in the custody of Levi S. Byrd, Jailor of said county, until discharged by due course of law.

All of which is hereby certified to the Clerk of said Court, who is directed to record the same in the Order Book of this said Court, as a vacation order.

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

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday November 16, 1874:-

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 October Term, which List being seen and inspected by the Court, is ordered to be spread upon the minutes and is as follows, viz:-

Agreement.	J. B. Roller,	&	Marie Martin & Martha Showalter,
Marriage Contract.	Henry Foner,	&	Hester L. Moore & David Beard,
Bargain & Sale,	A. M. Newman, Commr.	to	Jackson Maatz,
" "	Leonard Eger & wife		A. B. Lupton, trustee for M. J. Lupton,
" "	Leonhard Eger, trustee & Sarah Eger		same,
Trust Deed.	Wm. A. Macsahe,		John E. Roller, trustee, &c,
Bargain & Sale,	George W. May & wife	"	George Pfoff,
" "	George W. Kenpen & wife,	"	same,
Release Deed,	Benj. R. Walker & wife,	"	Timothy Funk,
Bargain & Sale,	A. Taylor & wife,	"	Solomon Huffman,
" "	Augustus Waterman,	"	John Wendell,
" "	John Wendell & wife	"	Hezekiah Spencer,
" "	Anthony Heckman & wife,	"	Henry Foner,
" "	Wm. J. Miller & wife,	"	John Aiken,
Trust Deed,	C. B. Luck, Agt. for Mrs. C. B. Luck	"	Ed. S. Conrad, trustee,
Bargain & Sale,	Williams Beam & wife	"	Isaac Good,
" "	Henry Shank & wife,	"	John A. Fulty,
" "	John Spader & wife,	"	John Cowan,
" "	J. A. Loewenbach & wife,	"	R. B. Jones,
" "	G. W. Berlin,	"	J. W. F. Allemong,
" "	J. P. Effinger & wife,	"	Wm. A. Conrad,
" "	Joseph Good & wife,	"	John Winegard,
" "	Josiah Beery & wife, &c,	"	John P. Swank,
Homestead.	Levi P. Plum,	"	
Bargain & Sale,	Frances Shank	"	Jacob Wenger,
" "	James M. Brenneman & wife	"	E. A. Neff,

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

Appraisement & Sale Bill of the Property of Eli Anders' Est.

" " " " " " " " Malinda Layman's Est.

B. F. Wheeler,

vs

J. A. Loewenbach, gar. of E. W. B. Huffman } upon a sug.

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

Ordered, that the List of Real Estate in the County of Rockingham returned delinquent for the non-payment of the Taxes due thereon since the 10th. day of April 1865, including all lands purchased by the Commonwealth for the Taxes of 1865, 1866 1867, 1868, 1869, 1870 and 1871, which have not been released, and are now transmitted for sale in 1874, and of all Real Estate returned delinquent for the non-payment of the State Tax, assessed thereon for the year 1872, which has not heretofore been returned or offered for sale, as compiled by the Auditor of Public Accounts under the Act approved April 28, 1874, together with the notice of sale appended thereto, be published for four successive weeks in the "Old Commonwealth," a newspaper published at Harrisonburg in this County; the expense of which shall be paid as provided for by Section 7 of Chap. 271 of the Acts of the General Assembly of Virginia of 1874.

c on/d.

On the motion of Russel Wright, he is relieved from the payment of County & Parish Taxes, on account of physical disability, including the year 1874.

c on/d + d to J.S.H.

Upon the application of Hiram A. Taylor & Joseph F. Taylor, the Court doth direct Samuel P.H. Miller, Commissioner of Roads for Stonewall Township, to examine and view one or more routes for the establishment of a new road, beginning at or near the intersection of the Massanutten Road and Dunne's Run, running near the Old Church, called Peter's Church to Taylor's Ford on the Shenandoah River, near the Shenandoah Iron Works, on the line between the counties of Rockingham and Page, and report to the Court, in pursuance of Sections 21st & 23d. Chapter 52 Code Va. 1873.

On the motion of Henry C. Sheets, who made oath thereto according to law, he appeared in Court, and together with Samuel Click, his security, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of ---- conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of his deceased wife, Lydia Sheets, and the Court doth appoint Fred'k. Cline, Benj. Mauzy & Daniel Sheets, husband of Lydia, to appraise the Estate of said Lydia Sheets, after first being duly sworn.

On the motion of the distributees of the Estate of Jannco M. Dovel, dec'd, Wm. M. Dorrough, who made oath thereto according to law, appeared in Court, and together with Catharine Dovel and Laura Dovel, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $300.00, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Jannco M. Dovel, dec'd,

c on/s 11.

And the Court doth appoint M.E. Roller, Reuben Huffman, A. Myers and Jacob Garber to appraise the Estate of the said Jannco M. Dovel, dec'd, after first being duly sworn.

On the motion of Daniel A. Kline & Samuel M. Kline, the Executors named in the last will and testament of Michael Kline, which was probated at the last term of this Court, they appeared in Court, and together with John Glick & John Carascope, his securities, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $5000.00 conditioned according to law, and qualified accordingly, and the Court doth appoint Geo. W. Kline, Wm. Curry and Daniel Cupp to appraise the Estate of the said Michael Kline, after having first been duly sworn.

The writing purporting to be last will and testament of Catharine A. Burkholder, dec'd, was this day presented in Court, and being proven by the oaths of Michael Shank & Abraham Bloser, two of the subscribing witnesses thereto, was admitted to probate, and upon the motion of Abram D. Burkholder & David H. Burkholder, the Executors therein named, they appeared in Court, and together with Abram Bloser, their surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1200.00 conditioned according to law, and qualified accordingly.

Reuben A. Scott, Adm'r. of the Estate of Wm. Danley, dec'd, having been required by a Decree of the Circuit Court of this county, in a cause therein pending in the name of The First National Bank of Harrisonburg vs. Wm. Danley's Adm'r. to execute a new bond as such Adm'r. in the penalty of $800.00, on his motion he has leave to renew his bond as said Adm'r. and thereupon he appeared in Court, and together with Amos Scott, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law.

Dora Bess Johnson, an infant over the age of 14 years, this day appeared in Court, and made choice of John Wiener, as her guardian, and thereupon the said John Wiener appeared in Court, and together with Henry B. Warnberger, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $250.00 conditioned according to law, and qualified accordingly.

N. Newman Peale & Jonathan Peale's Adm'rs. vs. Joseph Dinkel & J. C. Herring, } Notice } Attachment.

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

Md. C. & St. Louis Railroad Company vs. Hiram Coffman, } Rep'nt of Comm'rs. [illegible]

Ordered, That this cause be dismissed at the Plaintiff's costs.

M. & C. & St. Louis Railroad &c.,
vs
Hiram Coffman.
} Upon a motion.

On the motion of the defendant, Hiram Coffman, it is adjudged that the Report of Commissioners William Eiler, Edward L. Kemper and John A. Rolston, awarding to the defendant the sum of Eight Hundred and fifty dollars, the sum ascertained by them as a just compensation to the said defendant for the part of the land taken by the plaintiffs for their purposes, and for the damage to the residue of the tract beyond the peculiar benefits to be derived in respect to such residue from the work to be constructed by the plaintiffs, be and the same is hereby confirmed. And it is ordered that the Receiver of this Court pay over to the defendant Hiram Coffman, the said sum of Eight Hundred and fifty Dollars, and it is further ordered that the Defendant recover his costs in this motion.

capias for H. Coffman

A notice was this day returned into Court, from Adam M. White the surety of Samuel Whitmore, upon his official bond as guardian of, Julia A., infant child of Peter White, dec'd, duly executed upon said Whitmore, requiring him to execute a new bond as said guardian, and he appearing in Court, by counsel, and declining to execute a new bond, It is considered by the Court that the powers of said Samuel Whitmore as said guardian, be and the same are hereby revoked.

ca. ch's.

On the motion of Adaline Koontz & others, the Estate of Catharine Koontz, dec'd, is committed to D. A. Rolston, Sheriff of this County, for administration.

Same order, on same motion, in regard to Estate of Elizabeth Seal, dec'd.

On the motion of C. B. Luck, he having produced in Court, the recommendation of the Common Council of the Town of Harrisonburg, & appearing to the Court, that he is a man of good character, not addicted to drunkenness, and will probably keep such an House as the law requires, and that the place is a proper place, It is ordered that a certificate be granted him to obtain License to Keep an Eating House, at his place of business, the "Spotswood" Hotel, in the town of Harrisonburg, with the privilege of retailing spirituous liquors, &c, to be drunk at the place where sold, together with Merchants' Retail & Liquor License, until the 30th day of April 1875.

cop's.

Michael Whitmore, Peachy Wine and David S. Heatwole, three of the Comm'rs appointed at the last term of the Court, on the motion of Jacob Dundore to go upon his lands and ascertain the damages, &c, consequent upon the construction of the proposed road from Waltz's Mill to Whitmore's Blacksmith Shop, this day returned their report into Court which is ordered to be filed in the papers of the cause.

Commonwealth.
vs.
Eliza Campbell } Upon an Indictment for selling ardent spirits without a License. (No. 1.)

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, and the Defendant demurred to the Indictment, which was overruled by the Court, and thereupon the Defendant confessed a judgment for the sum of $30.00 and costs; It is therefore considered by the Court that the Commonwealth recover of the Defendant the sum of $30.00 and her costs by her in this behalf expended.

Commonwealth
vs.
Same, } Upon an Indictment for same No. 2.

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, and the Defendant demurred to the Indictment, which was overruled by the Court, and thereupon the Defendant confessed a judgment for costs; It is therefore considered by the Court that the Commonwealth recover of the Defendant, her costs by her in this behalf expended.

Same,
vs.
Same, } Upon an Indictment for same No. 3,

This day came as well the Attorney for the Commonwealth, as the Defendant, by counsel, and the Defendant demurred to the Indictment, which was overruled by the Court, and thereupon the Defendant confessed a judgment for costs; It is therefore considered by the Court that the Commonwealth recover of the Defendant, her costs by her in this behalf expended.

Same,
vs.
Same, } Upon an Indictment for same, No. 4,

This day came as well the Attorney for the Commonwealth, as the Defendant, by counsel, and the Defendant demurred to the Indictment, which was overruled by the Court, and thereupon the Defendant confessed a judgment for costs; It is therefore considered by the Court that the Commonwealth recover of the Defendant, her costs by her, in this behalf expended,

J. G. Hewlett & A. Hewlett, late partners doing business under the name of J. G. Hewlett & Son,
vs.
John Bishop & E. A. Peale, Admrs. of Jonathan Peale, dec'd, } Scire facias to revive a judgment

This day came the Plaintiffs by their Attorney, and it appearing to the Court that the process has been returned duly executed upon

the Defendants and they not appearing, upon motion of the Plaintiffs by counsel, It is considered by the Court that this judgment be revived against John Bishop and E. O. Peale, Admrs of the Estate of Jonathan Peale, dec'd, and that the Plaintiffs have execution against them for the sum of $982.91 with interest thereon from Nov. 1, 1868 till paid and $6.46 costs, subject to the following credits: Jany. 24, 1870, by $350.00 & Sept. 2, 1873, by $500.00 paid by T. Dickey, and also their costs by them in this behalf expended, to be levied of the goods and chattels of the Est. of said Jonathan Peale to be administered.

Commonwealth
@
Peter Bonds, } Upon an Indictment for trespass.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and on motion of the Defendant, and for reasons appearing to the Court, It is considered by the Court that Augustine Arrentout be endorsed as prosecutor, and the trial of the cause is continued until the next term of this Court.

Same,
@
T. W. Rinehearte, } Upon an Indictment for I. A. B.

Ordered that the trial of this cause be continued until the next term of this Court.

c/O. & d. Ordered, That John Paul, Attorney for the Commonwealth be allowed the sum of $41.66⅔ for his services in this Court for the month of November 1874, and that the same be certified to the Treasurer of this County, for payment.

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

Chas. E. O'Finall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, November 17, 1874.

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

On the motion of Rev. D. L. Wilson, it appearing to the Court that he is a regularly ordained Minister in the Presbyterian Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with J. H. Basore, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, and qualified accordingly.

Charles R. Rush, adm. of David Scott, dec'd. vs. George K. Gilmer. } Scire facias to revive a judgment.

This day came the Plaintiff, by his attorney and it appearing to the Court that the process has been returned duly executed upon the Defendant, and he not appearing, upon the motion of the Plaintiff by counsel, it is considered by the Court that this judgment be revived in the name of Chas R. Rush, adm. of David Scott, dec'd, and that the said David Scott's Adm. may have execution against the said Defendant, George K. Gilmer for the sum of $684.99 with interest on $440.00 part thereof from 2nd day of March 1858, on $50 another part thereof from the 22d day of March 1858, & on $234.99 the residue thereof from the 19th day of April 1858, till paid, and also $4.56 Costs, subject to a credit of $192.64 as of date Feby. 15, 1858, and also his costs by him in this behalf expended.

Levi S. Byrd, Jailor of this County, this day presented in Court an Account, amounting to the sum of $31.00 against the County of Rockingham for Lamps, wood, &c, for the Court House, which, being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment. Cert'd.

Levi S. Byrd, Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $110.05 for receiving, dieting &c, the following named prisoners, viz:- Robert Johnson, Ned Jaunte, James Locus, John Bateman, Edward Brinnick & Robert Faulkner, 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. Cert'd.

Commonwealth vs. John Morris. } Upon an Indictment for misdemeanor.

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, and thereupon the Defendant confessed a judgment for $5.00 and costs; It is therefore considered by the Court that the Commonwealth recover against the Defendant the sum

of $3.00 and fees costs, by her in this behalf expended.

Ordered, That the following named Jurors be allowed the sums opposite their names for their services at this Term of the Court, in the trial of misdemeanor causes, to be certified to the Auditor of Public Accounts for payment, viz:-

J. W. Mauck $1.00 cts. J. M. C. Vanausdegen, 2.00 S. S. Rohn, $2.00 cts.
certified to Aud. of Marion Long, 1.00 cts. Chas. D. Acker, 2.00 cts. Thos. G. Logan, 1.00 cts.
Pub. Accts. Isham Probst 1.00 Michael Lohr 2.00 cts John Kelly, 1.00 cts.
James Steele, 1.00 Peter Roller, jr. cts. 2.00 Jonas Kellen, 1.00 cts.
W. W. Myers 1.00 cts. Geo. W. Cahoon 2.00 cts. B. F. Wheeler, 1.00 cts.
Jacob D. Driver, $2.00 cts.

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

This day came as well the Attorney for the Commonwealth as the Defendant by his attorney; and thereupon came a Jury to wit:- J. M. C. Vanausdegen, Chas. D. Acker, Michael Lohr, Peter Roller, jr., George W. Cahoon, S. S. Rohn, Thos. G. Logan, John Kelly, Jonas Kellen, B. F. Wheeler W. W. Myers and James Steele, who being elected, tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence, 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 and form as charged in the Indictment & ascertain the term of his imprisonment in the County Jail at five months", and it appearing that the Defendant is not in Court, It is ordered a Capias ad Addendum do issue, directed to the Sheriff of this County.

rcvd Nov. 11/76.

Superintendent of the Poor, } Bastardy.
&
Reuben May, }

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the Court having heard the cause doth adjudge him to be the father of a male bastard child of Elizabeth H. Crawford, an unmarried woman, Therefore it is considered by the Court that the said Reuben May be charged with the annual payment of $20.00 to the Superintendent of the Poor of said County for seven years from the birth of said child, to wit:- seven years from the 28th. day of August 1873, unless it sooner die; and thereupon the said Reuben May appeared in Court, and together with G. W. Mauzy his surety, who justified as to his sufficiency, waiving the Homestead exemptions as to this obligation, entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, in such case, and thereupon the Defendant was discharged from custody; & it is also considered that the Pltff. recover his costs by him in this behalf expended.

On the petition of J. W. Lankins, C. W. Law, A. H. Law and others asking for a change in the location of a road running from Pinch Bank Mills to a point on the "Swift Run Gap road," at a point on the lands of W. S. Miller, established by order of this

Count, at the January term, 1873.

It is ordered that the changes asked for be made, and that the said road commencing on the lands of Yancey & Gibbons at a point on the route adopted at the Janu. term, 1873 runs thence N. 39½ E 116 poles, thence N. 32 E 46 poles, thence N. 34 E 22 poles, thence N. 19 E 22 poles, thence N. 7½ E. 36 poles, thence N. 1 W 10 poles, thence N 47½ W 31 poles, thence N. 28 W 22 poles to the Swift Run Gap road. And it is further ordered that Stonewall Township do pay G. W. Mauzy, Julia Winebrough, J. C. Mauzy and R. Mauzy, fifty dollars for their damages sustained by them by reason of the change in the said route herein made. And they are further allowed the privilege of erecting two gates across the said road on their lands.

On the motion of Nathan Miner & Caroline Winman, the Estate of Philip Maggy is committed to D. W. Rolston, Sheriff of this County, for administration.

Catharine Dudley,
&
Giles Devier, as gar. of N. W. Devier } Sug.

This day Giles Devier the garnishee appeared in Court on the 22d. day of Sept. 1870, and answered that he, has not nor has he had since in his possession or under his control belonging to the said W. W. Devier, and thereupon the cause is dismissed at the Pltff's costs.

Peter Bondo,
&
Elijah Dudley's adm. } Upon a sug.

This day came the defendants George P Bantman, Adm. of Elijah Dudley, dec'd, and answered the suggestion, and thereupon the Court doth direct the said administrator to pay so much first of the costs of this proceeding and then of the judgment of the plaintiff as the interest of Johnson Dudley in the personal estate of Elijah Dudley dec'd, as one of the distributees will pay.

First National Bank of Harrisonburg
&
S. R. Allebaugh, late S. R. C. } Upon a notice for failure to return Fi fa & Garnishee Process &c.

This day came the parties by their attorneys, and on motion of the defendant this cause is dismissed at the costs of the Plaintiff, which have accrued since Feby. Ct. 1871 It is therefore considered by the Court that the defendant recover of the Plaintiff his costs by him in this behalf expended, since said Feby. Ct. 1871.

Mem:- Upon the trial of this cause the Plaintiff, by counsel, excepted to the action of the Court in dismissing said cause at its costs, and entering judgment for same, and filed his bill of exceptions, which is in the words & figures following to-wit "1st Nat. Bk. of Harrisonburg & S. R. Allebaugh, late S. R. C. &c," which he prays may be signed, sealed and enrolled, which is accordingly done.

Upon a motion to confirm Report of Commissioners, Assignment of Dower to Mrs. Margaret M. Peale, widow of Jonathan Peale.

Ordered, That this cause be continued until next term at the cost of the contestant E.S. Peale.

Wm. Beard,	vs	John H. Devier	Att.
A.J. Warfield,	"	A.J. Boyer,	notice
same,	"	G.S. Christie,	"
Shacklett & Gibbons,	"	John C. Woodson,	"
Charles Slipspringer,	"	Geo. S. Hewlett,	"
Thomas Long,	"	John Scanlon,	"
J.J. Rohr,	"	G.A. Gay,	Att.
Jno. M. Armentrout	"	John W. Glover,	Sug.
B.A. Jones & wife,	"	M.N.H. Wise	"
Hugh Scoope,	"	Reuben Coffman,	"
J.A. Loewenbach, for &c,	"	John E. Massey, san. of &c,	"
Hy. A. Showalter	"	James Anderson, &c,	"
Wm. B. Davis	"	R.J. Lackey	"
Reuben Bonds	"	A.J. Warfield	Att.
P. Layman's Adm.	"	A. Hook, &c,	notice
Benj. F. Saunders,	"	A.F. Dawson	"
Reuben Bonds,	"	Commonwealth	appeal
A.W. Deane,	"	same,	"
W.C. & St. Louis R.R. Co,	"	Mary Keagy,	Dept. of Comms
same,	"	Joseph Bowman,	"
same,	"	Abm. Kinegandner,	"
Caleb Dean,	"	Valley R.R. Co. san. of J.C. Greiner,	Sug.

In the foregoing causes Rules having been issued requiring the parties to prosecute, on motion of the parties & for reasons appearing to the Court, they are dismissed.

A.B. Lupton Exo.,			
@			
J.D. Price,			

For reasons appearing to the Court, it is ordered that this cause be dismissed at the costs of the Plaintiffs, without prejudice to them right to institute a new proceeding.

Wm. Locke, for &c,			
@		Upon a sug. as san. of J.A. Campbell.	
John Kelly,			

This day John Kelly, the garnishee appeared in Court and answered that at the time of the service of this process he was not in any manner indebted to the defts. Campbell, nor has he been so indebted since, and thereupon this cause is dismissed at the Pltffs costs.

M. M. Delay's motion to correct an Erroneous Appearment.

M. M. Delay being a non resident of this State, on suggestion of the Clerk of this Court, a Rule for security for costs is entered.

Hannah Miller, } Warrant,
vs
P. A. Whitlock,

Ordered, That this cause be dismissed agreed,

Jonathan Peale } Upon a Notice,
vs
A. F. A. Pinkey, &c.

Ordered, That this cause be revived and proceed in name of John Bishop & E. C. Peale, admrs of Jonathan Peale, dec'd,

J. & B. F. Walker, } Upon a notice
vs
same,

The death of James Walker one of the Plaintiffs being suggested, It is ordered that this suit do abate as to him, and be revived and proceed in the name of B. F. Walker, surv'g, &c.

Jonathan Peale } Upon a rug,
vs
John M. Eammon, Trustee, &c.,

Ordered, That this cause be revived and proceed in name of John Bishop and E. C. Peale, admrs, of Jonathan Peale, dec'd and thereupon the trial of the cause is continued.

G. T. Hopkins &c, Petition for change of Road.

For reasons appearing to the Court this application is refused,

E. S. Peale	vs	James Steele,	Att,
Jno. C. Morrison,	"	D. L. Burke,	award.
W. Blackburn	"	John Williams,	notice,
Franklin Whitmores' admr.	"	James McDorman,	"
Wm Sandy, for &c,	"	Peter Keile	"
A. S. Benton,	"	S. Bright,	Att,
Amos Scott,	"	W. D. C. Covington,	notice,
W. H. Nair,	"	Richard Robinson,	rug.
Jacob Dinkel,	"	James Steele,	notice,
J. W. Loomer,	"	Samuel Thomas,	rug.
Commonwealth	"	Alex. Pinkey,	Bastardy,
Jacob Flook's admrs.	"	Cyprus Rhodes, &c,	rug,
W. A. Burke,	"	Samuel Wise,	notice,
Byrd, Sibert & Neff,	"	Jacob Miller, Jun. &c,	Dug.
Samuel Bailey,	"	Elias Kriding,	"
D. P. Heerphenstein &c,	"	T. B. Offutt,	Att,
Margaret Perkins,	"	John Kelly,	warr,
Wm H. Miller,	"	G. H. Whitten,	"
D. Pennybacker,	"	Wm H. Shoemaker,	notice,
M. Brenneman, Jun &c,	"	Henry Brenneman,	rug.
Andrew Benton,	"	D. Flook's admrs,	notice,

D. A. Lawson & Lucy A. Lawson vs. E. Roadcap Ex'r &c. of G. Lewis, Sug.
S. B. Allebaugh, " J. M. Mauzy &c., notice,
J. A. Locumbach, for &c, " Williams & Gordon "
Coffman & Buffington &c " 1st Nat. Bk of Bby. & C. R. Douthat, Sug.
Supt. of Poor, " Alexander Pinkey, Bastardy,
Commonwealth, " J. B. Easthams & others, notice,
same, by &c, " same, "
Supt. of Poor, " Patrick McSullivan, Bastardy,
Josephine R. A. Coffman, " W. C. & St. Louis R. R. Co. notice,
Benj. F. Wheeler " J. A. Locumbach, for D. B. & B. Huffman, Sug.

For reasons appearing to the Court, the foregoing causes are continued until the next terms of the Court.

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, Nov. 18th, 1874.

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

Thomas C. Dunham, surviving partner of himself & Robert M. Kenfott, late partners under the name of Dunham & Kenfott, use of J. Baker Kenfott, vs James Steele & John Leedy, } Upon a sale bond.

This day came the Plaintiff by his attorney, and the Defendants being solemnly called, came not, thereupon the Notice was proved, and it is considered by the Court that the Plaintiff recover of the Defendants the sum of $280.61 with interest thereon from Octo. 20, 1873, till paid, and his costs by him in this behalf expended.

Thos. C. Dunham, surviving partner of Dunham & Kenfott, use of John P. Kenfott, vs James Steele & John Leedy, } Upon a sale bond.

This day came the Plaintiff, by his Attorney, and the Defendants being solemnly called, came not, thereupon the Notice was proved, and it is considered by the Court that the Plaintiff recover of the Defendants the sum of $287.11 with interest thereon from October 20, 1873, till paid, and his costs by him in this behalf expended.

Daniel Miller @ J. W. Hoffmeyer, pay.
Jacob Hook's Admr. " Cyrus Rhodes, "
Samuel Shacklett " Ellen Williams, "

On motion of Plaintiffs, Rule having been returned duly executed, It is ordered that these causes be dismissed.

John P. Brock vs W. L. McGahey, &c. } Upon a motion.

same vs same, &c. } Upon a notice upon a Bond.

Ordered, That these causes be continued until the next term, at the cost of the Defendants.

N. Raines, for use G. W. Nicholas, vs C. Mohr, &c. } Upon a warrant.

issued 1st Dec.

On motion of the Defendant and for reasons appearing to the Court this cause is continued until next term, and at his costs, and Rules are awarded against Ellen Mohr & N. B. Lilly the Defts. writ to be returnable to the next term, for their failure to appear at this term, when duly summoned.

The Court doth appoint S. F. Keyton, as Constable in Stonewall Township in this County, to fill the vacancy occasioned by the resignation of George G. Strayer.

M. J. Carrier,	vs	Jesse Carrier,	Acc.
G. W. Stanley,	"	same,	"
G. W. Yancey,	"	same	"
Jno. P. Brock,	"	Reuben Layman,	"
M. V. Effinger,	"	Abm. Koontz,	"
Franklin Liskey,	"	James Steele,	motion,
Jno. C. Sprinkel,	"	Jacob Shoup's adm'r	Sug,
Overseers of Poor,	"	J. C. Hoover	"
First Nat. Bk. of Hdbg,	"	J. R. Jones & Co,	notice,
Henry Forrer,	"	Philip Koontz, &c,	"
J. N. Conver,	"	Samuel Thomas,	Sug,
D. V. Rinkman,	"	S. H. McFall,	Att,
N. N. Nair,	"	Richard Robinson,	notice,
Samuel Bailey,	"	Levi Shaver, &c,	Sug,
Geo. W. Landis, for &c,	"	Wm. P. Bloce,	"
John Keely	"	Wm. Enright,	Att,
John Woods,	"	W. B. Yancey, &c, sur.	Sug,
A. St. C. Sprinkel's adm'r	"	S. R. Allchaugh, late S. R. C,	notice,

Ordered, that the foregoing causes be continued until next term.

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

Chas. F. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, November 19, 1874.

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

Henry Shacklett, surv'g. &c,
vs
Wm. B. Compton, &c,
} upon a sug. as gar. of J. C. Walker,

Wm. Jones, use of Hy. Shacklett
vs
same.
} upon a sug. as gar. of J. C. Walker,

It appearing to the Court from the answer of Wm. B. Compton in writing filed in response to the suggestions sued out in the above causes, that J. C. Walker his Co-Commissioner is or was entitled to one-half the commissions on the sale of certain lands sold by said Walker & Compton, under a decree in the case of Baugher's adm'r, vs Jo. H. Conrad's adm'r. It is ordered that out of any money now in the hands of said Compton or that may hereafter come into his hands from the said sale & which may be due or owing to said J. C. Walker, said Compton pay the Executions upon which said suggestions issued & the costs, provided the same do not exceed the amount due to said J. C. Walker as aforesaid, And the garnishee Summons as to John C. Woodson is dismissed.

H. Dreyfous,
vs
S. Hirsch & Son,
} Upon a Notice.

Upon the calling of this cause, it appearing to the Court that both parties thereto are non residents of this State, upon the suggestion of the Clerk of this Court, a Rule for security for costs is entered.

It is ordered that after this term of the Court and until otherwise ordered, that the County and Circuit Courts of this County, do meet in the new Court-House which has been erected in the Public Square of the Town of Harrisonburg, the county seat of said County, and that the same shall be regarded as the Court-House of Rockingham County, at which place all parties summoned to appear before either the said County or Circuit Courts, or having business in either of said Courts, are hereby required to attend.

c/p'd & d.

Ordered further that a copy of this order be certified to the Clerk of the Circuit Court of this County, and that another copy be published in the "Old Commonwealth," a newspaper published in the town of Harrisonburg, for two weeks.

original del'd to J. H. Harnsberger Nov. 19, 1874. d.l.c.c.

St. C. Kyle vs Jacob Cole's Adm'r. - In debt.

On motion of St. Clair Kyle, leave is given him to withdraw the bond sued upon in the above cause, upon which judgment was rendered at the Feby. Term, 1868, by leaving an authentic copy of same on file in the papers of said cause.

Superintendent of the Poor,
vs
Reuben May,
} Bastardy.

Memo:- Upon the trial of this cause, the Defendant excepted to the opinion of the Court, and now pursuant to leave reserved at the time of trial and before entry of judgment, tendered his bills of exceptions which are in the words & figures following to-wit: "Superintendent of the Poor vs Reuben May &c," which he prays may be signed, sealed and enrolled, which is accordingly done.

Coffman & Buffy
vs
Peter Long,
} Upon a warrant removed from J.P.

This day came the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, is of opinion that this cause should be dismissed; It is therefore considered that this cause be dismissed, and that the Defendant recover from the Plaintiffs his cost by him in this behalf expended.

J. P. Effinger - motion to correct an Erroneous Affirmance.

It appearing to the Court that this motion was erroneously dismissed from the Docket at the last February Term of this Court, It is ordered that this cause be re-instated upon the Docket.

E. S. Peale, Appellant
vs
Wm H. Barley, Appellee
} Upon an appeal from a J. P.

This day came the parties by their attorneys, and the Court having fully heard the evidence and the argument of counsel, doth reverse and set aside the judgment of the Justice of the Peace, and considers that the Appellee recover from the Appellant the sum of $1.75 with interest thereon from the 14th day of March 1874 and also $9.50 Costs before said Justice of the Peace; and also considers that the Appellant recover from the Appellee his costs by him in this proceeding expended, to be credited upon the judgment of the Appellee.

A. Newman Peale
vs
Jonathan Peale's Admr.
} Upon a notice to execute new bond,

For reasons appearing to the Court and on motion of the Defendants this cause is continued until the next term.

capl. This day came Philip Leggett, who alleges that he is aggrieved by an entry in the Land book made by Geo. F. Mayhew, Assessor of Central Township for said county, in the year 1873, whereby he is charged with $6.19 Parish Levy and County & Dist. School tax on two tracts of Land, one containing 239 A. 0 R. 0 P. and one other tract containing 26½ Acres and $410 Personal Property, which land and personal property lies and is within the corporate limits of Davisson

being, whereupon the said Philip Liggett moved the Court to exonerate him from the payment of said taxes so erroneously charged against him for said year; which motion was defended by the Attorney for the Commonwealth, and J. R. Jones the successor of G. F. Mayhew, the Assessor who made the assessment examined as a witness touching the application. And it appearing to the Court that said land and personal property being taxed for Corporation purposes, within the Corporation of Harrisonburg is not liable to be taxed for these County purposes, It is ordered by the Court that said taxes so erroneously assessed against him for the year 1873 be refunded to him, it appearing to the Court that said tax has been paid to the Treasurer of this County.

Samuel Barley
vs
Ezra N. Lowman } Upon a suggestion sued out vs Jonas A. Loewenbach &c (No. 1

This day came the parties by their attorneys, and it appearing to the Court from the answer of Jonas A. Loewenbach, Treasurer of the Rawley Springs Company, under oath ✓ that, at the time of the service of said suggestion he had in his hands the sum of $65.00 It is ordered that the Plaintiff recover of said Rawley Springs Company, the sum of $27.84 with interest thereon from the 18th August 1869 & $1.76 Costs, that being less than the amount in their hands belonging to said Ezra N. Lowman.

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same,
vs
same. } Upon same vs same No. 2.

This day came the parties by their Attorneys, and it appearing to the Court from the answer of Jonas A. Loewenbach, Treasurer of the Rawley Springs Company, under oath, that at the ✓ time of the service of said suggestion he had in his hands the sum of $65.00 it is ordered that the Plaintiff recover of said Rawley Springs Company, the sum of $4.89, with interest thereon from 1st January 1870 & $1.76 Costs, or as much thereof as may be in their hands after satisfying a former judgment against them in favor of same Plaintiff at this term.

J. W. Finkel this day made a motion to correct an erroneous assessment of Taxes for the year 1873, and the Court not having time to consider the same, it is continued until the next term of the Court, and the Collector of Central Township is directed to suspend the collection of said taxes until a future order of the Court, retaining however, the lien of his levy endorsed on said tax tickets.

Ordered, That Court be adjourned until the 1st day of 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 December 21, 1874.

Present:- Hon. Charles J. 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, 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. M. Glaze & wife & Jacob Good,	to	Jackson Horn, & others, Trustees,
"	" John Smith's Heirs,	"	Henry Zirkle
"	" Noah Sanders & wife,	"	Joseph V. Bolton,
"	" Charles Eshman & A. A. Wise & wife,	"	John McCarty,
"	" Conrad Long & wife,	"	Samuel Baker,
"	" Chas. A. Yancey, Comm'r,	"	Josiah H. Litt,
"	" J. P. Brock & wife,	"	Wm. Chapman,
"	" Peter Roller, Jr. & wife,	"	John Brown Roller,
"	" Geo. W. Skelton & wife,	"	Lawson Albright,
Trust Deed,	Kiger & Beckone,	"	R. G. Mayo Trustee, &c,
Bargain & Sale,	Wm. Hillert & wife,	"	Solomon Thomas Denton,
"	" Wm. C. Harrison, trustee for &c,	"	Isaac Wenger,
Trust Deed,	Frances McQuade,	"	Robert Craig, trustee, &c,
Release Deed,	John E. Roller & Peter S. Roller,	"	Francis M. Flick,
Bargain & Sale,	James Kenney, Comm'r & others,	"	Jacob & Daniel Thomas,
Release Deed,	D. J. Gray	"	Agnes Sellers,
Bargain & Sale,	James H. Koogler & wife, &c,	"	Julia Phillips,
"	" Noah Rite & wife & others,	"	Wm. C. Harrison,
"	" John C. Woodson, Comm'r,	"	Samuel Bowman's Exr,
"	" Noah Maxey, Exr of D. C. Bazzell, dec'd,	"	Jacob S. Sellers,
Lis Pendens,	Morgan Layton,	vs	Andrew Hogan & Andrew J. Fenton,
Bargain & Sale,	Joseph Hoover & wife,	to	Rev. Timothy Funk,
"	" John B. Pirkle's Heirs	"	Wm. Funk,
"	" George Arbogast & wife, &c,	"	Josiah Brenner
"	" Isaac Arbogast & wife	"	Michael Fitzmoyers,
"	" Michael Fitzmoyers & wife,	"	Isaac Arbogast,
"	" Josiah Brenner & wife,	"	Michael Fitzmoyers & Wm. Arbogast,
"	" P. S. Roller & wife,	"	John Bauserman,
"	" Peter Whitzel,	"	Samuel H. Whitzel,
"	" Peter Whitzel & wife (old deed)	"	same,
"	" B. F. Lewis & wife & others,	"	A. M. Knipple,
"	" A. M. Knipple & wife,	"	E. D. Clarke,
"	" B. G. Patterson, Comm'r & others,	"	Mary A. & Kate Sprinkel,
"	" John Stover & wife,	"	N. L. & F. H. Lindsay,
"	" Danl. G. Martz & wife,	"	Michael J. Martz,
"	" Wm. Nair Jordan & wife, (old deed)	"	Jonathan Gutwiler,
"	" Jas. F. Sanfley & wife,	"	Geo. W. & Jas. N. Sanfley
Trust Deed,	John Mefferly	"	J. P. Wood trustee, for &c,
Bargain & Sale,	John A. Rhoades & wife,	"	B. R. Speck
"	" B. R. Speck & wife,	"	Wm. N. Strickler,

Trust Deed,	P. M. Strayer,	to	James Ott, trustee, &c,
Bargain & Sale,	Wm. G. Brown & wife, &c,	"	James F. Layman,
" "	Wm. Shands, Commr,	"	John E. Roller,
" "	Noah W. Shuler & wife,	"	Wm. Shifflett,
" "	Davd & Celine & wife & Jno. W. Dix & wife	"	David C. Celine,
" "	John Kaufhlenger & wife	"	Jacob M. Swartz,
" "	Cyrus G. Purley,	"	Jacob C. Sandy,
" "	Josiah Sumner & wife,	"	Daniel C. Fulk,
" "	Jacob Moyers & wife,	"	Thomas Atchison,
" "	The Shdh. Inval. & M. & M. Company,	"	Jno. W. Follett & others, trustees, &c,
" "	Jacob Early & wife,	"	Adam Showalter,
" "	Adam Showalter & wife,	"	Jacob Early,
" "	Geo. W. Linaweaver & wife,	"	Sarah C. Showalter, wife of Adam,
" "	John W. Baker & wife,	"	George Washington,
Deed of Release,	John E. Echols, Trustee, &c,	"	E. G. Sandford,
Bargain & Sale,	The Shdh. Inval. & M. & M. Company,	"	Andrew E. Pand,
Mortgage,	James M. Dovel & wife,	"	F. M. Russell & Co.,
Bargain & Sale,	Stephen Roadcap & wife,	"	Philip Baker,
Trust Deed,	John F. Long,	"	S. G. S. Long, trustee for Rebecca J. Long,
Assignment,	J. E. Cattes,	"	J. V. Funkhouser,

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 & ordered to be recorded, viz:—

Settlement of the A & of	J. K. Hamsberger,	Admr. of	R. L. Yancey, dec'd
" " " "	Martin Parlier,	" "	Daniel Parlier, "
" " " "	Harvey Wise,	" "	Peter Wise, "
" " " "	Rebecca Lawson,	Admx "	Moses Lawson, "
" " " "	Henry Pulse,	Exor "	Elizabeth Pulse, "
" " " "	J. Marty & C. W. Dovel	" "	John W. Dovel, "
" " " "	Henry Pulse,	" "	Henry Pulse, "
" " " "	Douglas Marty	" "	Sarah Marty, with legatees
" " " "	A. J. Mathews,	guard. "	Lucy Kesler,
" " " "	Saml. N. Wine,	" "	John Shank,
" " " "	Henry Runkholder,	" "	Jno. B. Nathaniel & Mary E. Shank,
" " " "	N. W. Shuler,	" "	Early B. Dovel, &c,
" " " "	Alexander Knopp,	" "	Helena Knopp,

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 the Estate of	J. C. Roman,	dec'd,
" "	" "	F. M. Shipman,	dec'd,
" "	" "	Peter Pleasker,	dec'd,
" "	" "	Peter Acker,	dec'd,
" "	" "	L. F. Moyerhoeffer,	dec'd,
" "	" "	Jr. Beery,	dec'd,
" "	" "	Aug. G. Heatwole,	dec'd,
Appraisement	Bill "	" "	Susan Huffman, dec'd,

Amended Report of Sale of Land, belonging to the Est. of Wm. S. Baugher, dec'd, Inventory of Sale of Land belonging to the Estate of Jno. Bromer, dec'd,

On motion of James F. Bowman, the Estate of John C. Oakley is committed to D. H. Rolston, S. R. C. for administration.

issued 14 / On motion of Nicholas Miller, surety of Jacob A. Armentrout, a rule is awarded against Jacob A. Armentrout, Executor of Henry Argabright, dec'd, to shew cause, if any he has, why Nicholas Miller, his surety in the fiduciary bond executed on the 20th May 1874, as Executor of said Henry Argabright, should not be relieved, & why his powers as said Executor should not be revoked, upon his failure to give a new bond on the 1st day of the Jany Term, 1875 of this Court, this rule is made returnable to the 1st day of the next term of this Court,

On motion of G. T. H. Hopkins, Esq.,

Ordered, That D. S. P. D. Miller, Commissioner of Roads for Stonewall Township, examine the Bloomer Springs Road lately established, and report to this Court the expediency of altering the location of the present road, or establishing a new one.

capias

The writing purporting to be the last will and testament of D. J. D. Williamson, was this day presented in Court and proven by the oaths of F. H. Littell and S. H. Myers, two of the subscribing witnesses thereto and admitted to probate;

And on motion of D. F. Kagey, the Executor therein named, he appeared in Court and entered into and acknowledged a bond in the penalty of $10,000.00 (without security as provided in the will,) conditioned according to law, and qualified as the Executor of the last will and testament of the said D. J. D. Williamson, dec'd and the Court doth appoint Wm. M. Dilcet, Madison West and Thomas Moore to appraise the Estate of said D. J. D. Williamson, after first being duly sworn.

Robert Cox, Supt. of Poor of Rockingham County, vs. Eli Armentrout, Jacob N. Rhodes & Reuben Sellers. Upon notice on a bastardy bond, executed as father of Bastard child of Barbara Ann Keeler,

This day the Notice against the Defendants was returned into Court, duly executed upon Jacob N. Rhodes & Reuben Sellers; and thereupon they were solemnly called and not appearing, on the motion of the Plaintiff, It is considered by the Court that the Plaintiff recover against the said Defendants, Jacob N. Rhodes & Reuben Sellers, the sum of Three Hundred Dollars, to be discharged by the payment of $20.00 with interest thereon from the 21st day of April 1874, till paid, and his costs, by him in this behalf expended.

On the motion of Samuel L. Kuper, Collector of Ashby Township, Jacob Wright, appeared in Court and qualified as his Deputy, by taking the several oaths prescribed by law.

The Court doth enter a Fine against Augustine Armentrout for the sum of $2.50 for a violation of the rules of the Court, It is therefore considered by the Court That the Commonwealth recover against said Augustine Armentrout the sum of $2.50 and it's fine & costs.

Revoked see page 447.

Asbury Harrison, & James Steele, } Notice, Sallie Palmer, & Wm. Crawford, gar. of Mary Miller } Sug.

Jacob Hoover, & same, } Notice, Wm. Reubush, & Delila Articulers Adm. gar. of S. Articulers } Sug.

Lewis Watson's Exor's, & M. C. Gay, } W. V. & D., D. A. Plecker, & Jackson Rhodes } Notice,

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G. S. Hopkins & others, Road Petition,
J. A. Hammen & others, same,
Daniel Kiser & others, same,

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

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cont'd. On the motion of J. A. Hammen & others, Dr. L. P. P. Miller, Comm'r of Roads of Stonewall Township is directed to view the route & report as to the proposed extension of the Port Republic Road from the Lawyer Road to McGaheysville.

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cont'd. On the motion of Daniel Kiser & others, E. H. Conner, Comm'r of Roads for Ashby Township is directed to view and report upon the propriety of changing the Mt. Crawford and Dayton road from Isaac Hilbert's house to the old forge road & thence to the Harrisonburg & Warm Springs turnpike, so as to run from said Isaac Hilbert's house directly to said turnpike, near the North end of Bridgewater, the said new location to run from Isaac Hilbert's with the road reserved between Daniel Kiser and John Flory to P. M. Kite's line & thence through said Kite's land to said turnpike, or as near said line or location as practicable; said Comm'rs to be governed according to Sections 21, 22, 23 & 24 & 25 of Chapter 52 of Code of Va. 1873.

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cont'd. Reuben Bonds, Constable of Stonewall Township, this day presented in Court, an account against the Commonwealth of Virginia, amounting to the sum of $6.40 for arresting Isaac Crawford, wife of Isaac Crawford, Mary F. Crawford, Angelina Crawford, David Bush & Mc. Ford, for assault & battery & for summoning 2 witnesses (certified by David Pilmer, J.P.) and being sworn to, it is examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd. Thomas Powell, Constable this day presented in Court and ac-
count against the Commonwealth of Virginia, amounting to
the sum of $4.85 for conveying Ned Garnett, charged with felony,
from Rockingham County jail to Lowndes Store, which being
sworn to, was examined and allowed by the Court, and ordered
to be certified to the Auditor of Public Accounts for payment.

L. S. Boyd, Jailor of this County, this day presented in Court,
an Account against the Commonwealth of Virginia, amounting
to the sum of $215.55 for receiving, dieting, &c the following named
c/p'd. Prisoners, to-wit:- George Parker, Rockingham Weekly, U. S. Saunders,
John Keenan, Charles Bamber, John Johnson, Edward Minnick,
Robert Faulkner, & Albert Harrison, & Robert Johnson, 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 motion of Jonathan Shaver, the Court doth appoint J. A. Switzer
Curator of the Estate of Henry W. Dasnace, dec'd, and thereupon the
said J. A. Switzer appeared in Court, and together with Jonathan
Shaver, his surety, (who justified as to his sufficiency) entered into
and acknowledged a bond in the penalty of $500.00 conditioned ac-
cording to law, and qualified accordingly.

On the motion of Geo. M. Showalter, who made oath thereto
according to law, he appeared in Court, and together with M. J.
Moyerhoeffer & John D. Moyerhoeffer, 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, a cer-
tificate is granted him for obtaining letters of administration
de bonis non, upon the Estate of L. M. Moyerhoeffer, in due form.

This day Henry Madison Graves, an infant over 14 years of
age, appeared in Court and made choice of Edward Graves
as his guardian; and thereupon the said Edward Graves, ap-
c/p'd. peared in Court, and together with George Shuiseman, 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, and qualified as said guardian.

This day Quincy Calvin, William H., & Sarah Catharine, infants
of Philip Hosler over 14 years of age, appeared in Court, and
made choice of William Sickey, as their guardian, and
the Court doth appoint said Wm. Sickey, guardian of Hannah
Susan Hosler, infant of said Philip, under 14 years of age, the
said Philip Hosler appearing in Court and consenting thereto,
and thereupon the said William Sickey appeared in Court,
and together with A. D. Armentrout, his surety, (who justified as
to his sufficiency,) entered into and acknowledged a bond in the
penalty of $1200.00 conditioned according to law, and qualified
as guardian of the said infant children of Philip Hosler,

On the motion of Rev. Solomon Frank, it appearing to the Court, that he is a regularly ordained Minister in the Baptist Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court and together with Ephraim Reubush, his Surety, (who is justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, and qualified accordingly.

Commonwealth,
@
Peter Bonds, } Upon an Indictment for Trespass.

This day came again as well the Attorney for the Commonwealth as the Defendant, by his Attorney, and thereupon came a Jury, to wit:- U. C. Switzer, Co. G. Reed, Wm. Board, jr., Wm. H. VanPelt, jr., Andrew Carrier, Levi Offelt, Wm. H. Mooney, John Brunk, Michael Bowman, Christian Good, Anthony Rhoades and B. F. Showalter, 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 not having agreed upon a verdict, were adjourned until to-morrow morning at 10 o'clock.

Commonwealth
@
J. W. Rhinehart. } Upon an Indictment for I. A. B.

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

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

Chas. J. O'Finall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, December 22, 1874.

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

Solomon Huffman, & James Steele, } Notice. Solomon Funk &c. Road Petition. }

Same, & Same, } Notice

Same, & Mrs. ~~Xxxxx~~ Steele, } Notice,

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

Lewis Watson's Exor, & W. C. Gay, } M. E. & D.

The Deft. by counsel appeared and filed his plea of not guilty, upon motion of the Plaintiff it is - - Ordered, That the trial of this cause be continued until next term, at the Plaintiff's costs.

The Court doth this day appoint Peter Rader as Constable of Plains Township, to fill a vacancy in said Township, ~~xxxxxxxxxxxx~~ until his successor is qualified to enter upon the discharge of the duties of his office; and thereupon the said Peter Rader 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 2.000^{00}, conditioned for the faithful execution of the duties of his office. And thereupon the said Peter Rader took the several oaths prescribed by Law,

On the motion of Rev. Joseph S. Sooze, it appearing to the Court, that he is a regularly ordained minister in the German Reformed Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with D. M. Switzer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $\$1500^{00}$ conditioned according to Law, and qualified accordingly,

On the Petition of Joseph Stickel, Committee of Mary Stokes, a lunatic, It is ordered that said Petition be referred to F. A. Daingerfield, Commissioner in Chancery, to inquire into and report upon the matters therein contained, the said Petition praying a sale of two tracts of land, one containing twenty, the other seven Acres, devised by the last will and testament of John Stokes, dec'd, to his wife, Mary Stokes, "for her use, to raise the family," &c.

On the petition of Solomon Frantz and others, for the establishment of a public road, commencing at the mountain Road, Limville Township, at a point near Henry Frantz's dwelling house, thence by way of Singers Glen, in a South east direction, through the lands of Henry Frantz, Elvira Breeze, Daniel Swan & Timothy Frantz, A. L. Kieffer, Wm. Rondabush, Ephraim Rudebush, Jacob Zirkle and Jonathan Frantz, to a point on Dayton & Tenleytown Road at the corner of Jonathan Frantz's & Jacob Zirkle's lands, It is ordered that the Commissioners of Roads, for Limville Township view the above designated route & report the propriety of establishing said road, said report to be made to the next term of this Court.

Commonwealth,
&
Peter Bonds,
} Upon an Indictment for Trespass

This day came again the Jury sworn and empanneled on yesterday for the trial of this cause, pursuant to their adjournment, and after some time returned into Court and upon their oaths do say, "we the Jury find the Defendant not guilty," whereupon the Court doth consider that the Defendant go hence without day, and recover against Augustine Arnecentrout, his costs by him in this defence expended, who was, at the last term of this Court adjudged and endorsed as the Prosecutor.

J. B. Eastham, Collector of Stonewall Township, this day presented in Court a List of Delinquents for the non-payment of Capitation and Property Tax, for the year 1873, with the oath of the said Collector at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessor of said Township, touching the propriety of said List, and each case therein contained, verified by his oath thereto annexed, which said List after being examined by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

Samuel R. Allebaugh, Treasurer of this County, this day presented in Court a List of Real Estate delinquent for the non-payment of Taxes for the year 1873, in Stonewall Township, with the oath of the said Treasurer at the foot thereof thereto subscribed, and accompanied by the written opinion of the Assessor of said Township, touching the propriety of said List, and each case therein contained, verified by his oath thereto annexed, which said List after being examined by the Court, the Court doth order that a copy thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

Ordered, That the following named persons be allowed the amount opposite their names, for their services at this term of the Court in the trial of misdemeanor cases, which are ordered to be certified to the Auditor of Public Accounts for payment, viz:

Abram Pickering	$1.00	N. C. Switzer	$2.00	N. A. Lee,	$2.00	W. G. Reed,	$2.00
Wm. Beard, jr,	2.00	J. C. Rohr	$1.00	Wm. N. Campbell, jr,	2.00	Wm. Robinson	2.00
Andrew Bannier,	2.00	Peter J. Rymel,	2.00	Levi Coffelt,	2.00	Adolph Wise,	2.00
John Burnett,	2.00	Michael Bowman,	2.00	Winchester Good	2.00	Anthony Rhodes,	2.00
B. F. Showalter,	2.00	Wm. N. Moorman,	2.00				

cert. to Aud. of Pub. Accts.

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

Chas. P. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday December 23, 1874.

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

A. P. Nicholas, &
Wm. Swartz, } Upon a Notice, for money paid as surety.

This day came the Plaintiff by his attorney, and the Defendant being solemnly called came not, thereupon the Notice was proved, and it is considered by the Court that the Plaintiff recover against the Defendant the sum of $89.89 with interest thereon from the 9th day of May 1873 till paid, and 5 per cent. damages thereon, and his costs by him in this behalf expended.

Upon the application of Hiram N. Taylor & Joseph F. Taylor, made at the November Term, 1874, for altering the location of a portion of the Massanutten Road & for establishing a new road from at or near Hume's Run to Taylor's Ford, the report of J. C. & V. Miller, Comm'rs. of Roads for Stonewall Township being filed and inspected, the Court doth award process to summon the proprietors or tenants of the lands on which the said new road is to be established, to shew cause against the same, viz:- Hiram N. Taylor, Mary Taylor, Joseph F. Taylor, John M. Taylor, Geo. M. Harnsberger, D. Dovel, C. V. Dovel, Mrs. Sallie Dovel, Noah M. Shuler, Exr. of D. D. Dovel, dec'd & Reuben Petenfish.

Upon the application of F. M. Kirtley and others, for the establishment of a new road from Elizabeth J. Hagy's to the Bridge across the Shenandoah River, near Leonard's Store, at the intersection of the Shenandoah River & the Rockingham Turnpike; and the report of James C. Heltzel, Comm'r. of Roads of Central Township heretofore filed, being read & considered, the Court doth award process to summon the proprietors or tenants of the lands on which it is proposed to establish said road, to shew cause against the same, viz:- Elizabeth J. Hagy, Robt. B. Cook, John Harmer, John Cook, Nancy Cook, Wm. Hagy, J. G. M. Miller, Layton Mayers, Joseph Mayers & Wm. C. Billingsley.

The Court doth revoke and annull the order made on the first day of this Session of the Court, imposing a fine of $2.50 and costs upon Augustine Harnsberger, for a violation of the Rules of the Court.

Reuben Bonds this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $17.00 for arresting John W. Berry, charged with felony & for summoning witnesses, and for arresting same, charged with assault and battery, and for summoning witnesses, which being sworn to in open Court, were examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c. a. p. d. & d.

This day S. F. Keeton, Special Constable, presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.45 for arresting Adeline Grim and Mary Eutzler, charged with misdemeanor, summoning witnesses conveying same to Jail, mileage, toll, waggon hire & guards; also an account against same for $13.37 for arresting John Johnson, charged with felony, summoning witnesses, mileage, meals, toll, waggon hire & guards; also an account against same for $3.60 for arresting Jeremiah Dellick, Thomas Kilgen & John Kisling, charged with misdemeanor & summoning witnesses, which being sworn to, were examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c. a. p. d. & d.

Reuben Bonds,
@
P. N. & V. Pickering &c. } Upon an appeal from J. P.

On motion of Chas. A. Yancey this cause is revived in the name of Chas. A. Yancey, Assignee of Reuben Bonds in Bankruptcy a.p. Appellant against J. B. Eastham, Admr. of P. N. & V. Pickering as Appellee.

It appearing to the Court that Mrs. L. B. Darnall, widow of Henry M. Darnall, dec'd, has renounced, in writing, her right to administer on his Estate, on her motion, John A. Switzer, who made oath thereto according to law, appeared in Court, and entered into and acknowledged a Bond in the penalty of $800.00 conditioned according to law, a certificate is granted him for obtaining Letters of administration in due form, upon the Estate of the said Henry M. Darnall, dec'd and the Court doth appoint Hiram Coffman, Stephen J. Fear, Saml. Shreve J. P. Rhodes and Peter Long to appraise said Estate, any three of whom may act, after first being duly sworn.

Henry Raines, for &c.
@
L. Mohr, &c. } Upon a warrant.

On motion of the Defts. this cause is continued until next term of the Court at his costs, and attachments are awarded against W. B. Lilly and Ellen Morris, two of his witnesses upon whom rules were returned duly executed, for their failure to appear at this term of the Court.

c/d. This day came J. W. Zirkle, who alleges that he is aggrieved by an entry in the Land Book, made by G. F. Mayhew, Commissioner of the Revenue for Central Township in said County in the year 1873, whereby he is charged with $30.76 taxes for the year 1873 on 2 tracts of land, one containing 10 A. 2 R. 20 P. the other A 18, R. 0. & P. 30 described as lying in said township; and thereupon the said J. W. Zirkle moved the Court to exonerate him from the payment of $26.92 part of said 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 F. R. Jones the successor of said Mayhew, 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 ____ 1873, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the lands were changed on the book for 1873 in name of J. W. Zirkle, which he had previously sold and conveyed to purchasers by deed duly recorded, and which had not been transfered on the Assessment to the purchasers, but which improperly remained on the books in the name of J. W. Zirkle, and that instead of being assessed with 40 ½ worth of Real Estate, he ought to be charged with $500 of Real Estate; 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 J. W. Zirkle is erroneously charged on said book with taxes amounting to $26.92; whereupon it is ordered that the said J. W. Zirkle be exonerated from the payment of $18.42 State tax, $2.95 County Levy & $5.55 Parish Levy (total $26.92) Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

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

Chas. P. O'Finall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, December 24, 1874

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

C. H. Vandeford, Proprietor of the Commonwealth Office, presented in Court an account against the County of Rockingham, amounting to the sum of $111.00 for advertising three orders of Court in 1874 and for printing Hand tickets for and against "Constitutional Amendments", which being returned, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment.

Solomon Beery,
and
John H. Beery,
} Upon an award of Commissioners.

This day, the parties appeared in Court by counsel, and neither party requiring a rule to submit to the award, made in pursuance of an agreement heretofore entered into by said parties, and neither party making any objection to said award, by consent of said parties by their counsel, the said award is entered up as the judgment of the Court, which award is in the words and figures following, to wit:-

"We, the undersigned, having been requested by Solomon Beery and John H. Beery to act as Commissioners to make a division of the Land, which was willed by the late Joseph Beery, dec'd, to his two sons, the said Solomon and John H. Beery, in pursuance with the said request, we met upon the premises on the 7th day of August 1874, and after making a careful examination of the buildings, the water, timber and fertility of the soil, we found the said tract of Land to contain One hundred and fifty and a half Acres, according to the plats shown us. After the division was made, John H. Beery proposed to his brother Solomon Beery that he should make choice of the Tracts, the said Solomon Beery accepted that part of the Land, embracing all the buildings, barn, dwelling House and out buildings, garden, orchard &c.- This Tract of Solomon Beery's contains sixty four and a half acres of Land, as is shown by the map of the division the other tract of Land as accepted by John H. Beery contains Eighty six Acres of Land, without any buildings. We consider that each Tract of Land has a sufficiency of Timber land to keep it up. We would also direct that Solomon Beery who owns the sixty four and a half Acre Tract shall have a free right of way through the land of John H. Beery to reach the public road along the same Tract, that is now used for that purpose, also, a line of fencing now standing near the new division line, shall be moved and put upon the new division line, and each party to keep up his half of the fencing. A well of water upon the share of Solomon Beery shall be used by the said John H. Beery

for House use, if desired, or any owner hereafter of the said Tract of land shall have the same privilege to use the water from the said well. All of which is most respectfully submitted. Given under our hands this 7th. day of August 1874.

Edward S. Kempson,
Chas. A. VanLear, } Comm'rs.
Harvey Wise,

And it is further ordered that by consent of the parties, that the accompanying Report of Survey and map of the Division of said land between Solomon Beery and John D. Beery be recorded in the Deed Book B of the County Court of Rockingham County.

It appearing to the Court from the Report of A. M. Newman, Comm'r. of Accounts of date Octo. 30, 1874, that there is in the hands of Thos. K. Harnsberger, Adm'r. of Robert S. Yancey, dec'd, the sum of Two Thousand Three Hundred and Thirty-nine 57/100 dollars as of date 15th. Sept. 1874, It is ordered that Comm'r. A. M. Newman ascertain & report to this Court who are entitled to said fund and in what proportion, and such other matters as any party in interest may require, or to the Comm'r. may seem proper.

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 $5.00 for prosecuting to conviction in one case of misdemeanor, to-wit: Commonwealth vs. George Clarke.

Gordon & Williams,
vs. } Scire facias to revive a judgment.
E. S. Peale,

This day came the Plaintiffs by their Attorney, and it appearing to the Court that the process has been returned duly executed upon the Defendant, and he not appearing, being solemnly called upon the motion of the Plaintiffs by counsel, It is considered by this Court that this judgment be revived, and that the Plaintiffs may have execution against the said Defendant E. S. Peale, for the sum of $68.24 with interest thereon at the rate of 6 per cent. per annum from the 20th. day of December 1870, till paid, and $7.76 Costs of original judgment, and also their costs by them in this behalf expended.

John Bishop and E. C. Peale, Administrators of the Estate of Jonathan Peale, dec'd, having failed to execute a new bond as said Adm's upon a notice returned executed at a former term of this Court, from A. N. Peale, one of the securities of said Administrators, on the motion of said surety, It is considered that their powers as Administrators of the Estate of the said Jonathan Peale, be, and the same are hereby revoked,

Shaver & Rader Appellant vs Wm. Minnick, Appellee. Appeal.
Ordered that this cause be continued until next term at the costs of the Appellee.

John P. Brock, Pltff vs W. T. McCahey, &c, defts. = motion
same, Pltff " same, defts. = Notice.
On motion of the Defendants, these two causes are continued until next term of the Court, and at the costs of the Defendants.

On the motion of David A. Plecker, the Court doth appoint Edward S. Kemper, Daniel Kauffman, Reuben Kauffman, Daniel Byerly and H. M. Argabright, as Commissioners to go upon the lands of Jackson Rhodes on the 13th. day of January 1875, and to view the lands of said Jackson Rhodes, proposed to be taken by D. A. Plecker for the purposes of the Nat. Deanford Bridge, and ascertain what will be a just compensation for such of said land as is proposed to be taken for said Bridge, and for the damage to the residue of the tract, beyond the peculiar advantages to be derived in respect to such residue from the Bridge to be so constructed and report to the next term of this Court the Court not undertaking now to determine the right of the said Plecker to apply for the appointment of said Comm's. under existing laws, but holding the decision in reserve.

Ordered, That John Paul, Attorney for the Commonwealth for this County, be allowed the sum of $41.66⅔ for his services in this Court at the December Term, 1874, and the same is ordered to be certified to the Treasurer of this County for payment.

J. P. Effinger
vs
Joseph Andrew. } Upon an appeal from a judgment of a Justice.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and the argument of Counsel, doth affirm the judgment of the Justice of the Peace, and doth consider that the Appellee recover of the Appellant his costs before the Justice and also his costs in this behalf expended.

Ordered, That J. T. Logan, late Clerk of this Court be allowed the sum of Two Hundred and fifty dollars for Judicial services from July 1, 1874 to Dec. 31, 1874, and that the same be certified to the Treasurer of this County for payment.

This day came J. P. Effinger, who alleges that he is aggrieved by an entry in the land book made by Geo. F. Mayhew, Assessor for Central Township for said County, in the year 1871, whereby he is charged with $118.61 taxes for the year 1871, on a tract of land containing 96¼ acres, described as lying in said Township; and thereupon the said J. P. Effinger moved the Court to exonerate him from the payment of $57.36 part of the taxes so erroneously charged against him for said year, which motion was decided

by John Paul, the attorney for the Commonwealth for said County, and G. R. Jones the successor of Mayhew the 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 ___ 1871, and that application for redress against the erroneous entry was made within and regularly docketed within the time prescribed by law, and has since been pending in this Court, and it appearing that he has been assessed with 114 Acres of land which had been previously conveyed to purchasers and regularly transferred to them, and that the 85 Acres of the balance of the 96¼ Acre tract ought only to have been assessed at $1.00 per acre including buildings instead of $1.80 per acre including buildings. 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 J. P. Effinger is erroneously charged on said book with taxes amounting to $5.36, whereupon it is ordered that the said J. P. Effinger be exonerated from the payment of $4.13 State Taxes $.41 County Tax and $.82 Railroad tax (Total $5.36) Taxes so erroneously charged, if not already paid, and if paid that it be refunded to him.

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

Chas. T. O'Ferrall.

Virginia:—

In the Clerk's Office of the County Court of Rockingham County, January 4, 1875.— In Vacation.—

W. H. Reed, Edward J. Reed & Geo. W. Reed, merchants & partners under style of George W. Reed & Co.,

vs.

S. R. Allebaugh, late Sheriff of Rockingham County,

Upon a Notice for money collected by Wm. H. Rodeffer, Deputy of S. R. Allebaugh, late S. R. C. and not paid over by him,

This day, the Defendant, S. R. Allebaugh, personally appeared in the Clerk's office aforesaid, and acknowledged the Plaintiff's action and confessed judgment for $300.77 with interest on $100.77 part thereof from Nov. 19 1867 & on $200.00 the residue thereof from May 2d. 1868, at the rate of 6 per centum per annum till paid and costs. It is therefore considered that the Plaintiff recover of the Defendant, the sum of $300.77 with interest on $100.77 part thereof from Nov. 19, 1867 & on $200.00 the residue thereof from May 2d. 1868, at the rate of 6 per cent. per annum, till paid, and their costs by them in this behalf expended.

Attest, J. T. Logan, Clerk.